Prior to making a public comment, please fill out the form available on the table in the hallway to help ensure that your information is correctly entered into the minutes. Once you have spoken, please hand your form to the staff in front of the podium for the Clerk.

UNOFFICIAL RESULTS

TENTATIVE AGENDA REVISED 8-1-2022

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

TUESDAY, AUGUST 2, 2022, **6:00 P.M.**

CITY HALL

If business has not concluded by 8:15 p.m., there will be a 15-minute break.

A. Roll call – Absent: Commissioner Wright

B. Approve Minutes of meetings of Tuesday, June 7; Tuesday, June 14, Tuesday, July 5; and Tuesday, July 19, 2022

C. Written communications

D. Citizen input. If you wish to address the Mayor and Commission on any item listed below on the consent agenda, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT A CITIZEN MAY SPEAK ONCE DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

E. Consent agenda. Items under this section have been discussed at prior public meetings and will be presented for consideration as a single item. Only one vote will be taken. **APPROVED – UNANIMOUS**

1. ADOPT: Ordinance reference Lake Meeler HOA voluntary sidewalk memorandum of agreement
2. ADOPT: A resolution reference a vision zero approach
3. APPROVE: TSPLOST 2018 Project 06, Firefly Trail Project – Public art location approval – Firefly Trail Corridor Phase 2
4. APPROVE: TSPLOST 2018 Project 14 - Lexington Highway Corridor Improvements, Sub-Project #1 Preliminary plan
5. APPROVE: TSPLOST 2023 Project 11 – East Athens MLK Parkway Oconee River Greenway Trail Georgia Department of Transportation – Transportation Alternatives Program grant
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9. APPROVE: Award of Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Long Range Transportation Plan Update contract

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G. Old business

6. Intergovernmental agreement between the Athens-Clarke County Industrial Development Authority and the Unified Government of Athens-Clarke County: Boehringer-Ingelheim expansion **APPROVED – unanimous**

10. SPLOST 2020 Project 08, Public Safety Vehicles, Sub-Project #2 – Proposed project concept and purchase of Ford interceptor hybrids **APPROVED 8-1 Commissioner Houle voted NO.**

11. ADDA Community Events Program funding request for FY23 **APPROVED - unanimous**

12. Accept the Clean and Renewable Energy Plan **APPROVED - unanimous**

13. TSPLOST 2018 Project 16, Prince Avenue Corridor Improvements – Sub-Project #1 proposed project concept plan **APPROVED – unanimous**

14. SPLOST 2020 Project 28, Mental Health Recovery Facility - intergovernmental contract with Advantage Behavioral Health Systems **APPROVED - unanimous**

15. SPLOST 2020 Project 03, Classic Center Arena – Second bond revenue financing issuance and intergovernmental agreement **APPROVED 6-3 Commissioners Parker, Link, and Houle voted NO.**

-

16. SPLOST 2020 Project 19, Bishop Park Improvements Sub-Project #1 - Proposed schematic Design **APPROVED - unanimous**

17. District Attorney's Office Restorative Justice Grant **APPROVED - unanimous**

18. District Attorney's Office Technology Grant for Victims of Crime **APPROVED - unanimous**

19. District Attorney's Office Reducing Risk for Girls in the Juvenile Justice System Grant **APPROVED - unanimous**

20. Legislative Review Committee report: Possession of marijuana local ordinance **APPOVED 8-1 Commissioner Thornton voted NO.**

21. Authorization of the housing affordability investment strategy **APPROVED - unanimous**

22. Resolution to protect reproductive freedom and abortion access in Athens-Clarke County **APPROVED - unanimous**

23. University of Georgia contribution in support of downtown public safety camera system **APPROVED 8-1 Commissioner Parker voted NO.**

H. New business – Consider under suspension of Rules

24. Ordinance for fee schedule for parklets. This is to correct a scrivener's error in numbering **APPROVED – unanimous**

25. Resolution authorizing settlement **APPROVED – unanimous**

26. Thirty-third declaration of a local state of emergency related to COVID-19 **APPROVED – unanimous**

27. Appointments to various boards, authorities, and commissions **APPROVED – unanimous**

37. Third storage agreement at the Taylor Grady House **APPROVED – unanimous**

I. Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission. The proposed recommendations will be disposed of, item by item, by the receipt of public input, the close of public input, and the consideration by the Commission. PLEASE REFER TO ATTACHMENT A FOR TIME LIMITS FOR PRESENTATIONS.

28. Request of Michael Canady/Mill Creek Residential Owners: SFI Land, LLC & Wollmoor Properties, LLC for Rezoning from Employment Center to Mixed Density Residential; From E-I(Employment-Industrial) & I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development on 65.89 acres known as 505 and 515 Olympic Drive. Proposed use is multifamily residential. This will require an amendment to the Future Land Use map from Employment Center to Mixed Density Residential. Type 1 District 2 **HOLD until Tuesday, September 6. - unanimous**

    Planning Commission recommendation:
    Future Land Use: Denial (unanimous)
    Rezoning: Denial (unanimous)

29. Request of Scott Haines/W&A Engineering Owner: Keystone Custom Homes, LLC for amendment to C-N (PD) (Commercial-Neighborhood, Planned Development) on 15.13 (0.439 acres amended in this request) known as 100, 106, 179 & 185 Timothy Park Lane. Proposed use is commercial and single-family residential. Type II District 10 **APPROVED – unanimous**

    Planning Commission recommendation: Approval w/conditions (unanimous)

30. Request of Michael B. Thurmond/Armentrout Matheny Thurmond, PC Owner: CJB Athens, LLC for rezoning from C-R (Commercial-Rural) to RM-1 (Mixed Density Residential) on 42.95 acres in 1000 block of Hull Road. Proposed use is residential. This will require an amendment to the Future Land Use map from General Business and Rural to Mixed Density Residential. Type I District 9 **APPROVED - unanimous**

    Planning Commission recommendation:
    Future Land Use: Approval (unanimous)
    Rezoning: Approval w/conditions (unanimous)

31. Request of Robert Shields Owner: Habersham Partners I, LLC for rezoning from AR (Agricultural Residential) to C-R (Commercial-Rural) on 16.17 acres known as 2325 Commerce Road. Proposed use is not stated. Type II District 5 **APPROVED request for withdrawal - unanimous**

    Planning Commission recommendation: Denial (unanimous)

32. Request of E+E Architecture Owner: Bottleworks Parking, LLC for Special Use in C-D (WE) (Commercial-Downtown, West End Downtown Design Area) on 1.2 acres known as 229 Meigs Street. Proposed use is mixed use (residential and commercial) development. Type II District 3 **APPROVED - unanimous**

    Planning Commission recommendation: Approval w/conditions (unanimous)

33. Request of David W. Matheny/AMT, PC; owner 347 Downtowner, LLC and The Hancock House LLC for special use permit in C-D (WE) (Commercial-Downtown, West End Design Area) on 0.32 acres known a 347 West Hancock Avenue. Proposed use is a fraternity. Type II District 3 **HOLD until Tuesday, September 6 - unanimous**

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K. Receive report from Mayor

34. Adopt Athens proclamations

L. Receive report from Manager

35. Grant acceptance and budget transfer

36. Purchasing for May and June 2022

M. Receive report from Attorney

N. Receive input from Commissioners

O. Adjourn 11:25 p.m,

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N. Receive input from Commissioners

O. Adjourn

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ATTACHMENT A

PROCEDURE FOR CITIZEN INPUT ON ZONING RELATED PUBLIC HEARINGS.

All persons supporting and opposing a proposed rezoning may take either one of two different opportunities to address the Mayor and Commission at the final public hearing on the proposed rezoning, as follows:

1.a. Proponents shall first present their ten (10) minute argument in support of the proposed rezoning, and opponents shall then present their ten (10) minute argument in opposition to the proposed rezoning.

b. Neither side will be required to use all of its ten (10) minute argument period.

c. Either side may allocate its ten (10) minute argument period among any number of speakers, provided that the presentation by all speakers for each side shall not exceed ten (10) minutes per side.

d. All persons wishing to speak longer than three (3) minutes during one side's ten (10) minute argument period must register their intent to do so with the Clerk of Commission not later than the time that the meeting of the Mayor and Commission at which the final public hearing on the proposed rezoning is to be conducted is first called to order.

e. In the event that all persons wishing to speak longer than three (3) minutes as a part of one side's ten (10) minute argument are not able to agree how that side's ten (10) minute argument period shall be allocated, they shall inform the Mayor of their disagreement before either side begins its 10-minute argument, in which event the Mayor shall decide and announce the manner in which that side's ten (10) minute argument period shall be allocated. Any Commissioner dissatisfied with the Mayor's allocation of that side's ten (10) minute argument shall have the right to appeal the Mayor's allocation decision to the Commission before either side begins its ten (10) minute argument.

2. After the supporters and opponents of the proposed rezoning have concluded their ten (10) minute arguments, any person who has not yet spoken either for or against the proposed rezoning shall be allowed to address the Mayor and Commission concerning the proposed rezoning for no longer than three (3) minutes per person.

ATTACHMENT #2

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE LAKE MEELER HOA FOR EXPENSES RELATED TO PURCHASING MATERIALS FOR SIDEWALK INSTALLATION; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund Operating Budget to provide funding from the Lake Meeler HOA for expenses related to purchasing materials for sidewalk installation and related expenses. Said Operating and Capital budget is hereby amended as follows:

General Fund:

REVENUES:	
Increase:	
Miscellaneous Revenue:	$10,217
EXPENDITURES:	
Increase:	
Transportation & Public Works Department Operating Expenses	$10,217

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Lake Meeler HOA Voluntary Sidewalk Agreement

DATE: June 23, 2022

BUDGET INFORMATION:

REVENUES: $10,217 HOA Contribution

EXPENSES:
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: Owner contribution

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that Mayor and Commission:

a. Approve an Agreement between the Unified Government of Athens-Clarke County (ACCGov) and Steve Horton, representing Lake Meeler Homeowners Association (HOA) Board of Directors (**Attachment #1**);
b. Authorize the Mayor and appropriate staff to execute the Agreement and receive a contribution in the amount of $10,217 from Steve Horton on behalf of Lake Meeler HOA Board of Directors;
c. Adopt a budget amendment ordinance in the amount of $10,217 (**Attachment #2**);
d. Approve the project concept as shown in **Attachment #3**, which includes the installation of 328 feet of sidewalk and four ADA ramps.

HISTORY:

1. Prior to February 25, 2021, Lake Meeler HOA contacted Commissioner Houle for assistance with getting a sidewalk installed along Cleveland Rd. connecting Kittle Ln and Meeler Cir.

2. On February 25, 2021, Lake Meeler HOA Board of Directors President, Steve Horton, received an email from Commissioner Houle which included the Voluntary Sidewalk Assessment District.

3. In April 2021, Lake Meeler HOA Board of Directors unanimously voted to proceed with the Cleveland Rd. sidewalk project.

4. Prior to May 3, 2021, Steve Horton contacted Streets & Drainage to discuss the Voluntary Sidewalk process. A site visit was scheduled for May 3, 2021.

5. On May 3, 2021, Streets & Drainage staff met with Steve Horton on site and measured for the proposed sidewalk.

6. On May 25, 2021, the Lake Meeler HOA Board of Directors received the Streets and Drainage construction estimate. At that time, the HOA could not afford the cost of the project and put the plans on hold.

7. In April 2022, Lake Meeler HOA Board of Directors voted to reinitiate the project. They contacted their HOA management company's manager (Compass Association Manager) Ansley Irvin and asked her to make contact with Streets & Drainage.

8. On April 25, 2022, Compass Association Manager, Ansley Irvin, requested an updated quote for the Lake Meeler HOA Board of Directors for the sidewalk installation.

9. On May 4, 2022, Streets & Drainage staff completed the estimate and sent it to Ansley Irvin.

10. On May 20, 2022, Ansley Irvin notified Streets & Drainage staff of the Lake Meeler HOA Board of Directors' approval for the installation of the sidewalk along Cleveland Rd. Streets & Drainage requested the minutes from this meeting.

11. On May 31, 2022, the Lake Meeler Board of Directors voted unanimously to approve funding and to proceed with the sidewalk project using Athens-Clarke County as the contractor, as shown in **Attachment #4.**

12. On June 1, 2022, Streets & Drainage staff received meeting minutes from the Lake Meeler Board of Directors showing unanimous approval to proceed with the Voluntary Sidewalk.

FACTS & ISSUES:

1. Lake Meeler is a single family neighborhood located off of Cleveland Road and represented by an HOA. The proposed sidewalk will be installed completely within ACCGov Right-of-Way.

2. The Lake Meeler HOA will fund all of the material costs for the project up to $10,217, as shown in **Attachment #1**.

3. The Lake Meeler HOA has unanimous Board of Directors approval for the sidewalk project agreement, as shown in **Attachment #4**.

4. The proposed sidewalk will connect Kittle Ln. and Meeler Cir. along Cleveland Rd.

5. Four ADA ramps will be installed per T&PW guidelines.

6. Estimated cost of construction materials are $10,217 and are to be paid by Lake Meeler HOA.

7. The sidewalk will be completely installed by Streets & Drainage staff.

8. Upon completion of the sidewalk, any funds remaining of the $10,217 will be refunded to Lake Meeler HOA.

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Safely Move Around Athens Goal, Strategy A: *Improve, expand and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely.*

OPTIONS:

1. Mayor and Commission:
   a. Approve an Agreement between the Unified Government of Athens-Clarke County (ACCGov) and Steve Horton, representing Lake Meeler Homeowners Association (HOA) Board of Directors (**Attachment #1**);
   b. Authorize the Mayor and appropriate staff to execute the Agreement and receive a contribution in the amount of $10,217 from Steve Horton on behalf of Lake Meeler HOA Board of Directors;
   c. Adopt a budget amendment ordinance in the amount of $10,217 (**Attachment #2**); and
   d. Approve the project concept as shown in **Attachment #3**, which includes the installation of 328 feet of sidewalk and four ADA ramps.

2. Mayor and Commission do not approve the Agreement between Athens-Clarke County Unified Government (ACCGov) and the Lake Meeler HOA Board of Directors.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1a, b, c, and d.

DEPARTMENT: Transportation & Public Works
Prepared by: Wayne Mead, Streets & Drainage Superintendent

Stephen Bailey

June 23, 2022
Date:

Director

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, and d



Manager

July 14, 2022
Date:

ATTACHMENTS:

Attachment #1: Agreement between ACCGov and Steve Horton and Lake Meeler HOA Board of Directors
Attachment #2: Budget Amendment Ordinance
Attachment #3: Conceptual Drawing of Proposed Sidewalk Connection
Attachment #4: Lake Meeler HOA Meeting Minutes

GEORGIA, ATHENS-CLARKE COUNTY.

AGREEMENT

This Agreement, made this ____ day of _____, 2022, by and between the Unified Government of Athens-Clarke County, a body politic and corporate and a political subdivision of the State of Georgia ("ACCGov") and Lake Meeler Homeowners Association, Inc., a Georgia non-profit corporation (the "Association"), each a "Party" and collectively the "Parties",

W I T N E S S E T H :

WHEREAS, the Association is the homeowners' association for the Lake Meeler subdivision in Athens-Clarke County, and

WHEREAS, the Lake Meeler subdivision is located off of Cleveland Road, Bogart, Georgia, within Athens-Clarke County, and

WHEREAS, the Association wishes to have a sidewalk installed within the Athens-Clarke County right-of-way along Cleveland Road, and

WHEREAS, the ACCGov, by and through the Transportation and Public Works Department, is willing to cause the sidewalk to be constructed on the condition that the lot owners within Lake Meeler subdivision bear the total cost of that sidewalk, with the lot owners' total cost not to exceed Ten-Thousand Two-Hundred Seventeen and no/100ths Dollars ($10,217.00).

WHEREAS, the Association's Board of Directors met on May 31, 2022 and unanimously voted to approve the installation of a sidewalk between the two Lake Meeler subdivision entrances and to contract with ACCGov to construct the sidewalk, and

WHEREAS, the parties hereto desire to set forth their agreement regarding the sidewalk installation,

NOW THEREFORE, for and in consideration of the mutual covenants contained herein, the sufficiency of such consideration being hereby acknowledged, the parties do hereby agree as follows:

(1) *Sidewalk*. Athens-Clarke County will take such action as is necessary to install the three-hundred twenty-eight (328) feet of sidewalk along Cleveland Road to tie into an existing sidewalk near the intersection of Kittle Lane and continuing north along Cleveland Road until it joins the existing sidewalk on Meeler Circle. The cost of the sidewalk installation on the public right-of-way will be advanced by the Association to ACCGov. The total amount shall not exceed Ten-Thousand Two-Hundred Seventeen and no/100ths Dollars ($10,217.00).

(2) *Maintenance of sidewalk.* From and after the completion of the sidewalk, Athens-Clarke County shall be responsible for the maintenance and upkeep of the sidewalk on the public right-of-way along Cleveland Road.

(3) *Entire agreement.* This Agreement contains the entire understanding of the parties hereto and shall not be amended except in writing executed by all parties and duly approved by the Mayor and Commission.

In Witness Whereof, the parties hereto have executed this Agreement under seal on the day above written.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

By:_____
Mayor

Attest:_____
Clerk of Commission

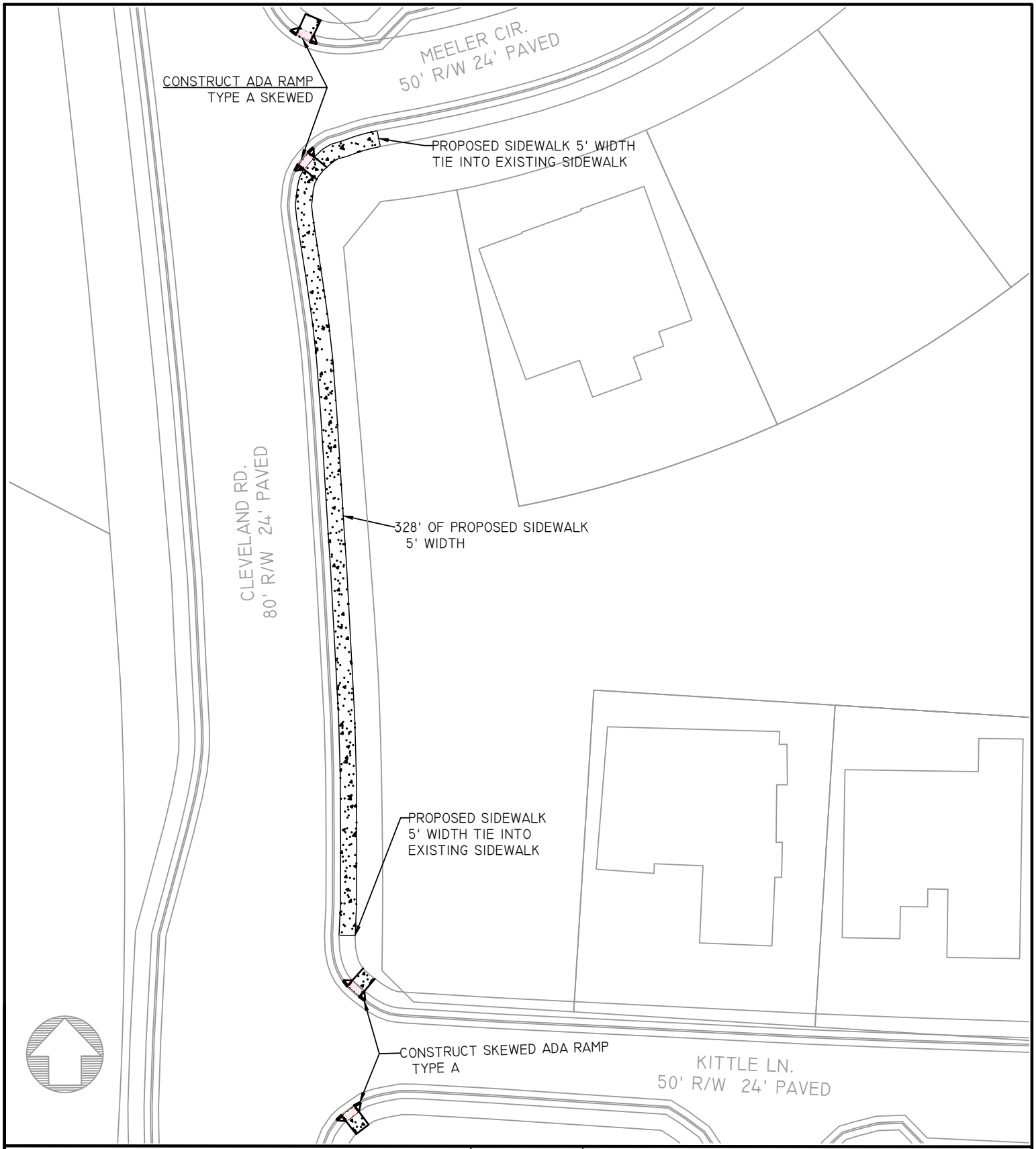
SEAL

LAKE MEELER HOMEOWNERS ASSOCIATION, INC.

By:_____
Steve Horton, President

Attest:_____
Derek Jesweak, Vice President

Attachment #3



MEELER CIR. AT CLEVELAND RD. SIDEWALK CONCEPT

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
120 W. DOUGHERTY ST, ATHENS, GA 30601, 706-613-3440

DRAWN BY: JRA, TMM
DESIGNED BY: JRA, TMM, JMJ
CHECKED BY: JMJ
REFERENCES: ACC GIS

HORIZONTAL SCALE: 1" : 40'

40' 0' 40' 80'

Lake Meeler Homeowners Association
Board of Directors Meeting
May 31, 2022 via Zoom

In Attendance:

The meeting was called to order at 5:03 p.m. by Steve Horton, Board President.

A quorum was established with Steve Horton, Derek Jesweak, Sean Pelkey, Chris Gary and Al Lester to comprise the full HOA Board in attendance. Ansley Irvin of Compass Association Management was also in attendance.

The minutes from the February 24, 2022, Board meeting were previously approved.

President's Report:
The Board President presented the Board with a brief synopsis of the history and current circumstances regarding the sidewalk install project with Athens Clarke County.

The Board reviewed bids from Athens Clarke County as well as a private vendor.

Although the Board has previously voted to have a sidewalk constructed between the two Lake Meeler entrances and to contract with Athens-Clarke County to build the sidewalk, Steve asked the Board for a re-commitment vote for the project. Therefore, a motion was made to accept the bid of $10,217.65 submitted by Athens-Clarke County and to move forward with the sidewalk install between the two front entrances on Cleveland Road. The motion was seconded and passed unanimously by all Board members.

Having no further business, the meeting was adjourned at 5:23 p.m.

Minutes respectfully submitted by Ansley Irvin of Compass Association Management.

Attachment #1

VISION ZERO RESOLUTION

Establishing a Vision Zero Policy to eliminate fatalities and serious injuries that are a result of crashes within Athens-Clarke County rights-of-way by 2037.

BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, Athens-Clarke County experiences an entirely preventable loss of life annually due to traffic crashes, constituting a public health crisis, with an average of 13 people killed per year and an average of 56 seriously injured per year over the last 9 years; and

WHEREAS, 2021 ended with the highest recorded number of fatalities in a single year with a combined loss of life of 23 people with 5 pedestrian, 1 cyclist, and 17 vehicular fatalities and 2021 also ended with 50 serious injuries including 6 pedestrian, 2 cyclist, and 42 vehicular related crashes; and

WHEREAS, traffic-related fatalities and serious injuries are on the rise nationally and within Athens-Clarke County, the likelihood of fatal crashes has increased 200% from 2017 to 2021, exceeding that of the entire state of Georgia by 23.7 percent; and

WHEREAS, most traffic-related deaths and serious injuries stem from inadequate road and intersection designs, poor driver behavior, limited sight lines, and increasing traffic; and

WHEREAS, 75% of fatal and serious injuries in Athens-Clarke County occurred at intersections; and

WHEREAS, a commitment to Vision Zero is a commitment to life and equitable opportunity for people in Athens-Clarke County; and

WHEREAS, national data highlights the disproportionate rate of pedestrian fatalities among Black and Hispanic people, showing that they represent 31% of the total population yet 44% of pedestrian fatalities, while White people comprise 62% of the total population and 52% of pedestrian fatalities; and

WHEREAS, seniors, children, people of color, people with disabilities, people in low income communities, people walking, and people bicycling face a disproportionate risk of traffic injuries and fatalities; and

WHEREAS, Athens-Clarke County has committed to prioritizing our most vulnerable roadway users by aiming to identify and address racial and socioeconomic inequalities in Athens; and

WHEREAS, the tenets of a Vision Zero commitment are supported in existing Athens-Clarke County plans and policies, including the Athens in Motion Bike and Pedestrian Master

Plan, the Updated Complete Streets Policy, the Envision Athens Action Agenda, and the Athens-Clarke County Comprehensive Plan; and

WHEREAS, implementing a Vision Zero commitment will require support and contributions from a transdisciplinary group of stakeholders, including Athens-Clarke County Departments, administration, residents, business owners, and visitors to Athens-Clarke County, acting as individuals and collectively through neighborhood or advocacy organizations to improve the safety, comfort, and usability of City streets for all users; and

WHEREAS, Athens-Clarke County will join other leading cities around the nation and globe in their commitment to eliminate traffic deaths and serious injuries on our streets, work which has demonstrated success when coupled with adequate funding and staffing levels for its implementation and will carefully consider the successes and challenges in other cities implementing Vision Zero policies

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of Athens Clarke County, Georgia:

Section 1: Athens-Clarke County commits to a goal of a 50% reduction in deaths and serious injuries that are a result of crashes on City streets by 2032 and a goal of zero deaths and serious injuries that are a result of crashes on City streets by 2037; and

Section 2: The Vision Zero Action Plan will put equity at its forefront, striving to impact the most vulnerable and dependent users of the most dangerous parts of the transportation network to improve the health and well-being of those traveling on streets in Athens-Clarke County and the plan will use data and community outreach to develop strategies for identifying hazards to persons walking, bicycling, using transit, and riding mobility devices; and

Section 3: Athens-Clarke County acknowledges that achieving this goal requires significant effort and resources, and will develop a Vision Zero Action Plan following the passage of this resolution. The Director of Transportation & Public Works or his designee will establish a comprehensive and inclusive Vision Zero Task Force to advance the Vision Zero commitment and guide the work of the Vision Zero Action Plan which will specifically engage members of the community,

Section 4: The Mayor and Commission hereby direct the Manager and ACCGov staff to support this resolution.

SO RESOLVED, this ____ day of August 2022.

_____

Mayor Kelly Girtz

Attachment #1

_____	_____
Commissioner Patrick Davenport, District 1	Commissioner Jesse Houle, District 6
_____	_____
Commissioner Mariah Parker, District 2	Commissioner Russell Edwards, District 7
_____	_____
Commissioner Melissa Link, District 3	Commissioner Carol Myers, District 8
_____	_____
Commissioner Allison Wright, District 4	Commissioner Ovita Thornton, District 9
_____	_____
Commissioner Tim Denson, District 5	Commissioner Mike Hamby, District 10

Attest: _____
Clerk of Commission

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: A Resolution to Adopt a Vision Zero Approach

DATE: June 28, 2022

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that Mayor and Commission:

a. Adopt a Vision Zero Resolution, as shown in **Attachment #1**; and
b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. Between March 2017 and August 2018, Transportation & Public Works (T&PW) staff, Toole Design Group, and the Bike and Pedestrian Master Plan Committee developed a Bicycle and Pedestrian Master Plan, branded Athens in Motion (AiM), which sets as a short-term task to develop a Vision Zero Action Plan in partnership with Georgia Department of Transportation (GDOT), Georgia Department of Public Safety, Clarke Central School District (CCSD), UGA and all other ACCGov Departments.

2. On October 2, 2018, Mayor and Commission (M&C) accepted the AiM Plan.

3. On June 4, 2019, M&C adopted a resolution forming the Athens in Motion Commission (AiMC), stating in Article 1.4, *"The AiMC is advisory in nature and is charged with the responsibility of recommending projects, policies, and initiatives to the Mayor and Commission"*

4. On June 7, 2022, M&C approved the FY23 budget, allocating funds for a Vision Zero Safety Specialist position.

5. On June 28, 2022, AiMC voted to support the proposed Vision Zero Resolution.

FACTS & ISSUES:

1. The Vision Zero Network, a national network of cities committed to eliminating traffic fatalities by a set date, identifies six key elements that set Vision Zero apart from traditional road safety efforts.
    a. Traffic deaths are preventable. Zero is upheld as the only acceptable number of traffic fatalities and the word "accident" is eliminated from the traffic safety vocabulary. Serious and fatal crashes are entirely preventable; they are not accidents and they are not inevitable.
    b. System failure is the problem. In the Vision Zero framework, individuals are not the problem. It is flaws in the system – from planning through design, construction and maintenance – that allow roads to have no safe crossings or which set up conflicts between high-speed motor vehicles and pedestrians and bicyclists. Ticketing pedestrians for jaywalking where there are no crosswalks or sidewalks is not going to solve the issue or change people's behavior.
    c. Road safety is a public health issue. While traditional approaches to transportation safety have prioritized reducing or preventing collisions, Vision Zero focuses on preventing injuries and fatalities. Engineers are challenged to eliminate the circumstances in which a human body may be exposed to crash forces it cannot survive.
    d. The Safe System approach is holistic. Roadway design is a part of the issue, but so are land use and development decisions, school siting choices, housing policies, and a host of factors that affect our transportation options and choices. The tension between speed and safety in Athens-Clarke County has as much to do with land use as it does road design.
    e. Data drives decisions. Vision Zero demands a relentless focus on eliminating fatalities and serious injuries first. Preventing red light running and speeding through automated enforcement, for example, may increase rear-end collisions…but reduces fatal and serious injury crashes.
    f. Social equity is a key goal and component of Vision Zero. Traffic crashes in Athens-Clarke County disproportionately affect vulnerable populations, particularly among those who do not have access to a motor vehicle and who are more likely to be dependent on walking, biking, and transit. Communities of concern must be meaningfully engaged in addressing the safety, personal security, accessibility, and larger cultural and societal issues around road safety and community development.

2. Athens-Clarke County experiences an entirely preventable loss of life annually due to traffic crashes, constituting a public health crisis, with an average of 13 people killed per year and an average of 56 seriously injured per year over the last 9 years

3. 2021 ended with the highest recorded number of fatalities in a single year with a combined loss of life of 23 people with 5 pedestrian, 1 cyclist, and 17 vehicular fatalities.

4. 2021 ended with 50 serious injuries including 6 pedestrian, 2 cyclists, and 42 vehicular related crashes.

5. Traffic-related fatalities and serious injuries are on the rise nationally and within Athens-Clarke County, the likelihood of fatal crashes has increased 200% from 2017 to 2021, exceeding that of the entire state of Georgia by 23.7 percent.

6. Most traffic-related deaths and serious injuries stem from inadequate road and intersection designs, poor driver behavior, limited sight lines, and increasing traffic.

7. 75% of fatal and serious injuries in Athens-Clarke County occurred at intersections.

8. Crashes on ACCGov streets necessitate a comprehensive and systemic approach to street planning, design, policy, enforcement, legal processes, education and communication in order to provide the most powerful solution to solve the problem.

9. Many VZ initiatives are geared towards lowering speeds due to the higher rate of fatal crashes at higher speeds. An example of how design and policy impact safety is shown through multiple studies that demonstrate the chances of a pedestrian being killed by a car traveling 20 mph is 10% while the chances of being killed when struck by a car traveling 40 mph is 80%.

10. Athens in Motion, ACCGov's transportation action plan, emphasizes safety for all roadway users and promotes a focus through its action items on reducing single occupancy vehicle rides and encouraging walking, bicycling, transit, and car-sharing or carpooling

11. If the Vision Zero Resolution is passed by M&C, staff will begin the development of a Vision Zero Action Plan. The Mayor will establish a comprehensive and inclusive Vision Zero Task Force to advance the Vision Zero commitment and guide the work of the Vision Zero Action Plan which will specifically engage members of the community.

12. If the Vision Zero Resolution is passed by M&C, Athens-Clarke County is committing to a goal of a 50% reduction in deaths and serious injuries that are a result of crashes on public streets by 2032 and a goal of zero deaths and serious injuries that are a result of crashes on public streets by 2037.

13. If the Vision Zero Resolution is passed by M&C, the Vision Zero Action Plan will put equity at its forefront, striving to impact the most vulnerable and dependent users of the most dangerous parts of the transportation network to improve the health and well-being of those traveling on streets in Athens-Clarke County, and the plan will use data and community outreach to develop strategies for identifying hazards to persons walking, bicycling, using transit, and riding mobility devices. When the recommended draft of the plan is complete, it will be brought back to the M&C for a vote on its acceptance.

14. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation*.

OPTIONS:

1. The Mayor and Commission:
    a. Adopt a Vision Zero Resolution, as shown in **Attachment #1**; and
    b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission do not approve the Vision Zero Resolution.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a and b.

DEPARTMENT: Transportation & Public Works
Prepared by: Daniel Sizemore, Bike, Pedestrian & Safety Coordinator



Stephen Bailey
Director

June 29, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option # 1 a & b



Manager

July 14, 2022

Date:

ATTACHMENTS:

Attachment #1: Vision Zero Resolution

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2018 Project 06, Firefly Trail Project – Public Art Location - Firefly Trail Corridor Sub-Project #2

DATE: June 23, 2022

BUDGET INFORMATION:

REVENUES:	$	16,166,455	TSPLOST 2018 Project 06 (All Tiers)
EXPENSES:			
CAPITAL:	$	13,929,935	Expensed and Encumbered
	$	454,562	Designated Land Acquisition for Sub-Project (SP) #3
	$	99,475	Designated SP #1 - Trailhead Improvements
	$	683,065	Designated Design/Testing/Misc/PM/FFE (All Sub-Projects)
	$	20,000	Available for SP #2 - Crosswalk Construction
	$	754,728	Available for SP #3 - Trail Construction
	$	111,440	Designated Contingency
	$	113,250	Designated Public Art (All Sub-Projects)

FUNDING SOURCE: TSPLOST 2018 Program Revenues

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Athens Cultural Affairs Commission (ACAC) recommended Art types and locations #1 and #2 along the Firefly Trail Corridor as part of the TSPLOST 2018 Project 06, Firefly Trail Project as generally shown on **Attachment #1;**

b. Approve the ACAC's recommended budget for Public Art as part of the TSPLOST 2018 Project 06, Firefly Trail Project in the amount of $113,250; and,

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. SP #On October 27, 2017, the first segment of the Firefly trail was dedicated.

2. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program Referendum, which included the Project 06 – Firefly Trail Project, a continuation of the previous Firefly Trail project.

3. On December 20, 2017, the Project User Group formed for the SPLOST 2011 program was contacted and asked to continue service for the TSPLOST program. The User Group effort consists of providing project design input and to act as a liaison to larger community groups such as the Rail to Trail Committee and Firefly Trail, Inc.

4. On January 2, 2018, M&C approved the TSPLOST Funding Schedule for the TSPLOST 2018 Program. The TSPLOST 2018 Project 06, Firefly Trail Project included funding programmed for Tiers #1 through #5.

5. On February 6, 2018, the Athens Cultural Affairs Commission (ACAC) offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, and Additional Funding for Public Art, to the M&C related to the use of public art for TSPLOST 2018 Project 06 – Firefly Trail Project at the rate of approximately 1% of the construction budget. The User Group and staff concurred with this recommendation.

6. On July 27, 2018, the public art entitled *Trail Blossom* was dedicated on the first segment of the Firefly trail located in Dudley Park. Trail Blossom is a stand-alone art structure with integral seating.

7. On March 5, 2019, M&C approved Preliminary Plans for Firefly Trail (TSPLOST 2018, SP #2), approved ACCGov Public Utility Department Recycled Water main (non-potable reuse system) as an appropriate joint use development as part of the Firefly Trail Project (SP #2), and authorized staff to advance the project to the Bid & Award phase.

8. On May 5, 2020, M&C approved the construction services contract for Firefly Trail SP #2 that begins at Old Winterville Road and terminates at Spring Valley Road/ Hancock Road intersection.

9. On September 13, 2021, the User Group participated in the Firefly Trail Corridor site visit and identified potential locations for Public Art along the Firefly Trail Corridor.

10. On October 1, 2021, M&C dedicated Firefly Trail SP #2.

11. On June 3, 2022, ACAC finalized two art locations, sites #1 and #2 as generally shown in **Attachment #1**, as recommended by the User Group, along the Firefly Corridor Phase 2.

FACTS & ISSUES:

1. The initial project statement for the TSPLOST 2018, Project – 06 Firefly Trail Project reads as follows:

   TSPLOST 2018, Project 06 – Firefly Trail Project*, will provide for the land acquisition, design, and construction of additional length of the Firefly Trail from the end of the work being done under the SPLOST 2011 Program, generally at the intersection of Old Winterville Road and Little Oak Street, through towards the project's eastern terminus at the county line in Winterville. A typical trail cross-section comprises of a 10 to 12-foot wide*

concrete trail with storm water amenities. Flexible use of construction materials and consideration of narrower trail widths may be used as necessary to keep cost within budget and allowing for more trail to be built. The project includes the design and construction of an approximately 500-foot bridge, with a 10 to 12 foot trail deck width, spanning Trail Creek in Dudley Park and South Poplar Street. This bridge, when completed will allow for a complete at grade trail from downtown Athens to the ultimate end of the trail at the county line in Winterville.

2. The Firefly Trail SP #2 currently consists of 1.85 miles of concrete trail including a 160-foot long bridge to span the future north bound entrance ramp to the bypass from Lexington Highway. The majority of the current trail is 12-feet in width. The bridge is similar design to the other existing Firefly Trail bridges.

3. The ACAC-recommended location for Public Art Site #1 is along the trail at the intersection of the Winterville Road and Indian Hills Road, as generally shown in **Attachment #1**. The proposed call for art for Site #1 is envisioned as a shade canopy/shelter with possible seating installation and designated budget of $75,250 for art installation.

4. ACAC recommended location for Public Art Site #2 is along the current trailhead near Lexington Road and Old Winterville Road, as generally shown in **Attachment #1**. The proposed call for art for Site #2 is envisioned as a "landmark or beacon" sculpture with possible theme of nature, alternative transport and railroad history, with multiple options for placement, depending on selected design of artwork and a designated budget of $38,000 for art installation.

5. ACAC is planning for two separate calls for art to procure the art for each location.

6. Staff has reviewed the ACAC's recommended art locations and have no objections.

7. ACAC anticipates the following schedule:
    - M&C Proposed Art locations approval – August 2, 2022
    - Release the Calls for Art – October 2022
    - M&C approval for Artists and Art types – January 2022
    - Artist Notice to Proceed – February 2023

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbor Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming*
    - Safely Move Around Athens Goal, Strategy A: *Improve, expand, and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely*
    - Safely Move Around Athens Goal, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission:

   a. Approve the Athens Cultural Affairs Commission (ACAC) recommended Art types and locations #1 and #2 along the Firefly Trail Corridor as part of the TSPLOST 2018 Project 06, Firefly Trail Project as generally shown on **Attachment #1;**

   b. Approve the ACAC's recommended budget for Public Art as part of the TSPLOST 2018 Project 06, Firefly Trail Project in the amount of $113,250; and,

   c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the proposed Art Locations.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Prepared by: J. Derek Doster, SPLOST & TSPLOST Program Management, for

Keith D. Sanders, TSPLOST Program Administrator — Date: July 8, 2022

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c

Manager — Date: July 14, 2022

ATTACHMENTS:

Attachment #1 – Firefly Trail Corridor Art Locations Site Map

Firefly Trail Corridor Art Locations Site Map



Proposed Site #1 - Intersection of Winterville Road & Indian Hills Road
possibly shade canopy/shelter with possible seating



Proposed Site #2 - Trail head near Lexington & Old Winterville Road possibly Landmark/Beacon sculpture

Sub-Project #1

Sub-Project #2

Sub-Project #3

Sub-Project #4

Sub-Project #3.1 Terminus

Winterville City Limits

1

2

0 1,500 3,000 6,000 9,000 12,000 Feet

Legend

Phase 1 - Orange

Phase 2 - Green

Phase 3 - Blue

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2018 Project 14, Lexington Highway Corridor Improvements, Sub-Project #1 – Preliminary Plan

DATE: June 24, 2022

BUDGET INFORMATION:

REVENUES:			
	$	3,860,191	TSPLOST 2018 Project 14 (All Tiers)
EXPENSES:			
CAPITAL:	$	393,590	Expensed & Encumbered
	$	466,706	Designated Design, Testing, FF&E, PM, & Misc Fees
	$	400,000	Designated Land Acquisition
	$	28,388	Designated Public Art
	$	371,507	Designated Project Contingency
	$	2,200,000	Available for Construction (All Sub-Projects)

FUNDING SOURCE: TSPLOST 2018 Program Revenues

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Designate the proposed sidewalk extension as noted in the Proposed Preliminary Plans as shown on **Attachment #1** as Sub-Project #1 of the TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project;

b. Approve the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project as generally shown on **Attachment #1**;

c. Authorize staff to negotiate and enter into agreements, as necessary, with the Georgia Department of Transportation to support construction of the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1**;

d. Authorize staff to negotiate and enter into agreement to acquire the necessary rights-of-way, permanent easements, and temporary easements, as necessary to construct the sidewalk extension for the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1**;

e. Authorize staff to advance the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1,** to the Bid and Award Phase; and

f. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 2015, ACCGov partnered with the Urban Land Institute to complete a Technical Assistance Panel Report titled "Strategy to Redevelop and Revitalize the Lexington Road Corridor." Stated goals of the report included:
   - Evaluating the highest and best use of the Lexington Road Corridor
   - Attracting both short- and long-term business
   - Facilitating future development in the Corridor without over-development
   - Improving the design of Lexington Road for connectivity and flow
   - Leveraging the Athens-Ben Epps Airport to support land use goals

2. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program Referendum, which included the Lexington Highway Corridor Improvements as Project 14.

3. In August 2018, the Athens in Motion Commission (AiM) issued a Bicycle and Pedestrian Master Plan Final Report. The Final Report included the following Goals and Objectives:
   - Create a vision for a future of biking and walking through strategic goal setting
   - Continue to evolve into a more bikeable and walkable community
   - Goals:
     Connectivity
     Equity
     More Users
     Education
     Implementation

4. In August 2019, the Atlanta Highway-Lexington Road Connect Athens Corridor Plans final report was issued outlining the Plan Framework Pillars:
   - Leverage the work of earlier plans
   - Create holistic understanding of corridor dynamics
   - Offer realistic and measurable strategies for land use, design, and transportation
   - Communicate the process and action plan

5. On May 26, 2020, M&C Work Session agenda item was discussed for the TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvements Project TSPLOST 2018, Project 15 Atlanta Highway Corridor Improvements Project.

6. Between March 28, 2020 and June 28, 2020, ACCGov hosted online public comment

opportunities for the TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvements Project. There were 50 responses submitted with the following summary of common responses and number associated with the response:

- Support General Improvements for Pedestrian/Bicycles/Multi-use paths – 25
- Support Airport Connectivity/Visibility - 6
- Support General Intersection – 6
- Support General Corridor Potential Project Improvements – 5
- Support Landscaping/Median Installation Improvements – 5
- Support Aesthetic/Visibility Improvements – 4
- Do Not Support Bike Lanes – 3
- Support Public Transportation Improvements – 2
- Support Implementation of Immediate Impact Projects – 2
- Support Existing Lane Configuration – 2

7. On July 7, 2020, M&C approved TSPLOST 2018 Project 14 – Lexington Highway Corridor Improvements - Proposed project list, which included an immediate impact project.

8. In August 2020, additional resident members were added to the User Group.

9. Between August and December 2020, the User Group, with ACCGov department participation, developed the next phase of public engagement strategy and project content.

10. During 2021, staff completed the immediate impact project, as approved by M&C (History #7) wayfinding signage to support the Athens-Ben Epps Airport has been completed with 19 directional signs installed near and on appropriate routes to the airport. This effort was recommended and approved by M&C considering the pending GDOT SR10-Loop intersection project.

11. On January 12, 2021, staff outlined the public engagement strategy and project material for the Lexington Highway Corridor in a presentation to M&C at a Work Session.

12. Between February and April 2021, public engagement opportunities were completed, and public input was recorded for User Group consideration. There were approximately 98 individuals responding to the online survey or providing comments for almost 450 individual responses.

13. In March 2021, public engagement began which included Pop-up booth and Public Information Open Houses for the Project 14 – Lexington Highway Corridor Improvements and, Project 15 - Atlanta Highway Corridor Improvements Project.

14. Between May and July 2021, the Lexington Highway User Group deliberated the project data to develop a Priority Project Recommendation list.

15. On July 8, 2021, the Lexington Highway User Group confirmed a recommended Project Priority list and recommended the M&C progress the Priority Project list to the Preliminary

Plan phase of the project development process.

16. On August 12, 2021, staff shared a presentation with the M&C on the Lexington Highway Priority Project recommendations during a regularly scheduled Work Session.

17. On August 23, 2021, the TSPLOST 2018 Oversight Committee (TSOC) met and reviewed the Proposed Project Concepts/Priority Project recommendations as compared with the Initial Project Statement for TSPLOST 2018, TSPLOST 2018 Project 14 Lexington Highway Corridor Improvements. The TSOC, by unanimous vote, confirmed that that the proposed concept/priority project recommendation is consistent with the Initial Project Statement for Project #16 of TSPLOST 2018.

18. On September 7, 2021, M&C approved the Recommended Priority Project List for the TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project and the Proposed Project Concepts and authorized staff to advance the designated Project Concept to the Preliminary Plan Phase of the Project Development Process.

    The approved Project Concept included:
    - Extending sidewalk along the southern side of Lexington Highway corridor between Johnson Drive and Gaines School road sidewalk extensions from

    - Extending sidewalk along the northern side of Lexington Highway corridor between the ACCGov Diversion Center and the existing sidewalk in front of the ACCGov Police Department Headquarters.

19. Between September 2021 and May 2022, staff implemented the Preliminary Plan phase of the Project Development Process for TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project.

20. On April 14, 2022, the User Group approved the Preliminary Plans for TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project.

21. On May 17, 2022, M&C received a Work Session Project Presentation for TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project.

22. On June 8, 2022, the TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project Preliminary Plan information was posted to the Project Webpage and the online survey was opened for public comment.

23. On June 13, 2022, approximately 400 project post cards were mailed to addresses for parcel within and adjacent to the project area. An additional 50 notices were hand delivered to businesses along Lexington Highway for notice to owners and customers.

24. On June 23, 2022, ACCGov hosted a Public Information Open House at the ACCGov Police Department Headquarters Community Room. Eleven attendees signed in and engaged with staff regarding the Preliminary Plans.

25. On June 26, 2022, the public survey closed for TSPLOST 2018, Project 14 – Lexington Highway Corridor Improvement Project with results summarized in F&I's #8.

FACTS & ISSUES:

1. The initial project statement for the TSPLOST 2018 Project 14 Lexington Highway Corridor Improvements Project reads as follows:

   TSPLOST 2018 Project 14: Lexington Highway Corridor Improvements Project, *includes funding for specific improvements to the Lexington Highway Corridor that are to be approved by Mayor and Commission. Improvements eligible for the funding include, but are not limited to: landscaped/concrete median(S), additional sidewalks, multi-use trail, separated bike lanes, and improvements of intersections at Winterville Rd, Gaines School Road, and Whit Davis Road.*

2. The overall TSPLOST 2018 Project 14 Lexington Highway Corridor Improvement Project limits are from SR10 to Southeast Clarke Park, but the proposed Preliminary Plan limits as generally shown on **Attachment #1** begin at Johnson Drive and terminate at Gaines School Road.

3. There is an adjacent Georgia Department of Transportation (GDOT) project for improvements to the Lexington Highway Corridor between Grove Street and Johnson Drive. This work is currently in progress and compliments the ACCGov sidewalk extension project.

4. The project User Group and participating departments, thus far, include the following members:

Organization	LEXINGTON HIGHWAY
Transportation & Public Works	Stephen Bailey*
Landscape Management	Jeanne Connell*
Planning	Bruce Lonnee*
Resident Member	Diane Napier*
Resident Member	David Spooner*
Resident Member	Greg Davis*
Manager's Office	Josh Edwards
Economic Development	Ilka McConnell
Transit	Victor Pope
Leisure Services	Todd Miller
Airport	Mike Matthews
Transportation & Public Works	Daniel Sizemore

   *Voting Members

5. The proposed Preliminary Plans will require additional GDOT involvement with planning and permitting.

6. The Lexington Highway Corridor User Group recommended projects that were community driven, increased pedestrian safety opportunities, and had companion projects/opportunities.

7. Transit/Bus Stop improvements/connectivity that are adjacent to the proposed sidewalk improvement projects are incorporated into the proposed Preliminary Plans.

8. The Public Input survey effort received results from 71 survey participants yielding approximately 89% agreement with the sidewalk extension project. A more detailed survey/comment results page can be found online at https://www.accgov.com/7800/Project-14-Lexington-Hwy-Corridor-Improv

9. The proposed Preliminary Plans shown in **Attachment #1** consists of the proposed layout and alignments sheets. A more detailed full set of Preliminary Plans including roadway cross sections and construction details can be found online at www.accgov.com/7800/Project-14-Lexington-Hwy-Corridor-Improv

10. The engineer's construction estimate based on the proposed Preliminary Plans is $2,000,000.

11. The target timeline for construction is:
    - M&C Preliminary Plan Approval – August 2, 2022
    - GDOT Preliminary Plan Review – December 2022
    - Final plans and permitting – April 2023
    - ROW & easement acquisition – April 2023 – September 2023
    - Construction September 2023 – May 2024

12. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A: *Improve, expand, and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely*
    - Safely Move Around Athens Goal, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission:
   a. Designate the proposed sidewalk extension as noted in the Proposed Preliminary Plans as shown on **Attachment #1** as Sub-Project #1 of the TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project;

   b. Approve the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project as generally shown on **Attachment #1**;

c. Authorize staff to negotiate and enter into agreements, as necessary, with the Georgia Department of Transportation to support construction of the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1**;

d. Authorize staff to negotiate and enter into agreement to acquire the necessary rights-of-way, permanent easements, and temporary easements, as necessary to construct the sidewalk extension for the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1**;

e. Authorize staff to advance the proposed Preliminary Plans for TSPLOST 2018, Project 14 - Lexington Highway Corridor Improvements Project, as generally shown on **Attachment #1,** to the Bid and Award Phase; and

f. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the proposed Preliminary Plans as shown on **Attachment #1**.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, d, e, & f

DEPARTMENT:
Prepared by: J. Derek Doster, Office of the Manager - TSPLOST Program Management



Keith D. Sanders, TSPLOST Program Administrator — July 12, 2022 Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, d, e, & f



Manager — July 14, 2022 Date:

ATTACHMENTS:
Attachment #1 - Proposed Preliminary Plans

LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

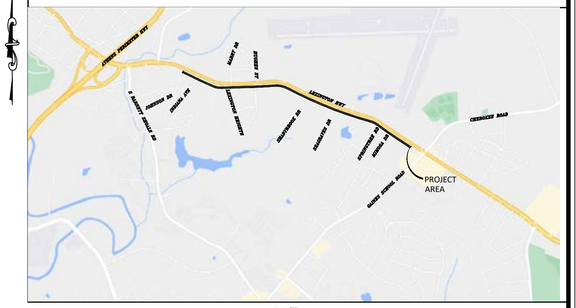
FOR
ATHENS-CLARKE COUNTY
DEPARTMENT OF LEISURE SERVICES

STATE	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
GA		1	##

PROJECT DATA

LENGTH OF PROJECT	1.51 MILES	
	GREENWAY	TOTAL
NET LENGTH OF MULTI-USE TRAIL	1.51	1.51
NET LENGTH OF BRIDGES	0.00	0.00
NET LENGTH OF PROJECT	1.51	1.51
NET LENGTH OF EXCEPTION	0.00	0.00
GROSS LENGTH OF PROJECT	1.51	1.51
PERCENT LENGTH OF PROJECT COUNTY		100%
THIS PROJECT IS LOCATED WITHIN CONGRESSIONAL DISTRICT 10		
THIS PROJECT IS LOCATED WITHIN ATHENS-CLARKE COUNTY		

LOCATION MAP



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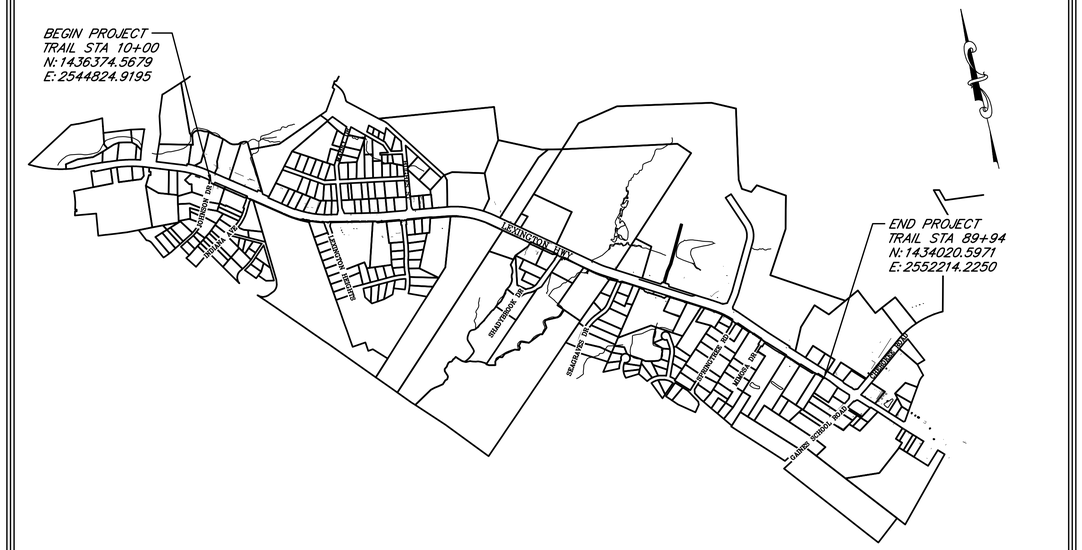

N.T.S.

Begin	
Latitude	33.945895 N
Longitude	83.348100 W
End	
Latitude	33.939291 N
Longitude	83.323879 W

DISTURBED AREA = #### AC
A NOI IS REQUIRED

NOTE:
PROJECT TO BE CONSTRUCTED AS PER GEORGIA DOT STANDARD SPECIFICATIONS, 2013 EDITION AND 2016 STANDARD SUPPLEMENTAL SPECIFICATIONS, AS APPROVED BY THE FEDERAL HIGHWAY ADMINISTRATION AND AS MODIFIED BY CONTRACT DOCUMENTS.

THE DATA, TOGETHER WITH ALL OTHER INFORMATION SHOWN ON THESE PLANS OR IN ANYWAY INDICATED THEREBY, WHETHER BY DRAWINGS OR NOTES, OR IN ANY OTHER MANNER, ARE BASED UPON FIELD INVESTIGATIONS AND ARE BELIEVED TO BE INDICATIVE OF ACTUAL CONDITIONS. HOWEVER, THE SAME ARE SHOWN AS INFORMATION ONLY, ARE NOT GUARANTEED, AND DO NOT BIND THE DEPARTMENT OF TRANSPORTATION IN ANY WAY. THE ATTENTION OF BIDDER IS SPECIFICALLY DIRECTED TO SUBSECTIONS 102.04, 102.05, AND 104.03 OF THE SPECIFICATIONS.

NOTE:
ALL REFERENCES IN THIS DOCUMENT, WHICH INCLUDES ALL PAPERS, WRITINGS, DOCUMENTS, DRAWINGS, OR PHOTOGRAPHS USED, OR TO BE USED IN CONNECTION WITH THIS DOCUMENT, TO "STATE HIGHWAY DEPARTMENT OF GEORGIA", "STATE HIGHWAY DEPARTMENT", "GEORGIA STATE HIGHWAY DEPARTMENT", "HIGHWAY DEPARTMENT", OR "DEPARTMENT" WHEN THE CONTEXT THEREOF MEANS THE STATE HIGHWAY DEPARTMENT OF GEORGIA MEAN, AND SHALL BE DEEMED TO MEAN THE DEPARTMENT OF TRANSPORTATION AND/OR THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY.

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OWNER
24 HR. CONTACT
ATHENS-CLARKE COUNTY
DEREK DOSTER
301 COLLEGE AVE., SUITE 101
ATHENS, GA. 30603
706-613-3025

GEORGIA REGISTERED PROFESSIONAL ENGINEER VICTOR A. CONOVER

Preliminary
04/27/2022 2:04:03 PM

SUBMITTED BY VICTOR A. CONOVER

PLANS COMPLETED	APRIL 27, 2022
REVISIONS	

INDEX OF SHEETS

SHEET NO.	SECTION	DESCRIPTION
1	01-01	COVER
2	02-01	INDEX
3	03-01	REVISION SUMMARY
4-5	05-01 TO 05-02	TYPICAL SECTIONS
6	09-01	DETAILED ESTIMATE
7-24	13-001 TO 13-018	CONSTRUCTION PLANS
25-44	23-001 TO 23-020	CROSS SECTIONS
45	40-001	CONSTRUCTION DETAILS

ACC STANDARD DETAILS

SHEET NO.	GA DET NO.	DESCRIPTION
	1-030	CURB & GUTTER DETAIL
	1-060	TYPICAL SIDEWALK CROSS-SECTIONS (EXISTING STREETS)
	2-010	URBAN RESIDENTIAL DRIVEWAY APRON DETAIL

GEORGIA DOT STANDARDS

SHEET NO.	GA STD NO.	DESCRIPTION	REVISION DATE
	1120	FLARED END SECTIONS FOR PIPES	6-06
	1125	INLET HEADWALL - OUTLET HEADWALL	10-99
	9032B	CONCRETE CURB AND GUTTER, CONCRETE CURBS, CONCRETE MEDIANS	3-03
	9100	TRAFFIC CONTROL GENERAL NOTES, STANDARD LEGEND, AND MISCELLANEOUS DETAILS	3-06
	9107	TRAFFIC CONTROL DETAIL FOR LANE CLOSURE ON MULTI-LANE UNDIVIDED HIGHWAY	3-06
	9031L	GRAVITY WALL TYPICAL SECTIONS, RAISING HEADWALL, AND TYPICAL PIPE PLUG	916
	9031R	PLACING ROOF DRAIN PIPE UNDER SIDWALK - RAMP TYPE BARRICADE - PIPE HANDRAIL FOR RETAINING WALL PIPE HANDRAIL FOR CONCRETE STEPS	10-16

GEORGIA DOT DETAILS

SHEET NO.	GA DET NO.	DESCRIPTION	REVISION DATE
	A1	DRIVEWAYS WITH TAPERED ENTERANCES CONCRETE VALLEY GUTTERS	7-11
	A3	DETAILS OF CONCRETE SIDEWALK DETAILS CURB CUT (WHEELCHAIR) RAMP	9-16
	A4	DETECTABLE WARNING SURFACE TRUNCATED DOME SIZE, SPACING AND ALIGNMENT REQUIREMENTS	7-02
	T-3A	TYPE 7, 8, AND 9 SQUARE TUBE POST INSTALLATION DETAIL	7-02
	T-11A	DETAILS OF PAVEMENT MARKING PLACEMENT NON-LIMITED ACCESS ROADWAY	1-00

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REVISION BLOCK

REV. NO.	DATE	DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: INDEX

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: N.T.S.
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 02-001

REVISION SUMMARY

DATE	REVISED SHEET #	REVISION
__/__/__	_	_

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REVISION BLOCK

REV. NO.	DATE	DESCRIPTION

ATHENS–CLARKE COUNTY, GA

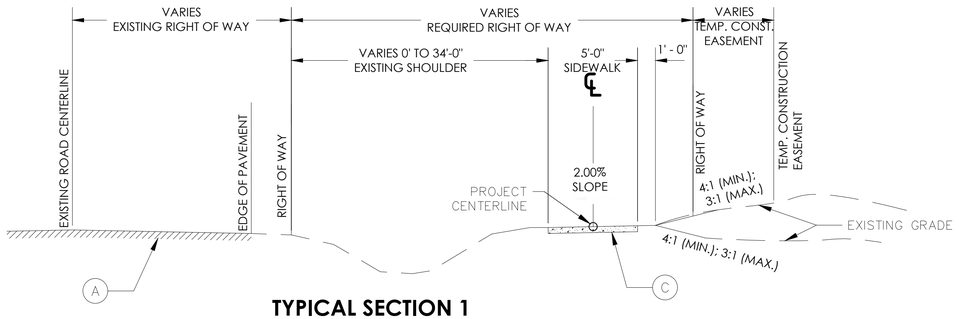
SHEET TITLE: REVISION SUMMARY

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

PROJECT INFORMATION

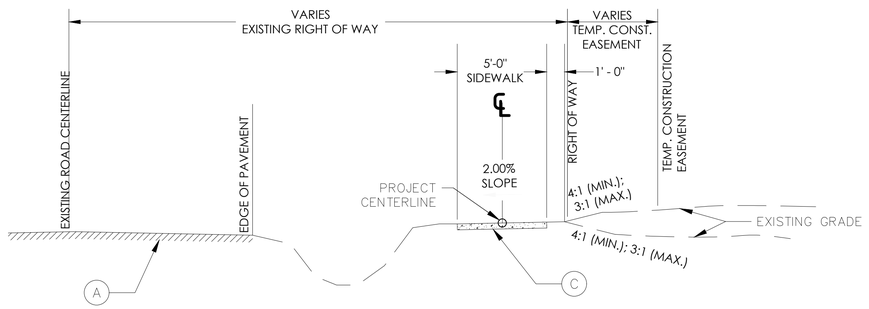
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: N.T.S.
ORIGINAL RELEASE DATE:
APRIL 27, 2022

Sheet:
03-001



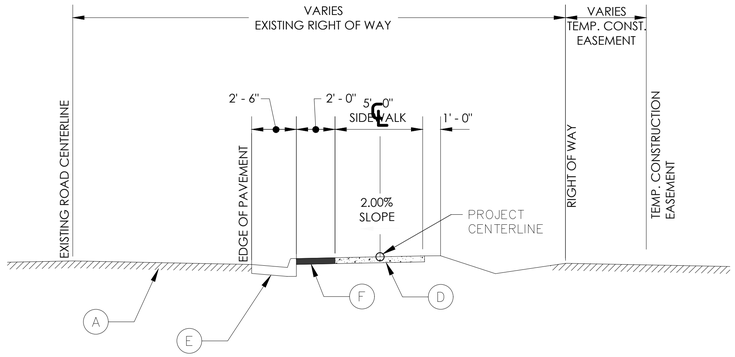
TYPICAL SECTION 1

LEXINGTON ROAD
STA 10+17 TO 14+65
STA 30+75 TO 32+10
STA 35+38 TO 37+50
STA 50+25 TO 53+73
STA 54+94 TO 57+30
STA 60+12 TO 71+10
STA 72+77 TO 78+25
STA 88+30 TO 90+00



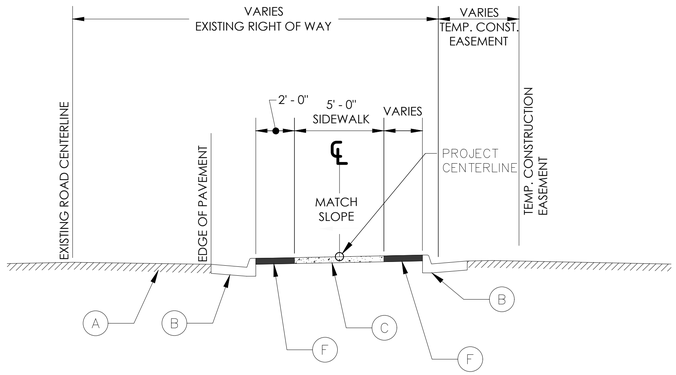
TYPICAL SECTION 2

LEXINGTON ROAD
STA 14+65 TO 22+35
STA 33+70 TO 34+50



TYPICAL SECTION 3

LEXINGTON ROAD
STA 22+35 TO STA 23+00



TYPICAL SECTION 4

LEXINGTON ROAD
STA 23+00 TO 24+50

REQUIRED PAVEMENT LEGEND

- (A) EXISTING ASPHALT ROADWAY
- (B) EXISTING CONC. CURB AND GUTTER
- (C) NEW CONCRETE SIDEWALK, 4 IN THICK
- (D) NEW CONCRETE SIDEWALK WITH GDOT HEADER CURB TYPE 2, (MONOLITHIC POUR), 4 IN THICK
- (E) NEW CONC. CURB AND GUTTER, 6" X 30", TYPE 2
- (F) 4" THICK CONCOURSE BEAUTY STRIP, SHADOW BOX JOINTING PER ACC DETAIL 1-060, COLORED RED

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REV. NO.	DATE	REVISION DESCRIPTION BLOCK

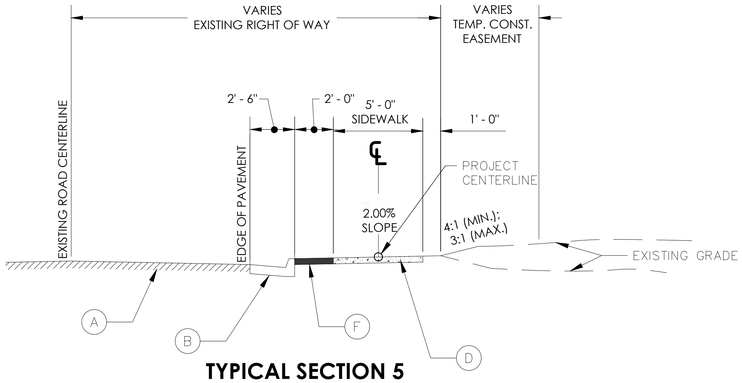
ATHENS-CLARKE COUNTY, GA

SHEET TITLE: TYPICAL SECTIONS

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

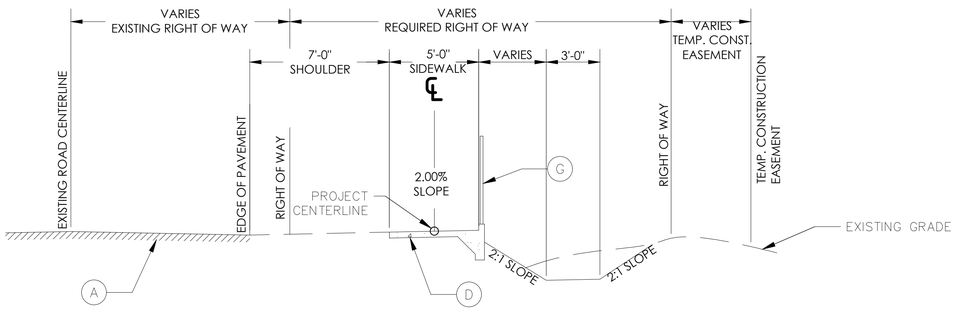
PROJECT INFORMATION
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: N.T.S.
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 05-001



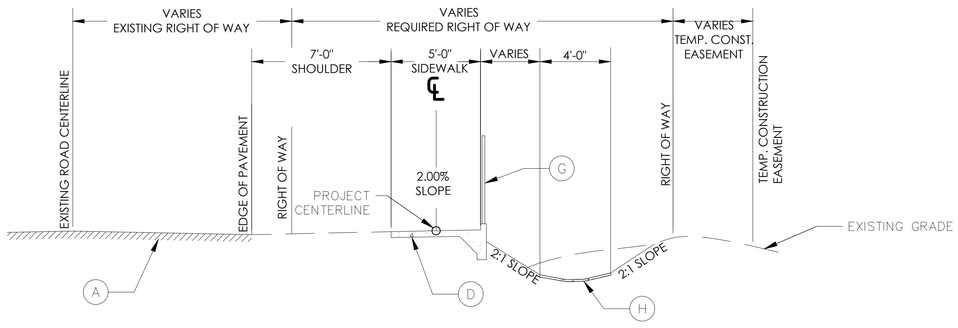
TYPICAL SECTION 5

LEXINGTON ROAD
STA 24+50 TO STA 30+75



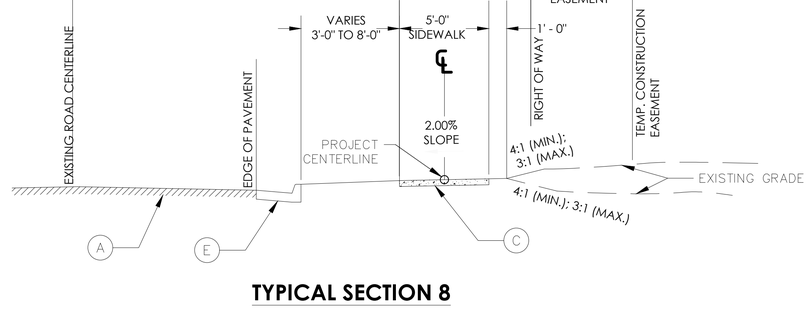
TYPICAL SECTION 6

LEXINGTON ROAD
STA 54+30 TO 54+94



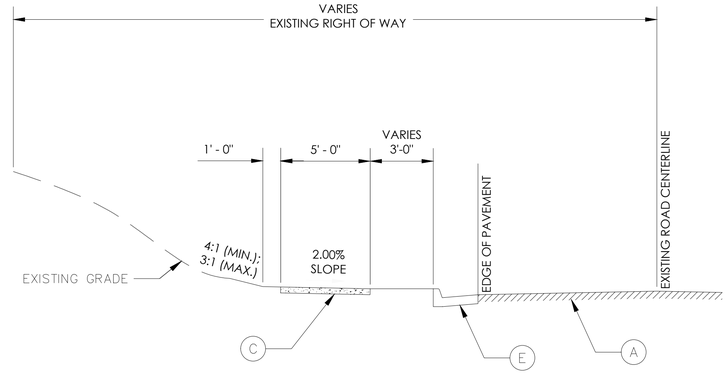
TYPICAL SECTION 7

LEXINGTON ROAD
STA 57+30 TO 60+12



TYPICAL SECTION 8

LEXINGTON ROAD
STA 79+65 TO 80+49



TYPICAL SECTION 9

LEXINGTON ROAD
STA 0+10 TO 7+00

REQUIRED PAVEMENT LEGEND

- (A) EXISTING ASPHALT ROADWAY
- (B) EXISTING CONC. CURB AND GUTTER
- (C) NEW CONCRETE SIDEWALK, 4 IN THICK
- (D) NEW CONCRETE SIDEWALK WITH GDOT HEADER CURB TYPE 2, (MONOLITHIC POUR), 4 IN THICK
- (E) NEW CONC. CURB AND GUTTER, 6" X 30", TYPE 2
- (F) 4" THICK CONCOURSE BEAUTY STRIP, SHADOW BOX JOINTING PER ACC DETAIL 1-060, COLORED RED
- (G) CONCRETE PAVED SWALE, PER GDOT DET. D-49

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS–CLARKE COUNTY, GA

SHEET TITLE: TYPICAL SECTIONS

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

PROJECT INFORMATION
JOB NO: 19022041
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DRAWING FILE: 19022041E.DWG
DRAWING SCALE: N.T.S.
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet:
05-002

DETAILED ESTIMATE

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
150-1000	TRAFFIC CONTROL	LS	1
163-0240	MULCH	TN	50
163-0300	CONSTRUCTION EXIT	EA	8
163-0550	CONSTRUCT AND REMOVE INLET SEDIMENT TRAP, SD2-P	EA	7
165-0030	MAINTENANCE OF TEMPORARY SILT FENCE, TP C	LF	1000
165-0101	MAINTENANCE OF CONSTRUCTION EXIT	EA	8
165-0105	MAINTENANCE OF INLET SEDIMENT TRAP, SD2-P	EA	7
171-0030	TEMPORARY SILT FENCE, TYPE C	LF	1000
201-1500	CLEARING AND GRABBING	LS	1
206-0200	BORROW EXCAVATION,INCL MATL	CY	150
210-1000	GRADING COMPLETE	LS	1
318-3000	AGGR SURF CRS	TN	200
402-3102	RECYL ASPH CONC, 9.5 MM, SUPERPAVE, TYPE II BLEND 1, INCL BITUM MATL & H LIME	TN	35
413-1000	BITUMINOUS TACK COAT	GL	15
441-0104	CONCRETE SIDEWALK, 4 IN	SY	2225
441-0104	CONCRETE SIDEWALK, 4 IN (TURN DOWN)	SY	200
441-0108	CONCRETE SIDEWALK, 8 IN	SY	125
441-0108	CONC SIDEWALK, 8 IN (FOR ADA RAMP)	SY	330
441-0204	PLAIN CONC DITCH PAVING, 4 IN	SY	45
441-4030	CONC VALLEY GUTTER, 8 IN	SY	135
441-6022	CONC CURB & GUTTER, 6 IN x 30 IN TP 2	LF	1520
500-3107	CLASS A CONCRETE, RETAINING WALL	CY	175
500-3800	CLASS A CONCRETE, INCL REINF STEEL	CY	9
500-9999	CLASS B CONCRETE - BASE OR PAVEMENT WIDENING	CY	55
515-2020	GALV STEEL PIPE HANDRAIL, 2 IN ROUND	LF	350
550-1180	STORM DRAIN PIPE, 18 IN, H 1-10	LF	1110
550-1480	STORM DRAIN PIPE, 48 IN, H 1-10	LF	75
550-4218	FLARED END SECTION 18 IN, STORM DRAIN	EA	5
550-4248	FLARED END SECTION 48 IN, STORM DRAIN	EA	2
603-2018	STONE DUMPED RIP RAP, TP 1, 18 IN	SY	50
603-7000	PLASTIC FILTER FABRIC	SY	50
610-9001	REMOVE SIGN	EA	5
611-5360	RESET SIGN	EA	5
634-1200	RIGHT OF WAY MARKERS	EA	50
636-1033	HIGHWAY SIGNS, TP 1 MATL, REFL SHEETING, TP 9	SF	50
636-2070	GALV STEEL POST, TP 7	LF	100
643-8200	BARRIER FENCE (ORANGE), 4 FT	LF	5480
653-1704	THERMOPLASTIC SOLID TRAF STRIPE, 24 IN, WHITE	LF	175
653-1804	THERMOPLASTIC SOLID TRAF STRIPING, 8 IN, WHITE	LF	3775
668-1100	CATCH BASIN, GP 1	EA	7
668-2100	DRIP INLET	EA	2
668-4300	STORM SEWER MANHOLE, TP 1	EA	4
710-9000	PERMANENT SOIL REINFORCING MAT	SY	275
754-4000	WASTE RECEPTACLE UNIT	EA	5
ACC-0001	GRASSING, INCL FERTILIZER & LIME	SY	7000
ACC-0002	INSTALL BENCH	EA	5
ACC-0003	INSTALL BUS SHELTER	EA	5
ACC-0004	INSTALL SCHEDULE HOLDER	EA	5
ACC-0005	INSTALL SOLAR LIGHT	EA	5

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REVISION BLOCK

REV. NO.	DATE	DESCRIPTION

ATHENS–CLARKE COUNTY, GA

SHEET TITLE: DETAILED ESTIMATE

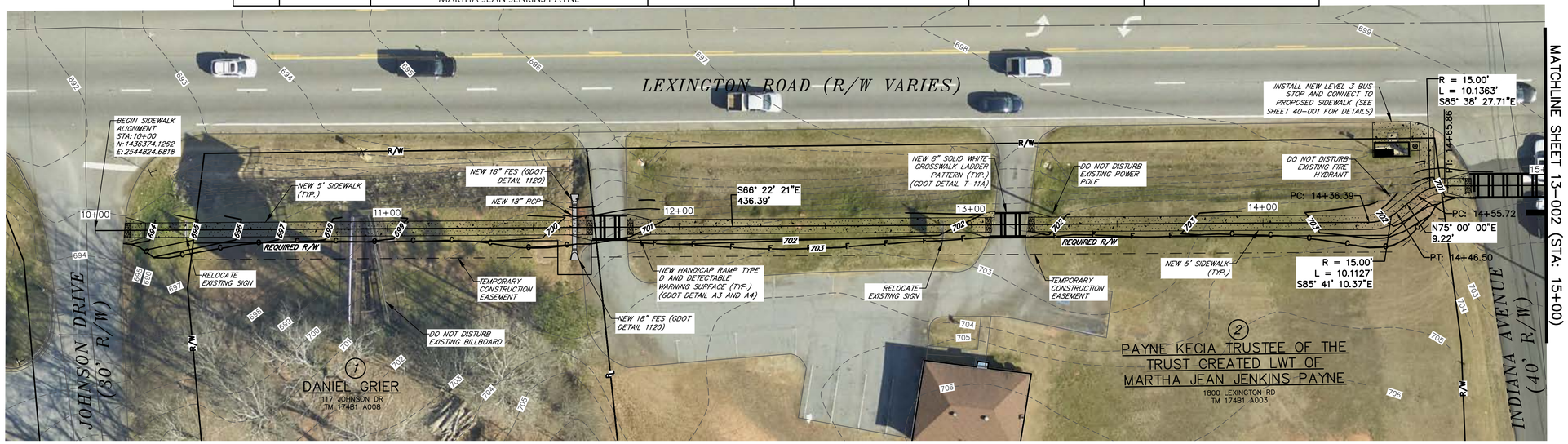
PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: N.T.S.
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 09-001

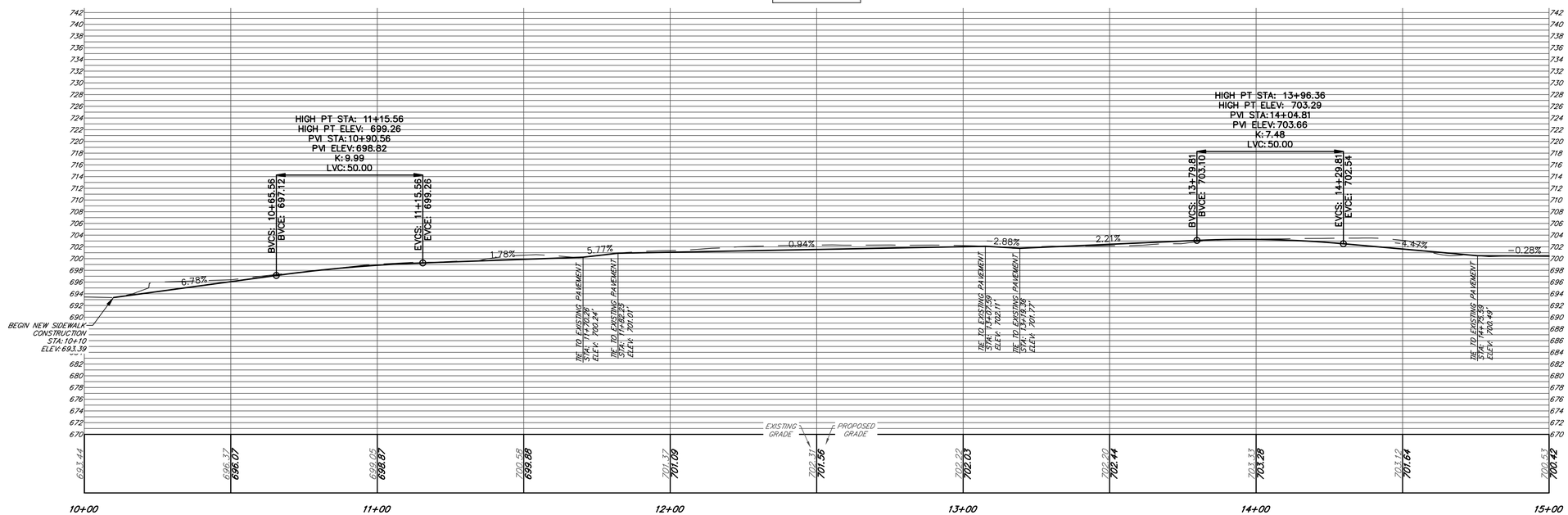
PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
1	174B1 A008	DANIEL GRIER	117 JOHNSON DRIVE	4320 SF	730 SF	-
2	174B1 A003	PAYNE KECIA TRUSTEE OF THE TRUST CREATED LWT OF MARTHA JEAN JENKINS PAYNE	1800 LEXINGTON ROAD	9280 SF	1685 SF	-



1" = 20'

H: 1" = 20'

V: 1" = 10'



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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

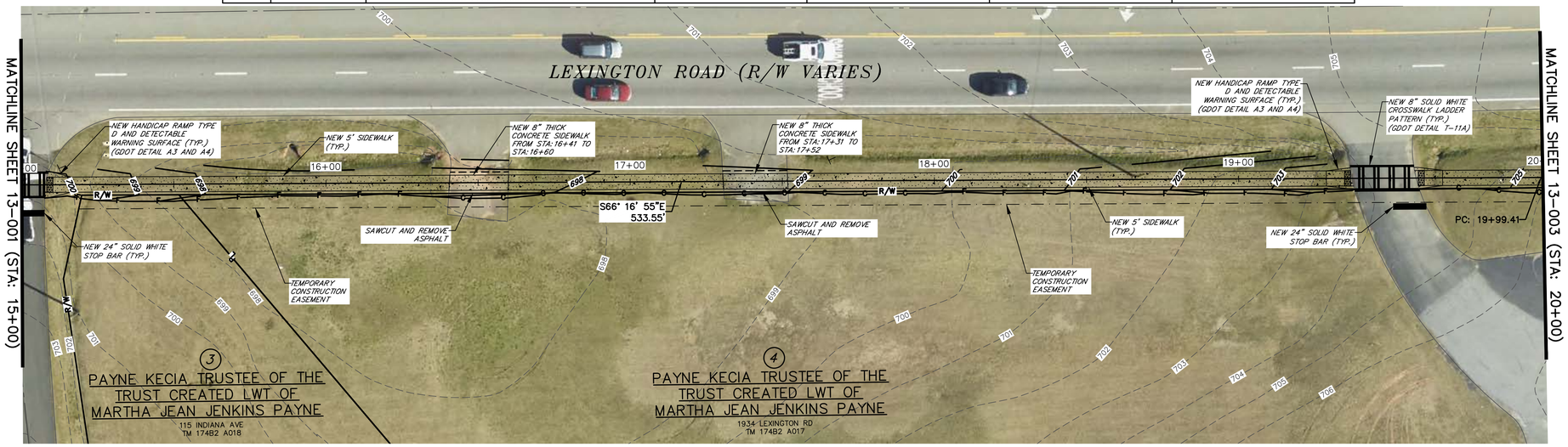
SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-001

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
3	174B2 A018	PAYNE KECIA TRUSTEE OF THE TRUST CREATED LWT OF MARTHA JEAN JENKINS PAYNE	115 INDIANA AVENUE	-	160 SF	-
4	174B2 A017	PAYNE KECIA TRUSTEE OF THE TRUST CREATED LWT OF MARTHA JEAN JENKINS PAYNE	1934 LEXINGTON ROAD	-	2800 SF	-



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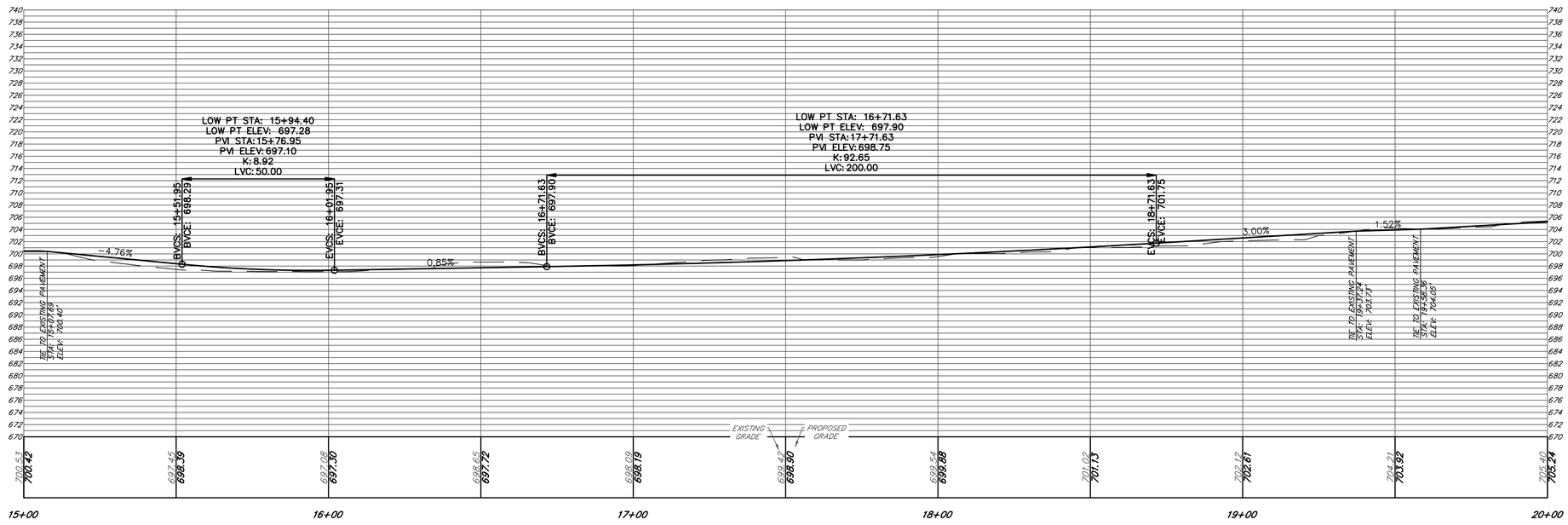

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

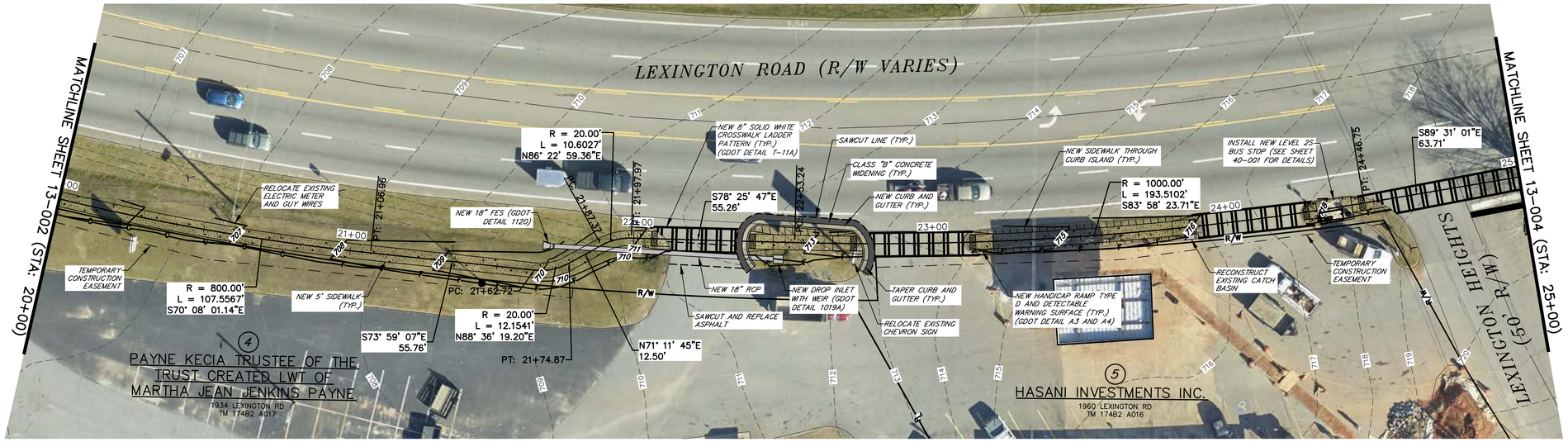
PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-002

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
4	174B2 A017	PAYNE KECIA TRUSTEE OF THE TRUST CREATED LWT OF MARTHA JEAN JENKINS PAYNE	1934 LEXINGTON ROAD	-	2800 SF	-
5	174B2 A016	HASNANI INVESTMENTS INC.	1960 LEXINGTON ROAD	-	500 SF	-



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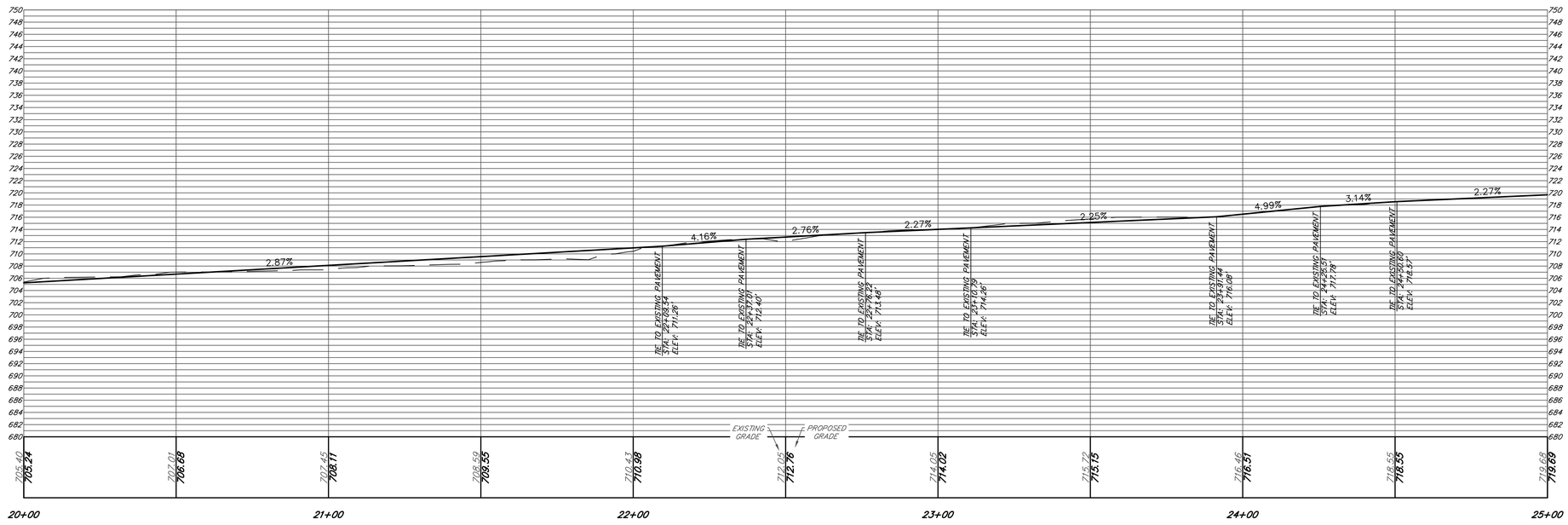

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

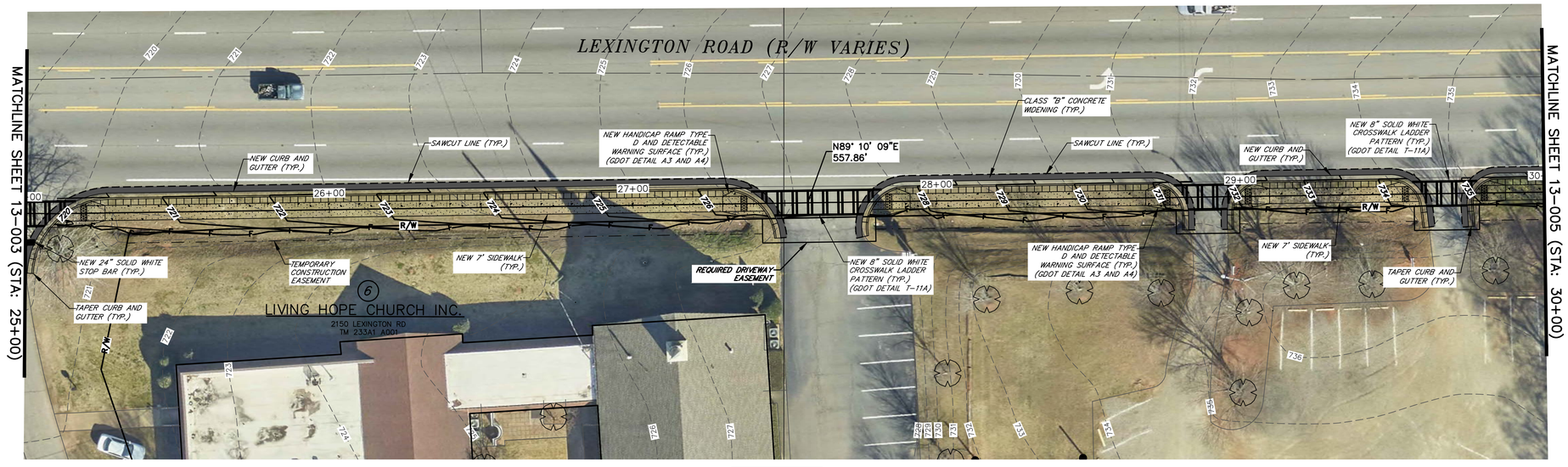
SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-003

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
6	233A1 A001	LIVING HOPE CHURCH INC.	2150 LEXINGTON ROAD	-	1975 SF	650 SF



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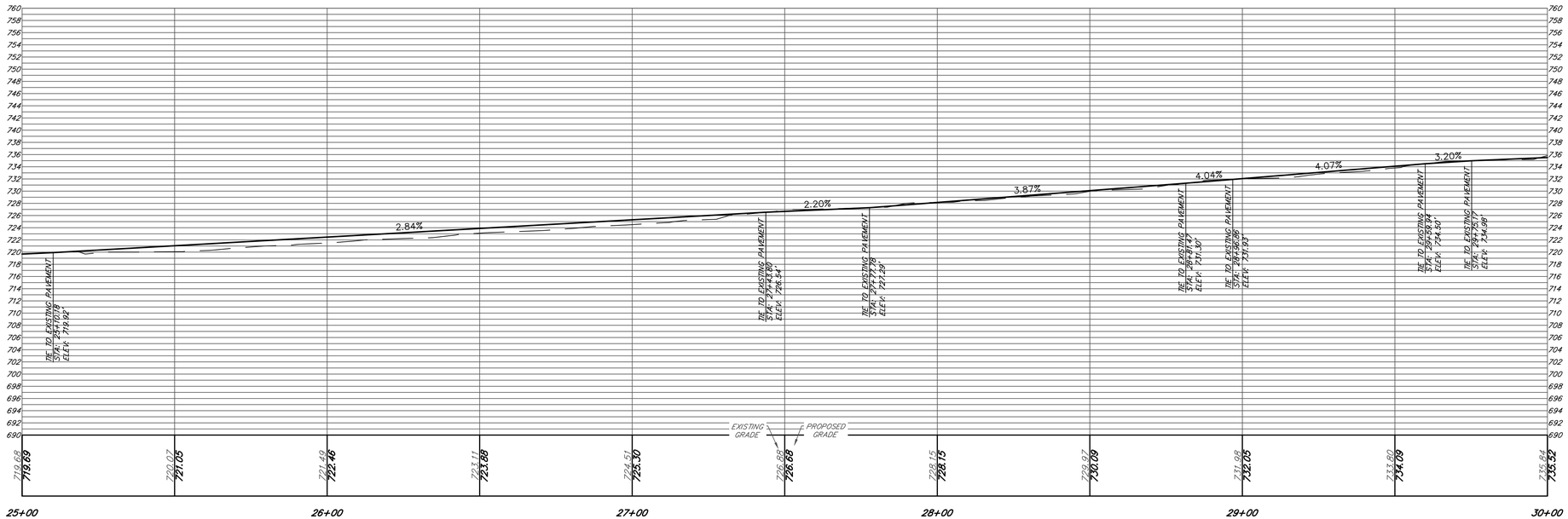

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ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE 20 0 20 IN FEET

PROJECT INFORMATION
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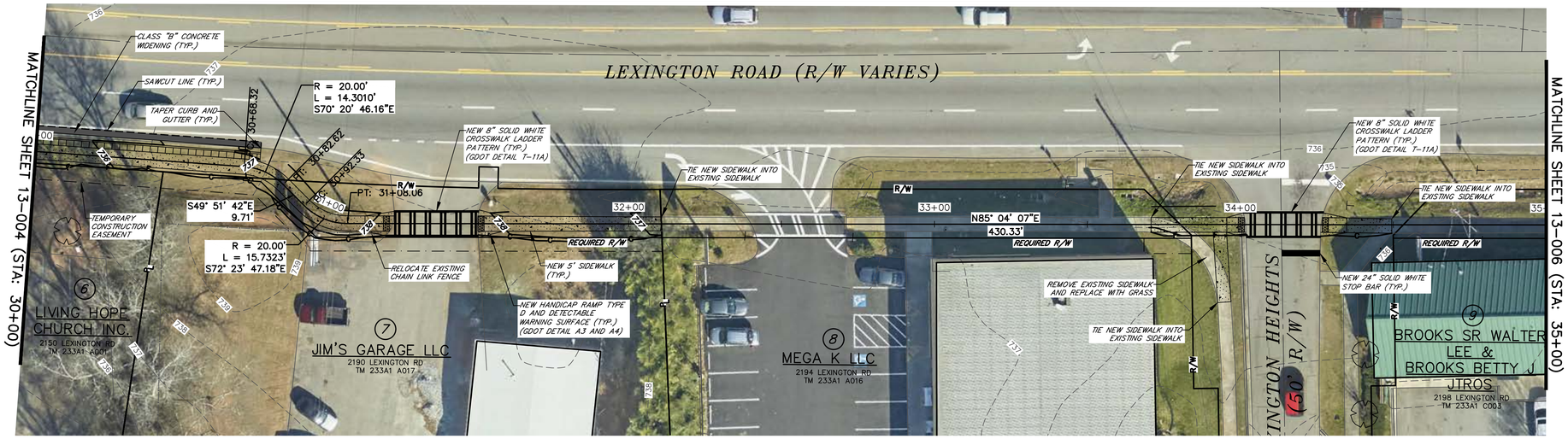
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-004

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
6	233A1 A001	LIVING HOPE CHURCH INC.	2150 LEXINGTON ROAD	-	1975 SF	650 SF
7	233A1 A017	JIM'S GARAGE LLC	2190 LEXINGTON ROAD	2075 SF	790 SF	-
8	233A1 A016	MEGA K LLC	2194 LEXINGTON ROAD	2660 SF	85 SF	-
9	233A1 C003	BROOKS SR WALTER LEE & BROOKS BETTY J JTROS	2198 LEXINGTON ROAD	1390 SF	-	-



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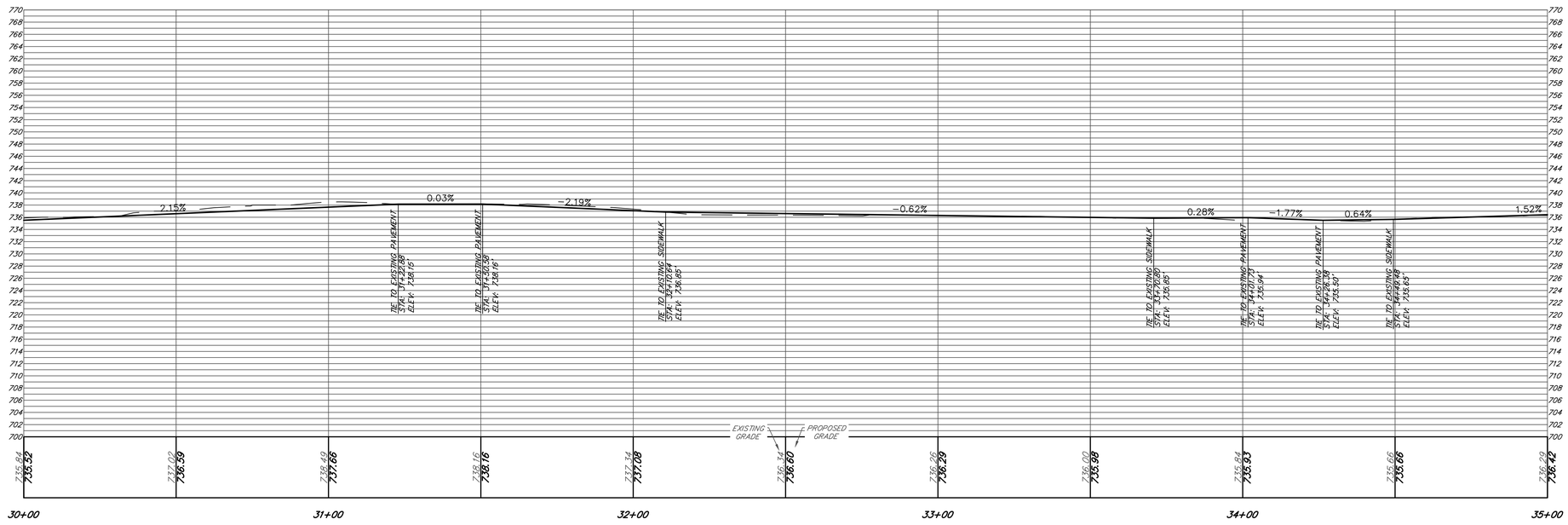

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SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

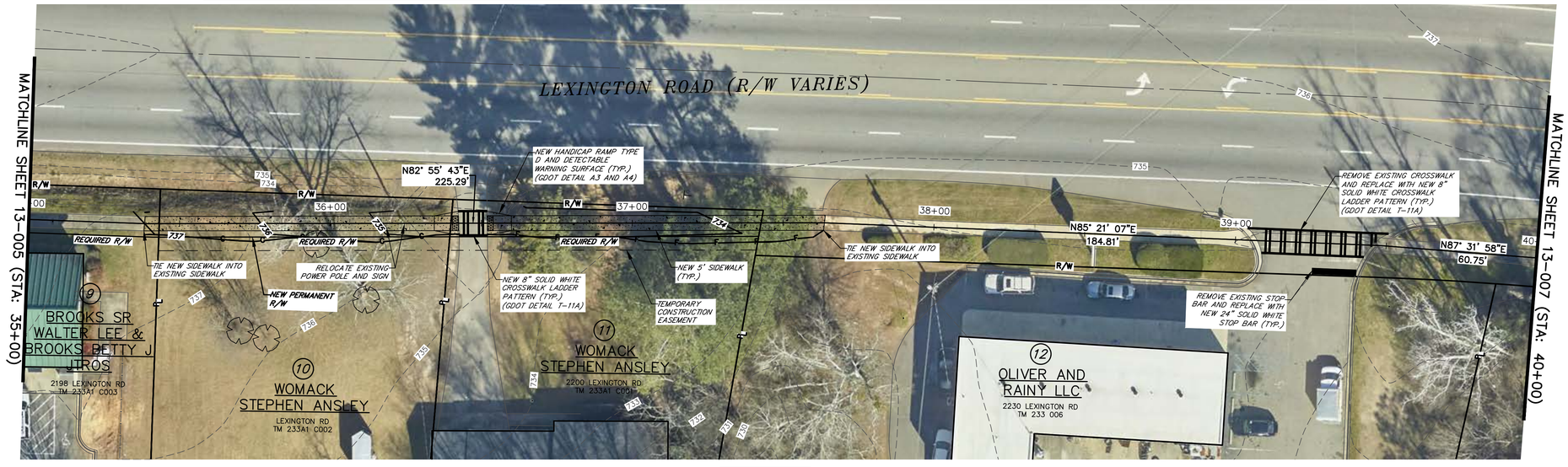
PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

20 0 20
SCALE IN FEET

PROJECT INFORMATION
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-005

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
10	233A1 C002	WOMACK STEPHAN ANSLEY	LEXINGTON ROAD	1380 SF	440 SF	-
11	233A1 C001	WOMACK STEPHAN ANSLEY	2200 LEXINGTON ROAD	1090 SF	465 SF	-



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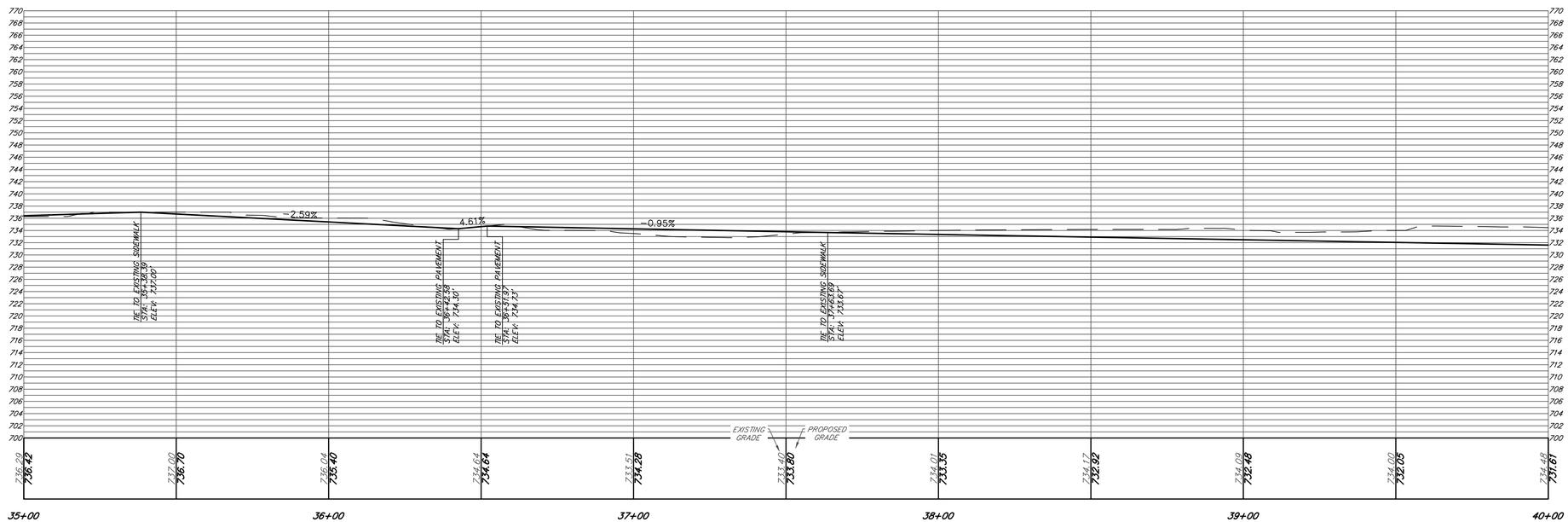

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ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE 20 0 20 IN FEET

PROJECT INFORMATION
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CHECKED BY: EH
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DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-006



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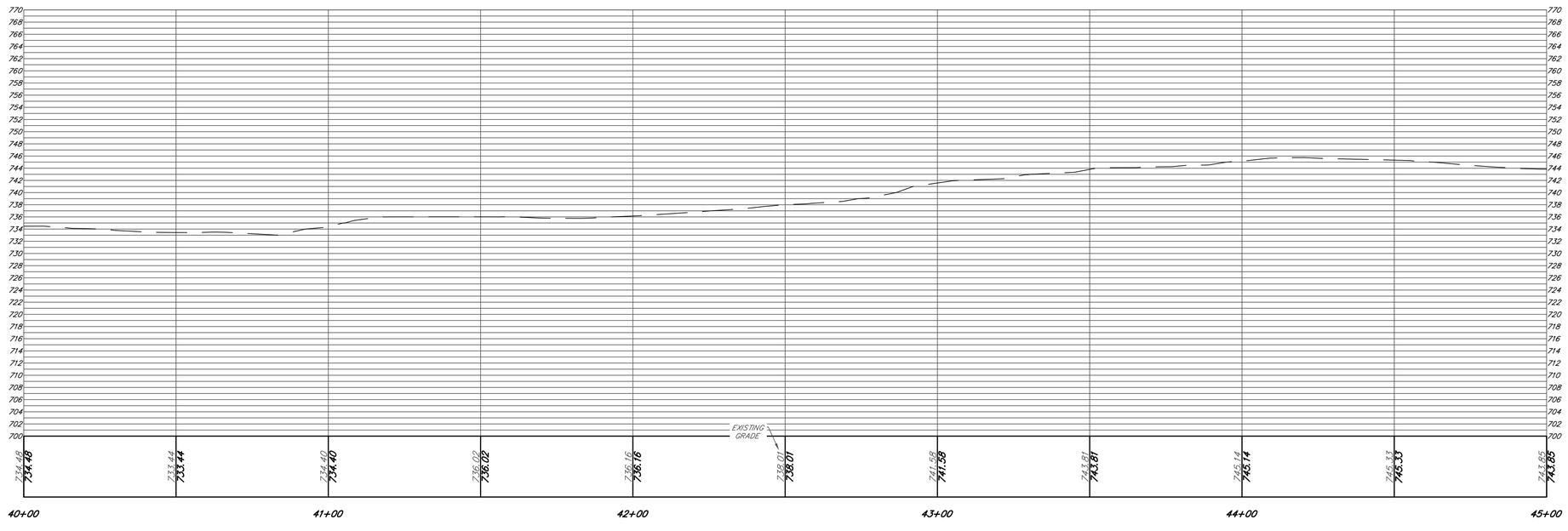

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REV. NO.	DATE	REVISION DESCRIPTION BLOCK

ATHENS-CLARKE COUNTY, GA

SHEET TITLE:
CONSTRUCTION PLAN AND PROFILE

PROJECT NAME
LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
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CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE:
APRIL 27, 2022

Sheet:
13-007



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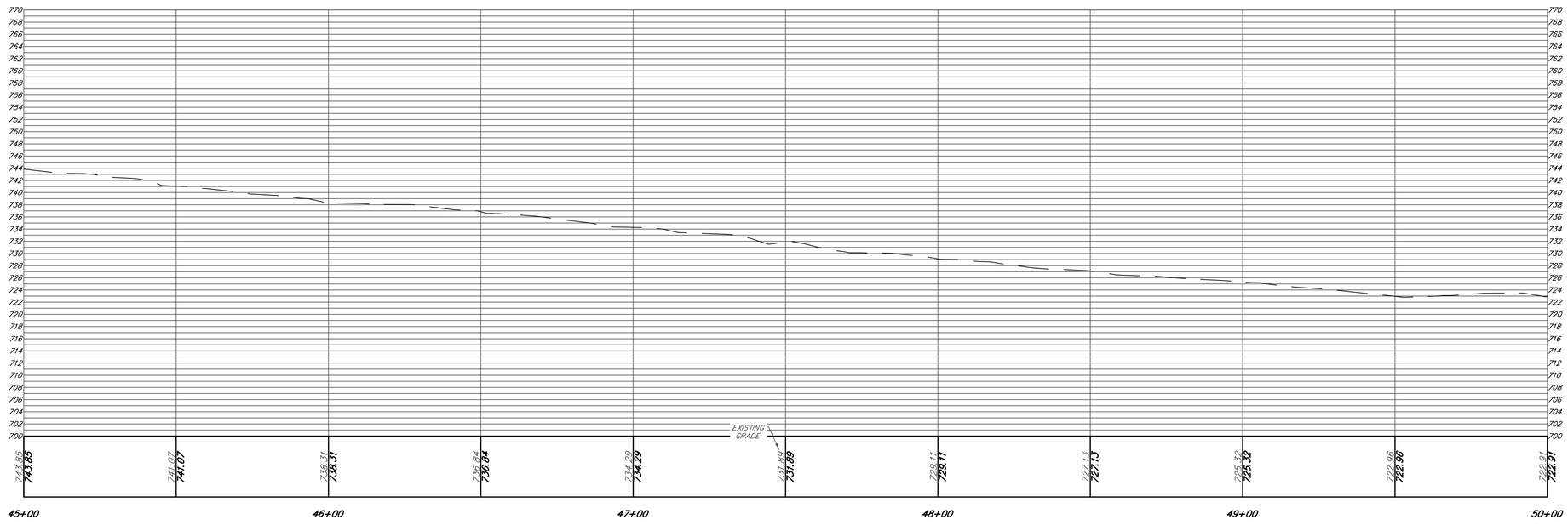

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS–CLARKE COUNTY, GA

SHEET TITLE:
CONSTRUCTION PLAN AND PROFILE

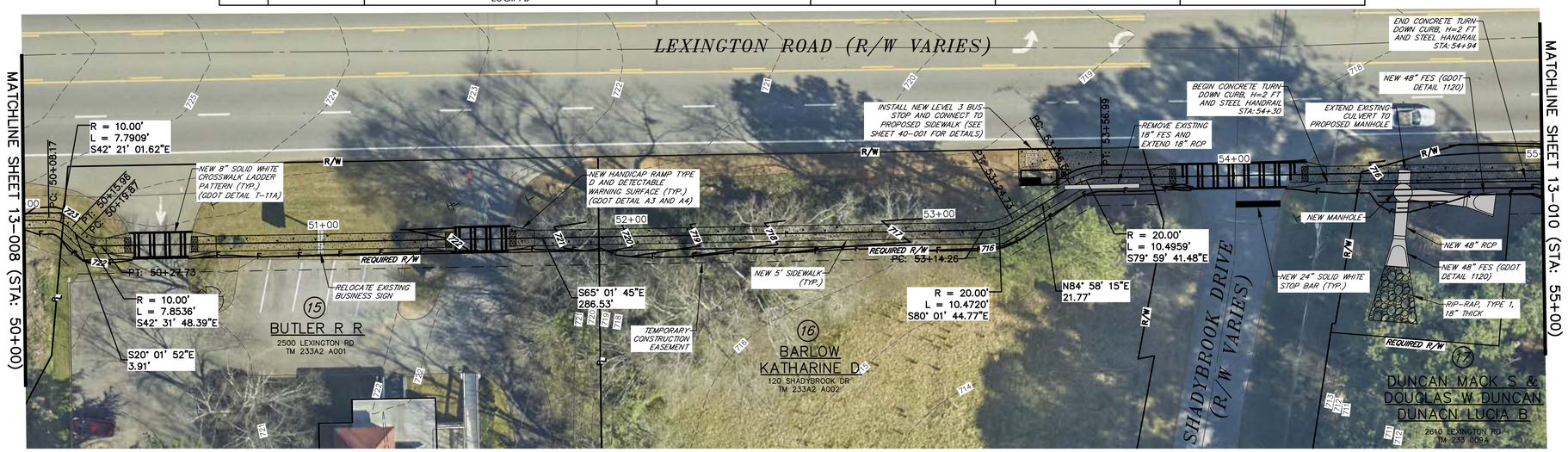
PROJECT NAME
LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet:
13-008

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
15	233A2 A001	BUTLER R R	2500 LEXINGTON ROAD	5270 SF	800 SF	-
16	233A2 A002	BARLOW KATHARINE D	120 SHADYBROOK DRIVE	4930 SF	820 SF	-
17	233 009A	DUNCAN MACKS S & DOUGLAS W DUNCAN DUNCAN LUCIA B	2610 LEXINGTON ROAD	4820 SF	2260 SF	-



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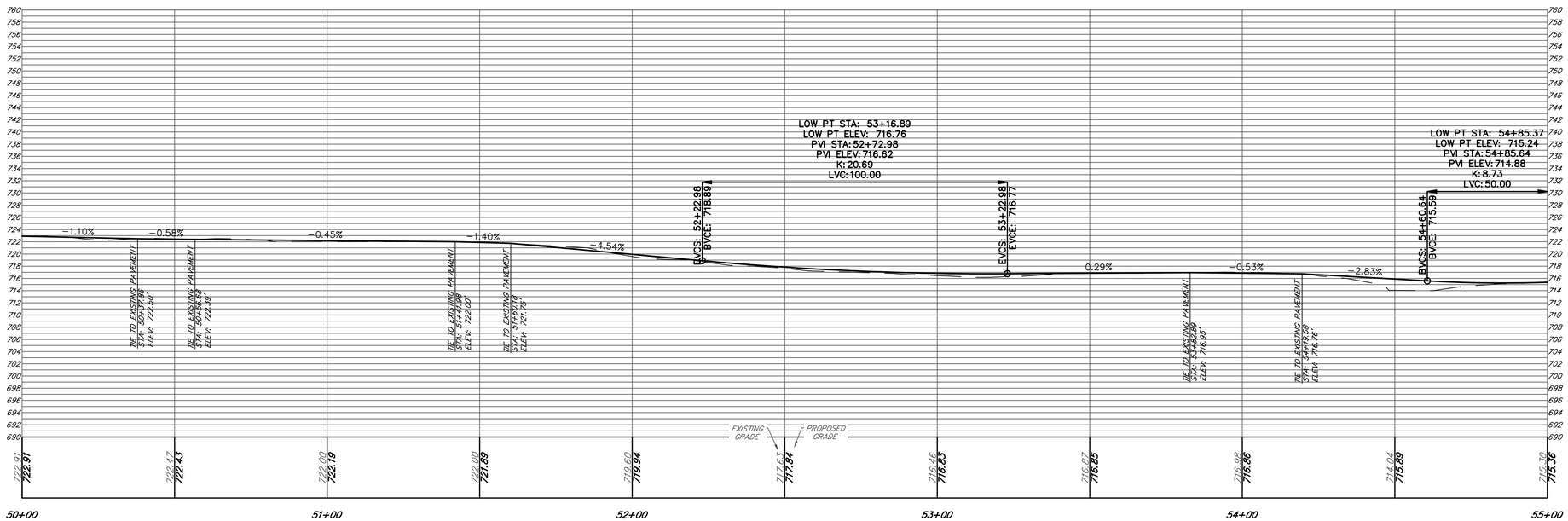

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ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
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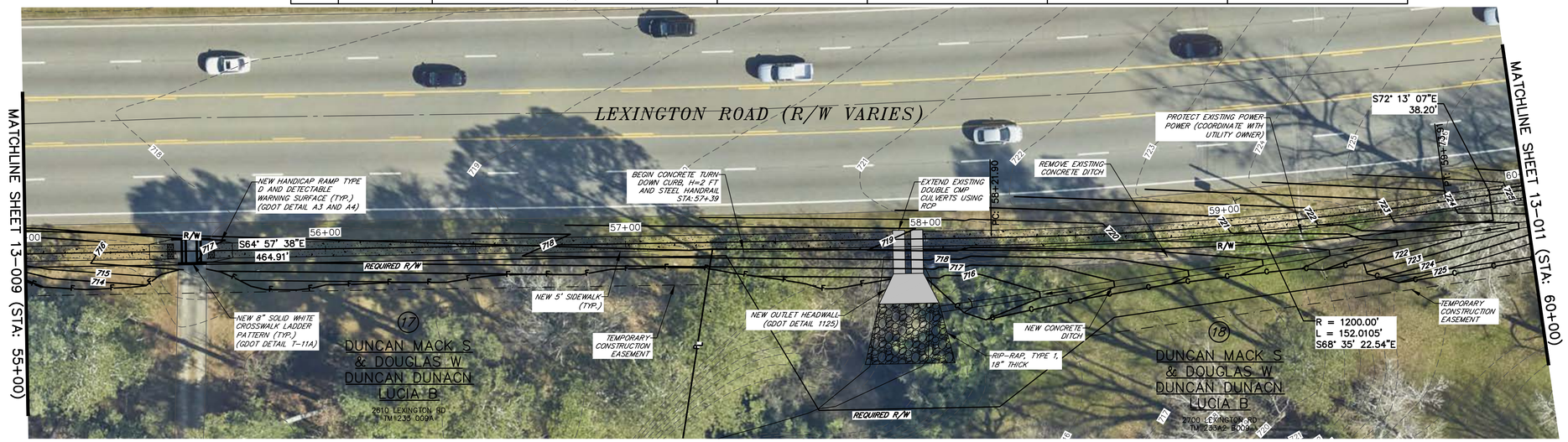
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-009

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
17	233 009A	DUNCAN MACKS S & DOUGLAS W DUNCAN DUNCAN LUCIA B	2610 LEXINGTON ROAD	4815 SF	2260 SF	-
18	233A2 B009	DUNCAN MACK S & DOUGLAS DUNCAN & DUNCAN LUCIA	2700 LEXINGTON ROAD	9890 SF	1150 SF	-



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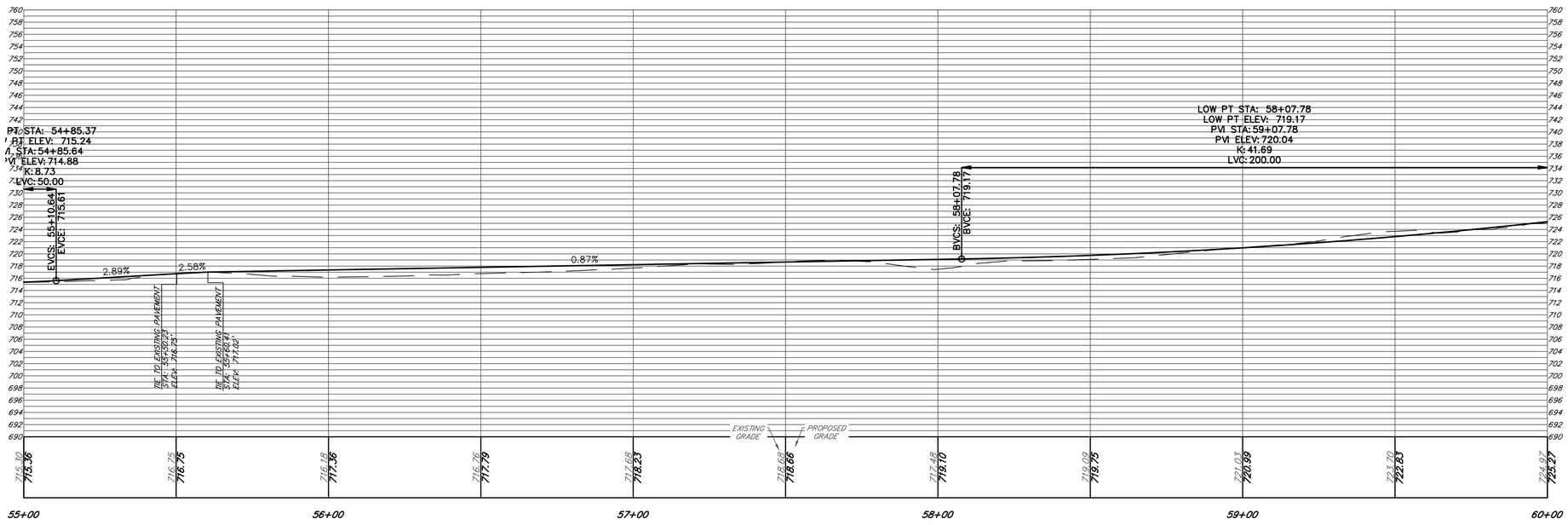

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION
JOB NO: 19022041
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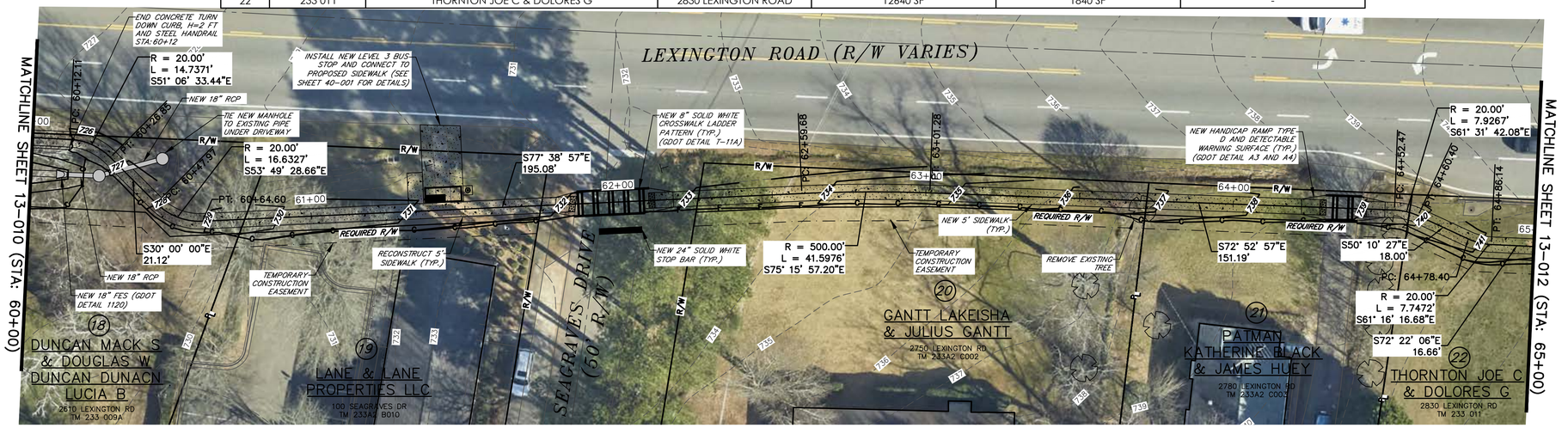
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-010

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
18	233A2 B009	DUNCAN MACK S & DOUGLAS DUNCAN & DUNCAN LUCIA	2700 LEXINGTON ROAD	9890 SF	1150 SF	-
19	233A2 B010	LANE & LANE PROPERTIES LLC	100 SEAGRAVES DRIVE	2340 SF	450 SF	-
20	233A2 C002	GANTT LAKEISHA & JULIUS GANTT	2750 LEXINGTON ROAD	1740 SF	660 SF	-
21	233A2 C003	PATMAN KATHERINE BLACK & JAMES HUEY	2780 LEXINGTON ROAD	870 SF	390 SF	-
22	233 011	THORNTON JOE C & DOLORES G	2830 LEXINGTON ROAD	12640 SF	1840 SF	-



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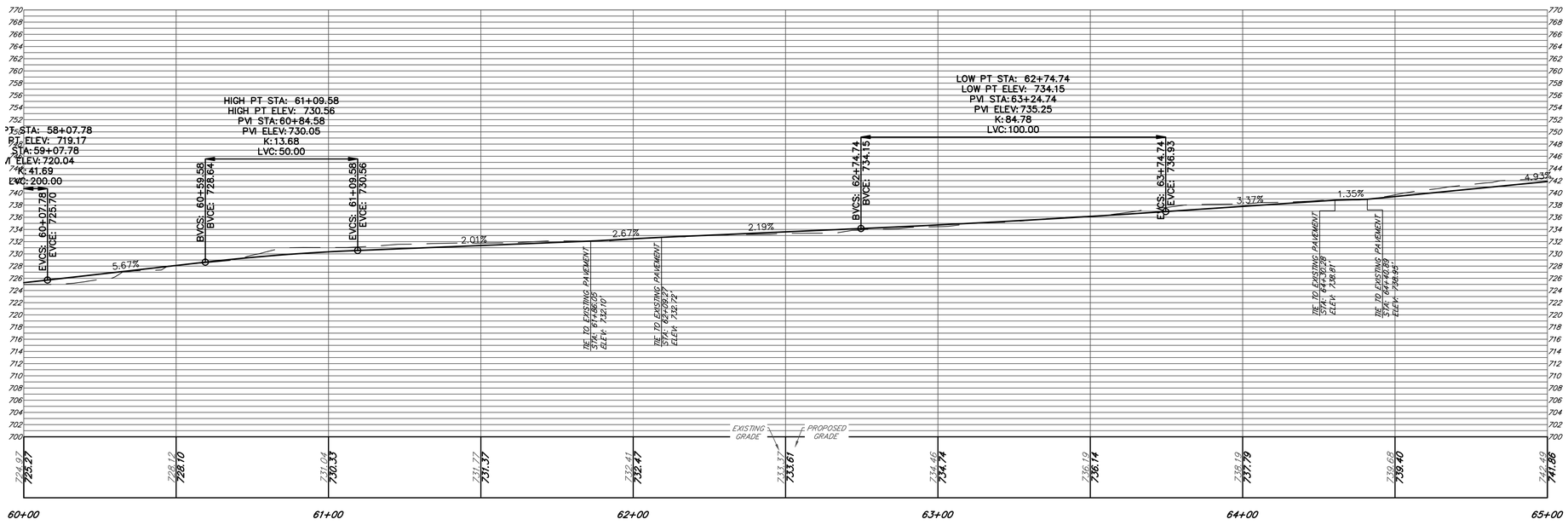

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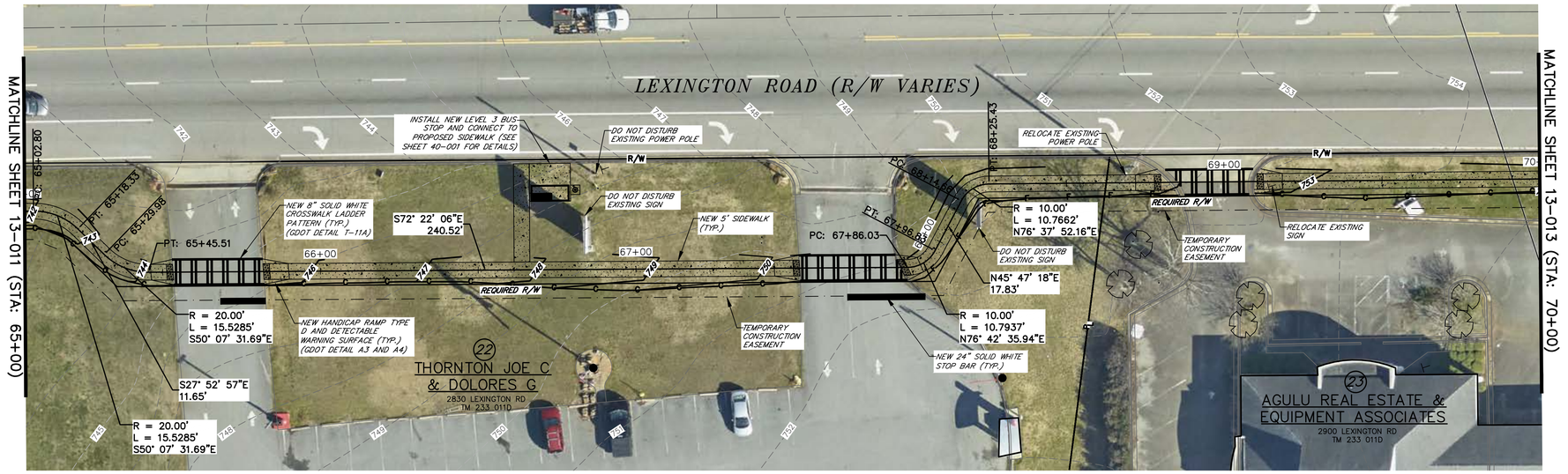
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-011

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
22	233 011	THORNTON JOE C & DOLORES G	2830 LEXINGTON ROAD	12640 SF	1840 SF	-
23	233 011D	AGULU REAL ESTATE & EQUIPMENT ASSOCIATES	2900 LEXINGTON ROAD	2830 SF	970 SF	-



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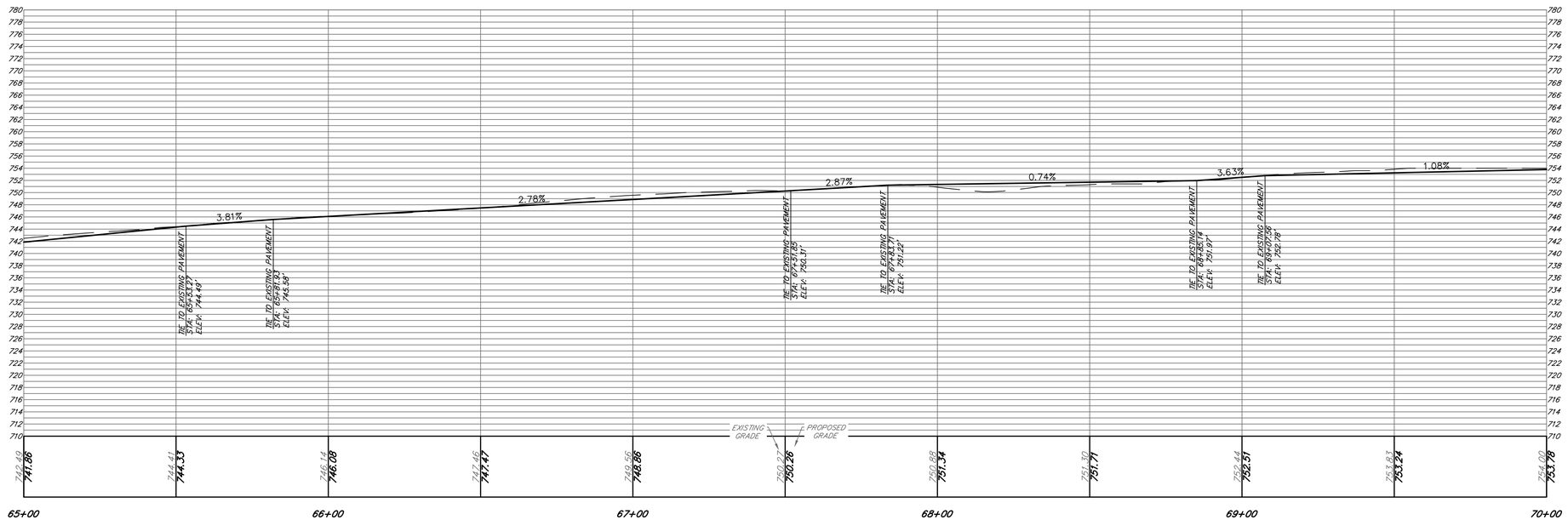

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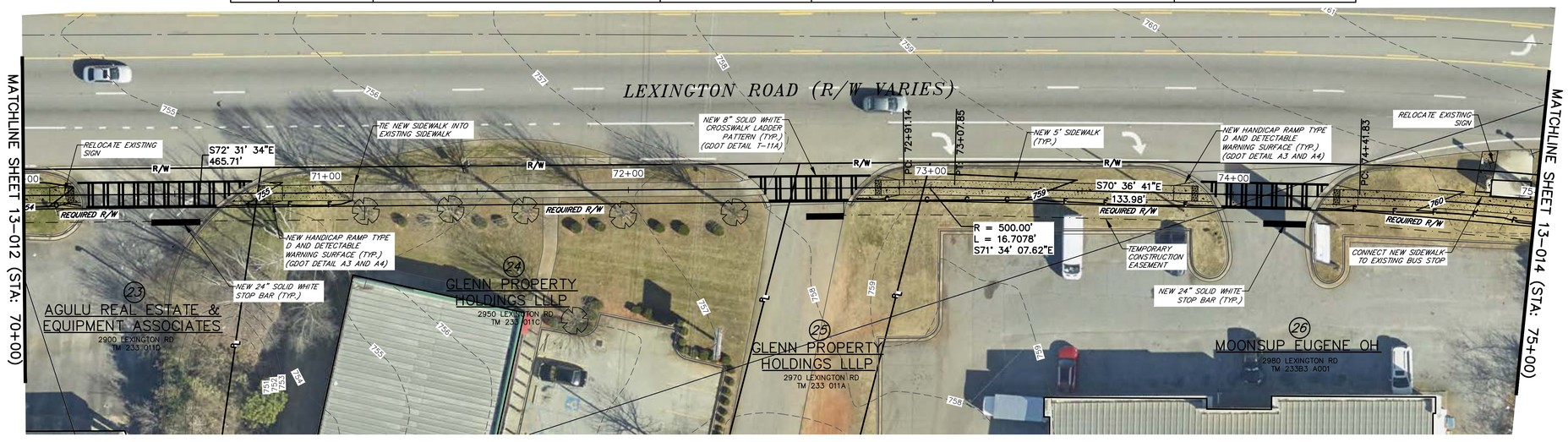
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-012

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
23	233 011D	AGULU REAL ESTATE & EQUIPMENT ASSOCIATES	2900 LEXINGTON ROAD	2830 SF	970 SF	-
24	233 011C	GLENN PROPERTY HOLDINGS LLLP	2950 LEXINGTON ROAD	2290 SF	170 SF	-
25	233 011A	GLENN PROPERTY HOLDINGS LLLP	2970 LEXINGTON ROAD	560 SF	120 SF	-
26	233B3 A001	MOONSUP EUGENE OH	2980 LEXINGTON ROAD	3615 SF	1065 SF	-



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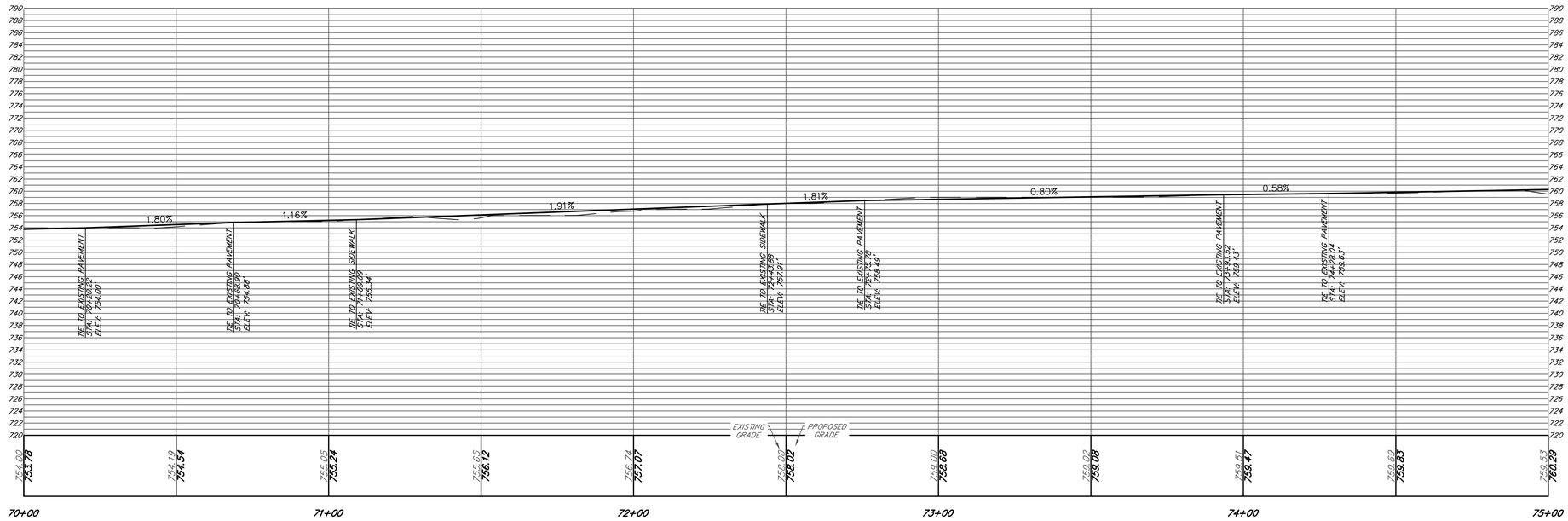

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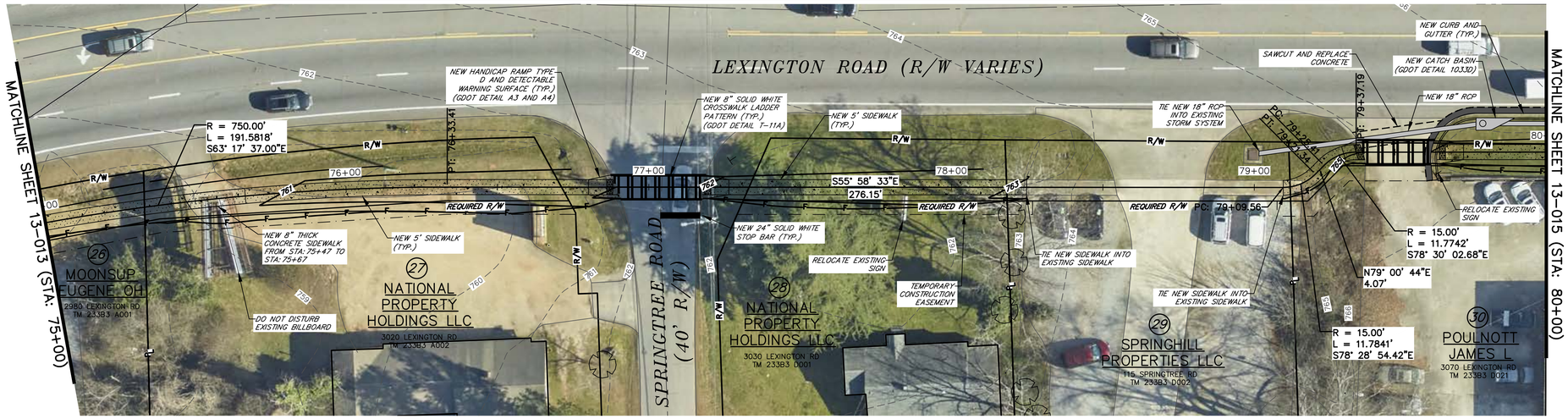
Sheet: 13-013

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
26	233B3 A001	MOONSUP EUGENE OH	2980 LEXINGTON ROAD	3615 SF	1065 SF	-
27	233B3 A002	NATIONAL PROPERTY HOLDINGS LLC	3020 LEXINGTON ROAD	2620 SF	640 SF	-
28	233B3 D001	NATIONAL PROPERTY HOLDINGS LLC	3030 LEXINGTON ROAD	1690 SF	400 SF	-
29	233B3 D002	SPRINGHILL PROPERTIES LLC	115 SPRINGTREE ROAD	1860 SF	60 SF	-
30	233B3 D021	POULNOTT JAMES L	3070 LEXINGTON ROAD	1340 SF	840 SF	-



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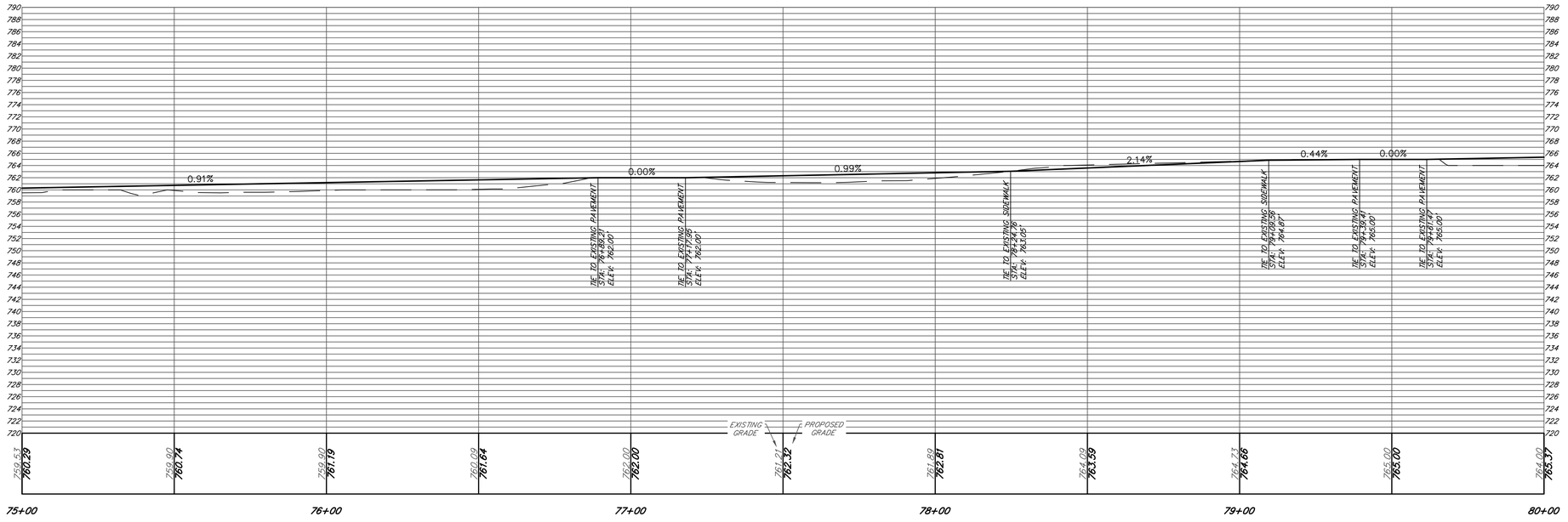

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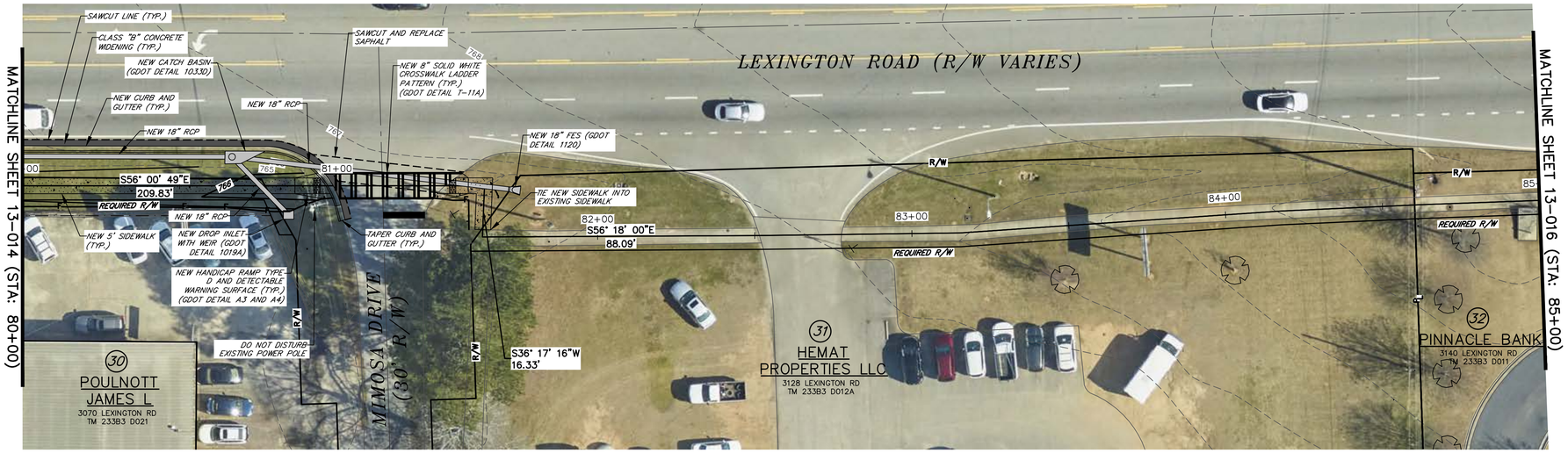
PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
30	233B3 D021	POULNOTT JAMES L	3070 LEXINGTON ROAD	1360 SF	840 SF	-
31	233B3 D021A	HEMAT PROPERTIES LLC	3128 LEXINGTON ROAD	7240 SF	85 SF	-
32	233B3 D011	PINNACLE BANK	3140 LEXINGTON ROAD	3000 SF	-	-



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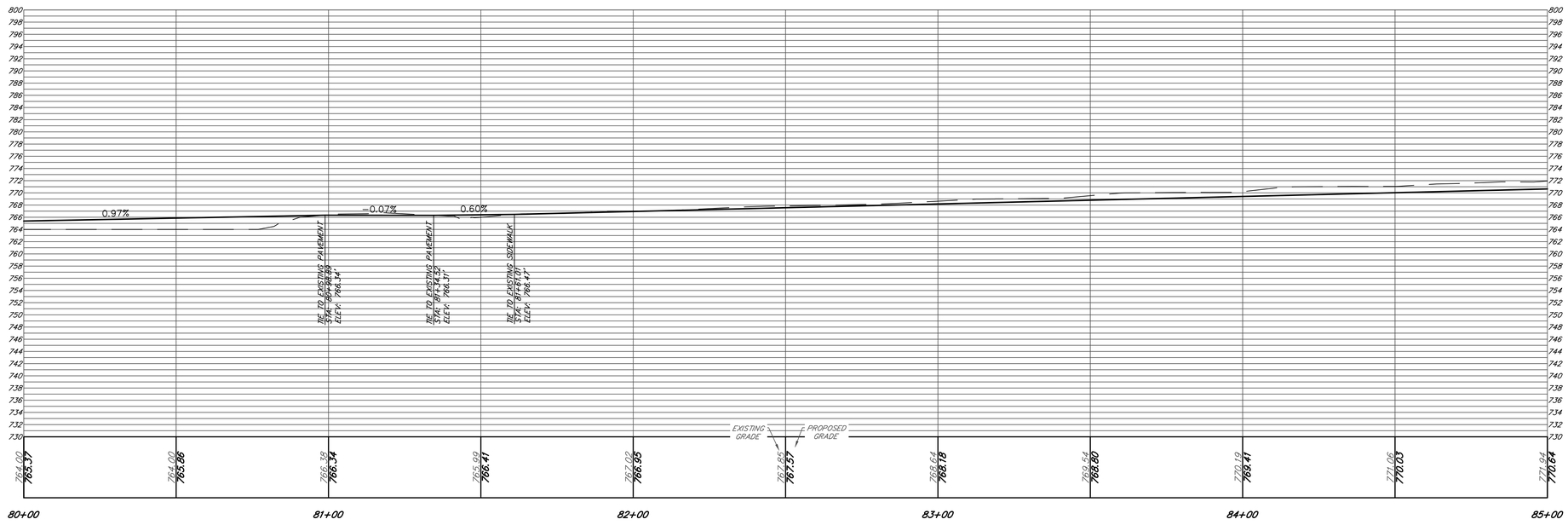

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PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

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PROJECT INFORMATION
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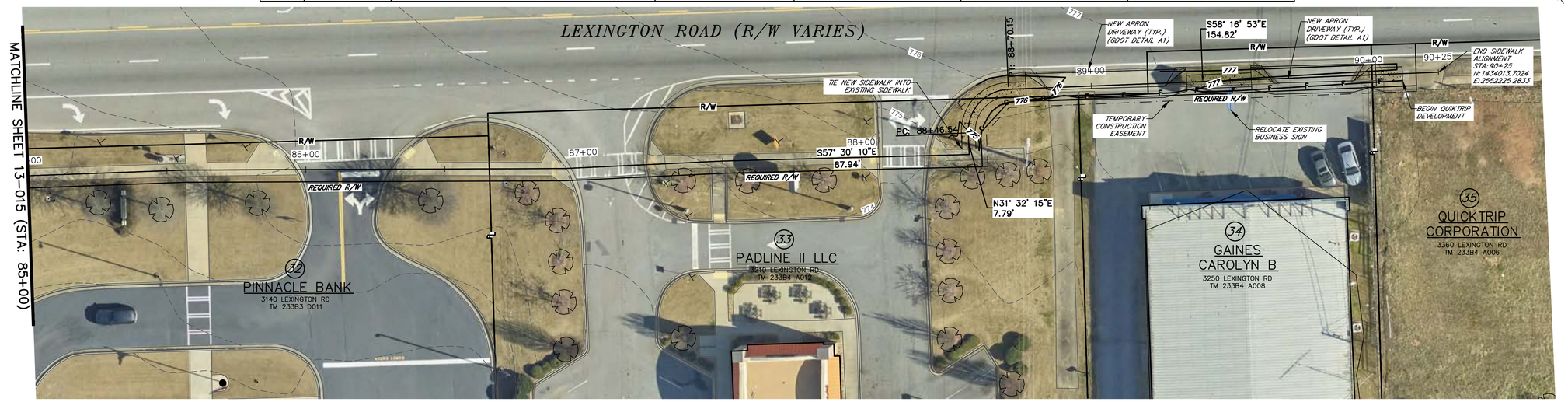
Sheet: 13-015

PROPERTY INFORMATION						
PARCEL NO.	TAX PARCEL I.D.	OWNER	STREET ADDRESS	REQUIRED RIGHT OF WAY	REQUIRED TEMPORARY CONSTRUCTION EASEMENT AREA	REQUIRED TEMPORARY DRIVEWAY EASEMENT
32	233B3 D011	PINNACLE BANK	3140 LEXINGTON ROAD	3000 SF	-	-
33	233B4 A012	PADLINE II LLC	3210 LEXINGTON ROAD	4460 SF	100 SF	-
34	233B4 A008	GAINES CAROLYN B	3250 LEXINGTON ROAD	1300 SF	220 SF	-
35	233B4 A006	QUIKTRIP CORPORATION	3360 LEXINGTON ROAD	245 SF	35 SF	-



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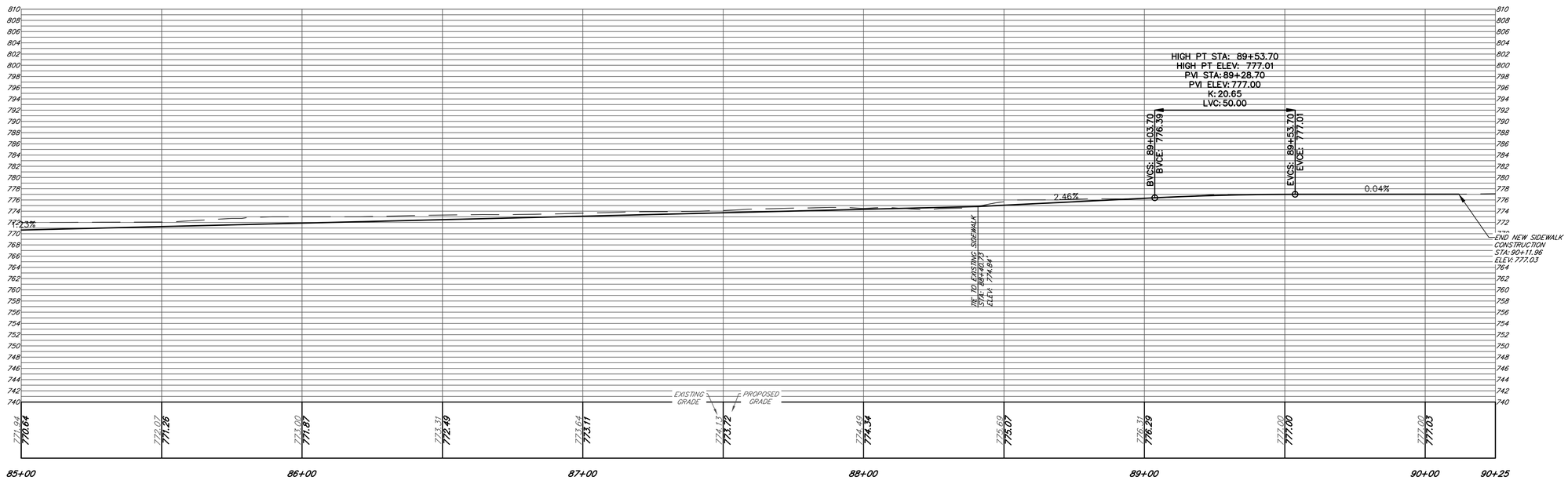

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Alfred Benesch & Company
1005 Broad Street, Suite 200
Augusta, GA 30901
P 706.722.4114
www.benesch.com

REV. NO.	DATE	REVISION DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

20 0 20
SCALE IN FEET

PROJECT INFORMATION
JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-016



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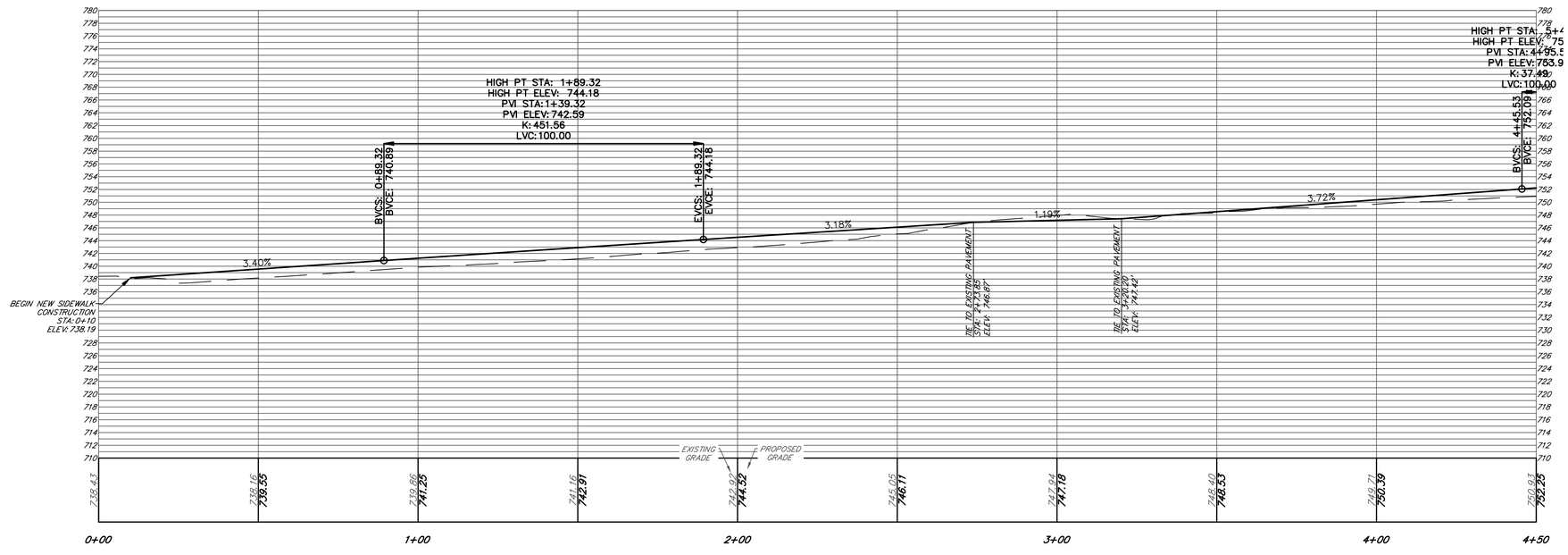

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REV. NO.	DATE	REVISION DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

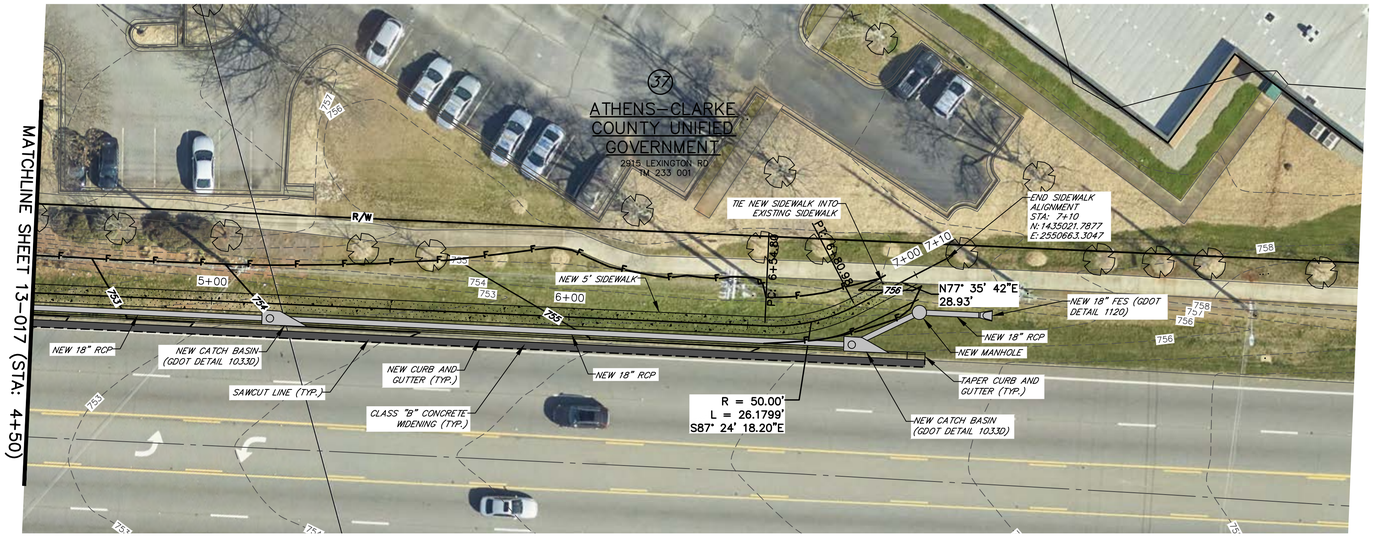
PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-017



1" = 20'

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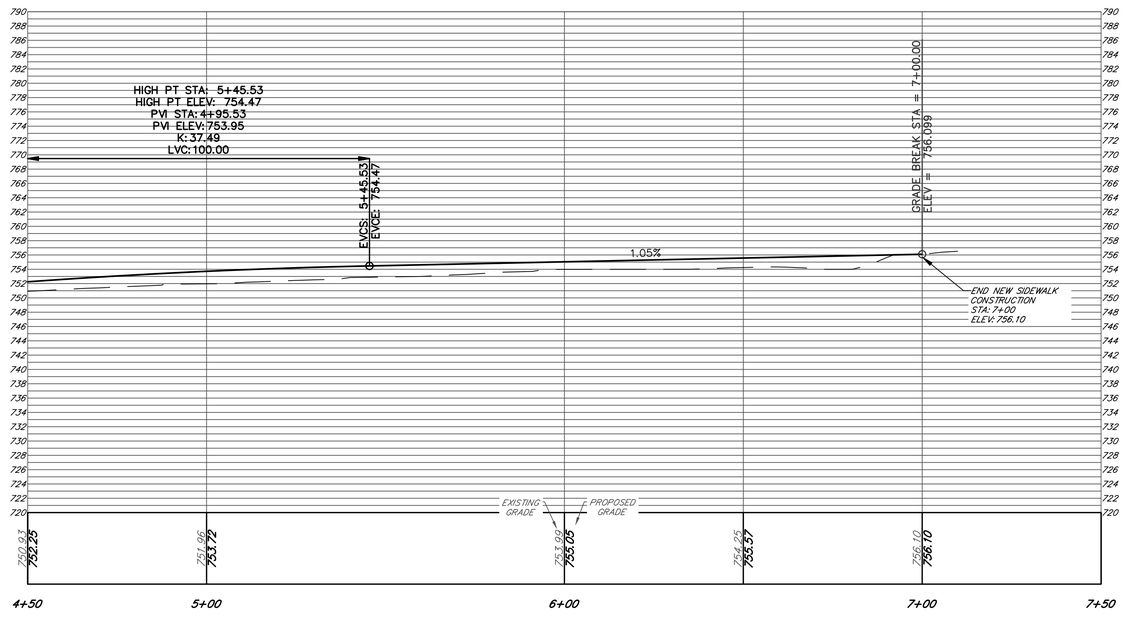

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REV. NO.	DATE	REVISION BLOCK DESCRIPTION

ATHENS-CLARKE COUNTY, GA

SHEET TITLE: CONSTRUCTION PLAN AND PROFILE

PROJECT NAME: LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS

SCALE: 20 0 20 IN FEET

PROJECT INFORMATION

JOB NO: 19022041
DRAWN BY: KC
CHECKED BY: EH
DRAWING FILE: 19022041E.DWG
DRAWING SCALE: 1" = 20'
ORIGINAL RELEASE DATE: APRIL 27, 2022

Sheet: 13-018

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2023 Project 11, East Athens MLK Parkway Oconee River Greenway Trail – Georgia Department of Transportation – Transportation Alternatives Program (Grant) – Grant Authorization and Acceptance

DATE: June 28, 2022

BUDGET INFORMATION:

REVENUES:	$2,272,000	TAP Grant Request
	$2,457,000	TSPLOST 2023 Project 11 (All Tiers)
	$4,729,000	Total Available for East Athens MLK Trail

EXPENSES:

CAPITAL:

$4,729,000	Designated East Athens MLK Trail

FUNDING SOURCE: GDOT TAP Grant & TSPLOST 2023 Program Revenues

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the application **Attachment #1** for, and if awarded, accept a Georgia Department of Transportation – Transportation Alternative Grant for TSPLOST 2023, Project 11 – East Athens MLK Oconee River Greenway Trail at the location as generally shown on **Attachment #2;** and

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On March 6, 2018, M&C approved the Project Concept for the East Athens MLK Oconee River Greenway Trail as part of the TSPLOST 2018, Project 05, Sub-Projects #9 but funding for the concept was dependent on available TSPLOST 2018 Project funds.

2. On May 18, 2022, staff received notice that Georgia Department of Transportation had published a call for TAP projects for fiscal year 2023 with a grant deadline of June 17, 2022.

3. On May 24, 2022, the voters of Athens-Clarke County approved the TSPLOST 2023 Program Referendum, which included the Project 11 - East Athens MLK Parkway Oconee River Greenway Trail.

4. On May 31, 2022 staff recommended to the Manager's Office the East Athens MLK Parkway Oconee River Greenway Trail as an ideal candidate project to seek TAP grant funding.

5. On June 17, 2022, staff submitted the TAP grant to GDOT to meet the grant application deadline of June 17, 2022.

FACTS & ISSUES:

1. The initial project statement for the East Athens MLK Parkway Oconee River Greenway Trail (TSPLOST 2023 Project 11) reads as follows:

   Project 11 – E. Athens MLK Parkway Oconee Rivers Greenway Trail Project: *This project will provide for capital improvements for the continuation of the Greenway Trail along the Oconee River generally in the vicinity of North Avenue to East Broad Street following the Mayor and Commission approved Greenway Network Plan, as may be amended from time to time. This project is a continuation of the TSPLOST 2018 Project 05 Oconee Rivers Greenway Project. To the extent allowed by law, budgeted project funds may be used as matching funds for leveraging grant opportunities. Additionally, to the extent allowed by law, other funding sources, including, but are not limited to, grants, may be utilized to offset and/or reduce the project budget. Any unspent project funds that accrue as a result of the receipt of grants or other funding sources may be assigned to other approved TSPLOST projects.*

2. The proposed trail section will connect the multi-use trail section along MLK between North Avenue and East Broad Street/First Street where no bike facilities exist. An existing sidewalk is continuous on the east side of MLK between North Avenue and East Broad Street/First Street. The Project Concept for this trail section was originally approved by M&C (History #1) as part of the TSPLOST 2018, Project 05, Sub-Projects #9 but funding for the concept was dependent on available TSPLOST 2018 Project funds.

3. East Athens MLK Parkway Oconee River Greenway Trail (TSPLOST 2023 Project 11), currently has a total project budget of $2,457,000. Due to cost escalation, the current anticipated cost of the original proposed project is $3,060,967 which exceeds the available project budget.

4. The TAP grant support eligible projects such as:
   - Pedestrian and Bicycle Facilities;
   - Connect and develop documented regional or state-wide non-motorized transportation networks;
   - Are appropriate for the need and user types targeted;

- Benefit state tourism or economic development initiatives;
- If locally significant, have strong transportation connection and involve planning; efforts or serve as connectors to regional networks;
- Are a priority on GDOT, county or regional non-motorized transportation plans;
- Address documented pedestrian/bike deficiencies; and
- Are part of a broader non-TAP funded non-motorized system.

5. The minimum TAP grant request is $1,000,000 and requires a minimum 20% match.

6. Staff submitted the TAP grant request for $2,272,000 with an approximate 25% local match of $788,967 in an effort to increase the competitive position of the application. The TAP grant application, totalling $3,060,967, is to support the current total project budget estimate of $3,060,967. If awarded the TAP grant, any TSPLOST 2023 Project 11 funds remaining at the conclusion of the project would be available for M&C to reallocate to other TSPLOST 2023 Projects.

7. ACCGov owns all the necessary land and rights of way along the west side (river bank side) of MLK along the proposed project area.

8. The TAP grant award notification is expected in September 2023.

9. The TSPLOST 2023 Program does not currently have a M&C approved Tier Funding schedule. If awarded the grant, the matching funds portion of the grant will require appropriate tier placement to meet the grant terms and conditions.

10. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A: *Improve, expand, and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely*

OPTIONS:

1. Mayor and Commission:

    a. Approve the application **Attachment #1** for, and if awarded, accept a Georgia Department of Transportation – Transportation Alternative Grant for TSPLOST 2023, Project 11 – East Athens MLK Oconee River Greenway Trail at the location as generally shown on **Attachment #2**; and

    b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny acceptance of the grant, if awarded.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Prepared by: J. Derek Doster, SPLOST & TSPLOST Program Management, for



July 8, 2022

Keith D. Sanders, TSPLOST Program Administrator



Kent Kilpatrick Date:
Leisure Services Director

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



July 14, 2022

Manager Date:

ATTACHMENTS:

Attachment #1 – TAP Grant Application
Attachment #2 – Project Map

The Georgia Department of Transportation
Office of Planning

Form Ver. 04/2022

TRANSPORTATION ALTERNATIVES (TA) SET-ASIDE FUNDING APPLICATION
FY 2023

SECTION 1: GENERAL INFORMATION

This application form is intended for projects in urban/urbanized areas (population of 5,000 to 200,000) people or nonurban areas (population less than 5,000.) Urban areas with more than 200,000 people are called Transportation Management Areas (TMA). Current TMAs in Georgia include Atlanta, Augusta, Savannah, Chattanooga, and Columbus. Please check the eligibility of your project location here. Additionally, GDOT requires that the total project cost estimates have to be at least $1,000,000 to be eligible.

The Fact Sheet on Transportation Alternatives following the Bipartisan Infrastructure Law (published Nov. 2021) could be found here: https://www.fhwa.dot.gov/bipartisan-infrastructure-law/ta.cfm.

SECTION 2: APPLICANT AGENCY INFORMATION

While not required, LAP certification is encouraged and will be given priority for TA funding. Click here for current list of LAP-certified agencies. Please note, if awarded, current LAP certified agency has to maintain the LAP certification throughout the project delivery process.

Agency name/ Project Sponsor:	**Athens-Clarke County Unified Government**
City:	Athens
County:	Clarke County
ZIP Code/ P.O. Box:	30601
Area Population Size:	☐ Less than 5,000 ☐ 5,000 to 49,999 ☑ 50,000 to 200,000
Contact Person:	Todd Miller
Title:	Park Planning Coordinator
Phone Number:	(762) 400-7751
Email Address:	todd.miller@accgov.com
DATA UNIVERSAL NUMBER (DUNS)	78-281-6698 UEI - WT9LA1BLEL65

(The federal government requires that all applications for Federal grants and cooperative agreements with the exception of individuals other than sole proprietors have DUNS number. The Federal government will use the DUNS number to better identify related organizations that are receiving funding under grants and cooperative agreements, and to provide consistent name of address data for electronic grant application systems. If an applicant needs to obtain a DUNS Number, please call the dedicated toll-free DUNS Number request line a 1-866-705-5711).

SECTION 3: PROJECT INFORMATION

I. Project Eligibility

Check ONE box that fits your project the best. A project might be eligible under the Transportation Alternatives (TA) Set-Aside (23 U.S.C. 101(a)(29)) related to surface transportation, or the Recreational Trail Program (23 U.S.C. 206), or the Safe Routes to School Programs (23 U.S.C. 208), or any activities in furtherance of a vulnerable road user safety assessment (23 U.S.C. 148(a)).

1. ☑ Construction, planning, and design of on-road and off- road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
2. ☐ Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
3. ☐ Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.
4. ☐ Construction of turnouts, overlooks, and viewing areas.
5. ☐ Community improvement activities, including:
   - (i) ☐ inventory, control, or removal of outdoor advertising;
   - (ii) ☐ historic preservation and rehabilitation of historic transportation facilities;
   - (iii) ☐ vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and
   - (iv) ☐ archaeological activities relating to impacts from implementation of a transportation project eligible under 23 U.S.C.
6. ☐ Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
   - (i) ☐ address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff; or
   - (ii) ☐ reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
7. ☐ Any project eligible under the safe routes to school program under 23 U.S.C. 208, including:
   - (i) ☐ Infrastructure-related projects eligible under 23 U.S.C. 208(g)(1).
   - (ii) ☐ Non-infrastructure-related activities eligible under 23 U.S.C. 208(g)(2).
   - (iii) ☐ SRTS coordinators eligible under 23 U.S.C. 208(g)(3).

8. ☐ Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways. See Boulevards from Divided Highways for examples.
9. ☐ Activities in furtherance of a vulnerable road user safety assessment (as defined in section 148(a))
10. ☐ Any project eligible under the recreational trails program (RTP) under 23 U.S.C. 206.

II. Project Brief Description

☐ **Check the box if** this project has a GDOT Project Identification (PI) number.

If Yes, please provide the PI#:

Please briefly describe the project in the field below:

The North Oconee River Greenway - MLK Trail project will fill the final gap in the North Oconee River Greenway Trail, completing the first contiguous trail system in Athens, GA. The project has been identified as the highest priority as part of ACC's Greenway Network Plan and has received local funding through TSPLOST 2023 with wide public support. The completion of the project, from North Avenue to First Street, will connect non-vehicular users to 6 miles of contiguous Greenway trail and 8 miles of the multi-use Firefly Trail. These connections give access to social services, parks, Downtown Athens, the University of Georgia campus, and multi-modal transportation hubs. The project is approximately 0.59 miles in length and would create a variable width ADA accessible trail between 10 and 12 feet through North Oconee River Park. This creates connectivity to Dudley Park and the current North Oconee River Greenway Trail that connects to Sandy Creek Nature Center. It will also tie to the recently proposed USDOT RAISE project, Reimagine North Avenue, submitted by ACC Transportation & Public Works Department.

III. Project limits

Skip this section if your project has a phase that was previously awarded Transportation Alternatives funds and programmed with a PI number. A TA-funded project may be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991 with a few exceptions. The project does not have to be on a road.

Total length (*miles*): 0.59 **Width (*ft.*):** 12.00

☑ *Check the box if the project is within 5 miles of an airport.*

Project Location: *Enter intersecting street OR Mile Point OR Coordinates (X, Y). Tip: Zoom in Google Map to the largest scale, right click the location then copy the coordinates and past them in the fields below.*

From: 33.96645, -83.37145

To: 33.95911, -83.36669

IV. Right of Way Information

☑ Existing public right of way is sufficient to build this project.

☑ The applicant agency/ project sponsor owns the public right of way.

For projects on GDOT ROW, obtain a letter indicating your project is feasible in concept from appropriate GDOT local officials. Please provide as much detail about your project as possible and allow sufficient time to receive a letter. If additional property must be acquired to complete the project, identify ownership and value of property, either purchased or donated. Please include an attachment that shows estimates for Required Right of Way and easement for Construction and Maintenance. The attachment must include details such as (1) Parcel #, (2) Type of Property, (2) Name of Owner, (3) ROW Amount (sf), (4) Value per sf, and (5) Total per Parcel.

☐ Funds have been budgeted for both the processing and fair market value of each property.

Attach Required Right of Way and Easement Document here.
Use the "File Attachment" in your PDF reader such as Adobe Acrobat or Bluebeam Revu, etc.

See Attachment

V. Project Maintenance and Management Plan

Attach a Maintenance Policy that shows the long-term maintenance plan for public use here.

See Attachment

OR provide a description of how this project will be maintained in the long term, including personnel and cost information.

Athens-Clarke County Unified Government (ACCGov) maintains all sidewalks, trails, and multi-use paths throughout the county. There will be annual costs to maintain this new section, but by closing the gap in the Greenway Trail System, those operational costs along the trail and the park are reduced. The branch of ACCGov responsible for the trail systems consists of 3 full-time staff, 1 part-time support staff member, and 3-5 part-time Park Assistants. Park Assistants' duties include bi-monthly trail hazard inspections, daily trash routes, cleaning, litter pickup, and assisting full-time staff with activities such as spotting while using a chainsaw or large trash pickups.
Within this additional stretch of trail, we anticipate $21,000 of annual operational funding, including staff hours, utilities, and expenses. The operations within this project area are the responsibility of ACCGov. Once this project is complete, ACCGov will request the operational funding to be added to their budget from the general fund and then Mayor and the Commission support the operational funding allocation.

VI. Environmental Assessment

Attach any previously prepared environmental documentation to this application. If no previously approved environmental documentation is available, the applicant must complete necessary studies if any, and have them approved prior to project implementation. This requirement does not apply if the application is for planning or feasibility studies only. Indicate below any impact the project is expected to cause.

- ☐ Displacement of residence or business
- ☐ Disruption of neighborhoods
- ☐ Impacts agricultural or recreational lands
- ☐ Impacts historical/archaeological sites
- ☑ Impacts wetlands, streams/lakes, floodplains
- ☐ Within coastal zone
- ☐ Endangered species
- ☐ Air/water quality
- ☐ Noise
- ☐ Hazardous waste site

Any county, state, and/or federal permits required will have to be secured by the applicant prior to contract signing. These may include Army Corps of Engineers, Office of Coastal Resource Management, Coast Guard, Federal Energy Regulatory Commission, County Sediment and Erosion Control and Stormwater Management Ordinance, or State Budget and Control Board.

Attach Environmental Document here. Use the "File Attachment" function in your PDF reader.

Attach Project Concept or Scope here. Use the "File Attachment" function in your PDF reader. See Attachment

Additional Comment:

No environmental documents have been completed in relation to the North Oconee River Park Greenway Trail Project. Athens-Clarke County is committed to performing all required studies, including NEPA and Stream Buffer Variances. Athens-Clarke County will direct the selected design firm to coordinate with appropriate sub-consultants in the event that the selected firm does not offer environmental permitting services. While this project will continue to protect our greenspace, consideration has been taken into permit requirements for the project.
The project falls within the buffer of the North Oconee River for approximately 1000 Linear Feet, requiring a Stream Buffer Variance. Athens-Clarke County has committed to the restoration of riparian buffers to mitigate the effect this project will have on the North Oconee River 25-foot State Buffer. Mitigation efforts will include the removal of invasive species within the buffer and the planting of native riparian grasses, wildflowers, shrubs, and trees, performed both by the ACC Office of Sustainability and volunteers from local non-profits. Additionally, the project will require floodplain and floodway analysis to ensure that a No-Rise condition will be satisfied.

SECTION 4: PROJECT COST AND FUNDING

I. Project Cost Estimates

See Attachment

. *Attach Itemized Project Cost Estimates. Use the "File Attachment" function in your PDF reader.*

Itemize all project elements and costs. List item, description, quantity, unit price, amount, etc. Ensure costs shown are accurate and sufficient to satisfactorily complete all work anticipated in accordance with federal requirements. If the project location is in close proximity to a railroad crossing that does not have automatic gates with flashing light signals (within 500' along the mainline roadway, and within 200' of the mainline roadway on intersecting roads), project funds to upgrade the railroad signals may be required pursuant to federal regulations. All budget item costs for project administration and management to adequately accomplish the work must be shown. These expenses are to include engineering, inspection, and testing in accordance with state and federal requirements. Applicants MUST show a 10% contingency fee for the project.

Additionally, please provide a summary of project cost breakdown by phase below. GDOT requires that the total cost estimates must be at least 1 million for the project to be considered for TA funding.

Phase	Cost Estimates	Fiscal Year
Preliminary Engineering	$372.616,00	2023
Right-of-Way (ROW)	$0.00	
Construction	$2,688,351.20	2025
TOTAL	$3,060,967.20	

II. Requested Funding

Please check the appropriate box to indicate the project phase(s) that you are requesting TA funds for.
For most TA Set-Aside projects, the Federal share is generally 80% with a 20% State or local match.
The Bipartisan Infrastructure Bill allows certain project types to be funded up to 100% with federal money. However, this comes with certain conditions. 100% federal funding is up to the state's discretion and is not guaranteed. See Transportation Alternatives (TA) Set-Aside Implementation Guidance (March 30, 2022), p. 16 and p. 17 for more details.

Phase	Requested TA Fund ($)	Local Match ($)	Other fund sources ($)
☑ Preliminary Engineering		$372,616.00	
☐ Right-of-Way (ROW)			
☑ Construction	$2,272,000.00	$416,351.20	
Share	74.22491%	25.77509%	0.00000%

Additional Comment:

Matching funds will be provided by Project 11 from the TSPLOST 2023 Program. A letter from the ACCGov SPLOST Office is attached to this application.

SECTION 5: PROJECT IMPACTS

Check the box(es) that show the project importance to local/regional transportation, health, safety, environment, and economic development, etc. Please include data and examples to support project impacts.

- ☑ The project is included in a local or regional plan
- ☑ Accessibility/ Connectivity/ Mobility
- ☑ Health and Safety
- ☑ Environment
- ☑ Local/ regional economic development
- ☑ Other impacts

Please provide explanation for all of the marked impacts. **Where possible, show the project impacts to disadvantaged populations such as the elderly, people with disabilities, minorities, and low-income residents, etc. Breakdown your explanation into the categories above. This information is crucial to how your project scores and ranks.**

Local/Regional Plan - The project is included in the Greenway Network Plan (GNP) completed by the Oconee Rivers Greenway Commission in collaboration with Athens-Clarke County Leisure Services in 2016 with map updates in 2020. Both versions of the document received community input and were ratified by vote of the Mayor and Commission. The project is listed as "Riverside Trail - North Oconee River Park" in the GNP on Page 59 and is a Tier 1 priority due to the gap in existing trail system. Additionally, the project has been included in the upcoming 2023 TSPLOST project list as a continuation of TSPLOST 2018 - Project 5. On a regional level, the project has been included in the MACORTS FY 2021-2024 Transportation Improvement Plan (TIP).

Health and Safety - The Greenway corridor and the trails through it provide safe and health-promoting opportunities for individuals and families to recreate and commute along the North Oconee River Greenway Corridor in Athens. This trail system is crucial to retaining the river corridor for the use and benefit of all in the community. With the extension of the trail system proposed here, residents and visitors have access to places to walk, run, and roll away from vehicles and vehicle emissions. The value of these outdoor areas has been clearly demonstrated during the last two years by providing a safe place for residents and visitors to get out for exercise and recreation during the pandemic. The need for safe alternative transportation options in this area is driven home by the

(SECTION 5: PROJECT IMPACTS - Continued)

fact that, according to Numetrics data provided by GDOT, 159 crashes (between 2013 and 2021) have been reported along this segment of Dr. Martin Luther King Jr Parkway between North Avenue and East Broad Street. Of these crashes, 8 involved bicycles or pedestrians. Additionally, Dr. Martin Luther King Jr. Pkwy received a "Bicycle Level of Comfort" score of 4, which characterizes the road as "…not comfortable for bicycle travel and may only be suitable for the most advanced level of cyclist under rare circumstances". These data reflect how in order to continue on the trails, users are required to share the road with vehicles along a narrow, curvy roadway with no shoulders and limited sight-distances.

Local/Regional Economic Development - This project will continue to provide access for residents to move into and away from the downtown area and have access to work and services via modes of transportation other than personal vehicles. The Greenway Trail is the flagship Alternative Transportation Facility for Athens recognized throughout the region and state. The trail has been featured in many tourism materials (print and otherwise) and makes ACC attractive to people interested in moving to the area. This project area extends the reach and connectivity of the commercial districts. Additional economic opportunities are provided through the proximity of the project location to several Tax Allocation Districts.

Accessibility/Connectivity/Mobility - The proposed project completes the North Oconee River Greenway Trail to provide over 6 miles of contiguous trails for non-vehicular connectivity for users to Downtown Athens, community parks, various social services, multi-modal transportation routes, Transit, and residential areas. Included in these locations are Dudley Park, North Oconee River Park, Firefly Trail, The UGA Small Business Development Center, and Downtown Athens. Several other planned projects in the area, including the Reimage North Avenue Project, will connect this trail directly to businesses and the major social services destinations on North Avenue. This $25 million project would replace the aging bridge over the North Oconee River and connect directly to the segment of greenway trail proposed here, providing better connectivity for the Greenway trail system as a whole. Additionally, the North Avenue corridor will include 1 mile of multi-use path, realigned intersections, green infrastructure to improve stormwater quality, and many other improvements to transform this corridor into a safer place for residents to access the social services and amenities in the area.

Environment - The Greenway Corridor is more than just a trail; it offers vital ecosystem services by protecting the riparian zone along the North Oconee River. It offers a major environmental asset to the community, both providing areas of natural vegetation and wildlife habitat, and protecting the river and flood plain from further development. By preserving native soils and vegetation and mitigating erosion, the Greenway also reduces the flash flooding potential during major storm events. The trail itself is an important component of this conservation because it enables the public to see these benefits first-hand and gives them a sense of ownership of and responsibility for these natural resources.

Other Impacts - The Greenway Trail is a linear park connecting places and people in a space where everyone is welcome. Multi-use trails connect many major roadways and parts of town, especially those lacking sidewalks. Providing people with equitable access to public resources is an important contributor to their physical and social health and well-being.

SECION 6: PUBLIC ENGAGEMENT AND COMMUNITY SUPPORT

Describe the process of engaging the public and other stakeholders (e.g. local government entities, private citizens, regional organizations, non-profit, and civic groups) in the development of this project.

The project area is a short gap in trail that has been identified on the Greenway Network Plan for many years as a high priority and submitted to multiple funding opportunities locally since 2011. Its development was included in the 2016 Greenway Network Plan, which received weeks of public input with multiple formats for comment including an online form and in-person sessions at public facilities. This version of the plan was then revised and accepted by the Mayor and Commission. In 2020, the maps within the plan were revised and also received weeks of community input through an online interactive map form, in-person community events, and virtual open houses. Based on the input received, revisions were made by the ORGC, and a final set of maps were voted on and accepted by the Athens-Clarke County Mayor and Commission in early 2021. This project also went through multiple rounds of public engagement during the TSPLOST 2023 project list process, was vetted by the TSPLOST 2023 Citizen's Advisory Committee, approved by the Mayor and Commission, and passed through an election during the May election cycle. There will also be another opportunity for public input during the final implementation of this project when it is approved by the TSPLOST 2023 oversight committee. The project will then go to public input again after concept development and construction plans are completed.

Appendix: Supporting documents

Insert your supporting documents as attachments below. Use the "Attach File" function of your PDF reader. Please name your attachments in a meaningful manner.

Property Ownership Map

Operational Costs Table

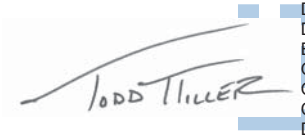
Project Scope

Conceptual Cost Estimate

Athens-Clarke County LAP Certification Status

Letters of Support

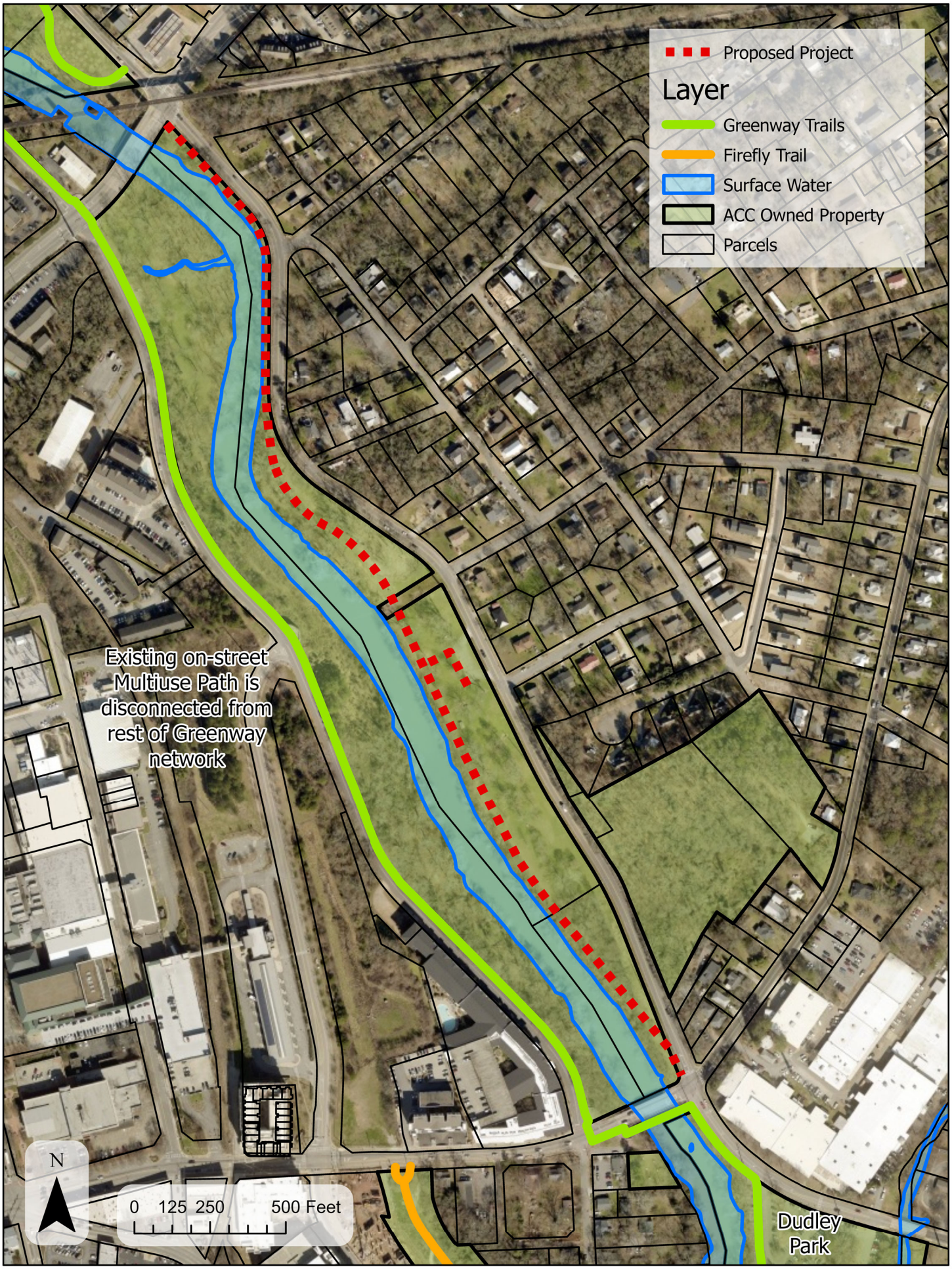
Funding Letter of Commitment



Todd Miller

Park Planning Coordinator

762-400-7751


Proposed Project
Layer
Greenway Trails
Firefly Trail
Surface Water
ACC Owned Property
Parcels
Existing on-street Multiuse Path is disconnected from rest of Greenway network
N
0 125 250 500 Feet
Dudley Park

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Intergovernmental Agreement between the Athens-Clarke County Industrial Development Authority and the Unified Government of Athens-Clarke County: Boehringer-Ingelheim Expansion

DATE: June 29, 2022

BUDGET INFORMATION:

REVENUES: $0

EXPENSES:
ANNUAL:
CAPITAL: $100,000
OTHER:

FUNDING SOURCE: Economic Development Capital Fund

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Authorize the execution of the intergovernmental agreement between the Unified Government of Athens-Clarke County (ACCGov) and the Athens-Clarke County Industrial Development Authority (IDA) for the Boehringer-Ingelheim Expansion (**Attachment #1**); and

b. Authorize Mayor and appropriate staff to execute all related documents and to allocate the capital funds based on the intergovernmental agreement.

HISTORY:

1. Established in 1960, the Athens-Clarke County Industrial Development Authority is a constitutional authority found in Georgia Laws 1960, p. 1379 for the purpose of expanding and developing industry in Clarke County and for improving the general welfare of said county.

2. In May 2021, ACCGov Economic Development Department staff received a request from Boehringer-Ingelheim that they would like to expand their business in Athens-Clarke County, which would consist of a new state of the art Global Innovation Center.

3. On April 20, 2022, Governor Brian Kemp issued a press release announcing Boehringer-Ingelheim's expansion in Athens, GA.

FACTS & ISSUES:

1. Examples of powers given to the Athens-Clarke County Industrial Development include but are not limited to:
    - the acquisition of properties;
    - facilitation of improvements for the purposes of development, expansion and promotion of industry;
    - the construction of buildings and plants, and
    - the acquisition of equipment for the purpose of selling, leasing or renting such structures or equipment to private persons, firms or corporations.

2. The project is an expansion for Boehringer-Ingelheim and will bring significant investment into Athens-Clarke County. This expansion includes a brand-new 63,000 square foot Global Innovation facility.

3. As part of the project, and incorporated into the Inducement Resolution (**Attachment #2**), the company agrees to the following:
    - Create 55 net new full-time jobs at the new facility by December 31, 2023 with an average annual wage of about $122,500 per job before benefits; and
    - Make a capital investment of at least $53.1 million in real property, which will be phased in over first 2 years.

4. Incorporated into the inducement resolution and outlined in the intergovernmental agreement, the ACCGov Economic Development Department will transfer $100,000 from the Economic Development Capital Projects Fund to the Athens-Clarke County Industrial Development Authority for clean and renewable energy initiatives related to the expansion project.

5. This Project supports the following ACCGov Strategic Plan Goal & Strategy:
    - Identify and Close Gaps in Partnership with the Community Goal, Strategy E: *Support diverse, innovative, and creative economy*

OPTIONS:

1. Mayor and Commission:
    a. Authorize the execution of the intergovernmental agreement between the Unified Government of Athens-Clarke County (ACCGov) and the Athens- Clarke County Industrial Development Authority (IDA) for the Boehringer-Ingelheim Expansion (**Attachment #1**); and

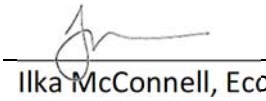
b. Authorize Mayor and appropriate staff to execute all related documents and to allocate the capital funds based on the intergovernmental agreement.

2. Mayor and Commission deny the Intergovernmental Agreement between the Unified Government of Athens-Clarke County (ACCGov) and the Athens-Clarke County Industrial Development Authority (IDA) for the Boehringer-Ingelheim Expansion (**Attachment #1**).

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a and b

DEPARTMENT:
Prepared by: Caitlin Dye



Ilka McConnell, Economic Development, Director

Date:06/29/22

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

July 14, 2022
Date:

ATTACHMENTS:

Attachment #1-Intergovernmental Agreement Between Athens-Clarke County Unified Government and the Athens-Clarke County Industrial Development Authority
Attachment #2-Inducement Resolution Between Athens-Clarke County Industrial Development Authority and Boehringer-Ingelheim

Attachment #1

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (this "Agreement"), dated as of [DATE], 2022, made and entered into by and between the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA (the "Unified Government") and ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, a public body corporate and politic created and existing under the laws of the State of Georgia (the "Authority"),

RECITALS

WHEREAS, the Unified Government is a political subdivision of the State of Georgia created and existing pursuant to the laws of the State of Georgia; and

WHEREAS, the Authority is a public body corporate and politic created pursuant to the Constitution and laws of the State of Georgia, including particularly a local amendment to the Georgia Constitution, Ga. L. 1960, p. 1379, supplemented by Ga. L. 1981, p. 3972, and continued by Ga. L. 1985, p. 4134; and

WHEREAS, on May 21, 2019, the Mayor and Commission of Athens-Clarke County adopted a resolution to commit to several energy-related goals as part of the Unified Government's Clean and Renewable Energy Campaign; and

WHEREAS, on June 8, 2022, the Authority adopted a resolution approving in principle an economic development project consisting of the acquisition, construction and equipping of a global innovation building to be owned by the Authority and leased to Boehringer Ingelheim Animal Health USA Inc. (the "Company"), to be located adjacent to the Company's existing facilities in Athens-Clarke County, Georgia (the "Project"); and

WHEREAS, the Company has indicated that the Project will require expenditures with respect to real property during calendar years 2022 and 2023 of approximately $53,087,000 and will increase employment opportunities in the area served by the Issuer by approximately 55 jobs by December 31, 2023; and

WHEREAS, the Authority and the Unified Government have determined that the Unified Government should assist in the development of the Project by making available to the Authority the amount of $100,000 from the Economic Development Capital Projects Fund, to be used and applied to the acquisition, equipping and installation of energy-efficient, zero-emissions electric boilers for the Project, and in that way further the Unified Government's clean and renewable energy goals.

NOW, THEREFORE, the Unified Government and the Authority agree as follows:

1. The Unified Government agrees to provide $100,000 from the Unified Government's Economic Development Capital Projects Fund to the Authority for the acquisition, equipping and installation of energy-efficient, zero-emissions electric boilers for the Project.

2. Transfers of such amounts shall be made from the Unified Government to the Authority in whole or in part, and at one time or from time to time, as the funds are needed for the Project. The Authority and the Unified Government's Economic Development Department will jointly determine when the funds should be transferred and will jointly supervise the allocation, use, administration, and expenditure of the funds to ensure that the Unified Government's clean and renewable energy goals are furthered by such expenditure.

3. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

4. This Agreement shall be governed by, and construed according to, the laws of the State of Georgia without regard to conflict of law principles.

Attachment #1

IN WITNESS WHEREOF, the Unified Government and the Authority have caused this Intergovernmental Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their duly authorized officers, all as of the date first above written.

ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

By:_____
Chairman

Attest:

By:_____
Secretary

[SEAL]

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By:_____
Mayor

Attest:

By:_____
Clerk of Commission

[SEAL]

RESOLUTION OF THE ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY APPROVING IN PRINCIPLE THE FINANCING OF A PROPOSED PROJECT FOR THE BENEFIT OF BOEHRINGER INGELHEIM ANIMAL HEALTH USA INC. AND AUTHORIZING THE EXECUTION OF AN INDUCEMENT LETTER

WHEREAS, the Athens-Clarke County Industrial Development Authority (the "Issuer") has been informed by officials of Boehringer Ingelheim Animal Health USA Inc. (the "Company"), that the Company, or another affiliate of the Company that is designated by the Company and approved by the Issuer, proposes to acquire and construct a global innovation building adjacent to its existing facilities in Athens-Clarke County, Georgia, such project to consist of certain land, buildings, structures, and related real property (collectively, the "Project") which the Company has indicated will increase employment opportunities in the area served by the Issuer by approximately 55 jobs by December 31, 2023, and that the availability of revenue bond financing is an important factor under consideration by the Company in determining the feasibility of the proposed Project from a financial standpoint; and

WHEREAS, it is estimated by the Company that the planning, design, acquisition and construction of the real property portion of the proposed Project will require expenditures during calendar years 2022 and 2023 of approximately $53,087,000; and

WHEREAS, after careful study and investigation of the nature of the proposed Project, the Issuer has determined that, in assisting with the financing of the same, the Issuer will be acting in furtherance of the public purposes for which it was created and that the Issuer has the power and authority to do so; and

WHEREAS, the most feasible method of financing the proposed Project is for the Issuer to issue its revenue bonds for that purpose and for it (1) to acquire the Project (but not any personal property related to the Project) and to lease or sell the proposed Project to the Company, or another affiliate of the Company that is satisfactory to the Issuer, for specified periodic rental or purchase price payments sufficient to pay the principal of, and the redemption premium (if any) and the interest on, the revenue bonds as the same become due and payable or (2) to lend the proceeds from the sale of the revenue bonds to the Company, or another affiliate of the Company that is satisfactory to the Issuer, to enable it to plan, design, acquire and construct the proposed Project and to repay the loan in installments which will be sufficient and timely to pay the principal of, and the redemption premium (if any) and the interest on, the revenue bonds; and

WHEREAS, the Company has requested that the Issuer indicate its willingness to issue revenue bonds to finance the proposed Project, and its official intent to reimburse expenditures heretofore or hereafter made by or on behalf of the Company in connection with the Project so that the planning, design, acquisition and construction of the proposed Project may move forward; and

WHEREAS, the Issuer has determined that it is in the best interest of the inhabitants of the area served by the Issuer that the planning, design, acquisition and construction of the proposed Project move forward without delay.

NOW, THEREFORE, BE IT RESOLVED by the Athens-Clarke County Industrial Development Authority, and IT IS HEREBY RESOLVED by the authority of the same, as follows:

(1) In order to indicate the Issuer's willingness to issue revenue bonds to finance, in whole or in part, the planning, design, acquisition and construction of the proposed Project, and in order to indicate the Issuer's official intent to reimburse expenditures heretofore or hereafter made by or on behalf of the Company in connection with the proposed Project, the execution and delivery to the Company of an inducement letter is hereby authorized, the inducement letter to be in substantially the form attached hereto as Exhibit A, subject to such minor changes, insertions and omissions as may be approved by the Chairman or Vice Chairman of the Issuer, and the execution of the inducement letter by the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Issuer shall be conclusive evidence of any such approval.

(2) In order to facilitate the commencement of the planning, design, acquisition and construction of the proposed Project, the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Issuer are hereby authorized to execute or accept the deeds and assignment and assumption of contracts for the planning, design, acquisition and construction of the proposed Project subject to the receipt of appropriate guarantees of payment by the Company.

(3) The Company may, from time to time as it may deem necessary prior to the issuance of the proposed revenue bonds, advance funds necessary to begin the planning, design, acquisition and construction of the proposed Project; any such funds so advanced shall be repaid to the Company from the proceeds of the proposed revenue bonds when the same are issued and delivered.

(4) Based upon representations of the Company to the effect that the Company intends to apply all or a portion of the proceeds of the proposed revenue bonds to reimburse itself for all or a portion of the costs of the Project paid prior to the date of issuance of the revenue bonds, the Issuer hereby declares its official intent to apply all or a portion of the proceeds of the proposed revenue bonds to reimburse such expenditures.

(5) The Chairman or Vice Chairman and Secretary or Assistant Secretary of the Issuer are further hereby authorized to take any and all further action and to execute and deliver any and all other documents as may be necessary to issue and deliver the proposed revenue bonds and to effect the undertaking for which the revenue bonds are proposed to be issued.

(6) The maximum principal amount of revenue bonds expected to be issued for the Project described herein is $53,087,000.

ADOPTED this 8th day of June, 2022.

ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

By: _____
Chairman

(CORPORATE SEAL)

Attest:

_____
Secretary

EXHIBIT A

ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

June ___, 2022

Boehringer Ingelheim Animal Health USA Inc.
3239 Satellite Boulevard
Duluth, Georgia 30097

Re: Proposed financing of a global innovation building by the Athens-Clarke County Industrial Development Authority for the benefit of Boehringer Ingelheim Animal Health USA Inc. or its designee

To the Addressee:

The Athens-Clarke County Industrial Development Authority (herein called the "Issuer") is informed that Boehringer Ingelheim Animal Health USA Inc. (the "Company"), is considering the acquisition and construction of a global innovation building adjacent to its existing facilities in Athens-Clarke County, Georgia such project to consist of certain land, buildings, structures and related real property (collectively, the "Project"), that the Project will increase employment opportunities in the area served by the Issuer by approximately 55 jobs by December 31, 2023, and that the planning, design, acquisition and construction of the proposed Project will require real property expenditures in calendar years 2022 and 2023 of approximately $53,087,000. It is our understanding that the availability of revenue bond financing in the area served by the Issuer for the purpose of facilitating the planning, design, acquisition and construction of the proposed Project is an important factor under consideration by the Company in determining the feasibility of the Project from a financial standpoint.

Accordingly, in order to assist the Company with the financing of the proposed Project and to induce the Company to locate the same and to arrange for its operation in Athens-Clarke County, Georgia, and, in order thereby to carry out the public purposes for which the Issuer was created, we hereby make the following proposals:

(1) The Issuer will issue its revenue bonds (the "bonds"), in accordance with its policies on financing, in a principal amount not to exceed $53,087,000 for the purpose of paying the costs of the planning, design, acquisition and construction of the proposed Project (but not any related personal property). The proposed Project will be constructed on a site currently owned by the Company. The Issuer may, at the request of the Company, acquire title to or a leasehold interest in the site of the proposed Project, subject only to such encumbrances as will not, in the judgment of the Company, interfere with the use of the site for the purposes presently contemplated. Any advances made by the Company to the Issuer for acquisition of the site of the proposed Project or for the planning, design, acquisition and construction of the proposed Project shall be deposited by the Issuer in a separate bank account or accounts opened by the Issuer for such purpose and disbursed

therefrom accordingly, and shall be repaid to the Company from the proceeds of the sale of the bonds when the same are issued and delivered.

(2) The terms of the bonds (maturity schedule, interest rate or rates, denominations, redemption provisions, etc.) will be determined by a bond purchase contract on terms satisfactory to the Issuer and subject to the approval of the Company to be entered into between the Issuer and the purchaser or purchasers of the bonds or such underwriter or underwriters as the Company may select. Greenberg Traurig, LLP, Atlanta, Georgia, is hereby designated as Bond Counsel to the Issuer for the bond financing.

(3) Simultaneously with the delivery of the bonds, the proposed Project may be leased or sold by the Issuer to the Company or the Issuer may lend the proceeds of the sale of the bonds to the Company to enable it to plan, design, acquire and construct the proposed Project, and the terms and provisions of such lease agreement, agreement of sale, or loan agreement, as the case may be, shall be substantially in the form generally utilized in connection with such financial undertakings, as agreed upon by the Issuer and the Company. Such lease agreement, agreement of sale or loan agreement, as the case may be (hereinafter referred to as the "basic security document"), shall contain, in substance, the following provisions:

(a) The term of the basic security document will coincide with the term of the bond issue. In the event the basic security document shall be in the form of a lease agreement, such lease agreement will be a net lease from the Issuer to the Company.

(b) The amounts payable under the basic security document will be paid directly to the bondholders or to a corporate trustee to be named by the Issuer and subject to the approval of the Company for the benefit of the bondholders, as the case may be, at such times and in such amounts as shall be timely and sufficient to pay the principal of, and the redemption premium (if any) and the interest on, the bonds as the same become due and payable. The obligation of the Company to make all payments required under the basic security document shall be absolute and unconditional after the delivery of the bonds.

(c) The proceeds of the sale of the bonds, if in cash, will be deposited in a construction fund to be held by the corporate trustee and disbursed pursuant to requisitions in accordance with the requirements of the basic security document.

(d) The Company will be permitted to replace or substitute obsolete or worn-out machinery, equipment and related personal property.

(e) The Company will pay any taxes, assessments or utility charges which may be lawfully levied, assessed or charged upon the Company, the Issuer, the proposed Project or the payments derived from the basic security document if failure to pay would result in a lien or charge upon the proposed Project or the revenues of the Issuer therefrom.

(f) The Company will keep the Project insured against loss or damage or perils generally insured against by industries or businesses similar to the Company, and will carry public liability insurance covering personal injury, death or property damage with respect to the proposed Project, but it may be self-insured to the extent permitted in the basic security document.

(g) The basic security document shall provide that, in the performance of the agreements contained therein or on the part of the Issuer, any obligations the Issuer may incur for the payment of money shall not be a general debt on its part or of Athens-Clarke County, Georgia or the State of Georgia, but shall be payable solely from the payments received under such basic security document or from bond proceeds, and, under certain circumstances, insurance proceeds and condemnation awards.

(h) The basic security document shall contain agreements providing for the indemnification of the Issuer and the corporate trustee and the individual directors, officers, agents and employees thereof for all expenses incurred by them and for any claim of loss suffered or damage to property or any injury or death of any person occurring in connection with the planning, design, acquisition and construction of the proposed Project.

(i) The basic security document shall contain an agreement that the Company shall pay to the Issuer a fee at closing equal to one-eighth of one percent (0.125%) of the principal amount of bonds issued plus an annual administration fee equal to $3,500.00, payable annually in arrears on the anniversary date of the bonds.

(4) The Issuer may enter into a trust indenture with the corporate trustee. The trust indenture may pledge (i) such lease and the rents, payments and revenues due thereunder, (ii) such agreement of sale and the amounts due thereunder, or (iii) such loan agreement and the amounts derived or derivable by or on behalf of the Issuer pursuant thereto, as the case may be, to the corporate trustee for the benefit of the bondholders, and the terms of such trust indenture shall be agreed upon by the Issuer, the Company and the corporate trustee. The Issuer may also convey to the corporate trustee any title or other interest which it may hold in and to the Project to the corporate trustee by a deed to secure debt and security agreement for the benefit of the bondholders, if requested to do so by the Company.

(5) If requested by the Issuer, the Company will enter into a guaranty agreement with the corporate trustee under the terms of which the Company will absolutely and unconditionally guaranty payment of (a) the principal of, and the redemption premium (if any) and the interest on, the bonds as the same become due and payable, and (b) all other amounts payable by the Issuer under the terms of the bonds and/or the trust indenture.

(6) The Company will be responsible, as principal and not as agent for the Issuer, for the purpose of the planning, design, acquisition and construction of the proposed Project and the Company, in accepting this proposal, hereby agrees to perform all acts and

agreements, as principal and not as agent for the Issuer, in connection with the planning, acquisition and construction of the proposed Project.

(7) The Company may advance any interim acquisition or construction funds required in connection with the planning, design, acquisition and construction of the proposed Project and be reimbursed from the proceeds of the sale of the bonds when the same are issued and delivered.

(8) The Issuer will assist in the prompt preparation of the basic security document, the trust indenture, and, where requested, any security agreement, promissory note or guaranty agreement, and will proceed with the validation of the bonds in the Superior Court of Athens-Clarke County, Georgia.

(9) Upon delivery of the bonds, the provisions of this proposal and the agreement resulting from its acceptance by the Company shall have no further effect and, in the event of any inconsistency between the terms of this proposal and the terms of the basic security document, and any trust indenture, bond purchase contract, and any security agreement, promissory note or guaranty agreement, the provisions of such basic security document, and any trust indenture, bond purchase contract, and any security agreement, promissory note or guaranty agreement or any other security documents shall control.

(10) The Company will apply for, and use its best efforts to obtain, all permits, licenses, authorizations and approvals required by all governmental authorities in connection with the acquisition, construction, operation and use of the proposed Project.

(11) The Company, in accepting this proposal, shall thereby agree to indemnify, defend, and hold the Issuer and the individual members, directors, officers, and agents thereof harmless against any claim of loss or damage to property or any injury or death of any person or persons occurring in connection with the planning, design, acquisition and construction of the proposed Project. The indemnities set forth above specifically extend to, but are not limited to, governmental or other claims relating to any actual or alleged liability arising under or any violation of any federal, state and local laws, rules, regulations, ordinances, programs, permits, guidance, orders, and consent decrees (hereafter "Environmental Laws") relating to health, safety, and environmental matters, including, but not limited to, all Environmental Laws as of the date hereof, or as those Environmental Laws may be amended, revised or superseded, of any Governmental Authority having jurisdiction over the proposed Project addressing pollution or the protection of human health or the environment, including without limitation, the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.*; the Federal Water Pollution Control Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act, 42 U.S.C. § 7401, *et seq.*; the Toxic Substances Control Act, 15 U.S.C. §§ 2601 through 2629; the Oil Pollution Act, 33 U.S.C. § 2701, *et seq.*; the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11001, *et seq.*; the Safe Drinking Water Act, 42 U.S.C. §§ 300f through 300j; and all similar laws (including implementing regulations) of any Governmental Authority having jurisdiction over the proposed Project regardless of whether or not any such liability or violation relates to any period prior to the acquisition

of the proposed Project by the Issuer or its acquisition theretofore by the Company. The Company shall also be responsible for obtaining all permits and approvals that may be required under any Environmental Laws for the development of the proposed Project, and the Company shall promptly notify the Issuer whenever facts or circumstances indicate that a liability or a violation may exist under any Environmental Law. The indemnity shall include without limitation any and all costs that the Issuer may incur retaining environmental experts, attorneys or curing any liability or violation that may arise under any Environmental Law. This indemnity may be superseded (which shall not affect any accrued liability under this indemnity) by a similar indemnity to the basic security document; otherwise, it shall remain in full force and effect, and if the bonds are not issued and delivered, this indemnity shall survive the termination of the inducement agreement resulting from the Company's acceptance of this proposal. Without limitation, (a) it shall be a condition to the Issuer's accepting title to the proposed Project, if such is involved in the financing structure that is used for purposes of Section 3, above, that the Issuer be satisfied with the environmental condition of the proposed Project, and (b) it shall be a requirement that the Company shall provide the Issuer, at the Company's expense, with a Phase I environmental site assessment and environmental compliance evaluation addressed by the environmental engineering firm that prepared it, to the Issuer; provided, however, that the Issuer may, in its sole discretion, accept a reliance letter to the Issuer from the environmental engineering firm that prepared any existing Phase I environmental site assessment and environmental compliance evaluation in lieu of a newly prepared Phase I environmental assessment and environmental compliance evaluation so long as the existing Phase I environmental site assessment and environmental compliance evaluation upon which such reliance is based has been performed within 180 days of the date of the Issuer's request and there has been no changed circumstance or intervening occurrence which could cause the existing Phase I environmental site assessment and environmental compliance evaluation to be invalid or otherwise questionable. The indemnities set forth above specifically extend to, but are in no way limited to, governmental or other claims relating to any actual or alleged violation of any environmental laws, regardless of whether or not any such liability or violation relates to any period prior to the acquisition of the Project by the Issuer or its acquisition theretofore by the Company. The term "Governmental Authority" shall mean the government of the United States, any other nation or any political subdivision thereof, whether state or local, and any agency, authority, instrumentality, regulatory body, court, central bank or other entity exercising executive, legislative, judicial, taxing, regulatory or administrative powers or functions of or pertaining to government.

(12) The Company also agrees to reimburse the Issuer or otherwise pay on behalf of the Issuer any and all expenses, not hereinbefore mentioned, incurred by the Issuer in connection with the proposed Project and in connection with the issuance of the bonds.

(13) The Issuer will assist in the preparation of an ad valorem tax agreement with respect to the valuation for ad valorem tax purposes of the leasehold interest of the Company in the Project, which agreement shall be entered into among the Company, the Issuer and the Board of Tax Assessors of Athens-Clarke County. Such agreement shall include provisions regarding the termination of the leasehold arrangement and the recovery

of certain property tax savings from the Company in the event that Company shall fail to satisfy its obligations with respect to job creation and capital investment.

(14) The Issuer's obligations under this agreement are subject to closing of the transactions contemplated herein on or before December 31, 2022. If such condition is not met, the provisions of this proposal and the agreement resulting from its acceptance by the Company shall, at the option of the Issuer to be evidenced in writing, be canceled, and the Company shall have no rights against the Issuer, and no third parties shall have any rights against the Issuer.

If the foregoing proposal is satisfactory to you, you may so indicate by having the following acceptance executed by a duly authorized officer of the Company and returning a copy to the Issuer. This proposal and your acceptance will then constitute an agreement in principle with respect to the matters herein contained as of the date hereof.

Yours very truly,

ATHENS-CLARKE COUNTY
INDUSTRIAL DEVELOPMENT
AUTHORITY

By: _____
Chairman

Attest: _____
Secretary

ACCEPTANCE OF PROPOSAL
OF
ATHENS-CLARKE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
BY
BOEHRINGER INGELHEIM ANIMAL HEALTH USA INC.

The terms and conditions contained in the foregoing proposal by the Athens-Clarke County Industrial Development Authority are hereby accepted by Boehringer Ingelheim Animal Health USA Inc.

BOEHRINGER INGELHEIM ANIMAL HEALTH USA INC.

By: _____
Title:

SECRETARY'S CERTIFICATE

The undersigned Secretary of the Athens-Clarke County Industrial Development Authority (the "Issuer"), DOES HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of the resolution adopted on June 8, 2022, by the directors of the Issuer in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of the resolution appears of record in the Minute Book of the Issuer which is in the undersigned's custody and control.

IN WITNESS WHEREOF 8th day of June, 2022.

ATHENS- CLARKE COUNTY
INDUSTRIAL DEVELOPMENT
AUTHORITY

Secretary

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: 249 Fourth Street - Request for Exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services

DATE: June 29, 2022

BUDGET INFORMATION: N/A

REVENUES:

EXPENSES:
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission approve an exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services, to allow public water and sewer service to be provided to 249 Fourth Street, Athens, Georgia, subject to the property owners' payment of the appropriate fees as identified under Facts and Issues No. 6 for the property.

HISTORY:

1. On February 4, 1992, the Mayor and Commission (M&C) approved Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services (WS-011), which requires that each parcel to be served by the public water and/or sanitary sewer system have existing public water and/or sanitary sewer lines located within the frontage of the property.
2. Since 2018 the following requests for an exemption to WS-011 have been received and approved:

Address	Received by PUD	Approved by M&C
195 Will Hunter	February 24, 2018	May 1, 2018
130 Parkway Drive	May 10, 2018	July 3, 2018
190 Cleveland Ave	August 24, 2018	November 6, 2018
229 N Church Street	April 23, 2019	June 4, 2019
4330 Lexington Road	May 21, 2019	July 2, 2019
137 Odd Street	January 2, 2020	February 4, 2020

140 Riverhill	May 27, 2020	July 2, 2020
151 Pinecrest Terrace	November 16, 2020	December 3, 2020
160 William Strong Lane	December 30, 2020	February 2, 2021
600 & 174 White Circle	March 23, 2021	June 1, 2021
0 Barnett Shoals Road	June 16, 2021	August 3, 2021
326 Arch Street	October 272, 2021	February 1, 2022
182 First Street	October 29, 2021	February 1, 2022
1770 Milledge Avenue Ext	November 18, 2021	March 1, 2022
550 Greencrest Drive	February 10, 2022	April 5, 2022

3. On February 10, 2022, the Public Utilities Department (PUD) received a request from Frank Pittman, the engineer for the property owner of 249 Fourth Street, for an exception to WS-011.

FACTS & ISSUES:

1. To qualify for an exception under WS-011, the parcel must meet the following criteria:
    a. the parcel must have been subdivided prior to February 7, 1992;
    b. the parcel must be located no greater than one lot from the existing public water and/or sanitary sewer system; and
    c. all requests for exception to this policy must be reviewed and recommended by the Public Utilities Director and subsequently approved by the M&C.
2. The property owner provided information to PUD that demonstrates the lot of record existed prior to February 7, 1992.
3. The property at 249 Fourth Street does not have direct access to the public water or sanitary sewer system. Public water and sanitary sewer are available in Fourth Street, in front of 245 Fourth Street (**Attachment #1**).
4. Not granting this exception puts the owner in the role of developer, which will require:
    a. hiring a professional engineer to design an extension of a public water and sewer main;
    b. hiring a construction contractor to build approximately 75 feet of public water and sewer mains;
    c. payment of plans review and inspection fees; and
    d. provision of a performance bond.
5. The proposed private water and sanitary sewer service lines to 249 Fourth Street will be located in a private utility easement which will traverse 245 Fourth Street. The affidavit providing for future easement documents will be forwarded to the Attorneys Office and the Chief Plumbing Inspector for review and approval.

6. Upon approval of the exception to WS-011 for 249 Fourth Street, public water and sanitary sewer service will be provided. The property owner is responsible for the fees below which are associated with the proposed water and sewer service:

Water:	
¾ Inch Water Meter:	$ 335.00
¾ Inch Short Side Water Stub:	$ 1,085.00
Water Connection Fee:	$ 2,000.00
Sewer:	
4" Sewer Stubs	$ 815.00
Wastewater Connection Fees	$ 3,100.00
Pavement Cuts	$ 1,200.00
Total Water and Sewer Fees:	$ 8,535.00

7. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure Goal, Strategy B: *Ensure equitable access to infrastructure to enhance safety and identity*

OPTIONS:

1. Mayor and Commission approve an exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services, to allow public water and sewer service to be provided to 249 Fourth Street, Athens, Georgia, subject to the property owners' payment of the appropriate fees as identified under Facts and Issues No. 6 for the property.
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT: Public Utilities

Prepared by: Hollis Terry IV

Hollis Terry IV

June 29, 2022

Hollis Terry IV Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



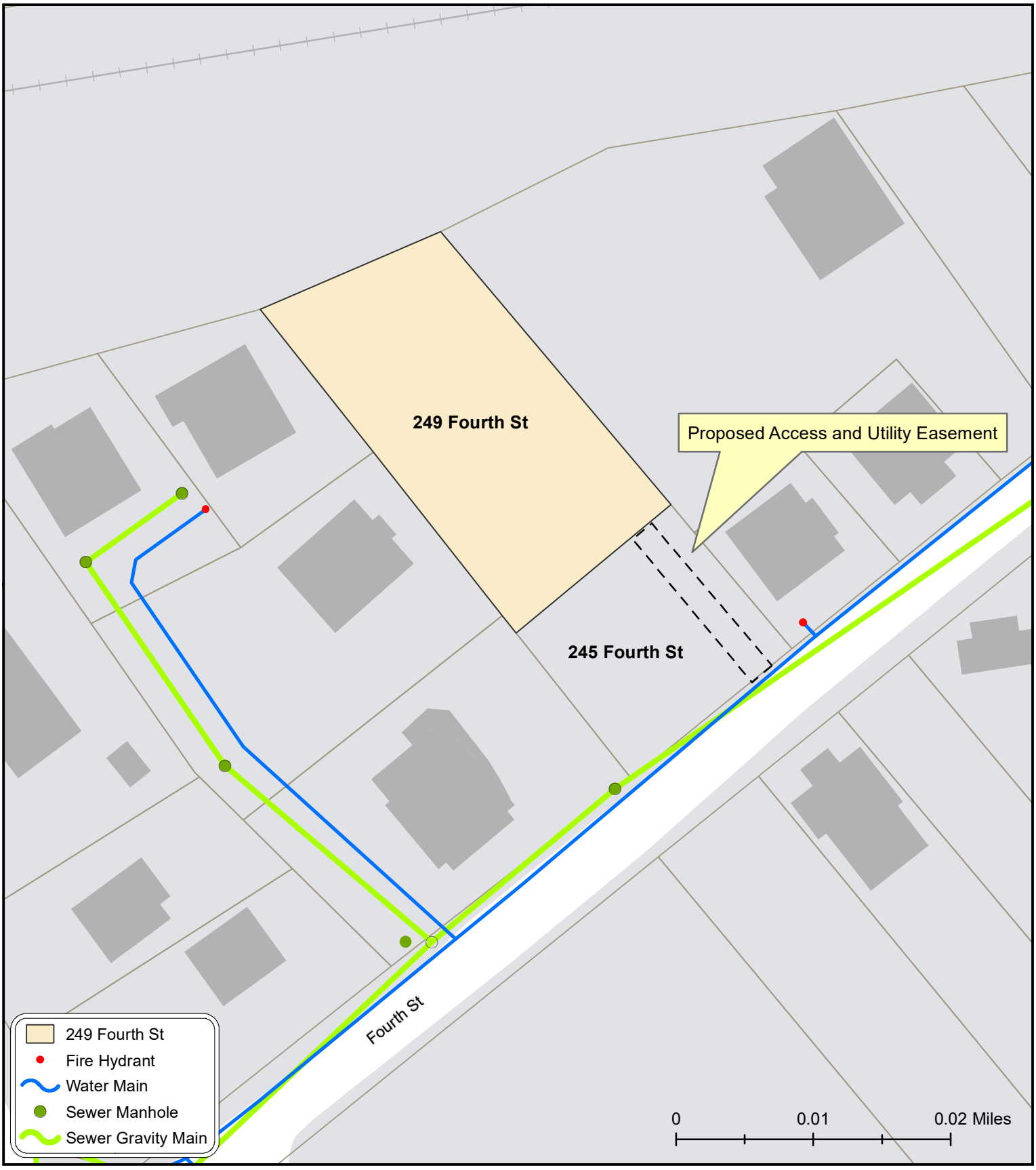
July 14, 2022

Manager Date:

ATTACHMENTS:
Attachment #1 - Map

249 Fourth St

Attachment #1



The Unified Government of Athens-Clarke County
Department of Public Utilities
124 E Hancock Ave. Athens Ga, 30601

Wednesday, June 29, 2022

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Public Utilities Department On-Call Engineering Services Contract Awards

DATE: June 29, 2022

BUDGET INFORMATION:

REVENUES:

EXPENSES:
ANNUAL:
CAPITAL: TBD – Based on specific capital programs
OTHER:

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the selection of Armentrout Matheny Thurmond, P.C., Hazen and Sawyer, Inc., Jacobs Engineering Group, Inc., and Stantec, Inc. to provide on-call engineering services for water and wastewater related projects for the Public Utilities Department (PUD) for a period of one year with up to four annual renewals; and

b. Authorize the Mayor and appropriate staff to execute all contract documents.

HISTORY:

1. Since 1998, several departments have utilized on-call civil engineering services contracts to assist with the design and delivery of capital infrastructure projects.
2. On December 6, 2011, the Mayor and Commission (M&C) approved contracts for design services with Armentrout, Matheny, Thurmond, P.C. and Engineering Strategies, Inc. for Group “C” SPLOST water line projects.
3. On August 7, 2012, the M&C approved the selection of three on-call master planning consultants for PUD: CH2M Hill Engineers, Inc., Black and Veatch Corporation, and mPrint Design Studio, Inc.
4. On December 20, 2016, the Purchasing Division issued RFP #00835 for On-Call Engineering Services PUD, the first instance of on-call engineering contracts utilized for design services.

5. On June 6, 2017, the M&C approved Armentrout Matheny Thurmond, P.C., Hazen and Sawyer, Inc. and Jacobs Engineering Group, Inc. to provide on-call engineering services for the PUD.
6. On March 25, 2022, the Purchasing Division issued RFP #01074 for Public Utilities On-Call Engineering Services.
7. On April 22, 2022, the Purchasing Division presented PUD with 13 proposals unpriced for review and evaluation.
8. On June 24, 2022, the Purchasing Division presented PUD with pricing and the four firms with the lowest bids were selected for recommendation.

FACTS & ISSUES:

1. Many of the ACCGov projects managed by SPLOST, T&PW, and Public Utilities require professional civil engineering design expertise for one or more of the following phases: surveying, permitting, environmental compliance, planning, design, right-of-way acquisition, public engagement, and/or construction management.
2. As experienced by PUD and other ACCGov departments, on-call engineering services, competitively procured, offer specific advantages:

    - *Cost Savings:* On-call services contracts establish a unit cost fee schedule for personnel assigned to the project. Application of the fee schedule for the larger contract to smaller projects results in significant savings due to economy of scale.
    - *Time Savings:* Procurement of professional services typically requires a written RFP, pre-proposal meeting, selection committee proposal review, consultant interviews, contract negotiations, and Mayor and Commission approval of the selected consultant. With an on-call services contract, staff can execute a task order in as short a time as two weeks, expediting the capital delivery process by as much as six months.
    - *Consistency:* Use of an on-call services contract provides a consistent project team for the delivery of local projects. As staff and consultants continue to work together, the consultants develop a deeper understanding of the expectations, roles, and responsibilities they serve in project delivery.

3. PUD has utilized master planning consulting firms on five-year contracts. The primary focus of the master planning contracts is PUD's Service Delivery Plan (SDP), which includes the Infrastructure Element, the Capital Improvements Element and the Financial Element. For checks and balances, master planning consultants are not generally used for detailed design of the capital projects identified in the Service Delivery Plan.
4. In the past five years, PUD utilized the on-call engineering firms to successfully design and complete several SDP projects.

    - SDP 3-309 Brooklyn Creek Interceptor Improvements
    - SDP 3-310 Upper North Oconee 2B Interceptor Improvements

- SDP 3-311 Upper North Oconee 2C Interceptor Improvements
- SDP 3-302 Water Transmission Redundancy Connections
- SDP 3-303 Water Line Rehabilitation and Replacement
- SDP 4-303 Water Supply Resiliency
- SDP 1-302 North Oconee WRF – Phosphorus Polishing
- SDP 1-303 Middle Oconee WRF – Phosphorus Polishing
- SDP 3-320 North Oconee WRF - Thermal Dryer

5. Work accomplished under on-call consulting contracts is determined by task orders with negotiated scope and hours.
6. The scope of services outlined in RFP #01074 included the following:
    - Facility design: all aspects of building, equipment, and machine design
    - Water and sewer design, including sewer rehabilitation: infrastructure, right-of-way acquisition services, environmental assessments and studies, and bid documents for capital projects
    - Watershed management and planning services: data collection, analysis and reporting on local watersheds, as well as coordination with State and Federal regulatory officials
    - Surveying and geotechnical services: perform surveys as requested in support of the project issued under a particular service category
    - Services during construction: inspection of construction activities to ensure quality performance and compliance with local, State and Federal regulations as required
    - Public involvement and agency coordination: outreach and coordination with the general public, as well as other local, State and Federal entities
7. Based on numerical scoring of the proposals, including technical abilities, experiences, resources, interviews and pricing, with the lowest cost scoring the highest points, the Selection Committee recommends the following firms to provide on-call engineering services:
    a. Armentrout Matheny Thurmond, P.C., Athens, GA
    b. Hazen and Sawyer, Inc., Athens, GA
    c. Jacobs Engineering Group, Inc., Atlanta, GA
    d. Stantec, Inc., Atlanta, GA
8. The four firms and their sub-consultants provide a mix of expertise and experience in public engagement, treatment plant processes and equipment selection, water and reuse lines, sewer rehabilitation techniques, pumping, instrumentation, architecture (including LEED design), geotechnical, biosolids treatment and reuse, water quality, water supply, energy sustainability, odor control, water recycling, reservoir planning and implementation, land acquisition and construction management. The recommended firms will also facilitate interdepartmental and outside agency coordination as needed on capital programs.

9. PUD's goal of task order assignment is to balance a) the value of cumulative task orders over the course of the contract term between the four firms with b) consideration of any particular firm's expertise relative to a given task order scope. Staff believes that the number of capital projects that require engineering services warrants the selection of these on-call engineering firms.
10. The contract duration will be for a one-year term with the possibility of four additional one-year renewals based upon performance. Hourly rates specified in the initial contract will be adjusted annually according to any increases in the Consumer Price Index.
11. Each of the firms selected have various combinations of sub-consultants that are part of their teams. As such, these local sub-consultants may be used on any of the projects as their services are needed. Location of each firm, and additional local sub-consultants within a 30 mile radius included in this award are:

Engineering Firm, Location	Local Sub-consultants
Armentrout Matheny Thurmond, Athens, GA	Hall Consulting
Hazen & Sawyer, Athens, GA	Gaskins Survey Company
Jacobs Engineering, Atlanta, GA	GeoHydro Engineers, Inc.
Stantec Engineering, Atlanta, GA	

12. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Organizational Improvement Goal, Strategy C: *Improve programs, processes, policies and communication, external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver*

OPTIONS:

1. Mayor and Commission:
    a. Approve the selection of Armentrout Matheny Thurmond, P.C., Hazen and Sawyer, Inc., Jacobs Engineering Group, Inc., and Stantec, Inc. to provide on-call engineering services for water and wastewater related projects for the Public Utilities Department (PUD) for a period of one year with up to four annual renewals; and
    b. Authorize the Mayor and appropriate staff to execute all contract documents.
2. Mayor and Commission deny the request.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a & b

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV



June 29, 2022

Hollis Terry IV — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a & b



July 14, 2022

Manager — Date:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Award of Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Long Range Transportation Plan Update Contract

DATE: June 29, 2022

BUDGET INFORMATION:

REVENUES:	$280,000	Federal Share (80%) FY 2022 Award
	$ 70,000	Local Share (20%) for FY 2023
	$350,000	Revenue for FY 2022 / 2023

EXPENSES:

ANNUAL:	N/A
CAPITAL:	$348,875.06
OTHER:	N/A

FUNDING SOURCE:

General Fund – FY 2022 / 2023 Planning Department Budget:	$45,500
Oconee County Government:	$12,250
Madison County Government:	$12,250
Total:	$70,000

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Award a contract to RS&H to provide consultant services to MACORTS staff to update the Long-Range Transportation Plan for the MACORTS Region in the amount of $348,875.06; and

b. Authorize the Mayor and appropriate staff to negotiate the contract and execute all related documents related to the contracting process.

HISTORY:

1. For the last 47 years, the City of Athens and Clarke County, and now the Unified Government of Athens-Clarke County (ACCGov), has annually entered into an agreement with the Georgia Department of Transportation (GDOT) to receive federal funding to

perform transportation planning within the Metropolitan Planning Organization (MPO). The MPO's participating members include Athens-Clarke, Madison, and Oconee counties.

2. Since 2010, as the MPO's decision-making body designated by the State, the MACORTS Policy Committee, has agreed that the local match (20%) required to receive federal transportation planning (PL) funds would be divided between the participating MACORTS counties. The Policy Committee members agreed that ACCGov would pay 13% with Oconee and Madison County each paying 3.5%.

3. In FY 2022 MACORTS was awarded funding to update the Metropolitan Transportation Plan to 2050 from the discretionary balance of unspent MPO funds by the October 9, 2024 deadline.

4. On September 27, 2021, the Georgia Department of Transportation executed a contract with ACCGov entitled "PL Athens Regional LRTP Update" for $350,000 ($280,000 federal; $70,000 local).

5. On February 9, 2022, the MACORTS Policy Committee approved the FY 2023 Unified Planning Work Program (UPWP) that included the Update of the MACORTS Long Range Transportation Plan with an associated cost of $350,000 with $280,000 in federal funds and $70,000 in local funds (ACCGov: $45,500, Oconee: $12,250, Madison: $12,250).

6. On February 9, 2022, the MACORTS Policy Committee approved the content of RFP#01043, MACORTS Long-Range Transportation Plan Update, membership of the Consultant Review Committee, and the process for choosing a consultant.

7. On February 24, 2022, the ACCGov Purchasing Division released RFP#01043 in accordance with the ACCGov Purchasing Ordinance requirements for the purposes of soliciting proposals from qualified firms to provide consulting services for MACORTS.

8. On April 14, 2022, two proposals were received from:

    - Pond
    - RS&H

9. On May 18, 2022, the MACORTS Consultant Review Committee reviewed the consultant proposals and recommended awarding the contract for the update of the MACORTS Long-Range Transportation Plan to RS&H.

FACTS & ISSUES:

1. ACCGov receives federal funds for the Planning Department to perform transportation planning activities for the MACORTS area, as outlined in the MACORTS Unified Planning Work Program (UPWP). The UPWP serves as the 'application,' which renews the

Metropolitan Planning Organization (MPO) status of MACORTS annually. The ACCGov Planning Department provides primary staff support for these metropolitan transportation planning efforts.

2. The federal funds that fund MACORTS activities are administered through the ACCGov Planning Department and ACCGov Finance Department; therefore, the award for this contract is required to follow the ACCGov Contracting Process. According to the purchasing ordinance, all contracts over $200,000 are required to be awarded by the ACCGov Mayor and Commission.

3. The MACORTS Policy Committee, the MPO's decision-making body, includes the following voting members:
    - Mayor, Athens-Clarke County
    - Chair, Oconee County Board of Commissioners
    - Chair, Madison County Board of Commissioners
    - Chair, Athens-Clarke County Planning Commission
    - Resident Representative from Oconee County
    - Chair, Madison County Planning Commission
    - Senior Vice President for Finance & Administration, University of Georgia
    - Commissioner, Georgia Department of Transportation

4. The purpose of the MACORTS Long-Range Transportation Plan is to provide a performance-based plan for federally funded transportation improvements over the next 20 years for the MACORTS region. The LRTP is updated every five years. The next update of the LRTP is due in 2024.

5. MACORTS Staff, with input from the Georgia Department of Transportation, the Federal Highway Administration, the Federal Transit Administration, and members of the MACORTS Technical Coordinating Committee and Policy Committee, prepared an RFP for consultants to provide services for development of the MACORTS Long Range Transportation Plan. The Scope of Services outlined in the RFP included:

    a. Development of the inputs for the travel demand model;
    b. Coordinate with the public and involved federal, state, and local agencies to develop a federally compliant performance-based multimodal 2045 LRTP;
    c. Develop Performance Measures to be used in the LRTP; and
    d. Develop a Project Prioritization Process within the LRTP.

6. The MACORTS Consultant Review Committee that reviewed and scored the proposals and recommended the top-scoring firm included:
    - Brad Griffin, ACCGov Planning Director / MACORTS Executive Director
    - Robert Walker, MACORTS Transportation Planner
    - Stephen Bailey, ACCGov Transportation & Public Works Director

- Pat Hale, ACCGov Interim Transit System Director

7. The MACORTS Consultant Review Committee recommended awarding the contract to RS&H after reviewing the proposals and rating them in terms of:
    a. The firm's understanding of the project requirements and the proposed technical approach;
    b. The firm's proposed project team staffing approach and qualifications;
    c. The firm's qualifications and experience with similar projects;
    d. References and reference projects; and
    e. Quality Assurance and Control Plan.

8. This recommendation is consistent with the Mayor and Commission Comprehensive Plan 2018 Goals and Objectives:
    a. **Transportation and Mobility –** *enhance access to opportunity through safe connectivity of people to transportation, infrastructure, and community resources.*
        i. Provide a safe, reliable, accessible, well-planned and pedestrian friendly transportation network.

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy B: *Pursue inter-city travel options to connect Athens with other cities*

OPTIONS:

1. Mayor and Commission:
    a. Award a contract to RS&H to provide consultant services to MACORTS staff to update the Long Range Transportation Plan for the MACORTS Region in the amount of $348,875.06; and

    b. Authorize the Mayor and appropriate staff to negotiate the contract and execute all related documents related to the contracting process.

2. Mayor Commission do not award the contract.

3. Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a & b

DEPARTMENT:
Prepared by: Brad Griffin



6/29/2022

Brad Griffin Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



July 14, 2022

Manager Date:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 08 Public Safety Vehicles, Sub-Project #2 – Proposed Project Concept and Purchase of Ford Interceptor Hybrids

DATE: ~~June 21, 2022~~ July 21, 2022

BUDGET INFORMATION:

REVENUES:

$	3,300,000	SPLOST 2020 Project 08 – Tiers 1 & 2
$	300,000	SPLOST 2020 Project 08 – Tier 3 (FY23)
$	43,703	Fleet Replacement Fund – Unrestricted Net Position (FY23)
$	3,643,703	Total Available Funding

EXPENSES:

LESS CAPITAL:

$	47,512	Designated for Project Management & Contingency FY21 – FY23
$	2,488	Project Management Expenses
$	1,952,540	Sub-Project #1 Total Encumbered
$	1,282,900	Sub-Project #1 Designated & Carry forward
$	358,263	Available for Sub-Project #2

FUNDING SOURCE: SPLOST 2020 Project 08 Program Revenues
Fleet Replacement Funds – Unrestricted Net Position

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Project Concept for Sub-Project #2, SPLOST 2020 Project 08 Public Safety Vehicle and Equipment Replacement Project (**Attachment #1**);
b. Authorize staff to advance Sub-Project #2 for SPLOST 2020 Project 08 directly to the bid and award phase;
c. Authorize a purchase up to $200,000 with Wade Ford for Ford Interceptor SUV hybrid vehicles and associated equipment for Sub-Project #2; and,
d. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On July 1, 2017, with the adoption of the FY18 budget, the fleet replacement policy was amended to lengthen the timeframe for replacement of vehicles, including those for public safety purposes.

2. In November of 2018, staff submitted a request for $2,000,000/year to incorporate the Public Safety Vehicle and Equipment Replacement Project in the SPLOST 2020 Program.

3. In March of 2019, Ford discontinued production of the pursuit-rated Interceptor sedan. They instead transitioned the Interceptor line to produce only SUVs, manufactured using a Ford Explorer base.

4. On May 21, 2019, the M&C passed a resolution to adopt 100% Clean and Renewable Energy Goals.

5. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This referendum included $7,956,750 for the Public Safety Vehicle and Equipment Replacement Project (SPLOST 2020 Project 08). This equates to $663,062 per year over the program's life, or $1.4M annually less than requested.

6. In April 2020, collections began for this SPLOST program and are expected to generate $314,303,300 over a twelve-year period.

7. On February 2, 2021, the M&C approved the 2020 SPLOST Tier Funding Schedule.

8. On May 11, 2021, the M&C were presented the SPLOST 2020 Project Implementation Plan at a work session in which an initial schedule was proposed by staff. The SPLOST 2020 Project 08, Public Safety Vehicles and Equipment Replacement Project, included funding programmed for SPLOST 2020 Program Quarters 1-4; Tiers 1-12.

9. On May 12, 2021, the Athens Cultural Affairs Commission (ACAC) offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, Additional Funding for Public Art, to the M&C related to the use of public art for SPLOST 2020 Project 08 and related Sub-Projects. Based on the nature of the Project 08 and related Sub-Project's scope the ACAC recommended that the project is not appropriate for public art.

10. On July 23, 2021, the Manager approved the FY22 Fleet Replacement Program for ACCGov. In total, the program targeted the replacement of 29 vehicles at an approximate cost of $1.7 million, using a blend of General and Enterprise Fund contributions to the Fleet Replacement Program.

11. On September 7, 2021, the M&C authorized a purchase of up to $411,000 for nine Ford Interceptor hybrids and associated equipment, funded through FY22 contributions to the Fleet Replacement Program.

12. On October 5, 2021, the M&C approved Sub-Project #1 for SPLOST 2020 Project 08, thereby designating $450,000 in SPLOST funds for the replacement of a related Rescue Truck, and $1,281,284 toward the replacement of Ladder Truck #7.

13. On June 7, 2022, the M&C adopted the FY23 Capital and Operating Budget. This budget continues a ten-year path to sustainable funding for fleet and equipment replacement by

allocating $2,669,100 in annual contributions, along with an additional supplement of $2,050,000 for a total of $4,719,100 total.

14. On July 18, 2022, the Project Concept for Sub-Project #2 ~~will be~~ was presented to the SPLOST 2020 Oversight Committee to determine whether it is consistent with the Initial Project Statement for SPLOST 2020 Project 08, Public Safety Vehicle and Equipment Replacement Project. ~~This agenda report will be updated prior to the voting meeting to reflect the vote of the Oversight Committee.~~ Upon review and discussion, the Oversight Committee voted unanimously to approve Sub-Project #2.

FACTS & ISSUES:

1. The Initial Project Statement for the SPLOST 2020 Project 08, Public Safety Vehicle and Equipment Replacement Project, reads as follows:

   Project 08, Public Safety Vehicle and Equipment Replacement Project*, will provide funding for the life cycle replacement of public safety vehicles and equipment. Depending upon costs and funding availability, replacements may include, but not be limited to, Fire and Emergency Support vehicles and equipment, Police and Sheriff Vehicles, fire engines, ladder trucks, other fire apparatus, and other vehicles associated with public safety services and operations. Replacement vehicles purchased would include energy efficient options where available and appropriate, including hybrids and alternative fuel vehicles that are compatible with the vehicle's primary use. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. For the purposes of this project, “public safety” departments are those departments classified as public safety in the Certified Annual Financial Reports of the Unified Government of Athens-Clarke County (ACCGov). These departments include Animal Services, the Coroner, the Department of Corrections, Fire & Emergency Services, the ACCGov Police Department, and the Clarke County Sheriff’s Office.

3. The Proposed Project Concept for SPLOST 2020 Project 08, Public Safety Vehicle and Equipment Replacement Project, is as follows:
   a. Designate enough SPLOST 2020 funding to sufficiently meet the full fleet replacement needs of smaller users through FY32 when combined with planned Fleet Replacement Funding from the General Fund; such smaller users include Animal Services, the Coroner, and the Department of Corrections;
   b. Using a replacement cost methodology, the project will proportionally allocate the remaining undesignated balance for fleet replacement in support of larger public safety departments; such departments include Fire and Emergency Services, the ACCGov Police Department, and the Clarke County Sheriff’s Office; and,
   c. As any contingency funds from sub-project go unspent, Central Services will include them with the next sub-project requested.

4. SPLOST 2020 Project 08 funding is significantly weighted to increase available funding in the first two years of the SPLOST program. This was done to offset nearly $2.4 million dollars in General Fund public safety fleet replacement funding that was deferred by M&C in FY20 and FY21, to help reduce the backlog of eligible replacement vehicles, and to support the replacement of a ladder truck and rescue truck for Fire and Emergency Services, which were identified as part of Sub-Project #1.

5. In total, Sub-Project #2 targets the replacement of four hybrid Ford Interceptors at a base price of $38,741 per unit, with ~$7,488.94 in customization costs (upfit) per unit, totaling $184,919.76 total.

6. The automotive market continues to be highly disrupted by supply chain issues and inflation. As a result, not only is ACCGov experiencing higher product prices, but more importantly, it's very difficult to source the parts and vehicles ACCGov desires to buy. In FY22, the Fleet Management Division placed orders for 93 vehicles; to date, it has taken delivery of 15. None of the 30 vehicles authorized in Sub-Project #1 on 10/5/21 are reported as being scheduled, built, or delivered. If this trend continues, ACCGov may face a state of emergency on fleet vehicle availability as the fleet sustains continued losses from accidents and catastrophic failures.

7. Under the Fleet Replacement Program, public safety patrol vehicles are targeted for replacement on an eight-year cycle and other fleet vehicles, including public safety administration and investigative vehicles, are on a fifteen-year cycle. These targets are aspirational, and regular achievement is subject to annual funding.

8. Vehicle manufacturers create pursuit rated vehicles for public safety use. These vehicles typically include heavy duty drivetrains, suspension, and electrical systems, enhanced engine tuning, and easy-to-clean interiors. To qualify as pursuit rated, vehicles must be certified by independent public safety programs in Michigan and California. ACCGov staff have found pursuit rated vehicles to be more durable and capable than their non-pursuit rated counterparts.

9. Over the past three years, manufacturers have moved away from making pursuit rated sedans. As a result, the pursuit rated Ford Interceptor SUV is the only pursuit-rated hybrid vehicle currently on the market that meets internal policies for standardization and compatibility. ACCGov has utilized the hybrid Ford Interceptor as the pursuit-rated vehicle of choice for public safety patrol vehicles.

10. This year, Ford submitted the Mach-E electric cross over vehicle in the pursuit qualification process. The vehicle received high ratings in some areas and lower ratings in others, but overall was deemed as to be eligible for pursuit rating. To date, Ford has not released a pursuit rated Mach-E. There is speculation that this year's tests were used to verify vehicle performance and that Ford may not release a pursuit-rated Mach-E until it has reconfigured the interior, drivetrain, and safety features with public safety activities in mind. ACCGov

staff will continue to monitor pursuit rating criteria to determine when other environmentally sensitive vehicle models may become available.

11. Wade Ford is the statewide contract holder for public safety vehicles. ACCGov uses this contract (2022 Utility Police Interceptor) whenever possible to reduce costs and streamline the procurement process. The four vehicles listed will be purchased using the statewide contract.

12. Traditionally, public safety vehicles receive significant "upfitting" upon delivery to ACCGov. This service incorporates important items like safety lighting, laptop docking stations, and security barriers. In the past, the costs for upfitting have been distributed to other vendors using a request for quotations process after the initial vehicle purchase. For this purchase, the Fleet Management Division recommends incorporating the upfitting as an additional charge to the Wade Ford vehicle purchase to decrease downtime while maintaining quality and costs. With this approach, the vehicle warranty is preserved as the warranty does not begin until the vehicles are delivered to ACCGov.

13. Police patrol vehicles have a high need to idle to maintain equipment and meet their service needs. A prior review by the Sustainability Office determined that hybrid police patrol vehicles offer substantial fuel savings because of the reduced fuel consumption at idle and the improved city miles per gallon (MPG) efficiency.

14. The overall number of allocated fleet vehicles and equipment will not increase because of this particular acquisition, and staffing of these units is expected to remain the same and therefore not have a negative, ongoing operational impact.

15. The 2018 Athens-Clarke County Comprehensive Plan, a state mandated document which sets forth a 20-year outlook, specifically identified the following goals, needs, opportunities, strategies, policies, and community work program initiatives that are affected by the Central Services Department's ability to replace facility equipment and systems.

    - *Environment: Policy (F*) – Increase energy efficiency, sources, and use of renewables.
    - *Foundation: Policy (B)* – Repair and replace infrastructure assets commensurate with physical depreciation.

16. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure Goal, Strategy C: *Adequate funding for maintenance of existing and newly constructed infrastructure.*

OPTIONS:

1. Mayor and Commission:
   a. Approve the Project Concept for Sub-Project #2, SPLOST 2020 Project 08 Public Safety Vehicle and Equipment Replacement Project (**Attachment #1**);

b. Authorize staff to advance Sub-Project #2 for SPLOST 2020 Project 08 directly to the bid and award phase;
c. Authorize a purchase up to $200,000 with Wade Ford for Ford Interceptor SUV hybrid vehicles and associated equipment for Sub-Project #2; and,
d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission do not approve the Project Concept, Sub-Project #2, or associated purchase.

3. Mayor and Commission defined option.

DEPARTMENT(S) RECOMMENDED ACTION: Option #1 a, b, c, & d

DEPARTMENT: Central Services & SPLOST
Prepared by: Gavin Hassemer and Keith Sanders



Gavin J. Hassemer
Interim Director of
Central Services

June 21, 2022
Date



Robert Cheshire
Director of Capital Projects

July 8, 2022
Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, & d





Manager

July 14, 2022
Date

ATTACHMENTS:
Attachment #1 - Project Concept for Sub-Project #2

Animal Services

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$0					
Tier 3 Allocation	$0					
Contingency or Carryforward to Tier 4	$0	Note: No replacements due until FY32.				

Conorer

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$0					
Tier 3 Allocation	$0					
Contingency or Carryforward to Tier 4	$0	Note: No replacements due until FY32.				

Corrections

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$59,000					
Tier 3 Allocation	$10,000					
Contingency or Carryforward to Tier 4	$69,000	Note: Carryforward assigned to next vehicles, eligible in FY24.				

Fire & Emergency Services

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$0					
Tier 3 Allocation	$160,663					
Designated to FY24 Builds	($160,663)	Engines 21 & 29, and Haz-Mat Vehicle Due in FY24 to be Ordered in FY23 Pending Available Funding.				
Contingency or Carryforward to Tier 3	$0					

ACCPD

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$17,387					
Tier 3 Allocation	$106,068					
092	($46,900)	Ford Interceptor (hybrid)	Chevy	Impala	2015	Totaled
110	($46,900)	Ford Interceptor (hybrid)	Chevy	Impala	2015	Totaled
177	($46,900)	Ford Interceptor (hybrid)	Chevy	Impala	2015	Totaled
Supplement from FY23 Fleet Replacement	$17,245					
Contingency or Carryforward to Tier 3	$0					

CCSO

Item	Expense	Target Vehicle	Old Make	Old Model	Old Year	Notes
Carryforward	$18,229					
Tier 3 Allocation	$26,268					
S02	($46,900)	Ford Interceptor (hybrid)	Ford	Interceptor	2019	Totaled
Insurance Payment for S02 (fleet replacement)	$26,458					
Contingency or Carryforward to Tier 3	$24,055					

ADDA Community Events Program Funding Request for FY23

Commission-Defined Option (CDO)

Athens-Clarke County Mayor and Commission
(Commissioners Houle, Parker)
August 2, 2022

PROPOSAL:

Approve the list of events shown in CDO Attachment #1 for the Athens Downtown Development Authority's FY23 Community Events Program (CEP) and the accompanying ordinance to amend the FY2023 Annual Operating and Capital Budget.

COMMENTS:

Total Expenditures: $100,000
Funding Source: $90,000 from the Hotel-Motel Special Revenue Fund as indicated in the original agenda item, and $10,000 from the Unappropriated Fund Balance of the Hotel‑Motel Tax Special Revenue Fund.

Note: $10,000 of approved funding for the FY22 CEP remained unexpended at the end of FY22.

REFERENCES:

Resolution in Support of Athens Immigrant, Undocumented, and Latinx Community - passed by ACC Mayor & Commission on August 20, 2019

"...Athens-Clarke County community benefits from the hard work, cultural offerings, and tax dollars of the immigrants who call Athens, Georgia home…"

"...Athens-Clarke County, Georgia appreciates the many cultural, educational, and economic contributions the Latinx community continues to give…"

Black Lives Matter Resolution - passed by ACC Mayor & Commission on July 7, 2020

"The Unified Government will explore ways to recognize and support the Edward Wright Festival, the MLK Jr. Day Parade, Hot Corner, and the Kwanzaa Celebration."

"The Unified Government will explore ways to work with all communities and faith-based groups who traditionally have not been involved with the government's community initiatives… to ensure equity and sustainable change and to forever acknowledge Black Lives Matter."

Athens Pride Month Resolution - passed by ACC Mayor & Commission on June 7, 2022

"the Unified Government shall support events that encourage understanding and celebration of the Athens-Clarke County LGBTQ+ community…"

"...we endeavor to advance equity, affirmation, and wellness for all LGBTQ+ residents and visitors of Athens, particularly those that have been historically silenced, stigmatized, and marginalized within and outside of dominant queer culture…"

CDO ATTACHMENT #1

FY 2023 Event	Funding Allocated
Athens Pride	$8,000
Athens Black Market	$5,000
Athens Farmers Market	$3,000
Athens Gingerbread	$1,000
Athens Symphony	$4,000
Athens Twilight	$14,000
AthFest	$14,000
Chautauqua	$2,000
Cine - Cinéma-in-the-Streets	$1,000
Downtown Culinary Showcase	$5,000
Hot Corner	$10,000
LatinX Festival	$5,000
MLK Parade	$6,500
Parade of Lights	$2,500
Wild Rumpus	$14,000
Winter Community Market	$5,000
TOTAL	**$100,000.00**

Adjustments to original agenda item are highlighted.

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING TO THE COMMUNITY EVENTS PROGRAM FOR ADDITIONAL EVENTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Hotel/Motel Special Revenue Fund to establish funding to the Community Events Program for additional events. Said Operating and Capital budget is hereby amended as follows:

Hotel/Motel Special Revenue Fund:

EXPENDITURES:	
Decrease:	
Fund Balance	($10,000)
Increase:	
Other General Administration:	
Community Events Program	$10,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: ADDA Community Events Program Funding Request for FY23

DATE: July 19, 2022

BUDGET INFORMATION:

REVENUES:

EXPENSES:
ANNUAL: $90,000
CAPITAL:
OTHER:

FUNDING SOURCE: Hotel-Motel Tax Special Revenue Fund

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:
To request that the Mayor and Commission approve the list of events shown in **Attachment #1** for the Athens Downtown Development Authority's FY23 Community Events Program.

HISTORY:
1. On March 4, 1997, the Mayor and Commission approved the Community Events Program (CEP). The CEP created a partnership between the Unified Government of Athens-Clarke County (ACCGov) and the Athens Downtown Development Authority (ADDA) for ADDA to host a seasonal calendar of quality community events envisioned to use primarily the Central Business District as a community stage and to represent themes endorsed by the Mayor and Commission.

2. On June 7, 2022, the Mayor and Commission adopted the ACCGov FY23 annual operating and capital budget, which included $90,000 from the Hotel-Motel Tax Special Revenue Fund for the CEP.

3. On June 9, 2022, the ADDA board voted to finalize approval of the proposed FY23 CEP list of events and budget shown in **Attachment #1**.

FACTS & ISSUES:
1. As approved by the Mayor and Commission in 1997, the CEP program:
    a. Requires Mayor and Commission approval of the annual list of proposed events,
    b. Allows ADDA to reprogram unexpended funds from one approved event to another within the same fiscal year, and

c. Requires Mayor and Commission approval of any modification to the list of events during the course of the year.

2. CEP events are intended to promote the community and provide added value to the community at large, visitors, and residents. Hotel-motel tax revenues are typically designated as the funding source for the CEP. ADDA uses these funds to support the cost of labor, materials, and services required for approved events. Unexpended CEP funds lapse at the end of each fiscal year.

3. The FY23 allocation for the CEP is $90,000. This is an increase from the historical funding of $60,000 annually. In total, the ADDA distributed $63,825 of the $76,825 allocated in FY22 (**Attachment #2**). The unspent funds were returned to the Hotel-Motel Special Revenue Fund for reallocation in the FY22 budget.

4. Each year, ADDA sends out requests forms to various organizations that would like to hold events downtown. Each organization's request must show an itemized budget, non-profit status, and benefits of the events to downtown Athens. In addition, ADDA's guidelines usually limit an event's funding request to no more than 50% of the event's total budget. In FY23, a total of $127,387 in CEP funding requests were received by the ADDA. Every event that submitted a CEP request was recommended to be provided with some level of funding (**Attachment #3**).

5. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming.*

OPTIONS:

1. Mayor and Commission approve the list of events shown in **Attachment #1** for the Athens Downtown Development Authority's FY23 Community Events Program (CEP).
2. Mayor and Commission do not approve the list of events for the FY23 Community Events Program (CEP).
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT: Central Services (On Behalf of the Athens Downtown Development Authority)
Prepared by: David Lynn, ADDA Planning Director

Gavin J. Hassemer

Gavin Hassemer
Interim Director of
Central Services

6/21/2022
Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1





July 14, 2022

Manager Date

ATTACHMENTS:

Attachment #1 - FY23 CEP Recommendations
Attachment #2 – FY22 CEP Funding Status
Attachment #3 – FY23 CEP Requests & Recommended Awards

Attachment 1

FY 2023 Event	FY 2023 Recommendation
Athens Pride	$3,500
Athens Black Market	$3,000
Athens Farmers Market	$3,000
Athens Gingerbread	$1,000
Athens Symphony	$4,000
Athens Twilight	$14,000
AthFest	$14,000
Chautauqua	$2,000
Cine - Cinéma-in-the-Streets	$1,000
Downtown Culinary Showcase	$5,000
Hot Corner	$10,000
LatinX Festival	$4,000
MLK Parade	$4,000
Parade of Lights	$2,500
Wild Rumpus	$14,000
Winter Community Market	$5,000
	$90,000.00

Attachment 2

Date	Reference	Trans Description	REQUESTED	Payed
8/31/21	CEP 21/22 BLK MKT	Black Market	$5,000.00	$5,000
9/14/21	CEP CHAUTAUQUA 2021	CHAUTAUQUA	$4,000.00	$4,000
9/14/21	CEP CULINARY SHOWCAS	CULINARY KITCHEN	$4,000.00	$4,000
10/8/21	WILD RUMPUS CEP 2021	WILD RUMPUS - CEP	$8,000.00	$8,000
10/11/21	CEP SYMPHONY 2021	ATHENS SYMPHONY	$3,000.00	$3,000
12/6/21	CEP 2021 11/06/2021	MLK Parade	$4,500.00	$4,500
3/10/22	CEP 2021	COMMUNITY MARKET CEP	$3,000.00	$3,000
4/27/22	CEP 21 04/27/2022	Twilight	$8,000.00	$8,000
5/26/22	CEP 21/22 ATHFEST	Athfest	$8,000.00	$8,000
6/1/22	CEP 2021 06/01/2022	Hot Corner	$11,000.00	$11,000
6/7/22	cep 2022 pride	Pride	$5,325.00	$5,325
	CANCELED	CINE HEAR	$500.00	
	CANCELED	GINGERBREAD HOUSE	$1,000.00	
	CANCELED	INTERNATIONAL STREET FEST	$2,000.00	
	CANCELED	ATHENS JEWISH FILM FEST	$1,000.00	
	CANCELED	LATINX	$3,000.00	
12/2/21	NOT REQUESTED	PARADE OF LIGHTS	$2,500.00	
	CANCELED	WINTER COMM MARKET	$3,000.00	
			$76,825.00	$63,825

Attachment 3

FY 2023 Event	Funding Request	FY 2023 Recommendation
Athens Pride	$15,000	$3,500
Athens Black Market	$5,000	$3,000
Athens Farmers Market	$10,000	$3,000
Athens Gingerbread	$1,500	$1,000
Athens Symphony	$4,250	$4,000
Athens Twilight	$15,000	$14,000
AthFest	$15,000	$14,000
Chautauqua	$4,812	$2,000
Cine - Cinéma-in-the-Streets	$4,325	$1,000
Downtown Culinary Showcase	$5,000	$5,000
Hot Corner	$10,000	$10,000
LatinX Festival	$5,000	$4,000
MLK Parade	$7,500	$4,000
Parade of Lights	$5,000	$2,500
Wild Rumpus	$15,000	$14,000
Winter Community Market	$5,000	$5,000
	$127,387	$90,000.00

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Accept the Clean and Renewable Energy Plan

DATE: ~~July 4, 2022~~ July 29, 2022

BUDGET INFORMATION:

REVENUES: $0

EXPENSES:

ANNUAL:	$124,061
CAPITAL:	$ 30,000
OTHER:	

FUNDING SOURCE: FY20, FY21, and FY22 Operational Budget and Capital Project D-68: Energy Action Plan

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Accept the 100% Clean and Renewable Energy Plan (**Attachment #1**); and
b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. Since 1998, ACCGov has been involved in clean and renewable energy projects, beginning with the community's first "green" building at Sandy Creek Nature Center, which uses passive energy designs, efficient building systems (example: five ton geothermal heat pump), and recycled, recyclable, or minimum impact materials.

2. Since 1998, ACCGov has implemented green building standards on all ACCGov new construction, installed two additional ground sourced heat pumps, installed a Gas Capture System at the ACCGov Landfill to recycle natural gas into direct energy for the Athens-Clarke County power grid thereby diverting the landfill-produced methane from the community's groundwater, and installed solar on seven buildings or facilities owned by ACCGov, with the newest having been installed on the Family Protection Building.

3. On April 5, 2016, the Mayor and Commission (M&C) passed a resolution calling for the increased use of renewable energy to support operations of ACCGov.

4. In December 2017, the Envision Athens Action Agenda was published. The Action Agenda included an action to "Increase energy efficiency, sources, and use of renewables," and specifically set a target to reduce the amount of energy derived from fossil fuels by 30%.

5. On July 3, 2018, the M&C adopted the 2018 Comprehensive Plan that was informed by the Envision Athens Action Agenda that included an environmental implementation strategy to "Increase energy efficiency, sources, and use of renewables."

6. On May 21, 2019, the M&C passed a resolution in support of transitioning to 100% renewable energy setting the goal of transitioning ACCGov assets by 2035 and facilitating the transition of the entire community by 2050.

7. On August 14, 2019, staff issued a purchase order to the Southface Energy Institute for Phase I of the Clean Energy Action Plan. This phase developed an energy model specifically for the Athens-Clarke County, referred to as ACES. Developed by Greenlink Analytics and using the ATHENIA model as a basis, the ACES model evaluated the costs and benefits of various energy-related actions and policies.

8. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This referendum included the Renewable Energy Project (SPLOST 2020 Project 11). Collections for this SPLOST program began in April 2020, and are expected to generate $314,303,300 over a twelve-year period, with $15.8M allocated to Project 11.

9. On January 29, 2020, staff issued a purchase order to the Southface Energy Institute for Phase II of the Clean Energy Action Plan. This phase initiated the broader public engagement for the plan development.

10. In March 2020, the Community Energy Fund was established by the Mayor and Commission. The Fund utilizes revenue generated from energy utilities and is dedicated to funding local clean energy projects in the community.

11. In March 2020, the Sustainability Office, assisted by Southface and Greenlink Analytics, initiated the process to develop a clean and renewable energy plan.

12. On May 22, 2020, Mayor Girtz appointed a Community Advisory Board (CAB) to guide the development of the Clean Energy Action Plan. Monthly meetings were held along with routine small and full Board meetings as part of plan development, public engagement, and community feedback efforts. The Board consisted of representatives from community organizations that included: 100% Athens; Athens Area Home Builders Association; Action, Inc; Athens Housing Authority; Athens Land Trust; Athens Technical College; East Athens Development Corporation; Northeast Georgia Business Alliance; U.S. Green Building Council, Athens Georgia Branch; Williams & Associates; and the ACCGov Sustainability Office.

13. Also in this same time frame, representatives from multiple ACCGov departments were included as ex-officio positions and actively participated in events and meetings, including Central Services Department, Economic Development Department, Geospatial Information Office, the Inclusion Office, Housing and Community Development Department, Planning Department, and Public Information Office.

14. Starting in June 2020, a series of educational presentations were developed for the CAB, ACCGov staff, and the community. Topics in this series included Clean Energy 101, Energy Burden and Housing, Efficiency in the Built Environment, Energy Systems and Grid Polity, and Greenscaping and the Importance of Green Practices.

15. In September 2020, the CAB determined it was important to define "clean and renewable energy" in order to go forward in developing the plan. Thus the CAB defined Clean and Renewable Energy as "clean" sources of energy that do no not create greenhouse gas emissions and "renewable" as energy sources that can be replenished in a human timescale. Included as clean and renewable were: energy efficiency, solar power, wind power, hydropower, renewable energy credits (RECs), and energy storage. Until there are technological advances, not included as clean energy were: nuclear power, natural gas, coal, and biomass.

16. In January 2021, an extensive public engagement effort was initiated. Over the next five months: ACCGov staff, CAB, and Southface held:
    - 59 "listening" sessions with community members, business leaders and other stakeholders
    - 5 Public Town Hall meetings
    - 3 Charrettes on the topics of Community and Equity, the Clean Energy Economy, and the Intersection of the Natural and Built Environments
    - two surveys – one distributed to the community and one to businesses and industries

17. In February 2021, the United States federal government re-joined the Paris Agreement, which asks that countries reduce global warming emissions to levels that will limit the increase in global temperatures to 1.5 degrees Celsius. This is in addition to the commitment the United States made to reduce economy-wide greenhouse gas emissions by 50-52% below 2005 levels by 2030 at the United Nations Climate Change Conference (COP26).

18. Starting in July 2021, ACCGov staff, CAB, and Southface began the process of identifying and prioritizing preferred clean energy areas for action, drafted the Clean and Renewable Energy Action Plan, and solicited and incorporated public feedback on the plan.

19. In March of 2022, the M&C adopted the ACCGov Strategic Plan. The plan has six overarching goals for the future of Athens-Clarke County. The sixth goal is devoted to the built and natural infrastructure with the implementation of the Clean and Renewable Energy Plan as one of the main initiatives.

FACTS & ISSUES:

1. Greenhouse gases allow short-wave light to pass through, but block longer waves that leave the earth surface. As greenhouse gases increase or decrease, the amount of heat trapped in the atmosphere changes. These changes drive climate, with incremental fluctuations that historically occur over thousands or tens of thousands of years.

2. According to the Intergovernmental Panel on Climate Change (*Climate Change 2013: The Physical Science Basis* report), human activities have been the most significant driver of observed climate change since the 1950s.

   > There is strong scientific consensus regarding the realities of the Earth's changing climate and the connection between human activities that create greenhouse gases, how climate change is affecting our community, and the harm it will cause to future generations. Among other sources, the impacts of climate change have been compiled in the Fourth National Climate Change Assessment Report, Volume 1 (Climate Science Special Report that assesses the underlying physical science of climate change) and Volume 2 (Impacts, Risks, and Adaptation in the United States).

3. According to the 2021 Global Climate Report produced by the National Center for Environmental Information of the National Oceanic and Atmospheric Administration, the "Earth's Temperature has risen by 0.14 degree Fahrenheit per decade since 1880, but the rate of warming since 1981 has been more than twice that: 0.23 degrees per decade." This rapid rise in temperature has had a measureable impact on Earth's climate.

4. The Environmental Protection Agency's 2020 annual Inventory of U.S. Greenhouse Gas Emissions and Sinks identified the major emissions of greenhouse gases as Carbon Dioxide (79%), Methane (11%), Nitrous Oxide (7%), and Fluorinated gases (3%). The sources of these major emissions were identified as Transportation (27%), Electricity (25%), Industry (24%), Commercial and Residential (13%) and Agriculture (11%).

5. According to the U.S. Energy Information Administration, in 2020, fossil fuel combustion for energy accounted for 73% of total U.S. greenhouse gas emissions and 92% of the total generated by human activities. [*EIA: Energy and the environment explained: Where greenhouse gases come from*]

6. According to the U.S. Energy Information Administration, State of Georgia, Office of the Governor, in 2018, approximately $22.9B flowed out of Georgia to pay for energy and nearly $500M left Athens. By comparison, the state's 2018 annual budget was $27.5B and ACCGov's Annual Operating and Capital Budget was $235.5M.

7. As a local government, transitioning to clean and renewable energy by 2035 will reduce annual energy costs, providing funding to meeting other operational and infrastructure

needs. By reducing fossil fuel consumption, the dangers associated with transporting, handling, storing, and burning hazardous fuels will also decline.

8. As a community, transitioning to clean and renewable energy sources and reducing greenhouse gas production by 2050 will have significant, positive environmental, health, and economic impacts locally, while contributing to improvements on a regional, national, and global scale.

9. To successfully transition to a more environmentally sustainable community "powered" by clean and renewable energy, pathways that provide opportunities for all members of the community to participate need to be identified, developed, and promoted.

10. The Clean and Renewable Energy Plan (**Attachment 1**) was developed with the goal of creating an ongoing and evolving community vision to guide the transformation of ACCGov and facilitate the transformation of the community to a clean and renewable energy future through the establishment of:
    a) "Pathways" that can be developed into programs and projects.
    b) Pathway priorities, or tiers, that provide opportunities for community members, including low income, traditionally marginalized, and vulnerable populations. These priorities have been ranked into action areas based on
        i) Tier 1: Most urgent for success
        ii) Tier 2: As opportunities present themselves (ex: grants, changes in regulations)
        iii) Tier 3: Obstacles prevent action (such as regulations) or options that are ongoing and not feasible with available resources.
    c) These pathways were reviewed using an equity-focused scoring criteria with the following scoring system:
        i) +2 = Very high impact on energy burden or equity-related issues; likely to reduce inequity
        ii) +1 = High impact on energy burden or equity-related issues; potential to reduce inequity
        iii) 0 = No impact on energy burden or equity-related issues; no potential to exacerbate equity or inequity
        iv) -1 = Low impact on energy burden or equity-related issues; potential to exacerbate inequity
        v) -2 = Very low impact on energy burden or equity-related issues; likely to exacerbate inequity
    d) A summary chart of pathways and tiers can be found in *Attachment 2: Chart of Pathway Tiers.*

11. The transition to clean and renewable energy envisions participation of all members of the Athens-Clarke County community. To encourage and assist participation by all will require identifying and addressing challenges and barriers faced by low-income and other vulnerable populations, as well as those faced by historically marginalized communities. The Pathways

and Pathway Priorities in the Clean and Renewable Energy Plan provides opportunities to begin to address these challenges and barriers.

12. The Sustainability Office is already implementing elements within Action Areas of the plan. One notable action - along with the cities of Atlanta, Savannah, Decatur and Dekalb County, Athens-Clarke County joined as an intervener in Georgia Power's Integrated Resource Plan (IRP). Through this intervention, ACCGov can advocate for the Athens-Clarke County community in front of the Public Service Commission with regard to Georgia Power policies and programs that will affect our community.

13. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure Goal, Strategy D: *Follow through on commitment to 100% Clean and Renewable Energy resolution*

OPTIONS:

1. Mayor and Commission:
    a. Accept the 100% Clean and Renewable Energy Plan (**Attachment 1**); and
    b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the plan.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, and c

DEPARTMENT: Sustainability Office
Prepared by: Mike Wharton

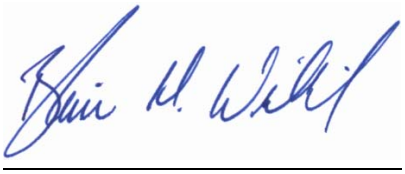


Mike Wharton
Sustainability Officer

7/4/2022
Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, and c



July 14, 2022

Manager Date:

ATTACHMENTS:

Attachment #1 – Clean and Renewable Plan
Attachment #2 – Chart of Pathway Tiers
Attachment #3 - Clean Energy Plan Public Engagement Response (Revised)

Attachment 1

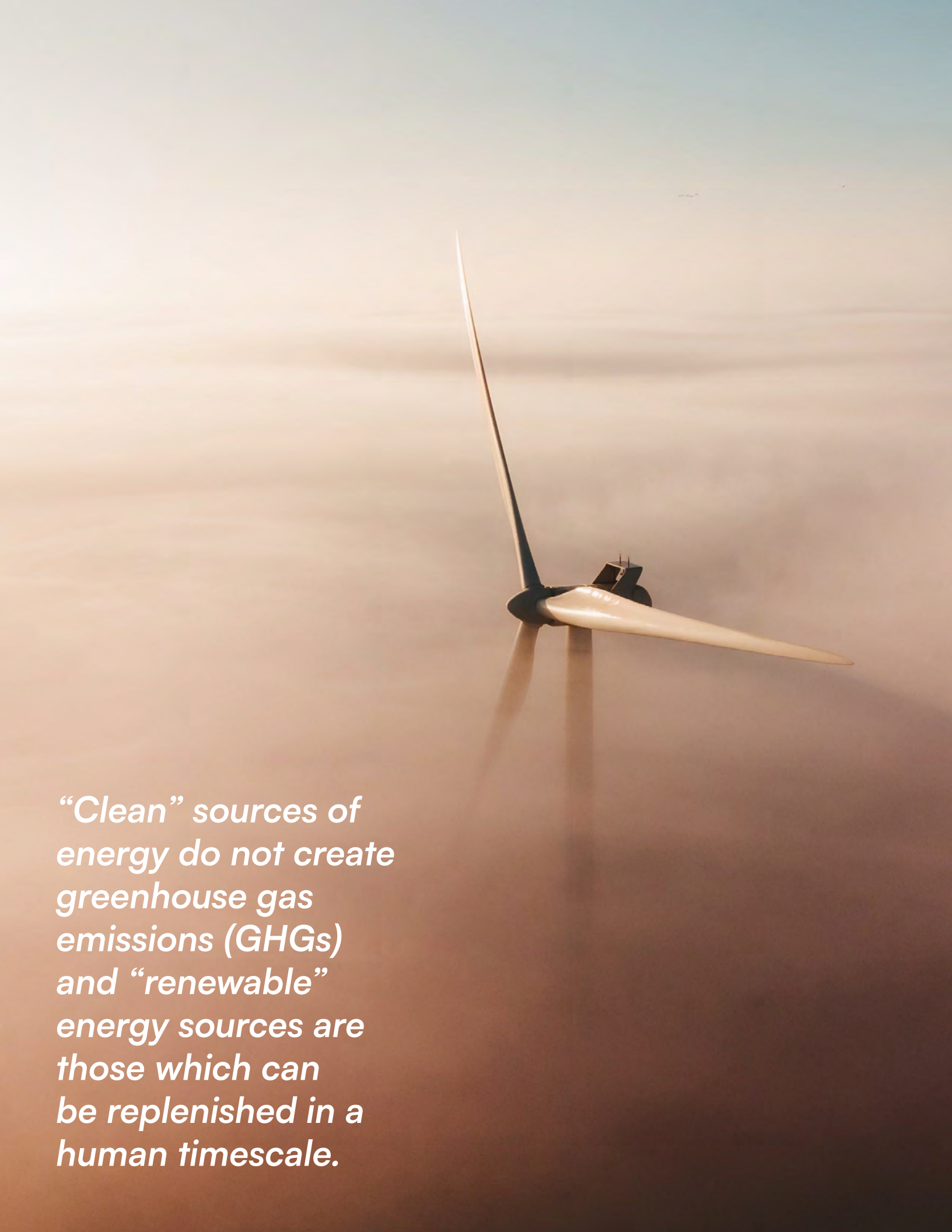
ATHENS-CLARKE COUNTY



Clean & Renewable Energy Plan

Southface

greenlink



“Clean” sources of energy do not create greenhouse gas emissions (GHGs) and “renewable” energy sources are those which can be replenished in a human timescale.

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Acknowledgements

Community Advisory Board

On May 22, 2020, Mayor Girtz appointed a Community Advisory Board (CAB) to guide the development of the Clean Energy Action Plan. This Board consists of representatives from community organizations that includes:

- 100% Athens
- Athens Area Home Builders Association
- Action, Inc
- Athens Housing Authority
- Athens Land Trust
- Athens Technical College
- East Athens Development Corporation
- Northeast Georgia Business Alliance
- U.S. Green Building Council Athens Georgia Branch
- Williams & Associates
- ACCGov Sustainability Office

Our thanks to this outstanding group who met monthly for more than 2 years, attended routine extra meetings, assisted with public engagement activities and, throughout, shared their insights, concerns, guidance, and time. Their generosity and community commitment made this plan far better than it would have been otherwise.

Athens-Clarke County Unified Government Staff

Our thanks, also, to the staff of the many departments and offices of the Athens-Clarke County Unified Government. These dedicated employees enthusiastically engaged the process, worked the CAB, attended meetings, shared their expertise, researched questions, and provided significant contributions to the plan. Their contributions and dedication is greatly appreciated. Participating Offices and Departments include: Central Services Department, Economic Development Department, Geographic Information Office, the Inclusion Office, Housing and Community Development Department, Planning Department, and Public Information Office

Community Members and Organizations.

Our deep appreciation and thanks to the community members, business and industry representatives, and the 80+ non-profits, agencies, and organizations, who shared their thoughts, concerns, criticisms, and encouragement. The time these groups and individuals donated have been a critical part of shaping and guiding the development of the plan. Their wisdom and thoughtful input has been invaluable and much appreciated.

Sustainability Office

Created in 2017 as an Office of the Manager, the mission of the Sustainability Office is to promote stewardship of public resources, promoting innovative practices and policies to reduce the Athens-Clarke County Unified Government's environmental footprint, grow the local economy, conserve ecosystem services, and foster a thriving community by networking staff, ideas, and resources across departments and throughout the community.

Southface

Southface Institute ("Southface") has promoted sustainable development and green building through education, research, advocacy and technical assistance since 1978 under the governance of a Board of Directors. The nonprofit organization is a leader in the industry with regards to coordination, development, and execution of clean energy strategies.

Greenlink Analytics, LLC

Greenlink Analytics (“GLA”) is an Atlanta-based clean energy and equity research non-profit organization equipped with sophisticated proprietary analytical technologies and deep industry knowledge in the clean energy space, receiving accolades from MIT, Georgia Tech, Yale, and the National Science Foundation, among others. It uses these technologies to help create a smarter, cleaner, and more equitable future.



Managed Forest
Sandy Creek Nature Center

Executive Summary

The Athens Clean Energy Plan serves as a guidebook for achieving a local, equitable clean energy transition while reducing global greenhouse gas emissions. Continued population growth in Athens-Clarke County significantly contributes to increased urbanization and associated issues such as increased energy consumption, impervious surfaces, urban heat island effect, pollution, and stormwater runoff. Although climate change scenarios resulting from greenhouse gas emissions threaten public safety and quality of life for all Athens' residents, traditionally marginalized communities are most at risk for experiencing the negative economic and social consequences of climate change; this Plan aims to rectify racial and economic disparity through a clean energy framework. Fostering local, regional, state, and federal partnerships and engaging Athens's utility providers and their regulators are integral to the success of this Plan and the achievement of meaningful milestones toward a clean energy future. The ambitious goals set forth by this Plan necessitate bold policy interventions, particularly when accounting for increased energy consumption due to increased expected population growth and expected increased energy rates.

> The plan states that "clean" sources of energy do not create greenhouse gas emissions (GHGs) and "renewable" energy sources are those which can be replenished in a human timescale. These clean and renewable sources include energy efficiency, solar power, wind power, hydropower, energy storage, and Renewable Energy Credit (RECs), but explicitly do not include nuclear power, biomass, natural gas, or coal, acknowledging long term advances may bring nuclear into the clean category

ACCGov has invested in and uplifted sustainable policy and planning initiatives as early as 1998 ranging from, but not limited to, investments in green building designs and standards, installation of solar arrays and geothermal heat pumps in municipal buildings, and the installation of a Landfill Gas Capture System. This Plan is a direct result of the culmination of the 100% Athens team's grassroots efforts and community partnerships that convinced the Athens' Mayor and Commission of the necessity to commit to a clean energy transition. Their 2016 Clean and Renewable Energy Resolution, 2017 Envision Athens Action Agenda, and the 2018 Athens-Clarke County Comprehensive Plan laid the foundation for the development of this clean energy plan. Additionally, the 2022 Strategic Plan adopted by the Mayor and Commission illuminates Athens's commitment to building a more resilient and equable future and is nested within this clean energy plan. Athens joins the cities of Atlanta, Augusta, and Savannah in creating clean energy resolutions, and leading Georgia into a new era in the renewable energy landscape.

> **Goal:** 100% clean and renewable electricity for all municipal properties, government operations, and community-wide buildings by 2035, and to meet community electricity demand with 100% clean and renewable electricity by 2050. *See Appendix 7*

Public community engagement and education was instrumental in the creation of this clean energy plan, and despite the limitations created by the COVID-19 pandemic, public participation was fostered through a variety of virtual platforms and events ranging from

listening sessions, surveys, town halls, and multidisciplinary workshops.

The Community Advisory Board (CAB) was instrumental in creating a diverse and comprehensive plan that amplifies the voices of local businesses, non-profits, educational institutions, and community organizations throughout Athens-Clarke county, and ensured an array of Athens' community members had multiple opportunities to engage in the clean energy planning process. Developing this clean energy plan represents a milestone in addressing climate change, improving energy equity in Athens, and reducing the impact of fossil fuel energy on public health and the environment. The implementation of this Plan requires achievable policy changes that cultivate a resilient clean energy economy and will establish Athens as a leader in climate change solutions.

Centering Equity

Energy burden is defined as the amount of income spent each month of energy compared to total monthly income. High energy burden limits some Athens' resident's ability to access clean energy subsidies and low-interest loans as well as invest in clean energy solutions like home weatherization and energy-efficient appliances. An equitable energy transition includes energy efficient housing opportunities, the development of a skilled workforce, and public health solutions. This Plan incorporates an analysis of the locations and percentages of energy burdened households in Athens-Clarke County in order to target energy vulnerable populations in Athens for prioritization and implementation of the Plan.

Equitable Priorities

- Include lower-income, Black, People of Color (POC), and senior communities in the development of policies and programs
- Decrease the community's energy burden, with an emphasis on historically marginalized communities, using sustainable and renewable technologies
- Expand clean energy workforce training and development

Action Areas

1. **Lead by Example**
   - 100% renewable energy for all municipal buildings

2. **Build Community Through Investment**
   - Expand and advance weatherization programs and partnerships
   - Community Energy Fund

3. **Be Part of the Larger Solution**
   - Actively engage and intervene in future Integrated Resource Plans (IRPs)
   - Create partnerships with similar cities

4. **Build a Workforce and Improve Opportunities**
   - Build a green jobs pipeline
   - Create and advance partnerships with schools, businesses, education and apprenticeship programs

5. **Closing the Gap**
   - Buy local (Renewable Energy Credit) RECs

6. **Community Education and Engagement**
   - Establish and maintain a clean energy task force
   - Incentivize targeted educational programming
   - Ensure meaningful community involvement through free, focused workshops and events



chapter one

The Need for a Plan & Climate Change

DEFINITIONS & ABBREVIATIONS

ACC — Athens-Clarke County

ACCGov — Unified Government of Athens-Clarke County

COP26 — United Nations Framework Convention on Climate Change Conference of the Parties 26

LED — Light-Emitting Diode

In February 2021, the United States rejoined the Paris Agreement, one of the most important international agreements on climate change.[1] The Athens-Clarke Unified Government recognizes that countries, states, and cities need to work collaboratively to reduce global warming emissions to levels that will limit the increase in global temperatures to 1.5 degrees Celsius (2.7 Fahrenheit).[2] Building upon this commitment, the US committed to reducing economy-wide greenhouse gas emissions by 50 to 52% below 2005 levels by 2030 at the United Nations Climate Change Conference (COP26).[3]

People living in Athens-Clarke County (ACC) are already experiencing the impacts of the growing climate crisis. Individuals employed in Athens-Clarke County's agricultural sector will experience extreme levels of heat as they work outdoors and damages caused by natural disasters could create worsening economic conditions for this industry and beyond. Flooding events, rising temperatures, and a loss of native species and habitats will increasingly harm the community.

Without immediate action, both the number and intensity of these types of destructive incidents will continue to increase. The destruction of both the manmade and natural environments for which Athens is known is expected to continue. Further, the climate crisis will worsen existing social and economic issues, especially for vulnerable and traditionally marginalized individuals and populations.

Without Change, Athens Future Looks Dangerous

Current climate models project that, by the second half of the 21st Century, temperatures in Athens will increase by 2.5 degrees Fahrenheit and humidity will increase by 78%.[4] High temperatures pose the greatest hazard to lower-income communities, persons experiencing homelessness, seniors, and children.

Georgia currently experiences 20 dangerous heat days a year, where temperatures can be as high as 103 degrees Fahrenheit. Data indicate that by 2050, the number of dangerous heat days will increase to 90 days.[5]

MEMORIAL PARK FOUNTAIN



Children and the elderly compose up to 30% of the Athens population and are especially vulnerable to such extreme weather events.[6]

Lower-income families and neighborhoods are particularly vulnerable. These vulnerable families are disproportionately impacted by climate-related events because they lack the funds needed to weatherize homes, to upgrade to more efficient appliances, or to pay rising energy costs. Further, because Athens is one of the most densely populated counties in Georgia, growing urbanization and the loss of green infrastructure that helps mitigate heat means that climate change will increasingly impact the lives of all Athenians.

Making Changes Locally - Having an Impact Globally

While Athens cannot solve the climate crisis on its own, it can make significant changes locally that will have an impact globally. Each change, small or large, makes a difference. Starting can be as simple as planting more native plants or switching to LED lights; these small steps, collectively, contribute to large changes.

Athens can establish itself as a leader and encourage other communities to become involved in finding solutions by setting goals to decrease greenhouse gas emissions, mitigate pollution, and implement other environmental and economic changes. This document outlines a pathway for a comprehensive and innovative clean and renewable energy transition for ACCGov, the Athens community, and surrounding areas. The plan represents a leap forward in what has been an ongoing effort to preserve and improve the environment, develop equitable solutions, and build and grow a sustainable economy by addressing climate change in increasingly more purposeful and sustainable ways.

Achieving the defined goals of providing clean and renewable energy for all residents will involve not only the Athens community, but also local, regional, state, and federal partners—everyone will play a role.

Sharing with the Greater Athens Area and Beyond

As Athens moves forward, the process will provide valuable insight and information that can be useful to the larger neighboring metro-Athens areas. Because the impacts of climate change do not recognize any geographic boundaries, sharing and cooperating with other jurisdictions is an integral part of plan implementation.



chapter two

Demographics & the Need for Equity

Demographics — Athens by the Numbers

Understanding the demographic makeup in Athens-Clarke County is important to creating a clean and renewable energy plan that works for everyone. Knowing the unique racial, disability, income, and educational makeup of the community helps ACCGov to make informed choices about where to make investments and who should be prioritized.

The Unified Government of Athens-Clarke County has a population of around 130,000 and is growing at an annual rate of 1 to 1.5%. The age breakdown, seen in figure 2.1, shows a population mostly consisting of individuals between 19 and 65 years of age. These numbers are comparable to national averages.

Currently, 14% of Athens' residents under the age of 65 lack health insurance and 9.6% of individuals identify as having a disability. A clean energy transition can improve the lives of Athens' households through improved indoor and outdoor air quality, and investments toward energy efficiency enable households to lower their energy bills, giving them more money to invest in other important aspects of their lives.

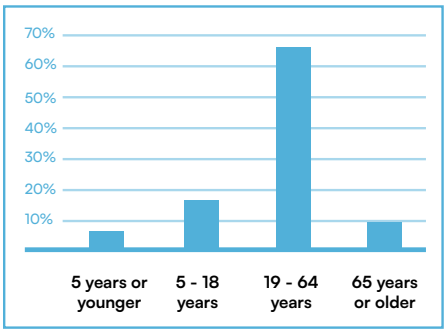
Where the numbers diverge from the national average is within racial demographics. Black and Hispanic/Latino household incomes are barely over half of white household incomes. Energy burden disproportionately impacts people of color.

Clean energy plans like this one provide a critical opportunity to correct past wrongs and ensure a better, equitable future for everyone. ACCGov is committed to acknowledging and supporting residents of all races, ages, genders, and abilities throughout the clean energy transition.

The Need for Equity and the Impact of Poverty on the Clean Energy Transition

Understanding demographics is a good starting place for evaluating the social, environmental, and economic conditions that describe a community, but data doesn't tell the whole story. Ensuring that everyone has access and the means to take advantage of the Clean and Renewable Energy Action Plan (CRP) opportunities is both imperative and challenging. A key part of the planning effort has been to identify and understand scenarios that will enable all community members to make the transition.

FIGURE 2.1
Athens-Clarke County Age Breakdown



Energy, Poverty, and Vulnerable Populations in Athens

For many years, the South has had low electricity pricing rates, but struggled with extremely high residential electricity bills, in large part due to poor housing stock quality, less energy efficient housing, inefficient appliances, and residential energy consumption - all of which contribute to high energy bills within a household.

Recently, the situation has taken a turn for the worse, with rates climbing. In 2020, the South Atlantic census division had the third-lowest residential electric rates in the United States at 12 cents per kWh, but the average electrical bills were second-highest. In Georgia, electricity rates ranked slightly higher than average (23rd highest), while bills ranked 8th highest.[7] Housing stock quality, inefficient appliances, and increased use of air-conditioning as a result of rising temperatures all contribute to high energy bills within a household.

"Energy burden" is an important measure of equity in a community. It is defined as the amount of household income spent each month on energy compared to a household's total monthly income. It is represented as a percentage, for example, a household spending $2,500 on energy bills each year and making $45,000 a year in median income has an energy burden of 5.5%.

High energy burdens present a danger to marginalized and lower-income populations. These populations, cite paying an energy bill as the primary reason to utilize short-term loan products, a practice that perpetuates cycles of poverty and stifles economic mobility.[8,9]

The impact of high energy burdens can be very difficult to escape. Low-income households are often unable to access important government subsidies, grants, and low-interest loans, presenting barriers to these residents to obtaining energy-efficient appliances, home weatherization, and other upgrades that would substantially lower their energy burdens. Upfront costs, regulatory requirements, and information gaps all play a role in reducing or eliminating low-income participation in many energy efficiency programs offered by utilities and governments.

Renter, and low-income populations are particularly burdened with higher energy burdens, some paying more than 27% toward their energy bills than populations with higher incomes.[10,11,12,13,14] This disparity has its roots in historic and discriminatory practices that are no longer legal in the United States. For example, "redlining," where loan and/or insurance providers restricted services to certain areas of a community based on race, leaving traditionally marginalized and minority populations with scarce access to financial resources. The lack of inaccessible funding for these neighborhoods combined with an aging and insufficient housing stock lead to homes becoming increasingly inefficient. Government and utility programming focuses on bill assistance instead of efficiency improvements, failing to address the root causes of persistently high energy burdens.[15]

Without provisions in the plan that specifically address providing opportunities to weatherize homes, upgrade appliances, and install clean energy alternatives, these houses will continue to contribute to inequitable energy outcomes for lower-income and minority neighborhoods as energy costs increase.

Clean and Renewable Energy Effects on Education, Employment, and Economic Opportunity

As Athens transitions to a clean energy economy, workforce development is a top priority for residents and workers alike. Forecasts around clean job creation will help Athens' economic players to prepare for these emerging job sectors. Ensuring that residents of Athens-Clarke County can find rewarding employment in the economy is a top priority. Coordinating with business leaders, workforce development professionals, and government officials is a necessary step in guiding the Athens community towards a cleaner, stronger economy.

There is an emphasis on education in Athens, with 88% of residents graduating from high school, 2% higher than the national average. Additionally, 44% of residents have a Bachelor's degree, substantially higher than the national average of 35%. A lack of education can contribute unemployment, leading to gaps in skill levels and reduced wages.

With the current, pandemic-driven transition to remote work and education, access to the internet has become an essential

community resource. In Athens, more than 93% of households have a computer and 86.5% have a broadband internet subscription.[16]

While virtual tools are available, how well these tools are being used are of concern. Aging hardware, lack of training, inadequate software, and the lack of confidence using electronic devices, especially among older populations, makes digital learning a challenge. This same challenge has an impact on efforts to expand educational opportunities ranging from clean energy information to professional and skill development.

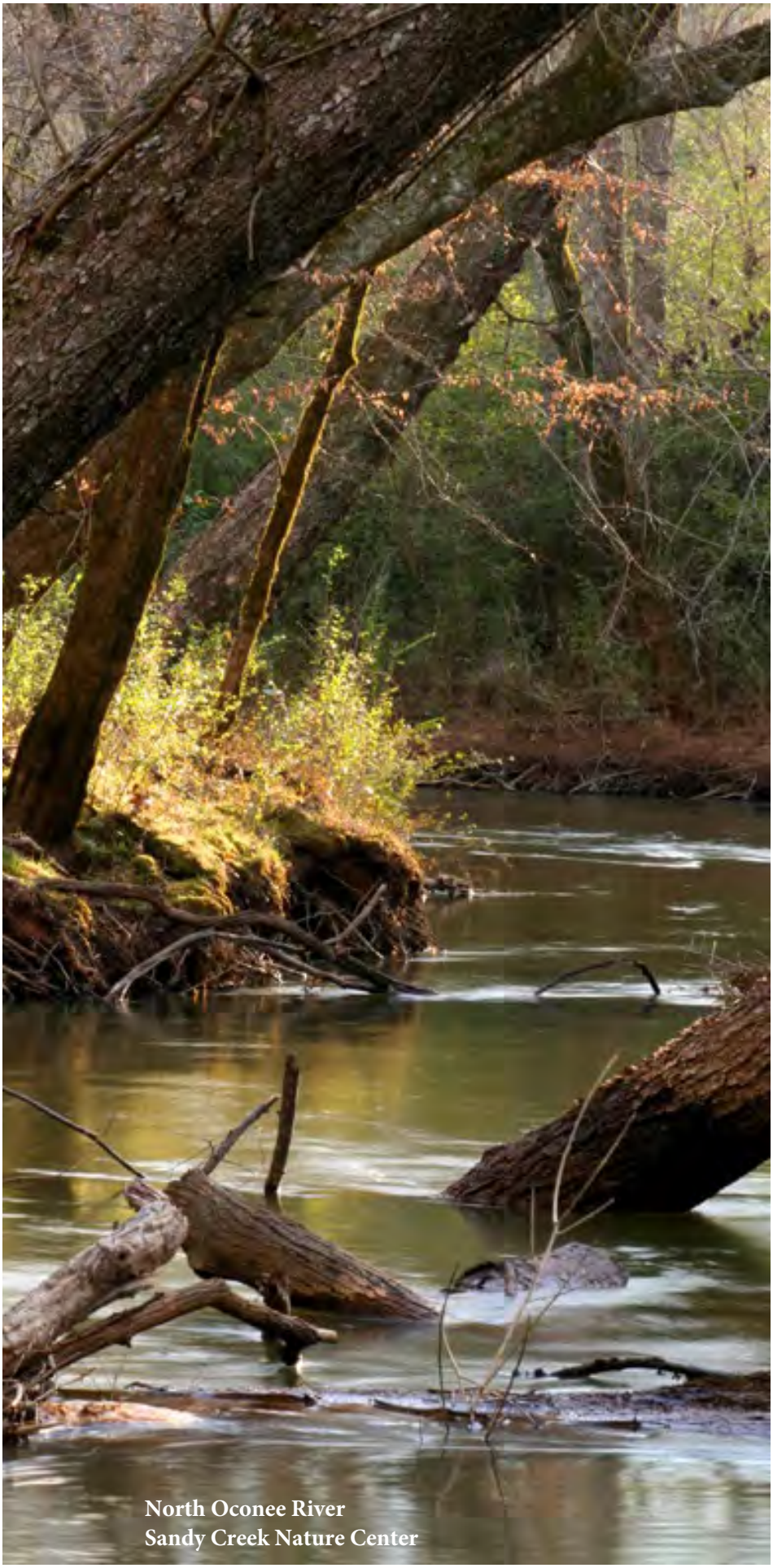
Roughly 6,000 households in the Athens community rely on SNAP (Supplemental Nutrition Assistance Program) benefits to cover their food expenditures, indicating that many families struggle to cover necessities.

Lowering energy consumption and bills will provide additional community benefits such as:

- increased economic stability
- improved air quality
- reduced levels of stress.

Utility-provided incentives through energy providors are primarily available to and received by wealthier households, increasing the gap between low- and high-income households.[17]

If the goal of a 100% clean energy transition for 100% of the community is to be achieved, developing viable options for those who have the fewest resources is essential to success.



North Oconee River
Sandy Creek Nature Center

The Unified Government of Athens-Clarke County's Commitment to Equity

Everyone should have access to a clean, safe, and healthy environment. Building an equitable and sustainable Athens means providing access to clean energy, adequate and affordable housing, opportunities for good-paying jobs, and so much more. Climate change affects communities of all races, political affiliations, sizes, and locations. However, some groups will experience more significant, adverse impacts of climate change due to pre-existing disparities and inequities. Athens-Clarke County's Mayor and Commission have defined equity as:

Equity means justice, fairness, and including the different lived experiences, backgrounds, and needs of individuals and groups in policies and practices to close the gaps and improve outcomes.[18]

In developing and implementing the Clean and Renewable Energy Plan (CRP) in the coming years, ACCGov includes a focus on equity that:

- *Evaluates and implements policies and procedures to ensure equitable treatment and equitable access to resources, moving toward a community where identity is not a predictor of outcomes*
- *Evaluates and assesses the impact of policies on residents and staff to ensure that actions are based on specific, identified needs rather than assumptions*
- *Commits to taking consistent action to identify and eliminate disparities in order to increase positive outcomes throughout the community*

The development of a clean energy plan that includes a major focus on equity also reflects multiple goals outlined in the Strategic Plan adopted by the Mayor and Commission on March 2022.

Strategic Plan goals include:

Goal 1: Good Neighbors
Identify, acknowledge and address racism, trauma, and harm in the community; decrease crime; create respectful and welcoming spaces; support and promote healthy lifestyles; enhance public trust

Goal 2: Identify & close gaps in partnership with the community
Promote awareness and access to Athens' workforce and workplace development opportunities; relationship building; community transformation through addressing community needs; accessible social delivery services and reaching marginalized people and those in most need; support a diverse, innovative and creative economy

Goal 3: Organizational Improvement
Recruit, reward and retain high performing employees internally and externally and those coming out of the justice system; create a culture of high performance; improve service delivery; increase resident engagement

Goal 4: Quality, Stable, Affordable Housing for All
Support home ownership by increasing opportunities for low and middle income people; create diverse, affordable housing options by updating development and zoning codes and identifying funding/resources; preserve and increase the supply of affordable rental housing; prevent and reduce homelessness; improve equitable housing; tenant support to improve quality of life

Goal 5: Safely Move Around Athens
Strive toward zero traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all while reducing auto centricity

Goal 6: Built & Natural Infrastructure
Planned new infrastructure; equitable access to infrastructure; infrastructure funding; 100% Clean and Renewable Energy resolution; address ecosystem health along with infrastructure sustainability and resilience[19]

The CRP reflects the Mayor and Commission's commitment to a healthy, sustainable, and equitable future[20] and continues efforts to build such a community.

Hope for the Future

To succeed, the transition to 100% clean energy will require the involvement and investment of each community member through actions both small and large. Success will require working with the minority, traditionally marginalized, low-income, and vulnerable populations to develop pathways for their participation in the transition, thus freeing money spent on energy for other family needs.

ATHENS-CLARKE COUNTY CITY HALL





chapter three

DEFINITIONS & ABBREVIATIONS

Biomass — Energy produced by burning organic matter, such as timber, solid waste, landfill gas, and alcohol fuels.

Charrette — An intensive, collaborative planning session incorporating open houses and public workshops utilized to create a comprehensive plan.

Coal — A fossil fuel energy source that is composed of a combustible black or brownish-black sedimentary rock with a high amount of carbon and hydrocarbons formed from the remains of plants. Coal is classified as a nonrenewable energy source because it takes millions of years to form.

Demand-Side Management — Programs designed to save energy and avoid the need to produce energy through engaging energy users. These programs traditionally focus on increasing energy efficiency, engaging users in demand response (decreasing a customer's consumption during stressful times on the grid), or distributed energy resource management. Such programs are often impactful during "peak hours". Peak hours are times during which demand for energy reaches high levels, commonly driven by households and businesses consuming energy at the same time (e.g., during mid-afternoon in the summer when air conditioners are working hard to cool homes and businesses.)

Electric Membership Cooperative (EMC) — Member-owned, non-profit utilities.

Energy efficiency — Using less energy to obtain the same level of comfort by reducing energy waste. This can be done through weatherization investments and efficiency upgrades.[21]

Energy storage — Using batteries to store energy produced by resources such as renewables and fossil fuels. Energy storage allows the energy to be used when it is needed, versus only when it is produced. For example, solar panels and wind turbines produce energy when the sun is out and when the wind blows, but they may produce more energy than is needed at the time of production. Storing the energy allows it to be used when needed.

Energy waste — Energy consumption that is done mindlessly or carelessly, such as leaving the lights on when one is not in the room, or, energy that is not efficiently used, like with older appliances and technology.

Equity —Equity means justice, fairness, and including the different lived experiences, backgrounds, and needs of individuals and groups in policies and practices to close the gaps and improve outcomes.[18]

Hydropower — Electricity produced through the natural flow of water running over a turbine connected to a generator. Water can be controlled by a man-made dam or naturally flowing.

Natural Gas — A non-renewable fossil fuel formed by the decomposition of organic matter, occurring as a combustible mixture of hydrocarbon gases, primarily methane. This gas can be used to generate electricity at some power plants.

Nuclear Power — A means of producing electric power that uses radioactive materials to boil water and create steam, rotating a turbine shaft connected to an electric generator.

Renewable Energy Credit (REC) — A financing mechanism that allows a purchaser to buy the environmental attributes of renewable energy produced in another region which can be counted toward the purchaser's energy consumption portfolio.[23]

Solar Power — Energy produced from the sun by solar photovoltaic (PV) technology. Solar panels can be directly installed onto a building or can be grouped together to power multiple buildings located close to the group of solar panels.

Sustainability — Meeting the needs of a community or society without sacrificing the ability for future generations to meet their own needs.

Weatherization — Improving building envelope, heating and cooling systems, and electrical systems of a home or building to reduce energy waste.

Wind Power — Wind turbines have blades like a windmill, turned by the wind. The blades are connected to a drive shaft that turns an electric generator to produce electricity.

The Energy Landscape, Planning with the Community, and the 100% Resolution

Athens-Clarke County's Energy Landscape

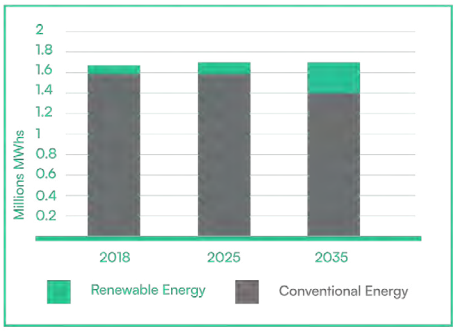
ACCGov's decision to move toward 100% clean and renewable electricity for all municipal properties, government operations, and community-wide buildings by 2035 and to meet all community energy needs with 100% clean and renewable energy by 2050 is an inspiring and ambitious goal. It will require the coordinated efforts of many stakeholders to provide an equitable transition for Athens' residents and business owners. The beginning point for this transition is understanding Athens' current energy landscape.

In 2018, the community's electricity demand was roughly 1.7 million megawatt-hours (MWh), representing about 2% of Georgia Power's total electricity demand. Energy consumption from all Athens buildings and transportation accounted for over 2 million metric tons (MMT) of carbon dioxide (CO2), nearly 90% of Athens' total emissions.[24] If Athens continues down the path of business-as-usual (BAU), with no new policy interventions, electricity consumption is expected to increase above 2018 demand by 2.2% in 2025 and 6.0% in 2035 (Figure 3.1).[25]

While homes and businesses are projected to improve their average energy performance due to better technologies and efficiency standards, electricity demand is expected to increase by nearly 100,000 MWh between now and 2035. This increase is due in part to expected population growth, increased commercial development, and increased adoption of electric vehicles, but also includes the continued high-energy demand from homes and businesses that are owned by people who are unable to afford efficient technology that lowers energy use.

Relying on fossil fuels to generate the expected increase in energy demand is a direct contradiction to the goals laid out in the 100% Clean and Renewable Resolution. Increased electricity demand coupled with anticipated increases in electricity rates will also cause increased financial stress on households for some. This may lead to serious or life-threatening situations such as choosing between paying an energy bill or paying for food or medical care.

FIGURE 3.1
Athens' Electricity Demand by Year



Source: Greenlink Analytics, 2019

To cover capital expenditures such as new power plants and infrastructure, southeastern utilities like Georgia Power and Georgia's EMCs were expected to increase their electricity rates over 4.5% in 2022 from 2021.[26] The effects of climate change on weather will likely increase and extend the need for air conditioning and will correspondingly increase household energy bills.

Energy burden—the percentage of annual income that a household or an individual pays toward their electricity and/or gas bills—is affected by several factors such as excessive utility use due to outdated appliances or insufficient weatherproofing, low income, lack of access to financial resources needed for retrofitting, and home ownership.

What's the difference between a Watt and a Watt-Hour?

A watt is the **rate of energy used per second**, while a watt-hour is the **total amount of electricity used**.

A portion of the bills electricity companies charge individuals by their watt-hour usage, on a cents per kWh basis.

1 Kilowatt (kW) = 1,000 watts

1 Kilowatt-hour (kWh) = 1,000 watt-hours

1 Megawatt (MW) = 1,000 kW

1 Megawatt-hour (MWh) = 1,000 kWhs



that runs for **10 hours**

uses 10 (kWh) kilowatt hours

Although all households experience some level of energy burden, the implications differ depending on the financial circumstances of the household. For example, households making $20,000 in gross annual income and paying $100 a month for energy costs carry a significantly higher energy burden, proportionally, than households earning $50,000 with the same energy bill. Athens' average annual energy burden is 7.12%, 2 times greater than Georgia's 3.8% average and 1.6 times greater than the national average. It is as high as 17% in some downtown neighborhoods where the annual income is $17,000.[27]

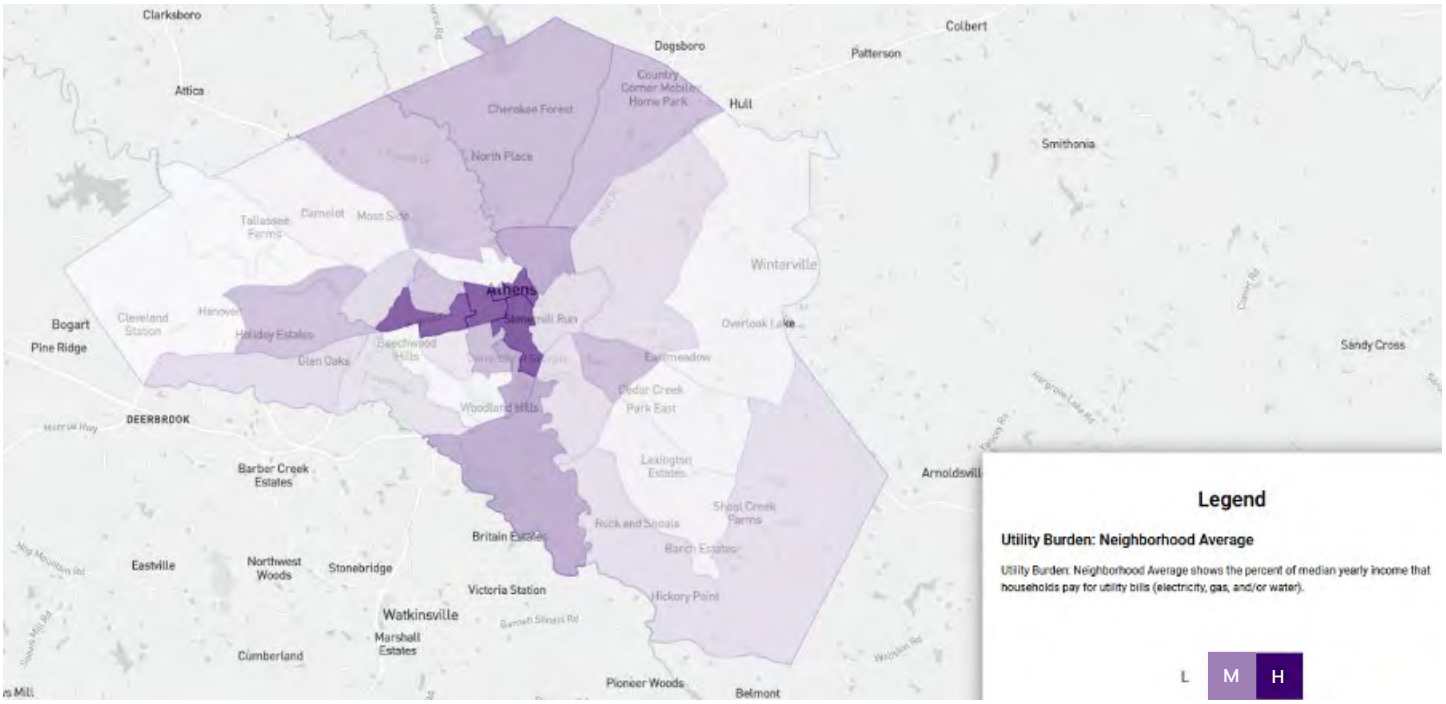
In Athens, the gap between low- and high-income neighborhoods is stark: in neighborhoods with incomes averaging around $42,000 annually, energy burden rates are as low as 2.85% on average. In contrast, the highest energy burden (17.5%) occurs in a neighborhood with an average annual income around $25,000.[28] The anticipated increases in energy costs will increase the energy burden for all community residents, but they will impose a disproportionately high burden on already cash-strapped individuals and families. The map in Figure 3.2 indicates the areas of Athens that carry higher energy burdens.

High energy burden is often not a singular problem but accompanies and drives other disparities. For example, in rural communities surrounding Athens where 40% of households lack access to the internet, the energy burden can be as high as 8%.[29] Further, families with high energy burdens can also be at increased risk for respiratory illnesses including asthma, chronic obstructive pulmonary disease (COPD), and bronchitis due to higher levels of indoor air pollution and living in older housing that has not been retrofitted with proper insulation or upgraded appliances.[30] Figure 3.3 shows that neighborhoods in Athens with high energy burdens also commonly experience higher adult asthma rates.

The Athens neighborhood with the highest energy burden (around 17.5%) also experiences an adult asthma rate of approximately 12%, 1.5 times higher than Georgia's and the United States' median adult asthma rate.[31]

Experiencing a high to severe energy burden is both an economic and public health issue. Research indicates that paying a utility bill is the most common reason people use high-interest short-term loan products that they are often unable to repay.[32] Being forced to choose between keeping the heat on or putting food on the table increases the stress experienced by a household and brings with it the corresponding physical and mental health consequences.

Figure 3.2
Energy Burden in Athens, GA, 2017



Source: Greenlink Equity Map

Figure 3.3
Energy Burden and Asthma Rates in Athens, GA, 2017



Source: Greenlink Equity Map

Athens in a Statewide Context

Athens' regulatory environment must be considered when assessing how to achieve the 100% clean and renewable energy goal. Electricity suppliers in Georgia serve specific regions determined by the Georgia Public Service Commission (PSC) and first defined in the Territorial Act of 1973.[33] Georgia does not have a renewable portfolio standard (RPS), nor does the State generally provide significant clean energy incentives or regulations. The State does require that all utilities allow customers to install and interconnect their own generating capacity, such as solar, up to 0.2% of the utility's peak demand.

The State has also clarified that electricity customers are permitted to directly procure renewable energy from solar developers on their own property, through a solar energy procurement agreement (SEPA).[34,35]

Most other significant, state-level energy policy decisions are delegated to the PSC. The mission of the PSC is to ensure safe, reliable, and low-cost utilities; with regard to electricity, their primary role is regulating Georgia Power's resource plans, costs, and rates. They have rate and territorial oversight responsibilities for other utilities but significantly less control over resources and program offerings.
The PSC has five statewide elected commissioners who represent specific districts across Georgia. Athens is in District 2 and is currently represented by PSC Commissioner Tim Echols.

Utilities Serving Athens

Athens is served by four different electrical utilities, each serving a different portion of the county. The largest share of electricity sold in the Athens community comes from the investor-owned utility, Georgia Power, and is subject to PSC regulation. Every three years, Georgia Power is required to submit an Integrated Resource Plan (IRP) that projects how the utility will meet the energy demands of its customers for the next decade and beyond. This process determines the amount of clean energy the utility will be responsible for delivering (what kind of energy efficiency programs, how much utility-scale solar will be developed, etc.) and when those offerings will be delivered. Following the PSC's approval of the plan, there is typically a rate case that proposes a variety of new rate structures to charge customers so Georgia Power can recover the cost of their approved resource plan. Important decisions such as the compensation paid to customers with rooftop solar pushing energy back to the grid are made in these cases.

Outside of Georgia Power, the Athens community has small areas served by Jackson Electric Membership Cooperative, Rayle Electric Membership Cooperative, and Walton Electric Membership Cooperative. There are 41 Electric Membership Cooperatives (EMCs) in Georgia, most of which have cooperative arrangements to purchase power from Oglethorpe Power—the company which generates the power the EMCs sell to their customers. The Georgia PSC oversees territorial issues, loan applications, and rate filings for EMCs, but other decisions are made by an EMC's elected Board of Directors. The Board representatives are elected for specific districts within the EMC's territory.

What is a Tariff?

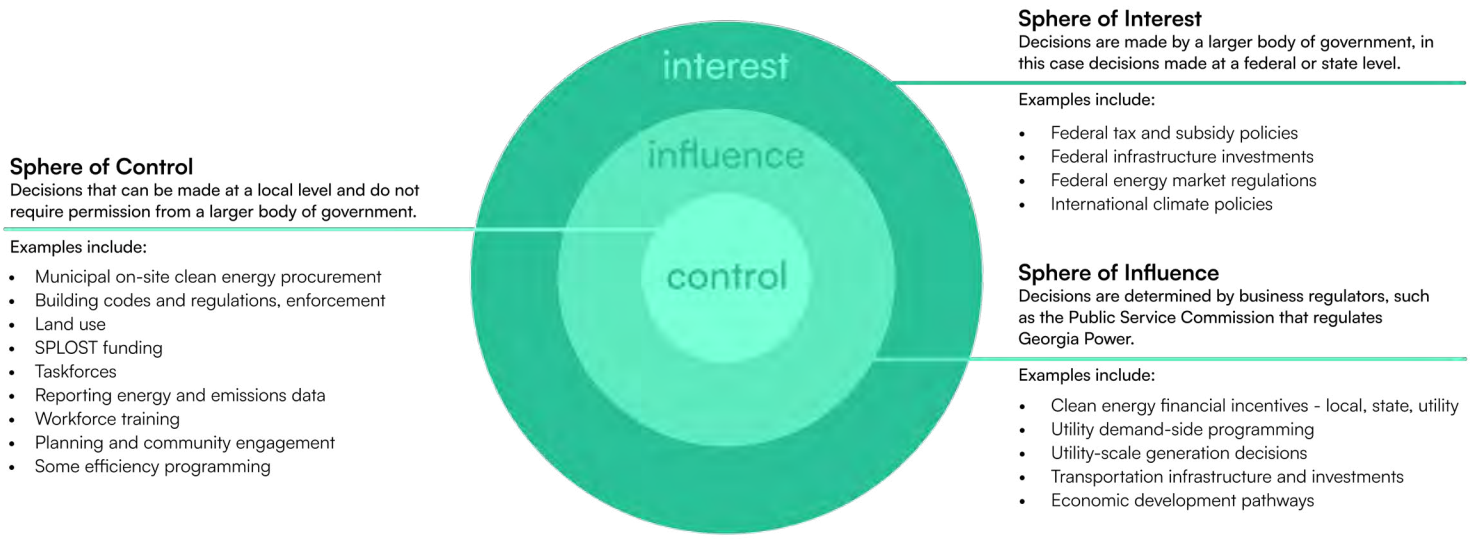
A tariff is decided by the utility and PSC through a rate case. Tariffs specify the costs or rate structure that the utility may charge customers, depending on what customer type or "class" they are. This is usually determined by the building type or activity or other characteristics like on-site generation or high energy demands.



Tariffs also often include riders to provide funds for specific purposes. For Georgia Power customers, some common riders are environmental compliance costs, nuclear construction costs (the cost of new nuclear units at Plant Vogtle, under construction as of the writing of this plan), and demand-side management programs.

Figure 3.4
Athens' Energy Policy Position

Source: Greenlink Analytics. (2022).



Currently, Athens' representatives are Alton Thornton (Jackson EMC), James Mathews (Rayle EMC), and Jim Whitely (Walton EMC) who each serve as one of nine directors with 3-year terms. These Boards make program and planning decisions that directly affect clean energy deployment in their respective EMC territories.

Quickly increasing the amount of clean electricity supplied to Athens from beyond the community's borders will require engaging these utilities and their regulators. However, decisions made by these regulators are as much social and political as they are economic and technical. Figure 3.4 provides a visual representation illustrating Athens' balance of control and influence across different social and political groups. The development and implementation of ACCGov's plan will require collaboration with a variety of energy producers, state agencies, and regulators to improve equitable access to clean energy by providing opportunities and benefits to all residents.

How We Got Here - The 100% Resolution

The development of the Athens CRP is a community-driven achievement that began with ACCGov's decision to commit to a 100% clean energy transition. This decision was the culmination of a grassroots effort initiated by the 100% Athens team, a coalition of local nonprofits, labor organizations, community residents, and environmental groups that sought community input and buy-in. Over the course of several months, the group's steering committee hosted public forums and other community events to raise awareness of the value of moving Athens toward 100% clean and renewable energy. By late 2018, the Mayor and Commission had been convinced of the importance of transitioning to a clean energy future and committed to achieving this goal in their Clean Energy Resolution adopted in 2019 (to see the entire resolution, see Appendix 7: 100% Clean and Renewable Energy Resolution).[36] This Resolution calls for the development of a plan to guide Athens toward a 100% clean energy transition in the years to come, leading to the development of the Athens CRP.

Developing this clean energy plan represents a milestone in addressing climate change, improving energy equity in Athens, and reducing the impact of fossil fuel energy on public health and the environment. In addition, a major component of the plan is to provide sustainable energy solutions and opportunities that are accessible to traditionally marginalized and vulnerable populations—populations which historically spend

a disproportionate percentage of their income on high energy expenditures. This comprehensive plan is an essential first step in achieving these goals and outlines specific policy pathways needed to accomplish them.

This effort builds on other clean energy and sustainability efforts made by ACCGov and the community in recent years. Developed in 2017, the Envision Athens Action Agenda serves as a community development planning tool for the community.[37,38] The participant-driven agenda proposes over 100 projects, policies, and programs to improve the community's natural environment, economy, and the health of its residents. The renewable energy and sustainability section of the CRP calls for creating protected greenspaces, reducing water consumption per capita, decreasing solid waste disposal to landfills, and increasing energy efficiency efforts and the use of renewables.

Influenced by Envision Athens Agenda, the 2018 Athens-Clarke County Comprehensive Plan laid out a framework for future land use in the community, outlined several neighborhood improvement plans, and expanded on the Envision agenda.[39]

Stakeholders involved in the Comprehensive Plan emphasized the need to consider Athens' "Greenbelt" (rural areas marked for conservation), management of the community's trees, and water quality. The Athens-Clarke County Clean & Renewable Energy Action Plan builds on these goals and highlights the need for effective and equitable solutions in order to achieve ACCGov's 100% clean energy goals by 2035 and 2050.

Significant Accomplishments by ACCGov

In addition to planning initiatives, over the last 25 years ACCGov has been systematically completing renewable energy projects for the community, including:

1998
Building the community's first "green" building at Sandy Creek Nature Center using passive energy designs, efficient building systems (ex: 5-ton geothermal heat pump), and recycled, recyclable, or minimum impact building materials. These features continue to be highlighted in the Nature Center's educational programming.

1999
Incorporating green building standards into all ACCGov new construction.

2010
Installing a solar array at the ACCGov Jail and Corrections Department to improve the facility's energy performance.

Installing a ground source heat pump at the Solid Waste Administrative building that has provided significant utility savings and avoided 14 tons of CO2 emissions annually.

2012
Installing a Gas Capture System at the ACCGov Landfill to recycle natural gas into direct energy for Athens' power grid. This system reduces the amount of landfill-produced methane in the community's groundwater.

Retrofitting the Multimodal Center (a transfer depot for both ACCGov and University of Georgia buses) with solar panels that now avoid 11.6 tons of CO2 emissions annually.

2017
Installing a 5-ton geothermal heat pump at the ACCGov Animal Services facility enabling the original building to be expanded while avoiding 14.4 tons of CO2 emissions annually.

2018
Installing solar panels at both the Athens Library Solar Garden and the Transportation & Public Works' Street and Drainage campus, together representing 57.3 kW of solar capacity. The solar garden also includes a solar energy education experience via an interactive control center inside the library.

Installing solar water heater at Sandy Creek Nature Center.

2019
Completing the 17.9 kW Cooperative Extension Solar Array, generating nearly a quarter of the facility's energy use. The ACCGov Extension is a joint venture between ACCGov and UGA and serves the community through agricultural and environmental education.

2019
Installing a 600 kW solar project at the Cedar Creek Water Reclamation Facilities that generates 1.2 million kWh of electricity annually. This sizable solar facility will reduce CO2 emissions by 606,000 tons each year, equivalent to reducing 1.4 million passenger-driven miles off the road annually. This project provided even more benefits to the community since the Cedar Creek Water Reclamation Facilities project was built on an existing plot - there was no tree removal required for the construction of this project.

These accomplishments show that Athens has already been making strides towards a clean and renewable future. But a commitment to spark a transition to 100% clean and renewable energy for all Athenians, including the Black, POC, and senior populations in our community was needed.

SANDY CREEK NATURE CENTER



The 100% Clean and Renewable Energy Resolution: Clean and Renewable by 2035 and 2050

The overwhelming scientific evidence is that climate change is upon us, and the continued use of fossil fuels is contributing to extreme natural disasters. In 2019, Athens' Mayor and Commission signed the Sierra Club's Mayors for 100% Clean Energy Initiative. They also adopted a 100% Clean and Renewable Energy Resolution committing to a phased transition to clean and renewable energy, with benchmarks set for 2035 and 2050.[40,41]

With this resolution, ACCGov has committed to supplying local government properties and government operations with 100% clean and renewable energy* and community-wide buildings with 100% clean and renewable electricity by 2035. This will be followed by decreased purchases of third-party Renewable Energy Certificates (RECs) to cover municipal and community energy demand by 2050. With its Resolution, ACCGov joined Atlanta, Augusta, and Savannah in the effort to combat climate change in Georgia. The full resolution can be found in Appendix [7].

In addition to setting the goals for transitioning to clean and renewable energy, the ACCGov Resolution[42] set out other goals and commitments.

It resolved to:

- Redress historical inequities by prioritizing resources to train and hire people from within marginalized communities to participate in the energy efficiency and renewable energy workforce, and by facilitating energy efficiency upgrades, opportunities for clean transportation, and renewable energy installations in lower-income communities

- Develop a clean energy action plan within 18 months of the adoption of this resolution, by inviting partnerships with utilities, institutional partners, industries, businesses, and individuals, as well as collaborating with surrounding communities in achieving aligned clean energy and equity goals

- Revisit these goals and associated planning efforts as technologies, policies, and economic feasibility of these commitments change

- Urge the Athens-Clarke County Pension Board and the Athens-Clarke County Deferred Compensation Board to re-evaluate their position about the role fossil fuels play in Athens-Clarke County employees' retirement funds and how they impact the health of Athens retirees' investments and continue reviewing fossil fuel divestment strategies

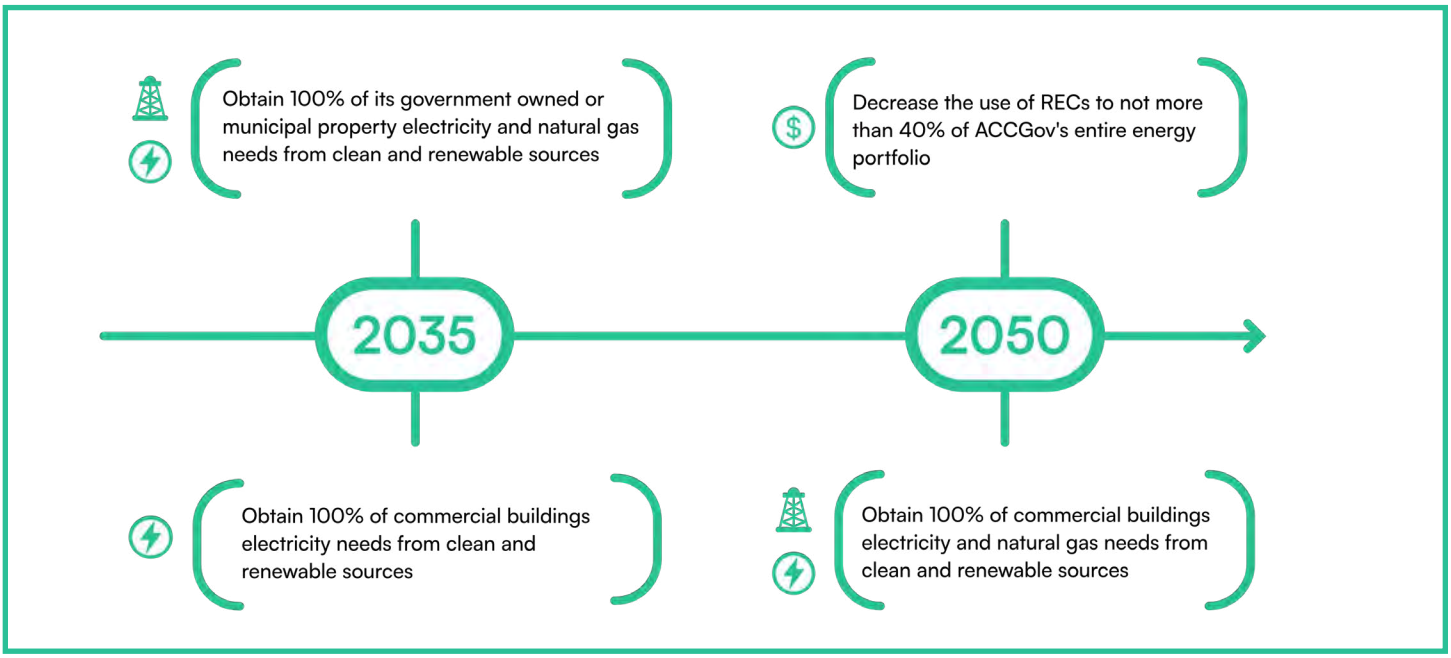
- Encourage increasing investments in renewable and sustainable energy sources

- Authorize and direct the Manager and ACCGOV staff to support this resolution

*** As defined by the Resolution: "Clean and renewable energy pertains to energy sources that are less detrimental to the environment than fossil fuels, and the switch to clean energy sources will reduce air, water and land pollution and the associated impacts on public health and public spending."**

Note: In instances where renewable energy cannot be directly provided, renewable energy credits may be purchased. Renewable Energy Certificates (RECs) confer credit for renewable energy generation to an individual, city, county, region, or state.

Figure 3.5
ACCGov County 100% Clean and Renewable Energy Resolution
Source: Athens 100% Clean and Renewable Energy Resolution



Resolution Authorizes the Development of a Clean Energy Plan

The 100% Clean and Renewable Energy Resolution authorized the development of a clean energy plan. The ACCGov Sustainability Office initiated the planning effort in April 2019, hiring Southface Institute and Greenlink Analytics, consultants with energy and data analysis expertise. The overall vision of the plan is to establish policy pathways to guide ACCGov and the broader community in a transition to clean and renewable energy. With the pathways established, action steps and goals will be developed that will protect natural ecosystem services; strengthen the local economy; mitigate heat, air and other pollutants; combat climate change; and mitigate energy burden — creating a healthier, more livable, and equitable community for all.

This goal is an ambitious undertaking and will be challenging, frustrating, but, ultimately, rewarding. This is a generational undertaking with no blueprint or precedent to draw upon. It will require patience and sustained commitment to build trust and communication between diverse individuals and communities. It will also require collective cooperation and commitment on the part of government agencies, schools, churches, non-profits, community organizations, businesses, industry, and the community, along with state, national, and international partners. Ultimately, success will be defined by the ability of the plan to adopt and implement policies that will improve the lives and wellbeing of every Athens community resident as well as protect the natural world upon which we all depend.

Definition of Clean and Renewable Energy

The Resolution states that “clean” sources of energy do not create greenhouse gas emissions (GHGs) and “renewable” energy sources are those which can be replenished in a human timescale. These clean and renewable sources include increased energy efficiency, solar power, wind power, hydropower, energy storage, and Renewable Energy Credit (RECs), but explicitly do not include nuclear power, biomass, natural gas, or coal.

Equity as Part of the Plan

In addition to committing to a clean and renewable energy transition, one of the foundational components of the plan is to ensure the fair inclusion and representation of traditionally marginalized and vulnerable individuals and populations. The Resolution set the inclusion of lower-income, Black, POC, and senior communities as a priority through the development of policies and programs to decrease their energy burden using sustainable and renewable technologies and encouraging their participation in the clean energy workforce.[43]

Actions developed because of this plan will seek to enable individuals and communities to understand and leverage opportunities to achieve a clean energy future for all Athenians.

SOLAR PANELS ON FIRE STATION 4





chapter four

Community Engagement

Creating a Community Advisory Board (CAB)

After the resolution was adopted, the Mayor appointed a Community Advisory Board (CAB) to represent a diverse cross-section of the Athens-Clarke County community, facilitate involvement with diverse groups and individuals, and help with the creation of a comprehensive approach to a clean energy transition that involves the entire community. CAB members represent groups and individuals involved in local businesses, non-profits, educational institutions, and community organizations, and include:

Athens-Clarke County Community Advisory Board (CAB)

- 100% Athens
- Action Inc.
- Athens Housing Authority
- Athens Technical College
- East Athens Development Corporation
- W&A Engineering
- Athens Area Homebuilders Association
- Athens Land Trust
- ACCGov Sustainability Office
- Athens U.S. Green Building Council
- NEGA Business Alliance

DEFINITIONS & ABBREVIATIONS

Charrette — An interactive meeting during which individuals learn different topics and break out into project teams. Each project team shares its work, receives feedback, and identifies priorities and creative solutions.

CAB members have been extensively involved throughout the planning process with primary responsibilities to:

- Represent the interests of their constituencies
- Review the development of the Athens ACES 100% Clean Energy Future Tool
- Review and inform the public engagement strategy
- Attend public engagement meetings
- Work with the Project Team to prioritize recommendations within the plan
- Review and inform the development of plan drafts and the final plan
- Volunteer to help with educational events to inform the public about the draft plan
- Advise the Mayor and Commission on the development and adoption of the plan

In addition to the CAB, experts from within ACCGov were included and actively engaged in the planning process. Participating local government departments included Central Services, Economic Development, Geographic Information Office, Housing and Community Development, Public Information Office, and the Office of Inclusion serving in an ex officio capacity. In addition, when topics or questions arose that needed additional input, local subject matter experts and community leaders were recruited helping to define key action items for transitioning to clean energy.



MLK DAY OF SERVICE VOLUNTEER PLANTING A TREE

Engaging With the Community

Transitioning to a clean and renewable energy future requires involvement and input from the entire community. Toward this end, a strategy was developed involving multiple instruments and methods designed to reach diverse audiences. This process included a special focus on engaging community organizations and members who have not traditionally been included or involved in community planning.

During the community engagement planning process, it became apparent that the key component of education was missing. To maximize public engagement, there must be a shared sense of understanding and relevance, a sense that the transition is important and attainable, and that each person can contribute to the change. To achieve this there also must be a basic understanding of the energy ecosystem and the vocabulary used to describe this system.

To meet this need, a series of five educational modules have been developed. These were used as training material for the CAB and made available to all participants and the general public throughout the public engagement process. This series can be found on the ACCGov Sustainability Website.

Topics include:

- Clean Energy 101
- Efficiency in the Built Environment
- Energy Systems and Green Policy
- Energy Burden and Housing Inequality
- The Role of Green Practices (Greenscaping)

The engagement process began in Fall 2019 and concluded in Fall 2021. Though initially designed to be in-person meetings, programs, and activities, the onset of COVID-19 restrictions required these activities to shift to a completely untested and novel approach—entirely virtual.

More information is available at https://www.accgov.com/9823/Educational-Series

With input from the Community Advisory Board (CAB), the Sustainability Office:

- In partnership with the ACCGov Economic Development Department, created an index of 90 community organizations and more than 37 business and industry leaders who were invited to participate in listening sessions, town halls, and intense, multi-disciplinary workshops (charrettes) to make sure diverse voices were included

- Conducted 4 listening sessions with area electric utility providers

- Conducted more than 59 listening sessions with CAB members, organizations, businesses, agencies, elected officials, and individuals where information was gathered and themes summarized

In addition to the group and individual meetings indicated above, two additional virtual formats were utilized to reach as many members of the community as possible. These included:

- The Clean and Renewable Energy Charrettes (3 charrettes seeking input from the 90 community organizations)

- A supplemental charrette focused on equity that took place in March, 2022

- The Clean and Renewable Energy Town Hall Meetings (5 town halls seeking community/public input)

These meetings were held at different times of day and different days of the week, including Saturdays, in an effort to accommodate as many participants as possible.

Two different surveys were developed to reach as many people in the community as possible. These included:

- A Community-Focused Survey that was distributed and collected at all charrettes and town hall meetings. It was also disseminated to the community via the media campaign described below. The survey results can be found on the ACCGov ArcGis page.

- A Business-Focused Survey distributed via all contacted businesses, the Athens Area Chamber of Commerce, Northeast Georgia Black Chamber of Commerce, Athens Manufacturers Roundtable, East Athens Business Leaders Association, Minority Business and Nonprofit Association, Athens Downtown Development Authority, CAB member list serves, and other business contacts. The survey results can be found on the ACCGov ArcGis page

Notes were taken and summaries were created at the end of each of the engagement sessions and consolidated into themes that appear in *Appendix 1 — Detailed Community Outreach and Engagement Initiative*. Information, recordings, education modules, minutes, and other documents generated during the Clean and Renewable campaign are available via the ACCGov Sustainability Office Website. All events and public meetings were live-streamed and/or recorded for viewing on YouTube, and links are included on the ACCGov website.

Throughout the public engagement process, a media campaign was also underway that included information, flyers, materials, and public service announcements that were disseminated via multiple websites, social media, radio and print media, organization/partner listservs, CAB membership lists, ACCGov Commissioner newsletters, word-of-mouth, and flyers put up by volunteers. Notices and information were also distributed to those who indicated an interest via email, phone calls, personal contacts, and available sign-up sheets. Invitations and requests to share event dates were sent to every organization in the database developed during the 18-month process.

Identified Priorities

Collaborating with diverse, local stakeholders like neighborhood representatives, non-governmental organizations, government agencies, utilities, and businesses allowed for a fuller understanding of the logistics required for a large-scale clean energy transition. During the process, shared themes emerged, including the following priorities:

- Ensuring that all residents can access the benefits of clean energy in their homes and community
- Protecting both the built and natural communities in Athens from the effects of climate change
- Creating a wide variety of local job opportunities within the energy and building sectors
- Providing resources to support residents and local businesses in achieving this transition

Reflecting the goals of the Resolution, input through the community engagement process shaped the values, goals, and initiatives developed as part of the Clean & Renewable Energy Action Plan. Outcomes from this process highlight the community's strong support of Mayor and Commission goals and the need to transition to clean, renewable energy in an equitable and effective way that protects the environment and improves the health and well-being of all members of the community.

Challenges and Reflections on the Stakeholder Engagement Process During a Worldwide Pandemic

The Clean and Renewable Energy Action Plan is one of the most ambitious initiatives undertaken by the Mayor and Commission. Developing a framework for an action plan, set to continue for decades and include diverse communities, non-profits, businesses, multiple government departments, and community partners is challenging. Also ensuring it is comprehensive, inclusive, and relevant to the entire community is critical and makes the task even more challenging. Undertaking this task while in the middle of the COVID-19 pandemic required creation of new strategies and novel approaches to communication and use of technology. The pandemic dramatically altered how people were able to interact and also significantly affected budget and staff capacity. These unprecedented limitations and constraints created unique challenges and constant adjustments to the community engagement plan.

Initiating and maintaining broad-based community engagement in a virtual format inevitably affected community participation. People had to adjust to the loss of in-person communication while learning to communicate in completely new ways. This was especially challenging for those without adequate hardware, software, and connectivity resources and those less technologically savvy. This constraint could have disproportionately affected the participation of disadvantaged neighborhoods or households whose ability to access online information or participate in virtual meetings may have been constrained by a variety of factors, including economic and geographic. Further, the entire community was also struggling with the emotional and psychological effects of the pandemic itself, and many were, we can be certain, dealing with family, health, or financial concerns that took precedence over everything else. The onset of the pandemic requiring conversion to exclusive on-line engagement no doubt affected the level of community engagement. Due to these constraints, a fourth charrette with a focus of understanding the equity issues in Athens was held in the Spring of 2022.

For complete details on the public engagement process, challenges, outcomes, and the findings associated with each engagement strategy, please refer to *Appendix 1 — Detailed Community Outreach and Engagement Initiative* in this document.

Moving Forward

The Clean and Renewable Energy Action Plan is intended to be a living, breathing document with the flexibility to adapt to changing local conditions and to ensure that all Athenians are included in the transition to a clean and renewable energy future. Success will require continued and sustained engagement and feedback from all community members. It is especially important to ensure that traditionally marginalized people and communities are included in the process since these vulnerable populations will be significantly affected by the environmental consequences of climate change. The community engagement process was founded on reaching out, listening, and building trust by ensuring diverse voices were incorporated. This process must be continued and built upon as the plan moves forward. Strong working relationships between ACCGov staff, community leaders, and grassroots organizations will be key elements in keeping the entire community actively engaged.

MLK DAY OF SERVICE KICKOFF





chapter five

DEFINITIONS & ABBREVIATIONS

ACCGov — Unified Government of Athens-Clarke County

ACES — Advanced Clean Energy Scenario model that forecasts clean energy decisions in the form of new jobs, public health benefits, energy bill reduction, and reduction in greenhouse gas emissions.

ATHENIA — A machine learning tool that provides hourly electricity demand and supply forecasts for the Athens energy grid.

BAU — Business-As-Usual

CAB — Community Advisory Board

CO_2 — Carbon Dioxide

CRP — Clean and Renewable Energy Action Plan

EES — Economically Efficient Scenario

EV — Electric Vehicle

IPCC — Intergovernmental Panel on Climate Change

IRP — Integrated Resource Plan

LED — Light-Emitting Diode

MAX — Maximum Clean Energy Potential Scenarios

MMT — Metric Tons

MW — Megawatt

NH_3 — Ammonia

NOx — Nitrogen Oxides

$PM_{2.5}$ — Fine Particles

PM_{10} — Particulate Matter

PSC — Georgia Public Service Commission

REC — Renewable Energy Credit

SO_2 — Sulfur Dioxide

VOCs — Volatile Organic Compounds

Evaluating Energy Options & Scenarios

How Energy is Currently Used in Athens

A transition to clean energy can be achieved by producing energy through clean or renewable sources or by reducing the amount of energy needed through increased efficiency. A successful transition to clean and renewable energy requires both. In Athens, energy is consumed through three major sectors of the community: transportation, industry, and buildings and building systems. Each of these consumes roughly one-third, with the buildings and building systems consuming a slightly higher percentage. See Figure 5.1.

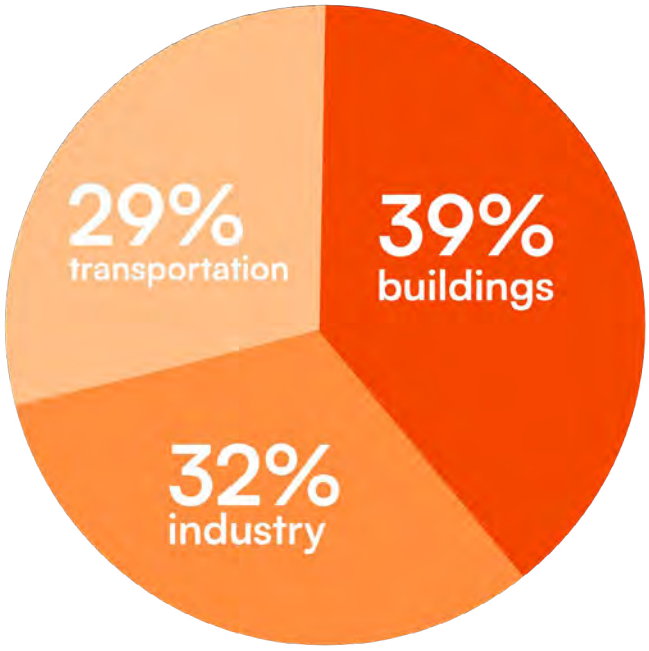
As the greatest consumers of energy, buildings are the highest carbon emitters. Low-performing buildings often provide the greatest opportunity for improvements and represent significant potential opportunities for reducing energy consumption. Energy efficiency in transportation, industry, and buildings must play a role in making a clean energy transition. Increased efficiency lowers environmental impacts, decreases energy and water consumption, lowers utility bills, generates higher-paying jobs, and creates a healthier community.

Efficiency technologies diminish the costs associated with fossil-fueled electricity generation and transmission infrastructure by reducing the community's overall energy consumption.[44] If energy efficiency is not a priority, it will be more difficult for the community to reach clean and renewable energy goals, and overall energy costs will increase. Both outcomes will affect the entire community, but they will have a disproportionate impact on lower-income individuals and communities.

Energy Production and Efficiency - Business-As-Usual (BAU)

The CRP creates a framework for community-wide changes resulting from thoughtful consideration, planning, extensive community involvement, and purpose-driven policies. Without such a framework and a corresponding sustained commitment, the community is most likely to follow a Business-As-Usual (BAU) scenario.

Figure 5.1
Energy Consumed by Sector
Source: Greenlink Analytics. (2022).



Not only will following the BAU fail to address the negative effects of climate change on our community, it will continue to ignore opportunities to improve public health. The projections in Figures 5.2 and 5.3 show this scenario relying heavily on an energy mix composed primarily of fossil fuels—sources of energy that generally have the greatest impact on lower-income and marginalized communities that live near fossil fuel plants.[45] In addition, continuing with the BAU scenario will widen the energy burden and opportunity gaps between populations with higher income levels and traditionally marginalized populations of our community.

An example of this disparity exists in the installation of solar technology. Solar power generation is expected to increase even if the community continues under the BAU scenario. The installation of solar panels can reduce a household's energy cost. Greater availability will allow more people to purchase these systems, thereby reducing the cost to purchase and install solar panels. Additionally, advancing technology will increase the amount of energy produced. Thus, the people who have access to the financial resources required to take advantage of this option—primarily higher-income households—will be increasing solar power generation and reducing their own energy costs. But for many middle- and almost all lower-income homes, this type of clean energy transition will be difficult or impossible to

Figure 5.2
Energy Mix in Athens' Electric Power Sector in 2035 in a Business-as-Usual Scenario
Source: Greenlink Analytics. (2019).

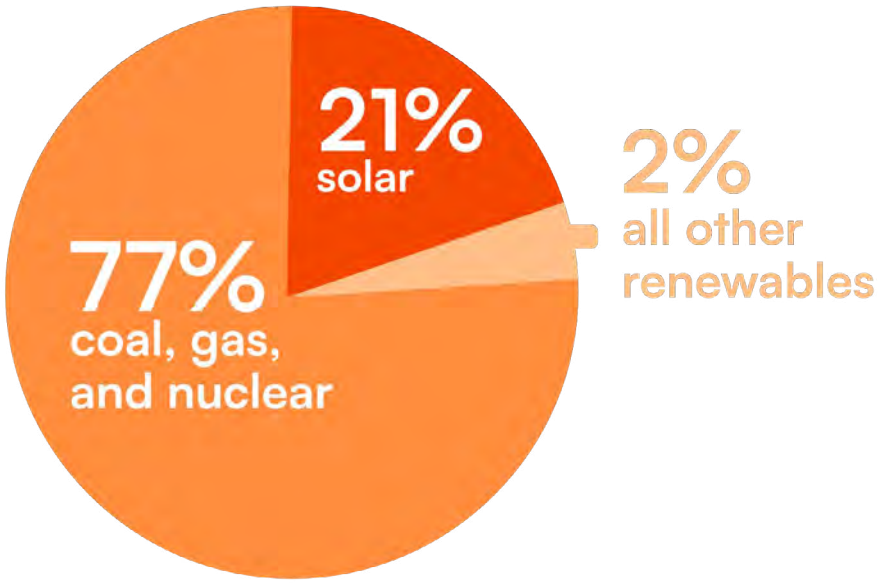
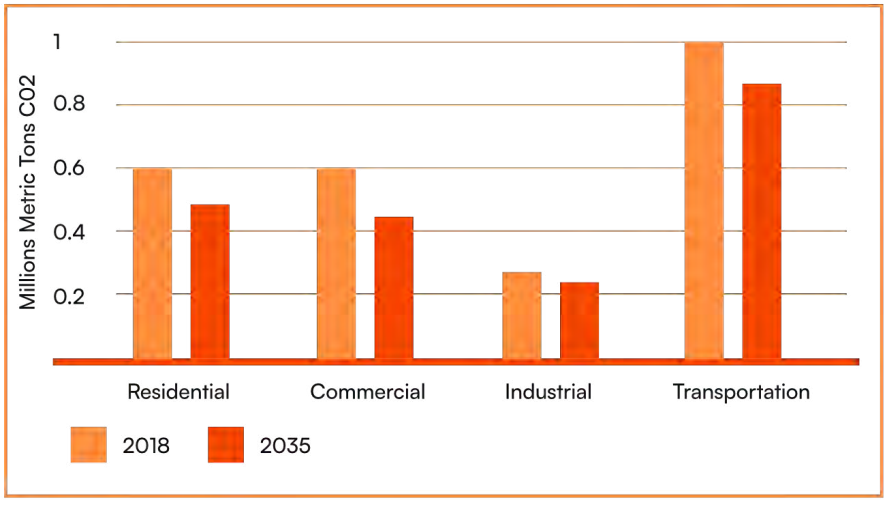


Figure 5.3
Business-as-Usual Emissions through 2035
Source: Greenlink Analytics. (2019).



access or afford. Little to no new energy efficiency investments are provided by Georgia Power within the BAU scenario (as Georgia Power generally only seeks approval for three years of programming at a time and continued programming is not guaranteed), thereby, providing few energy savings options for lower-income households.

Following the BAU scenario will also do little to reduce greenhouse gas emissions. According to the Intergovernmental Panel on Climate Change (IPCC), the 2010 levels of global emissions need to be reduced by 45% by 2030 and must reach net-zero by 2050 to mitigate the most consequential impacts of climate change.[46] Through the BAU pathway, residential and commercial emissions will only decrease by roughly 20% by 2035 (Figure 5.3).

As discussed in Chapter 3, a significant majority of the energy consumed in the Athens community is provided by Georgia Power. This projection incorporates the growth in renewable energy that was approved in Georgia Power's 2019 Integrated Resource Plan (IRP). Georgia Power's IRP is negotiated every three years and outlines how the utility foresees the need of specific resources to meet future energy demand. Decisions are driven by evaluations and debates of cost-effectiveness, how many generating units (e.g., coal-burning plants) need to be retired, and the deployment of demand-side management, such as energy efficiency programs. This planning document goes through a complex legal process—expert witnesses and community members go before the Public Service Commission (PSC) to inform the Commission of their needs before Georgia Power's proposed plan is approved, modified, or rejected. Historically, clean energy has been chronically and consistently underinvested through this process due to a bias in favor of fossil fuel resources in Georgia Power's planning approach. As Figure 5.4 shows, under the BAU scenario, the Athens community can expect a 6% increase in electricity demand by 2035. Improving efficiency in transportation, industry, and buildings can have a significant impact on the clean energy transition by reducing the overall need for energy. Unlike other fuel mixes that are approved for 20 years, energy efficiency programming is not approved for more than three years within the IRP, so it does not play a role in Georgia Power's plan to meet the energy needs of the Athens community in 2035.

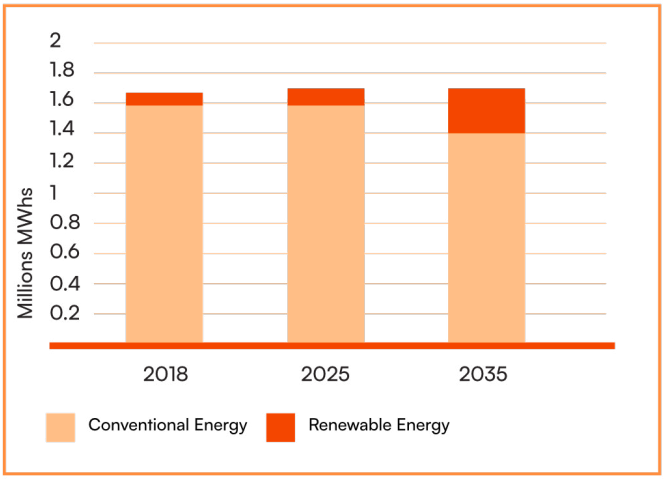
Naturally occurring investments in energy efficiency from assumed customer behavior (e.g., purchasing energy efficient appliances and vehicles) are assumed within the BAU scenario, but as can be seen in Figure 5.4, these impacts are extremely minimal. Energy efficiency is an extremely important requirement of an equitable energy transition. Relying on the BAU scenario, and therefore not investing in energy efficiency, is not only a missed opportunity for higher levels of clean energy production, but it also makes it more difficult for lower-income households to take advantage of energy bill savings.

Demand-Side Management

Demand Side Management programs are designed to save energy and avoid the need to produce energy through engaging energy users. These programs traditionally focus on increasing energy efficiency, engaging users in demand response (decreasing a customer's consumption during stressful times on the grid), or distributed energy resource management.

Such programs are often impactful during "peak hours". Peak hours are times during which demand for energy reaches high levels, commonly driven by households and businesses consuming energy at the same time (e.g., during mid-afternoon in the summer when air conditioners are working hard to cool homes and businesses.)

Figure 5.4
How Electricity Demand in Athens is Met Over Time in the BAU Scenario
Source: Greenlink Analytics. (2019).



Rates of homeownership versus renting also play a significant role in how energy efficiency programming and planning affect the BAU in Athens. In 2019, 48% of households in Athens were renting, compared to the 36% in Georgia and Nationally.[47] In Athens, college students and those without the financial resources to purchase a home are the most likely to be renters. This includes many seniors, Black, POC, and other traditionally marginalized communities. Because they do not own their home or may not reside there long enough to reap the benefits, renters will rarely invest in energy efficiency.[48,49] During the community engagement process, the dual concerns also emerged that:

1. There is little incentive for landlords to invest in energy efficiency because they do not pay the energy bill
2. Landlords may increase the rent if they do invest in energy efficiency improvements

The problem of these missed savings and the landlord-tenant split incentive have been compounded by Georgia Power's and surrounding utility's focus on single-family, owner-occupied homes in their current energy efficiency programming.

The public health benefits that result from reducing emissions are also lost when a BAU approach is taken. Burning fossil fuels to produce energy leads to harmful emissions that increase the likelihood that people of all ages will develop respiratory ailments that can lead to a decreased quality of life.[50] As previously discussed, this cause-and-effect scenario is particularly prevalent in lower-income neighborhoods, which tend to have higher rates of asthma and other respiratory illnesses. If nothing is done to curtail fossil fuel energy generation and the accompanying emissions, these adverse health outcomes are not expected to improve significantly. Although not specifically included in the BAU projections, the additional effects of higher CO2 emissions and the damage from climate change further emphasize the need to pursue an equitable transition to clean and renewable energy. It is important for the entire community, but particularly so for Black, POC, and other traditionally marginalized communities.

ACCGov and the community need to pursue a variety of approaches to reduce consumption through energy efficiency and increase production from renewable energy sources. Exploring different clean and renewable energy scenarios can expose the tradeoffs associated with each policy approach and can help prioritize investments in communities and individuals who need the most assistance. Mitigating the effects of climate change and improving the lives of those most in need is not accomplished by taking a BAU approach. An equitable transition to a clean and renewable energy future should ensure that no segment of our community is left behind.

Evaluating Options Using Data — the ACES Tool

The Advanced Clean Energy Scenario (ACES) tool uses Greenlink Analytics' machine learning model, ATHENIA, which provides hourly electricity demand and supply forecasts for the Athens energy grid. To forecast the electricity supply from the power plants that supply the Athens community, complex operational characteristics were included to train the model. Fuel prices, generation cost, historical plant operations, and projections in electricity supply and demand were variables used to help accurately represent the local power supply. Once ATHENIA was trained and validated, it was used to create a

"digital twin" of the power system that could be adjusted to predict the resource mix most likely to meet ACC's energy needs under different conditions.

Through this sophisticated modeling, ACES explored the local economic and social impacts of various clean energy scenarios. These scenarios have been used to identify varying avenues to achieve 100% clean and renewable energy depending on which community values and priorities were evaluated. The clean energy scenarios helped frame ACCGov's clean energy goals and involved careful evaluation of the effects of utilizing different technologies on monetary savings and costs, societal and environmental impacts, and economic development. For example, choosing to invest in rooftop solar in higher-income neighborhoods may decrease the carbon emissions released from burning fossil fuels—the desired outcome of this Plan—but may be more costly than investments in home energy efficiency in lower-income neighborhoods and may create a larger gap and greater inequity between the two. Finding the right balance of resources that will accommodate the diverse needs of the Athens community is crucial in making the transition to a clean and equitable energy future.

Using the ACES Tool

ACES is used to explore different combinations of energy resource choices and how these different combinations lead to various costs, benefits, job creation, energy burden, and public health benefit outcomes. Users of the ACES tool provide their chosen levels of clean energy potentials, or "inputs." Some questions that aided in the construction of the ACES scenarios for Athens included:

- How much does the community prioritize equity, economic development, public health, and cost-effectiveness?
- Given these priorities, what level of effort should go into pursuing the energy efficiency potential of residential and commercial buildings?
- What levels of rooftop solar, land-based wind, and other renewables are cost-effective and technically feasible to deploy?
- Does ACCGov want to purchase renewable energy credits (RECs) to offset ACCGov's energy load?
- How much local government electric vehicle (EV) adoption or investment in public transit options should ACCGov choose to reduce transportation emissions?

The answers to these questions helped determine the potential for each clean energy resource that ACCGov can pursue. ACES imposes limitations and boundaries for each resource to ensure that each scenario is technically achievable and cost-effective. Each resource was assessed in light of technology improvements, industry-backed forecasts, Athens-specific observed adoption behaviors, and price effects—the effect of market prices on consumer demand.

The resources considered included:

- Residential Energy Efficiency
- Commercial Energy Efficiency
- Industrial Energy Efficiency
- Residential Rooftop Solar
- Commercial Rooftop Solar
- Community Solar and Utility-Scale Solar
- Utility-Scale Wind
- Residential Battery Storage
- Commercial Battery Storage
- Light-Duty Electric Vehicle Adoption
- Transit Bus Electrification
- Renewable Energy Credits

The types of outputs that were produced for each clean energy scenario are set out in Table 5.5 on the next page.

The Role of Community Engagement in Developing Clean Energy Scenarios

Over the course of several months, the CAB and community stakeholders discussed the available and cost-effective clean and renewable energy choices and evaluated various strategies and policy options for making this transition. This chapter outlines two preferred clean energy scenarios that ACCGov can use to reach its goal of 100% clean and renewable energy by 2035. The involvement of the CAB and community feedback from numerous stakeholder groups were critical in developing these two scenarios. This rigorous community engagement process included extensive discussions about climate change and its impact on traditionally marginalized and vulnerable communities to generate priorities with a focus on equity. These scenarios define clean and renewable energy options, including costs and benefits from different amounts of energy efficiency, solar, energy storage, renewable energy credits (RECs), and imported wind-generated energy.

Table 5.5
Outputs from the Advanced Clean Energy Scenario (ACES) Modeling Tool
Source: Greenlink Analytics. (2022).

TERM	DEFINITION
Total Investment	The total cost of pursuing a particular scenario.
Total Benefits	The financial and economic benefits resulting from a particular scenario. These include energy savings and emissions reductions.
Net Benefits	The Total Benefits minus the Total Investments.
Benefit Cost Ratio	The present value of all monetized benefits divided by the present value of the costs. A ratio greater than "1" is considered "cost-effective".
Bill Impacts	ACES determines the utility costs for each clean energy resource (i.e., building efficiency, solar, wind, etc.) and provides rate and bill impacts These impacts are divided into participants and non-participants, where the former are direct beneficiaries of clean energy investments in the selected scenario while the latter are not. This metric is one way to assess the impact of program access in a scenario
Economic Development Impacts	The Athens community-specific economic development impacts, including (but not limited to) net job creation and changes in household income.
Energy Burden	The difference in energy burden from 2018 to 2035 (the anticipated percentage of community residents' income spent on energy bills in 2035).
Public Health	The anticipated health and welfare savings related to reduced emissions of NOx, SO_2, PM_{10}, $PM_{2.5}$, NH_3, VOCs, and CO_2

Possible Scenarios for Athens

The clean energy priorities of residents, non-profits, government agencies, community organizations, business owners, industry leaders, and others were generated from the input provided during the extensive public engagement initiative outlined in Chapter 4. The two preferred clean energy scenarios set out below describe two different approaches for the Athens community to achieve its clean and renewable energy goals. The Economically Effective Scenario (EES) and the Maximum Clean Energy Potential Scenarios (MAX) are based on local, state, and federal policies as of 2020. These scenarios and the Policy Pathways that arose from these scenarios will need to be periodically revised as policies, programs, and regulations change.

- The EES provides the highest cost-to-benefit ratio, reflecting community concerns about keeping costs low for residents and business owners.

- In contrast, the MAX scenario offers the highest level of benefits through savings, health benefits, and a healthier environment.

Table 5.6 outlines the costs and benefits of the EES and MAX scenarios compared to the BAU scenario. These choices are not definitive; rather, they are intended to serve as a range for policy and funding opportunities. For example, ACCGov may choose to embrace a smaller amount of rooftop solar potential today but increase that value in the future if political or financial circumstances change.

The EES contains a mix of solar, energy efficiency, battery, and transportation efforts that return the highest benefit-to cost-ratio for the Athens community. In this scenario, residential households received the highest investments toward energy efficiency, (equivalent to 11,000 homes cutting their electricity use by half), and rooftop solar (equivalent to 7,500 homes adding rooftop solar). This scenario also provides enough rooftop solar for 600 commercial buildings, with 20% of those coupled with battery storage. Benefits include residential electric, natural gas, and gasoline bill savings; reduced climate-related damages such as flooding and increased temperatures; and the estimated public health savings. If implemented, the EES scenario is projected to generate $212 million in household bill savings and $144 million in public health savings for the Athens community by 2035. Anticipated job creation through energy efficiency and solar investments is projected to be around 1,800 — equal to roughly 20% of the staff of the University of Georgia's workforce.

Alternatively, under the MAX scenario, ACCGov would aggressively pursue all available cost-effective clean energy opportunities. Under MAX, 16,000 homes (roughly 30% of the community's 2018 housing stock[51]) would install solar onto their rooftops by 2035. Residential energy burden would be expected to decrease by 1.3 percentage points, from a community average of 7.5 to 6.2% by 2035. This scenario would produce maximum benefits in terms of job creation, green infrastructure development, and improved energy equity. The MAX scenario also reduces greenhouse gas emissions more than any other scenario.



ROOFTOP SOLAR

Table 5.6
Outputs for BAU, EES, and MAX Scenarios

Source: Greenlink Analytics. (2022). ACES [Computer model].

	BAU Scenario	EES Scenario	MAX Scenario
Cumulative Benefits	0	$2.2 billion	$3.8 billion
Cumulative Costs	0	$0.2 billion	$0.5 billion
Net Benefits	0	$2.0 billion	$3.3 billion
Benefit / Cost Ratio	N/A	9.2	7.0
ACC's Electricity Offset by Building Energy Efficiency	0%	19%	40%
Utility Scale Solar Capacity (MW)	248	206	143
Residential Solar Capacity Installed (MW)	0	2.1	2.6
Commercial Solar Capacity Installed (MW)	0	6	32
Electric Vehicles as a percent of Light-duty Vehicles	2%	44%	44%
Energy Burden	7.5%	6.6%	6.2%
Jobs Created	0	7,170	11,400
C02 Reduced (MMT)	0	3.9 MMT	6.7 MMT
Income Increased	0	$1.0 million	$1.6 billion
Public Health Savings	0	$144 million	$305 million
Household Bill Savings	0	$212 million	$329 million
Monthly Bill Savings (Participants)	0	$745	$1,049
Monthly Bill Savings (Non-Participants)	0	$64	$102
RECs Needed to Reach 100% by 2035	1.4 million	1.0 million	0.65 million

Table 5.7
Energy Mix in the Athens Community Under EES Scenario
Source: Greenlink Analytics (2022) ACES [Computer Model]

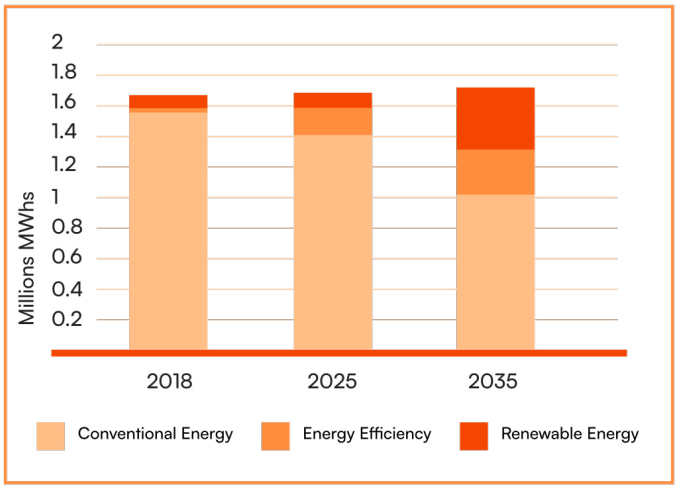
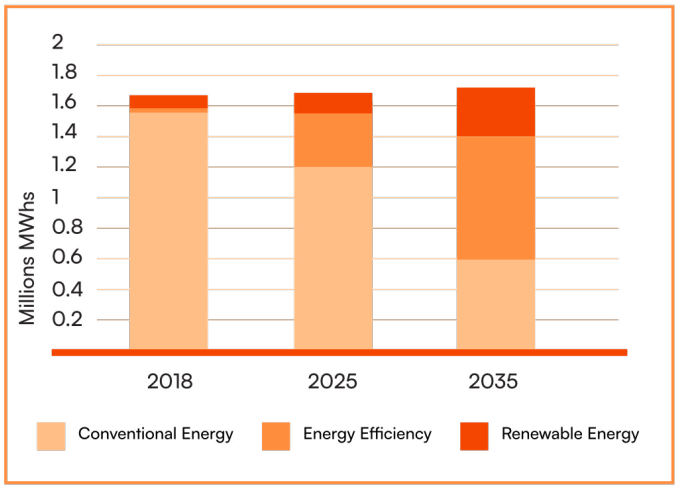


Table 5.8
Energy Mix in the Athens Community Under MAX Scenario
Source: Greenlink Analytics (2022) ACES [Computer Model]



The use of different types of energy in the EES is illustrated in Figure 5.7. Renewable energy and energy efficiency meet about 50% of the 2035 community energy demand. Figure 5.8 shows the energy mix projections for the Athens community under the MAX scenario. In the MAX, renewable energy and energy efficiency cover more of the energy demand in 2035 than in the EES scenario, but fossil fuel utilization will still be required in both scenarios without a change in state-regulated utility plans.

Even if the community invests as much as possible toward a clean and renewable energy portfolio, it will still need to purchase roughly 650,000 Renewable Energy Credits (RECs) to reach the goal of 100% clean and renewable energy by 2035. RECs are a good alternative for areas that cannot supply renewable energy on their own, but they may not mitigate the effects of greenhouse gases resulting from energy production to meet local demand, and they do not generate the other local benefits. Policies and actions focused on reducing energy consumption across the community's entire energy portfolio are essential if Athens is to come close to reaching its clean energy goals.

ACCGov has already begun the process of reducing electricity consumption through such initiatives as the LED Retrofit Lighting program for over 1,300 fixtures. However, continued work is needed to fulfill clean energy goals and realize the associated benefits.[52] The two scenarios outline a multitude of potential economic, equity, and health opportunities, goals that the Mayor and Commission hope to achieve:

- more jobs in clean and renewable energy
- reduced greenhouse gas emissions
- improved public health
- healthier ecosystems
- an economy and process that create equitable opportunities

The next step will be adopting policies, creating programs, and educating the community that will move Athens towards this future.



chapter six

Policy Pathways and Community-Wide Goals

DEFINITIONS & ABBREVIATIONS

ACC — Athens-Clarke County

ACCGov — Unified Government of Athens-Clarke County

CAB — Community Advisory Board

CHP — Combined Heat and Power

EE — Energy Efficiency

EV — Electric Vehicle

GHG — Greenhouse Gas

IRP — Integrated Resource Plan

LED — Light-Emitting Diode

RE — Renewable Energy

REC — Renewable Energy Credit

RFP — Request for Proposal

RFQ — Request for Quote

SEPA — Solar Energy Procurement Agreement

SPLOST — Special-Purpose Local-Option Sales Tax

Policy Pathways

The two scenarios that model approaches for achieving 100% clean and renewable energy by 2035 are set out in Chapter 5. These demonstrate how ACCGov can transition to a future that provides clean and renewable energy to all community members by utilizing varying levels of solar, energy efficiency, energy storage, RECs, and transportation investments that will be needed for this transition. These scenarios consider traditionally marginalized and lower-income communities to ensure that all are included in the transition efforts.

Over the course of several months, ACCGov and CAB members conducted a comprehensive review of the different policies and actions that could be utilized to achieve the clean energy goals. This review led to the development of Policy Pathways—policy and program approaches to move towards a clean and renewable energy future. Information and feedback gathered from consultants, research, and the community engagement process were used to develop and define these Policy Pathways.

Each policy reviewed in the Policy Pathways system was categorized under four different areas of focus. These areas included:

Buildings and Energy

Policies aimed at reducing energy consumption in residential, commercial, and municipal buildings through the use of energy efficiency, stricter building codes, and improved construction practices

Community

Policies and programs geared toward improving the lives of Athenians through things like energy efficiency and solar-funded projects

Environment

Environmental policies and programs such as increased tree canopy coverage to reduce the effects of the urban heat island effect—an effect that occurs when cities replace natural land cover with dense concentrations of pavement, buildings, and other surfaces that absorb and retain heat. This effect increases energy costs (e.g., for air conditioning), air pollution levels, and heat-related illness and mortality[53]

Transportation

Policies with the intention of improving public transportation and electric vehicle adoption and charging

Each policy item was accompanied with a description of the policy and how it relates to Athens clean energy goals. The type of action (i.e. Financing, Informational, Programmatic) as well as the pros and cons of each policy were discussed among members of the CAB with ACCGov.

A table of each policy item discussed during this process can be found in Appendix 3: *Policy Toolkit Action Areas.*

Policy Pathways and Equity

As part of a final review, ACCGov and the CAB participated in a workshop specifically intended to determine which policies to pursue using a tiered system focusing on equity. As part of the process, an equity scoring system was developed and applied to each pathway. The result was a scoring system that indicates how each policy would either promote equity, be neutral, or not promote equity (Table 6.1).

The equity score appears next to each policy pathway in Table 6.2, allowing consideration of how effective each will be in helping to achieve the Mayor and Commission's goal of prioritizing equity in the clean and renewable plan.

Evaluating Policy Pathways — the Way Forward

As part of the review of the Policy Pathways, the consultant team used Greenlink's Clean Energy Policy Toolkit to help ACCGov and the CAB evaluate the potential for success. The consultant team generated a ranking system based on priorities indicated by ACCGov, the CAB, and community engagement input.

This evaluation process grouped the Policy Pathways into three tiers based on:

- priorities
- the potential for success
- community impact
- cost
- impact on equity

These three tiers are:

Tier 1 — Most Urgent for Success (highest): These pathways are relatively easy to implement and/or generate the highest climate and equity benefits. These can be implemented and tracked for success in the near future.

Tier 2 — As Opportunities Present Themselves: While sharing characteristics with Tier 1, these pathways are more difficult to implement in the short term. This may be due to a lack of available funding, inherent and complex legal and/or logistical challenges, or not having broad community support at this time.

Tier 3 — Obstacles Ahead: These pathways are the most difficult to implement because of financial or legal/regulatory barriers. Items ranked as Tier 3 will be revisited in the future, as policies or laws change.

Tier 1 Policy Pathways are set out below. Tier 2 and Tier 3 Policy Pathways appear in Appendix 3: Policy Pathway Tiers

Policy Pathways — Tier 1

Table 6.2 sets out Tier 1 policies and programs. As previously discussed, consistent with the Mayor and Commission's focus on equity, an equity score of ±2 was assigned to each policy pathway. A score of "2" indicates that the selected policy or action could greatly improve equity in the process and outcome, while a score of "-2" indicates the policy will likely worsen equitable processes and outcomes.

Table 6.1
Policy Pathway Tier Equity Review Scoring Criteria
Source: Greenlink Analytics (2022)

+2	Very high impact on energy burden or equity related issues, likely to reduce inequity.
+1	High impact on energy burden or equity related issues, potential reduce inequity.
0	No impact on energy burden or equity related issues. No potential to exacerbate equity or inequity.
-1	Low impact on energy burden or equity related issues, potential to exacerbate inequity.
-2	Very low impact on energy burden or equity related issues, likely to exacerbate inequity.

BUILDINGS AND ENERGY PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Financing	2	Revolving Clean Energy Loan Fund	Self-replenishing clean energy fund from the municipality or state. Typically applies to government properties only.	While not a revolving loan fund, the SPLOST allocation for clean energy improvements in ACC is a somewhat similar mechanism for creative financing of municipal energy projects.
Financing	2	Community Energy Fund	Fund consisting of percentage of franchise fees paid ACCGov by Georgia Power, to be used to fund community clean energy projects.	This is a great opportunity to fund clean energy projects, such as community solar, or increase investments toward energy efficiency.
Financing	-1	Green Building Rebate for New Construction	Rebate proportional to performance level achieved.	ACCGov has a program to waive water/sewer interconnect fees for affordable housing. ACCGov could develop an incentive-based green building code that focuses on energy and water conservation.
Financing	1	Energy Storage Bulk Purchasing	Partner to reduce costs through bulk purchasing on energy storage equipment.	ACCGov has never bulk-purchased energy storage equipment but could be a key partner in any future partnerships due to scale of ACC properties.
Financing	-1	Special Purpose Local Options Sales Tax	Explore an incremental sales tax that provides funding for capital efficiency and renewable expenditures.	ACCGov already has an active SPLOST in place for infrastructure projects with an allocation for muni CE projects. SPLOST funds aren't currently eligible for non-municipal projects.
Information	0	Audit Building Energy Use	Implement commercial building energy audit efforts.	No policy in place at this time but could be used to inform commercial building owners of their energy consumption and provide energy savings tips.
Information	0	Track, Publish and Review Municipal Energy Usage	Provide energy efficiency planning and design approaches for local government operations through benchmarking, transparency and auditing.	ACCGov currently benchmarks buildings in ENERGY STAR Portfolio Manager but has not yet disclosed energy performance publicly.
Programmatic	0	Bundled Clean Energy	Bundling energy efficiency (EE) financing along with renewable energy (RE).	This policy mechanism would streamline energy efficiency and renewable energy workloads so residents and business owners could see impactful results sooner.
Programmatic	1	Clean Energy Task Force	Establish a community clean energy task force to identify ongoing renewable energy opportunities and provide accountability to the clean energy goals.	The Community Advisory Board (CAB) already serves this function. The role of the CAB during the creation of the Clean Energy Plan was to guide policy leaders toward creating an equitable and actionable report.

BUILDINGS AND ENERGY PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Programmatic	0	Providing Solar Energy Procurement Agreement	A Solar Energy Procurment Agreement (SEPA) is a financial agreement in which a third-party solar developer owns, operates, and maintains a solar PV system. Users of the PV system enjoy the benefits of solar without providing upfront capital costs by paying the third-party owner a fixed rate of energy.	ACCGov could provide a service as a provider of SEPAs to interested members of the community.
Programmatic	0	Adopt targets for percentage of facilities equipped with energy storage	Set goals for on-site energy storage at municipal facilities.	Currently participating in GEFA assessment of solar plus storage opportunities.
Programmatic	1	Solar Co-op / Solarize Campaign	Group of homeowners within close proximity to each other obtain competitive solar installations through combined purchasing power.	ACC has undertaken successful Solarize campaigns in years past and can continue to do so in the future.
Regulatory	0	Benchmarking and Transparency Program	Create a benchmarking and transparency program for building energy and water efficiency.**	ACC currently benchmarks municipal buildings only.
Regulatory	0	Routine update of Sustainable Building Policy	Set a cycle for revisiting sustainable building policy for municipal buildings to allow for incorporation of new best practices in sustainable building design in municipal projects.	Sustainable Building Policy currently in place, a mechanism for revisiting over time should be considered.
Regulatory	1	Buildings Energy Code	Adopt a buildings code that requires new buildings to be more energy efficient than current state codes.	ACCGov has authority to regulate building codes. Working with building owners, the Athens community, and business leaders can ensure decisions are reached in an equitable way.
Regulatory	1	Update Building Energy Codes and Increase Code Enforcement	Increase energy efficiency in commercial buildings through updated energy codes and increased enforcement.	ACCGov has authority to regulate building codes. Working with building owners, the Athens community, and business leaders can ensure decisions are reached in an equitable way.
Regulatory	1	EV readiness ordinance	Law to require all new construction to be built to accommodate EV charging infrastructure for an identified percentage of parking spaces.	Not currently in place; will require amendments to ACC building codes and notification to Georgia Department of Community Affairs.

** “Benchmarking” refers to when a building owner understands their current energy consumption to refer to as a baseline. “Transparency” refers to publishing their building’s energy performance so that other building owners can benchmark their progress against.

BUILDINGS AND ENERGY PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Regulatory	2	Take active role in intervening and advocating in Georgia Power Integrated Resource Plan (IRP); pursuing policies to advance clean energy in the State Legislature	Engaging in state-level regulatory processes around energy generation and clean energy programming.	Athens-Clarke County intends on intervening in the next IRP in 2022 (IRPs take place on 3-year cycle).
Technology	0	Municipal Efficient Equipment Procurement Policy	Require that products that require the use of energy and are purchased by municipality meet efficient equipment standards.	Informal policy/best practices exist but no set procurement standard and specifications exist at this time
Technology	0	Install LED Streetlights and Traffic Signals	Invest in street and area lighting in order to improve municipal energy efficiency in cities.	Athens has already or plans to convert 90% of their street and area lighting to LED.
Technology	0	Improve Lighting in Municipal Buildings	Take advantage of savings opportunities through high-efficiency interior and exterior lighting solutions in municipal properties.	80%+ of municipal buildings have been converted to LED
Technology	1	Advocate for microgrid policy change	Microgrids are self-sufficient energy systems that can cover smaller geographical footprints, such as college campuses or hospital grounds.	ACCGov can partner with the University of Georgia or local hospitals on the build out of microgrids.

COMMUNITY PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Financing	1	Incentives Education Programming	Promoting residential and business awareness of existing programs and opportunities.	ACC is hiring an Environmental Educator in coming months, as well as planning to update website.
Information	1	Community Engagement and Communication on Clean Energy Efforts	Ongoing outreach to keep the general public aware of progress towards sustainability goals, while continuing to receive community input.	The CAB will continue to meet and oversee progress and milestones to Clean and Renewable Energy goals.
Programmatic	2	Workforce Training Collaboration	Collaborate with technical colleges and trades to develop a clean energy workforce	This is an ongoing process that will require ACCGov, education leaders, and business owners awareness about emerging clean energy jobs and equitable transitions.
Programmatic	2	Clean Energy and Equity Planning	Ongoing outreach to keep the public aware of progress towards an energy efficient and equitable goal and to continue receiving citizen input	This is an ongoing effort.
Programmatic	2	Advance Apprenticeship Programs	Advance clean energy apprenticeship programs potentially through SPLOST procurement requirements.	This is an ongoing effort related the workforce training collaboration mentioned above.
Regulatory	2	Educational Programs targeted towards the business community	Provide education for the business community around clean energy practices, energy efficiency, and water reduction strategies	The Athens business community is a very important player in the clean and renewable energy transition. Ensuring that business owners are equipped with clean energy knowledge is extremely important to ACCGov.

ENVIRONMENT PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Financing	-1	Identify LOCAL Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation.	Not currently in place. Could specifically reference a goal in the plan of not only using REC's, and prioritize local and state-level RECs.
Financing	0	Divestment of ACC Pension fund away from fossil fuel investements	Reallocate any ACCGov employee pension fund holdings connected to fossil fuels into alternative holdings, ideally investing in green energy.	Current holdings in fossil fuels are unknown.
Information	0	Update and Publish Greenhouse Gas Inventories	Create a streamlined way to update existing or new inventory for tracking greenhouse gas emissions	Athens currently tracks internally, however these values have not been published.
Information	2	Study of addressing water loss in high-loss meters (on ACCGov side of meter)	Pursue study of water meters to identify meters that have high-loss history	ACCGov can partner and work with the Athens Watershed Management department to develop these plans.
Technology	1	Improve Wastewater Energy Efficiency	Enhance GHG emission reduction strategies that local governments can reasonably employ; specifically energy efficiency in water and wastewater facilities.	Facility audits are currently underway in municipal buildings.
Technology	0	Expand Wastewater CHP	Use more combined heat and power (CHP) technology at wastewater plants	Not currently in place, however it is plausible at North Oconee water reclaimation facility.
Technology	2	Targeted heat island efforts for low-income and underserved communities	Pursue efforts to promote increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues	ACC has a Community Tree Council. ACCGov departments supported Priority Action of Envision Athens to inventory all county greenspace and ensure at least 20%+ of county land exists as protected greenspace. ACCGov inventory identified roughly 21% of greenspace under various forms of protection.

TRANSPORTATION PATHWAY | TABLE 6.2

Action Areas	Equity Score	Action Area Name	Action Area Description	Athens Context
Financing	2	Public transit investments to expand service and increase passenger miles traveled	Improve public transit speed, reliability and user experience	Transit improvements are a regular focus of TSPLOST funds (TSPLOST 2018 Project # 2, 3, 4, 9). It is highly likely that TSPLOST 2023 will include further transit system improvements.
Programmatic	1	Decrease parking requirements	Boost ridership per transit vehicle around affected transit stations through density	Multi-modal Center is ACC's only major transit station. ACC Planning Commission makes recommendations to M&C and Planning Dept oversees enforcement
Programmatic	2	Implement high priority segments in the walking and bicycling network	Increase the amount of walking and biking infrastructure in order to reduce motorized trips	Athens in Motion Plan with priority matrix
Programmatic	1	EV education and incentives	Provide investments in electric vehicle education programs to increase the adoption of EV fleets	There are no planned investments at this time.
Programmatic	0	Expansion of landfill gas capture system	Restart practice of capturing landfill gas emissions to be used for transportation fuels	ACCGov had a program that has since ceased. Existing cells have been closed.
Regulatory	0	Expansion of landfill gas capture system Fleet conversion goal for 100% completion by 2035, with differentiation between light duty fleet (cars), and medium/heavy duty fleet (haulers, waste trucks)	Create and adopt a goal to fully convert all municipal fleet vehicles to 100% electric	ACC 100% clean and renewable energy by 2050 goal includes conversion of vehicles but does not identify specific interim goals and milestones.
Technology	0	Electrify city fleets and buses	Electrify municipal internal combustion vehicles and buses	TSPLOST Proposal #25 (Electrify the Fleet) includes purchase of 47 light EV and 11 EV busses for municipal use plus charging infrastructure.
Technology	1	Ubiquitous EV charging infrastructure (especially target multi-family and low income)	Provide charging stations throughout the city to promote the adoption of electric vehicle sales	The Sustainability Office is exploring the creation of a ranking matrix for locating optimal EV charging locations within ACC.
Technology	2	Piggy-back on Athens in Motion and Greenway Network Plan	Utilize the identified goals and programs that are shared across all plans to reduce duplicating efforts and increase effectiveness and reach of the goals.	Shared goals are being identified.



chapter seven

Economic and Work Force Development

DEFINITIONS & ABBREVIATIONS

ACC — Athens-Clarke County

ACCA — Athens Community Career Academy

ACCGov — Unified Government of Athens-Clarke County

CTAE — Career, Technical, and Agricultural Education

GHG — Greenhouse Gas

HVAC — Heating, Ventilation, and Air Conditioning

PACE — Property Assessed Clean Energy

Engaging the Business Community Towards 100% Clean & Renewable Energy

In developing this plan, the Athens business community is a critically important group of stakeholders to engage as partners towards progress. The ACCGov Office of Sustainability partnered with ACCGov's Economic Development Department to host one-on-one, hour-long listening sessions with 31 business leaders representing 26 organizations from different sectors of business and nonprofits. Participating sectors included multifamily housing, hotels, gas stations and convenience stores, automobile dealerships, grocery stores, restaurants, breweries, and industrial facilities. Industrial leaders from these businesses were mindfully included to learn about their impacts of sustainability and energy efficiency-related efforts that they already have implemented, learn about their needs, and receive input and feedback toward developing this plan.

In addition to the listening sessions, an online, business-targeted survey was distributed in partnership with the Athens Area Chamber of Commerce, Athens Manufacturers Roundtable, Eastside Business Leaders Association, Minority Business and Nonprofit Association, and the Northeast Georgia Black Chamber of Commerce to gather feedback from community business participants.

From these important listening sessions, conversations, and survey responses, we heard several key themes from the business community:

1. **Sharing knowledge, information, and best practices is important.**
   Businesses would appreciate education and workshops to learn about technologies and methods to reduce energy consumption and what energy efficiency programs are provided by their utilities. They expressed wanting to reduce their consumption to decrease GHG emissions and were curious about the benefits of reduced energy costs. Many businesses expressed that they do not have the capacity or bandwidth to sift through information and cost data to identify the most cost-effective technologies and best practices. Multiple business leaders expressed interest in knowing what other local businesses and ACCGov are implementing as an opportunity to learn from their peers. Survey responses indicated that a majority of business

customers are not aware of existing energy-saving programs currently offered by their energy providers, and therefore education about how to take advantage of these program could yield very positive results.

2. **Clean and renewable energy implementation must make sense, economically.**
   While technology aimed at reducing energy consumption is advancing fairly rapidly and the costs for some technologies are shifting downwards, several businesses commented that, when previously evaluating solar feasibility for their properties, the return on investment did not make sense to move forward. Opportunities such as a Solarize campaign (or other bulk purchasing efforts) are necessary for businesses to participate in capital-intensive technology improvements.

3. **Leveraging public-private resources for implementation.**
   Businesses would appreciate pathways to leverage public and private resources towards up-front implementation costs, such as collective purchasing, rebates, subsidies, tax credits, and commercial PACE (Property Assessed Clean Energy) bonds. They would like to see ACCGov lead the way by demonstrating replicable clean and renewable energy best practices in its public buildings, facilities, and fleets.

4. **Businesses are willing to work towards 100% Clean & Renewable Energy efforts, but the majority do not support mandates.**
   The business leaders who participated in the one-on-one listening sessions and the online survey are overwhelmingly either "somewhat supportive" or "very supportive" of the 100% clean and renewable energy goal. They cautioned against local government mandates or penalties, especially those that may result in higher costs to their customers or that have a cost burden that hinders their expansion or growth.

5. **Communicating 100% Clean & Renewable Plan expectations, goals, and timeline is key to gaining business participation.**
   Many businesses participate in annual budgeting processes that require lead-time in making requests to corporate decision-makers for capital, technology, and equipment funding. Requests for energy efficiency and renewable technologies are often required one to several years in advance. Businesses that do not have specific budget planning timelines still must plan carefully in advance for expenditures and financial arrangements. Understanding what this plan will expect from businesses, and on what timeline, is critical to gaining their participation

6. **Planning and code-related ordinances related to solar.**
   Solar was a key technology mentioned during listening sessions and in online survey responses. Businesses requested guidance about where to put solar on a property in the instance that their rooftop cannot bear the weight of a solar installation.

Workforce

Section 3 of the 100% Clean and Renewable Energy Resolution, approved by the ACCGov Mayor & Commission on May 21, 2019, resolves that efforts towards clean and renewable energy "...will work in a manner to redress historical inequities in our community by prioritizing resources to train and hire people from within marginalized communities to participate in the energy efficiency and renewable energy workforce, and by facilitating energy efficiency upgrades, opportunities for clean transportation, and renewable energy installations in lower-income communities."[54]

Energy Efficiency and the Renewable Energy Workforce

Changes in economic development from a clean energy transition were estimated using IMPLAN, an input-output model that quantifies changes within an economy. Table 7.1 lists categories of jobs that are included in the energy efficiency and solar energy workforce. The values in the table reflect the number of job-years created or sustained (such as in the fossil fuel industry) for every $1 million invested into that industry. One job-year is defined as a full-time position held by one person for one year.

It is very important to note that many of the jobs shown in Table 7.1 already exist in ACC. The job-years shown in the table include existing jobs that

will simply develop or build upon existing occupational skills towards newer, more energy-efficient or renewable technologies through hands-on learning and the continuing education required for continued occupational licensing. For example, an existing licensed electrician or an HVAC technician will add to their existing skill sets by learning about new clean and renewable energy technologies. Some new job categories, such as solar panel technicians, may also be created with investment into clean and renewable energy technologies.

As businesses and households in the Athens community implement measures toward energy efficiency and reduce their energy bills, the savings will produce **"induced" job-years**. These job-years represent the ripple effect created across industries where those energy savings might be spent, such as services, equipment, advertising, retail, entertainment, or restaurants. For example, a business that saves $50 per month on their energy bill might invest those savings back into their business with marketing efforts, new equipment, facility improvements, or other needs.

Table 7.1
Job Years Created or Shifted for Each $1 Million Invested Into Energy Efficiency Improvements
Source: Greenlink Analytics. (2022).

	JOB YEARS	AVERAGE SALARY
Total Energy-Efficiency Related Jobs	**9.2**	**$58,891**
Construction	1.8	$48,535
HVAC&R	1.8	$64,750
Water Heating	0.5	$53,127
Lighting	0.9	$58,973
Material for Envelope	1.1	$59,352
Other Electrical Equipment	0.5	$68,624
Energy & Environmental Management and Smart Controls	1.4	$58,626
Insurance & Finance	0.2	$68,992
Program Adminstration	0.5	$63,650
Architecture & Engineering Services	0.5	$44,280
Total Solar Energy-Related Jobs	**7.7**	**$57,727**
Construction	2.3	$49,873
Hardware Manufacturing	1.3	$53,910
Electrical Equipment	1.3	$71,538
Electronic Components	1.3	$73,492
Scientific and Technical Services	1.3	$60,056
Induced ("Ripple Effect") Jobs	**6.8**	**$41,838**
Power Generation	**(-1)**	**$67,852**

Fostering Participation in the Energy Efficiency & Renewable Energy Workforce

As evidenced in Table 7.1, energy efficiency-related and solar energy-related jobs offer average wages that are higher than ACC's annual median household income due to the technical job skills required. Engaging members of marginalized communities in the energy efficiency and renewable energy workforce will require not only promoting the available opportunities, but also working to remove barriers and create pathways for people to equitably access training and job skill development opportunities. Some steps ACCGov can take to foster diverse participation in the energy efficiency and renewable energy workforce include the following:

1. Share key data with workforce training providers to align programs with high-demand skills

ACCGov has access to valuable occupational and workforce data that can be used to inform certain Clarke County School System programs. The Athens Community Career Academy (ACCA) and the Career, Technical, and Agricultural Education (CTAE) programs can benefit from quantitative data support from ACCGov. Athens Technical College and the Technical College System of Georgia also rely heavily on workforce data to understand which employment program offerings need to be made available for Athens students. Creating specific programs targeted toward high-demand skillsets will benefit students trying to find careers in clean and renewable energy fields.

2. Develop training pathways for ACCGov positions engaged in clean & renewable energy efforts

Athens-Clarke County Unified Government will utilize a number of clean and renewable energy technologies, including solar and electric vehicles, and will be in need of skilled employees to maintain these new technologies. Available training opportunities through the Clarke County School System and Athens Technical College can offer clean and renewable energy career opportunities community members who want to learn and develop needed skills. This could include:

- Funding Trainee positions within ACCGov departments that work with green technologies to attract and offer a "doorway" to community members who are interested in learning, but are not yet qualified with those job skills

- Funding the CCSD Great Promise Partnership and work-based learning internship positions within ACCGov departments for high school students who are interested in learning the skills needed for green energy career pathways

- Developing and funding potential mentor/trainer stipends that can be added to existing ACCGov technical positions for the stipend-supported positions to mentor and train other employees in skills needed for clean and renewable energy-related technologies

3. Partner to raise awareness, remove barriers, and increase access to high-demand clean & renewable energy job skills training programs

Jobs skills training to help community members develop high-demand skills for clean and renewable energy jobs are offered by both local and regional training organizations. ACCGov can help connect and increase access to training opportunities for members of marginalized communities in several keyways:

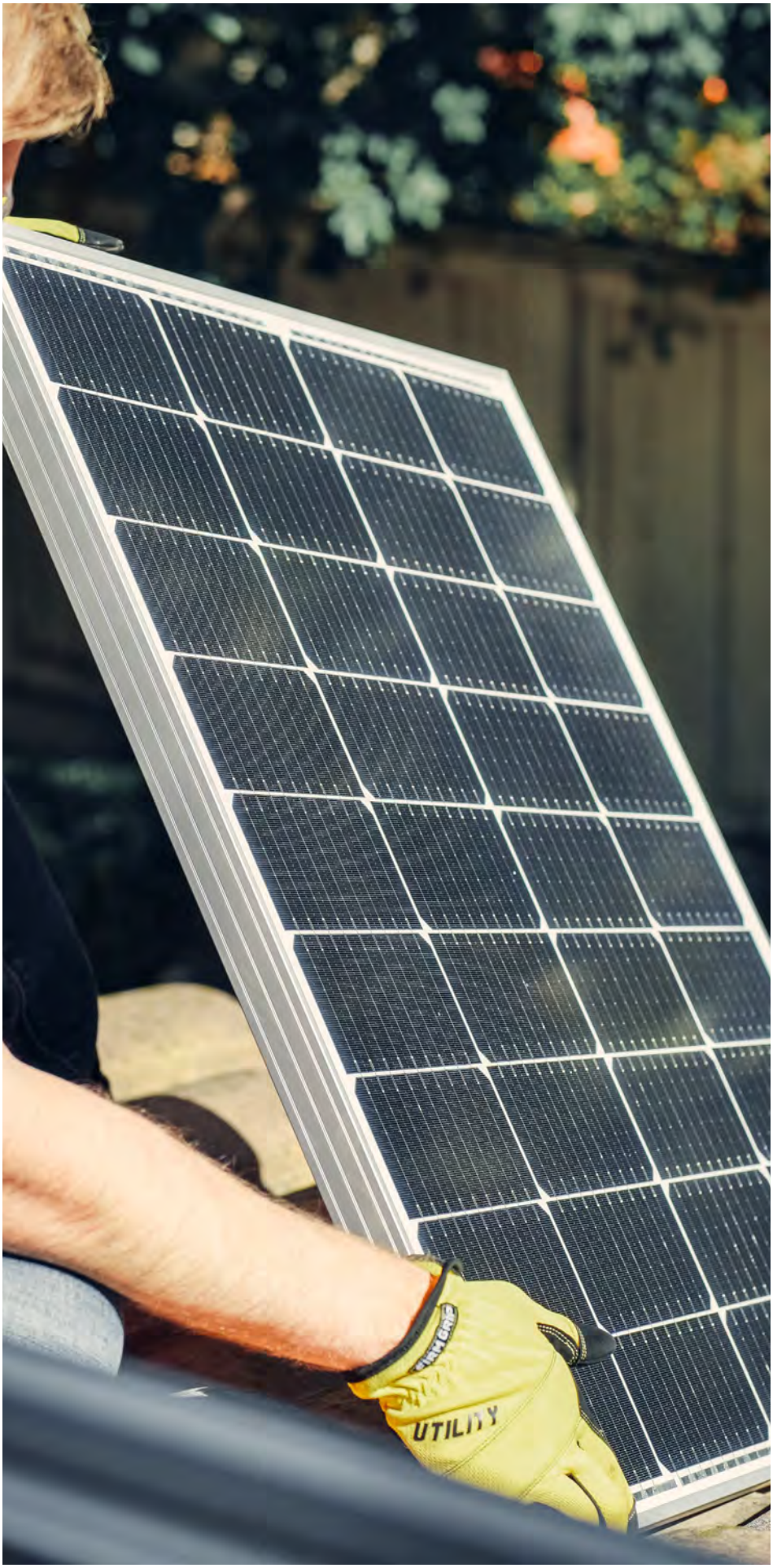
- ACCGov Office of Sustainability and Economic Development Department can partner to create an easy-to-access online listing of training providers, the classes they offer, and programs to help diverse community members develop the high-demand skills needed for clean and renewable energy-related careers.

- Develop diverse and strategic partnerships to share information broadly and inclusively about energy-related job skill training programs and supports throughout the community with a focus on underserved communities.

- ACCGov can partner with WorkSource Northeast Georgia, trade unions, and other technical training providers to offer class scholarship funds, childcare stipends, transportation stipends, cost-of-living stipends to cover rent/ utilities during the training courses, and funds for job-related tools and personal protective equipment to support access to high-demand clean and renewable energy-related skills training programs.

- Partner with trade organizations and technical training providers to offer continuing education credit-eligible courses on clean and renewable energy and energy efficiency topics for professionals in the construction industry, licensed electricians, sustainability managers, etc. Offer course scholarships to remove potential barriers to participation.

- ACCGov Office of Sustainability and Economic Development Department can partner to connect Clarke County School District ACCA & CTAE with local area employers who are willing to provide work-based learning internships for high school students interested in learning job skills need for energy-related careers.





chapter eight

Next Steps and Near-Term Recommendations

DEFINITIONS & ABBREVIATIONS

ACC — Athens-Clarke County

ACCGov — Unified Government of Athens-Clarke County

CRP — Clean and Renewable Energy Action Plan

GHG — Greenhouse Gas

IRP — Integrated Resource Plan

LED — Light-Emitting Diode

LEED — Leadership in Energy and Environmental Design

SEPA — Solar Energy Purchase Agreements

SPLOST — Special-Purpose Local-Option Sales Tax

TSPLOST — Transportation Special-Purpose Local-Option Sales Tax

Continue Moving Forward — Examples of Initiatives Underway

While the CRP was being developed, ACCGov continued to move forward with initiatives that will help meet the clean energy goals outlined in this plan. Some examples include:

- The creation of a Community Energy Fund Policy—a policy that established standards and procedures to be followed in the partial reallocation of future utility franchise fee revenue—from the ACCGov General Fund to a unique project within the Special Programs Fund, for the purpose of financing community energy projects.
- Initiation of an ongoing program that has, to date, replaced approximately 80% of existing ACCGov building lighting with LED light bulbs. Each LED uses 75% less energy and can last 25 times longer than incandescent lighting.[55]
- Revision of the ACCGov's Sustainable Building Policy to include additions such as allowing a choice of using Green Globe and Earth Craft standards to be used along with LEED building certification standards. The policy also requires renovations and new construction to plan for, at a minimum, including solar and battery-ready systems and provisions for Electric Vehicle charging stations.
- Utilization of funds from the 2020 SPLOST Renewable Energy Project and grants:
  - Allocation of funding for additional rooftop solar projects, including a solar-plus-storage project at the Family Protection Center, Memorial Park, and the Athens Regional Library.
  - Allocation of funding for fully electric fleet vehicles, along with charging stations.
  - Allocation of funding toward the renovation of the Costa Building in downtown Athens, including rooftop solar and the installation of energy-efficient windows that meet historic restoration standards.
- The construction of a pump station and installation of several purple pipes to separate water recycled at reclamation facilities from other water infrastructure.

This reclaimed water will be a key non-potable resource for local industries, toilet flushing and cooling tower make up water. This was a result of ACCGov's commitment throughout 2021 to create a framework to reuse water to help maintain a reliable local water supply and mitigate the effects of future droughts on the community.

- Renovation planning for the Costa Building that includes upgrades to the facility's energy systems is currently underway. Proposed improvements include the installation of rooftop solar panels and energy-efficient windows.

- Inclusion, in the Transportation Special Local Options Sales Tax (TSPOST) program that will be voted on in a May 2022 referendum, of additional funding for the conversion of 10 transit buses and 19 fleet vehicles to electric vehicles, along with the addition of charging stations.

- Initiation of Solarize Athens 2.0, a community-based solar purchasing program that reduces the cost of solar panels for residents, businesses, and nonprofits using bulkpurchasing options.

- Continued development of ACCGov Solid Waste programs and services, including an Industry Sustainability Roundtable, with the goal of reducing the amount of waste being deposited into the landfill, including hard-to-recycle and toxic materials.

- Implementation of sustainability efforts by many area industries and businesses, as well as promotion of green building materials and equitable construction agencies like the Athens Land Trust, Habitat for Humanity, and the Athens Housing Authority.

Specific Near-Term Action Step Recommendations

Once the CRP is approved, it will take time to develop detailed action steps and priorities, assign funding sources, and obtain approvals since all these steps will include public engagement to ensure inclusiveness and equity. As this process evolves, the need to address the causes of climate change will continue to grow. Using Tier 1 Policy Pathways as a starting point, the following are specific action step recommendations that, upon approval of the plan, could be pursued immediately. These near-term priorities are organized in six areas developed with the CAB:

- **Lead by example**
- **Build community though investment**
- **Be part of the larger solution**
- **Build a workforce and improve opportunities**
- **Community education and engagement**
- **Closing the gap**



1. Lead by example

ACCGov should lead in its facilities by maximizing efficiency and converting to renewable energy, including:

a. **Expand capacity to fund energy and green infrastructure programs** through grants, SPLOST, TSPLOST, donations, and other funding sources.

b. **Improve wastewater facility energy efficiency** through increased auditing and retrofitting. Processing wastewater uses a significant amount of energy and improving the efficiency of such facilities can enhance existing greenhouse gas (GHG) emission reduction strategies already in place.

c. **Public transit investments** to expand service and increase passenger miles traveled. This policy will focus on improving transit speed, reliability, and user experience by providing more routes and encouraging fewer individuals to travel by single-occupancy vehicles. Investments in public transit can also improve equity within ACC, as lower-income households will have improved transportation options within their community.

d. **Update ACC's building energy codes and increase code enforcement**. This will require that new buildings be more energy efficient than the current state codes require. Putting this type of policy into place will require ACCGov to provide contractors with education and incentives to meet new code requirements smoothly.

e. **Establish standards** for the administration and expenditure of funds, as they come available, from the **Clean Energy Fund.**

f. **Explore Energy Storage Bulk Purchasing.** This strategy utilizes economies of scale in battery storage, reducing costs for building owners who want to pair solar with storage. ACCGov has never bulk-purchased energy storage equipment, but could be a key partner in any future partnerships due to the scale of ACCGov municipal properties

g. **Research and, where appropriate, utilize Solar Energy Purchase Agreements (SEPA)** for municipal and commercial buildings with a goal of facilitating and assisting building owners interested in installing rooftop solar at no up-front cost.

2. Build community though investment

Programs that invest in traditionally marginalized communities are prioritized. Including:

a. **Coordinate and work with community groups, granting agencies and foundations, and local energy providers** to develop a process whereby **income-qualified homeowners can make basic home repairs** to allow them to participate in weatherization programs.

b. **Facilitate the expansion of weatherization programs for lower-income homeowners/residents** through established local agencies and energy providers.

c. Work with energy providers to develop a **Round-It-Up Energy Efficiency Program** to provide funding for lower-income energy efficiency retrofits by "rounding up" higher income participant utility bills to the nearest dollar.

d. **Expand green infrastructure, native habitat, and ecosystem service restoration and investments** to reduce energy use, mitigate climate change, and promote a more sustainable built and natural community.

3. Be part of the larger solution

Drive utility investment in clean and renewable energy through the Public Service Commission. Including:

a. **Intervention in the 2022 Integrated Resource Plan (IRP).** ACCGov will actively advocate for a policy to be included in the Georgia Power IRP that specifies that investments will be made in energy efficiency programming and clean and renewable energy that benefit lower-income households. This regulatory action will help ACCGov pursue policies to advance clean energy in the State legislature as well.

4. Build a workforce and improve opportunities

The skills needed for a clean and renewable energy industry have to be developed. Including:

a. **Ongoing partnerships** with local training resources, including labor organizations, that implement programs for traditionally marginalized communities to enter a clean and renewable energy workforce. Training should only be initiated upon development of successful and well-funded efficiency, weatherization, and solar panel installation programs.

b. **Explore educational programming for first responders and building officials** on energy storage, electric vehicles, and solar installations. New technology brings new complexities and dangers, of which first responders should be aware. ACCGov should provide resources and training to first responders on new complexities created by battery storage on home energy systems and vehicles that can create emergencies.

5. Community education and engagement

Building community understanding is key to developing enduring support for initiatives. Including:

a. **Initiate, coordinate, and facilitate educational programming** to promote awareness of existing programs and opportunities available to Athens residents and business owners. The Sustainability Office will assist with opportunities addressing topics like energy efficiency programming, energy assistance, and Solarize campaigns, as well as those that promote green infrastructure and conservation of ecological systems.

b. **Adopt a Benchmarking Program** for energy and water use for large- and medium-sized buildings to be able to monitor use, identify opportunities for savings, and establish funding priorities.

6. Closing the gap

Reinforce the market for clean and renewable energy through a locally prioritized Renewable Energy Credit strategy.

Monitoring and Evaluating Success

A critical component of the Clean and Renewable Energy Action Plan is tracking, monitoring, and evaluating success as new policies and programs are implemented. These monitoring and evaluation mechanisms should document progress along with equity, economic, and environmental impacts. To facilitate this evaluation, an Equity Impact Assessment Tool was created to be used as a guide and review of action steps as they are developed. The categories and descriptions are in Table 8.1 below. The full report can be found in *Appendix 5: Policy Pathway Assessment Tool: Equity. Economics, and Environment.*

Policies and programs currently developed are not intended to be static. This plan lays the groundwork for a transition to a clean and renewable energy future, but it anticipates that the Athens community will change, technology will advance, and climate change will continue to be addressed globally. Thus, the development, consideration, refinement, and implementation of strategies and policies require ongoing community engagement and participation in order to continue to be effective and equitable.

Table 8.1 | Policy Pathway Impact Assessment Tool: Equity, Economic, and Environmental Impacts

Source: ACCGov (2022).

EXAMPLE PROJECT

Department:
Division:

Title:
Project:

PROPOSAL

Policy, program, or project description.

What are the desired results and outcomes?

DATA

How has data been broken out?
(e.x. geographic areas, demographics, neighborhoods, population, existing programs, policies)

Are there data gaps?

COMMUNITY ENGAGEMENT

How have community members and stakeholders been engaged? With whom?

Do barriers/ opportunities to engagement exist and have they been explored? Did we leave anyone out?

IMPACT

What populations will be affected by the decisions we are about to make? Who is likely to be burdened / who will likely benefit?

What community and equity indicators can this proposal affect? (e.g., housing, food access, youth development, education, economic development, organizational impact)

ANALYSIS & STRATEGIES

What are the strategies for advancing opportunity and/or minimizing negative or unintended outcomes? What have you learned from data and stakeholder involvement?

What impacts are aligned with desired community and organizational outcomes? What is unresolved?

IMPLEMENTATION

What is the plan for implementation? Is it realistic and adequately funded, staffed, resourced?

What resources and/or actions are still needed?

ACCOUNTABILITY & EVALUATION

- How will we ensure accountability?
- How will impacts in the community be documented, evaluated, and communicated?
- How will you continue to communicate, partner, and sustain relationships in the community around this project's impact?

In Summary — A Living Document

Implementing the Clean and Renewable Energy goals outlined in this plan will have many benefits - a healthier ecosystem and environment, lower energy burdens, more and higher paying jobs, and better overall community health. The proposed initial recommendations above are significant first steps toward meeting clean and renewable energy goals by 2035 and 2050. As this plan moves forward, it does so as a living document, to be routinely reviewed, challenged, and revised. The plan also includes a commitment to the vision that people can work together to create change, address climate related challenges, and become a place where identity does not limit potential.

The development of this plan was made possible through the hard work and generosity of CAB members, community organizations, business and industry leaders, community members, and ACCGov staff, each of whom shared their time, talents, and vision. Thank you to everyone who participated in bringing this plan together. Reaching the goals embodied in this plan will require each member of the community to commit to and participate in the process. But it is crucial that we do so and make the transition to a clean and renewable future.

Our community and the generations to come deserve no less - and the fate of society depends upon it.

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appendix one | Detailed Community Outreach and Engagement Initiative

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Overview

This Attachment details the engagement process undertaken by the Athens Clarke County Sustainability Office, the Community Advisory Committee (CAB), Southface Institute, Greenlink Analytics, and other partner agencies during the Clean and Renewable Energy Action Planning process. It outlines the process and actions taken, lessons learned, and recommendations for future engagement campaigns.

The process took place from 2019-2021 and was initially designed to include in-person meetings, programs, and activities. With the on-set of COVID-19 restrictions, activities shifted from in-person to a completely untested and novel approach — entirely virtual. The Sustainability Office hosted virtual events and one-on-one meetings with stakeholders, Community Advisory Committee member organizations, businesses, community organizations, energy providers, industry partners, ACCGov departments, and the public.

Summary of Approach

Input from the Community Advisory Board (CAB) and the Sustainability Office helped to:

- Create an index of 90 community organizations, creating a contact list used to invite these groups to charrettes, listening sessions, send surveys, and to facilitate communication
- Create an index of over 37 business and industry leaders (in partnership with the ACC Economic Development Department) that was utilized as a resource to invite stakeholders to listening sessions, send surveys, and facilitate communication
- Conduct 4 listening sessions with area power providers
- Conduct more than 59 listening sessions with CAB members, organizations, businesses, and agencies, elected officials, and individuals where information was gathered, and themes summarized
- Conduct 3 charrettes that focused on gathering information from 90 community organizations
- Conduct 5 community-wide town hall meetings
- Develop and distribute two surveys — one designed to gather information from the general community and one specifically targeting business and industry

Information, recordings, education modules, minutes, and other documents generated during the Clean and Renewable campaign are available via the ACCGov Sustainability Office Website. All events and public meetings were live-streamed and/or recorded for viewing on YouTube along with links were included on the ACCGov website.

The Clean and Renewable Charrettes

The Clean and Renewable Charrettes were held on January 28th, February 2nd, and February 3rd of 2021. The charrettes addressed three areas of the Clean and Renewable Energy Action Plan: Community and Equity, the Clean Energy Economy, and the Intersection of the Built and Natural Environment. Stakeholders involved in each of these three areas were actively recruited and invited to provide insight on community priorities, recommendations, and goals for achieving an equitable and renewable energy future for all through a process of facilitated conversation and feedback.

Stakeholders were determined through input from the Athens Clarke County Office of Inclusion and the Community Advisory Board. The Sustainability Office also identified non-profit and government agencies in the Athens community and invited them to attend via multiple emails and phone calls. In total, 90 organizations were invited, with approximately 34 organizations represented at all the charrettes.

Though these meetings, priorities for 7 different topics were established, to facilitate guided discussion. The topics are highlighted below:

1. Natural and Built Environment
2. Renewable Energy
3. Education
4. Transportation
5. Business
6. Equity
7. Innovative Technologies

Each topic had an average of five priorities which are outlined in ACCGov Clean and Renewable Energy Action Plan Charrette Notes Summary attached to this addendum. The summary includes potential action steps, opportunities for improvements, and stakeholder concerns.

Charrette Notes Summary

The discussion questions listed below were used to guide discussion throughout each charrette. Each question belonged to a category related to the community, economic development, and intersection of the natural and built environment.

Discussion Questions

General:

1. What are your initial reactions?
2. What does success look like for you?
3. What are opportunities for partnership?
4. What are the primary opportunities, priorities, and concerns that you see?
5. How do you want to hear from us going forward?

Community & Equity:

1. Within the community and equity space, what are your priorities in this clean energy transition?
2. What opportunities for advancing equity do you see in this clean energy transition?
3. What concerns do you have from an equity perspective?

Clean Energy Economy

1. What do you see as the top priorities for ensuring a just and beneficial transition to a clean energy economy in Athens?
2. What opportunities do you see in this clean energy transition?
3. What potential roadblocks may arise as Athens moves toward a thriving clean energy economy?

Intersection of the Natural & Built Environments

1. What should we be prioritizing as we work to ensure balance between an efficient built environment and maintaining Athens' thriving natural ecosystems?
2. What opportunities do you see in this clean energy transition?
3. What impacts might this have on your organization's priorities?

Below are the notes that were taken and summarized by the Sustainability Office and Southface Institute after all three charrettes:

1. Natural & Built Environments

- Well-placed trees
  - Trees save heating & cooling costs of up to 25%
  - Trees help reduce the urban heat island effects resulting in reduced energy needs playing a pivotal role in stormwater flow rate reduction and absorption
  - Well-placed trees provide ongoing maintenance for ecosystem services and heating/cooling co-benefits - more intentional inclusion in planning activities
- Natural Asset Management is a method of incorporating the natural environment into the built environment through intentional planning
  - This method of management ensures that all residents are aware of the sustainable source/s of their energy
- Solar sky rights should be considered as property protections from adjacent high-rise construction that blocks the sun, eliminating potential use of solar, both passive and active
- Utilize native species in municipal landscaping to benefit insect and bird populations, ensure a healthier intown environment, and shift the current narrative from a division between the built and natural environments to an integrated built and natural environment
- Incorporate stormwater management in design and development Reduce impervious surface area of large parking lots, schools, and churches to minimize polluted and superheated stormwater runoff

2. Renewable Energy

- Energy system considerations - balance generation and supply side resources as they relate to concerns for land use and viewsheds
  - Prime solar real estate on rooftops
  - Opportunity of underground distribution networks for preservation of trees and viewsheds
- Use of existing infrastructure for clean energy deployment (solar at airport, on existing buildings, landfill, other similar areas)
- Increase tree canopy, solar panels — balance difficult

- Residential projects (e.g., Solarize) and partnerships with local organizations to advance low to moderate income solar adaptation
- Consider how zoning policies can help — higher-density, energy efficiency/renewable energy requirements, electric vehicle charging on-site at single and multi-family residential housing

3. Education

- Increase education related to the climate crisis and associated solutions Expand education of elected officials (at all levels of government)
- Raise awareness of sustainability and clean energy priorities across all city/county departments
    - Community education
    - Early education in schools
    - Education targeting business and industry
        - Facilitate "peer learning" opportunities
        - Promote "green accomplishments" and commitments of industry and businesses
    - Lead with energy efficiency (follow with renewable energy)
- Effective messaging to action is key
- Energy burden information is critical
- Advertise to increase education and awareness regarding public involvement (as individuals, households, neighborhoods, and business owners) in the clean energy transition

4. Transportation

- Demonstrate real-life benefits that make the transition as easy as possible (ex: electric vehicle adoption through public charging infrastructure, preferred parking policies)
- Employ county actions to offset barriers to entry into electric vehicle (EV) market (ex: offset the annual state of Georgia $200 annual excise tax on electric vehicles)
- EV parade — public education/awareness of clean energy, building popular support, momentum, demonstrating economic and climate benefits
- New developments and access for multimodal transit (non-car)
- Normalize alternative transportation projects
    - These measures are predicted to become commonplace in the near future as a cost and culture tipping is reached

5. Business

- Recruit new businesses and companies operating locally on clean energy

technology

- Most businesses, successful or struggling, pay utility bills without understanding or questioning the pricing.
    - Experience netting an average 15% bill reduction through rate analysis and demand management
    - "Energy literacy" is important for business owners and homeowners
- Education is key
    - A clean energy transition may be a challenge for businesses because return on investment is critical and bottom line is cost
- Connect job training to workforce development
- Promote and facilitate business to business learning, exchange of information, and education

6. Equity

- Prioritize equity in traditionally overlooked or marginalized communities in both in built environment and transportation sectors
- Establish partnerships between building owners and tenants in advancing clean energy
    - Deploy attention grabbing graphics and phrasing to garner more public interest (i.e. water bill mailers, bright colors, compelling phrasing etc.) "Are you paying more on your energy bills? Why?"
    - "Do you live in these neighborhoods?" (With energy burden map)
- Resurrect weatherization program
    - Explore opportunities to address sub-standard housing stock that require renovation before weatherization can be performed

7. Innovative technologies

- Battery storage
- Anaerobic digestion (on-site at water treatment plants) - erosion control, electricity generation, composting
- Methane pyrolysis
- Appliance standards

Opportunities

Opportunities for the above priorities were discussed throughout each community engagement session. These opportunities were a good starting place for the Athens-Clarke County government (ACCGov) in their Clean Energy Plan endeavors.

1. Low-income residents / Equity

- Illustrate the economic benefits of a clean energy transition by delivering a decrease in utility bills
- Lead with lifting the most traditionally marginalized communities with clean energy investments
- Prioritize the inclusion of traditionally marginalize populations when advancing energy savings technology
- Consider the lack of clear priorities related to an equitable clean energy transition and resistance to the philosophy of an equitable transition Be cognizant of a possible collusion created if utility costs continue while focusing on energy conservation Affordable housing, concentrated housing
- Uplift Habitat for Humanity's completions of 2 LEED homes with solar (first affiliate in Georgia to do so)
- Expand opportunities for local micro-grid / solar for concentrated groups of housing
- Opportunities for low-income residents
- Provide on-bill financing
- Fold utilities into rent
- Code enforcement does not often benefit renters
- Arrange opportunities for residents to share concerns without fear of landlord retribution (i.e. landlord makes improvements and then raises rent for a net increase to renters)
- Create incentives for landlords to invest in clean energy at their properties
- Explore funding opportunities through Community Energy Fund policy
- Consider scaling up Athens Land Trust West Broad project
- Overhaul general repairs at West Broad project before energy efficiency improvements are made
- Explain benefits and purpose of changes (i.e. LED lights)
- Perform energy audits on each home
- Education of the community is critical (advisory board in West Broad community with 5 outstanding neighborhood representatives)
- Education of community regarding energy burden alleviation and the role of energy efficiency in a clean energy transition
- Lead with energy efficiency (the lowest-hanging fruit)
- Institute clean energy classes by community-based organizations
- Utilize literacy program to influence children and encourage entire family involvement through competition between complexes
- Potential to provide SPLOST and/or Community Energy Fund dollars to fund equitable solutions
- Potential partnerships include Clarke County School District; Envision Athens; Northeast

Georgia Business Alliance

2. Businesses / Workforce

- Develop the clean energy economy in Athens
    - Consider relevance of transition to small and medium businesses (SMBs)
- Prepare "energy literacy" in schools as a potential SMB conduit
    - Partner with Small Business Development Center, Chamber of Commerce, Athens Technical College
    - Encourage the County to recognize businesses and provide discount licenses if certificate is achieved
- Explore focused partnership opportunities between Community Advisory Board and Chamber of Commerce
- Pivot towards prioritizing job training and SMBs instead of economic development via landing the big fish
- Consider larger prospects looking for clean energy (i.e., Georgia Power and the EMCs)
- Examine potential use of incentives to facilitate the knowledge base needed to turn the corner on mandates
- Review the question of philosophy v. understanding
    - Buy local and hire local
- Supply Community Energy Fund outreach and education for low-income / SMBs
- Add incentives for performance criteria when developing recruitment and retention packages for business
- Ensure commissioners and community leaders have a good philosophy in moving forward
- Learn from the several businesses that have set goals more ambitious than ACCGov and have already achieved significant advancements toward a clean energy transition
- Collaborate with Chamber, Northeast Georgia Business Alliance, and others to provide opportunities for "peer to peer" learning, and facilitate the communication of successes and lessons learned

3. Natural environment / Stormwater

- Incentivize greater investment in residential green infrastructure and stormwater management
    - Consider providing green infrastructure tax break for residential on-site water management

- Consider a variance that enables site inspection to confirm efficacy of green infrastructure (GI) and adjusts stormwater utility fee accordingly
    - Alter assessment methodology to consider not only the footprint of impervious surface area, but also, groundwater / soil recharge
    - Nuances between retention and absorption can be considered as well
- Create a strategic master plan (including tree cover) that focusses on the intersection between public and private property including transportation infrastructure concerns (i.e. bike lanes, sidewalks)
- Electrify equipment used in maintenance of public landscapes (phase out gas powered city / county owned lawn mowers, leaf blowers, etc.)
- Utilize river greenways to manage water runoff and re-establish tree cover (master plan opportunity)
- Create incentives for more effective and innovative green infrastructure (i.e., permeable pavers)
    - Consider utilizing stormwater fees to implement incentives
- Generate more advanced development ordinances to address soil volume, as well as or instead of canopy cover ordinances
- Increase greywater use beyond current county-led large user / business pilot to include SMBs and residential households
- Factor water benefits and water efficiency in project designs
- Energy/water nexus
- Obtain a balanced approach to managing tree canopy preservation and development
    - Consider ecosystem services and value of green spaces for potential tenants in cost analysis
    - Education needed for both the development community and environmental community
- Need to recognize the benefits and ecosystem services provided by native forests, meadows, and grasslands
    - Explore opportunities for planning and zoning ordinances to be changed to promote native habitat management
    - Create plan/s to utilize green infrastructure on a community-wide basis to create resilient and sustainable communities for native plants and wildlife
    - Explore and develop opportunities to enhance native habitat and “urban foraging” in already impacted areas (i.e., parking lots, school/church grounds, neighborhoods, etc.) as opposed to natural areas and parks set aside for conservation

4. Partnerships

- Create strategic partnerships with local institutions (K-12 schools, state government)
- Upper Oconee Basin Water Authority (re: energy consumption relating to water production)
- Northeast Georgia Regional Commission
- Research opportunities for local academics
- Continued communications through water bill newsletters from the Water Conservation Office, Water Business Office, or ACCUG communications office
- Encourage local organizations to reevaluate their goals in alignment with ACCUG
- Employ strong cross-departmental collaboration within ACCUG required on initiatives (planning, transportation, zoning, sustainability, and housing)
    - Zoning codes could be an instrumental pathway for ensuring sustainable development
    - Review a community-wide approach to expand the County's current initiatives and advance their clean energy goals
- University of Georgia

5. Transportation

- Create incentives to clean transportation and multimodal transportation through zoning (shift away from car-centered design)
- Reinvigorate high-speed rail conversation (Athens-Atlanta connection)
- Transitioning away from "car culture" through partnerships with alternative transportation organizations and enhance safety for alternative transportation methods (Bike Athens, Greenway Commission, Athens in Motion Commission, Leisure Services, UGA Geography Department, School of Social Work, College of Environment & Design)
- Leverage early adopters of pre-owned electric vehicles for in-town transportation ($4-5k) in a creative method
- Expand transit across county lines to reduce traffic on the roads
- Consider sustainable biofuels, fuel cells, hydrogen cars
- Explore electric car-share rental potential (short-term rentals) with a particular focus on multi-family and low-income communities, and/or areas where access to transportation is a challenge

6. Renewable Energy

- Increase utilization of rooftops for solar through 3rd parties (increase tree

canopy in parking lots)
- Explore opportunities to utilize existing infrastructure/built areas for solar, rather than natural areas/areas with tree cover (airport, landfill, open/grass fields, right of way medians, etc.)
- Explore ways to create micro-grids and build local renewable energy sources that serve multiple properties

7. Innovative finance

- Aggregate investments including residential models (Solarize Athens, Co-ops, Tax Allocation Districts, Community Improvement Districts) for energy infrastructure
- Develop Community Development Block Grant funds and new funding sources from the new Administration
- Explore ways to provide low-interest loans, pay-as-you-go, and other strategies to achieve clean energy transition
- Provide and promote income-based assistance

8. Waste

- Consider passing a plastic bag ban to reduce waste and mitigate impact on landfills
- Investigate potential to incorporate bio-degradable and/or recyclable products into supply chain, especially locally sources and one-time use plastics (food service industry)
- Explore ways to connect business and industries to recycling or reduced waste options
- Explore ways to reduce overall packaging and items that cannot be recycled
- Promote opportunities to keep trash out of waterways

Concerns

Concerns around how the policies and programs discussed above would affect residents, business leaders, and building owners was discussed throughout each charrette and townhall so that ACCGov could prepare for an equitable clean energy transition. A list of discussed concerns is provided below:

1. Equity

- Account for career displacement potential
    - Ensure that a just transition, including fair wages and benefits, are provided to any who may have to transition to a new workforce

- Landlord buy-in (for low-income residents)
- Home repair needs and severe energy burden can result in families experiencing homelessness
- Energy efficiency is often first to those who can afford it
- Participants can provide connections into landlords
- Energy efficiency improvements must balance short-term concerns versus long-term needs
- Consider the limitations of Code Enforcement as a tactic for improving rental housing
    - Code Enforcement should provide an opportunity to respond within a reasonable period
    - Create opportunities for fixing relatively minor issues before getting to extreme measures
    - Low-income residents may not have the time/resources to address Code issues
    - Breaches of Code Enforcement may be grounds for eviction therefore residents are unlikely to call code enforcement
- Local residents rely on fossil fuels for home appliances and transportation and may not currently have the resources to replace that equipment
- Funding opportunities and strategies need to be explored and developed providing low to moderate income households the financial opportunities and pathways towards transition

2. Energy policy

- Political landscape in Georgia remains a challenge
    - State level policies and laws affect what actions ACCGov can and cannot take
- What is the potential to influence energy generation sources locally?
    - Manage transition over facilities for which ACCGov may not have jurisdiction
    - Financial constraints over major infrastructure investments make transitioning difficult until the cost-benefit analysis is stronger for projects such as solar and fuel switching
- Consider rethinking the balance between short-term and long-term budgeting processes
    - Standard budgeting processes (year-to-year) make it challenging to prioritize long-term investments in higher-ticket/slower payback energy efficiency and renewable energy projects
- Contemplate nuclear energy as a clean energy pathway
- RECs (Renewable Energy Credit) purchasing can be difficult to justify; however, if

purchased, the focus should be on local production

- Increase the ability to influence organizational priorities across local entities
- Leadership at (and partnership with) the State government is required
    - Effectively communicate value case (jobs, economic benefits)
    - Eliminate current barriers
        - Gratuities Clause in Georgia constitution may be potentially problematic for some community investment
        - State-level preemption of local government powers
- Enable effective incentives
- Explore ways to work with Public Service Commission and energy providers to generate long term financial incentives that will reduce energy burden, and promote/fund clean energy transition equitably

3. Business

- Consider what companies need in terms of payback periods and return on investment
    - 3—5-year payback is a consistent priority for many
    - Weeks or months can be a helpful on-ramp and help to subsidize longer term investment (though, there are drawbacks to focusing only on lighting)
- Payback needs and expectations vary widely depending on planning cycles, margins, and business model
- Clean energy often presented as a business-unfriendly approach (i.e. mandates) therefore negative reactions from the business community are not uncommon or unexpected
    - Consider the need for a very strong economic argument and opportunities to create partnerships and promote successes
- Create meaningful incentives for building/housing development cost related concerns
- Include more business/for-profit stakeholders at the table
    - Consider concern of confidentiality
    - Chamber involvement (Northeast Georgia Business Association, East Athens Development Corporation, Homebuilders Assn. of Georgia, etc.)
- Consider constraints for investment in deeper-level energy efficiency improvements
    - Limited funds
    - Lack of incentives
    - Lack of knowledge — concern that something will require a lot of investment and may fail

    - Need for additional communication between businesses that are successfully transitioning and those who are not sure how to proceed

4. Education

- Workforce development is key
    - Training without connectivity to actual jobs can be a problem
- Ongoing education and engagement of the community
    - A true shared understanding of why community should be involved, what their role is, and how to make it happen
- Potential "energy literacy" / job training programs through the East Athens Development Corporation
- Invest in the East Athens neighborhood

5. Natural environment / Stormwater

- Utilize stormwater utility fee to address stormwater issues
- Prioritize tree maintenance and management as much as tree planting and cost-benefit considerations
- Provide sufficient opportunities to increase and maintain tree cover as much as possible with a focus on protecting critical root zone to (and beyond) drip line
- Consider optimum tree placement with redesign of existing streets on private property
- Incorporate community-wide native habitat, natural resource conservation, wildlife corridors, etc. into planning and implementation effort to achieve maximum benefit from green infrastructure

6. Transportation

- Limited access to electric vehicle charging at residential properties at present
- Work to shift hierarchy of car over public transport and balance competing interests in different City departments (planning v. public works)
- Navigate local v. state control (i.e., city/county v. Department of Transportation) of road, rail, and metro connectivity

Stakeholder and Business/Industry Engagement Listening Sessions

One-on-one listening sessions with community and business stakeholders took place over a four-month period from February 2021 to June 2021. A total of 53 organizations were invited to meet with the Athens-Clarke County Sustainability Office and Southface Institute to have in-depth conversations about what a Clean and Renewable Energy community might look like in Athens. Of the 90+ CAB members, organizations, businesses, agencies, elected officials, and individuals invited; the Sustainability Office successfully held 59 virtual listening sessions. Listening session participation was achieved through outreach from CAB members, two separate email solicitations, and direct contact via phone. Traditionally marginalized communities that are the most affected by climate change consequences were considered priority stakeholders through this process, and particular effort was made to include community groups who represented the voices and experiences of individuals not traditionally heard and/or generally left out of public engagement processes. The success of this effort was possible through the assistance of extraordinary support provided by the ACCGov Economic Development Department, Housing and Community Development Department, and the Inclusion Office.

A series of standard questions were created to help guide the discussion and included:

- What energy related sustainability efforts does the organization already have underway?
- What are barriers that have prevented sustainability efforts?
- What are ways that the local government could support sustainability efforts?
- What are strategies that the organization would caution against local government implementing?
- What are long term concerns related to ACC's Clean and Renewable Energy Commitment?
- What partnership opportunities could be expanded on between ACCGov and the organization and/or community?

In contrast to the broader and more general themes generated through the charrettes, these virtual listening sessions provided more detailed accounts of actions the participants felt ACCGov needed to prioritize in the Clean and Renewable Energy Plan. Detailed themes were consolidated from each session and combined into a single document titled *Combined Themes: Business, Community, Power Providers, CAB.* This document is attached below.

Combined Themes: Business, Community, Power Providers, and CAB

Business Themes

Questions around clean energy knowledge and concerns around clean energy were asked within the business community, which influenced several decisions present in the Clean Energy Plan. A list of those questions are provided below:

Q1.) Please tell us about any energy-related sustainability efforts that your company currently has underway, in planning stages, or may be considering.

- **Energy**
  - Solar tubes, light sensor system, LEDs, solar arrays, energy surveying, and efficient auxiliary power units
  - Electric vehicles & equipment
  - Energy efficient appliances, HVAC, and other systems
- **Water**
  - Low flow toilets, waterless urinals, no irrigation
  - Trying to harvest water from production for non-potable use
- **Other**
  - Composting
  - Buying local
  - Goals to reduce greenhouse gas emissions
    - Production generated CO^2 recovery
  - Zero waste entering landfill goal (hardest items are plastics)
  - LEED certified
  - There are varying levels of effort. While some efforts are very advanced and have their own sustainability goals, others are just starting out or need resources or help to get started.

Q2.) If your business is not currently engaged in energy sustainability efforts, what are some of the barriers or considerations that have prevented you so far?

- **Lack of Knowledge**
  - Need for education around how to begin and be cost effective (i.e. acquiring solar for building, what really works, and who to trust to give accurate information)

    - Do not know what questions to ask
- **Location**
    - Roof usage/suitability and space for solar
    - Difficulty in making changes when a business is renting their building

- **Technology**
    - Needs to improve to make products more affordable and worth the investment
    - Concern that the technology is not as efficient when installed as advertised (i.e. projected savings vs. actual savings)
    - Methods to determine if technology is proven and reliable
- **Funds**
    - Does not meet business's expectation for Return on Investment (ROI)
        - Return periods are often longer than businesses are willing to tie up investment
        - Low or slow ROIs and difficulty determining the ROIs
        - Understanding short-term vs. long-term costs
    - Sometimes a company must be larger for the economics of sustainability to work
    - Need for government incentives or rebates (i.e., low interest loans)
- **Other**
    - Small to medium businesses feel powerless because of the barriers and have a lack of capacity to investigate and advance clean energy goals

Q3.) What are some ways that our local government could support your business' efforts towards energy sustainability?

- **Education**
    - Need seminars, webinars, and workshops on methodology, process, and how to evaluate providers and programs
    - Provide a checklist for new businesses and have a plan in place for new businesses
    - Provide workshops featuring tours of successful businesses and roundtables for businesses to interact
    - Although there are clean energy resources in the community, there is a lack of shared knowledge between businesses
- **Energy**
    - Introduce zoning & planning ordinances that allow solar on rooftops and on the ground
    - Need more and new EV charging stations

    - Retailers who want to offer charging stations as part of their services need a protocol on how to monetize the charging stations
- **Funds**
    - Explore cost-sharing options for solar with the government by providing some of the upfront low-to-no interest loans and/or revolving loan fund
    - Enable group buying among businesses to help with upfront costs
    - Provide tax credits and other financial incentives
        - More incentives for green jobs and technically qualified people
        - Create a resource for identifying what local, state, and federal incentives are available
        - Establish a property tax abatement or incentive similar to Tax Allocation Districts (TADs) in exchange for energy efficiency measures in building
            - Pass on savings to renters
- **Marketing**
    - Promote the sustainability efforts other businesses and industries implementing
    - Highlight sustainability as an economic boon, not as a "green" initiative
    - Rebrand the idea of "Green" in order to broaden community support
- **Other**
    - Involve landlords by identifying a "win/win" for landlords and renters
    - Partner to expand the Purple Pipe initiative (a water reuse pipeline for irrigation and industrial use)
        - Explore potential to sell to other, nearby businesses for non-potable use
    - Increase education regarding cost effective green infrastructure projects including the retention and treatment of stormwater, low water use landscaping and native plants landscaping
    - Explore opportunities for zero waste programs

Q4.) What are some strategies that you would caution our local government against implementing to meet the 100% Clean & Renewable Energy commitment, and why?

- Adopt policies for implementation that have cost effective measures
    - Need to be economically feasible
    - Include economics education
    - Help businesses understand how to approach policies from a cost savings

perspective

- Do not create a plan that includes punitive actions for those who do not participate in clean energy policies or programs
- Some current zoning requirements can be a deterrent
- Provide options and avenues to consider business and industry viewpoints
- Limit harsh restrictions or zoning for residential neighborhoods
- Continue extremely progressive policies in the area of waste
- Remember that businesses are also taxpayers and contribute in various ways
    - Get buy in from ALL and from a large spectrum of people
    - Do not assume everyone is a permanent resident with documentation
- Acknowledge that every technology (even green technology) has pros and cons
- Implement well-designed regulations with advance notice, compliance phase-in, and with costs/benefits equitably distributed
- Prioritize the transparency of policy

Q5.) What are the long-term concerns you have, if any, about efforts toward ACC's 100% Clean & Renewable Energy Commitment?

- Needs to be cost effective
- Too harsh restrictions
- Lack of communication and education about what the plan really will do for businesses and the community
- Ensure community involvement

Q6.) What partnership opportunities would you like to see expanded or started involving the business community and local government?

- **Education**
    - More education around utility conservation efforts
        - Expansion of Purple Pipe Project
        - Greater understanding of sustainable energy needed
    - Implement periodic check-ins with the business community
        - Post-COVID, have in-person meetings to facilitate interaction between government officials and businesses
        - Quarterly workshops
    - Understand what questions to ask and what partnering opportunities are available with ACCUG

        - Create a centralized resource to facilitate to access local, state, and federal sustainability resources and incentives
        - Desire to partner with ACCGov to gain guidance of the process that a company needs to go through to redevelop sites
        - More education and resources on what methods generate the greatest impact and cost savings
        - Need help identifying and applying rebates for businesses
- **Continue to be Supportive**
    - Local government has been very supportive, helpful, and approachable
    - Athens has a great local government
- **Cross Industry Sharing**
    - Business and Industry Roundtables
        - Learn how business and industry successes and processes (i.e. installing solar and other energy initiatives)
        - Identify the "low-hanging fruit" associated with sustainability
    - Create business to business peer pressure and facilitate opportunities for businesses to work together
    - Create opportunities for "block buying" power
    - Partner with a local business to pilot sustainability programs in order to demonstrate the benefits for local businesses and provide feedback
    - Competition fuels progress
- **Other**
    - Expand recycling options
    - Promote high efficiency residential and commercial HVAC and monitoring units
    - Develop technical talent within Athens Clarke County (ACC) to provide technical information and assistance to businesses
    - Provide roof space and solar energy options
    - Utilize local and university resources that can help businesses with ideas and expertise
    - Increase the number of EV charging stations
    - Multifamily ownership changes and financing create disincentives for long-term investment in clean energy
        - Support innovative ideas in this area
        - "Promotions" in multifamily housing rentals may be useful if businesses take on expenses due to their energy savings, location, and transit options, etc.

- Identify methods for multi-family developments to incorporate clean and renewable features that will result in economic savings
- Identify methods to audit and document so economic savings in order to attract renters (i.e., monthly cost may be higher but documented proof related to utility cost proves that actual cost is lower or no greater than other rental facilities)
- Promote and recognize organizations that are transitioning or advancing clean energy and sustainable development (create criteria and recognition program)
- Highlight total cost and subsequent savings associated with transition to reflect affordability, ROI, value, and impact on environment, etc.
- Explore ways to document and promote a clean energy transition such as competitive advantage leads to market transformation or a change towards clean energy investment (i.e., benchmarking policy)

Combined Community Themes

Q1.) Please tell us about any energy-related sustainability efforts that your organization currently has underway, in planning stages, or may be considering.

- Some community gardens, but would like more
- Occasional catching and storing rainwater
- Trying to get solar panels for schools
- Not as much as they would like
- Converting to LEDs
- Always trying to reduce energy costs
- Applied for solar panels, but did not receive the grant
- Working on a 10—15-year energy plan
- UGA students and Georgia Power Company (GPC) did energy assessments
- Building homes to high level of energy efficiency through materials and methods

Q2.) If your organization is not currently engaged in energy sustainability efforts, what are some of the barriers or considerations that have prevented you so far?

- Many community members are renters and are afraid to complain about issues fearing they will be evicted, or the rent will be increased as repairs are made. Because they are often not successful at obtaining basic updates like working appliances and fixing broken

windows, they are not likely to initiate energy saving changes.
    - Renters may not have their name on the bills and thus are unable to communicate with companies
- **Equity & communication**
    - The work available is not diverse enough, and marginalized communities are the last to know about initiatives and energy saving benefits.
- **Financial burdens**
    - Upfront costs of clean energy alternatives (i.e., solar, or even LED light bulbs)
    - Hard to budget for these clean energy expenses
    - Understanding and justify ROI
    - Affordable housing is usually located further in suburbs where public transportation is unavailable
    - The people who can afford sustainable houses, EV, and clean energy alternatives already have wealth and are not the most in need of savings
    - Appraisers currently do not have the training or ability to price energy efficient homes higher which limits the motivation to invest in renewable energy

Q3.) What are some ways that our local government could support your organization's efforts towards energy sustainability?

- **Jobs**
    - Engage people at resource and job fairs (ACC table at or attend these events)
    - Ensure new clean energy jobs address livable wage setting, and paid trainings are mandatory
    - Full time employed residents should not have to struggle to pay their bills
    - Provide protection for immigrant workers
- **Education**
    - Increase communication, advertising, and education of the programs and their benefits
    - Use local radio, news, podcasts, flyers, and churches to spread the word
    - ACCGov needs to create opportunities for in-person discussions of clean energy benefits
    - Provide energy efficiency educational workshops for the organizations and the communities they serve
    - Provide workshops/education opportunities in Spanish/other languages to ensure minority populations have access to information
    - Provide a consolidated list of existing programs that ACCGov provides
        - Community members struggle to coordinate all of the pieces in order to benefit from a program/service

    - Provide alternative education sources to account for computer illiteracy
        - Strong channels for outreach include the newspaper, The Flagpole, and bus advertisements
- **Construction**
    - Provide/require Home Energy Efficiency Rating (HERS) disclosure and create a sticker for the appraiser (placed on the electrical panel) for every new or renovated building/structure
        - Require/provide resources to purchasers that help translate a HERS score into dollars saved for the homeowner
    - Land use changes
        - Smaller lot sizes permitted
        - Reduce parking requirements
        - Allow construction of homes smaller than 1,000 ft^2
        - Provide incentives for restoration or conservation of native habitat during and after construction
    -
- **Helping with renter protection, and landlord compliance**
    - Enforce code compliance
    - Focus on advancing social mobility of renters, to make home ownership easier (co-benefit of reducing renter/landlord split incentive for energy efficiency investments)
    - Create marketing programs available through government and non-government agencies (i.e., ACCGov Housing and Community Development Department, Athens Land Trust, Action, Inc. Habitat for Humanity, etc.)
    - Create a tool kit for renters to ensure they are receiving livable conditions and know their rights (i.e., tenant handbook or one page summary of information)
    - Create policy around standardized clean energy requirements
    - Create low or no cost audits
    - Create solar as an option for renters
        - Collaborate with power companies for assistance and installation of equipment
- **Financial**
    - Create funding or incentives to assist with clean energy solutions (i.e. solar installation)
    - Lower property taxes (for a fixed period or an ongoing percentage) for properties attaining certain clean energy ratings
    - Provide opportunities and funding that create clear financial benefits and

reasonable ROI
    - Investigate grants or low interest loans for builders to use better equipment and technology
    - Make funds available to those who may live in the cash/informal economy

Q4.) What are some strategies that you would caution our local government against implementing to meet the 100% Clean & Renewable Energy commitment, and why?

- Not addressing the equity and fair wages opportunities first before the plan is put in place
- Ensure rental spaces are assessed and meet livable standards before adding energy saving components
- Avoid unfunded mandates
    - Do not require compliance with certain energy efficiency standards without providing resources to help homeowners and businesses
- Being aware that legal migration/residency status varies
    - Legal migration/residency status may limit participation in programs
- Ensure people in the informal economy or cash economy do not get left behind
- Make sure to present clean energy as an opportunity for economic advancement and increased value instead of "green"
- Implement requirements for older buildings
    - Be cautious of standards & updates pricing residents out of their homes

Q5.) What are the long-term concerns you have, if any, about efforts toward ACC's 100% Clean & Renewable Energy Commitment?

- The creation of institutions where workers are not paid a fair and livable wage
    - Need to create good opportunities with living wages or higher
- Concern that stated barriers will not be addressed
- Concern about implementing things that would accidentally hurt our constituents
- Members have a lot of mistrust/anxiety about services being offered and are often in vulnerable situations
    - Need guidance assessing quality and trustworthy resources/services
- Ensure that programs are available to all residents
    - Do not require certain documents that may be difficult for immigrants and people working in the informal economy to obtain
- Concern that requiring retrofits to existing housing stock could impact affordability

Q6.) What partnership opportunities would you like to see expanded or started involving the community and local government?

- **Working with landlords and renters**
    - Provide incentives for landlord to provide the needed updates
    - Give renters the tools/education to take action themselves
    - Require higher zoning standards for all landlords
        - Require changes so landlords do not lose their competitive prices
    - Increase communication and knowledge between tenants and landlords
    - Compile a citywide list of identifiable issues that are being overlooked/not addressed to push for solutions
    - Work with utility providers to help bridge the gap from energy programs to programs for home repairs and other necessary services
    - Partner on a pilot to build a neighborhood out of concrete houses
        - Demonstrate the cost-effectiveness of building tiny homes, condos, apartments
        - Focus on marginalized communities, low socio-economic status households, veterans, etc.
    - Help people transition from rental properties into homeowners
        - Positive effects of homeownership include the ability to save money, attend better schools, and limit reliance on external funding
        - Lower the barriers that inhibit people from achieving homeownership (i.e. fees associated with building currently includes a $3,000 fee just to link to a public sewer line)

- **Education**
    - Help homeowners identify a quality clean energy transition contract (i.e., solar provider) and ways to locate quality contractors when making improvements
    - Include education sessions and outreach around clean energy benefits/programs
    - Reach out to high schools and start the conversation around labor and career pathways as well as energy efficiency
    - Help people understand the ROI for energy-saving initiatives
    - Include the community in conversations, input opportunities, and education sessions
    - Increase dissemination of educational materials
        - Both verbally and written in multiple languages
        - Engage with communities that do not receive flyers (work with community organizations to provide information)
- **Funding**
    - Create revolving loan funds specifically for energy efficiency and solar
    - Ensure that the money and jobs going towards electricity/ natural gas are not

leaving our community by hiring local
    - Increase affordability of solar panels

Combined Power Providers Themes

- Different approaches are driven by members v. state-regulated
- "C&I" (Commercial & Industrial) customers are considered important to the utility
- Power providers strongly recommend clean energy "credits" as an alternative for customers through different types of programs and incentives
- Power providers have heard interest in community solar projects
- ROI is often the "deal-breaker" for some customers seeking clean energy investments

Combined CAB Themes

Q1.) Tell us about any energy-related sustainability efforts that your company currently has underway, in planning stages, or may be considering.

- Tracking policies related to potential EV chargers' locations
- Brainstorming methods to alter energy code terminology in order to bring it up to speed with current technologies
- Brainstorming how to most efficiently implement new energy codes into growing neighborhoods in Athens

Q2.) Your business is not currently engaged in energy sustainability efforts, what are some of the barriers or considerations that have prevented you so far?

- Lack of capital for renovations and renewable technology
- Certain restrictions to Georgia Power programs (not applicable to all institutions, especially those who are subsidized with federal money)
- Need effective education and intentional community goal setting in order to prevent disenfranchisement for any large-scale renewable planning and implementation to occur
- ACC is limited in scope of policy due to state and federal level policies
    - Need to increase lobbying at the state level to advance clean energy policies
- Concern regarding convincing businesses that are only concerned with maintaining the bottom line
- Issues around zoning particularly the fact that property values dictate a certain house size and clients cannot build smaller homes if they are restricted from doing so
- Disconnect between zoning and historic preservation

- Public Service Commission regulations and power providers limit the ability to take advantage of opportunities to expand solar economically (i.e., utilize industrial areas to create micro-power grids that would lower energy cost and enhance clean energy transition)

Q3.) What are some ways that our local government could support your business' efforts towards energy sustainability?

- Create more educational opportunities and resources to help understand and implement energy efficiency measures
    - Create partnership or peer-to-peer learning opportunities available to help provide this information
    - Create financial opportunities to help overcome financing and funding challenges
    - Encourage ACCGov to create resources and educational series for tenants/renters on how to save on energy bills
- Employ a Sustainability Representative as part of the Planning Department
- Work with the Sustainability Office to advance the Green Jobs Pipeline
- Add recommendations for utilizing SPLOST money to ensure the momentum of implementing Clean and Renewable Plan is adequately funded
- Target outreach and education efforts to specific audiences
- Lack of evidence that incentives for the business and construction/development industry increase compliance or enhanced standards for building efficiency, sustainability, or the use of renewable energy
    - Although the city does not have the authority to regulate affordable housing, they do have the authority to regulate energy codes and require that buildings are higher quality
- Advocate for increasing regulations versus rewarding people for volunteering
    - Such standards should be clear and are phased in such a manner that they are achievable by the industry
- Begin a conversation around re-thinking the energy structure (how we get it, how we use it, and how much we use it)
- Advance serious education of elected officials regarding practicality, financial viability of clean energy regarding commercial real estate
    - Create a list of pre-approved re-zones and standards to apply
- Create an energy code for Athens or adopt an energy code that is higher than the federally mandated energy code would help level the playing field and raise the building standards
- Build REScheckS into the permit process (Note: REScheck is a program that enables the industry to document compliance with energy codes. More information is available at:

https://www.energycodes.gov/rescheck)

- Zoning needs to be adjusted to help change building design
- Athens needs an energy inspector to help maintain the quality of projects and ensure sustainable continuation of codes
- Slowly adding more to codes over time may be the most successful method for businesses
- In order to limit stress on small businesses, require larger-scale projects adhere to certain requirements and standards

Q4.) What are the long-term concerns you have, if any, about efforts toward ACC's 100% Clean & Renewable Energy Commitment?

- Create an established guideline for what is considered good renewable standards and a timeline of how to achieve those standards

Q5.) What partnership opportunities would you like to see expanded or started involving the business community and local government?

- Make information about Georgia Power programs (especially RISE) more available
- The Sustainability Office needs to create a conference (within the next 6 months) with other interested stakeholders in order to create a timeline for the plan and outline the target

The Clean and Renewable Energy Town Halls

Five Clean and Renewable Energy Town Halls took place from April 2021 to May 2021. Differing from charrettes and 1:1 meetings, all community members were invited to attend virtual town hall meetings to share their thoughts, concerns, and ideas for creating a successful Clean and Renewable Action Plan. The media and outreach campaign are outlined above in the “Summary of Approach" section. A total of 45 community members attended all virtual town hall meetings.

Town hall meetings generated ideas and perspectives not previously documented, along with ideas and themes that complimented stakeholder and charrettes findings recorded during meetings held prior. Some of these themes include:

- Interest in hydroelectric power sources
- State level barriers
- The Community Energy Fund
- Interest in the ACC Carbon Footprint
- Interest in exploring any prevention of gentrification and accountability during the implementation of the Clean and Renewable Plan
- Questions regarding the application of equity in the hiring and pay/labor for workers in traditionally marginalized communities
    - i.e. creation of a “Green Jobs Pipeline” to help in this effort

Feedback from the meetings is combined into a single document, Clean and Renewable Town Hall Feedback, which can be found below.

Clean and Renewable Town Hall Feedback

Town Hall #1: April 8, 2021

- Need to identify what organizations the Sustainability Office will be collaborating with
- Discussion about opportunities for solar installations, and potential conflicts/overlaps with other development, natural lands, and historic farmland
- Identify how to apply equity in hiring and pay/labor benefits for workers from marginalized communities entering the clean energy field
    - Prevailing wages, paid opportunities while in training programs, apprenticeship standards that align with the labor dept. etc.
    - Consider how this can increase the average wage in ACC

- Consider hydroelectric on the Oconee River

Town Hall #2: April 10, 2021

- Identify community partners in collaboration
    - Are Oconee and Jackson Counties included in this plan?
- Address zoning reform as being excluded from our presented "list" (of pathways towards clean energy)
- The reduction of a carbon footprint means getting people closer to jobs, parks, grocery stores etc.
- Invest in a solar-ready workforce through training and apprenticeships
    - Will these jobs be guaranteed at fair, or prevailing wages?
    - How many people from marginalized communities have been employed by local clean energy employers?
    - Is ACC willing to push for policy that will protect local workers?
- Identify where resistance to this program exists in the community

Town Hall #3: April 19, 2021

- Interest in SPLOST funding to date and ACCGov solar programs/projects to-date
- Interest in an ACC Carbon Footprint
- Why is nuclear energy not included in the currently listed sources of clean and renewable energy?
- Discussion about Athens-Ben Epps Airport, opportunities for solar installations, fuel sources, and other clean energy opportunities
- How many residential homes have been served through the Athens Land Trust efficiency project? Are there plans to continue/increase this project?
- How can energy managers can support small and medium sized businesses?
- Discussion of accountability for plan implementation and prevention of gentrification

Town Hall #4: April 27, 2021

- Concern regarding electric vehicle (EV) "penalty tax" in Georgia
- Interest in recommended company(/ies) for energy efficiency audit
- Interest in EMC community solar programs
- Interest in new hydroelectric power sources
- Question about how Athens will encourage local renewable energy generation
- Interest in coordination between large companies/manufacturers interested in solar investments
    - Could ACCGov play this role?

- Concern regarding legislation preempting local government from restricting certain energy sources
- Is ACCGov considering Solar Energy Procurement Agreements?
- Strong interest in job creation
    - Who will get new jobs? What types of jobs? How long will jobs stay in town?

Town Hall #5: May 6, 2021

- Green Jobs Pipeline opportunity for connection
- Concerns about reaching goals due to challenges at state level
- Interest in learning more about Community Energy Fund
    - Status of funding? Opportunities for using funding?
    - Impacted by COVID?
- Encouragement to meet with Winterville City
- Has this Plan received expected/adequate participation?

Online Survey: Athens' Community

The Athens' community survey was a critical component of the community engagement initiative. To better understand the priorities of residents and local businesses, Athens conducted two online surveys—one for community members and one for local businesses. Both surveys were intended to gauge overall understanding and attitudes towards the ACC Clean & Renewable Energy Action Plan. The survey was advertised throughout town in businesses and common gathering places, on the ACCGov website as well as pushed through multiple online networks, including NextDoor. More than 90 local community organizations were sent the survey with a request that they forward the information to the people they serve. These survey results indicate that both ACC residents and business owners strongly support the 100% Clean and Renewable Energy goal that has been proposed and also support a green economy that will protect the health of residents and the environment.

Over 300 community members and businesses provided their input through both online surveys. The surveys attempted to capture responses from all demographic groups in the ACC community. However, the restrictions imposed by the COVID-19 pandemic may have made it challenging for some residents to participate. Survey respondents were generally middle-aged, middle- to high-income, White, and more likely to own their homes. The low response rate of lower income, younger residents, and people of color may reflect insufficient access to the internet either because of financial constraints or geographical location. These segments of the population may not have participated in the survey because they did not hear about it or could not complete it online. Unfortunately, COVID-19 restrictions prevented ample in-person contact to solicit community input.

To address these limitations, the data received was statistically normalized to be more representative of ACC's demographics. Weights were developed to aid in interpreting the results. For example, 3 percent of the survey respondents were African Americans, even though that demographic comprises 27 percent of the ACC population. Therefore, the African American responses were more heavily weighted to account for the uneven response. The estimated margin of error of +/- 6 percent was based on the controls that could be applied and the response volume. Future solicitation of community input will aim to be more representative of the entire population, especially historically marginalized communities. This should be more feasible as COVID-19 restrictions are withdrawn. Below are short summaries of key survey findings.

Most survey participants supported the Athens 100% Clean and Renewable Energy goal even before learning additional information of what this goal meant. Nearly 70 percent indicated they were very supportive, and 10 percent were somewhat supportive.

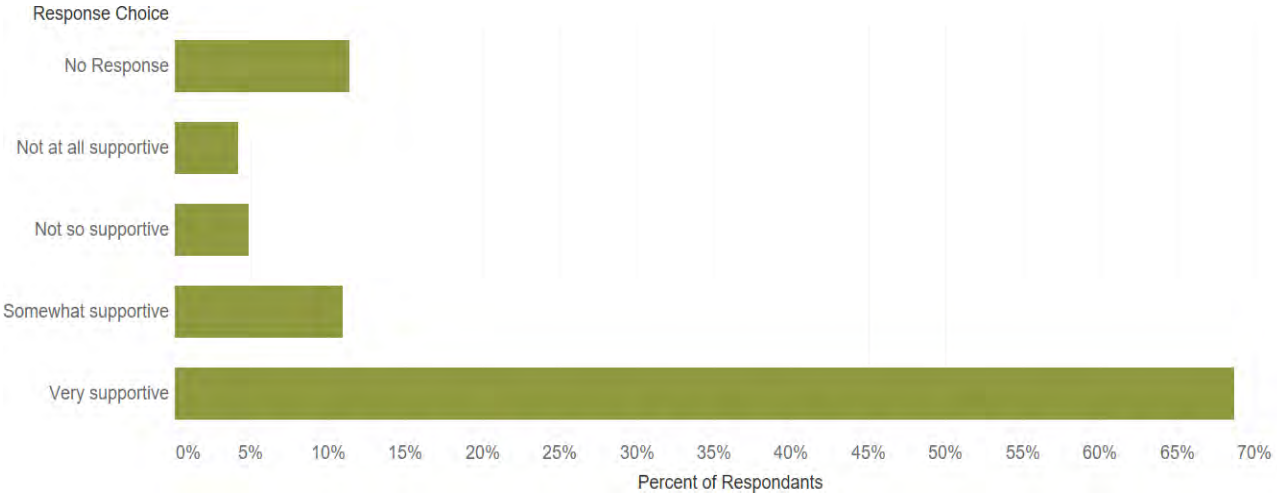


Figure 7.1 If you have previously heard about this goal, knowing what you know right now, how supportive are you of this goal?

Most residents surveyed indicated that residential clean energy and protecting the environment were top priorities. Over 90 percent of respondents thought it was important that all residents received the benefits of clean and renewable energy and that the environment should be protected. A significant majority of respondents also supported the creation of clean and local jobs to improve residential health and equity.

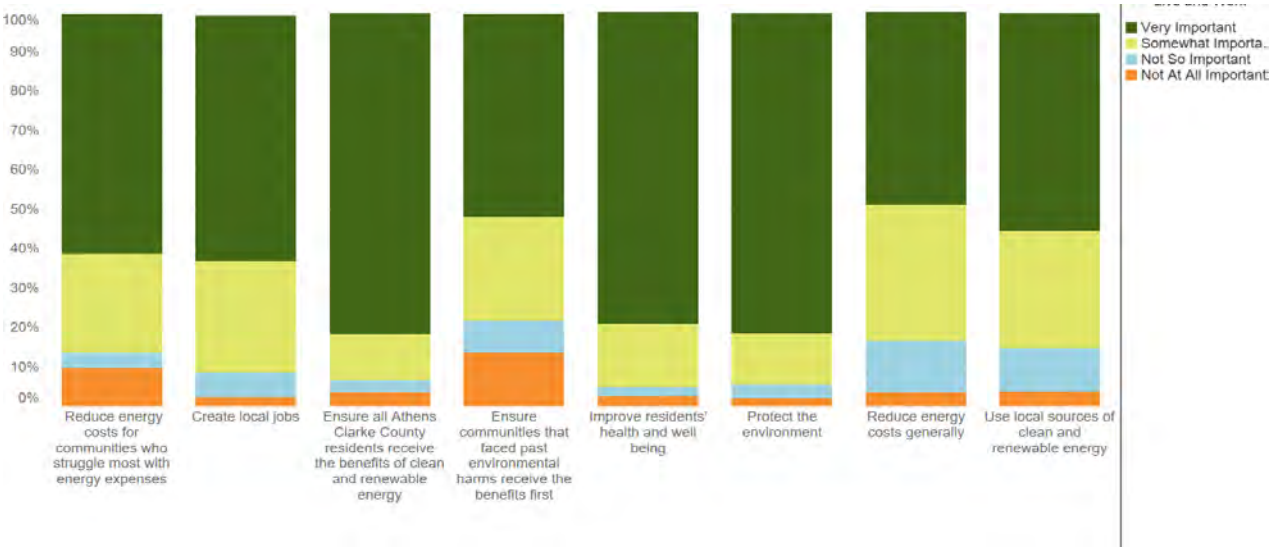


Figure 7.2 In your opinion, how important is it for Athens Clarke-County to also prioritize each of the following as we transition to 100% clean and renewable energy?

When asked about switching to clean and renewable energy for their homes, most respondents (80 percent) said they would switch to renewable energy if given the opportunity. Of the total respondents, 5 percent said they already did, indicating that current demand for renewable energy exists across ACC.

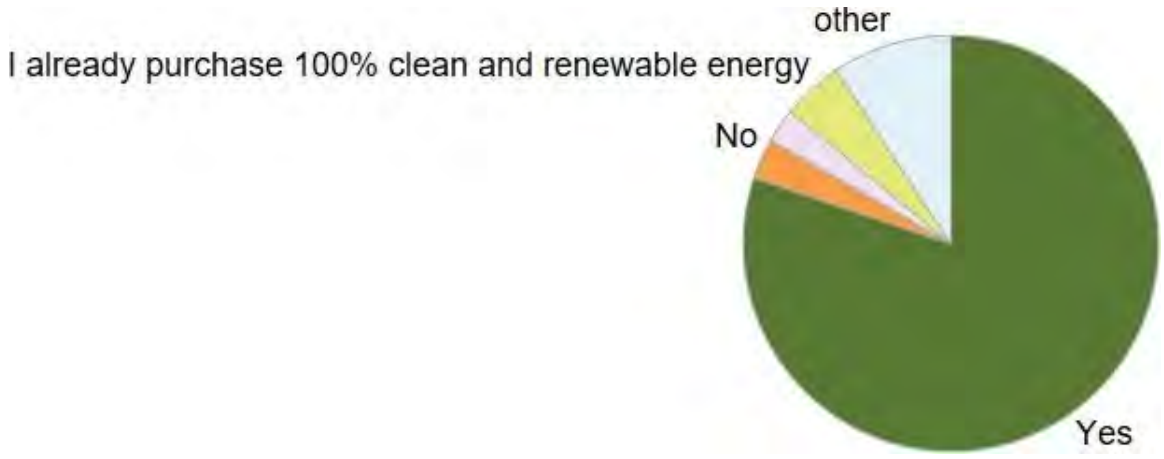


Figure 7.3 For your home electricity consumption, would you consider moving to 100% clean and renewable energy?

Most Athens survey participants support local clean and renewable energy such as solar (93 percent) and energy efficiency (75 percent). Energy efficiency and renewable energy could be expanded and have a clear role in creating green jobs. Many respondents expressed concern over renewable energy credits (RECs) stating that they should be purchased as little as possible to achieve the Athens 100% Clean and Renewable Energy goals.

Online Survey: Athens' Business Leaders

Along with ACC residents, business owners were also asked for their thoughts toward a clean and renewable energy future. Business owner respondents hailed from the construction industry, information industry, and retail and food services. Several businesses responded, ranging from 1 to 100 or more full-time employees.

Of these responses, nearly every single business supported a goal of 100 percent clean and renewable energy across ACC (Figure 7.4).

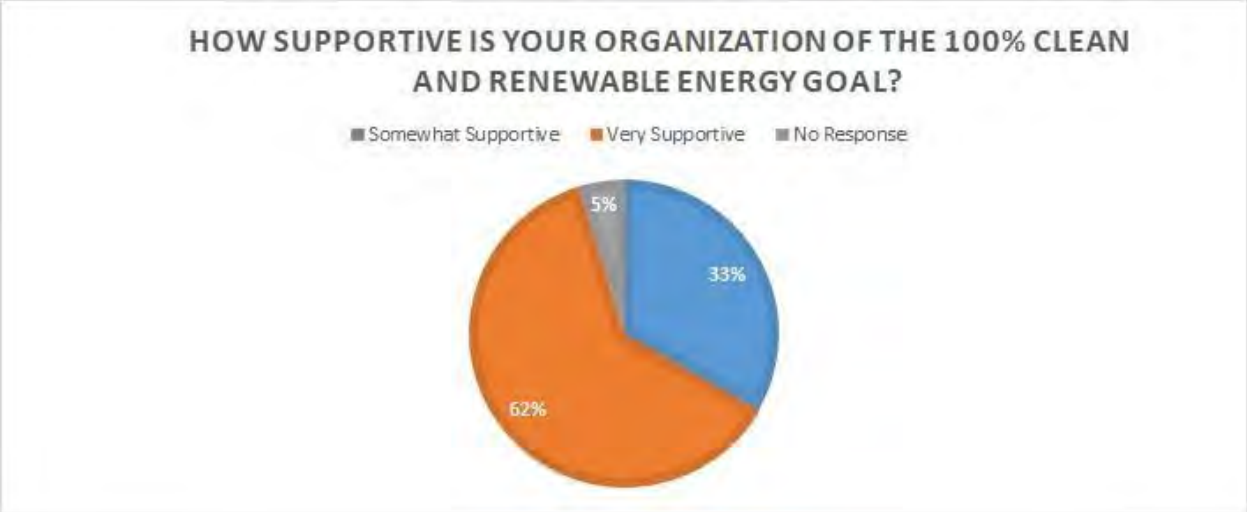


Figure 7.4
How supportive is your organization of the 100% Clean and Renewable Energy goal?

When asked how business leaders would like to move forward with this goal, almost all supported training, workshops, and webinars for their staff and upper management (Figure 7.5).

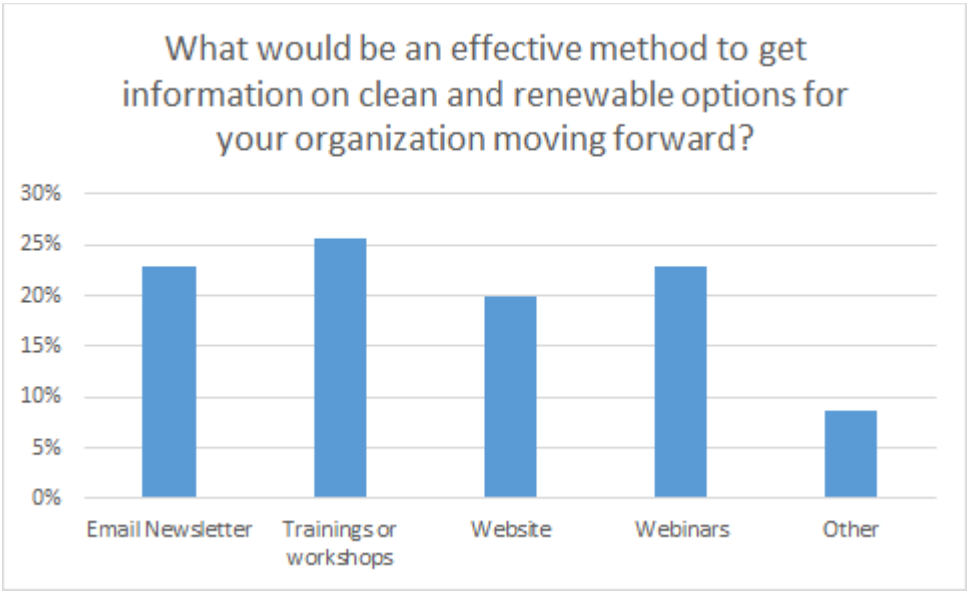


Figure 7.5
Has access to reliable information on clean and renewable options been a barrier to your organization moving forward? If so, what would be an effective method to get this information to your organization?

These survey results indicate that both ACC residents and business owners strongly support the 100% Clean and Renewable Energy goal that has been proposed, and also, support a green economy that will protect the health of residents and the environment.

Lessons Learned

The Clean and Renewable Energy Action Plan has been one of the most ambitious initiatives undertaken by the Mayor and Commission. Developing a framework for a plan of action that spans multiple departments, community partners, and decades necessitates a comprehensive, inclusive, aspirational, and relevant approach for the entire community. Every aspect of this effort was impacted by the arrival of the COVID-19 pandemic, thus, increasing the challenges of the initial planning effort was. At this time, numerous challenges continue to impact goals and resources as the Athens community struggles to recover from the COVID-19 pandemic.

Engagement in a COVID-19 World

The stakeholder engagement process was initially planned as an extensive, person-to-person engagement effort. As initial planning efforts were moving into the implementation phase, the expanding COVID-19 pandemic heavily impacted the engagement plan and resulted in a complete re-evaluation and re-structuring of the effort in order to accommodate the safety needs of the community. This meant transitioning from a heavily in-person engagement strategy, with door-to-door contact, event tabling, and 100^{+} person meetings to a complete virtual engagement strategy. Starting with the small virtual footprint available at that time, ACCGov, the Sustainability Office, and the CAB were forced to develop new strategies and dramatically expanded efforts to reach and engage a diverse population.

The Sustainability Office recognized and tried to overcome multiple challenges, including the fact that certain populations within Athens-Clarke County would be missed in the engagement process due to barriers inherent to virtual communication. While there were many successes, conditions that discourage and limit engagement could not be overcome. Impacts of virtual engagements and challenges continue to be felt most by traditionally marginalized areas of the community.

Barriers include:

- Lack of resources and a lack of general understanding regarding communication via a virtual platform that existed during the initial phases of the effort
- Lack of access to stable Wi-Fi by many
- Lack of access to hardware and/or understanding of technology (especially among older community members)
- Gaps/lack of connection with diverse media outlets
- Lack of a community engagement "guidebook"
    - Resources were not available* to develop or share guidelines that outline a process for ACCGov departments to reach all areas of the community, thus, leaving each department to create their own process

*The position of Community Engagement Specialist was funded in the Public Information Office FY22 budget. One of the duties of this position is to develop a public engagement process and guidebook.

- There was limited funding for educational efforts needed to create a baseline and foundational understanding of a complex issue (i.e., the energy ecosystem).
    - To most people in the community, the energy ecosystem is a mystery whose relevance to everyday life is either accepted as the way things are or is something beyond their control.
    - There is a lack of understanding of the energy ecosystem including topics such as: energy burden, the impact of weatherization, reading a power bill, and the role and importance of the Public Service Commission.
    - Educational initiatives that establish clear and commonly understood, foundational information help community members understand the relevance of the energy ecosystem and how it influences their personal and their community's future.

Recommendations

For future engagement initiatives the following is recommended:

- Investigate the degree of community understanding of the issue and develop/fund key educational initiatives accordingly (pre-launch, during, and post-launch)
    - Such efforts will help community members understand the relevance and will significantly enhance engagement
- Work with the Inclusion and Public Information Offices to develop engagement processes that utilize multiple platforms and provide pathways that reach populations often overlooked or left out (i.e. minority, elderly, people with disabilities, etc.)
- Include funding for staff resources that enhance one-on-one contact and engagement, facilitate opportunities to develop relationships, communication, and build trust

Other Lessons During the Engagement Process

Because stakeholders had a chance to ask questions or communicate uncertainty related to the event, phone calls proved to be more effective in engaging with stakeholders than sending emails. In future engagement, it is recommended to send an introductory email, and follow up with personal contact via phone calls to directly connect with the organization or individual. An engagement schedule to track responses is also strongly recommended.

In the stakeholder listening sessions, the Sustainability Office connected with the Family Connection-Community group, which works with neighborhood leaders across the Athens community to gauge their community's needs and resources. Through this type of connecting and assistance, the Office was able to acquire perspectives that did not come up in public meetings. In the future, it would be beneficial to include groups like Family Connection-Community and neighborhood leaders early in the engagement process to help reach communities that ACCGov departments and offices traditionally have not been able to access. These groups are especially hard to reach in a virtual space without communication channels being established beforehand.

Index of Organizations and Businesses Contacted

Listed below are the organizations that the Sustainability Office and partners reached out to during the engagement process. Individual community members who also engaged with the Sustainable Office are not listed here.

Walton EMC	ABB Motors
East Athens Development Corporation	Architectural Collab
Action, Inc.	Athens Area Chamber of Commerce
Jackson EMC	Benson's Hospitality Group, Benson's Hospitality: Hilton Garden Inn, Springdale Suites
W&E Engineering	Beverage South
Georgia Power Company	Boehringer Ingelheim Animal Health
100% Athens	Carrier Transicold
Athens Area Chamber of Commerce	Northeast Georgia Black Chamber & Owner, Mack & Payne Funeral Home
Oconee Rivers Audubon Society	Chik-fil-A Athens: Alps, Downtown, East Side
BikeAthens	Creature Comforts Brewing
Architectural Collaborative	Fiber Visions
Athens-Clarke County Community Tree Council	Edward Jones Investments
Georgia Climate Change Coalition (GC3)	Golden Pantry Food Stores, Inc.
Oconee River Land Trust	Heyward Allen Cadillac
Upper Oconee Watershed Network	Joiner & Associates (Property Management)
Economic Justice Coalition	Piedmont Athens Regional Medical Center
UGA Sustainability	Publix
University of Georgia	RAI
Keep Athens-Clarke County Beautiful	Rashe's Cuisine
Athens-Clarke County Leisure Services	Saint Mary's Healthcare System
Athens Immigrant Rights Coalition	SKAPS
Athens Area Habitat for Humanity	Terrapin Beer Company
Athens Area Homeless Shelter	The National

The Linnentown Project	Athens Apartment Association
Alliance for a Social Bill of Rights	W&A Engineering
STEMulate	Barberitos
Scana Energy	burton + Burton
Score	ByoPlanet
Peachy Green Clean Coop	CAT
Hancock Community Development, Inc	Chrysler Jeep Dodge
Athens Anti-Discrimination Movement	Engineered Fabrication, Inc
Historic Athens/Hands on Historic Athens	Hendershot's
Bigger Vision of Athens	Pilgrim's Pride
Family Connection-Communities	Family Connection of Athens Neighborhood Leaders
Athens Area Community Foundation	Habitat for Humanity
Rites of Passage	Athens Community Council on Aging
Multiple Choices	Athens Housing Authority
Hancock Community Development Corporation	Athens Land Trust
Destined Learning	Casa de Amistad
Cultivating a Legacy	Green Jobs Pipeline Group
Clarke County School District	Interfaith Clergy Partnership of Greater Athens
City of Winterville	Green Job Pipeline
Rayle EMC	Culinary Kitchen
Condor Chocolates	Maepole
Farm to Neighborhood	Seabear

appendix two | Policy Pathway Tiers

Policy Pathway Tiers

As part of the review of the Policy Pathways, the consultant team used Greenlink's Clean Energy Policy Toolkit to help ACCGov and the CAB evaluate the potential for success. The consultant team generated a ranking system based on priorities indicated by ACCGov, the CAB, and community engagement input. This evaluation process grouped the Policy Pathways into three tiers based on priorities, the potential for success, community impact, cost, and impact on equity:

Tier 1 — Most Urgent for Success (highest): These pathways are relatively easy to implement and/or generate the highest climate and equity benefits. These can be implemented and tracked for success in the near future.

Tier 2 — As Opportunities Present Themselves: While sharing characteristics with Tier 1, these pathways are more difficult to implement in the short term. This may be due to a lack of available funding, inherent and complex legal and/or logistical challenges, or not having broad community support at this time.

Tier 3 — Obstacles Ahead: These pathways are the most difficult to implement because of financial or legal/regulatory barriers. Items ranked as Tier 3 will be revisited in the future, as policies or laws change.

Policy Pathways — Tier 2 & 3

As previously discussed, consistent with the Mayor and Commission's focus on equity, an equity score of ±2 was assigned to each policy pathway. A score of "2" indicates that the selected policy or action could greatly improve equity in the process and outcome, while a score of "-2" indicates the policy will likely worsen equitable processes and outcomes.

+2	Very high impact on energy burden or equity related issues, likely to reduce inequity.
+1	High impact on energy burden or equity related issues, potential reduce inequity.
0	No impact on energy burden or equity related issues. No potential to exacerbate equity or inequity.
-1	Low impact on energy burden or equity related issues, potential to exacerbate inequity.
-2	Very low impact on energy burden or equity related issues, likely to exacerbate inequity.

appendix three | Policy Toolkit Action Area

Chart of Pathways and Tiers

Action Areas	Tier	Equity Score	Action Area Name	Action Area Description
Financing	1	2	Revolving Clean Energy Loan Fund	Self-replenishing clean energy fund from the municipality or state. Typically applies to government properties only.
Financing	1	2	Community Energy Fund	Fund consisting of percentage of franchise fees paid ACCGov by Georgia Power, to be used to fund community clean energy projects.
Financing	1	-1	Green Building Rebate for New Construction	Rebate proportional to performance level achieved
Financing	1	1	Energy Storage Bulk Purchasing	Partner to reduce costs through bulk purchasing on energy storage equipment.
Financing	1	-1	Special Purpose Local Options Sales Tax	Explore an incremental sales tax that provides funding for capital efficiency and renewable expenditures.
Information	1	0	Audit Building Energy Use	Implement commercial building energy audit efforts.
Information	1	0	Track, Publish and Review Municipal Energy Usage	Provide energy efficiency planning and design approaches for local government operations through benchmarking, transparency and auditing.
Programmatic	1	1	Clean Energy Task Force	Establish a community clean energy task force to identify ongoing renewable energy opportunities and provide accountability to the clean energy goals.
Programmatic	1	0	Bundled Clean Energy	Bundling energy efficiency (EE) financing along with renewable energy (RE).
Programmatic	1	0	Providing Solar Energy Procurement Agreement	A Solar Energy Procurment Agreement (SEPA) is a financial agreement in which a third-party solar developer owns, operates, and maintains a solar PV system. Users of the PV system enjoy the benefits of solar without providing upfront capital costs by paying the third-party owner a fixed rate of energy.
Programmatic	1	0	Adopt targets for percentage of facilities equipped with energy storage	Set goals for on-site energy storage at municipal facilities.
Programmatic	1	1	Solar Co-op / Solarize Campaign	Group of homeowners within close proximity to each other obtain competitive solar installations through combined purchasing power.
Regulatory	1	0	Benchmarking and Transparency Program	Create a benchmarking and transparency program for building energy and water efficiency. "Benchmarking" refers to when a building owner understands their current energy consumption to refer to as a baseline. "Transparency" refers to publishing their building's energy performance so that other building owners can benchmark their progress against.

Regulatory	1	0	Routine update of Sustainable Building Policy	Set a cycle for revisiting sustainable building policy for municipal buildings to allow for incorporation of new best practices in sustainable building design in municipal projects.
Regulatory	1	1	Buildings Energy Code	Adopt a buildings code that requires new buildings to be more energy efficient than current state codes.
Regulatory	1	1	Update Building Energy Codes and Increase Code Enforcement	Increase energy efficiency in commercial buildings through updated energy codes and increased enforcement.
Regulatory	1	1	EV readiness ordinance	Law to require all new construction to be built to accommodate EV charging infrastructure for an identified percentage of parking spaces.
Regulatory	1	2	Take active role in intervening and advocating in Georgia Power Integrated Resource Plan (IRP); pursuing policies to advance clean energy in the State Legislature	Engaging in state-level regulatory processes around energy generation and clean energy programming.
Technology	1	0	Municipal Efficient Equipment Procurement Policy	Require that products that require the use of energy and are purchased by municipality meet efficient equipment standards.
Technology	1	0	Install LED Streetlights and Traffic Signals	Invest in street and area lighting in order to improve municipal energy efficiency in cities.
Technology	1	0	Improve Lighting in Municipal Buildings	Take advantage of savings opportunities through high-efficiency interior and exterior lighting solutions in municipal properties.
	1	1	Advocate for microgrid policy change	Microgrids are self-sufficient energy systems that can cover smaller geographical footprints, such as college campuses or hospital grounds.
Financing	1	1	Incentives Education Programming	Promoting residential and business awareness of existing programs and opportunities.
Information	1	1	Community Engagement and Communication on Clean Energy Efforts	Ongoing outreach to keep the general public aware of progress towards sustainability goals, while continuing to receive community input.
Programmatic	1	2	Workforce Training Collaboration	Collaborate with technical colleges and trades to develop a clean energy workforce
Programmatic	1	2	Clean Energy and Equity Planning	Ongoing outreach to keep the public aware of progress towards an energy efficient and equitable goal and to continue receiving citizen input
Programmatic	1	2	Advance Apprenticeship Programs	Advance clean energy apprenticeship programs potentially through SPLOST procurement requirements.
Programmatic	1	2	Educational Programs targeted towards the business community	Provide education for the business community around clean energy practices, energy efficiency, and water reduction strategies.
Financing	1	-1	Identify LOCAL Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation

Financing	1	0	Divestment of ACC Pension fund away from fossil fuel investements	Reallocate any ACCGov employee pension fund holdings connected to fossil fuels into alternative holdings, ideally investing in green energy.
Information	1	0	Update and Publish Greenhouse Gas Inventories	Create a streamlined way to update existing or new inventory for tracking greenhouse gas emissions
Information	1	2	Study of addressing water loss in high-loss meters (on ACCGov side of meter)	Pursue study of water meters to identify meters that have high-loss history.
Technology	1	1	Improve Wastewater Energy Efficiency	Enhance GHG emission reduction strategies that local governments can reasonably employ; specifically energy efficiency in water and wastewater facilities.
Technology	1	0	Expand Wastewater CHP	Use more combined heat and power (CHP) technology at wastewater plants
Technology	1	2	Targeted heat island efforts for low-income and underserved communities	Pursue efforts to promote increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues
Financing	1	2	Public transit investments to expand service and increase passenger miles traveled	Improve public transit speed, reliability and user experience
Programmatic	1	1	Decrease parking requirements	Boost ridership per transit vehicle around affected transit stations through density
Programmatic	1	2	Implement high priority segments in the walking and bicycling network	Increase the amount of walking and biking infrastructure in order to reduce motorized trips
Programmatic	1	1	EV education and incentives	Provide investments in electric vehicle education programs to increase the adoption of EV fleets
Programmatic	1	0	Expansion of landfill gas capture system	Restart practice of capturing landfill gas emissions to be used for transportation fuels
Regulatory	1	0	Fleet conversion goal for 100% completion by 2035, with differentiation between light duty fleet (cars), and medium/heavy duty fleet (haulers, waste trucks)	Create and adopt a goal to fully convert all municipal fleet vehicles to 100% electric
Technology	1	0	Electrify city fleets and buses	Electrify municipal internal combustion vehicles and buses
Technology	1	1	Ubiquitous EV charging infrastructure (especially target multi-family and low income)	Provide charging stations throughout the city to promote the adoption of electric vehicle sales
Technology	1	2	Piggy-back on Athens in Motion and Greenway Network Plan	Utilize the identified goals and programs that are shared across all plans to reduce duplicating efforts and increase effectiveness and reach of the goals.
Financing	2	0	PACE - Commercial	Property-Assessed Clean Energy (PACE): A program that finances energy efficiency programs and renewable energy upgrades to commercial buildings through the use of property taxes

Financing	2	-1	PACE - Residential	Property-Assessed Clean Energy (PACE). A program that finances energy efficiency programs and renewable energy upgrades to residential buildings through property taxes
Financing	2	1	Energy Savings Performance Contracts (ESPCs)	Partnership between building owners and an energy service company that encourages energy savings and facility improvements with no upfront costs to the owner
Financing	2	0	Solar Energy Purchase Agreement (SEPA)	Sign a long-term contract to buy solar built on municipal and commercial rooftops
Information	2	0	Exploration of Greywater and Rainwater Harvesting Incentives	Investigate opportunities to increase greywater use and rainwater harvesting in order to reduce local water usage
Programmatic	2	1	Education for first responders and building officials on energy storage, electric vehicles, and solar installations	Provide resources and training to first responders on new complexities created by battery storage on home energy systems and vehicles, solar on roofs, vulnerability to fires, emergency response strategies, etc
Programmatic	2	0	Energy Operations Manager Position	Have a full-time employee to oversee energy operations for municipal properties
Programmatic	2	0	Formalize a policy to deploy solar (and storage) with new pump stations.	Locate more solar (and battery storage) at PUD water pumping and lift stations
Programmatic	2	0	Voluntary Energy Efficiency and Conservation Program	A program where leading businesses, manufacturers, local and state governments voluntarily commit to improving the energy efficiency of their building portfolio over time
Programmatic	2	1	Identify incentives for water conservation retrofits	Provide resources to fund retrofits to more water efficient fixtures, water reuse (greywater) practices and/or develop policies and programs to encourage voluntary action
Programmatic	2	1	Identify targets for water reuse system	Set targets for water reuse, including greywater and purple pipe programs
Technology	2	0	Develop and Deploy Smart Grids and/or Meters	Allow households and businesses to monitor and adapt their energy usage patterns through smart-grid and smart-meter technologies.
Technology	2	0	Floating solar	Investigate and install floating solar on suitable water bodies.
Technology	2	1	Renewable Natural Gas opportunities in buildings & transport	Explore opportunities to use alternative fuels, such as renewable natural gas for power generation in buildings and/or transportation
Information	2	0	Water Efficiency Business Certification	Encourage business owners to obtain a water-efficient certification for their buildings
Programmatic	2	2	Workforce Training Collaboration	Advance apprenticeship programs (potentially through SPLOST procurement requirements, using targeted RFP/RFQ language)

Programmatic	2	1	Energy Efficiency Demonstration Programs	Support or implement innovative energy efficiency projects
Financing	2	2	Round-It-Up Energy and/or Water Efficiency Program	Fund low-income efficiency work by "rounding up" participant utility bills to the nearest dollar
Financing	2	1	Non- Local, GEORGIA, Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation
Financing	2	0	Carbon Offsets	Compensating for local GHG emissions by canceling out emissions somewhere else in the country through the purchase of carbon offset certificates
Information	2	1	Education on Water-Energy nexus	Provide education on the important relationship between energy and water, for the community to better understand the importance of the plan and incoming programs
Technology	2	2	Reduce Urban Heat Island Effect (Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues (Residential, Commercial, Low-Income Residential)	Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues
Financing	2	1	Commuter Carpooling Incentives	Reduce commuting trips and shift commuting to transit & higher-occupancy vehicles through carpooling, parking incentives, and transit incentives
Programmatic	2	1	Transportation Behavioral Nudging	Program to nudge usage of transit (ex. texting system to determine if transit or driving is more time efficient)
Programmatic	2	1	Increase new mobility options (e.g. bikeshare, electric bikeshare)	Reduce motorized trips by providing bikeshare options
Regulatory	2	1	High frequency public transit network	Define and expand the existing public transit network to increase the efficiency of routes and ridership
Regulatory	2	2	Downtown parking management and pricing	Increase parking fees in high congestion zones to encourage ridesharing or public transportation use
Technology	2	2	EV Carshare	Create a program that would allow participating members of the public to 'check out' EVs for driving around Athens
Technology	2	2	ACC income-based assistance, through green bank, for EV purchasing and fleet conversion	Funding for EV from green bank provided to households or businesses that meet income criteria
Financing	3	2	On-Bill Financing	Allows the utility to absorb the upfront cost of a clean energy upgrade, incrementally repaid by the utility customer each billing period
Financing	3	2	Promote 'Green' Loans	Promote effective bank loan approaches and practices to support renewable energy and energy efficiency projects
Financing	3	0	Virtual Power Purchase Agreement	A renewable energy contract to provide a financial hedge against energy price fluctuations

Financing	3	0	Georgia Power Commercial Efficiency Custom Rebate Programs	Reduces the cost of energy efficient technologies and upgrades
Financing	3	0	Utility Commercial Incentives	Tools and resources provided by the utility to business owners that help commercial customers save money and reduce energy usage provided by the utilities
Financing	3	1	Utility Residential Incentives	Tools and resources provided by the utility to residential homeowners that help save money and reduce energy usage provided by utilities
Programmatic	3	1	Explore opportunities for ground source heat pumps	Identify pathways to promote use of ground source heat pumps in new buildings and/or at time of equipment replacement in existing buildings to promote building electrification
Programmatic	3	2	Policy to address high loss water meters	Policy designed to minimize water loss in lines entering buildings
Regulatory	3	-1	Net Zero Energy Code	Phase-in energy codes that require new buildings to provide as much energy to the grid as they consume.
Technology	3	0	Develop Local Micro-Grids for Critical Infrastructure	Partner with utility to develop microgrid projects; provide local leaders with an understanding of what microgrids are and how they can serve communities
	3	0	Net Zero Energy demonstration project to demonstrate Net Zero Energy Codes	Project for ACCGov facility, such as Athens Library, to demonstrate net zero construction
Programmatic	3	1	Community Solar	A solar power plant that shares electricity across more than one property
Regulatory	3	0	Community Choice Aggregation	The municipality purchases electricity from a power generation source on behalf of residents and businesses within their community
Financing	3	1	Water Efficiency Bulk Purchasing	Reduce cost by bulk-purchasing water-saving equipment
Financing	3	1	Non-Local, NATIONAL, Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation
Regulatory	3	-1	Net Zero Water Code	Phase-in code requirements that new buildings match total water consumed with water obtained from rain, reuse, or returned to the original source
Programmatic	3	2	Upzoning near transit stations	Boost ridership per transit vehicle around affected transit stations through density
Programmatic	3	-1	Market transformation programs to accelerate transition to EVs	Financial incentive program to increase EVs adoption
Regulatory	3	1	Low emissions zones (LEZ)	Create areas where high emitting vehicles are restricted at all times or during certain hours of the day
Regulatory	3	-1	Congestion pricing/Go Zones	Surcharge motor vehicle drivers during peak congestion times to encourage alternative mobility choices
Technology	3	0	Electric Vehicle (EV) Battery Reuse	Recycling EV batteries in order to provide electricity services and resilience value to the grid
Programmatic		0	Municipal Energy Task Force	Establish a clean energy task force to identify ongoing municipal clean energy opportunities

TIER ONE | Buildings and Energy Pathway

Revolving Clean Energy Loan Fund
EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Self-replenishing clean energy fund from the municipality or state. Typically applies to government properties only.

ATHENS CONTEXT — While not a revolving loan fund, the SPLOST allocation for clean energy improvements in ACC is a somewhat similar mechanism for creative financing of municipal energy projects.

PROS — Provides low-to-no interest loans to fund clean energy improvements, and can be designed to suit local priorities and circumstances. This can be used for municipal properties only or can be designed to fund projects city-wide.

CONS — Requires up-front capital costs. The logistics of government administering a loan program will require staffing and resource infrastructure buildout (or development of a 3rd-party implementer), program design and resource allocation requires value-setting and prioritization.

Community Energy Fund
EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Fund consisting of percentage of franchise fees paid ACCGov by Georgia Power, to be used to fund community clean energy projects.

ATHENS CONTEXT — This is a great opportunitiy to fund clean energy projects, such as community solar, or increase investments toward energy efficiency.

PROS — Creates new funding source for community energy projects.

CONS — Availability of funds is dependent on state of the economy.

Green Building Rebate for New Construction
EQUITY SCORE: -1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Rebate proportional to performance level achieved

ATHENS CONTEXT — ACCGov has a program to waive water/sewer interconnect fees for affordable housing. ACCGov could develop an incentive-based green building code that focuses on energy and water conservation.

PROS — Encourages greener building practices.

CONS — Applies only to new construction (not existing buildings), so is does not impact majority of buildings in Athens. It also requires ACCGov funds to pay for rebates.

Energy Storage Bulk Purchasing
EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Partner to reduce costs through bulk purchasing on energy storage equipment.

ATHENS CONTEXT — ACCGov has never bulk-purchased energy storage equipment but could be a key partner in any future partnerships due to scale of ACC properties.

PROS — Takes advantage of economies of scale to save money on per-unit cost of battery storage and can simplify selection/purchasing process for consumer if it is done in a like the solarize campaigns.

CONS — Administering a bulk purchase program would take time and resources and would require some level of administrative overhead.

Special Purpose Local Options Sales Tax
EQUITY SCORE: -1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Explore an incremental sales tax that provides funding for capital efficiency and renewable expenditures.

ATHENS CONTEXT — ACCGov already has an active SPLOST in place for infrastructure projects with an allocation for muni CE projects. SPLOST funds aren't currently eligible for non-municipal projects.

PROS — This is a well-established mechanism to raise funds for projects and can be time-bound, creating flexibility to iterate on as progress is made. Historically there is broad support for SPLOST in ACC.

CONS — SPLOST projects must be maintained as a public

facility under public ownership (but can be transferred to private ownership through sale). Involves levvying additional taxes on residents, for which public support may vary. Only a fraction of proposed projects are able to be implemented.

Audit Building Energy Use

EQUITY SCORE: 0 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Implement commercial building energy audit efforts.
ATHENS CONTEXT — No policy in place at this time, but could be used to inform commercial building owners of their energy consumption and provide energy savings tips.

PROS — This provides a better understanding of energy efficiency needs within a building and identifies energy conservation and cost-saving opportunities.

CONS — Requires in-house energy auditing expertise or hiring external energy auditor, which does have an up-front cost.

Track, Publish and Review Municipal Energy Usage

EQUITY SCORE: 0 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Provide energy efficiency planning and design approaches for local government operations through benchmarking, transparency and auditing.

ATHENS CONTEXT — ACCGov currently benchmarks buildings in ENERGY STAR Portfolio Manager but has not yet disclosed energy performance publicly.

PROS — Transparency in government builds trust, leadership by example, and shows the community the progress made in making ACCGov buildings more efficient. Overtime, this allows the community to see government clean energy policies in action.

CONS — Educational materials need to be provided to ensure the community understands the data being shared.

Clean Energy Task Force

EQUITY SCORE: 1 | **ACTION AREA**: PROGRAMMATIC

ACTION AREA DESCRIPTION — Establish a community clean energy task force to identify ongoing renewable energy opportunities and provide accountability to the clean energy goals.

ATHENS CONTEXT — The Community Advisory Board (CAB) already serves this function. The role of the CAB during the creation of the Clean Energy Plan was to guide policy leaders toward creating an equitable and actionable report.

PROS — A good community engagement indicator that teaches residents and business owners about the clean energy possibilities in their community.

CONS — Compensation for members of this task force should be considered in order to remain equitable.

Bundled Clean Energy

EQUITY SCORE: 0 | **ACTION AREA**: PROGRAMMATIC

ACTION AREA DESCRIPTION — Bundling energy efficiency (EE) financing along with renewable energy (RE).

ATHENS CONTEXT — This policy mechanism would streamline energy efficiency and renewable energy workloads so residents and business owners could see impactful results sooner.

PROS — Allows savings from energy efficiency improvements to fund higher-cost renewable energy investments, making this an equitable policy.

CONS — Costs for renewable energy and energy efficiency need to be considered.

Providing Solar Energy Procurement Agreement

EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — A Solar Energy Procurment Agreement (SEPA) is a financial agreement in which a third-party solar developer owns, operates, and maintains a solar PV system. Users of the PV system enjoy the benefits of solar without providing upfront capital costs by paying the third-party owner a fixed rate of energy.

ATHENS CONTEXT — ACCGov could provide a service as a provider of SEPAs to interested members of the community.

PROS — Makes solar more affordable for all levels of income.

CONS — Implementation logistics and project administration will require up-front setup and capitalization of funds.

Adopt targets for percentage of facilities equipped with energy storage

EQUITY SCORE: 1 | **ACTION AREA**: PROGRAMMATIC

ACTION AREA DESCRIPTION — Set goals for on-site energy storage at municipal facilities.

TIER ONE | Buildings and Energy Pathway

ATHENS CONTEXT —Currently participating in GEFA assessment of solar plus storage opportunities.

PROS — Enhances resilience of power supply at municipal facilities.

CONS — Upfront cost, maintenance, and siting logistics take time.

Solar Co-op / Solarize Campaign

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Group of homeowners within close proximity to each other obtain competitive solar installations through combined purchasing power.

ATHENS CONTEXT — ACC has undertaken successful Solarize campaigns in years past and can continue to do so in the future.

PROS — Bundling multiple customers into larger-scale procurement leads to bulk pricing.

CONS — Building conditions, rooftop solar access, and home ownership limit access to campaign.

Benchmarking and Transparency Program

EQUITY SCORE: 0 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Create a benchmarking and transparency program for building energy and water efficiency. "Benchmarking" refers to when a building owner understands their current energy consumption to refer to as a baseline. "Transparency" refers to publishing their building's energy performance so that other building owners can benchmark their progress against.

ATHENS CONTEXT — ACC currently benchmarks municipal buildings only.

PROS — Promotes awareness of building energy performance (your own and that of your peers), shines spotlight on top energy performers, provides ACCGov with more information on energy performance of buildings in the community (which helps inform future policies and priorities), and leads to transparency and market transformation.

CONS — Requires building owners to collect and report on utility data which can be hard to access for multi-tenant properties.

Routine Update of Sustainable Building Policy

EQUITY SCORE: 0 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Set a cycle for revisiting sustainable building policy for municipal buildings to allow for incorporation of new best practices in sustainable building design in municipal projects.
ATHENS CONTEXT — Sustainable Building Policy currently in place, a mechanism for revisiting over time should be considered.

PROS — Allows for continuous improvement of policy and technology to improve the efficiency of ACCGov staff environment.

CONS — Requires dedicated staff attention to ensure updates are made and enforced.

Buildings Energy Code

EQUITY SCORE: 1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Adopt a buildings code that requires new buildings to be more energy efficient than current state codes.

ATHENS CONTEXT — ACCGov has authority to regulate building codes. Working with building owners, the Athens community, and business leaders can ensure decisions are reached in an equitable way.

PROS — Enhanced energy code enforcement promotes greater quality assurance and control around green building practices.

CONS — Limited resources often exist for code enforcement officials.

Update Building Energy Codes and Increase Code Enforcement

EQUITY SCORE: 1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Increase energy efficiency in commercial buildings through updated energy codes and increased enforcement.

ATHENS CONTEXT — ACCGov has authority to regulate building codes. Working with building owners, the Athens community, and business leaders can ensure decisions are reached in an equitable way.

PROS — Enhanced energy code enforcement promotes greater quality assurance and control around green building practices.

CONS — Limited resources often exist for code enforcement officials.

TIER ONE | Buildings and Energy Pathway

EV Readiness Ordinance

EQUITY SCORE: 1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Law to require all new construction to be built to accommodate EV charging infrastructure for an identified percentage of parking spaces.
ATHENS CONTEXT — Not currently in place; will require amendments to ACC building codes and notification to Georgia Department of Community Affairs

PROS — Facilitates expansion of EV charging infrastructure for more invididuals.

CONS — Makes construction costs slightly more expensive and requires updates to the ACCGov building permitting process.

Take active role in intervening and advocating in Georgia Power Integrated Resource Plan (IRP); pursuing policies to advance clean energy in the State Legislature

EQUITY SCORE: 2 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Engaging in state-level regulatory processes around energy generation and clean energy programming.

ATHENS CONTEXT — Athens-Clarke County intends on intervening in the next IRP in 2022 (IRPs take place on 3-year cycle).

PROS — Motivates the utility to supply more clean energy and deliver more energy efficiency programming to low-income residents.

CONS — Requires knowledgeable consultant to represent Athens' interests and requires funds and staffing resources.

Municipal Efficient Equipment Procurement Policy

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Require that products that require the use of energy and are purchased by municipality meet efficient equipment standards.

ATHENS CONTEXT — Informal policy/best practices exist but no set procurement standard and specifications exist at this time

PROS — Reduces energy costs, GHG emissions, and operation and maintainence. There are associated public health benefits, increased water conservation, and strengthened local market for clean energy service providers.

CONS — Development, adoption, and implementation of updated procurement code can be difficult to manage. This would require current ACCGov contractors to change how they do business in order to qualify for ACCGov contracts.

Install LED Streetlights and Traffic Signals

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Invest in street and area lighting in order to improve municipal energy efficiency in cities.

ATHENS CONTEXT — Athens has already or plans to convert 90% of their street and area lighting to LED.

PROS — More energy efficient and potentially more cost effective (depending on ownership of streetpoles and tariff structure paid to utility).

CONS — Can be a complex procurement structure depending on ownership of streetlight poles in question. Aesthetics of LED lighting can also be controversial - the color temperature as well as brightness can be important in terms of constituent comfort and enjoyment level.

Improve Lighting in Municipal Buildings

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Take advantage of savings opportunities through high-efficiency interior and exterior lighting solutions in municipal properties.

ATHENS CONTEXT — 80%+ of municipal buildings have been converted to LED

PROS — Low-hanging fruit for energy and cost savings. Fast payback period, and is usually easy to install.

CONS — Does require up-front capital expense.

Advocate for Microgrid Policy Change

EQUITY SCORE: 1 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Microgrids are self-sufficient energy systems that can cover smaller geographical footprints, such as college campuses or hospital grounds.

ATHENS CONTEXT — ACCGov can partner with the University of Georgia or local hospitals on the build out of microgrids.

PROS — Has the potential to provide low-cost, efficient,

clean energy.

CONS — Increased need for battery storage is expensive and requires space.

Incentives Education Programming

EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Promoting residential and business awareness of existing programs and opportunities.

ATHENS CONTEXT — ACC is hiring an Environmental Educator in coming months, as well as planning to update website.

PROS — Increases participation in incentive programming and can allow for existing programs to further expand.

CONS — Must dedicate city resources to staff and provide educational information.

Community Engagement and Communication on Clean Energy Efforts

EQUITY SCORE: 1 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Ongoing outreach to keep the general public aware of progress towards sustainability goals, while continuing to receive community input.

ATHENS CONTEXT — The CAB will continue to meet and oversee progress and milestones to Clean and Renewable Energy goals.

PROS — Fosters transparency in the planning processes and provides a continuous cycle of progress towards achieving goals. This also creates accountability framework for reaching goals and tracking progress.

CONS — Requires dedicated (and resourced) staffing and infrastructure to become successful long-term. Most of the success hinges on ACCGov's ability to develop and maintain a network and process for ongoing dialogue (and continuous re-examination of that process).

Workforce Training Collaboration

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Collaborate with technical colleges and trades to develop a clean energy workforce

ATHENS CONTEXT — This is an ongoing process that will require ACCGov, education leaders, and business owners awareness about emerging clean energy jobs and equitable transitions.

PROS — Creates and strengthens a clean energy workforce and fosters economic development. This also provides an opportunity to focus on equity during training collaborations.

CONS — Needs to be crafted with great intentionality to avoid the dynamic of training more individuals than are actually demanded.

Clean Energy and Equity Planning

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Ongoing outreach to keep the public aware of progress towards an energy efficient and equitable goal and to continue receiving citizen input

ATHENS CONTEXT — This is an ongoing effort.

PROS — Fosters transparency in the planning processes and provides a continuous cycle of progress towards achieving goals. This also creates accountability framework for reaching goals and tracking progress.

CONS — Requires dedicated (and resourced) staffing and infrastructure to become successful long-term. Most of the success hinges on ACCGov's ability to develop and maintain a network and process for ongoing dialogue (and continuous re-examination of that process).

Advance Apprenticeship Programs

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Advance clean energy apprenticeship programs potentially through SPLOST procurement requirements.

ATHENS CONTEXT — This is an ongoing effort related the workforce training collaboration mentioned above.

PROS — Creates and strengthens a clean energy workforce and fosters economic development. This also provides an opportunity to focus on equity during training collaborations.

CONS — Needs to be crafted with great intentionality to avoid the dynamic of training more individuals than are actually demanded.

TIER ONE | Community Pathway & Environment Pathway

Educational Programs Targeted Towards the Business Community

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Provide education for the business community around clean energy practices, energy efficiency, and water reduction strategies.

ATHENS CONTEXT — The Athens business community is a very important player in the clean and renewable energy transition. Ensuring that business owners are equipped with clean energy knowledge is extremely important to ACCGov.

PROS — Engages the business community directly by providing them with training around energy efficiency and renewable energy opportunities for their businesses.

CONS — Requires upfront cost and administrative time to complete.

Environment Pathway

Identify LOCAL Renewable Energy Credit Procurement

EQUITY SCORE: -1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Organized bulk purchases of credits for renewable energy generation.

ATHENS CONTEXT — Not currently in place. Could specifically reference a goal in the plan of not only using REC's, and prioritize local and state-level RECs.

PROS — Purchasing them locally reduces GHG's by increasing the use of renewable energy in the state of Georgia.

CONS — Fossil fuels are still being used to generate a majority of electricity in Athens-Clarke County.

Divestment of ACC Pension Fund Away from Fossil Fuel Investements

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Reallocate any ACCGov employee pension fund holdings connected to fossil fuels into alternative holdings, ideally investing in green energy.

ATHENS CONTEXT — Current holdings in fossil fuels are unknown.

PROS — ACCGov employee pension funds would no longer support efforts which directly counteract the Clean and Renewable Energy Plan. This is a simple measure to enact through an ordinance. Fossil fuel divestment has already successfully occured nationwide at both state and local level.

CONS — Could be poor timing due to market volatility. Alternative investments of equal return and value would need ot be located and divestment process may slow.

Update and Publish Greenhouse Gas Inventories

EQUITY SCORE: 0 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Create a streamlined way to update existing or new inventory for tracking greenhouse gas emissions

ATHENS CONTEXT — Athens currently tracks internally, however these values have not been published.

PROS — Tracking and disclosing GHG emissions promotes transparency and accountability, sets baseline understanding of priority opportunities for reducing GHG emissions

CONS — Requires dedicated (and resourced) staffing and infrastructure.

Study of addressing water loss in high-loss meters (on ACCGov side of meter)

EQUITY SCORE: 2 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Pursue study of water meters to identify meters that have high-loss history.

ATHENS CONTEXT — ACCGov can partner and work with the Athens Watershed Management department to develop these plans.

PROS — A study like this could identify water saving opportunities so that investments are not wasted.

CONS — Time, staffing, and costs are required to persue this type of work.

Improve Wastewater Energy Efficiency

EQUITY SCORE: 1 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Enhance GHG emission reduction strategies that local governments can reasonably employ; specifically energy efficiency in water and wastewater facilities.

ATHENS CONTEXT — Facility audits are currently underway in municipal buildings.

PROS — Reduces energy consumption, GHGs, and

improves public health.

CONS — Requires dedicated (and resourced) staffing, and infrastructure.

Expand Wastewater CHP

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Use more combined heat and power (CHP) technology at wastewater plants.

ATHENS CONTEXT — Not currently in place, however it is plausible at North Oconee water reclaimation facility.

PROS — On-site power generation at water treatment plants uses a local fuel source and reduces the need for power generation from outside plants.

CONS — Implementation and infrastructure of new technology on-site can be expensive and require more staffing.

Targeted Heat Island efforts for Low-income and Underserved Communities

EQUITY SCORE: 2 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Pursue efforts to promote increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues

ATHENS CONTEXT — ACC has a Community Tree Council. ACCGov departments supported Priority Action of Envision Athens to inventory all county greenspace and ensure at least 20%+ of county land exists as protected greenspace. ACCGov inventory identified roughly 21% of greenspace under various forms of protection.

PROS — This can reduce energy consumption by naturally cooling neighborhoods through public green space and more pourous surfaces.

CONS — If this is not done equitably, many neighborhoods can be left out, resulting in unequal energy savings.

Transportation Pathway

Public Transit Investments to Expand Service and Increase Passenger Miles Traveled

EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Improve public transit speed, reliability and user experience.

ATHENS CONTEXT — Transit improvements are a regular focus of TSPLOST funds (TSPLOST 2018 Project # 2, 3, 4, 9). It is highly likely that TSPLOST 2023 will include further transit system improvements.

PROS — Improves the experience of transit riders and encourages new riders to take public transport. Decreasing cars on the road reduces GHG emissions and improves public health.

CONS — Requires political inertia to acknowledge what is lacking in current system.

Decrease Parking Requirements

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Boost ridership per transit vehicle around affected transit stations through density.

ATHENS CONTEXT — Multi-modal Center is ACC's only major transit station. ACC Planning Commission makes recommendations to M&C and Planning Dept oversees enforcement.

PROS — Reduces vacancy of buildings because new owners no longer need to comply with parking requirements and increases public transportation ridership.

CONS — Will require changes in building codes and may reduce visitors in key downtown areas if not done properly.

Implement High Priority Segments in the Walking and Bicycling Network

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Increase the amount of walking and biking infrastructure in order to reduce motorized trips.

ATHENS CONTEXT — Athens in Motion Plan with priority matrix.

PROS — A 5% increase in walkability can cut vehicle miles traveled (VMT) by 6.5%. A 1 mile expansion in bike lanes can induce a 0.1% increase in cycling commutes. These result in decreasing traffic and emissions.

CONS — There is a diminished return at a point of increase of bike lanes, meaning adding bike lanes can only increase cycling commutes so much. Cycling is currently not a popular form of transport and requires investment of public works funds to create infrastructure.

TIER ONE | Transportation Pathway

EV Education and Incentives
EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Provide investments in electric vehicle education programs to increase the adoption of EV fleets

ATHENS CONTEXT — There are no planned investments at this time.

PROS — Increases the rate of adoption for EVs in community and decreases emissions and use of fossil fuels.

CONS — It is difficult to ensure that incentives encourage new buyers that are not already considering buying a new EV. This also requires funding that can be funded through FDOT programs.

Expansion of Landfill Gas Capture System
EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Restart practice of capturing landfill gas emissions to be used for transportation fuels

ATHENS CONTEXT — ACCGov had a program that has since ceased. Existing cells have been closed.

PROS — Provides additive fuel source for municipal fleet vehicles, reduces odors, and recycles methane emissions from the landfill.

CONS — Availability of sufficiently high-quality landfill gas may be limited; processing logistics may have tradeoffs in energy use and associated emissions. Expansion of recycling and composting programs in future may lead to less landfill use and reduced availability of landfill gas.

Fleet conversion goal for 100% completion by 2035 (with differentiation between light duty fleet (cars), and medium/heavy duty fleet (haulers, waste trucks))
EQUITY SCORE: 0 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Create and adopt a goal to fully convert all municipal fleet vehicles to 100% electric.

ATHENS CONTEXT — ACC 100% clean and renewable energy by 2050 goal includes conversion of vehicles but does not identify specific interim goals and milestones.

PROS — Reduces emissions caused by fleet vehicles and energy costs associated with them.

CONS — Requires upfront capital to acquire vehicles and time to phase out old vehicles with new.

Electrify City Fleets and Buses
EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Electrify municipal internal combustion vehicles and buses

ATHENS CONTEXT — TSPLOST Proposal #25 (Electrify the Fleet) includes purchase of 47 light EV and 11 EV busses for municipal use plus charging infrastructure.

PROS — Saves city money over time through reduced fuels. Good for the environment and public health of the area. FDOT provides grants and investments that may decrease the cost of vehicles.

CONS — Requires upfront capital to acquire buses and the transition can be time consuming.

Ubiquitous EV charging infrastructure (especially target multi-family and low income)
EQUITY SCORE: 1 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Provide charging stations throughout the city to promote the adoption of electric vehicle sales

ATHENS CONTEXT — The Sustainability Office is exploring the creation of a ranking matrix for locating optimal EV charging locations within ACC.

PROS — Equity is increased when more people have access to low-cost or free charging stations close to their homes.

CONS — Can be costly and requires staffing for maintainence.

Piggy-back on Athens in Motion and Greenway Network Plan
EQUITY SCORE: 2 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Utilize the identified goals and programs that are shared across all plans to reduce duplicating efforts and increase effectiveness and reach of the goals.

ATHENS CONTEXT — Shared goals are being identified.

PROS — Reduces costs by creating an efficient process for change.

CONS — Requires staffing and time to make sure that plans are not being duplicated.

TIER TWO | Buildings and Energy Pathway

PACE - Commercial

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Property-Assessed Clean Energy (PACE): A program that finances energy efficiency programs and renewable energy upgrades to commercial buildings through the use of property taxes

ATHENS CONTEXT — State of GA has passed PACE-enabling legislation for downtown development authorities. Each DDA would need to create its own program. Athens currently doesn't have any program (or planned program) in place. To date, Atlanta is the only city in GA to launch PACE (C-PACE only), and Macon has been in talks to develop one since approx. 2010. Atlanta program launched in 2021.

PROS — Provides access to financing for clean energy improvements through property taxes rather than traditional sources of credit.

CONS — Often not much interest from commercial building owners to use PACE financing because there are cheaper financing mechanisms exist for them, transactions tend to be slow (avg 6 months).

PACE - Residential

EQUITY SCORE: -1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Property-Assessed Clean Energy (PACE). A program that finances energy efficiency programs and renewable energy upgrades to residential buildings through property taxes

ATHENS CONTEXT — State of GA has passed PACE-enabling legislation for downtown development authorities. Each DDA would need to create its own program. Athens currently doesn't have any program (or planned program) in place. To date, Atlanta is the only city in GA to launch PACE (C-PACE only), and Macon has been in talks to develop one since approx. 2010. Atlanta program launched in 2021.

PROS — Provides access to financing for clean energy improvements through property taxes rather than traditional sources of credit.

CONS — History of predatory lending practices by PACE program administrators. The default on PACE funds could lead to foreclosure on one's home. Consumer education is required to ensure customers understand the complex financial transaction into which they're entering. Programs in other jurisdictions have led to controversies around equity and targeting of vulnerable communities. PACE has first-priority on lien so mortgage lenders tend to be opposed.

Energy Savings Performance Contracts (ESPCs)

EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Partnership between building owners and an energy service company that encourages energy savings and facility improvements with no upfront costs to the owner

ATHENS CONTEXT — Not currently in place at this time.

PROS — Finances improvements for bundled, large scale municipal projects that might otherwise have to be done piecemeal over a long period of time. Allows for deeper-level energy improvements by bundling low-hanging fruit with more expensive projects that often get deferred.

CONS — Long-term contracts with ESCOs, complex procurement structures, and shared savings model mean that the ESCO benefits from a portion of financial savings.

Solar Energy Purchase Agreement (SEPA)

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Sign a long-term contract to buy solar built on municipal and commercial rooftops

ATHENS CONTEXT — The first municipal SEPA is in development at Classic Center Authority.

PROS — Provides financing for on-site solar at no up-front cost. Operation and maintainence (O&M) are managed by the SEPA provider.

CONS — Cost savings are dependent on many factors (roof size, sun access, building energy demand, utility rate structure, etc.) and may not pencil out financially for every single building type.

Exploration of Greywater and Rainwater Harvesting Incentives

EQUITY SCORE: 0 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Investigate opportunities to increase greywater use and rainwater harvesting in order to reduce local water usage

ATHENS CONTEXT — Will be completed by September 2022

PROS — An effective pathway that decreases water costs and consumption on-site from off-site resources. May be particularly suitable for new construction. Rainwater harvesting can be helpful to address at a residential

level through lawn maintenance. Rain water barrels help offset pressures of wet weather events on stormwater infrastructure.

CONS — Repairs for leaky connection lines and basic residential plumbing systems may be higher-priority. Permitting and enforcement processes around greywater require buildout of enforcement capacity and expertise for permitting officials.

Education for first responders and building officials on energy storage, electric vehicles, and solar installations

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Provide resources and training to first responders on new complexities created by battery storage on home energy systems and vehicles, solar on roofs, vulnerability to fires, emergency response strategies, etc

ATHENS CONTEXT — Not currently in place at this time, however ACCGov should partner with firestations for training collaborations.

PROS — Equips first responders with education on how to safely respond to emergencies which can lead to saving lives and protecting property.

CONS — Education and curriculum materials required.

Energy Operations Manager Position

EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Have a full-time employee to oversee energy operations for municipal properties

ATHENS CONTEXT — Sustainability Office Energy Resources Coordinator Position has been created and posted. Position likely to be filled by summer 2022

PROS — Energy savings opportunities are more easily identified when a dedicated staffer is monitoring energy use. This provides oversight to ensure that building systems are performing at maximum efficiency, and the cost of energy manager salary is often offset in full by energy savings.

CONS — Requires the creation of a new staff position.

Formalize a policy to deploy solar (and storage) with new pump stations

EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Locate more solar (and battery storage) at PUD water pumping and lift stations.

ATHENS CONTEXT — Cedar Creek Water Reclamation Facility ground-based solar installation serves as proof of concept.

PROS — Expands the use of renewable energy at PUD sites.

CONS — Requires funding and sufficient land/roof space for on-site solar installations.

Voluntary Energy Efficiency and Conservation Program

EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — A program where leading businesses, manufacturers, local and state governments voluntarily commit to improving the energy efficiency of their building portfolio over time

ATHENS CONTEXT — Not in place at this time, however ACCGov should consider partnering with local businesses in order to educate about energy efficiency.

PROS — Recognizes the leaders in the community for energy and water efficiency successes and builds friendly competition to reduce utility consumption. A good vehicle for building awareness and education in the community, and helps to build momentum toward broader culture of energy efficient buildings.

CONS — Since it is a voluntary program, participation will likely represent <10% of commercial buildings, so overall county-wide impact may be small.

Identify incentives for water conservation retrofits

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Provide resources to fund retrofits to more water efficient fixtures, water reuse (greywater) practices and/or develop policies and programs to encourage voluntary action

ATHENS CONTEXT — Public Utilities Water Conservation Office would serve as a key entity, but not currently in place at this time.

PROS — Increases water conservation in buildings and decreases water costs.

CONS — Requires incentives for potential program participant education and requires program administration logistics.

Identify targets for water reuse system

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Set targets for water reuse, including greywater and purple pipe programs

ATHENS CONTEXT — Existing purple pipe program used for industrial use, cooling towers, and other non-dirnking purposes is currently in place.

PROS — Increases water conservation in buildings and decreases water costs.

CONS — The upfront costs could create barriers to entry and education for builders on these systems is needed.

Develop and Deploy Smart Grids and/or Meters

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Allow households and businesses to monitor and adapt their energy usage patterns through smart-grid and smart-meter technologies.

ATHENS CONTEXT — GA Power: Near Full/ Full Implementation. Jackson EMC: Near Full/Full Implementation. Walton EMC: Partial Implementation. Rayle EMC: Partial Implementation

PROS — Allows for providers to respond more quickly to power outages and can help customers respond more quickly to increases in their energy rates.

CONS — Up-front cost and logistics of installation from the utility. Requires cooperation with the utility.

Floating Solar

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Investigate and install floating solar on suitable water bodies.

ATHENS CONTEXT — Bear Creek, Chapman resevoirs, and water treatment plant could be potentially sites for floating solar.

PROS — Provides extra space for solar that is not being currently used by residents or businesses.

CONS — Can be expensive and requires higher operating and maintainence costs.

Renewable Natural Gas opportunities in buildings & transport

EQUITY SCORE: 1 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Explore opportunities to use alternative fuels, such as renewable natural gas for power generation in buildings and/or transportation

ATHENS CONTEXT — The Clean Energy Plan serves as an initial guiding post toward tranisitioning away from fossil fuels in buildings and transportation.

PROS — Uses “renewable” natural gas (as opposed to fossil gas sourced through drilling).

CONS — The level to which this is “renewable” is subject to debate. It is a more volatile fuel than standard NG and may not suit all traditional NG appliances.

TIER TWO | Community and Environment Pathway

Community Pathway

Water Efficiency Business Certification
EQUITY SCORE: 0 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Encourage business owners to obtain a water-efficient certification for their buildings

ATHENS CONTEXT — Currently, a certified Blue program focuses on water efficiency in restaurants. ACCGov is open to expanding this certification to more business types.

PROS — Promotes a culture of water efficiency through rewarding top performers.

CONS — Program administration overhead can be be costly, eligibility requirements for different building types requires expertise, and the cost of installing water efficiency improvements could be prohibitive for small and minority businesses if no resources are provided.

Workforce Training Collaboration
EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Advance apprenticeship programs (potentially through SPLOST procurement requirements, using targeted RFP/RFQ language)

ATHENS CONTEXT — Ongoing

PROS — Creates a more clean energy workforce, fosters economic development, and provides an opportunity to focus on equity.

CONS — Needs to be crafted with great intentionality to avoid the dynamic of training more people than are being demanded.

Energy Efficiency Demonstration Programs
EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Support or implement innovative energy efficiency projects

ATHENS CONTEXT — ACCGov contemplating high-efficiency project that would be treated as an educational resource/demonstration site; ACCGov helps give visibility to green building practices in Athens

PROS — Increases education building decarbonization and is used as a test case to demonstrate proof of concept, which can be shared with others.

CONS — Only gives visibility to building owners who can afford to undertake these type of cutting edge projects.

Environment Pathway

Round-It-Up Energy and/or Water Efficiency Program
EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Fund low income efficiency work by “rounding up” participant utility bills to the nearest dollar

ATHENS CONTEXT — Not currently in place at this time, however this will require partnership and collaboration between ACCGov and local energy utilities.

PROS — Funds low-income energy and water efficiency projects.

CONS — Administrative logistics are expensive and requires participation from the utility.

Non- Local, GEORGIA, Renewable Energy Credit Procurement
EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Organized bulk purchases of credits for renewable energy generation

ATHENS CONTEXT — The use of RECs will be dependent on the decisions guided by the Athens Clean Energy Plan.

PROS — Reduces the use of fossil fuels by purchasing renewable offsets.

CONS — Benefits are not local to the region so air quality and emissions are still a problem.

Carbon Offsets
EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Compensating for local GHG emissions by canceling out emissions somewhere else in the country through the purchase of carbon offset certificates

ATHENS CONTEXT — The use of carbon offsets will be dependent on the decisions guided by the Athens Clean Energy Plan.

PROS — A low-cost, low-effort pathway to reduce or avoid GHGs.

CONS — Verification is complex and it is hard to track how offsets are calculated and sourced. There is opportunity to design a local carbon offset trading market.

TIER TWO | Environment and Transportation Pathway

Education on Water-Energy Nexus

EQUITY SCORE: 1 | **ACTION AREA:** INFORMATION

ACTION AREA DESCRIPTION — Provide education on the important relationship between energy and water, for the community to better understand the importance of the plan and incoming programs

ATHENS CONTEXT — This will require ACCGov to work with local organizations to provide education and community training.

PROS — Increases public awareness about how their energy consumption patterns effects their water supply.

CONS — Most likely requires more staffing to educate and create materials.

"Reduce Urban Heat Island Effect (Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues (Residential, Commercial, Low-Income Residential) "

EQUITY SCORE: 2 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues

ATHENS CONTEXT — ACC has a Community Tree Council. ACCGov departments supported Priority Action of Envision Athens to inventory all county greenspace and ensure at least 20%+ of county land exists as protected greenspace. Inventory identified roughly 21% of greenspaces are under various forms of protection

PROS — This can reduce energy consumption by naturally cooling neighborhoods through public green space and more pourous surfaces.

CONS — If this is not done equitably, many neighborhoods can be left out, resulting in unequal energy savings.

Transportation Pathway

Commuter Carpooling Incentives

EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Reduce commuting trips and shift commuting to transit & higher-occupancy vehicles through carpooling, parking incentives, and transit incentives

ATHENS CONTEXT — Oconee Street Park & Ride lot is one example that should be expanded or used as a model for other incentive programs.

PROS — Can have a high impact on reducing the number of miles travelled by single riders, either through telecommunication or carpooling. Decreases traffic and emissions.

CONS — Administration can be complicated to ensure it is actually effective.

Transportation Behavioral Nudging

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Program to nudge usage of transit (ex. texting system to determine if transit or driving is more time efficient)

ATHENS CONTEXT — No system in place at this time.

PROS — Increases use of public transportation through decreasing single occupancy rides. Reduces traffic and emissions, improves health, and costs.

CONS — Requires buy-in from transit users and the ability to access technology and apps. Also requires cellular data or wifi. If there are plans to use cash rewards to incentivize rides there is additional issue of funding.

Increase new mobility options (e.g. bikeshare, electric bikeshare)

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Reduce motorized trips by providing bikeshare options

ATHENS CONTEXT — ACC ordinance prevents "Sharable Dockless Mobility Devices" (including e-scooters and some electric bicyles) from being offered anywhere in ACC or being used in any public right of way or on public property. Partnerships between transportation services and ACCGov will be required in order to find a solution that works for everyone.

PROS — Reduces the last mile issues with public trasnport users and increases the use of public transport.

CONS — Regulation issues with e-bikes and scooters are present in Athens.

TIER TWO | Transportation Pathway

High frequency public transit network

EQUITY SCORE: 1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Define and expand the existing public transit network to increase the efficiency of routes and ridership

ATHENS CONTEXT — Transit improvements are a regular focus of TSPLOST funds (TSPLOST 2018 Project # 2, 3, 4, 9). It is highly likely that TSPLOST 2023 will include further transit system improvements.

PROS — Increases ridership and increases access to public transport fo low-income groups. Allows for an increase in economic development and success.

CONS — Requires additional funding to make changes to transit and may not see quantifiable results for 1 to 3 years. EV buses are in high demand, so availability may be an issue.

Downtown parking management and pricing

EQUITY SCORE: 2 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Increase parking fees in high congestion zones in order to encourage ridesharing or public transportation use

ATHENS CONTEXT — This is already in place in many Athens locations: Downtown street parking and 2 parking decks (College Ave, Washington St) managed by Athens Downtown Development Authority. Classic Center Deck managed by Classic Center. UGA decks managed by UGA

PROS — Incentivises individuals to choose public transportation or fuel free transportation choices.

CONS — Can be unequitable for individuals who have no choice to park downtown for work and are not compensated by their employers.

EV Carshare

EQUITY SCORE: 2 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Create a program that would allow participating members of the public to 'check out' EVs for driving around Athens

ATHENS CONTEXT — An opportunity to partner with local vehicle dealerships exists in order to increase electric vehicle adoption.

PROS — Reduces emissions and gas costs for rider.

CONS — Produces a liability and safety issue.

ACC income-based assistance, through green bank, for EV purchasing and fleet conversion

EQUITY SCORE: 2 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Funding for EV from green bank provided to households or businesses that meet income criteria

TIER THREE | Buildings and Energy Pathway

On-Bill Financing

EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Allows the utility to absorb the upfront cost of a clean energy upgrade, incrementally repaid by the utility customer each billing period

ATHENS CONTEXT — Requires collaboration by electric utility, but Athens does have authority to use their municipal water utility as an on-bill financing pathway.

PROS — Provides access to financing for clean energy improvements through utility bills rather than through traditional sources of credit.

CONS — This would have to be implemented bythe electric utility, unless creative alternatives exist (such as collecting through water utility bills). Eligibility criteria creates limitations and can limit the number of potential program participants.

Promote 'Green' Loans

EQUITY SCORE: 2 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Promote effective bank loan approaches and practices to support renewable energy and energy efficiency projects

ATHENS CONTEXT — ACCGov could offer this through a Community Energy Fund.

PROS — ACCGov can use their influence to spread awareness about existing lender programs to fund green initiatives.

CONS — May require work on ACCGov's part to do vetting of all products that are being promoted to ensure they aren't suggesting any predatory lending products.

Virtual Power Purchase Agreement

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — A renewable energy contract to provide a financial hedge against energy price fluctuations

ATHENS CONTEXT — This is not feasible at this time.

PROS — Innovative procurement and financing mechanism for grid-scale solar. Allows flexibility to negotiate pricing, saves money, and helps to determine siting of the solar installation.

CONS — Not legally available in Georgia.

Georgia Power Commercial Efficiency Custom Rebate Programs

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Reduces the cost of energy efficient technologies and upgrades

ATHENS CONTEXT — Existing GPC programs have not been successfully marketed in Athens, however opportunities exist for ACCGov to provide support in promoting use of existing programs.

PROS — Helps connect more ACC residents and businesses to existing programs which helps make the case for more robust utility programs in future years.

CONS — Potential program participants have historically struggled with eligibility criteria set by the utility for program participation.

Utility Commercial Incentives

EQUITY SCORE: 0 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Tools and resources provided by the utility to business owners that help commercial customers save money and reduce energy usage provided by the utilities

ATHENS CONTEXT — Georgia Power offers a suite of rebates and incentives for business customers. Jackson EMC provides Commercial/Industrial energy services.

PROS — ACCGov can use their influence to spread awareness about existing utility programs for energy efficiency.

CONS — Potential program participants have historically struggled with eligibility criteria set by the utility for program participation.

Utility Residential Incentives

EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Tools and resources provided by the utility to residential homeowners that help save money and reduce energy usage provided by utilities

ATHENS CONTEXT — Georgia Power, Jackson EMC, Walton EMC, and Rayle EMC offer varied suites of Residential Incentives and Rebates.

PROS — ACCGov can use their influence to spread awareness about existing utility programs for energy efficiency.

CONS — Potential program participants have historically struggled with eligibility criteria set by the utility for program participation.

Explore opportunities for ground source heat pumps

EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Identify pathways to promote use of ground source heat pumps in new buildings and/or at time of equipment replacement in existing buildings to promote building electrification

ATHENS CONTEXT — Georgia Power at times offers incentives for heat pump installation, however there is no ACCGov policy in place at this time.

PROS — Heat pumps provide highly efficient HVAC and/or water heating systems, reducing overall energy consumption in buildings.

CONS — High upfront costs and may require expansion of existing electrical panel as well as ductwork in building.

Policy to address high loss water meters

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Policy designed to minimize water loss in lines entering buildings

ATHENS CONTEXT — Athens loses a large amount of water due to issues in horizontal infrastructure outside of the building. Updated building codes and new piping infrastructure can be considered.

PROS — Reduces water waste.

CONS — High upfront capital costs and will require the employment of skilled workers.

Net Zero Energy Code

EQUITY SCORE: -1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Phase-in energy codes that require new buildings to provide as much energy to the grid as they consume.

ATHENS CONTEXT — There is no code in place for this currently, however ACCGov should collaborate with building owers in order to transition toward this as equitably as possible.

PROS — Increases energy efficiency in buildings and lowers utility costs.

CONS — This is a more complex code to adhere to and enforce.

Develop Local Micro-Grids for Critical Infrastructure

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Partner with utility to develop microgrid projects; provide local leaders with an understanding of what microgrids are and how they can serve communities

ATHENS CONTEXT — None currently in place in Athens. Existing microgrid projects in GA that could serve as an example for Athens include a partnership between GA Tech and GA Power.

PROS — Provides power to participants when the main power source fails, adding resiliency to critical infrastructure (hospitals, public safety facilities).

CONS — Expensive installation and upkeep.

Net Zero Energy demonstraction project to demonstrate Net Zero Energy Codes

EQUITY SCORE: 0

ACTION AREA DESCRIPTION — Project for ACCGov facility, such as Athens Library, to demonstrate net zero construction

ATHENS CONTEXT — There is no code in place for this currently, however ACCGov should collaborate with building owers in order to transition toward this as equitably as possible.

PROS — Opportunity to teach the community about net-zero projects that are available for their buildings.

CONS — Requires educated staff and compensation.

Municipal Energy Task Force

EQUITY SCORE: 0 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Establish a clean energy task force to identify ongoing municipal clean energy opportunities

ATHENS CONTEXT — Athens previously had one, and can re-institute.

TIER THREE | Community and Evironment Pathway

Community Pathway

Community Solar
EQUITY SCORE: 1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — A solar power plant that shares electricity across more than one property

ATHENS CONTEXT — Not available for Athens at this time.

PROS — Provides solar power to residents who are not able to install rooftop solar onto their homes.

CONS — Provides solar power to residents who are not able to install rooftop solar onto their homes.

Community Choice Aggregation
EQUITY SCORE: 0 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — The municipality purchases electricity from a power generation source on behalf of residents and businesses within their community

ATHENS CONTEXT — Not available for Athens at this time.

PROS — Allows the community to choose what power sources they'd like to receive their energy from.

CONS — This is not available to Athens.

Environment Pathway

Water Efficiency Bulk Purchasing
EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Reduce cost by bulk-purchasing water-saving equipment

ATHENS CONTEXT — Not available for Athens at this time, however partnerships with the Athens Watershed Management offices is a crucial next step to move this policy forward.

PROS — Takes advantage of economies of scale to save money on per-unit cost of water efficient equipment.

CONS — Administering bulk purchase program takes time and money. Administrative overhead is required.

Non-Local, NATIONAL, Renewable Energy Credit Procurement
EQUITY SCORE: 1 | **ACTION AREA:** FINANCING

ACTION AREA DESCRIPTION — Organized bulk purchases of credits for renewable energy generation

ATHENS CONTEXT — Not currently in place, however local RECs are being prioritized when the decision to purchase RECs comes.

PROS — Reduces the use of fossil fuels by purchasing renewable offsets.

CONS — Benefits are not local to the region so air quality and emissions are still a problem.

Net Zero Water Code
EQUITY SCORE: -1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Phase-in code requirements that new buildings match total water consumed with water obtained from rain, reuse, or returned to the original source

ATHENS CONTEXT — ACCGov has authority to regulate building codes, however collaboration with building owners is required to move forward equitably.

PROS — Conserves water, reduces sewer needs, and takes pressure off of centralized water treatment infrastructure.

CONS — Legal and regulatory arena makes this complex to implement (local and state oversight involved). There are also high barriers to entry.

TIER THREE | Transportation Pathway

Upzoning near transit stations

EQUITY SCORE: 2 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Boost ridership per transit vehicle around affected transit stations through density

ATHENS CONTEXT — ACC Planning Commission make recommendations to M&C, Planning Dept oversees enforcement. Multi-modal Center is ACC's only major transit station.

PROS — Decreases number of cars on the road in certain areas, reducing emissions and improving area health.

CONS — Requires money and planning from the local transit department. There is a risk of dissatisfaction from surrounding residents if public transport is unable to accomodate an increase in riders.

Market transformation programs to accelerate transition to EVs

EQUITY SCORE: -1 | **ACTION AREA:** PROGRAMMATIC

ACTION AREA DESCRIPTION — Financial incentive program to increase EVs adoption

ATHENS CONTEXT — No program in place at this time.

PROS — Increases the number of EV's on the road and improves public health.

CONS — It is difficult to ensure that funds are used toward the purchase of a new electric vehicle.

Low emissions zones (LEZ)

EQUITY SCORE: 1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Create areas where high emitting vehicles are restricted at all times or during certain hours of the day

ATHENS CONTEXT — No program in place at this time.

PROS — Reduction in the concentration of pollutants in areas frequented by commercial transport, providing better health conditions and reducing sound pollution.

CONS — Requires political will; many commercial fleets will oppose any regulations.

Congestion pricing/Go Zones

EQUITY SCORE: -1 | **ACTION AREA:** REGULATORY

ACTION AREA DESCRIPTION — Surcharge motor vehicle drivers during peak congestion times to encourage alternative mobility choices

ATHENS CONTEXT — No system in place at this time.

PROS — Can decrease congestion, improve public health, and decrease traffic. More public transportation is encouraged.

CONS — There are equity concerns around deciding where zones should be placed. Requires funding, technology investments, and staff to track liscense plates in the area.

Electric Vehicle (EV) Battery Reuse

EQUITY SCORE: 0 | **ACTION AREA:** TECHNOLOGY

ACTION AREA DESCRIPTION — Recycling EV batteries in order to provide electricity services and resilience value to the grid

ATHENS CONTEXT — SK Innovation is a battery plant that is expected to be complete by the end of 2023. EV battery reuse is currently not one of their offerings but could change in the future.

PROS — EV batteries provide 70% of their storage to provide reliable energy for the grid in times of power outages.

CONS — This is still a very new concept.

appendix four | List of Acronyms

ACC — Athens-Clarke County
ACCA - Athens Community Career Academy
ACES — Advanced Clean Energy Scenarios Model
ACCGov — Unified Government of Athens-Clarke County
ArcGIS — Geographical Information System (GIS) software family
BAU — Business-As-Usual
CAB — Community Advisory Board
CHP — Combined Heat and Power
COP26 — United Nations Climate Change Conference
COVID-19 — Coronavirus Disease 2019
COPD — Chronic Obstructive pulmonary disease
CO2 — Carbon Dioxide
CTAE — Career, Technical, and Agricultural Education
CRP — Clean and Renewable Energy Action Plan
EMC — Electric Membership Cooperative
EE — Energy Efficiency
EV — Electric Vehicle
GICH - Georgia Initiative for Community Housing
GHG — Greenhouse Gas
HOPE - Helping Outstanding Pupils Educationally (HOPE) Scholarship
HVAC — Heating, Ventilation, and Air Conditioning
IPCC — Intergovernmental Panel on Climate Change
IRP — Integrated Resource Plan
kW — Kilowatt
kWh — Kilowatt-Hours
LED — Light-Emitting Diode
LEED — Leadership in Energy and Environmental Design
MAX — Maximum Clean Energy Potential Scenarios
MCE — Most Cost-Effective Scenario
MMT — Metric Tons
MW — Megawatt
MMT — Metric Tons
MW - Megawatt
MWh — Megawatt-Hours
NH3 — Ammonia
NOx — Nitrogen Oxides
PACE — Property Assessed Clean Energy
PM2.5 — Fine Particles
PM10 — Particulate Matter
PSC — Georgia Public Service Commission
RE — Renewable Energy
REC — Renewable Energy Credit
RFP — Request for Proposal
RFQ — Request for Quote
SO2 — Sulfur Dioxide
SEPA — Solar Energy Procurement Agreement
SPLOST — Special-Purpose Local-Option Sales Tax
TSPLOST — Transportation Special Purpose Local Option Sales Tax
VOCs — Volatile Organic Compounds

appendix five | Policy Pathway Assessment Tool

This tool is designed to provide a process and set out questions to assist, guide, and address the impacts of decision-making that includes an equity lens. By utilizing an equity lens as part of this process, it helps identify and eliminate disparities, moving Athens toward a community where identity is no longer a predictor of outcomes.

The ACCGov Mayor and Commission has defined equity as:

> *Equity means justice, fairness, and including the different lived experiences, backgrounds, and needs of individuals and groups in policies and practices in order to close the gaps and improve outcomes.*

In developing and implementing the Clean and Renewable Energy Action Plan in the coming years, ACCGov includes a focus on Equity that:

- Evaluates and implements policies and procedures to ensure fair treatment and access to resources, moving toward a community where circumstance is not a predictor of outcomes.
- Evaluates and assesses the impact of policies on residents to ensure that actions are based on specific, identified needs rather than assumptions.
- Commits to taking consistent action to identify and eliminate disparities in order to increase positive outcomes throughout the community.

Project	Proposal	Data	Community Engagement	Impact	Analysis & Strategies	Implementation	Accountability & Evaluation
Dept: Division: Project Title:	Policy, program, or project description. Desired results and outcomes ?	How has data been broken out: geographic areas, demographics, neighborhoods, populations, existing programs, /policies, etc.? Are there data gaps?	How have community members and stakeholders been engaged? Whose voice did we listen to? Whose voice did we leave out? Do barriers and/or opportunities to engagement exist and have they been explored?	What populations are impacted by the decisions we are about to make? Who is burdened by this proposal? Who will benefit? What does this proposal have the ability to impact (community and equity indicators, ex: housing, food access, youth development, education, economic development)? Organizational impact?	What are the strategies for advancing opportunity and/or minimizing negative or unintended outcomes? What have you learned from data and stakeholder involvement? What impacts are aligned with desired community and organizational outcomes? What is unresolved?	What is the plan for implementation? Is it realistic and adequately funded, staffed, resourced? What resources and/or actions are still needed?	How will we ensure accountability, communicate, and evaluate results? How will impacts in the community be documented and evaluated? How will you continue to communicate, partner, and sustain relationships in the community around this project's impact?

Glossary of Terms:

Inclusion- Inclusion means the choices, methods, and strategies that create room for more voices, and cultivate an environment where every individual and group is acknowledged, welcomed, respected, and valued in a matter that support their full participation.

Diversity- Diversity includes human differences across a range of experiences, identities, and backgrounds. Valuing diversity requires actively seeking out and acknowledging individual and group differences while prioritizing the benefits of representation.

Equity- Equity means justice, fairness, and including the different experiences, backgrounds, and needs of individuals and groups in policies and practices in order to improve outcomes. Equity requires the evaluation of policies and processes to ensure that disparities are identified and

eliminated, moving ACCGov towards a community where identity is no longer a predictor of outcomes.

Equity Tool- Equity tools are designed to intentionally integrate equity into decision-making, which includes policies, programs, and projects which too often are developed without thoughtful consideration of equity. An equity tool can be used as both a process and a product, and can help to implement strategies and actions that reduce (and do not further perpetuate) inequities, while improving success for all groups.

Disparity- A measurable difference in outcomes for populations.

Community Indicator- The means by which we can measure socioeconomic conditions in the community.

Equity Indicators- Equity Indicators work across multiple areas (e.g., education, housing, food access, economic development, health, etc.) and measure the disparities faced by disadvantaged groups (those most vulnerable to inequity, such as racial and ethnic minorities, immigrants, or individuals living in poverty) across those domains on a regular basis, tracking change over time.

Impact- Connecting the people to the policy through process, it's the condition we aim achieve in the community.

Outcome- A final product or end result.

Distinction between Equity and Equality- Equality uses the same strategies for everyone, but does not account for situational differences, and therefore does not produce equal outcomes. outcomes. Equity uses differentiated and targeted strategies to address different needs, so that identity is no longer a predictor of outcomes.

POLICY AND/OR PROCEDURE STATEMENT

SUSTAINABILITY OFFICE
UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

I. POLICY SUBJECT: Standards and procedures to be followed in the partial reallocation of future utility franchise fee revenue from the General Fund to a unique Project within the Special Programs Fund for the purpose of community energy projects.

FUNCTIONAL AREA: Manager's Office/Sustainability Office & Finance Department

POLICY/PROCEDURE NUMBER: SUST-001

II. POLICY STATEMENT:

As defined by this Policy, upper revenue targets are established for fees collected by the administration of utility franchise fees to energy providers--including, but not limited to Georgia Power Company, Jackson Electric Membership Corporation, Walton Electric Membership Corporation, Rayle Electric Membership Corporation, and Atlanta Gas Light Company—so as to constrain the amount directed into the Athens-Clarke County Unified Government (ACCGov) General Fund with the remainder redirected to unique Project within the Special Programs Fund known as the Community Energy Fund project (CEF). This undesignated revenue target will increase in future fiscal years at an annual rate not to exceed 1%, and will be suspended during times of national economic recession. In support of a transition to 100% clean and renewable energy, the CEF will be used to improve building performance and reduce energy cost burdens in Athens-Clarke County for the benefit of low and moderate income residents, businesses, and non-profit organizations. The distribution of CEF funds back into the community shall be directed by a CEF utilization policy approved by the Mayor and Commission. The utilization policy will be informed by the Clean Energy Action Plan.

III. POLICY TERMS:

A. Policy Goals:

The goals of this Policy are to create a fund that will:

1. Make meaningful progress towards achieving ACCGov's 2050 community-wide 100% Clean and Renewable Energy Goal;

2. Create a feedback mechanism where increases in utility energy costs and/or energy consumption result in a funding source that is available to use energy efficiency improvements and renewable energy installations to reduce energy burdens for the residents and businesses most impacted by these increases;
3. Support energy-related economic development incentives used to recruit and expand businesses in the community;
4. Create a funding source that is available to support the non-profit community in a transition to renewable energy through energy conservation and renewable energy projects, and by funding programs that address local poverty by supporting jobs in the clean energy economy;
5. Amplify existing conservation programs provided by energy utilities and identify other community programs that can leverage funds for existing work with residents most vulnerable to increasing energy costs; and,
6. Achieve these goals by creating a sustainable financial mechanism which responsibly maximizes the funds already available to this Unified Government.

B. Definitions:

1. Fiscal Year: The 12 month budgetary year used by ACCGov, ending on June 30 of each year.
2. General Fund: The primary fund used by ACCGov to record budget revenues and expenses not associated with special purpose funds.
3. Special Programs Fund: An account established by ACCGov to provide an extra level of transparency and accountability to residents by collecting funding for designated purposes. When annual revenues exceed expenses, a special programs fund carries funding forward across fiscal years.
4. Franchise Fee: An annual fee paid by privately held utilities to offset the impacts their services have on the community. The fee is typically based on the amount of utility services sold and is established in franchise agreement between each utility and ACCGov.
5. Energy Burden: The proportion of household income spent on energy services.

C. Community Energy Fund Procedures:

The following budget allocation procedures will be followed to ensure ACCGov utility franchise fee revenue is expended in a manner that meets the aforementioned goals of this policy while ensuring transparency and accountability.

1. The ACCGov Manager (Manager) shall create a unique Project within the Special Programs Fund, which shall be funded as directed in this policy.
2. With each budget adoption, the Mayor and Commission will set the limit for undesignated franchise fee revenues and estimates for contributions into the Special Programs Fund, to the Community Energy Fund project. If energy-related franchise fees come in below the budget forecasts, a lesser amount will be allocated to the Community Energy Fund. If energy-related franchise fees come in above budget forecasts, a budget amendment will be used to allocate the additional revenue into the Community Energy Fund.
3. In the first two fiscal years of this policy, the annual upper limit on utility franchise fee General Fund receives for undesignated purposes will be held steady with the FY21 projections identified in the budgeting process.
4. Each fiscal year thereafter, the amount of utility franchise fee funds utilized in the General Fund for undesignated purposes should increase by 1% annually. The next ten years of proposed upper limits for the undesignated use of electric and natural gas franchise fees are as follows:

Fiscal Year	Undesignated Electric & Gas Franchise Fee Revenues
2021	$7,175,000
2022	$7,175,000
2023	$7,247,000
2024	$7,319,000
2025	$7,392,000
2026	$7,466,000
2027	$7,541,000
2028	$7,616,000
2029	$7,693,000
2030	$7,770,000

5. Aside from the recessional policy suspension outlined in Section D, any increase or decrease in the upper limit on franchise fee revenue going into the General Fund shall require Mayor and Commission approval.
6. As CEF revenues accumulate, the use of these funds shall be guided by the future utilization policy to be adopted by the Mayor and Commission and developed in alignment with the Clean Energy Action Plan.
7. Once a utilization policy is adopted, the Sustainability Office will be responsible for the administration of the CEF, with oversight provided by the Finance Department and Attorney's Office.
8. This policy shall take effect in the 2021 fiscal year budget beginning July 1, 2020.
9. At the end of each fiscal year, the Finance Department will implement a revenue reclassification to reallocate energy utility franchise fees in excess of the upper limited established in the budget process (targets listed in Section C), from the General Fund to the Special Programs Fund revenue specifically for this project.

D. Suspension of Policy in the Event of National Economic Recession:

1. In any ACCGov fiscal year with two or more fiscal quarters of ≤ 0% growth in national gross domestic product (GDP), the procedures outlined in Section C of this Policy shall be suspended for the current and following ACCGov fiscal year.
2. In any time where two consecutive fiscal quarters of ≤ 0% growth in national GDP bridges an ACCGov fiscal year (Q4-Q1), the procedures outlined in Section C of this Policy shall automatically be suspended only for the fiscal year in which the Q1 national GDP is ≤ 0%.
3. When Section D provisions are triggered, there will be no upper limits on undesignated franchise fee revenues for use by the General Fund and no revenues will be directed to the CEF unless directed by the Mayor and Commission.
4. For the purposes of this Policy, annual economic growth will be determined by utilizing the most recent quarterly estimates of GDP available from the U.S. Bureau of Economic Analysis.

appendix seven | 100% Clean and Renewable Energy Resolution

100% CLEAN AND RENEWABLE ENERGY RESOLUTION BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, there is a strong scientific consensus regarding the reality of climate change and the connection between anthropogenic factors that create greenhouse gases, and how it is affecting our community now, and how current projections show what future generations will experience; and

WHEREAS, the combustion of fossil fuels, through direct emissions and through secondary climate change impacts, poses a threat to human and environmental health globally through increased air and water pollution, sea level rise, climate-driven extreme weather events, and accelerated loss of species and habitats; and

WHEREAS, Athens-Clarke-County is highly vulnerable to the effects of climate change on residents, public infrastructure and the local economy, and the development of locally-generated renewable sources of energy will increase the resilience of Athens-Clarke-County and reduce the impacts of power loss during natural disasters; and

WHEREAS, Athens has maintained a high poverty rate over the years, and black and brown communities and other economically disadvantaged people will experience the economic, environmental, health, and social harms of climate change disproportionately, and spend more of their income on energy than median households in our community; and

WHEREAS, "Clean and renewable" energy pertains to energy sources that are less detrimental to the environment than fossil fuels, and the switch to clean energy sources will reduce air, water and land pollution and the associated impacts on public health and public spending; and

WHEREAS, energy use is a holistic system, with conservation and transportation electrification being highly prioritized in order to guarantee that resources are optimized to their fullest potential during Athens' transition to 100% renewable energy; and

WHEREAS, at both a national and local level, household income, home ownership status, race, and age are historically correlated with the likelihood that a household will spend more of its total income on energy expenses; therefore, it is imperative that we prioritize low-income, black, brown, and senior communities with policies and programs to decrease their energy burden through the adoption of sustainable and renewable technologies; and

WHEREAS, the Unified Government of Athens-Clarke-County is a leader in environmental sustainability and has used energy conservation, solar energy systems, solar thermal systems, and a landfill gas recovery system to save more than $450,000/year in energy expenses while generating nearly 15% of its energy needs from renewable sources; and

WHEREAS, the work from local utilities has increased energy efficiency and the amount of grid energy provided by renewable sources, which has led to Georgia being one of the leading states for the deployment of solar power; we further recognize the major role utility providers will play in transitioning our community to clean and renewable energy; and

WHEREAS, the development of the renewable energy sector has already created 76,500 high-paying jobs in Georgia, with significant growth expected as less spending is used on out-of-state energy sources; and

WHEREAS, non-traditional tools such as renewable energy certificates, community solar installations, solar energy procurement agreements, property-assessed clean energy loans, and virtual net metering are essential for Athens to rapidly transition to 100% renewable status by 2035; and

WHEREAS, on April 26, 2016, a previous body of this Commission committed to increasing the use of renewable energy in both the public and private sectors, and since that time, Athens has been recognized as a SolSmart Community for its work in advancing the use of solar energy; and

WHEREAS, youth and future generations will be impacted more significantly by climate disruption than those currently in positions of power. We must recognize that youth will inherit the effects of the bad decisions of the past, have the most to lose from a lack of action in the present, and will spend their lives leading the transition to a truly green and sustainable economy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of Athens-Clarke County, Georgia:

Section 1: The Unified Government of Athens-Clarke County will obtain 100% of its energy needs from clean and renewable energy sources produced on-or-for Unified Government properties by 2035, and it will decrease the use of third-party renewable energy certificates to not more than 40% of its total energy portfolio by 2050; and

Section 2: The community of Athens-Clarke County will obtain 100% of its electricity needs from clean and renewable sources by 2035, and all other energy needs will be met by 100% clean and renewable energy sources by 2050; the Unified Government of Athens-Clarke County will implement policies and programs and lead a comprehensive effort to support this transition; and

Section 3: These efforts will work in a manner to redress historical inequities in our community by prioritizing resources to train and hire people from within marginalized communities to participate in the energy efficiency and renewable energy workforce, and by facilitating energy efficiency upgrades, opportunities for clean transportation, and renewable energy installations in low-income communities; and

Section 4: The Unified Government of Athens-Clarke County commits itself to developing a clean energy action plan within 18 months of the adoption of this resolution, by inviting partnerships with utilities, institutional partners, industries, businesses, and individuals, as well as collaborating with surrounding communities in achieving aligned clean energy and equity goals; this body also commits to revisiting these goals and associated planning efforts as technologies, policies, and economic feasibility of these commitments change; and

Section 5: The Unified Government of Athens-Clarke County urges the Athens-Clarke County Pension Board and the Athens-Clarke County Deferred Compensation Board to re-evaluate its position about the role fossil fuels play in Athens-Clarke County employees' retirement funds and how they impact the health of ACC retirees' investments, and continue reviewing fossil fuel divestment strategies. Athens-Clarke County encourages increasing investments in renewable and sustainable energy sources.

Section 6: The Mayor and Commission hereby direct the Manager and ACCGOV staff to support this resolution.

SO RESOLVED this 21 day of May 2019.

Mayor Kelly Girtz

Commissioner Patrick Davenport, District 1

Commissioner Jerry NeSmith, District 6

Commissioner Mariah Parker, District 2

Commissioner Russell Edwards, District 7

Commissioner Melissa Link, District 3

Commissioner Andy Herod, District 8

Commissioner Allison Wright, District 4

Commissioner Ovita Thornton, District 9

Commissioner Tim Denson, District 5

Commissioner Mike Hamby, District 10

appendix eight | Equity Charrette Summary

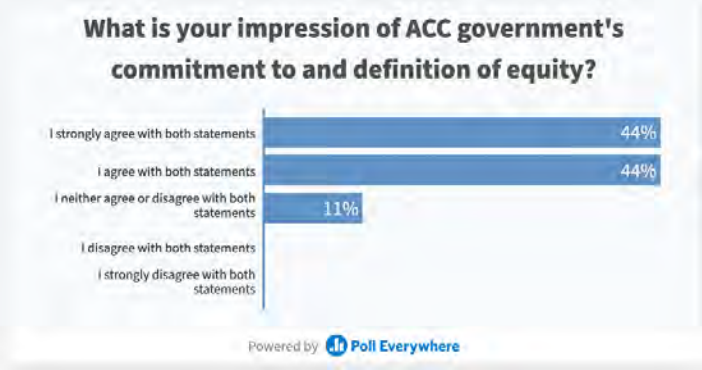
On February 16, 2022, Athens-Clarke County Government hosted a virtual equity charrette with members of the Community Advisory Board (CAB) and guest participants from CAB members' organizations. The equity charrette lasted for two hours. The goal of the equity charrette was for participants to give their thoughtful feedback and input on how to acknowledge, explicitly address, and improve equity outcomes as the community works to achieve its goals through implementation of its equitable clean and renewable energy plan.

To address this goal, participants actively engaged in two group activities: a survey and small group discussions. The equity charrette began with sharing an overview of the equity goals that Athens Clarke County Government (ACCGov) is prioritizing in the Athens Clean Energy Plan (CRP). This included stating the shared equity definition and commitment to equity across all ACCGov departments, and communicating a commitment to making the development of the CRP and the initiatives that come out of it an equitable process. ACCGov noted that two of its neighborhoods have the highest energy burden in the state of Georgia, and communicated a commitment to significantly decreasing energy burden in these areas.

Current equity efforts that ACCGov has already enacted, such as using the Greenlink Equity Map to better understand the current landscape of inequities across Athens, were discussed. Research and mapping tools were utilized to identify which neighborhoods across Athens are significantly energy burdened, bring attention to the disproportionate impacts experienced by vulnerable communities in Athens, and ultimately, address the relationship between energy and health implications in Athens. Additionally, ACCGov made strides toward meeting equity goals by hosting a charrette centered around equity which engaged the community in decision-making and input regarding meaningfully integrating equity into the Plan. Lastly, ACCGov developed an equity scoring process that evaluated and ranked the impact on energy burden for each clean energy policy and initiative that Athens Clarke County (ACC) is considering.

After updating the participants on the CRP progress, participants were asked to participate in activity one by providing initial feedback and thoughts on the current equity initiatives in the Plan to date. Using the digital survey platform, Poll Everywhere, the participants answered six survey questions. The questions and responses are listed to the right:

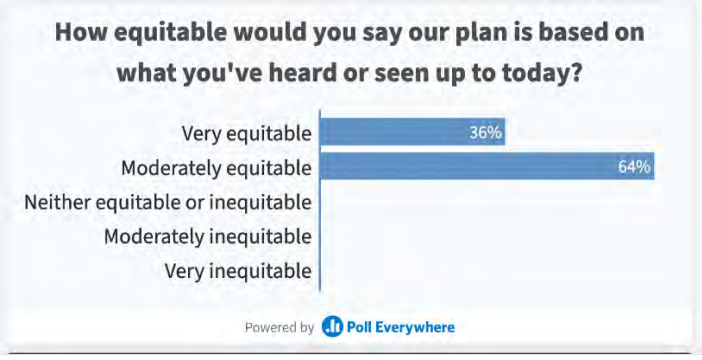
1. What is your impression of ACC government's commitment to and definition of equity?



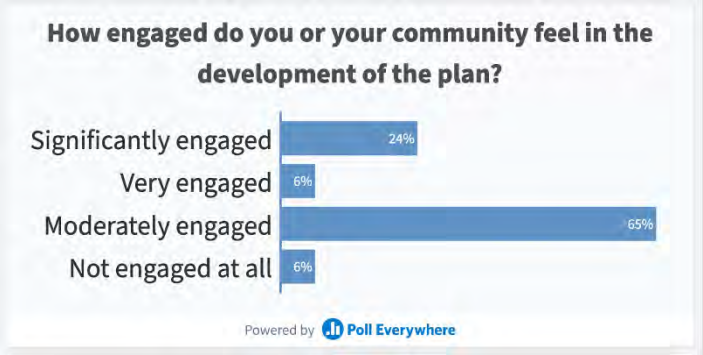
2. How satisfied are you with Athens' efforts to center our clean energy plan around equity?



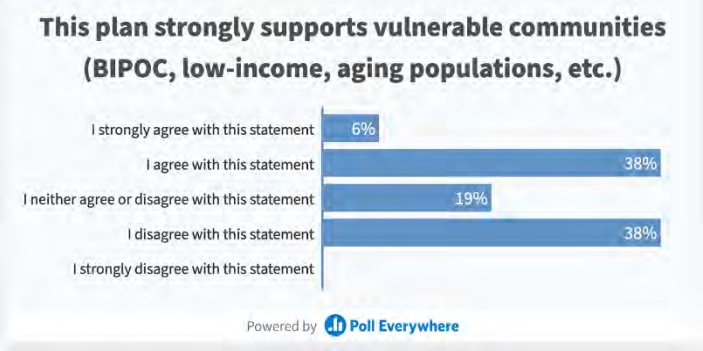
3. How equitable would you say our plan is based on what you've heard or seen up to today?



4. How engaged do you or your community feel in the development of the Plan?



5. This plan strongly supports vulnerable communities (traditionally marginalized communities, low-income, aging populations, etc.)



6. What programs or initiatives should ACC prioritize in the implementation of this plan? The following responses included:

a. “Emergency preparedness planning”
b. “Target areas for pilot programs, community outreach, and connection to resources with equity at center”
c. “Interested in energy efficiency-based health-related pilots.”
d. “Helping cities use GEM data to identify the priority communities that the Biden Administration wants to receive 40% of federal funds”
e. “I haven’t figured that out yet.”
f. “Not sure”
g. “I’ll be sharing this info to non-profit partners I collaborate with who are seeking funding, as I’m not currently attached to a project or org.”
h. “Demonstrate need for residential energy efficiency upgrades”
i. “To better understand what metrics federal funders are looking for”

The second activity focused on 1.) learning what participants think the equity engagement needs to look like, and 2.) identifying groups that need to engage in this process and how they would like to be involved. Participants broke out into small groups to answer the following questions under the facilitation of the session leaders. The following questions and responses are below:

1. Thinking high-level, what does the implementation section of this plan need to include to show that Athens is committed to an equitable future?

In response to this question, participants identified that the implementation of this plan should include a process for educating community members about clean energy by building trust and relationships with communities. In return, community members will be able to communicate their needs and concerns while also feeling invested and engaged. It was also suggested that ACCGov hire an outreach lead who can translate and communicate technical information to communities. Participants proposed soliciting additional input regarding the Plan from churches, faith groups, and community leaders. Participants also suggested outlining a strategy to continue supporting the Mayor and Commissioner in achieving long term goals. Lastly, it was recommended that one to three initiatives that have the greatest equity impact be prioritized and presented to communities in focus group discussions for input.

2. What are good partnerships to have during the implementation process? What is the best way to engage with these partners? How best to engage disadvantaged communities during development of programs and initiatives after the plan?

Participants identified the following partners for consideration: energy providers, public health professionals, neighborhood leaders, faith-based leaders, CAB members, county commissioners, Athens Land Trust, non-profit organizations, Council on Aging, leisure services, sports organizations, Black Chamber, the housing sector, the Public Service Commission, school systems, police departments, rural communities, and human resource departments.

To best engage these groups, participants recommended that ACCGov approach partners by building relationships with them and helping to meet their needs first. ACCGov should also work to build clean energy education into the school curriculum, and develop an advisory board for trainings related to advocacy and meeting facilitation. Participants also expressed wanting to see ACCGov involved in the Integrated Resource Plan (IRP) process to facilitate advocacy to larger energy providers.

3. What kind of resources are needed to facilitate the participation of all engaged in these partnerships?

Participants expressed that internally ACCGov will have to invest in well-trained community engagement staff member who has experience with public engagement if partnerships are to be successful. This person should also be well knowledgeable of Athens and committed to the City as well. ACCGov should also provide tools for community engagement, communications, and models for distributing partnerships. To ensure the community engagement activities are accessible, events should be located in physical places that are near transit stations, office childcare, stipends, food and water, disability resources, and Spanish speakers. Participants also voiced how critical it is to seek additional funds from the Department of Energy, especially for a weatherization program.

4. How do we hold ourselves accountable to make this an equitable implementation process? What metrics should ACC use to be accountable? How frequently do you want to see accountability metrics reported?

To ensure accountability, participants explained that ACCGov should track equity, community involvement, and technical energy metrics. It was also suggested that ACCGov develop an implementation committee where community-based groups can hold ACCGov accountable. Building meaningful partnerships and evaluating the impact of those partnerships was also expressed. ACCGov should seek to understand how many people are reading CRP materials, how many people are attending the meetings, and how many weatherization packs were received. Various frequencies were mentioned for how often these metrics should be reported and this ranged from monthly to every three years.

After the breakout sessions, the full group came back together to report out on what was said during the small groups. Before the conclusion of the equity charrette, participants also had the opportunity to reflect on their overall thoughts of the charrette. Overall, participants were very pleased and interested in further engaging with ACCGov as we continue the development of the Plan. The equity charrette ended with closing remarks from Mike Wharton, Athens Clarke County Sustainability Officer.

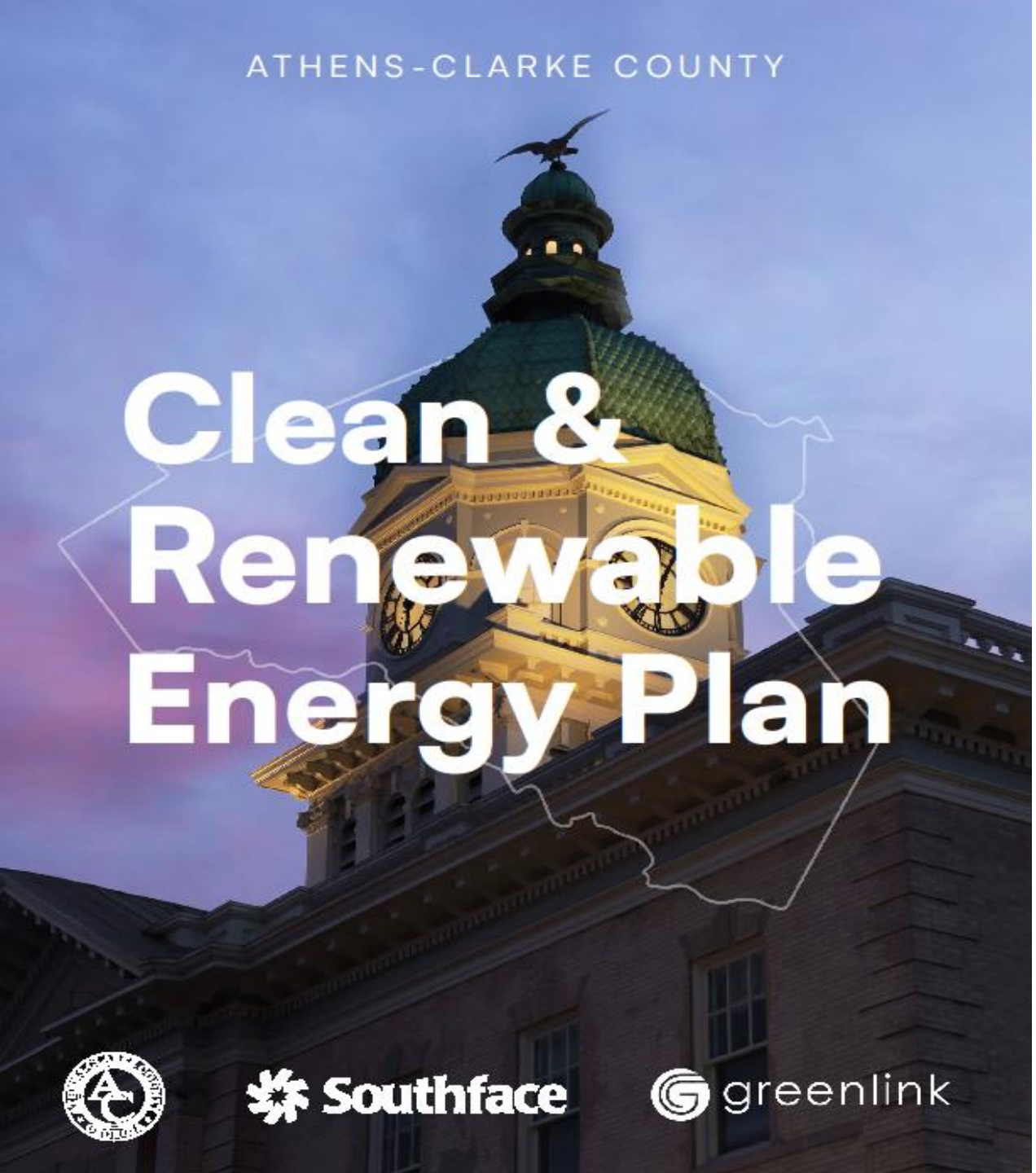


Chart of Pathway Tiers

June 23, 2022

System and Criteria Used

Tier System for Rating Action Areas



Policy Pathway Tier Equity Review Scoring Criteria

Score	Description
+2	Very high impact on energy burden or equity-related issues, likely to reduce inequity
+1	High impact on energy burden or equity-related issues, potential reduce inequity
0	No impact on energy burden or equity-related issues No potential to exacerbate equity or inequity
-1	Low impact on energy burden or equity related issues, potential to exacerbate inequity
-2	Very low impact on energy burden or equity-related issues, likely to exacerbate inequity

Southface greenlink

Tier 1 Energy Pathways

Pathway	Equity Score	Action Area Name	Action Area Description
Buildings and Energy	2	Revolving Clean Energy Loan Fund	Self-replenishing clean energy fund from the municipality or state. Typically applies to government properties only.
Buildings and Energy	2	Community Energy Fund	Fund consisting of percentage of franchise fees paid ACCGov by Georgia Power, to be used to fund community clean energy projects.
Buildings and Energy	-1	Green Building Rebate for New Construction	Rebate proportional to performance level achieved
Buildings and Energy	1	Energy Storage Bulk Purchasing	Partner to reduce costs through bulk purchasing on energy storage equipment.
Buildings and Energy	0	Audit Building Energy Use	Implement commercial building energy audit efforts.
Buildings and Energy	0	Track, Publish and Review Municipal Energy Usage	Provide energy efficiency planning and design approaches for local government operations through benchmarking, transparency and auditing.
Buildings and Energy	1	Clean Energy Task Force	Establish a community clean energy task force to identify ongoing renewable energy opportunities and provide accountability to the clean energy goals.
Buildings and Energy	0	Bundled Clean Energy	Bundling energy efficiency (EE) financing along with renewable energy (RE).
Buildings and Energy	0	Providing Solar Energy Procurement Agreement	A Solar Energy Procurment Agreement (SEPA) is a financial agreement in which a third-party solar developer owns, operates, and maintains a solar PV system. Users of the PV system enjoy the benefits of solar without providing upfront capital costs by paying the third-party owner a fixed rate of energy.

Tier 1 Energy Pathways

Buildings and Energy	0	Adopt targets for percentage of facilities equipped with energy storage	Set goals for on-site energy storage at municipal facilities.
Buildings and Energy	1	Solar Co-op / Solarize Campaign	Group of homeowners within close proximity to each other obtain competitive solar installations through combined purchasing power.
Buildings and Energy	0	Benchmarking and Transparency Program	Create a benchmarking and transparency program for building energy and water efficiency. "Benchmarking" refers to when a building owner understands their current energy consumption to refer to as a baseline. "Transparency" refers to publishing their building's energy performance so that other building owners can benchmark their progress against.
Buildings and Energy	0	Routine update of Sustainable Building Policy	Set a cycle for revisiting sustainable building policy for municipal buildings to allow for incorporation of new best practices in sustainable building design in municipal projects.
Buildings and Energy	1	Buildings Energy Code	Adopt a buildings code that requires new buildings to be more energy efficient than current state codes.
Buildings and Energy	1	Update Building Energy Codes (refer to stretch codes above) and Increase Code Enforcement	
Buildings and Energy	1	EV readiness ordinance	Law to require all new construction to be built to accommodate EV charging infrastructure for an identified percentage of parking spaces.
Buildings and Energy	2	Take active role in intervening and advocating in Georgia Power Integrated Resource Plan (IRP). Pursue policies to advance clean energy in the State Legislature	
Buildings and Energy	0	Municipal Efficient Equipment Procurement Policy	Require that products that require the use of energy and are purchased by municipality meet efficient equipment standards.
Buildings and Energy	0	Install LED Streetlights and Traffic Signals	Invest in street and area lighting in order to improve municipal energy efficiency in cities.

Tier 1 Energy Pathways

Buildings and Energy	0	Improve Lighting in Municipal Buildings	Take advantage of savings opportunities through high-efficiency interior and exterior lighting solutions in municipal properties.
Buildings and Energy	1	Advocate for microgrid policy change	Microgrids are self-sufficient energy systems that can cover smaller geographical footprints, such as college campuses or hospital grounds.
Community	1	Incentives Education Programming	Promoting residential and business awareness of existing programs and opportunities.
Community	1	Community Engagement and Communication on Clean Energy Efforts	Ongoing outreach to keep the general public aware of progress towards sustainability goals, while continuing to receive community input.
Community	2	Workforce Training Collaboration	Collaborate with technical colleges and trades to develop a clean energy workforce
Community	2	Clean Energy and Equity Planning	Ongoing outreach to keep the public aware of progress towards an energy efficient and equitable goal and to continue receiving citizen input
Community	2	Advance Apprenticeship Programs	Advance clean energy apprenticeship programs potentially through SPLOST procurement requirements.
Community	2	Educational Programs targeted towards the business community	Provide education for the business community around clean energy practices, energy efficiency, and water reduction strategies.
Environment	-1	Identify LOCAL Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation
Environment	0	Divestment of ACC Pension fund away from fossil fuel investements	Reallocate any ACCGov employee pension fund holdings connected to fossil fuels into alternative holdings, ideally investing in green energy.
Environment	0	Update and Publish Greenhouse Gas Inventories	Create a streamlined way to update existing or new inventory for tracking greenhouse gas emissions
Environment	2	Study of addressing water loss in high-loss meters (on ACCGov side of meter)	Pursue study of water meters to identify meters that have high-loss history.

Tier 1 Energy Pathways

Environment	1	Improve Wastewater Energy Efficiency	Enhance GHG emission reduction strategies that local governments can reasonably employ; specifically energy efficiency in water and wastewater facilities.
Environment	0	Expand Wastewater CHP	Use more combined heat and power (CHP) technology at wastewater plants
Environment	2	Targeted heat island efforts for low-income and underserved communities	Pursue efforts to promote increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues
Transportation	2	Public transit investments to expand service and increase passenger miles traveled	Improve public transit speed, reliability and user experience
Transportation	1	Decrease parking requirements	Boost ridership per transit vehicle around affected transit stations through density
Transportation	2	Implement high priority segments in the walking and bicycling network	Increase the amount of walking and biking infrastructure in order to reduce motorized trips
Transportation	1	EV education and incentives	Provide investments in electric vehicle education programs to increase the adoption of EV fleets
Transportation	0	Fleet conversion goal for 100% completion by 2035, with differentiation between light duty fleet (cars), and medium/heavy duty fleet (haulers, waste trucks)	Create and adopt a goal to fully convert all municipal fleet vehicles to 100% electric
Transportation	0	Electrify city fleets and buses	Electrify municipal internal combustion vehicles and buses
Transportation	1	Ubiquitous EV charging infrastructure (especially target multi-family and low income)	Provide charging stations throughout the city to promote the adoption of electric vehicle sales
Transportation	2	Piggy-back on Athens in Motion and Greenway Network Plan	Utilize the identified goals and programs that are shared across all plans to reduce duplicating efforts and increase effectiveness and reach of the goals.

Tier 2 Energy Pathways

Pathway	Equity Score	Action Area Name	Action Area Description
Buildings and Energy	0	PACE - Commercial	Property-Assessed Clean Energy (PACE): A program that finances energy efficiency programs and renewable energy upgrades to commercial buildings through the use of property taxes
Buildings and Energy	-1	PACE - Residential	Property-Assessed Clean Energy (PACE). A program that finances energy efficiency programs and renewable energy upgrades to residential buildings through property taxes
Buildings and Energy	1	Energy Savings Performance Contracts (ESPCs)	Partnership between building owners and an energy service company that encourages energy savings and facility improvements with no upfront costs to the owner
Buildings and Energy	0	Solar Energy Purchase Agreement (SEPA)	Sign a long-term contract to buy solar built on municipal and commercial rooftops
Buildings and Energy	0	Exploration of Greywater and Rainwater Harvesting Incentives	Investigate opportunities to increase greywater use and rainwater harvesting in order to reduce local water usage
Buildings and Energy	1	Education for first responders and building officials on energy storage, electric vehicles, and solar installations	Provide resources and training to first responders on new complexities created by battery storage on home energy systems and vehicles, solar on roofs, vulnerability to fires, emergency response strategies, etc

Tier 2 Energy Pathways

Buildings and Energy	0	Energy Operations Manager Position	Have a full-time employee to oversee energy operations for municipal properties
Buildings and Energy	0	Formalize a policy to deploy solar (and storage) with new pump stations	
Buildings and Energy	0	Voluntary Energy Efficiency and Conservation Program	A program where leading businesses, manufacturers, local and state governments voluntarily commit to improving the energy efficiency of their building portfolio over time
Buildings and Energy	1	Identify incentives for water conservation retrofits	Provide resources to fund retrofits to more water efficient fixtures, water reuse (greywater) practices and/or develop policies and programs to encourage voluntary action
Buildings and Energy	1	Identify targets for water reuse system	Set targets for water reuse, including greywater and purple pipe programs
Buildings and Energy	0	Develop and Deploy Smart Grids and/or Meters	Allow households and businesses to monitor and adapt their energy usage patterns through smart-grid and smart-meter technologies.
Buildings and Energy	0	Floating, Landfill solar	
Buildings and Energy	1	Renewable Natural Gas opportunities in buildings & transport	Explore opportunities to use alternative fuels, such as renewable natural gas for power generation in buildings and/or transportation
Community	0	Water Efficiency Business Certification	Encourage business owners to obtain a water-efficient certification for their buildings
Community	2	Workforce Training Collaboration	Collaborate with technical colleges and trades to develop a clean energy workforce

Tier 2 Energy Pathways

Community	1	Energy Efficiency Demonstration Programs	Support or implement innovative energy efficiency projects
Environment	2	Round-It-Up Energy and/or Water Efficiency Program	Fund low income efficiency work by "rounding up" participant utility bills to the nearest dollar
Environment	1	Non- Local, GEORGIA, Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation
Environment	0	Carbon Offsets	Compensating for local GHG emissions by canceling out emissions somewhere else in the country through the purchase of carbon offset certificates
Environment	1	Education on Water-Energy nexus	Provide education on the important relationship between energy and water, for the community to better understand the importance of the plan and incoming programs
Environment	2	Reduce Urban Heat Island Effect (Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues (Residential, Commercial, Low-Income Residential)	Pursue efforts to increase the reflectivity of impervious surfaces and tree coverage and to address social stresses induced by urban heat island issues
Transportation	1	Commuter Carpooling Incentives	Reduce commuting trips and shift commuting to transit & higher-occupancy vehicles through carpooling, parking incentives, and transit incentives
Transportation	1	Transportation Behavioral Nudging	Program to nudge usage of transit (ex. texting system to determine if transit or driving is more time efficient)

Tier 2 Energy Pathways

Transportation	1	Increase new mobility options (e.g. bikeshare, electric bikeshare)	Reduce motorized trips by providing bikeshare options
Transportation	1	High frequency public transit network	Define and expand the existing public transit network to increase the efficiency of routes and ridership
Transportation	2	Downtown parking management and pricing	Increase parking fees in high congestion zones in order to encourage ridesharing or public transportation use
Transportation	2	EV Carshare	Create a program that would allow participating members of the public to 'check out' EVs for driving around Athens
Transportation	2	ACC income-based assistance, through green bank, for EV purchasing and fleet conversion	Funding for EV from green bank provided to households or businesses that meet income criteria

Tier 3 Energy Pathways

Pathway	Equity Score	Action Area Name	Action Area Description
Buildings and Energy	2	On-Bill Financing	Allows the utility to absorb the upfront cost of a clean energy upgrade, incrementally repaid by the utility customer each billing period
Buildings and Energy	2	Promote 'Green' Loans	Promote effective bank loan approaches and practices to support renewable energy and energy efficiency projects
Buildings and Energy	0	Virtual Power Purchase Agreement	A renewable energy contract to provide a financial hedge against energy price fluctuations
Buildings and Energy	0	Georgia Power Commercial Efficiency Custom Rebate Programs	Reduces the cost of energy efficient technologies and upgrades
Buildings and Energy	0	Utility Commercial Incentives	Tools and resources provided by the utility to business owners that help commercial customers save money and reduce energy usage provided by the utilities
Buildings and Energy	1	Utility Residential Incentives	Tools and resources provided by the utility to residential homeowners that help save money and reduce energy usage provided by utilities
Buildings and Energy	1	Explore opportunities for ground source heat pumps	Identify pathways to promote use of ground source heat pumps in new buildings and/or at time of equipment replacement in existing buildings to promote building electrification
Buildings and Energy	2	Policy to address high loss water meters	Policy designed to minimize water loss in lines entering buildings

Tier 3 Energy Pathways

Buildings and Energy	-1	Net Zero Energy Code	Phase-in energy codes that require new buildings to provide as much energy to the grid as they consume.
Buildings and Energy	0	Develop Local Micro-Grids for Critical Infrastructure	Partner with utility to develop microgrid projects; provide local leaders with an understanding of what microgrids are and how they can serve communities
Buildings and Energy	0	Net Zero Energy demonstraction project to demonstrate Net Zero Energy Codes	Project for ACCGov facility, such as Athens Library, to demonstrate net zero construction
Community	1	Community Solar	A solar power plant that shares electricity across more than one property
Community	0	Community Choice Aggregation	The municipality purchases electricity from a power generation source on behalf of residents and businesses within their community
Environment	1	Water Efficiency Bulk Purchasing	Reduce cost by bulk-purchasing water-saving equipment
Environment	1	Non-Local, NATIONAL, Renewable Energy Credit Procurement	Organized bulk purchases of credits for renewable energy generation
Environment	-1	Net Zero Water Code	Phase-in code requirements that new buildings match total water consumed with water obtained from rain, reuse, or returned to the original source
Transportation	2	Upzoning near transit stations	Boost ridership per transit vehicle around affected transit stations through density
Transportation	-1	Market transformation programs to accelerate transition to EVs	Financial incentive program to increase EVs adoption

Tier 3 Energy Pathways

Transportation	1	Low emissions zones (LEZ)	Create areas where high emitting vehicles are restricted at all times or during certain hours of the day
Transportation	-1	Congestion pricing/Go Zones	Surcharge motor vehicle drivers during peak congestion times to encourage alternative mobility choices
Transportation	0	Electric Vehicle (EV) Battery Reuse	Recycling EV batteries in order to provide electricity services and resilience value to the grid
Buildings and Energy	0	Municipal Energy Task Force	Establish a clean energy task force to identify ongoing municipal clean energy opportunities

Revised Attachment #3

Athens Clean and Renewable Energy Plan: Public Comments

Final Report - 7/27/22



and the

Sustainability Office
Athens-Clarke County Unified Government

Background

The Athens-Clarke County Office of Sustainability officially released the Athens Clean and Renewable Energy Plan to the public on June 14, 2022. The plan was presented at the June 14, 2022, Mayor and Commission Work Session and the accgov/green.com website was released for the public to read the plan, as well as submit anonymous comments. This document is intended to show all comments that were received in the Sustainability Office until July 26, 2022. These comments were provided through the website form, over four virtual listening sessions, and one in-person listening session.

Executive Summary: Six generally supportive comments below also include concerns on accessibility to clean energy solutions for low-income residents. Three comments mention difficulties with the transportation sector. Two commentors feel there is an over emphasis on disadvantaged communities and equity. Other comments include support for clean energy funding mechanisms, while others express concerns on unintended consequences of the conversion to clean energy including embodied energy and hazardous materials consequent to Photo-Voltaic panels. Requests for information about the Advanced Clean Energy Scenario tool have been provided to the sustainability office.

Comments:

Date	Responding as	Comment
6/17/22	Resident	Pleased to be able to provide comments and learn more. Thank you for making the information available. Very clear, straight forward. Very impressed with the whole plan development process. Impressed that the government is so open to input.
6/17/22	Resident	As noted in the summary, Athens is highly car centered as a city environment. Cars are also an inherently poor solution to solving inequitable transit, as the cost of entry is high as is the cost of ownership. I argue there is a way to approaching this issue with relatively low costs: supporting electric alternative transportation. Instead of shared mobility options like shared scooters (a menace to those with mobility challenges and pedestrians) the city should encourage electric pedal assisted bike/scooter ownership with rebate incentives. Athens is very hilly, meaning the audience receptive to traditional biking as transit is small. But, as an owner of an electric bike as a primary mode of transit, I can attest to the ease in which e-bikes make medium distance travel in hilly terrain easy (3-15 mile round trips, approximately the most common trips people make in the US). In places with protected bike lanes (aka not just a white line on the street), electric assisted biking becomes a safe, pleasant, and quick mode of transit. Cities like Denver have realized this and are incentivizing ebike ownership via rebates, since quality ebikes from established ebike brands such as Lectric start at just under 1,000, which excellent options from Radpower, Aventon, and more, available in the $1200-1800 range. I would argue that the city should seek a docked shared ebike partner for downtown, including mandating dedicated ebike docks inside surrounding public housing/low cost developments; plus offer city funded membership for those making below a set income. Docked solutions solve the hazards that dockless shared mobility presents, but is only effective if there is a significant amount of docking areas. Additionally, the allowance of additional parking structures to be developed around downtown should be discontinued, as it both leads to under utilization of the existing structures (the downtown decks

		upper levels are rarely full) and encourages a variety of poor choices such as driving to downtown to drink instead of using public transit or ride share.
6/17/22	Resident	After a quick read 2 things stand out There is no mention of charging stations for electric cars. If we want people to switch to EV they need convenient charging locations. This could be a revenue source for ACC. Baxter St Library have reserved parking places but no charging stations yet. Other public locations could have them too. Second, The carbon off set credits needs lots of due diligence. From what I have read most entities offering them fail to get significant carbon mitigating results. They do make the payer feel less guilty though.
6/18/22	Resident	Too much emphasis on poor and marginalized groups. Needs more emphasis on cost effectiveness short and long term. Needs to incorporate land planning improvements to better preserve tree canopy and greenspace (including restrictions on private development and sprawl), and also reduce roads and car parking lots and their attendant heat islands.
6/22/22	Resident	PLEASE increase funding for more renewable/clean energy; it's as simple and urgent as that! Monetary arguments are pathetically short-sighted, as if we have forever to ever-so-slowly move away from petroleum energy!
6/22/22	Resident	Our organization, Athens 100% Renewable Energy Initiative, is working to find existing programs to finance weatherization jobs and PV additions for low- and medium-income houses. We hope to be able to connect with ACC Sustainability to help imitate some of these programs here.
6/22/22	Resident	General comment. The idea of a local initiative to improve ACC government energy efficiency and affordability are worthy of consideration. Similarly, encouraging property owners and other entities can be of some value. However, this plan is a bridge too far in those directions. Rather than sounding a positive theme, this plan is based on “apocalyptic warnings” and “alarmist, catastrophic predictions” of climate change that have “consistently failed” to come to fruition. There is no balance at all in the narrative and it is loaded with assertions with no supporting evidence for those assertions. The plan seems propelled by the belief that the “sky is falling” and ACC needs to do something. Zealous advocates and contractors obviously wrote it. In reality, the plan is actually more about equity employing a word salad of renewable energy advocacy concepts and terms. As highlighted later, the plan resorts to mental gymnastics to shoehorn in clean air and renewable energy into an equity argument, but the plan provides no logical nexus of equity and renewable energy. In other words, there is nothing definitive about what to do or how that is different. The bottom is that after all these contortions, the calculated max benefit of this policy if implemented today is estimated to be 1.3% in 2035 as reported on page 43! 1.3% cannot be empirically measured in the real word! What this means is that there is no basis for this policy. It is obvious that no one in ACC government critically reviewed and evaluated the contents of this document. Visually it looks good, but it is not operationally substantive. I could comment on each page but here are a few examples of the issues. What is the definition of 100% sustainable and how will ACC measure it? In my decades of policy and program leadership. I am always skeptical when some entity says the goal is100% or to say something like the goal is 0% homelessness. Such goals tell me that not much critical thinking has gone into setting the goal #. I can certainly tell you from my experience that the Mayor and Commissioners do not think critically before they set a new campaign slogan or consider the consequences of their actions. One can spend to spend increasing $ trying to achieve a 100% goal to realize to late that 100% was never measurable. 100% is an emotional goal meaning this plan is based on emotion and feelings not logic and evidence. The plan does not address how it will establish an analytical baseline for evaluation overtime to assess cost and

		benefits. The plan outlines “pathways” to guide future actions. As I understand it, the challenge is finding the best path that lowers energy burden for every household and business, creating a cleaner, healthier community in the process. This will require collaboration, cooperation, partnerships, and the involvement of every sector of the community. What data do you have that I live in an unhealth community with dirty air? What is the measure of cleaner and healthier? This is another one of those emotionally feel-good statements that has as much meaning as saying “I want something that runs on air and water and never breaks.” What legal basis does ACC government cite for mandating through policy or any ordinance that property owners as well as businesses replace their existing sources of energy with what ACC defines as renewable energy? What is the legal basis for instituting a Renewable Energy Credit (REC) System in ACC? The PSC regulates public utilities in the State of Georgia, and each energy provider has a renewable energy plan. ACC is not an energy producer or provider, so can you explain what practical role ACC has that will substantively reduce energy cost, enhance supply, and more efficiently enhance distribution? The plan asserts on page 9 that “People living in ACC are already experiencing the impacts of the growing climate crisis.” What is the evidence for this statement? The plan also asserts that “Current climate models project that, by the second half of the 21st Century, temperatures in Athens will increase by 2.5 degrees Fahrenheit and humidity will increase by 78%.” This in incorrect. The actual reference you cite states the following “ For high emissions, Athens's climate in 2080 will feel most like today's climate near Leesburg, Florida.” This model estimate has no basis in fact for its predicative capabilities and for you to assert temperature increases and increased rainfall with metaphysical certitude is not ethical. Further, the plan states “ While Athens cannot solve the climate crisis on its own, it can make significant changes locally that will have an impact globally.” Exactly how does that work? The plan also states that it “represents a leap forward in what has been an ongoing effort to preserve and improve the environment, develop equitable solutions, and build and grow a sustainable economy by addressing climate change in increasingly more purposeful and sustainable ways.” This sounds like the equivalent of this plan will “solve world hunger.” This is just more meaningless word salad. So, exactly how does this plan if executed do all these things? Specifics please. This plan is more about equity than anything else as evidenced by the word equity appearing 245 times in the document and the word equitable appearing 50 times. Appendix 5 includes a definition of equity but there is no explanation as to how this definition is relevant to or operationalized within the context of a clean air and reusable energy plan. The plan employs a web of mental gymnastics of pathways, factors, scoring criteria, and ratios to justify its conclusion, but there is no evidence of the efficacy and validity of this method. It is just a tortured set of words designed to obfuscate. It reads like some sustainability consultant has a methodology and they resell it over and over whether it makes sense or not. Possible Athens Scenarios. So, the calculated max benefit of this policy is estimated to be 1.3% as reported on page 43! If this is the case, there is no basis for this policy. I would also suggest that there is no practical means to measure a 1.3% change give the inherent unknows and uncertainties in making analytical estimates. Just because someone asserts a number came from a model calculation does not mean it is authoritative and the number has any practical value. The narrative on pages 43-45 paints a rosy picture but there is no supporting evidence for the asserted monetary and non-monetary benefits, or any quantitative values cited such as 650,000 RECs. Another example is the assertion that “Under MAX, 16,000 homes (roughly 30% of the community’s 2018 housing stock51) would install solar onto their rooftops by 2035. Residential energy burden would be expected to decrease by 1.3 percentage points, from a community average of 7.5 to 6.2% by 2035.” This scenario would produce maximum benefits

		in terms of job creation, green infrastructure development, and improved energy equity.” I assume there is no confidence level associated with the 1.3% estimate. The narrative refers to a Greenlink Analytics Computer Model, but this model is not explained or presented. It is a “black box.” ACC should demand the vendor provide all supporting analyses and a detailed description of the model and its algorithms. Community Energy Fund. Appendix 6 states that “ In support of a transition to 100% clean and renewable energy, the CEF will be used to improve building performance and reduce energy cost burdens in Athens-Clarke County for the benefit of low- and moderate-income residents, businesses, and non-profit organizations. The distribution of CEF funds back into the community shall be directed by a CEF utilization policy approved by the Mayor and Commission.” The nexus of improving building performance for the benefit of low- and moderate-income resident, businesses, and non-profit organizations is not specified. What does this mean? Further, why does this statement exclude all residents. The plan is stating its purpose is to be unfair. Franchise Fee. Appendix 6 states “ An annual fee paid by privately held utilities to offset the impacts their services have on the community. The fee is typically based on the amount of utility services sold and is established in franchise agreement between each utility and ACCGov.” The plan does not define the term impacts and the process and authority for determining these impacts and fees. The criteria for suspension of the policy as stated in section D is not realistic. For example, currently the US is experiencing 8.6% inflation with many economists predicting a recession. At the same time ACC government has increased its budgets by double digits along with significant property tax increases. The policy enshrines the fee structure. Renewable energy in the form of wind and solar are not dependable due to weather and other factors such a mechanical and system reliability which is why the ACC 100% goal is not realistic. The plan is rosy and does not address continuity of government and non-government operations in a renewal energy environment. When renewable energy availability changes, which can happen quickly, other power sources must quickly respond to maintain reliability. These and other renewable energy reliability issues are well documented in the literature including work by the Congressional Research Service (June 2019). There is no free lunch, and any ACC renewable plan must address how it will seamlessly provide critical infrastructure and other services in all hazard conditions. This plan does not address those critical issues.
6/23/22	Resident	This is an impressive, comprehensive plan, but need more public knowledge about it and there needs to be more engagement surrounding the plan.
6/23/22	Resident	How can residents get involved in clean energy and help Athens achieve it's goals? Are there programs or funding that residents can connect ACCGov with?
6/23/22	Resident	Is it worth talking to representatives about clean energy and climate change? They often don't seem to do much. Are there specific programs residents should push with representatives?
6/29/22	Resident	This may be of interest. I am forwarding this article as an example of what I call...”there is no free lunch” re renewable energy-based sliver bullet solutions. The operations and support consequences including cost, environment and negative impacts, and dependence on other countries for panels and raw materials are among the downsides that advocates do not want to acknowledge. The emotional drive to do something tends to ignore the practical issues. Look forward to continuing to engage.
7/2/22	Resident	I would love to have solar panels for my house but in talking to my neighbors who did a solar panel program with Jackson EMC, the overall cost of the panels is about 40,000$ even with discounts/incentives. They do not keep all of the power generated and while their bill is halved, they still have a small monthly electricity bill. I just can't afford 40,000 in a household expense. We are NEVER going to solve the energy crisis and climate issues if the cost is out of reach of middle class

		americans. Additionally, we are the "old" area of the county so we don't have city trash or recycling. That means there are 5-6 company trash trucks in my neighborhood every week and very few of my neighbors recycle. Again, the issue is access and affordability.
7/22/22	Resident	As a resident, I am excited to see the focus on renewable energy. Specifically, I am energized by the community energy fund and the goal to increase green jobs. Thank you for taking necessary steps in the face of climate crises.

CDO

August 2, 2022

Submitted by Commissioners Tim Denson, Jesse Houle, Melissa Link, and Carol Myers

TSPLOST 2018 Project 16 Prince Avenue Corridor Improvements Sub Project 1 Proposed Project Concept Plan

1. Approve a recommendation to create the TSPLOST 2018 Project 16, Prince Avenue Corridor Concept Improvements Project, Sub-Project #1 with the Proposed Project Concept for a pilot project conversion of Prince Avenue from Pulaski Street to 95% of the way to Milledge Ave (between N. Harris Street and N. Milledge Ave), using removable buffers in order to test the road diet with re-striping to provide the protected and separated bike lanes, and generally shown on the Prince Revised Project Concept, pp. 1-3, and to include the features listed in the Facts and Issues #9, and authorize staff to advance the SP #1 to the implementation phase. Said pilot project conversion shall continue for a period not to exceed 180 days, starting with a 60-day pilot implementation followed by data analysis and review by mayor and commission before a vote to approve permanent installation.
2. Follow the user group's unanimous vote at its July 26 meeting to include the center turn lane for the approximate 550 feet between N. Pope Street and Grady Avenue, thus eliminating the existing on-street parking on the north side of Prince Avenue between N. Pope Street and Grady Avenue (see attached ordinance).
3. Approve a change order to the on-call paving contractor, Pittman Construction, for a not to exceed amount of $350,000 for the implementation of the pilot project; and,
4. Authorize the Mayor and appropriate staff to execute all related documents.

Commission Defined Option
Commissioner Denson
Commissioner Houle
Commissioner Link
Commissioner Myers

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **PARKING RESTRICTIONS ON PRINCE AVENUE;** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Pursuant to Section 3-3-50(a)(1)e of the Code of Athens-Clarke County, Georgia, parking is hereby prohibited on the north side of Prince Avenue from its intersection with North Pope Street and extending west along the northern side of said street a distance of 550 feet to its intersection with Grady Avenue, as further shown on Attachment 1 incorporated herein by reference:

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



ATHENS-CLARKE COUNTY GEORGIA

0 50 100 200 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Proposed Yellow Curb

Map Prepared On:
Julu 29, 2022

Prince Ave.
Proposed Yellow Curb

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2018 Project 16, Prince Avenue Corridor Improvements – Sub-Project #1 Proposed Project Concept Plan

DATE: ~~August 2, 2022~~ July 28, 2022

BUDGET INFORMATION:

REVENUES:	$	3,860,191	TSPLOST 2018 Project 16 (All Tiers)
EXPENSES:			
CAPITAL:	$	336,222	Expensed & Encumbered
	$	507,038	Designated Design Fees
	$	110,000	Designated Testing, Misc. & PM Fees
	$	100,000	Designated Land Acquisition
	$	24,500	Designated Public Art
	$	2,532,431	Available for other future Sub-Projects
	$	250,000	Available for Sub-Project #1

FUNDING SOURCE: TSPLOST 2018 Program Revenues

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Project Concept Plan for Sub-Project #1 (SP) for TSPLOST 2018, Project 16, Prince Avenue Corridor Improvements Project, as generally shown on **Attachment #1,** and authorize staff to advance the SP #1 to the implementation phase;

b. Approve a change order to the on-call paving contractor, Pittman Construction, for a not to exceed amount of ~~$250,000~~ $200,000 for the implementation of the pilot project; and,

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In October 2004, the Community Approach to Planning Prince Avenue (CAPPA) held a three-day charrette for Prince Avenue that fell mainly into five categories – landscape, historic resources, diversity of uses (planning), urban design, and transportation. This document did not make specific recommendations.

2. In February 2012, ACCGov completed a Prince Avenue Corridor Study, which recommended

strategies for developing public policies, zoning strategies, master streetscape planning that was to improve transportation infrastructure and build stronger greenspace connections. (Copy of the report is available at

https://www.accgov.com/DocumentCenter/View/82894/Prince_Corridor-Study_20120202?bidId=)

The planning partners for the Corridor Study included representatives from the following:

- Unified Government of Athens-Clarke County (Planning Department; Transportation & Public Works Department (T&PW); Public Utilities Department (PUD); Central Services Department; Transit Department)
- Athens Regional Medical Center
- Boulevard Neighborhood area residents
- Cobbham Neighborhood area residents
- Four churches
- Georgia Department of Transportation (GDOT)
- Georgia Power
- Normaltown area residents
- Numerous private businesses, including banks, medical practices, restaurants, and other retail establishments
- Piedmont College
- The University of Georgia

3. On September 30, 2014, a Road Safety Audit along the Prince Avenue Corridor was conducted for the Georgia Department of Transportation (GDOT). (Copy of the report is available at https://www.accgov.com/DocumentCenter/View/3994/Corridor-Study---Prince-Avenue).

4. In October 2014, the Road Safety Audit Report was prepared for GDOT. Recommendations included raised islands/medians, upgraded pedestrian facilities, new sidewalks, bulb-outs, a parking study, eliminating curb-cuts, installing bike lanes, enhanced pedestrian lighting and a road diet. (Copy of the report is available at https://www.accgov.com/DocumentCenter/View/74286/TSPLOST-2018-Project-16-GDOT-Prince-Avenue-Safety-Audit).

5. In June 2017, the 100 Prince developer analyzed traffic impacts from the development. The resulting traffic study concluded that traffic operations would worsen at the PM peak, levels of service would decline and that reducing travel lanes were not recommended. (Copy of the report is available at https://www.accgov.com/DocumentCenter/View/74302/TSPLOST-2018-Project-16-Prince-Avenue-Traffic-Impact-Analysis).

6. In October 2018, Athens in Motion produced their report with strategic goals that included creating a more bikeable and walkable community including separate bike lanes on Prince

Avenue from Oglethorpe Avenue to Pulaski Street. (Copy of the report is available at https://www.accgov.com/7604/Athens-In-Motion-Bicycle-Pedestrian-Mast).

7. In 2018, a Statewide Bicycle Safety Action Plan was developed for the State with the objectives of systematically incorporating bicycle safety countermeasures and establishing funding streams for bicycle improvements. (Copy of the report is available at https://www.accgov.com/DocumentCenter/View/82893/Georgia-Bicycle-Safety-Action-Plan-2018?bidId=)

8. On March 12, 2018, GDOT held a Local Coordination and Concept Meeting with ACCGov staff to discuss their Project (see History #3 & #4) from Sunset Drive to Pulaski Street.

9. On September 13, 2018, GDOT held a Concept Team Meeting to review their Draft Concept Report (see History #3 & #4).

10. In February 2019, ACCGov T&PW commissioned a Traffic Engineering Study, by Kimley Horn, for Prince Avenue from Sunset Drive to Milledge Avenue portion of the corridor. The intent of the study was as an independent verification of the upcoming GDOT Concept Report (History #11), determine potential operational improvements at the Talmadge/Park intersections. Recommendations from the study included five intersection improvements, sharrows or shared sidewalk/bike path on the south side of Prince Avenue, three mid-block crossing, and speed tables on Talmadge Drive.

11. On April 23, 2019, GDOT's District office approved a Concept Report for the Prince Avenue Corridor. (Copy of the report is available at https://www.accgov.com/DocumentCenter/View/74314/TSPLOST-Project-16-Prince-Ave-GDOT-Approved-Concept-Report). Key recommendations included: eight intersection improvements, three mid-block crossings, resurfacing/restriping along the entire corridor, and some raised medians.

12. On June 16, 2020, the Prince Avenue Corridor Committee was appointed and assigned the role of the typical SPLOST or TSPLOST User Group (F&I's #3).

13. On November 9, 2020, the User Group was appointed and held its kick-off meeting.

14. On December 9, 2020, a potential project list and the currently proposed, GDOT-funded project were presented to the User Group.

15. On June 8, 2021, the User Group presented to M&C their recommended draft corridor improvement projects list for TSPLOST 2018, Project 16 – Prince Avenue Corridor Improvements.

16. Between August 12, 2021 and September 9, 2021, ACCGov staff hosted Online Public Input Survey for TSPLOST 2018, Project 16 – Prince Avenue Corridor Improvements. There were 315 respondents with over 1,000 written comments. A summary of and all comments provided were provided in the February 1, 2022 Agenda Report.

17. On November 10, 2021, the User Group approved the Recommended Prince Avenue prioritized projects list.

18. On January 11, 2021, at a regularly scheduled M&C Work Session, the User Group Recommended Prince Avenue prioritized projects list was presented.

19. On January 24, 2022, the TSPLOST 2018 Oversight Committee (TSOC) met and reviewed the Proposed Project Concepts/Priority Project recommendations as compared with the Initial Project Statement for TSPLOST 2018, Project 16 – Prince Avenue Corridor Improvements Project. The TSOC, by unanimous vote, confirmed that that the proposed concept/priority project recommendation is consistent with the Initial Project Statement for Project #16 of TSPLOST 2018.

20. On February 1, 2022, the M&C approved the recommended Prince Avenue Prioritized Projects List (**Attachment #2**); which included the work included in the proposed Project Concept.

21. On May 25, 2022, the User Group recommended the buffer type and layout for Sub-Project #1 Proposed Project Concept Plan, as shown on **Attachment #1**.

22. On June 14, 2022, the User Group presented to M&C at the regularly scheduled work session their recommended Proposed Project Concept Plan for Sub-Project #1 for TSPLOST 2018, Project 16 – Prince Avenue Corridor Improvements. The M&C asked staff to develop a similar concept to extend the pilot project on Prince Avenue from Pulaski to just before the Milledge Avenue intersection.

23. On July 17, 2022, the M&C requested Revised Project Concept, to extend the pilot project on Prince Avenue from Pulaski to just before the Milledge Avenue intersection, was distributed to M&C.

24. On July 27, 2022, at their regular scheduled meeting the Prince Avenue User Group took the following two actions:
    - *"The Prince Avenue User Group supports use of the hi-build epoxy traffic paint, in lieu of the thermoplastic for the new striping." and,*
    - *"The Prince Avenue User Group supports a pilot lane-repurposing project from Pulaski to Milledge with a continuous center turn lane — except for existing pedestrian crosswalk refuges. Removing a segment of the center turn lane would create dangerous traffic backups."*

FACTS & ISSUES:

1. The initial project statement for the TSPLOST 2018 Project 16 Prince Avenue Corridor Improvements Project reads as follows:

   TSPLOST 2018 Project 16: Prince Avenue Corridor Improvements Project, *includes funding for specific improvements to the Prince Avenue Corridor that are to be approved by Mayor and Commission. Improvements eligible for the funding include, but are not*

limited to, landscaped/concrete median(s), additional sidewalks, multi-use trail, separated bike lanes, and intersection improvements at the intersections of N. Milledge Avenue, King Avenue, and Park Avenue / Talmadge Drive.

2. TSPLOST 2018 Project 16 Prince Avenue Corridor Improvement Project recommended limits are from Sunset Drive to Pulaski Street. Typical sections of the Prince Avenue Corridor Improvement Project have a four-lane roadway with two-way left turn lanes and includes eight signalized intersections at Sunset Drive, Oglethorpe Avenue/Satula Avenue, Talmadge Drove/Park Avenue, King Avenue, N. Chase Street, N. Milledge Avenue, Finley Street/Barber Street and Pulaski Street with some having dedicated left turn lanes. The portion of Prince Avenue from N. Milledge Avenue west, past Sunset Drive, is under GDOT control (i.e. they are responsible for maintenance and permitting) and the portion of Prince Avenue from N. Milledge Avenue east is under ACCGov control.

3. The project Prince Avenue Corridor Committee A.K.A. User Group and Participating Departments, include the following members:

User Group Member	PRINCE AVENUE
Resident Member (AiM Comm. Member)	Mark Ebell *
Resident Member	Clint McCrory*
Resident Member	Peter Norris*
Resident Member	Jen Rice*
Resident Member	Emily Tatum*
Resident Member	Ellen Walker*
T&PW, Director	Stephen Bailey*
Landscape Management, Division Administrator	Jeanne Connell*
Planning, Assistant Director	Bruce Lonnee*
Economic Development, Director	Ilka McConnell*
Manager's Office, Assistant Manager	Josh Edwards
Transit	Victor Pope
Leisure Services, Planner	Todd Miller
T&PW, Bike/Ped Coordinator	Daniel Sizemore

*Voting Members

4. The User Group's Charge:
   Review the previous studies and review additional data from departments with additional information about the corridors (Transit, Planning, Traffic Engineering, etc.). Based on the previous studies and additional data, develop and provide M&C with a recommended prioritized list of specific transportation related improvement projects that meet the TSPLOST Initial Project Statements and that equitably enhance the individual project corridor.

5. Based on GDOT Road Safety Audit (History #3 & #4), GDOT is planning a Corridor Safety Improvement Project for Prince Avenue that is completely independent of the ACCGov TSPLOST Project for Prince Avenue. Even though the portion of Prince Avenue east of N. Milledge Avenue is under local ACCGov control, GDOT is still planning on providing Corridor Safety Improvements for that section of Prince Avenue as part of their Project #0013954 (History #10). The GDOT Safety Improvements Project, independent from the current TSPLOST Project, contains the following scope of work, as of September 4, 2021:

    a. Lighting upgrades along corridor at signal/mid-block crossings (11-12 locations)
    b. Signal upgrades at eight locations
        - SR 15 Alt @ Sunset Drive
        - SR 15 Alt @ Oglethorpe Avenue/Satula Avenue
        - SR 15 Alt @ Talmadge Drive/Park Avenue (convert Park Avenue to RIRO) SR 15 Alt @ King Avenue
        - SR 15 Alt @ Chase Street
        - SR 15 Alt @ Milledge Avenue
        - SR 15 Alt @ Finley Street/Barber Street
        - SR 15 Alt @ Pulaski Street
    c. Mid-block crossing upgrades at three locations
        - CS 1228/ Prince Avenue @ Piedmont College DW
        - CS 1228/ Prince Avenue @ Pope Street
        - CS 1228/ Prince Avenue @ Newton Street
        - Potential crossing at SR 15 Alt @ Pound Street (SSA building) – *Under TMC Review*
    d. ADA Ramps & crosswalk striping upgrades (where existing conditions are lacking)
    e. Mill & Inlay resurfacing, including restriping from Sunset Drive to Pulaski Street
    f. Raised Medians
        - From Oglethorpe Avenue/Satula Avenue to Talmadge Drive
        - From King Avenue to Chase Street

6. Because GDOT is providing the Safety Corridor Improvements for the entire stretch of Prince Avenue, all of the M&C approved Prioritized Projects (**Attachment #2**) will require some level of GDOT involvement and coordination. The extent of the effort will depend on whether the work is east or west of the intersection with N. Milledge Avenue. To prevent double work, GDOT has offered to consider including some of the Approved Prioritized Projects in their Prince Avenue Safety Improvements Project.

7. The Approved Prioritized Projects (History #20) are based on projects that increased safety opportunities for all users. The Tier 1 Projects, from the approved Prioritized Projects (**Attachment #2**) were as follows:

Tier 1 projects	Who Benefits	Cost
Midblock crossings at Georgia Ave (Normaltown) and Sylvia Circle (Soc. Sec Office)	Pedestrian	$
More frequent bus trips in corridor	Transit users	$$
Protected bike lanes from Milledge Avenue to Pulaski Street	Bike	$$
Road diet ("3-laning") from Milledge to Pulaski	All users	$$
Reduce the number of curb cuts in corridor	Pedestrian/Bike	$$
Intersection improvements at Park and Talmadge	All users	$$$

8. As a first step to the to the M&C approved Tier 1 Projects, (F&I #7), T&PW requested that a Traffic Engineering Study (draft completed in January 2022) be conducted on the Section of the corridor from Milledge Avenue to Pulaski Street. From the Traffic Engineering Study completed (draft) in January 2022, the study was to determine the potential impacts and if the road diet on approximately 0.65 miles of existing four-lane roadway was feasible. A recommendation from the study was to consider a temporary (pilot) conversion of Prince Avenue using removable buffers in order to test the road diet prior to re-striping. Included within the recommendation was monitoring of adjacent roadways for potential traffic diversion, potential signal timing adjustments, changes to conflict points, and consolidation of Transit stops to minimize delays due to stopped buses.

9. The User Group's reviewed various options for a potential pilot project using a road diet ("3-lanning) on Prince Avenue from N. Milledge Avenue to Pulaski Street. After review of the options, the User Group approved (History #21) a recommendation to create the Sub-Project #1 with the Proposed Project Concept for an approximate 90-day pilot project conversion of Prince Avenue from Pulaski Street to Barber Street using removable buffers in order to test the road diet with re-striping to provide the protected and separated bike lanes as generally shown on **Attachment #1** and includes the following features:
    - Using Protected Bike Lane and preferred cross section utilizes the existing curbs and reduces the vehicle travel lanes to 10-foot wide (**Attachment #1**).
    - The existing vegetative buffers and sidewalks outside the existing curbs will remain unchanged.
    - Monitoring of adjacent roadways for potential traffic diversion, potential signal timing adjustments, and consolidation of Transit stops to minimize delays due to stopped buses.
    - On-going Public Engagement and feedback will be taken during the pilot project.
    - Both national and ACCGov's standards for roadway and separated bike lanes will be used.
    - Buffer areas will be delineated using ~~white thermoplastic~~ hi-build epoxy traffic paint and buffer delineators.
    - Zicla Zipper and flexible posts will alternate along with the use of turn wedges and bicycle box markings.
    - Existing lane markings will be ground off and ~~temporary~~ hi-build epoxy traffic paint markings and buffers be installed.

10. Pre-implementation traffic studies were conducted at 17 locations plus three intersections (April 2022). If approved by the M&C, approximately halfway into the pilot project period, post-implementation traffic studies will occur at the same locations and intersections as the pre-implementation studies. The post-implementation traffic studies will seek to ascertain where and how traffic may be diverting from Prince Ave. onto adjacent streets, how much will the pilot project will be slowing speeds and increasing travel times.

11. Although the approved Prioritized Project List included the road-dieting from N. Milledge Avenue to Pulaski Street, the User Group approved (History #21) the recommendation to create the Sub-Project #1 with the Proposed Project Concept for an approximate 90-day pilot project conversion of Prince Avenue from just Pulaski Street to just Barber Street for the following reasons:

    - Keep the cost for a "pilot" project lower, in case the post-implementation traffic study and public input revealed conditions unfavourable to keeping the road diet in place.
    - The cost to implement and restore this shorter section was originally projected to cost below the threshold that allowed for Manager approval versus the time needed for a competitive bid and another M&C award cycle;
    - There are additional conflict points (e.g. on-street parking and two additional mid-block crossings);
    - If successful, the longer section could be implemented as a separate stand-alone sub-project or could wait and be done at the same time as the other proposed GDOT safety corridor improvements and the repaving of Prince Ave., anticipated in FY25.
    - If the road diet was to extend to into the N. Milledge Avenue intersection, GDOT approval would be required.

12. Based on the User Group's recommendation for the pilot project from Pulaski Street to Barber Street, staff would recommend that the installation of the work be done by ACCGov's on-call paving contractor as a change order to the pavement maintenance contract with Pittman Construction. The actual quoted pricing for the work is approximately twice the preliminary estimates, provided by the project designer, which was presented at the work session. The quoted price for the initial install for the work from Pulaski Street to Barber Street from Pittman Construction ~~is being~~ has been negotiated ~~and will~~ for a not exceed amount of $200,000 ~~$250,000~~.

13. In order to meet the requested time line, staff will pre-purchase the Zicla Zippers, for installation by the contractor, while the change order paperwork is being executed.

14. Following the 90-day pilot, the User Group will evaluate the public engagement results, and return to the M&C with a recommendation to continue the road diet as-is, extend the road diet to N. Milledge Avenue, or to remove and restore to the previous conditions.

15. After the evaluation period, if the decision is made to make the Pilot Project permanent, then there will be the added cost for the following items:

- Removing and re-installing the surface mounted delineators with a more permanent mounting methods (NTE cost $30,000);
- Relocating the Rectangular Rapid Flashing Beacon (RRFB) to the new mid-block crossing near The Grit (NTE cost $10,000);
- Relocating or removing transit stop improvements at intersection of Prince & Pulaski (NTE cost $5,000);
- Additional improvements at remaining transit stops to provide separation between cyclist and transit riders (cost will vary depending on the results of the pilot and number of stops, if any, that to be adjusted and the methods chosen); and,
- Any revisions to the striping, buffers, or other improvements as a result of data gathered during the post-implementation traffic studies (cost to be determined).

16. After the evaluation period, if the decision is made to remove the pilot project striping and vertical delineators and replace it with the previous four-lane striping, then there will be additional cost. To remove & replace the scope would include the same basic cost of the Project Concept mobilization, traffic control, removal of existing striping. In the absence of a firm contractor quote, for the removal and replacement of the pilot project, staff would recommend retaining a budget of approximately 75% of the install cost for removal and replacement.

17. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A: *Improve, expand, and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely; and,*
    - Safely Move Around Athens Goal, Strategy D: *Create more usable and aesthetically pleasing corridor connections between residential and commercial areas*
    - Safely Move Around Athens Goal, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission:

    a. Approve the Proposed Project Concept Plan for Sub-Project #1 (SP) for TSPLOST 2018, Project 16, Prince Avenue Corridor Improvements Project, as generally shown on **Attachment #1,** and authorize staff to advance the SP #1 to the implementation phase;

    b. Approve a change order to the on-call paving contractor, Pittman Construction, for a not to exceed amount of ~~$250,000~~ $200,000 for the implementation of the pilot project; and,

    c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the Concept Plan for Sub-Project #1, as shown on **Attachment #3**.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT:
Prepared by: Diana Jackson, Office of the Manager - SPLOST & TSPLOST Program Management



Keith D. Sanders, TSPLOST Program Administrator — June 29, 2022 Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



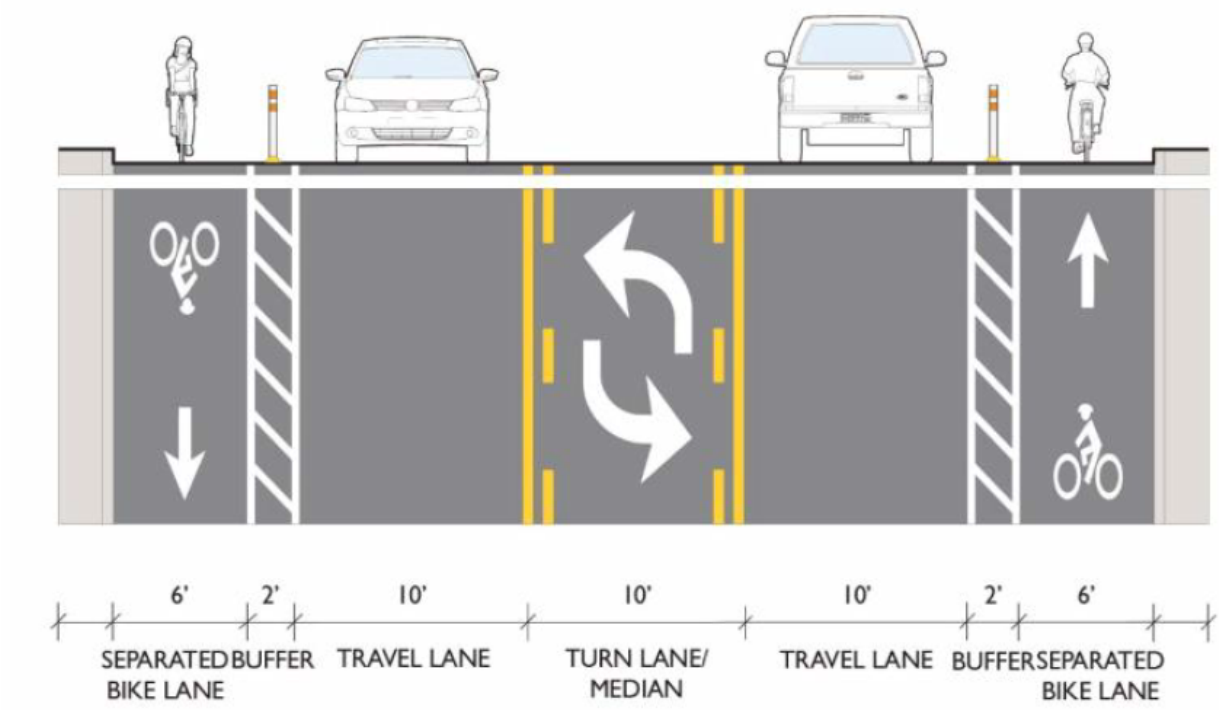
Manager — July 14, 2022 Date:

ATTACHMENTS:

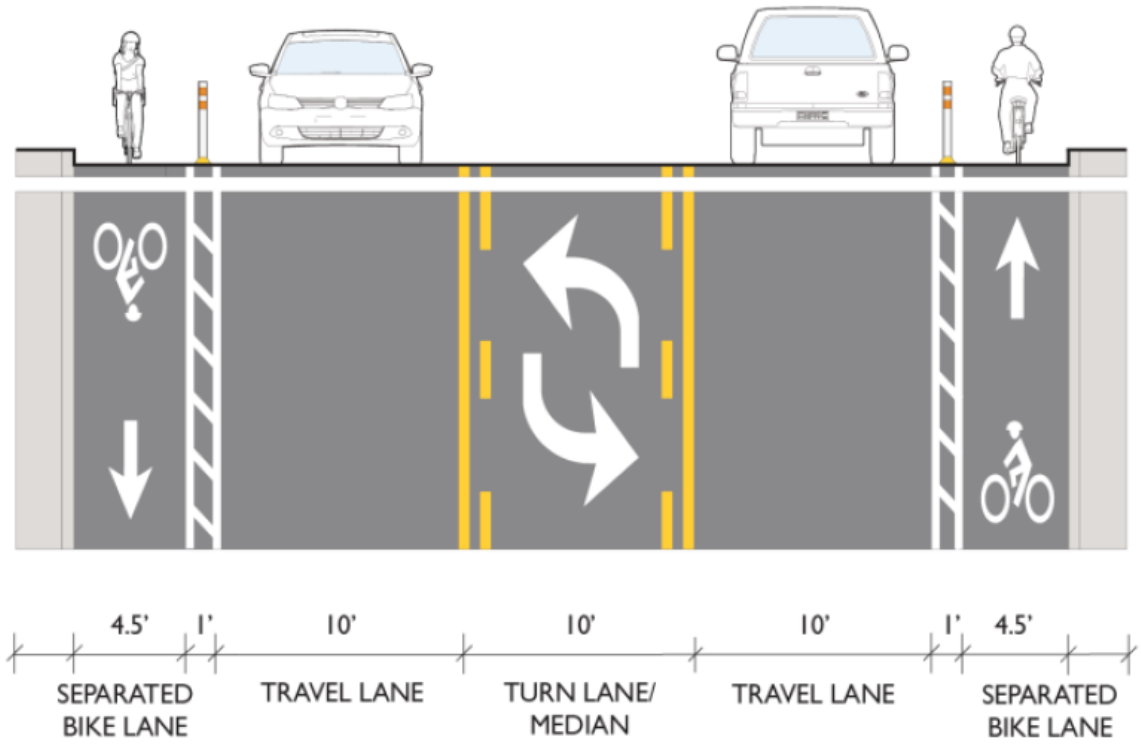
Attachment #1: Concept Plan for Sub-Project #1
Attachment #2: Approved Prioritized Projects

Sub-Project #1 - Proposed Project Concept

❖ Cross Section – Barber Street to Newton Street



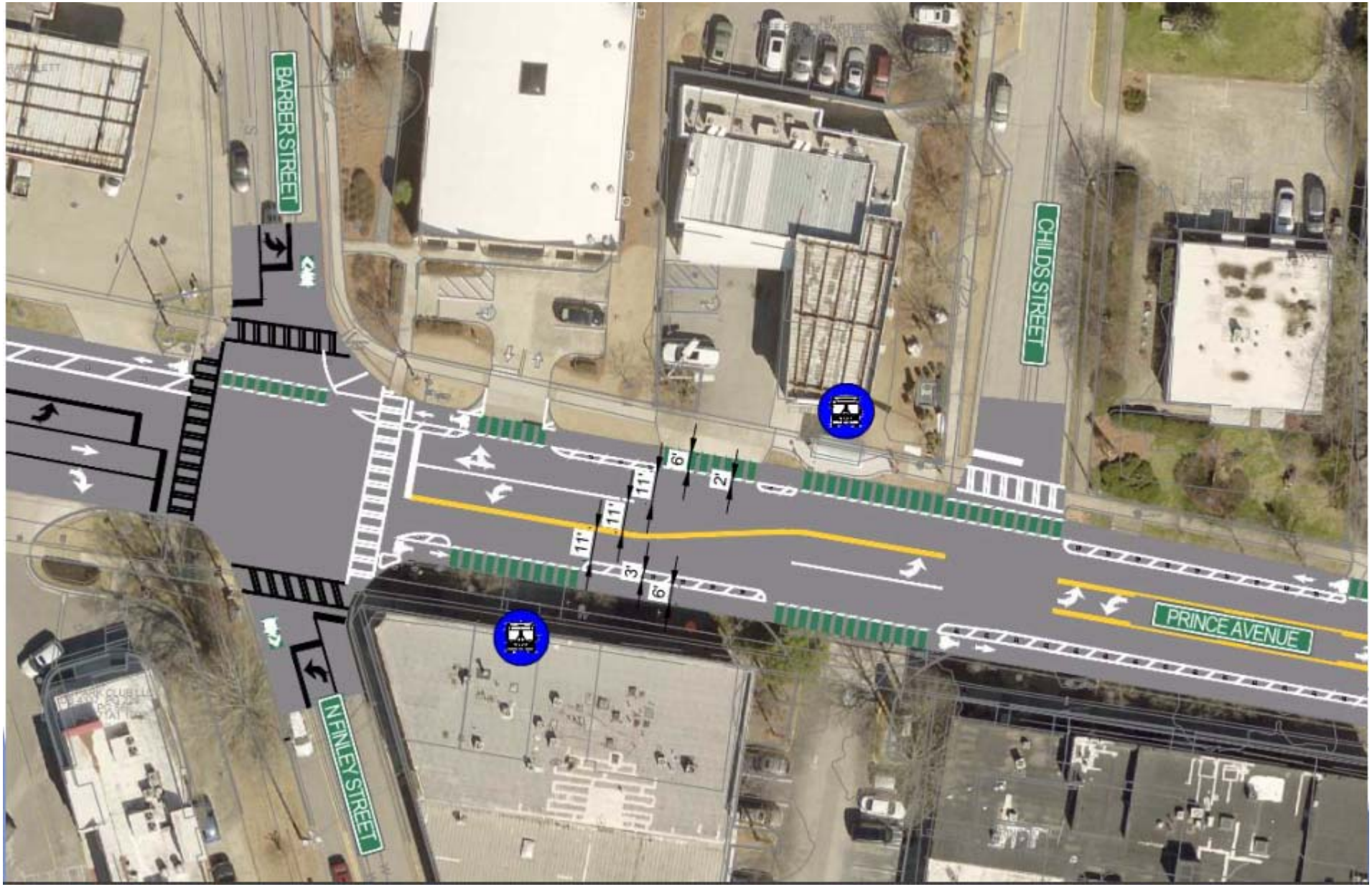
❖ Cross Section – Newton Street to Pulaski Street (constrained)



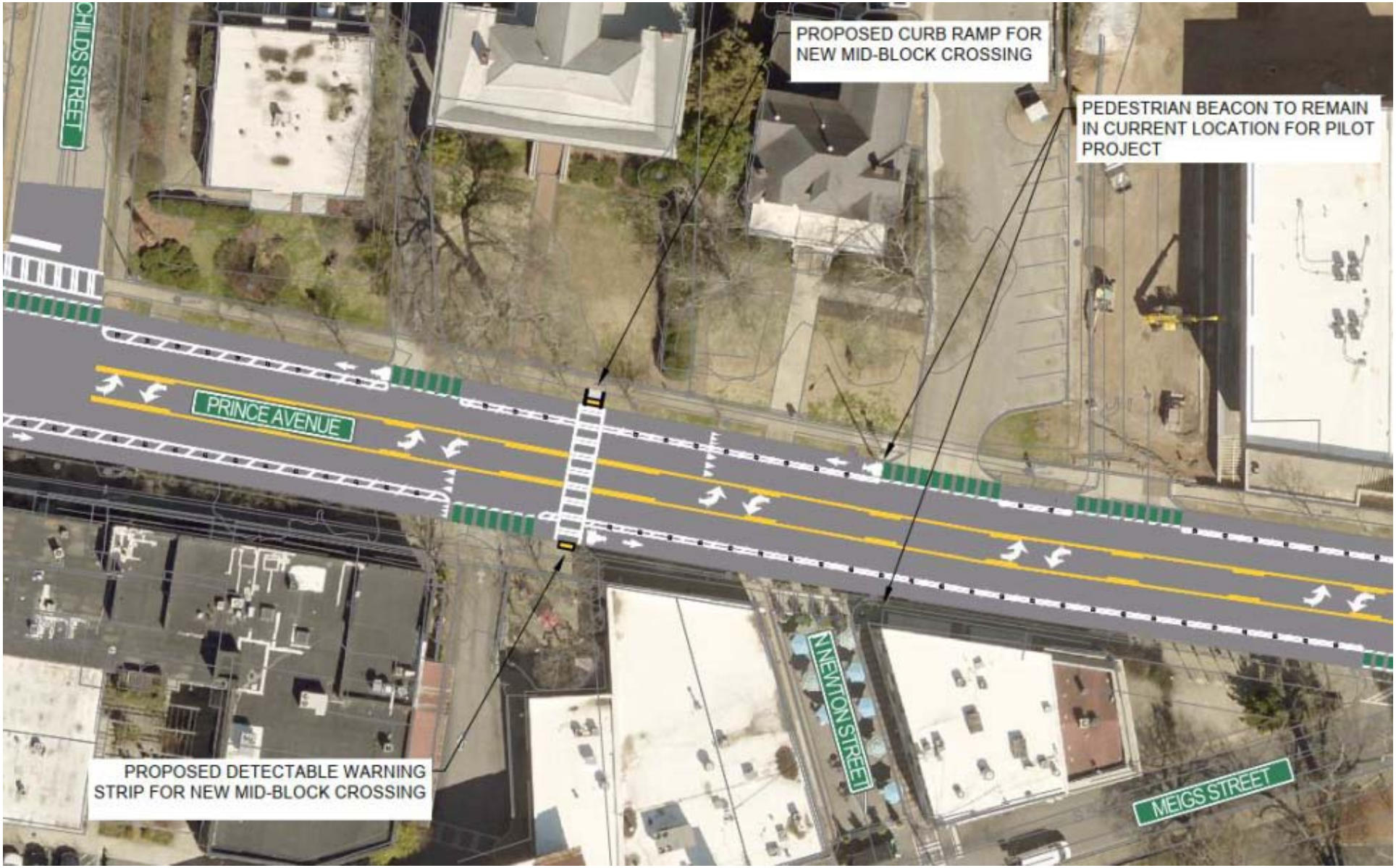
OVERALL CONCEPT PLAN (following pages breaks it into three sections)



CONCEPT PLAN – 1 of 3



CONCEPT PLAN – 2 of 3



CONCEPT PLAN – 3 of 3



ATTACHMENT #2

Tier 1 projects	Who Benefits	Cost
Midblock crossings at Georgia Ave (Normaltown) and Sylvia Circle (Soc. Sec Office)	Pedestrian	$
More frequent bus trips in corridor	Transit users	$$
Protected bike lanes from Milledge Avenue to Pulaski Street	Bike	$$
Road diet ("3-laning") from Milledge to Pulaski	All users	$$
Reduce the number of curb cuts in corridor	Pedestrian/Bike	$$
Intersection improvements at Park and Talmadge	All users	$$$
Tier 2 projects		
Crosswalk improvements at Cobb Street and King Avenue	Pedestrian	$
Road diet ("3-laning") Milledge to Barber and Barber to Pulaski as separate items	All users	$$
Consolidate utility poles in the corridor	All users	$$
Protected bike lanes from Oglethorpe to Milledge Ave	Bike	$$
Intersection improvements at Satula/Oglethorpe	All users	$$
Intersection improvements at Milledge Avenue	All users	$$$
Bury utility lines in the corridor	All users	$$$
Tier 3 projects		
Midblock crosswalk addition at Boulevard Heights	Pedestrian	$
Correct bulb outs	Pedestrian	$
Identify utility poles or objects that obstruct view of traffic	Pedestrian/Bike	$
More bus shelters in corridor	Transit users	$
Public access to Piedmont University Parking Deck	Parking	$
Safety education throughout the corridor	All users	$
Synchronize buses with traffic lights	Transit users	$$

Prioritized Projects

Vision: Making Prince safer for all corridor users

Tier 1: Must have
Tier 2: Highly desired
Tier 3: Nice to have

Projects within a tier are sorted by relative cost; they are NOT sorted by priority.

$: < $100,000
$$: $100,000 to $1,000,000
$$$: > $1,000,000

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 28, Mental Health Recovery Facility Project - Intergovernmental Contract with Advantage Behavioral Health Systems

DATE: June 27, 2022

BUDGET INFORMATION:

REVENUES:	$ 5,218,500	SPLOST 2020 Project 28 (All Tiers)
EXPENSES:		
CAPITAL:	$ 13,151	Expensed & Encumbered
	$ 3,247,916	Designated for Construction
	$ 202,073	Designated for Fixtures, Furniture, and Equipment
	$ 289,576	Designated for Miscellaneous, Testing, and PM Fees
	$ 32,500	Designated for Public Art
	$ 1,030,549	Available for Contingency
	$ 402,735	Available for Design

FUNDING SOURCE: SPLSOT 2020 Program Revenues

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:
To request that the Mayor and Commission:

a. Approve the proposed Intergovernmental Contract (**Attachment #1**) with the Advantage Behavioral Health Systems (Advantage) for SPLOST 2020 Project 28, Mental Health Recovery Facility Project;

b. Designate the SPLOST 2020 Project 28, Mental Health Recovery Facility Project as appropriate for Public Art with a proposed Public Art Budget of $32,500; and

c. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum, which included Project 28 - Mental Health Recovery Facility Project for budgeted amount of $5,325,000.

2. On December 1, 2020, in order to allocate funds for Program Administration, the Commission approved an Ordinance which amended the SPLOST 2020 Project Budgets. The

budget for SPLOST 2020 Project 28, Mental Health Recovery Facility was amended to $5,218,500.

3. On May 10, 2021, the Athens Cultural Affairs Commission (ACAC) offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, Additional Funding for Public Art, to the M&C related to the use of public art for SPLOST 2020 Project 28 – Mental Health Recovery Facility Project.

FACTS & ISSUES:

1. Advantage and ACCGov desire to enter into this Agreement to provide Project Implementation Guidelines and to govern the expenditure of proceeds of SPLOST 2020 for the Project; and

2. **The SPLOST 2020 Mental Health Recovery Facility Project** Statement includes the following language:

   This project will provide funding for land acquisition, design, construction, and/or equipping of a mental health recovery facility project and/or renovations, improvements, additions to, and equipping of an existing facility so as to provide a residential style facility for individuals with mental health and potentially co-occurring addictive disease(s). It is anticipated that to the extent permitted by law the facility or facilities would be built in conjunction with one or more public or other private partner(s) that may provide additional capital funds to the project to support SPLOST funding and that would provide the operational funding for the facility. The program is envisioned to provide a facility or facilities to provide congregate living style facility that could accommodate group and/or individuals for counselling programming. An example of a potential partner organization may be, but not be limited to, Advantage Behavioral Health Systems, a Community Service Board (CSB), duly created and existing pursuant to the Constitution and laws of the State of Georgia, specifically O.C.G.A. § 37-2-6. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.

3. Under the Initial Project Statement, the Project is to provide funding support for land acquisition, design, construction, and/or equipping of a mental health recovery facility project and/or renovations, improvements, additions to, and equipping of an existing facility so as to provide a residential-style facility for individuals with mental health and potentially co-occurring addictive disease(s). The original project was submitted by Advantage for inclusion in the SPLOST 2020 Program. The project was envisioned to provide a facility or facilities to provide congregate living style facility that could accommodate group and/or individuals for counselling programming.

4. The Initial Project Statement notes Advantage as a specific example partner for this project.

5. In support of this partnership, Intergovernmental Contract proposes to use all of the SPLOST 2020 Project 28 funds of $5,218,500 to support the design, construction, Furniture, Fixtures & Equipment (FF&E), testing, project management services, and the required Public Art element for the Project. The original Project Submission from Advantage was for $11,422,000 for the full build-out of the proposed project. The available budget from SPLOST is not anticipated being adequate to build all of the proposed improvements. Advantage will be seeking additional funds from ACCGov and fund raising to acquire funding for the full project.

6. Ultimately the facility will be owned and maintained by Advantage and will be constructed on property owned by Advantage located at or adjacent to 240 Mitchell Bridge Road (the "Project Property"). The size and final scope of the Project will be determined in a subsequent Intergovernmental Contract between the Advantage and ACCGov that will be brought back to M&C for consideration in the future. This subsequent Intergovernmental Contract will also address how payments will flow with respect to any additional funding to be provided by Advantage, as well as such other additional matters deemed necessary by the parties for the successful implementation of the Project.

7. The term of the proposed Intergovernmental Contract will become effective upon its date and shall be in full force and effect until the Project is completed, up to a term of five years.

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:

    - Identify and Close Gaps in Partnership with the Community Goal, Strategy D: *Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, nonprofit capacity building, and problem-solving with connected community partners*

OPTIONS:

1. Mayor and Commission:
    a. Approve the proposed Intergovernmental Contract (**Attachment #1**) with the Advantage Behavioral Health Systems (Advantage) for SPLOST 2020 Project 28, Mental Health Recovery Facility Project;

    b. Designate the SPLOST 2020 Project 28, Mental Health Recovery Facility Project as appropriate for Public Art with a proposed Public Art Budget of $32,500; and

    c. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not approve the proposed Intergovernmental Agreement.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b & c

DEPARTMENT: Prepared by: Keith D. Sanders, SPLOST & TSPLOST Program Management, for



Robert Cheshire, Capital Projects Director Date: July 6, 2022

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



July 14, 2022

Manager Date:

ATTACHMENTS:
Attachment #1: Intergovernmental Contract with ABHS

INTERGOVERNMENTAL CONTRACT
(Project Implementation for the
SPLOST 2020 Project 28- Mental Health Recovery Facility Project)

This **INTERGOVERNMENTAL CONTRACT** (this "Agreement"), dated as of _____, 2022, by and between ADVANTAGE BEHAVIORAL HEALTH SYSTEMS ("Advantage"), a Community Service Board (CSB), duly created and existing pursuant to the Constitution and the laws of the State of Georgia, specifically O.C.G.A. Sec. 37-2-6 (the "Act"), and the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA (the "Unified Government"), a consolidated government and political subdivision of the State of Georgia;

W I T N E S S E T H:

WHEREAS, Advantage Behavioral Health Systems is a Georgia public corporation duly existing pursuant to Georgia law, specifically the Act; and

WHEREAS, under the Act, Advantage is empowered, among other things, to provide mental health, development disabilities, and addictive diseases services; and

WHEREAS, under the Act, Advantage is further empowered, among other things, to make and enter into all contracts for the performance of its duties and functions and may own, hold, improve, and use, real and personal property of every kind and character, or any interest therein, for its corporate purposes; and

WHEREAS, Article IX, Section III, Paragraph I(a) of the Georgia Constitution authorizes, among other things, any county, municipality or other municipal corporation of the State of Georgia to enter into an agreement, for a period not exceeding 50 years, with another county, municipality or municipal corporation or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the provision or separate use of facilities or equipment, provided that such Intergovernmental Contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide; and

WHEREAS, the Unified Government's SPLOST 2020 ("SPLOST 2020") was voted on and approved in the referendum conducted on November 5, 2019 (the "Referendum") and included a budgeted amount of $5,325,000 for Project No. 28, the Mental Health Recovery Facility Project (the "Project"); and

WHEREAS, on December 1, 2020, in order to allocate funds for Program Administration, the Commission approved an Ordinance which amended the SPLOST 2020 Project Budgets. The budget for SPLOST 2020 Project 28, Mental Health Recovery Facility was amended to $5,218,500; and

WHEREAS, under the project statement approved by the Commission, said Mental Health Facility Project is to provide funding support for land acquisition, design, construction, and/or equipping of a mental health recovery facility project and/or renovations, improvements, additions to, and equipping of an existing facility so as to provide a residential style facility for individuals with mental health and potentially co-occurring addictive disease(s); and

WHEREAS, under the project statement approved by the Commission, it was anticipated that to the extent permitted by law the facility or facilities would be built in conjunction with one or more public or other private partner(s) that may provide additional capital funds to the project to support SPLOST funding and that would provide the operational funding for the facility; and

WHEREAS, under the Project statement approved by the Commission, the program was envisioned to provide a facility or facilities to provide congregate living style facility that could accommodate group and/or individuals for counseling programming; and

WHEREAS, under the project statement approved by the Commission, Advantage was specifically noted as a potential partner organization; and

WHEREAS, the Commission has determined it to be in the best interests of the Unified Government and its citizens to partner with Advantage for the construction and on-going operation of the Project; and

WHEREAS, in support of this partnership, the Unified Government intends to use approximately $5,218,500 from the SPLOST Mental Health Facility Project budget (the "SPLOST Proceeds," which may include bond funding) to support the design, construction, Furniture, Fixtures & Equipment (FF&E), Testing associated with the Project, project management services, through the Unified Government's consultant, Jacobs Project Management Company ("Jacobs"), and the required Public Art element for the Project which will equal the full balance of SPLOST proceeds allotted for the Project; and

WHEREAS, in accordance with the project statement approved by the Commission, it is the intention of the Unified Government and Advantage that the Project will be a "residential" style facility that will serve individuals with mental health and potential co-occurring addictive diseases; and

WHEREAS, the Authority and the Unified Government desire to enter into this Agreement to provide Project Implementation Guidelines for the Project; and

WHEREAS, the Unified Government has determined that it is appropriate for the costs of the Project to be funded by proceeds of SPLOST 2020; and

WHEREAS, Advantage and the Unified Government desire to enter into this Agreement to govern the expenditure of proceeds of SPLOST 2020 for the Project; and

WHEREAS, the Authority and the Unified Government are authorized under the Constitution and laws of the State of Georgia to enter into this Agreement for the purposes set forth herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants hereinafter contained, the parties hereby agree as follows:

1. Project Implementation Guidelines. Advantage and the Unified Government agree to the following Project Implementation Guidelines for the Project:

A. In accordance with the project statement approved by the Commission, the Project will be a "residential" style facility that will serve individuals with mental health and potential co-occurring addictive diseases. The Project shall be subject to the Georgia Local Government Public Works Construction Law, O.C.G.A. § 36-91-1 et. seq. Pursuant to Sec. 1-25-6 of the Code of Athens-Clarke County, Georgia, public art will be required to be part of the Project.

B. The Unified Government will contribute approximately $5,218,500 in SPLOST Proceeds to support the design, construction, FF&E, testing associated with the Project, project management services (through Jacobs), and the required Public Art element for the Project, which equals the full balance of SPLOST proceeds allotted for the Project.

C. The Project will be owned by Advantage and will be constructed on property owned by Advantage located at or adjacent to 240 Mitchell Bridge Road (the "Project Property"). The size and final scope of the Project will be determined in a subsequent Intergovernmental Contract between the parties hereto based upon the additional amount of funding that Advantage is able to commit to the Project. This subsequent Intergovernmental Contract shall also address how payments will flow with respect to any additional funding to be provided by Advantage, as well as such other additional matters deemed necessary by the parties for the successful implementation of the Project. In that regard, Advantage shall be responsible for the following:

i. Providing any additional capital needed for the Project in excess of the Unified Government's not to exceed contribution of $5,218,500 in SPLOST Proceeds, as noted in 1.B., to support the Project.

ii. Paying the cost to have the Project Property subdivided and for providing title to the Project Property that is free and clear of any liens or encubrances prior to the beginning of construction.

D. The Project will be implemented in accordance with the Pre-Design and Design phases of the Unified Government's standard Capital Projects Process. In accordance with this Process, the Project Concept and the Schematic Design for the Project will be subject to the approval of the Unified Government's Mayor and Commission. In addition, the following User Group criteria and procedures shall be followed related to implementation of the Project:

i. Advantage will provide three to four User Group members.
ii. The Unified Government's Manager will appoint four staff User Group members to provide assistance.

iii. The User Group will develop and approve the Request for Proposal requirements for a Design Professional and serve as the subsequent proposal evaluation committee for the Design Professional.

iv. The User Group will primarily function during the Pre-Design and Design. Once construction starts, Jacobs, acting in its capacity as the Project Manager, will provide the primary coordination between Advantage, the Designers and the Contractor.

v. The Unified Government's Procurement and Risk Management procedures and policies shall be followed for the procurement of goods and services, (e.g. design, construction, commissioning, testing, etc.).

E. As indicated above, Jacobs will provide project management services for the Project and will coordinate activities for construction with Advantage. The Project will be designed to Advantage's standards for operational concerns. The Project will be designed to meet the Unified Government's sustainability policy. The Project will also be designed to meet GBMH standards.

F. Advantage shall be responsible for operating the Project following the completion of its construction. Advantage shall be responsible for providing all on-going operational and capital cost for the Project, including, but not limited to, personnel, maintenance, furnishings, life cycle replacement of major systems and facilities, as well as utilities.

2. Provision of SPLOST Proceeds. Upon the submission of acceptable and proper documentation of the costs for the Project, (the "Project Costs"), no more frequently than monthly, the Unified Government, acting through its Manager or his designee, shall advance SPLOST Proceeds for the payment of the Project Costs up to an aggregate amount of $5,218,500, as noted in 1.B., to support the Project.

3. Review and Audit. The Unified Government reserves the right to review and audit the expenditures of SPLOST Proceeds, and Advantage will fully cooperate with any such review or audit and will provide all necessary records pertaining thereto.

4. Effective Date and Term. This Agreement shall become effective upon its date and shall be in full force and effect until the Project is completed, up to a term of five (5) years.

5. Notices. All notices, certificates and other communications provided for hereunder shall be in writing and sent (a) by certified mail with return receipt requested (postage prepaid), or (b) by a recognized overnight delivery service (with charges prepaid). Any such notice must be sent to any party hereto at the following addresses or to such other address as any party hereto shall have specified in writing to the other party:

If to the Authority: Advantage Behavioral Health Systems
240 Mitchell Bridge Rd.,
Athens, GA 30606

If to the Unified Government: Unified Government of Athens-Clarke County, Georgia
P. O. Box 1868
Athens, Georgia 30603
Attn: Manager

Notices will be deemed given only when actually received.

6. Construction, Entire Agreement and Binding Effect. This Agreement shall be construed in conformity with the law governing SPLOST 2020. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes any prior agreements. This Agreement shall inure to the benefit of and shall be binding upon the Authority, the Unified Government and shall not be assigned.

7. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

8. Amendments, Changes and Modifications. This Agreement may not be modified or changed except in a written amendment authorized and executed by each party.

9. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

10. Governing Law. This Agreement is prepared and entered into with the intention that the law of the State of Georgia.

11. Limited Recourse. No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the Authority or the Unified Government contained in this Agreement or for any claim based hereon or otherwise in respect hereof against any member of a governing body, officer or employee, as such, in his individual capacity, past, present or future, of the Authority, the Unified Government or any successor body, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Agreement is solely a corporate obligation of the Unified Government and the Authority payable only from the funds and assets of the Unified Government and the Authority herein specifically provided to be subject to such obligation and that no personal liability whatsoever shall attach to, or be incurred by, any member of a governing body, officer or employee, as such, past, present or future, of the Unified Government or the Authority, or of any successor corporation, either directly or through the Unified Government, the Authority, or any successor corporation, under or by reason of any of the obligations, covenants, promises or agreements entered into between the Authority and the Unified Government whether contained in this Agreement or to be implied herefrom or therefrom as being supplemental hereto or thereto, and that all personal liability of

that character against every such member of a governing body, officer, and employee is, by the execution of this Agreement and as a condition of and as part of the consideration for the execution of this Agreement, expressly waived and released. The immunity of members of a governing body, officers and employees of the Authority and the Unified Government under the provisions contained in this paragraph 12 shall survive the termination of this Agreement.

[Signatures on following page]

IN WITNESS WHEREOF, Advantage has executed this Agreement by causing its name to be hereunto subscribed by its authorized officer indicated below and attested to by its Secretary; and the Unified Government has executed this Agreement by causing its name to be hereunto subscribed by its Mayor and attested to by its Clerk; all being done as of the day and year first above written.

ADVANTAGE BEHAVIORAL HEALTH SYSTEMS

By: _____
Title:

Attest:

_____
Secretary

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

Attest:

_____
Clerk

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 03, Classic Center Arena – Second Bond Revenue Financing Issuance and Intergovernmental Agreement

DATE: ~~July 7, 2022~~ July 28, 2022

BUDGET INFORMATION:

BUDGET INFORMATION:

REVENUE:	$	33,320,000	SPLOST 2020 Project 03 Funding
	$	49,425,110	Revenue Bond Series 1
	$	19,700,000	Private Funding Sources
	$	30,000,000	Proposed Revenue Bond Series 2
	$	132,445,110	Total Revenue Available (See History #21)
EXPENSES:			
CAPITAL:	$	112,054,678	Expensed or Encumbered
	$	4,170,846	Designated Fixtures, Furnishings & Equipment
	$	2,675,000	Designated Classic Center Portion of Parking/ Plaza
	$	8,950,000	Designated Construction
	$	1,548,399	Designated Testing, Misc., Commissioning & PM Fees
	$	320,846	Designated Public Art
	$	2,505,341	Designated Design & Construction Contingency
	$	220,000	Designated Design and Construction Admin. Services
	$	132,445,110	Total Project Budget

FUNDING SOURCE: SPLOST 2020 Project 03, Revenue Bond Financing, and Private Funding

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Second Revenue Bond Financing Issuance of $37,500,000 and associated Intergovernmental Contract, **Attachment #1**; and**.**

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On November 11, 2018, the Classic Center Authority (CCA) submitted to ACCGov a Project Proposal for consideration as part of the SPLOST 2020 Program.

2. On January 28, 2019, the Classic Center Arena Project 81, was presented to the SPLOST 2020 Citizen Advisory Committee with a funding request of $58,879,000.

3. On June 4, 2019, CCA presented a revised Classic Center Arena Project. The revised project included potential private funding partnerships with a Hotel, a Senior Condominium, and Parking Deck. SPLOST 2020 funding request was reduced to $37,000,000.

4. On July 10, 2019, at a regularly scheduled work session, Classic Center Authority representatives presented a revised Classic Center Arena Project to the Mayor & Commission (M&C), which included a reduced SPLOST 2020 request of $34,000,000.

5. On July 18, 2019, the M&C approved the Proposed Referendum Project List, including the Classic Center Arena at a reduced project value of $34,000,000 with the remaining needed project funds coming from Revenue Bonds backed by the Unified Government of Athens-Clarke County (ACCGov) and the revenue from future development of ACCGov property adjacent to the Classic Center.

6. On August 6, 2019, the M&C approved the SPLOST 2020 Program Referendum, which included the Classic Center Arena (Project 03) as a component. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum. This Referendum included the Classic Center Arena (Project 03). The Referendum also included the approval of the issuance of general obligation debt to help fund the Classic Center Arena (Project 03) and to facilitate the construction of the Project within the first few years of the SPLOST 2020 Program.

7. On January 7, 2020, a lease agreement between ACCGov and CCA was presented to the M&C for consideration. The proposed lease outlined a 50 year extension of the CCA's lease to include the land for the new Arena as well as the transfer of land and air rights above the Classic Center auto-bridge to ownership by the CCA for the purpose of developing a hotel.

8. On February 4, 2020, M&C approved a resolution to regulate and provide for the issuance of $26,660,000 in aggregate principal amount general obligation bonds, as authorized by a vote of the qualified voters in a referendum held November 5, 2019. M&C also established the SPLOST 2020 Capital Projects Fund and amended the FY20 operating and capital budget of ACCGov to establish the budget for the following three SPLOST 2020 projects:
    - Project 01, Facilities Space Modernization
    - Project 02, Affordable Housing
    - Project 03, Classic Center Arena

9. On February 18, 2020, the Intergovernmental Agreement for land lease between ACCGov and the CCA was approved by the M&C.

10. In September 2020, Manager Williams selected the User Group Members to help ensure ACCGov long terms goals are promoted during the Project Development process. The User

Group Members are:

- David Barbe
- Dexter Fisher
- Chantel Dunham
- Andrew Saunders
- Smith Wilson
- Paul Cramer
- Robert Cheshire (ex-officio)

11. On December 1, 2020, M&C approved combining the Program Management budgets from all projects into a single Program Management Budget, setting the Classic Center Arena SPLOST 2020 budget at $33,320,000.

12. On February 2, 2021, M&C approved the Tier Funding Schedule thereby establishing the SPLOST 2020 funding schedule for the Classic Center Arena project.

13. On February 2, 2021, M&C approved Perkins & Will / Smallwood Design as the selected Project Designer for the Classic Center Arena project.

14. On April 6, 2021, M&C approved JE Dunn Construction Company as the selected Construction Manager at Risk Contractor for the Classic Center Arena project.

15. On May 10, 2021, the ACAC approved a recommendation to the M&C in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, additional Funding for Public Art, that SPLOST 2020 Project 03 - Classic Center Arena is appropriate for public art**.**

16. On June 1, 2021, the M&C unanimously approved the Project Concept and updated budget with order of magnitude pricing of $109,441,278 for the SPLOST 2020 - Project 03 Classic Center Arena.

17. On August 3, 2021, the M&C approved conveyance and incorporation for 1.08 acres between Hickory and Willow streets into the existing Intergovernmental Agreement between ACCGov and The Classic Center Authority (approved by the M&C on Feb. 18, 2020).

18. On September 7, 2021, the M&C approved Schematic Design, the Updated Total Project Budget of $116,705,055, Proposed A/E Contract Amendment, Bond Financing, and authorized an early Guaranteed Maximum Price (GMP) based on 75% construction drawings.

19. On October 5, 2021, the M&C approved the Initial Bond Financing Issuance of $55,000,000 and associated Intergovernmental Agreement. During the work session for the October vote, the M&C was made aware that a 2nd Bond Issuance would be coming in the future.

20. On January 4, 2022, the M&C approved the following actions:
    - Increased the Classic Center Arena Project Budget to $135,655,498, assuming a second bond issuance;
    - Moved the Future Energy/HVAC System financing of approximately $10M into the new budget amount; and,
    - Authorized staff to negotiate the GMP contract with JE Dunn for a Not to Exceed amount of $107M (based on 75% complete design).

21. On January 12, 2022, JE Dunn submitted their GMP for the cost of construction for the Classic Center Arena based on the 75% CDs.

22. Prior to the award of the JE Dunn GMP, based on the reductions in anticipated private funding and the rise in interest rates, the staff began working under a self-imposed total project budget reduction from the M&C approved (History #18) budget of $135,655,498 to $132,445,110 in an effort to reduce the total project cost.

23. On February 2, 2022, JE Dunn was issued a Notice to Proceed for the Classic Center Arena project, and the GMP Amendment was executed for $102,400,000.

24. In February 2022, JE Dunn mobilized to the Site.

25. On March 11, 2022, additional geo-technical work began by JE Dunn's civil contractor to more closely identify the depth of and thereby quantity of rock to be excavated. A portion of the additional geo-technical work was needed for additional areas as a result of design changes made during the value engineering efforts (e.g. revised service drive from Foundry Street to Willow Street and revised stormwater design locations).

26. On March 22, 2022, the additional geo-technical work was completed and the extent of rock needing to be removed from the site was estimated and determined to be approximately 9,900 cubic yards. Because the cost and time of rock excavation had been moved out of the GMP to the allowances (F&I #5), JE Dunn notified ACCGov that the rock excavation would create an increase in contract time and cost.

27. During March 14, 2022 to April 14, 2022 the design team worked through design revisions to reduce the amount of rock excavation required by approximately 34% to 6,500 cubic yards.

28. On March 28, 2022, JE Dunn notified ACCGov that schedule and cost impacts would be incurred due to the amount of rock that had been identified during additional borings by the civil contractor. Since this notification, JE Dunn, their subcontractors, and the design team have worked collaboratively to mitigate the amount of rock that would need to be blasted and removed from the jobsite.

29. On March 30, 2022, JE Dunn presented their updated pricing based on the 100% CD's. The

100% pricing increased the construction cost by a net of $2.7 million, mainly due to not achieving the targeted Value Engineering for the HVAC, Plumbing, and Sitework trades, and cost escalation.

30. On April 4, 2022, JE Dunn began the Pre-Blast survey work and drilling rock in anticipation of blasting.

31. On May 27, 2022, JE Dunn presented a delay claim notice in the amount of $490,325 for delays caused by the additional rock and contaminated soil. The potential cost of this claim for extended general conditions is included in the requested Change Order #1 amount for increasing the Owner Controlled Contingencies (see F&I #7). The final amount of this claim is still to be determined but will be done so in terms of the Construction Contract and will be reviewed by outside counsel.

32. On June 8, 2022, rock blasting work began on the project.

33. On June 14, 2022, Paul Cramer presented the proposed Change Order #1, proposed second revenue bond issuance, and a proposed Special District Tax related to hotels to the M&C at the regularly scheduled Work Session. The change order as presented included all anticipated costs for rock and dirt removal, disposal, and delays, as well as the cost referenced in item 9 above.

34. On June 24, 2022, ACCGov Manager Williams issued a Notice of Proposed Administrative Action (NOPAA) to the M&C providing detailed information on the project status, pending use of the Owner Controlled Contingency, and required activities to continue construction to avoid costly delays.

35. On June 28, 2022, Paul Cramer notified Manager Williams that the CCA desired to withdraw a request for a Special Tax District related to hotels in Athens-Clarke County, and instead requested a Special Tax District related to future development on properties controlled by the CCA.

36. On July 5, 2022, M&C, at special called session, took the following action:
    - Heard a presentation from staff regarding the proposed revenue streams for the Proposed Second Revenue Bond Issuance, Project Budget, and the Proposed Change Order #1;
    - Approved a Not to Exceed Change Order #1 to the Construction Contract of JE Dunn in the amount of $8,950,000 and a Not to Exceed 150 day time extension on the contract completion date; and,
    - Directed Manager and Attorney to draft the necessary documents and ordinance to establish a Special Tax District for three parcels of property previously conveyed to The Classic Center Authority (CCA) as a future source of revenue for the project. These

parcels include the Classic Center autobridge, the parcel at the corner of E. Broad and Foundry St., and the acre parcel at the intersection of Hickory and Willow Streets

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FACTS & ISSUES:

1. The first issuance of the Revenue Bonds was done so with the clear understanding (History #19) that there would be a required second bond issuance in order to achieve the approved project budget of $135,655,498. The net amount of the second issuance needed to go to the project was estimated at $25 million in October 2021 and had escalated to $30.2 million by late January 2022.

2. The total needed bond revenue was not issued at one time as the final amount required was not yet known, and there did not appear to be a need to carry interest expense for a year on the second issuance, if combined the first issuance would not have been tax-exempt making the total bond cost higher. Additionally, as noted in the January 2022 Project Status Memo (History #6) that "*This delay in issuance does carry the risks that interest rates may rise and the potential that the revenue sources to support the 2nd issuance could change. However, according to First Tryon, CCA's financial planners, the likely rate increases are minimal in the near term and nothing currently indicates a change in the potential revenue sources.*"

3. Once the first bond issuance was completed, it became imperative that the project be completed as quickly as possible to begin generating the revenue needed to service the debt on the bonds. An initial debt service payment of approximately $781,000, including $190,000 from The Classic Center, has already been made toward the first bond. The Arena Project is different from ACCGov's typical SPLOST project process that is not under this type of financial and time constraint to begin generating revenue, due to SPLOST funds only funding a portion of the project. Further, once the Notice to Proceed was issued and JE Dunn mobilized its workforce to the project (History #7) it became even more imperative that the project progress to completion as quickly as possible because of the per day cost of the General Conditions for such a large project.

4. Based on the previous approval by M&C (History #19) to approve future issuances of Bond Financing and the approval of the total project budget and the issuance of the JE Dunn contract (both in History #20), staff is recommending approval of the Second Issuance of Revenue Bond Financing up to $37,500,000.

5. Documents to support this Issuance of Revenue Bond Financing, of up to $37,500,000, have been prepared by Bond Counsel. Those supporting documents, included as attachments, are as follows:
   - Intergovernmental Contract **(**IGC, **Attachment #1)** - Revised
   - Bond Resolution of Classic Center Authority **(Attachment #2)** - Revised
   - Unified Government Authorizing Resolution **(Attachment #3)** - Revised
   - Continuing Disclosure Certificate **(Attachment #4)** - Revised
   - Opinion of Bond Counsel **(Attachment #5)** - Revised

- o Validation Documents **(Attachment #6)** - Revised
- o Preliminary Official Statement **(Attachment #7)** - Revised
- o Bond Purchase Agreement **(Attachment #8)**

6. To meet the operational and business needs of the CCA, the CCA highly desires that the SPLOST 2020 Project 03 - Classic Center Arena to be completed by no later than fall of 2023. This schedule is critical as funding sources are connected to the date, and it is required to accomplish the promises of room nights, and economic generation to the small businesses of the community. The approval of this Second Issuance of Revenue Bond Financing, of up to $37,500,000, during this M&C Agenda Cycle is critical to the project staying on schedule.

7. Below is a brief overview of the current proposed project schedule, actual where completed, and proposed current revisions with no acceleration:
   - GMP Pricing on 75% CDs January 2022
   - GMP Approval January 2022
   - Start of Construction February 2022
   - Construction Substantial Completion March 2024
   - Anticipated Start of Booked Events May 2024

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Identify and Close Gaps in Partnership with the Community Goal, Strategy E: *Support diverse, innovative, and creative economy*

OPTIONS:

1. Mayor and Commission:
   a. Approve the Second Revenue Bond Financing Issuance of $37,500,000 and associated Intergovernmental Contract, Attachment #1; and,

   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny approval of the Revenue Bond Financing Issuance of $37,500,000 and associated Intergovernmental Contract.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1a & b

DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Ryan Moot, SPLOST Project Administrator

Robert Cheshire

Robert Cheshire, SPLOST Capital Projects Director

July 7, 2022
Date:



Paul Cramer, Classic Center President & CEO

July 7, 2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

July 14, 2022
Date:

ATTACHMENTS:

Attachment #1: Intergovernmental Contract - Revised
Attachment #2: Bond Resolution of Classic Center Authority- Revised
Attachment #3: Unified Government Authorizing Resolution - Revised
Attachment #4: Continuing Disclosure Agreement - Revised
Attachment #5: Opinion of Bond Counsel - Revised
Attachment #6: Validation Documents - Revised
Attachment #7: Preliminary Official Statement - Revised
Attachment #8: Bond Purchase Agreement

Revised Attachment #1

INTERGOVERNMENTAL CONTRACT

by and between

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

and

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

Dated as of September 1, 2022

The rights and interest of Classic Center Authority for Clarke County in the revenues and receipts derived from this Intergovernmental Contract have been assigned and pledged under a Bond Resolution, adopted July 26, 2022, as amended and supplemented.

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Revised Attachment #1

INTERGOVERNMENTAL CONTRACT

THIS INTERGOVERNMENTAL CONTRACT (this "Contract") is entered into as of September 1, 2022, by and between the **CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY** (the "Authority"), a public body corporate and politic of the State of Georgia, and the **UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA** (the "Unified Government"), a municipal corporation of the State of Georgia.

W I T N E S S E T H:

WHEREAS, the Authority has been created pursuant to 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq.*, by 2002 Ga. Laws p. 5665 *et seq.* and by H.B. 796, 156th Gen. Assemb., Reg. Sess. (2021) (the "Act"); and

WHEREAS, under the Act, the Authority is empowered (i) to construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend, improve, operate, and manage public projects, including the erection of a building or buildings in Clarke County, Georgia, to be used for amusement, recreation, civic, cultural, commercial, hotel, parking, and educational purposes or a combination thereof, including fairs, expositions, exhibits, conventions, conferences, public meetings or gatherings, concerts, theater, and such other activities as are designed and intended to promote education, culture, tourism, and the arts, and (ii) with the approval of the Unified Government, to borrow and issue revenue bonds for the purpose of paying, in whole or in part, the costs of such projects; and

WHEREAS, under the Revenue Bond Law (O.C.G.A. Section 36-82-60 *et seq.*, as amended) (the "Revenue Bond Law"), the Authority and the Unified Government each has the power to, among others, issue revenue bonds for the purpose of providing buildings to be used for various types of sports, buildings to be used for the housing of exhibits for educational and amusement purposes; and

WHEREAS, Article IX, Section III, Paragraph 1(a) of the Constitution of the State of Georgia authorizes, among other things, any county, municipality or other political subdivision of the State to contract, for a period not exceeding fifty years, with another county, municipality or political subdivision or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the provision or separate use of facilities or equipment, provided that such contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide; and

WHEREAS, the Authority has previously issued, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2021 (the "Series 2021 Bonds"), in the aggregate principal amount of $48,880,000, for the purpose of paying a portion of the cost of acquiring, constructing, installing, and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Clarke County, Georgia (the "Project"); and

WHEREAS, the Authority now proposes to issue, in one or more series, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2022, in the aggregate principal amount of _____ (the "Bonds"), for the purpose of paying (i) an additional portion of the cost of acquiring, constructing, installing and equipping the Project, (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds; and

WHEREAS, the Authority has found and determined that (a) the Project serves the Authority's public purposes of developing and promoting in Clarke County and in the State of Georgia of public projects for the cultural growth, public welfare, education, and recreation of the people of Clarke County and of the State of Georgia, and (b) the Project is a qualified project under the Act and an "undertaking" under the Revenue Bond Law; and

WHEREAS, the Authority and the Unified Government propose to enter into this Contract, pursuant to which the Authority will agree to issue the Bonds to finance the costs of the Project, and the Unified Government, in consideration of the Authority's doing so, will agree to pay to the Authority amounts sufficient to pay the debt service on the Bonds, and to levy an ad valorem property tax on all property in the Unified Government subject to such tax in order to pay such amounts.

NOW, THEREFORE, in consideration of the premises and undertakings as hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

ARTICLE 1

DEFINITIONS

In addition to the words and terms elsewhere defined in this Contract and the Resolution, the following words and terms as used in this Contract shall have the following meanings unless the context or use indicates another or different meaning or intent and such definitions shall be equally applicable to both the singular and plural forms of the words and terms herein defined:

"Contract Payments" shall mean the payments to be made by the Unified Government as described in Section 4.2(a) hereof.

"Lease Agreement" shall mean that certain Lease Agreement, having February 27, 2020 as the last date of execution, by and between the Authority and the Unified Government, as amended.

"Resolution" shall mean the resolution adopted by the Authority on July 26, 2022 with respect to the issuance of the Bonds.

"State" shall mean the State of Georgia.

"Term" shall have the meaning specified in Section 4.1 hereof.

ARTICLE 2

REPRESENTATIONS

Section 2.1 Representations by the Authority. The Authority makes the following representations as the basis for the undertakings on its part herein contained:

(a) The Authority is a governmental authority and public corporation duly created and organized under the Constitution and laws of the State. Under the provisions of the Act and the Revenue Bond Law, the Authority is authorized to (i) adopt the Resolution, (ii) issue, execute, deliver and perform its obligations under the Bonds, and (iii) execute, deliver and perform its obligations under this Contract and the Resolution. The Resolution has been duly adopted and has not been modified or repealed. The Authority has duly authorized (i) the issuance, execution, delivery and performance of the Bonds, and (ii) the execution, delivery and performance of this Contract and the Resolution. The Resolution, the Bonds and this Contract are valid, binding and enforceable obligations of the Authority.

(b) No approval or other action by any governmental authority or agency or other person is required in connection with the (i) financing of the Project, (ii) issuance of the Bonds, or (iii) execution, delivery and performance of this Contract by the Authority, except as shall have been obtained as of the date hereof; provided, however, no representation is given with respect to any "blue sky" laws.

(c) The adoption of the Resolution, the issuance of the Bonds, the financing of the Project, and the authorization, execution, delivery and performance by the Authority of this Contract do not violate the Act, the Revenue Bond Law, the Authority's bylaws, or the laws or Constitution of the State and do not constitute a breach of or a default under any existing court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note or other instrument to which it is a party or by which it is bound.

(d) There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or, to the knowledge of the Authority, threatened against or affecting the Authority (or, to the knowledge of the Authority, any meritorious basis therefor) (i) attempting to limit, enjoin or otherwise restrict or prevent the Authority from issuing the Bonds, financing the Project, or pledging the Contract Payments and this Contract to the payment of the Bonds (ii) contesting or questioning the existence of the Authority or the titles of the present officers of the Authority to their offices or (iii) wherein an unfavorable decision, ruling or finding would (A) adversely affect the enforceability of the Bonds, the Resolution, or this Contract, or the tax status of the Bonds, or (B) materially adversely affect (1) the financial condition or results of operations of the Authority or (2) the transactions contemplated by this Contract.

(e) The Authority is not in material violation of the Act, the Revenue Bonds Law, its bylaws, any resolutions or ordinances of the Unified Government or the laws or Constitution of the State and is not in default under any existing court order, administrative

regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note or other instrument to which it is a party or by which it is bound.

(f) The Authority has found and determined that the Project serves the Authority's public purpose of developing and promoting in Clarke County and in the State of Georgia public projects for the cultural growth, public welfare, education, and recreation of the people of Clarke County and of the State of Georgia.

Section 2.2 Representations by the Unified Government. The Unified Government makes the following representations as the basis for the undertaking on its part herein contained:

(a) The Unified Government is a political subdivision duly created and organized under the Constitution and laws of the State. The Unified Government is authorized to execute, deliver and perform its obligations under this Contract. The Unified Government has duly authorized the execution, delivery and performance of this Contract. This Contract is a valid, binding and enforceable obligation of the Unified Government.

(b) No approval or other action by any governmental authority or agency or other person is required in connection with the execution, delivery and performance of this Contract by the Unified Government, except as shall have been obtained as of the date hereof.

(c) The authorization, execution, delivery and performance by the Unified Government of this Contract do not violate the laws or Constitution of the State, and do not constitute a breach of or a default under any existing resolution or ordinance, court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note or other instrument to which it is a party or by which it is bound.

(d) There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or, to the knowledge of the Unified Government, threatened against or affecting the Unified Government (or, to the knowledge of the Unified Government, any meritorious basis therefor) (i) attempting to limit, enjoin or otherwise restrict or prevent the Unified Government from entering into this Contract, (ii) contesting or questioning the existence of the Unified Government or the titles of the present officers of the Unified Government to their offices or (iii) wherein an unfavorable decision, ruling or finding would (A) adversely affect the enforceability of this Contract or the tax status of the Bonds, or (B) materially adversely affect (1) the financial condition or results of operations of the Unified Government or (2) the transactions contemplated by this Contract.

(e) The Unified Government is not in material violation of the laws or the Constitution of the State and is not in default under any existing resolution or ordinance, court order, administrative regulation, or other legal decree, or any agreement, indenture, mortgage, lease, note or other instrument to which it is a party or by which it is bound.

ARTICLE 3

ISSUANCE OF THE BONDS; PROCEEDS; CONSTRUCTION OF PROJECT; USE OF PROJECT

Section 3.1 Agreement to Issue the Bonds; Application of Bond Proceeds. The Authority agrees that it will issue the Bonds in accordance with the provisions of the Resolution. The proceeds from the sale of the Bonds shall be applied as provided in the Resolution, and the Unified Government hereby approves the issuance of the Bonds. The Authority has delivered a certified copy of the Resolution, including all amendments and supplements thereto, to the Unified Government.

Section 3.2 Construction of Project; Lease of Project to Authority. The Unified Government is delegated and has sole and absolute responsibility for the design, acquisition, contracting, construction and equipping of the Project on behalf of the Authority. Utilizing the proceeds of the Bonds, the Unified Government agrees, on behalf of the Authority, to complete the design, contracting, acquisition, construction and equipping of the Project as promptly as practicable and with all reasonable dispatch after the date of issuance and sale of the Bonds. No consent, approval or any further action or agreement of the Authority shall be required with respect to the Project. The Unified Government shall obtain all necessary approvals from any and all governmental agencies requisite to the acquisition, construction and equipping of the Project. The Project shall be acquired, constructed and equipped in compliance with all federal, state and local laws, ordinances and regulations applicable thereto. The Unified Government will take such action and institute such proceedings as it shall deem appropriate to cause and require all contractors and suppliers of materials to complete their contracts, including the correcting of any defective work, and may, from time to time, take such action as may be necessary or advisable, as determined by the Unified Government, to assure that the acquisition, construction and equipping of the Project will proceed in an efficient and workmanlike manner. The Project shall be leased by the Unified Government to the Authority pursuant to the Lease Agreement, and the Lease Agreement shall govern the use, management, operation and insurance of the Project.

Section 3.3 Application of Moneys in the Project Fund. Each of the Authority and the Unified Government authorizes and directs the Custodian of the Project Fund to disburse the moneys in the Project Fund in accordance with Article XII of the Resolution for the following purposes:

(a) payment of (i) the cost of the preparation of plans and specifications (including any preliminary study or planning of the Project or any aspect thereof), (ii) the cost of acquisition and construction of the Project and all construction, acquisition, and installation expenses required to provide utility services or other facilities and all real or personal properties deemed necessary in connection with the Project (including development, architectural, engineering, and supervisory services with respect to any of the foregoing), and (iii) any other costs and expenses relating to the Project;

(b) payment for labor, services, materials, and supplies used or furnished in site improvement and in the construction of the Project, including all costs incident thereto, payment for the cost of the construction, acquisition, and installation of utility services or

other facilities, payment for all real and personal property deemed necessary in connection with the Project, and payment for the miscellaneous expenses incidental to any of the foregoing items including the premium on any surety bond;

(c) payment of any costs of issuing the Bond not paid from the Costs of Issuance Fund or other sources;

(d) payment of expenses incurred in seeking to enforce any remedy against any contractor or subcontractor or their surety in respect of any default under a contract relating to the Project;

(e) payment of the fees or out-of-pocket expenses of the Authority or the Unified Government, if any, relating to the Project, including, but not limited to, architectural, engineering, and supervisory services with respect to the Project;

(f) payment of the fees, or out-of-pocket expenses, if any, of those providing services with respect to the Project, including, but not limited to, architectural, engineering, legal, accounting, and supervisory services;

(g) payment to the Authority or the Unified Government of such amounts, if any, as shall be necessary to reimburse the Authority or the Unified Government in full for all advances and payments made by either of them for any of the items set forth in clauses (a) through (f) above; and

(h) payment of any other costs and expenses relating to the Project permitted to be paid by the Authority under the Act.

Section 3.4 Obligation of the Parties to Cooperate in Furnishing Documents. The Authority and the Unified Government agree to cooperate in furnishing to the Custodian of the Project Fund the documents referred to in Article XII of the Resolution that are required to effect payments out of the Project Fund, and the Unified Government agrees to cause such orders to be directed to the Custodian of the Project Fund as may be necessary to effect payments out of the Project Fund. The Unified Government shall provide the Authority with a copy of all payment requests submitted to the Custodian of the Project Fund from time to time. Such obligation of the Authority is subject to any provisions of the Resolution requiring additional documentation with respect to payments. In making any such payment from the Project Fund, the Custodian of the Project Fund may rely on any such orders and certifications delivered to it.

Section 3.5 Establishment of Completion Date. The Completion Date shall be evidenced by a certificate of substantial completion and the amounts to be withheld therefor, signed by the Authorized Unified Government Representative stating that, except for amounts retained in the Project Fund for costs of the Project not then due and payable, the acquisition, construction and equipping of the Project has been substantially completed and all labor, services, materials and supplies used in such acquisition, construction and equipping have been paid or provided for. Notwithstanding the foregoing, such certificate may state that it is given without prejudice to any rights against third parties that exist at the date of such certificate or that may subsequently come into being.

Section 3.6 Unified Government May Pay Project Costs in Event Project Fund Insufficient. In the event the moneys in the Project Fund available for payment of the costs of the Project shall not be sufficient to pay the costs thereof in full, the Unified Government may complete the acquisition, construction and equipping of the Project and pay all that portion of the costs of the Project as may be in excess of the moneys available therefor in the Project Fund. The Authority does not make any warranty, either express or implied, that the moneys which will be paid into the Project Fund and which, under the provisions of this Intergovernmental Contract, will be available for payment of the costs of the Project, will be sufficient to pay all the costs that will be incurred in that connection. The Unified Government agrees that if after exhaustion of the moneys in the Project Fund the Unified Government shall pay any portion of the costs of the Project pursuant to the provisions of this Section 3.6, it shall not be entitled to any reimbursement therefor from the Authority or the Bondholder, nor shall it be entitled to any diminution of the Contract Payments. Pursuant to the Intergovernmental Contract related to Master Planning and Land Transfer dated February 19, 2020, (the "February 2020 Agreement"), and the Amendment to February 2020 Agreement dated August 3, 2021, (the "Amendment"), the Authority and Unified Government mutually agree and affirm that the Unified Government is conveying the following parcels to the Authority for the purpose of creating additional revenue to pay the costs of the Project: the Hotel Site as described in Exhibit "B" to the February 2020 Agreement, the Senior Housing Site as described in Exhibit "C" to the February 2020 Agreement, and the Hickory/Willow Street Site as described in Exhibit "A" to the Amendment.

Section 3.7 Maintenance of the Project; Modification of Project.

(a) The Authority agrees that, at all times during the term of this Intergovernmental Contract, the Authority will cause the Project to be operated and maintained in good repair and in accordance herewith and the Lease Agreement, including without limiting the generality of the foregoing, for operation, maintenance, repair, insurance, safety, security and all services and utilities required during the term of this Intergovernmental Contract. Without limiting the foregoing, the Authority agrees that it will at all times maintain the Project in good repair and in sound operating condition, that it will make all necessary repairs and replacements to the Project, and that it will comply with all valid acts, rules, regulations, orders and directions of any legislative, executive, administrative or judicial body applicable to the Project and its operation thereof.

(b) The Unified Government may, from time to time, in its sole discretion and at its own expense, make any additions, modifications or improvements to the Project, which it may deem desirable for its purposes.

Section 3.8 Financial Reporting. The Authority shall provide to the Unified Government a copy of its monthly financial statements within fifteen (15) days of the end of each calendar month. The financial statements of the Authority shall segregate and show separately the revenues derived from arena operations.

Section 3.9 Debt Service Fund. In connection with the issuance of the Series 2021 Bonds, the Authority established and currently maintains a banking account named the "2021 Classic Center Bonds Debt Service Fund" (the "Debt Service Fund"). The Authority covenants and agrees to rename the account the "Classic Center Bonds Debt Service Fund" and to deposit

into the Debt Service Fund, on the first business day of each month, (a) commencing November 1, 2022, an amount equal to the sum of (i) 1/6 of the amount of interest which will be due and payable on the Bonds on the next succeeding Interest Payment Date, and (ii) 1/12 of the principal amount of the Bonds which will be due and payable on the next succeeding Principal Payment Date. On or before the date which is 15 days prior to each Interest Payment Date, the Authority will transfer from the Debt Service Fund the amount required to be transferred to the Depository for the Sinking Fund as provided in Section 4.2(a) below. In calculating the amount of each payment, the Authority may take into account any amounts on deposit with the Sinking Fund Custodian for the payment of capitalized interest. Any amounts remaining in the Debt Service Fund following any such transfer to the Paying Agent shall be credited against the Authority's obligation to make a deposit to the Debt Service Fund in the following month with respect to the Series 2021 Bonds and the Bonds. The Authority will notify the Unified Government in writing within five (5) business days of any failure to make each deposit required by this Section, the deposit required with respect to the Series 2021 Bonds, in full. The Authority shall provide a copy of each monthly account statement for the Debt Service Fund to the Unified Government on or before the 10th day of each month.

Moneys in the Debt Service Fund may be invested and reinvested by the Authority in such investments as are allowed by law. Any such investments shall mature not later than such times as shall be necessary to provide moneys when needed for payments to be made from such funds, and shall be held for the account of the respective fund until maturity or until sold, and at maturity or upon such sale, the proceeds received therefrom, including accrued interest and premium, if any, shall be immediately deposited in the Debt Service Fund and shall be disposed of only in the manner and for the purposes herein provided.

Notwithstanding anything to the contrary herein, any failure by the Authority to make the payments from or transfers to the Debt Service Fund as described in this Section shall not constitute a default or event of default hereunder, and no such failure shall affect in any way the Unified Government's obligations to make payments on the Bonds pursuant to Section 4.2 below.

Section 3.10 Cooperation and Coordination on Change Orders. The Unified Government has entered into a construction contract for the development and construction of the Project (the "Construction Contract"). For any change order with respect to the Construction Contract in an amount less than $200,000, the Unified Government will provide a copy of such proposed change order to the Authority not less than five (5) days prior to execution. The Authority agrees timely to review and consult with the staff of the Unified Government with respect to the proposed change order and to advise the Unified Government on whether the proposed change order is reasonable and appropriate. Change orders in excess of $200,000 must be approved by the governing body of the Unified Government, and the Unified Government will provide a copy of any such proposed change order to the Authority not less than ten (10) days prior to the date set for approval by the governing body. The Authority agrees to review and provide the Unified Government its recommendations with respect to any such proposed change order not less than two (2) days prior to the date set for approval.

ARTICLE 4

EFFECTIVE DATE OF THIS CONTRACT; DURATION OF TERM; CONTRACT PAYMENT PROVISIONS

Section 4.1 Effective Date of this Contract; Duration of Term. This Contract shall become effective as of September 14, 2022 and, subject to the other provisions of this Contract, shall expire on the date the Bonds have been paid in full, but in no event in excess of fifty (50) years from the effective date hereof.

Section 4.2 Contract Payments

(a) At least fifteen (15) days prior to each May 1 and November 1 of each year, commencing with May 1, 2023, the Authority make deposits to the Sinking Fund held by the Depository from revenues from the Project and from other legally available funds as described in the immediately succeeding sentence. If the date is fifteen (15) days prior to May 1, the Authority shall deposit to the Sinking Fund an amount sufficient to pay in full the principal of (whether at maturity or by sinking fund redemption) and interest on the Bonds outstanding under the Resolution coming due on such May 1, and if such date is fifteen (15) days prior to November 1, the Authority shall deposit an amount sufficient to pay in full the interest on the Bonds outstanding under the Resolution coming due on such November 1, and such deposits shall continue until provision has been made for the payment in full of the Bonds as to principal, interest and premium (if any).

(b) At least five (5) days prior to each May 1 and November 1 of each year, commencing with May 1, 2023, the Unified Government shall make the Contract Payments described in the immediately succeeding sentence to the Depository of the Sinking Fund, as described in the Resolution. Notwithstanding anything in the Resolution or herein to the contrary, if such date is five (5) days prior to May 1, the Unified Government shall pay an amount sufficient to enable the Authority to pay in full the principal of (whether at maturity or by sinking fund redemption) and interest on the Bonds outstanding under the Resolution coming due on such May 1, and if such date is five (5) days prior to November 1, the Unified Government shall pay an amount sufficient to enable the Authority to pay in full the interest on the Bonds outstanding under the Resolution coming due on such November 1, and such Contract Payments shall continue until provision has been made for the payment in full of the Bonds as to principal, interest and premium (if any). Contract Payments made by the Unified Government pursuant to this subsection (b) shall take into account amounts on deposit in the Sinking Fund pursuant to subsection (a) above which are available to pay debt service on the Bonds.

(c) The Unified Government will also pay the reasonable fees and expenses of all custodians and depositories, the Paying Agent, Bond Registrar and Authenticating Agent and of their successors and assigns as provided by the Resolution, such reasonable fees and expenses to be paid directly to the party to whom the payment is due when such reasonable fees and expenses become due and payable.

(d) The Unified Government will also pay any costs payable for transfers and exchanges of the Bonds.

(e) In the event the Unified Government should fail to make any of the payments required in this Section 4.2, the item or installment so in Default shall continue as an obligation of the Unified Government until the amount in Default shall have been fully paid, and the Unified Government agrees to pay the same with interest thereon at the effective rate borne by the Bonds outstanding, to the extent permitted by law, from the date thereof.

Section 4.3 Budget and Tax Levy to Pay Contract Payments.

(a) The obligations of the Unified Government to make the Contract Payments when due under Section 4.2 hereof, and to perform its other obligations hereunder, are absolute and unconditional general obligations of the Unified Government as herein provided, and the Unified Government hereby pledges its full faith and credit and taxing power to such payment and performance. In the event the amount of funds lawfully available to the Unified Government is not sufficient to pay the Contract Payments when due in any year, the Unified Government shall levy an ad valorem tax on all taxable property located within the limits of the Unified Government subject to taxation for such purposes, as now existent and as same may hereafter be extended, at such rate or rates as may be necessary to produce in each calendar year revenues which shall be sufficient to fulfill the Unified Government's obligations hereunder, from which revenues there shall be appropriated sums sufficient to pay in full when due the obligations herein contracted to be paid by the Unified Government including specifically the obligation to make the Contract Payments as provided herein. The Unified Government hereby creates a lien on any and all revenues realized by it pursuant to the provisions of this subparagraph to enable it to make the Contract Payments required pursuant to Section 4.2 hereof and such lien is superior to any that can hereafter be made.

(b) The Unified Government further covenants and agrees that in order to make funds available for such purpose, it will, in its general revenue, appropriation and budgetary measures whereby its tax funds or revenues and the allocation thereof are controlled or provided for, include sums sufficient to satisfy any such Contract Payments that may be required to be made, whether or not any other sums are included in such measure, until all payments so required to be made shall have been made in full. The obligation of the Unified Government to make the Contract Payments shall constitute a general obligation of the Unified Government and a pledge of the full faith and credit of the Unified Government to provide the funds required to fulfill such obligation; provided, however, nothing herein contained shall be construed as limiting the right of the Unified Government to pay the obligations hereunder assumed out of its general funds or from other sources lawfully available to it for such purpose.

(c) In the event for any reason any such provision or appropriation is not made as provided in the preceding subsection (b), then the fiscal officers of the Unified Government are hereby authorized and directed to set up as an appropriation on their accounts in the appropriate fiscal year the amounts required to pay the obligations which may be due from the general funds of the Unified Government. The amount of such appropriation shall be due and payable and shall be expended for the purpose of paying any such obligations, and such appropriation shall have the same legal status as if the

Unified Government had included the amount of the appropriation in its general revenue, appropriation and budgetary measures, and the fiscal officers of the Unified Government shall make such Contract Payments to the Sinking Fund Depository for deposit to the Sinking Fund for the Bonds established in the Resolution if for any reason the payment of such obligations shall not otherwise have been made.

Section 4.4 Obligations of Unified Government Hereunder Absolute and Unconditional. The obligations of the Unified Government to make the payments required in Section 4.2 hereof and to perform and observe any and all of the other covenants and agreements on its part contained herein shall be absolute and unconditional irrespective of any defense or any rights of set off, recoupment, or counterclaim it may otherwise have against the Authority. Until such time as all amounts owing hereunder have been paid or provision for the payment thereof shall have been made in accordance with the Resolution and hereof, the Unified Government (a) will not suspend, abate, reduce, abrogate, diminish, postpone, modify or discontinue the Contract Payments provided for herein, (b) will perform and observe all of its other agreements contained in this Contract, and (c) will not terminate the Term of this Contract or its obligations hereunder for any contingency, act of God, event, or cause whatsoever, including, without limiting the generality of the foregoing, failure of title in and to the Project or any part thereof, any acts or circumstances that may constitute failure of consideration, eviction or constructive eviction, destruction of or damage to the Project, the taking by eminent domain of title to or the use of all or any part of the Project, commercial frustration of purpose, any change in the tax or other laws of the United States of America or of the State or any political subdivision of either, any declaration or finding that any of the Bonds are unenforceable or invalid, the invalidity of any provision of this Contract, or any failure of the Authority to perform and observe any agreement, whether express or implied, or any duty, liability or obligation arising out of or connected with this Contract, or the Resolution. Nothing contained in this Section shall be construed to release the Authority from the performance of any of the agreements on its part contained herein or in the Resolution; and if the Authority should fail to perform any such agreement, the Unified Government may institute such action against the Authority as the Unified Government may deem necessary to compel performance or recover its damages for nonperformance as long as such action shall not do violence to or adversely affect the agreements on the part of the Unified Government contained in this Contract and to make the Contract Payments specified herein. The Unified Government may, however, at its own cost and expense and in its own name, prosecute or defend any action or proceeding or take any other action involving third persons which the Unified Government deems reasonably necessary in order to secure or protect its rights hereunder, and in such event the Authority hereby agrees to cooperate to the extent required.

Section 4.5 Enforcement of Obligations. The obligation of the Unified Government to make Contract Payments under this Article may be enforced by (a) the Authority, (b) the owners of any Bonds in accordance with the applicable provisions of the Resolution and independently of the Authority, or (c) such receiver or receivers as may be appointed pursuant to the Resolution or applicable law. The covenants and agreements hereunder, including specifically the obligation to make the Contract Payments, shall be enforceable by specific performance; it being acknowledged and agreed by the Authority and the Unified Government that no other remedy at law is adequate to protect the interests of the parties hereto.

ARTICLE 5

SPECIAL COVENANTS AND AGREEMENTS

Section 5.1 No Warranty of Condition or Suitability by the Authority. THE AUTHORITY MAKES NO REPRESENTATION OR WARRANTY WITH RESPECT TO THE CONDITION OR WORKMANSHIP OF ANY PART OF THE PROJECT OR ITS SUITABILITY.

Section 5.2 Redemption of Bonds. The Authority, at the written request of the Unified Government, at any time and if the Bonds are then subject to redemption, and if there are funds available therefor, shall forthwith take all steps that may be necessary under the applicable redemption provisions of the Resolution to effect redemption of all or part of the Bonds, as may be specified by the Unified Government, on the earliest date on which such redemption may be made under such applicable provisions. The Unified Government shall also have the option to prepay Contract Payments and other amounts payable under this Contract in such manner and amounts as will enable the Authority to redeem the Bonds prior to maturity, in whole on any date or in part on any scheduled interest payment date, as provided in the Resolution. The Contract Payments and other amounts payable to the Unified Government in the event of its exercise of the option granted under this Section shall be (i), in the case of partial redemption, the amount necessary to pay principal, all interest to accrue to the redemption date and any redemption expense, and (ii) in the case of a total redemption, the amount necessary to pay and satisfy all amounts due.

Section 5.3 Further Assurances and Corrective Instruments, Recordings and Filings. The Authority and the Unified Government agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required to facilitate the performance of this Contract.

Section 5.4 Continuing Disclosure Certificate. The Unified Government hereby covenants for the benefit of the owners of the Bonds and the underwriter of the Bonds to comply with its obligations under its Continuing Disclosure Certificate made in connection with the issuance of the Bonds. A breach of this covenant shall not be deemed to be an event of default hereunder, and the sole remedy under this Contract shall be an action to compel performance.

Section 5.5 Tax Covenants. The Authority and the Unified Government will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion of interest on the Series 2022A Bonds (described in the Resolution) from the gross income of the holders thereof for federal income tax purposes and, if either should take or permit, or omit to take or cause to be taken, any such action, the Authority or the Unified Government, as applicable, shall take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. In particular, but not as a limitation on such covenant or without limiting the generality of the foregoing, each of the Unified Government and the Authority, as operator of the Project, covenants as follows:

(a) Each of the Authority and the Unified Government covenants that it will not directly or indirectly use or permit the use of any proceeds of the Series 2022A Bonds or of any other funds of or under the control of the Unified Government or the Authority, or take or omit to take any action, if such use, action or inaction would cause the Series 2022A Bonds to be "private activity bonds" within the meaning of Section 141 of the Code or obligations that are "federally guaranteed" within the meaning of Section 149(b) of the Code. Neither the Authority nor the Unified Government will allow any of the proceeds of the Series 2022A Bonds or the Project to be used in the trade or business of any private business without the written opinion of nationally-recognized bond counsel to the fact that such use will not adversely affect the exclusion of interest on the Series 2022A Bonds from gross income for federal income tax purposes.

ARTICLE 6

EVENTS OF DEFAULT AND REMEDIES

Section 6.1 Events of Default Defined. The following shall be "events of default" under this Contract and the terms "event of default" or "default" shall mean, whenever they are used in this Contract, any one or more of the following events:

(a) Failure by the Unified Government to make the Contract Payments required to be paid under Section 4.2(a) hereof at the times specified therein;

(b) Failure by the Unified Government or the Authority to observe and perform any covenant, condition or agreement of this Contract on its part to be observed or performed, other than as referred to in subsection (a) of this Section, for a period of 30 days after written notice, specifying such failure and requesting that it be remedied, shall have been given to the defaulting party by the nondefaulting party or a Bondholder; provided, however, if the failure stated in the notice cannot be corrected within the period specified herein, the nondefaulting party will not unreasonably withhold its consent to an extension of such time if it is possible to correct such failure and corrective action is instituted by the defaulting party within the applicable period and diligently pursued until the default is corrected; or

(c) An "event of default" shall have occurred under the Resolution.

Notwithstanding the foregoing, a breach of the covenant contained in Section 5.4 hereof shall not be deemed an event of default hereunder, and the sole remedy shall be an action to compel performance.

Section 6.2 Remedies on Default. Whenever any event of default referred to in Section 6.1 hereof shall have happened and be subsisting, the nondefaulting party, or the Bondholders or a receiver duly appointed therefor, may take any one or more of the following remedial steps:

(a) The Bondholders or a receiver therefor may take whatever action at law or equity may appear necessary or desirable to collect the Contract Payments then due and thereafter to become due; and

(b) The Bondholders or a receiver therefor may exercise any remedies provided for in the Resolution; and

(c) The nondefaulting party may take whatever action at law or equity as may appear necessary or desirable to enforce performance and observance of any obligation, agreement or covenant of the Unified Government or the Authority under this Contract.

Any amounts collected for the Bondholders pursuant to action taken under this Section shall be paid into the Sinking Fund and applied in accordance with the provisions of the Resolution or, if payment in full of the outstanding Bonds has been made (or provision for payment thereof has been made in accordance with the provisions of the Resolution), to the Unified Government.

Section 6.3 No Remedy Exclusive. No remedy herein conferred upon or reserved to the Authority, the Bondholders or a receiver is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Contract or now or hereafter existing at law or in equity or by statute, except as otherwise provided herein. No delay or omission to exercise any right or power accruing upon the occurrence of any event of default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the Authority or the Bondholders to exercise any remedy reserved to it in this Article, it shall not be necessary to give any notice, other than such notice or notices as may be herein expressly required. Such rights and remedies as are given to the Authority hereunder shall also extend to the Bondholders, and the holders of the Bonds shall be deemed third-party beneficiaries of all covenants and agreements herein contained.

Section 6.4 No Additional Waiver Implied by One Waiver. If any agreement contained in this Contract should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

ARTICLE 7

MISCELLANEOUS

Section 7.1 Agreement to Pay Attorneys' Fees and Expenses. If a party should default under any of the provisions of this Contract and either or both the nondefaulting party or the Bondholders should employ attorneys or incur other expenses for the enforcement of performance or observance of any obligation or agreement on the part of the Unified Government or the Authority herein contained, the defaulting party agrees that it shall on demand therefor pay to the nondefaulting party, the Bondholders the reasonable fee of such attorneys and such other reasonable expenses so incurred by the nondefaulting party, the Bondholders.

Section 7.2 Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when mailed by registered or certified mail, return receipt requested, postage prepaid in case of the Unified Government at its official address.

Section 7.3 Binding Effect; Third-Party Beneficiaries. This Contract shall inure to the benefit of and shall be binding upon the Authority, the Unified Government and their respective successors and assigns, subject, however, to the limitations contained in this Contract. The Bondholders are third-party beneficiaries of this Contract, and may enforce the terms and provisions hereof. There are no other third-party beneficiaries.

Section 7.4 Severability. If any provision of this Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 7.5 Amounts Remaining in Sinking Fund. It is agreed by the parties hereto that, subject to and in accordance with the terms and conditions of the Resolution, surplus moneys remaining in the Sinking Fund after payment of all outstanding Bonds shall belong to and be paid to the Unified Government.

Section 7.6 Amendments, Changes and Modifications. This Contract may be amended without the consent of the Bondholders in order to grant any additional rights, remedies, powers, authority or security that may be lawfully granted to or conferred upon the Bondholders or to make any other change that does not materially adversely affect the Bondholders. All other amendments shall require the consent of the Bondholders in accordance with the provisions of the Resolution. Notwithstanding the foregoing, this Contract shall not be amended if such amendment reduces the Contract Payments relating to Bonds outstanding.

Section 7.7 Execution Counterparts. This Contract may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 7.8 Captions. The captions and headings in this Contract are for convenience only and in no way define, limit or describe the scope or intent of any provisions of this Contract.

Section 7.9 Law Governing Contract. This Contract shall be governed by, and construed in accordance with, the laws of the State of Georgia.

Section 7.10 Unified Government a Party to Validation. The Unified Government hereby agrees to be a party defendant in the validation proceedings related to the Bonds and covenants and agrees that it shall cooperate with the Authority in validating the Bonds and, in connection therewith, shall execute such certificates, consent to service of process and make sworn answers as may be necessary for the validation proceedings.

Section 7.11 Immunity of Officials, Officers and Employees of Authority and Unified Government. No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the Authority or the Unified Government contained in this Contract or for any claim based hereon or otherwise in respect hereof against any member of a governing body, officer, or employee, as such, in his individual capacity, past, present, or future, of the Authority, the Unified Government, or any successor body, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Contract is solely a corporate obligation of the Unified Government and the Authority payable only from the funds and assets of the Unified Government

and the Authority herein specifically provided to be subject to such obligation and that no personal liability whatsoever shall attach to, or be incurred by, any member of a governing body, officer or employee, as such, past, present, or future, of the Unified Government or the Authority, or of any successor corporation, either directly or through the Unified Government, the Authority, or any successor corporation, under or by reason of any of the obligations, covenants, promises, or agreements entered into between the Authority and the Unified Government whether contained in this Contract or in the other Bond Documents or to be implied herefrom or therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member of a governing body, officer, and employee is, by the execution of this Contract and as a condition of and as part of the consideration for the execution of this Contract, expressly waived and released. The immunity of members of a governing body, officers, and employees of the Authority and the Unified Government under the provisions contained in this Section 7.11 shall survive the termination of this Contract.

[Executions begin on following page]

IN WITNESS WHEREOF, the Authority and the Unified Government have caused this Contract to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their duly authorized officers, all as of the date first above written.

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

(SEAL)

By:_____
Chair

Attest:

_____
Secretary

[Executions continue on following page]

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

_____
Clerk of Commission

Revised Attachment #2

BOND RESOLUTION

A BOND RESOLUTION AUTHORIZING THE ISSUANCE OF CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY REVENUE BONDS (CLASSIC CENTER ARENA PROJECT), SERIES 2022, TO BE ISSUED IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO $37,500,000, AND MAKING OTHER PROVISIONS IN CONNECTION WITH THE FOREGOING

Adopted July 26, 2022

Prepared by Bond Counsel:

Benjamin J. Brooks, Esq.
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Atlanta, Georgia 30309
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BOND RESOLUTION

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EXHIBIT "B"—FORM OF INTERGOVERNMENTAL CONTRACT

A BOND RESOLUTION AUTHORIZING THE ISSUANCE OF CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY REVENUE BONDS (CLASSIC CENTER ARENA PROJECT), SERIES 2022 TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO $37,500,000, AND MAKING OTHER PROVISIONS IN CONNECTION WITH THE FOREGOING

WHEREAS, the Classic Center Authority for Clarke County (the "Authority") has been created pursuant to 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq.,* by 2002 Ga. Laws p. 5665 *et seq.* and by H.B. 796, 156th Gen. Assemb., Reg. Sess. (2021) (the "Act"); and

WHEREAS, under the Act, the Authority is empowered (i) to construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend, improve, operate, and manage public projects, including the erection of a building or buildings in Clarke County, Georgia, to be used for amusement, recreation, civic, cultural, commercial, hotel, parking, and educational purposes or a combination thereof, including fairs, expositions, exhibits, conventions, conferences, public meetings or gatherings, concerts, theater, and such other activities as are designed and intended to promote education, culture, tourism, and the arts, and (ii) with the approval of the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), to borrow and issue revenue bonds for the purpose of paying, in whole or in part, the costs of such projects; and

WHEREAS, the Authority has previously issued, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2021, in the aggregate principal amount of $48,880,000, for the purpose of paying a portion of the cost of acquiring, constructing, installing and equipping of an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Clarke County, Georgia (the "Project"); and

WHEREAS, the Authority now proposes to issue, in one or more series, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2022, in the aggregate principal amount of up to $37,500,000 (the "Bonds"), for the purpose of paying (i) an additional portion of the cost of acquiring, constructing, installing and equipping the Project, (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds;

WHEREAS, in order to further secure the payment of the principal of and interest on all or a portion of the Bonds if market conditions are favorable to do so, the Authority may elect to cause a financial guaranty insurance policy (the "Policy") to be issued by a municipal bond insurance company selected by the Authority; and

WHEREAS, the Authority has determined that it is advantageous to finance and facilitate the Project, and that by issuing the Bonds and entering into the Intergovernmental Contract (as hereinafter defined) it will be serving its public purpose of developing and promoting in Clarke County and in the State of Georgia public projects for the cultural growth, public welfare, education and recreation of the people of Clarke County and of the State of Georgia.

NOW, CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY HEREBY RESOLVES, and it is hereby resolved, as follows:

ARTICLE I

General

Section 1.1 Definitions. The following terms shall have the meanings specified below, unless the context clearly requires otherwise.

"**Agent Member**" shall mean a member of, or participant in, the Securities Depository.

"**Attesting Officer**" means the individual presently holding the office of Secretary of the Authority (or any individual presently holding the office of Assistant Secretary of the Authority) and any successor who might hereafter hold such office, and any individual, body or authority to whom or which may hereafter be delegated by law the duties, powers, authority, obligations or liabilities of such office.

"**Authority**" means Classic Center Authority for Clarke County.

"**Beneficial Owner**" shall mean the owner of a beneficial interest in any Bonds issued in Book-Entry Form.

"**Bond Counsel**" means Smith, Gambrell & Russell, LLP, or another firm of nationally recognized standing in the field of municipal bonds.

"**Bond Purchase Agreement**" means the bond purchase agreement among the Authority, the Unified Government and Raymond James & Associates, Inc. relating to the Bonds.

"**Bond Register**" means the registration books maintained and to be maintained by the Bond Registrar.

"**Bond Registrar**" means any bank or trust company designated as such by the Authority in this Bond Resolution or any supplemental resolution adopted with respect to any of the Bonds, or, if none is appointed, the Clerk of Commission of the Unified Government. Such Bond Registrar shall perform the duties required of the Bond Registrar in this Bond Resolution.

"**Bond Resolution**" means this Bond Resolution as the same may from time to time be amended or supplemented.

"**Bondholder**" means the registered owner of one or more Bonds.

"**Bonds**" means the Classic Center Authority for Clarke County Revenue Bonds authorized hereby, which may be composed of the Series 2022A Bonds and/or the Federally Taxable Series 2022B Bonds.

"**Book-Entry Form**" or "**Book-Entry System**" shall mean a form or system, as applicable, under which (i) the ownership of beneficial interests in such Bonds and bond service

charges may be transferred only through book-entry and (ii) physical Bonds in fully registered, certificated form are registered only in the name of a Securities Depository or its nominee as holder, with physical Bonds immobilized in the custody of a Securities Depository.

"**Chief Officer**" means the individual presently holding the office of Chair of the Authority and any successor who might hereafter hold such office, and any individual, body or authority to whom or which may hereafter be delegated by law the duties, powers, authority, obligations or liabilities of such office.

"**Code**" means the Internal Revenue Code of 1986, as amended, or successor legislation, and any regulations promulgated or applicable thereunder.

"**Costs of Issuance Fund**" means the Costs of Issuance Fund established in Article IV.

"**Costs of the Project**" means those costs identified in Section 3.3 of the Intergovernmental Contract.

"**Custodian**" means the Custodian for the Project Fund designated by the Authority.

"**Depository**" means, with respect to the funds mentioned in this Bond Resolution, the depository designated by the Authority.

"**Deputy Officer**" means the individual presently holding the office of Vice Chair of the Authority and any successor who might hereafter hold such office, and any individual, body or authority to whom or which may hereafter be delegated by law the duties, powers, authority, obligations or liabilities of such office.

"**DTC**" means the Depository Trust Company.

"**Event of Default**" means one of those events defined as such in Article VII.

"**Governing Body**" means the board of the Authority and any predecessor or successor in office to such present body, and any Person to whom or which may hereafter be delegated by law the duties, powers, authority, obligations or liabilities of the present body, either in whole or in relation to the Project.

"**Interest Payment Date**" means May 1 and November 1 of each year.

"**Intergovernmental Contract**" means the Intergovernmental Contract between the Authority and the Unified Government relating to the issuance of the Bonds, the security for the Bonds and related matters, as the same may be amended or supplemented from time to time.

"**Investment Earnings**" means all interest received on and profits derived from investments made with Pledged Revenues or any monies in the funds specified in Section 4.2, excluding any amounts required in this Bond Resolution or supplemental resolution to be set aside pending, or used for, rebate to the United States government pursuant to Section 148(f) of the Code.

"**Outstanding**" refers to all Bonds issued and delivered with the exception of (i) Bonds in lieu of which other Bonds have been issued under an agreement to replace mutilated, lost, stolen or destroyed Bonds, (ii) Bonds surrendered by the holders in exchange for other Bonds under Section 2.7 or Section 3.4, and (iii) Bonds paid in full for the payment of which provision has been made.

"**Paying Agent**" means any bank or trust company authorized by the Authority in this Bond Resolution or any supplemental resolution to pay the principal of, premium (if any) or interest on any Bonds on behalf of the Authority or, if none is appointed, the Unified Government Clerk of the Unified Government. Such Paying Agent shall perform the duties required of the Paying Agent in this Bond Resolution.

"**Permitted Investments**" means investments from time to time permitted by law as investments for Authority monies of the kind invested, including: (i) the local government investment pool created pursuant to O.C.G.A. §36-83-1; (ii) bonds or obligations of the Authority or bonds or obligations of the State or of counties, municipal corporations, and political subdivisions of the State; (iii) bonds or other obligations of the United States or of subsidiary corporations of the United States government, which are fully guaranteed by such government; (iv) obligations of agencies of the United States Government issued by the Federal Land Bank, the Federal Home Loan Bank, the Federal Intermediate Credit Bank, and the Central Bank for Cooperatives; (v) bonds or other obligations issued by any public housing agency or municipal corporation in the United States, which such bonds or obligations are fully secured as to the payment of both principal and interest by a pledge of annual contributions under an annual contributions contract or contracts with the United States government, or project notes issued by any public housing agency, urban renewal agency or municipal corporation in the United States which are fully secured as to payment of both principal and interest by requisition, loan or payment agreement with the United States government; (vi) certificates of deposit of national or state banks located within the State which have deposits insured by the Federal Deposit Insurance Corporation and certificates of deposit of federal savings and loan associations and state building and loan or savings and loan associations located within the State which have deposits insured by the Savings Association Insurance Fund of the Federal Deposit Insurance Corporation or the Georgia Credit Union Deposit Insurance Corporation, including the certificates of deposit of any bank, savings and loan association, or building and loan association acting as depository, custodian, or trustee for any such bond proceeds; (vii) securities of or other interests in any no-load, open-end management type investment company or investment trust registered under the Investment Company Act of 1940, as from time to time amended, or any common trust fund maintained by any bank or trust company which holds such proceeds as trustee or by an affiliate thereof so long as: (A) the portfolio of such investment company or investment trust or common trust fund is limited to the obligations referenced in clause (iii) of this paragraph and repurchase agreements fully collateralized by any such obligations; (B) such investment company or investment trust or common trust fund takes delivery of such collateral either directly or through an authorized custodian; (C) such investment company or investment trust or common trust fund is managed so as to maintain its shares at a constant net asset value; and (D) securities of or other interests in such investment company or investment trust or common trust fund are purchased and redeemed only through the use of national or state banks having corporate trust powers and located within the State of Georgia; (viii) interest-bearing time deposits, repurchase agreements, reverse repurchase agreements, rate guarantee agreements, or

other similar banking arrangements with a bank or trust company having capital and surplus aggregating at least $50 million or with any government bond dealer reporting to, trading with, and recognized as a primary dealer by the Federal Reserve Bank of New York having capital aggregating at least $50 million or with any corporation which is subject to registration with the Board of Governors of the Federal Reserve System pursuant to the requirements of the Bank Holding Company Act of 1956, provided that each such interest-bearing time deposit, repurchase agreement, reverse repurchase agreement, rate guarantee agreement, or other similar banking arrangement shall permit the moneys so placed to be available for use at the time provided with respect to the investment or reinvestment of such moneys; and (ix) such other investments as may be permitted by law. With respect to clause (vi) above, the portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the Georgia Credit Union Deposit Insurance Corporation, if any, shall be secured by deposit, with the Federal Reserve Bank of Atlanta, Georgia, or with any national or state bank or federal savings and loan association or state building and loan or savings and loan association located within the State, of one or more of the following securities: direct and general obligations of the State or of any county or municipal corporation in the State, obligations of the United States or subsidiary corporations included in clause (ii), obligations of the agencies of the United States government included in clause (iii), or bonds, obligations, or project notes of public housing agencies, urban renewal agencies, or municipalities included in clause (iv). The amount of such obligations deposited with the Federal Reserve Bank of Atlanta, Georgia, to secure such certificates of deposit shall be valued daily and shall at all times exceed the uninsured portion of such certificates of deposit by at least 2%.

"**Person**" means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization, body, authority or government or agency or political subdivision thereof.

"**Pledged Revenues**" means the payments and revenues to be received by the Authority under the Intergovernmental Contract, Investment Earnings, and other monies paid or required to be paid into the funds specified in Section 4.2, but excluding any amounts required in this Bond Resolution or supplemental resolution to be set aside pending, or used for, rebate to the United States government pursuant to Section 148(f) of the Code.

"**Principal Maturity Date**" means either (i) any November 1 of any year, or (ii) any May 1 of any year, as shall be determined by supplemental resolution.

"**Project**" means the Project referred to in the "WHEREAS" clauses and financed in part by the Bonds.

"**Project Fund**" means the Classic Center Authority for Clarke County Project Fund established in Article IV.

"**Qualified Permitted Investments**" means direct obligations of the United States of America and obligations unconditionally guaranteed by the United States of America, including U.S. Treasury Trust Receipts, in any case not callable except at the option of the holder of such obligation.

"**Rebate Fund**" means the Classic Center Authority for Clarke County Rebate Fund established in Article IV.

"**Record Date**" means, with respect to any Interest Payment Date, the 15th day of the calendar month next preceding such Interest Payment Date.

"**Revenues**" means the payments and revenues to be received by the Authority under the Intergovernmental Contract and Investment Earnings.

"**Securities Depository**" means any securities depository that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its participants or otherwise, a Book-Entry Project to record ownership of beneficial interest in bonds and bond service charges, and to effect transfers of bonds in Book-Entry Form, and means, initially, The Depository Trust Company (a limited purpose trust company), New York, New York.

"**Securities Depository Nominee**" means any nominee of a Securities Depository and shall initially mean Cede and Co., New York, New York, as nominee of The Depository Trust Company.

"**Series 2022A Bonds**" means any Bonds so designated as described in Article II hereof.

"**Sinking Fund**" means the Classic Center Authority for Clarke County Sinking Fund established in Article IV.

"**State**" means the State of Georgia.

"**Federally Taxable Series 2022B Bonds**" means any Bonds so designated as described in Article II hereof.

"**Unified Government**" means the Unified Government of Athens-Clarke County.

"**U.S. Treasury Trust Receipts**" means evidence of ownership of rights to payment of portions of the principal of or interest on direct obligations of or obligations unconditionally guaranteed by the United States of America held by a bank or trust company organized under the laws of the United States acting as custodian of such obligations.

Except where the context otherwise requires, words importing the singular number shall include the plural number and vice versa, and the masculine, the feminine and the neuter shall include all genders.

Reference to an Article number (*e.g.*, Article IV) or a Section number (*e.g.*, Section 7.2) shall be construed to be a reference to the designated Article number or Section number in this Bond Resolution.

ARTICLE II

The Bonds

Section 2.1 Authorization; Designation of Bonds. The Bonds authorized under this Bond Resolution may be issued and sold in one or more series from time to time, and shall be in substantially the form set forth in this Bond Resolution, but such variations, omissions, substitutions and insertions may be made therein, and such particular series designation, legends or text may be endorsed thereon as may be necessary or appropriate to conform to and as required or permitted by this Bond Resolution, as supplemented or amended, or as may be necessary or appropriate to comply with applicable requirements of the Code. The Bonds may bear such legend or contain such further provisions as may be necessary to comply with or conform to the rules and requirements of any brokerage board, securities exchange or municipal securities rulemaking board.

There is hereby authorized to be executed and delivered to the purchasers thereof the Bonds, in the aggregate principal amount of up to $37,500,000, to be designated "Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022", which shall be executed, delivered and issued under, and secured by, this Bond Resolution. All or a portion of the Bonds may be issued as tax-exempt obligations (the "Series 2022A Bonds") or as taxable obligations (the "Federally Taxable Series 2022B Bonds") for federal income tax purposes.

Section 2.2 Bond Details. The Bonds shall be dated the date of initial issuance and delivery, shall be initially issued as book-entry only bonds in fully-registered form without coupons, shall be transferable to subsequent owners as hereinafter provided, shall be in the denomination of $5,000 or any integral multiple thereof, shall bear interest from their dates at rates per annum to be established by supplemental resolution (not to exceed 7.0% per annum), all interest payable semiannually on the Interest Payment Dates, commencing May 1, 2023. The Bonds shall be numbered from R-1 and upward; provided that the numbering may be adjusted by the Authority as may be convenient or desirable.

The Bonds shall mature or be subject to sinking fund redemption on a Principal Maturity Date, as the Authority may set by supplemental resolution. The principal amount in total to mature or to be subject to mandatory sinking fund redemption in each year, together with interest (at rates not to exceed 7.0% per annum) shall produce maximum annual debt service not to exceed $3,600,000. The principal amounts and interest rates applicable to each maturity of the Bonds of each series and any sinking fund redemption schedules shall be as established by a supplement to this Bond Resolution prior to the issuance of the Bonds.

Any requirement for the mandatory redemption of term Bonds prior to maturity may be satisfied to the extent that any Bonds of the same series and maturity shall have been acquired by the Authority and presented for cancellation to the Bond Registrar on or prior to the mandatory redemption date.

Notwithstanding anything herein to the contrary, so long as any Bonds are in Book-Entry Form, principal and interest shall be payable to the Securities Depository or its nominee, all as set forth in Section 2.11 of this Resolution.

Section 2.3 Execution and Authentication of Bonds.The Bonds shall be executed in the name of the Authority, shall bear the manual or facsimile signature of the Chief Officer or the Deputy Officer and the actual or facsimile seal of the Authority shall be affixed to or imprinted on the Bonds and attested by the manual or facsimile signature of the Attesting Officer. Pending delivery of definitive Bonds, temporary Bonds may be issued and delivered, signed by such officials with their manual or facsimile signatures. In case any officer who shall have signed or sealed any of the Bonds shall cease to be such an officer before the Bonds so signed and sealed have been delivered by the Authority, such Bonds shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

Only such Bonds as shall be authenticated by the endorsement thereon of a certificate substantially in the form set forth in this Bond Resolution, executed by the Bond Registrar by the manual signature of one of its authorized officers or representatives, shall be secured by this Bond Resolution or shall be entitled to any benefit under this Bond Resolution. Every such certificate of the Bond Registrar upon any Bond purporting to be secured by this Bond Resolution shall be conclusive evidence that the Bond so certified has been duly issued under this Bond Resolution and that the holder is entitled to the benefit of this Bond Resolution. It shall not be necessary that the same person sign the certificate of authentication on all of the Bonds secured under this Bond Resolution.

Section 2.4 Registration of Bonds. The Authority shall cause the Bond Register for the registration and for the transfer of the Bonds as provided in this Bond Resolution to be kept by the Bond Registrar. The Bonds shall be registered as to principal and interest on the Bond Register upon presentation thereof to the Bond Registrar which shall make notation of such registration thereon.

Section 2.5 Place of Payment. Principal of and redemption premium (if any) on the Bonds shall be paid when due upon presentation and surrender at the designated office of the Paying Agent. Interest on the Bonds shall be paid by check or draft on the Paying Agent mailed by first-class mail on the pertinent Interest Payment Date to the registered owner of each such Bond at the address shown on the Bond Register on the Record Date or to such other address as shall have been furnished in writing to the Bond Registrar by the registered owner prior to such Record Date. All such payments shall be made in lawful monies of the United States of America.

The Authority may, by supplemental resolution or a bond purchase agreement or home office payment agreement, provide for other methods or places of payment of principal and interest on the Bonds, including wire transfer, as it may deem appropriate. Notwithstanding the foregoing, interest on the Bonds will be payable to any registered owner of more than $1,000,000 in aggregate principal amount of Bonds by wire transfer to such registered owner if written wire transfer instructions are given to the Paying Agent prior to the Record Date. Interest shall continue to be so paid until such wire transfer instructions are revoked in writing.

Section 2.6 Persons Treated as Owners. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of either principal or interest shall be made only to or upon the order of the registered owner thereof or such registered owner's duly authorized attorney. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Section 2.7 Exchangeability and Registration of Transfer of Bonds. Unless restricted in a bond purchase agreement for the Bonds, upon surrender for transfer of any Bond at the designated office of the Bond Registrar, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or the registered owner's attorney duly authorized in writing, the Authority shall cause to be executed and the Bond Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of the same series, maturity, interest rate, aggregate principal amount and tenor, of any authorized denomination or denominations, and bearing numbers not then contemporaneously outstanding.

Bonds may be exchanged at the designated office of the Bond Registrar for a like aggregate principal amount of Bonds of other authorized denominations of the same maturity and interest rate, and bearing numbers not then contemporaneously outstanding. The Authority shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds which the Bondholder making the exchange is entitled to receive.

The Bond Registrar shall not be required to transfer or exchange any Bond after notice calling such Bond for redemption has been given or during the period of 15 days (whether or not a business day, but excluding the date of giving of such notice of redemption and including such 15th day) next preceding the giving of such notice of redemption. The Bond Registrar shall also not be required to transfer or exchange any Bond during the period starting on the Record Date preceding any Interest Payment Date and ending on such Interest Payment Date.

In any exchange or transfer of registration of any Bond the owner or holder thereof shall not be required to pay any charge or fee; provided, however, if and to whatever extent any tax or governmental charge is at any time imposed on any such transfer the Authority or the Bond Registrar may require payment of a sum sufficient for such tax or charge.

All Bonds surrendered for exchange or transfer of registration shall be cancelled and destroyed by the Bond Registrar in accordance with Section 2.8.

Section 2.8 Destruction of Bonds. All Bonds paid by the Paying Agent at maturity or upon redemption prior to maturity shall be cancelled and delivered to the Bond Registrar for destruction. All Bonds cancelled on account of payment, transfer or exchange shall be destroyed by the Bond Registrar and shall not be reissued and a certificate thereof shall be furnished by the Bond Registrar to the Authority on an annual basis.

Section 2.9 Mutilated, Lost, Stolen or Destroyed Bonds. If any Bond is mutilated, lost, stolen or destroyed, the Authority may execute and deliver a new Bond of the same series, maturity, interest rate, aggregate principal amount and tenor in lieu of and in substitution for the Bond mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated Bond, such

mutilated Bond shall first be surrendered to the Bond Registrar, and in the case of any lost, stolen or destroyed Bond, there shall be first furnished to the Bond Registrar evidence satisfactory to it of the ownership of such Bond and of such loss, theft or destruction, together with indemnity to the Authority and the Bond Registrar, satisfactory to each of them. If any such Bond shall have matured or a redemption date pertaining thereto shall have passed, instead of issuing a new Bond, the Authority may pay or cause the Paying Agent to pay the same. The Authority, the Bond Registrar and the Paying Agent may charge the holder of such Bond with their reasonable fees and expenses in this connection.

In executing a new Bond and in furnishing the Bond Registrar with the written authorization to deliver a new Bond as provided for in this Section, the Authority may rely conclusively on a representation of the Bond Registrar that the Bond Registrar is satisfied with the adequacy of the evidence presented concerning the mutilation, loss, theft or destruction of any Bond.

Section 2.10 Form of Bonds. The Bonds, the Validation Certificate and the Bond Registrar's Certificate of Authentication shall be in substantially the form set out in Exhibit "A" attached hereto, with such variations, omissions, substitutions and insertions as are required or permitted by this Bond Resolution or by any supplemental resolution.

Section 2.11 Global Form; Securities Depository; Ownership of Bonds. The Bonds shall be initially issued in the name of Cede & Co., as nominee for DTC, as registered owner of the Bonds, and held in the custody of DTC. A single certificate will be issued and delivered to DTC for each maturity of the Bonds. Each such certificate shall remain in the Paying Agent's custody subject to the provisions of the FAST Balance Certificate Agreement currently in effect between the Paying Agent and DTC. The actual purchasers of beneficial interest of the Bonds (the "Beneficial Owners") will not receive physical delivery of Bond certificates except as provided herein. Beneficial Owners are expected to receive a written confirmation of their purchase from DTC or the participants through which they purchased, providing details of each Bond acquired. For so long as DTC shall continue to serve as securities depository for the Bonds as provided herein, all transfers of beneficial ownership interests will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds is to receive, hold or deliver any Bond certificate.

For every transfer and exchange of the Bonds, the Beneficial Owner may be charged a sum sufficient to cover such Beneficial Owner's allocable share of any tax, fee or other governmental charge that may be imposed in relation thereto.

The Authority and the Paying Agent will recognize DTC or its nominee as the Bondholder for all purposes, including notices and voting.

The Authority and the Paying Agent covenant and agree, so long as DTC shall continue to serve as securities depository for the Bonds, to meet the requirements of DTC with respect to required notices and other provisions of the Letter of Representations.

The Authority and the Paying Agent are authorized to rely conclusively upon a certificate furnished by DTC as to the identity of, and the respective principal amount of Bonds beneficially owned by, the Beneficial Owner or Beneficial Owners.

Whenever, during the term of the Bonds, the beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Bond Resolution of holding, delivering or transferring Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

If at any time, DTC ceases to hold the Bonds, a supplemental resolution amending the provisions hereof shall be executed and delivered and thereafter all references herein to DTC shall be of no further force or effect.

If at any time (i) the Authority determines that the Securities Depository is incapable of discharging its responsibilities described herein, (ii) the Securities Depository notifies the Authority that it is unwilling or unable to continue as Securities Depository with respect to the Bonds, or (iii) the Securities Depository shall no longer be registered or in good standing under the Securities Exchange Act of 1934, as amended, or other applicable statute or regulation and a successor Securities Depository is not appointed by the Authority within 90 days after the Authority receives notice or becomes aware of such condition, as the case may be, then this Section shall no longer be applicable and the Authority shall execute and the Bond Registrar shall authenticate and deliver physical certificates representing the Bonds to the Bondholders. Bonds shall be registered in such names and authorized denominations as the Securities Depository, pursuant to instructions from the Agent Member or otherwise, shall instruct the Bond Registrar. Upon exchange, the Bond Registrar shall authenticate and deliver such bonds representing the Bonds to the persons in whose names such Bonds are so registered on the business day immediately preceding the date of such exchange.

Section 2.12 Taxability of Interest on the Bonds. Subject to an approving opinion of bond counsel, interest on any Series 2022A Bonds is to be excluded from the gross income of the holders thereof for federal income tax purposes. Interest on any Federally Taxable Series 2022B Bonds issued shall be included in the gross income of the holders thereof for federal income tax purposes.

ARTICLE III

Redemption of Bonds

Section 3.1 Redemption of Bonds.

(a) The Bonds of each series may not be called for redemption prior to dates to be established by a supplemental resolution to be adopted by the Authority prior to the issuance of the Bonds. The Bonds of each series will be subject to redemption prior to maturity at the option of the Authority on or after the pertinent date, in whole at any time or in part on any Interest Payment Date, at the redemption prices (expressed as percentages of principal amount) set forth in said supplemental resolution plus accrued interest on such redemption date.

(b) The Bonds of each series may be subject to mandatory sinking fund redemptions as set forth in a supplemental resolution adopted by the Authority prior to the issuance of the Bonds.

(c) The Authority in its discretion may redeem the Bonds of any series, or a portion of the Bonds of any such series, prior to redeeming the Bonds of any other series.

Section 3.2 Notice of Redemption. Unless waived by any holder of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the Authority by mailing a copy of an official redemption notice by first-class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All official notices of redemption shall be dated, shall contain the complete official name of the Bond issue and shall state:

(1) the redemption date;

(2) the redemption price;

(3) the series, interest rate and maturity date of the Bonds being redeemed;

(4) the date on which notice of redemption will be published;

(5) if less than all the Outstanding Bonds are to be redeemed, the Bond numbers and, where part of the Bonds evidenced by one Bond certificate are being redeemed, the respective principal amounts of such Bonds to be redeemed;

(6) the conditions to the redemption, if any, which may include receipt by the Paying Agent of sufficient moneys to redeem the Bonds to be redeemed on or prior to the redemption date;

(7) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after such date; and

(8) the place where such Bonds are to be surrendered for payment of the redemption price (which place of payment shall be the designated office of the Paying Agent) and the name, address and telephone number of a person or persons at the Paying Agent who may be contacted with respect to the redemption.

Prior to any redemption date, the Authority shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP (if any) number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

Any defect in any notice of redemption shall not affect the validity of proceedings for redemption of the Bonds.

The Paying Agent shall hold amounts payable on redemption for Bonds which have not been surrendered for redemption for a period of not less than one year after the final maturity date of the Bonds or any earlier date when all of the Bonds have been refunded or redeemed.

The Paying Agent shall hold amounts payable on redemption for Bonds which have not been surrendered for redemption for a period of not less than one year after the final maturity date of the Bonds or any earlier date when all of the Bonds have been refunded or redeemed.

Section 3.3 Authority or Bond Registrar May Give Notice of Redemption. Notice of redemption of Bonds to be redeemed shall be given by the Authority or by the Bond Registrar for and on behalf of the Authority whenever either (i) such redemption is required to be made under the proceedings authorizing the issuance and sale of such Bonds or (ii) whenever such redemption is permitted to be made under the terms of such Bonds and the Authority requests that such redemption be made.

Section 3.4 Effect of Notice of Redemption. Official notice having been given in the manner and under the conditions provided in this Article, and monies for payment of the redemption price being held by the Bond Registrar as provided in this Bond Resolution, the Bonds or portions of Bonds so called for redemption shall, on the redemption date designated in such notice, become and be due and payable at the redemption price provided for redemption of such Bonds on such date, and interest on the Bonds or portions of Bonds so called for redemption shall cease to accrue, such Bonds or portions of Bonds shall cease to be entitled to any lien, benefit or security under this Bond Resolution, and the holders of such Bonds or portions of Bonds shall have no rights in respect thereof except to receive payment of the redemption price thereof. Upon surrender for partial redemption of any Bond, there shall be prepared for and delivered to the registered owner a new Bond or Bonds of the same maturity and interest rate in the amount of the unpaid principal.

Section 3.5 Selection of Bonds to be Redeemed. If less than all of the Bonds of like maturity shall be called for redemption, the particular Bonds, or portions of Bonds, to be redeemed shall be selected by lot by the Authority or in such other manner as the Authority in its discretion may deem proper. The portion of any Bond of a denomination of more than $5,000 to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof, and, in selecting portions of such Bonds for redemption, the Authority shall treat each such Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond to be redeemed in part by $5,000.

Section 3.6 Purchase of Bonds. Nothing herein contained shall be construed to limit the right of the Authority to purchase Bonds in the open market (at a price not exceeding the redemption price then applicable, if the Bonds are then redeemable) with funds legally available

for such purpose. Any Bonds so purchased cannot be reissued and shall be cancelled. Bonds so purchased of a series and maturity subject to mandatory sinking fund redemption may be credited by the Authority to its obligation to redeem Bonds of such series and maturity by sinking fund redemption.

ARTICLE IV

Revenues and Funds

Section 4.1 Pledge of Revenues. All Pledged Revenues shall be and are hereby pledged to the prompt payment of the principal of, premium (if any) and interest on the Bonds. Such monies and securities shall immediately be subject to the lien of this pledge for the benefit of the Bondholders without any physical delivery thereof or further act and the lien of this pledge shall be valid and binding against the Authority and against all other persons having claims against the Authority, whether such claims shall have arisen in tort, contract or otherwise and irrespective of whether such parties have notice thereof. This pledge shall rank superior to all other pledges which may hereafter be made of any of the funds pledged in this Bond Resolution.

Section 4.2 Funds. The Authority hereby establishes the following funds and the monies deposited in such funds shall be held in trust for the purposes set forth in this Bond Resolution:

(a) Classic Center Authority for Clarke County Sinking Fund - 2022.

(b) Classic Center Authority for Clarke County Rebate Fund - 2022.

(c) Classic Center Authority for Clarke County Costs of Issuance Fund -2022.

(d) Classic Center Authority for Clarke County Project Fund - 2022.

The Authority may create and establish from time to time subaccounts within such funds to the extent necessary or desirable to account for the use of proceeds of the Bonds of different series or for other purposes.

Section 4.3 Sinking Fund; Payments Therefrom.

(a) The Sinking Fund is to be maintained by the Depository selected by the Authority. The Authority shall continue to maintain or cause to be maintained the Sinking Fund separate and apart from its other funds so long as the Bonds remain outstanding under this Resolution. The moneys and securities in the Sinking Fund are hereby pledged for the benefit of the Bondholders to the payment of amounts due on the Bonds.

(b) Moneys payable to the Authority or the Depository for the Sinking Fund from the Unified Government for the Sinking Fund pursuant to the Intergovernmental Contract shall be paid directly to the Depository for the Sinking Fund and deposited into the Sinking Fund for the account of the Authority in accordance with the terms of the Intergovernmental Contract and this Bond Resolution. In the event that insufficient funds

are on deposit in the Sinking Fund on any Record Date to pay all principal and interest coming due on the Bonds on the next succeeding Interest Payment Date, the Depository for the Sinking Fund shall promptly notify the Authority and the Unified Government in writing of such shortfall.

(c) Subject to the terms and conditions set forth in this Bond Resolution, moneys in the Sinking Fund shall be used for the payment of the principal of, redemption premium (if any) and interest on the Bonds as the same fall due.

Section 4.4 Deposits and Security of Funds. All monies in the funds established under this Bond Resolution shall be held by the Authority in one or more Depositories or Custodians qualified for use by the Authority. Uninvested monies shall, at least to the extent not guaranteed by the Federal Deposit Insurance Corporation, be secured to the fullest extent required by the laws of the State of Georgia for the security of public funds.

Section 4.5 Investment of Funds. Monies in the funds established under this Bond Resolution shall be invested and reinvested at the written direction of the Finance Director of the Unified Government, or his or her designee, at the highest rates reasonably available (except to the extent that a restricted yield is required or advisable under Section 148 of the Code). Monies in the Sinking Fund may be invested by the Authority in Permitted Investments maturing or redeemable at the option of the holder prior to the next succeeding Interest Payment Date, but whenever prior to any Interest Payment Date the aggregate of the monies in such accounts exceeds the amount necessary to pay interest and principal falling due on such Interest Payment Date, such excess may be invested in Permitted Investments maturing or redeemable at the option of the holder prior to the next following Interest Payment Date. Investment Earnings in each fund shall remain in such fund and serve as a credit against amounts otherwise required to be paid into such fund.

Monies in each of such funds shall be accounted for as a separate and special fund apart from all other Authority funds, provided that investments of monies therein may be made in a pool of investments together with other monies of the Authority so long as sufficient Permitted Investments in such pool, not allocated to other investments of contractually or legally limited duration, are available to meet the requirements of the foregoing provisions.

Section 4.6 Valuation of Investments. All investments made under this Bond Resolution shall, for purposes of this Bond Resolution, be carried at cost plus amortized discount.

Section 4.7 Application of Excess in Sinking Fund. Whenever on the first business day following each Principal Redemption Date the amount of monies in the Sinking Fund exceeds the amount then currently required to be therein, the excess may be transferred to or at the direction of the Finance Director of the Unified Government, or his or her designee.

Section 4.8 Disposition of Monies After Payment of Bonds. Any amounts remaining in any fund established under this Bond Resolution after payment in full of the principal of, redemption premium (if any) and interest on the Bonds (or after provision for payment thereof has been made), the fees, charges and expenses of the Paying Agent and Bond Registrar and all

other amounts required to be paid under this Bond Resolution (including amounts required to be paid into the Rebate Fund), shall be promptly paid to the Unified Government.

Section 4.9 Costs of Issuance Fund. The Costs of Issuance Fund shall receive such portion of the proceeds of the Bonds as the Authority shall designate by supplemental resolution or otherwise in writing. The Depository of the Costs of Issuance Fund shall disburse the amounts in the Costs of Issuance Fund in accordance with the closing memorandum for the funding of the Bonds, or upon any written direction from the Chief Officer, the Deputy Officer or the Finance Director of the Unified Government. Any excess funds in the Costs of Issuance Fund shall be transferred to the Sinking Fund within ninety (90) days of their deposit or upon earlier receipt by the Depository of a written direction from one of said officers.

Section 4.10 Project Fund. The terms applicable to the Project Fund are set forth in Article XII below.

ARTICLE V

Designation of Custodian, Depository, Paying Agent and Bond Registrar

Section 5.1 Custodian, Depository, Paying Agent and Registrar. U.S. Bank Trust Company, National Association is initially designated as the Custodian of the Project Fund, the Depository of the Sinking Fund, the Depository of the Costs of Issuance Fund, the Depository of the Rebate Fund, the Paying Agent and the Bond Registrar for the Bonds. The notice address of U.S. Bank Trust Company, National Association is 1349 West Peachtree Street, Suite 1050, Atlanta, Georgia 30309, Attn: April Bright, april.bright@usbank.com.

ARTICLE VI

General Provisions

Section 6.1 No Impairment of Rights. The Authority shall not enter into any contract or contracts, nor take any action, the results of which would impair the rights of the Bondholders.

Section 6.2 Payments to Bondholders. All payments falling due on the Bonds for principal and interest shall be made by the Authority from the Pledged Revenues or, at the Authority's option, other legally available revenues to the holders thereof when due in full and all reasonable and authorized charges made by the Bond Registrar and any Paying Agent shall be paid by the Authority.

Section 6.3 No Loss of Lien on Revenues. The Authority shall not do, or omit to do, or suffer to be done or to be omitted any matter or thing whatsoever whereby the lien of the Bonds on the Pledged Revenues or any part thereof might or could be lost or impaired.

Section 6.4 Tax Provisions; Arbitrage; Rebate Fund. The Authority recognizes that the purchasers and holders of any Series 2022A Bonds will have accepted such Series 2022A Bonds on, and paid therefor a price which reflects, the understanding that interest thereon is not included in the gross income of the holders for purposes of federal income taxation under laws in force at the time such Series 2022A Bonds shall have been delivered. In this connection the

Authority agrees that it shall take no action which may cause the interest on any of such Series 2022A Bonds to be included in the gross income of the holders for purposes of federal income taxation. The Authority further covenants to take any and all action which may be required from time to time in order to ensure that interest on the Series 2022A Bonds shall remain excludable from the gross income of the holders thereof for federal income tax purposes. Prior to or contemporaneously with delivery of the Bonds, the Chief Officer and Attesting Officer shall execute a tax and non-arbitrage certificate on behalf of the Authority respecting the investment of the proceeds of such Series 2022A Bonds and other matters. Such certificate shall be a representation and certification of the Authority, and an executed copy thereof shall be filed with the Bond Registrar. The Authority shall not knowingly invest or participate in the investment of any monies held under this Bond Resolution which investment would cause interest on any Series 2022A Bonds to be included in gross income for purposes of federal income taxation.

The Chief Officer or Attesting Officer may execute and deliver, on behalf of the Authority, such agreements, filings and other writings as may be necessary or desirable to cause or bind the Authority to comply with any requirements for rebating under Section 148(f) of the Code and any regulations promulgated with respect to any such rebate requirements or such certificate or other writing as may be necessary or desirable to qualify for exemption from such rebate requirements.

Should the Series 2022A Bonds or "gross proceeds" thereof be subject to the rebate requirement of Section 148(f) of the Code, the Authority hereby agrees that it shall calculate, from time to time not less frequently than as required in the opinion of Bond Counsel in order to comply with the provisions of Section 148(f) of the Code and any applicable temporary, proposed or final Treasury Regulations, the amounts required to be rebated to the United States, and that it shall deposit or cause to be deposited into the Rebate Fund any and all of such amounts promptly following a determination of any such amount.

To the extent and at the times required in order to comply with Section 148(f) of the Code and any applicable temporary, proposed or final Treasury Regulations, the Authority may withdraw funds from the Rebate Fund for the purpose of making rebate payments to the United States as required by Section 148(f) of the Code.

All earnings on investments held in the Rebate Fund shall be retained in the Rebate Fund and shall become part thereof. Monies held in the Rebate Fund, including the investment earnings thereon, if any, shall not be subject to a pledge in favor of the owners of the Bonds under this Bond Resolution.

The Depository of the Rebate Fund shall not be responsible for determining whether any funds invested pursuant to this Section are invested in compliance with the Code. In the event the Authority shall direct the Depository of the Rebate Fund to make any disbursement therefrom, the Authority may designate which obligations in the Rebate Fund shall be converted or sold in order to generate monies to make such disbursement, and in the absence of any such designation by the Authority, the Depository of the Rebate Fund may select the obligations to be sold or converted. The Depository of the Rebate Fund shall have no liability for any loss incurred in connection with any investment or the sale or liquidation or disposition thereof pursuant hereto or for determining the amount to be deposited into or withdrawn from the Rebate

Fund or the timing thereof. The Depository of the Rebate Fund shall maintain records of the timing and amount of all deposits into, withdrawals from, or investment of monies held in, the Rebate Fund. At such times as the Authority shall direct in writing, the Depository of the Rebate Fund shall file a report with the Authority showing all deposits into or withdrawals from the Rebate Fund, and the income (or loss) or other earnings of any investments therein and the current investments held in the Rebate Fund.

The Authority shall have the right to create special accounts, from time to time, in the Rebate Fund as it may deem desirable.

If the Authority shall deliver to the Depository of the Rebate Fund a certificate, signed by an officer of the Authority, certifying that the Authority has filed all reports required to be filed with the United States pursuant to Section 148(f) of the Code and has made all payments required to be made to the United States pursuant to Section 148(f) of the Code, then the Depository of the Rebate Fund shall transfer to, or upon the order of, the Authority all monies or investments remaining in the Rebate Fund which monies may be applied by the Authority for any lawful purpose.

The Authority hereby covenants and agrees that it will not make or permit any use of the proceeds of the sale of any Series 2022A Bonds, or any other monies arising out of the Project or otherwise, or use or permit the use of any of the facilities being refinanced thereby or any other portion of the Project which would cause the Series 2022A Bonds or any portion thereof to be "private activity bonds" within the meaning of Section 141 of the Code. The Authority further covenants to take any and all action which may be required from time to time in order to insure that interest on the Series 2022A Bonds shall remain excludable from the gross income of the owners of the Series 2022A Bonds for federal income tax purposes and to refrain from taking any action which would adversely affect such status.

The covenants, certifications, representations and warranties contained in this Section shall survive payment in full or provision for payment in full of the Series 2022A Bonds.

ARTICLE VII

Events of Default and Remedies

Section 7.1 Definition of Events of Default; Remedies. An "Event of Default" shall mean the occurrence of any one or more of the following:

(a) default shall be made in the payment of the principal or redemption price of any Bond when the same shall become due and payable, either at maturity or by proceedings for redemption or otherwise; or

(b) default shall be made in the payment of any installment of interest on any Bond when and as such installment of interest shall become due and payable; or

(c) the Authority shall (1) admit in writing its inability to pay its debts generally as they become due, (2) file a petition in bankruptcy or take advantage of any insolvency act, (3) make an assignment for the benefit of its creditors, or (4) consent to

the appointment of a receiver of itself or of the whole or any substantial part of its property; or

(d) a court of competent jurisdiction shall enter an order, judgment or decree appointing a receiver of the Project or any of the funds required by Article IV, or of the whole or any substantial part of the Authority's property, or approving a petition seeking reorganization of the Authority under the federal bankruptcy laws or any other applicable law or statute of the United States of America or the State, and such order, judgment or decree shall not be vacated or set aside or stayed within 60 days from the date of the entry thereof; or

(e) under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction shall assume custody or control of any of the funds required by Article IV, or of the Authority or of the whole or any substantial part of the Authority's property, and such custody or control shall not be terminated or stayed within 60 days from the date of assumption of such custody or control; or

(f) the Authority shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Bond Resolution on the part of the Authority to be performed, and such default shall continue for 30 days after written notice specifying such default and requiring the same to be remedied shall have been given to the Authority by the owners or an insurer of not less than 25% of the Bonds; provided, however, if the failure stated in such notice can be corrected, but not within such 30-day period, the Authority shall have 90 days after such written notice to cure such default if corrective action is instituted by the Authority within such 30-day period and diligently pursued until the default is corrected.

Section 7.2 Remedies. Upon the happening and continuance of any Event of Default, then and in every such case a receiver appointed in accordance with law or any Bondholder may proceed, subject to the provisions of Section 7.4, to protect and enforce the rights of the Bondholders hereunder by a suit, action or special proceedings in equity, or at law, for the special performance of any covenant or agreement contained herein or in aid or execution of any power herein granted, or contained in the Intergovernmental Contract, or for the enactment of any proper legal or equitable remedy as such Bondholder shall deem most effectual to protect and enforce the rights aforesaid, insofar as such may be authorized by law.

Section 7.3 Restoration. In case any proceeding taken by a receiver or any Bondholder on account of any default shall have been discontinued or abandoned for any reason, or shall have been determined adversely to such Bondholder, then and in every such case the Authority and the Bondholders shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Bondholders shall continue as though no such proceedings had been taken.

Section 7.4 Equal Benefit. No one, or more, owners of the Bonds secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner

herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of such outstanding Bonds

Section 7.5 Remedies Cumulative. No remedy conferred upon or reserved to the Bondholders is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Bond Resolution or now or hereafter existing at law or in equity or by statute.

Section 7.6 Waiver of Default. No delay or omission of any Bondholder to exercise any right or power accruing upon any Event of Default shall impair any such right or power or shall be construed to be a waiver of any such Event of Default, or an acquiescence therein; and every power and remedy given by this Section to the Bondholders may be exercised from time to time, and as often as may be deemed expedient.

Section 7.7 Application of Monies After Default. If an Event of Default shall happen and shall not have been remedied, the Authority or a receiver appointed for the purpose shall apply all Pledged Revenues as follows and in the following order:

(a) Expenses of Receiver and Bond Registrar - to the payment of the reasonable and proper charges, expenses and liabilities of the receiver and Bond Registrar under this Bond Resolution;

(b) Principal or Redemption Price and Interest - to the payment of the interest and principal or redemption price then due on the Bonds, as follows:

(c) Unless the principal of all the Bonds shall have become due and payable, all such monies shall be applied as follows:

first: To the payment to the persons entitled thereto of all installments of interest then due, in the order of the maturity of such installments (with interest on defaulted installments of interest at the rate or rates borne by the Bonds with respect to which such interest is due to the extent permitted by law), and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the persons entitled thereto, without any discrimination or preference. After such date, monies available in the Interest Account shall be set aside for the payment of interest on Bonds of each class (a class consisting of all Bonds payable as to interest on the same dates) pro rata among Bonds of the various classes on a daily basis so that there shall accrue to each Bondholder throughout each Bond Year the same proportion of the total interest payable to such Bondholder as shall so accrue to every other Bondholder during said year.

second: to the payment to the persons entitled thereto of the unpaid principal of any of the Bonds which shall have become due at maturity or upon mandatory redemption prior to maturity (other than Bonds called for redemption for the payment of which monies are held pursuant to the provisions of Article IX), in the order of their due dates, with interest upon such Bonds from the respective dates upon which they became due, and, if the amount available shall

not be sufficient to pay in full Bonds due on any particular date, together with such interest, then to the payment first of such interest, ratably according to the amount of such interest due on such date, and then to the payment of such principal, ratably according to the amount of such principal due on such date, to the persons entitled thereto without any discrimination or preference. After such date, monies available in the Principal Account shall be set aside for the payment of principal of Bonds of each class (a class consisting of all Bonds payable as to principal on the same date) pro rata among Bonds of the various classes which mature or must be redeemed pursuant to mandatory redemption prior to maturity throughout each Bond Year in such proportion of the total principal payable on each such Bond as shall be equal among all classes of Bonds maturing or subject to mandatory redemption within such Bond Year.

third: to the payment of the redemption premium on and the principal of any Bonds called for optional redemption pursuant to their terms.

(d) If the principal of all the Bonds shall have become due and payable, all such monies shall be applied to the payment of the principal and interest then due and unpaid upon the Bonds, with interest thereon as aforesaid, without preference or priority of principal over interest or of interest over principal, or of any installment of interest over any other installment of interest, or of any Bond over any other Bonds, ratably, according to the amounts due respectively for principal and interest, to the persons entitled thereto without any discrimination or preference.

ARTICLE VIII

Bond Ownership

Section 8.1 Manner of Evidencing Ownership of Bonds. Any request, direction or other instrument required by this Bond Resolution to be signed or executed by Bondholders may be in any number of concurrent writings of similar tenor and may be signed or executed by such Bondholders in person or by agent appointed in writing. Proof of the execution of any such request, direction or other instrument, or of the writing appointing such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any purpose of this Bond Resolution.

The fact and date of the execution by any person of any such writing may be provided by the certificate of any officer in any jurisdiction, who, by the laws thereof, has power to take acknowledgments within such jurisdiction, to the effect that the person signing such writing acknowledged before him the execution thereof, or by an affidavit of a witness to such execution; provided that the execution of the form of assignment on the back of each Bond may be guaranteed only by a member of the New York Stock Exchange or a commercial bank or trust company. The fact of the owning of the Bonds by any Bondholder and the amount and issue numbers of such Bonds, and the date of his owning the same shall be proved by the Bond Register.

Section 8.2 Call of Meetings of Bondholders. The Authority or the owners of not less than 25% in principal amount of the Bonds may at any time call a meeting of the Bondholders for any one or more of the following purposes:

(a) to consent to, approve, request or direct any action required to be consented to or approved by the Bondholders under this Bond Resolution or which they may request or direct under this Bond Resolution to be taken;

(b) to give any notices to the Authority;

(c) to take any other action which the Bondholders may take under this Bond Resolution; and

(d) for any other purpose concerning the payment, security or enforcement of the Bonds.

Any such meeting shall be held at such place in the Unified Government of Atlanta, Georgia, or in the Unified Government of New York, as may be specified in the notice calling such meeting. Written notice of such meeting, stating the place and time of the meeting and in general terms the business to be submitted, shall be mailed by the Authority or the Bondholders calling such meeting to the Bondholders at their addresses then appearing upon the Bond Register not less than thirty (30) days nor more than sixty (60) days before such meeting; provided, however, that the mailing of such notice shall in no case be a condition precedent to the validity of any action taken at any such meeting. Any meeting of Bondholders shall, however, be valid without notice if the Bondholders are present in person or by proxy or if notice is waived before or within thirty (30) days after the meeting by the Bondholders not so present.

Section 8.3 Proxies and Proof of Ownership of Bonds. Attendance and voting by Bondholders at such meetings may be in person or by proxy. The Bondholders may, by an instrument in writing, appoint any person or persons, with full power of substitution, as their proxy to vote at any meeting for them. The right of a proxy for a Bondholder to attend a meeting and act and vote may be proved (subject to the right of the Authority to require additional proof) by a written instrument executed by such Bondholder.

Any registered owner of Bonds shall be entitled in person or by proxy to attend and vote at such meeting without producing the Bonds registered in such Bondholder's name; provided, however, that such persons and their proxies shall, if required, produce such proof of personal identity as shall be satisfactory to the Secretary of the meeting. All other persons seeking to attend or vote at such meeting must produce the Bonds claimed to be owned or represented at such meeting.

The vote of any Bondholder shall be binding upon such Bondholder and upon every subsequent holder of such Bond (whether or not such subsequent Bondholder has notice thereof).

Section 8.4 Appointment of Officers at Meeting of Bondholders. A Chair and a secretary of any meeting of the Bondholders shall be elected by the Bondholders of a majority in principal amount of the Bonds represented at such meeting in person or by proxy. The Chair shall appoint two (2) inspectors of votes who shall count all votes cast at such meeting, except

votes on the election of Chair and secretary, and who shall make and file with the secretary and with the Authority their verified report of all such votes cast at the meeting.

Section 8.5 Quorum at Meetings of Bondholders. The owners of not less than the principal amount of the Bonds required for any action to be taken at such meeting must be present at such meeting in person or by proxy in order to constitute a quorum for the transaction of business.

ARTICLE IX

Defeasance

Section 9.1 Provision for Payment. Bonds for the payment or redemption of which sufficient monies or sufficient Qualified Permitted Investments shall have been deposited with the Bond Registrar (whether upon or prior to the maturity or the redemption date of such Bonds) shall be deemed to be paid and no longer Outstanding under this Bond Resolution; provided, however, that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given as provided in Article III or firm and irrevocable arrangements shall have been made for the giving thereof. Qualified Permitted Investments shall be considered sufficient for purposes of this Article IX only (i) if such Qualified Permitted Investments are not callable by the Authority of the Qualified Permitted Investments prior to their stated maturity, (ii) if such Qualified Permitted Investments fall due and bear interest in such amounts and at such times as will assure sufficient cash (whether or not such Qualified Permitted Investments are redeemed by the Authority pursuant to any right of redemption) to pay currently maturing interest and to pay principal and redemption premiums, if any, when due on the Bonds without rendering the interest on any Bonds includable in gross income for purposes of federal income taxation under the Code, and (iii) the Unified Government shall have obtained a verification report from an independent firm of nationally recognized public accountants verifying the sufficiency of the funds deposited with the Bond Registrar to pay the Bonds in full at maturity on the redemption date.

The Authority may at any time surrender to the Bond Registrar for cancellation by it any Bonds previously authenticated and delivered under this Bond Resolution which the Authority may have acquired in any manner whatsoever. All such Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

ARTICLE X

Supplemental Proceedings

Section 10.1 Supplemental Resolutions and Resolutions Not Requiring Consent of Bondholders. The Authority, from time to time and at any time, subject to the conditions and restrictions in this Bond Resolution, may enact one or more resolutions which thereafter shall form a part of this Bond Resolution, for any one or more or all of the following purposes:

(a) To add to the covenants and agreements of the Authority in this Bond Resolution, other covenants and agreements thereafter to be observed or to surrender,

restrict or limit any right or power reserved in this Bond Resolution to or conferred upon the Authority;

(b) To make such provisions for the purpose of curing any ambiguity, or of curing, correcting or supplementing any defective provision contained in this Bond Resolution, or in regard to matters or questions arising under this Bond Resolution, as the Authority may deem necessary or desirable and not inconsistent with this Bond Resolution and which shall not have a material, adverse effect on the interests of the owners of the Bonds;

(c) To grant to or confer any additional rights, remedies, powers or authorities that may be lawfully granted to or conferred upon the owners of the Bonds;

(d) To subject to the lien and pledge of this Bond Resolution additional revenues, receipts, properties or other collateral;

(e) To evidence the appointment of successors to any Depositories, custodians, Paying Agent(s) or Bond Registrar(s);

(f) To modify, amend or supplement this Bond Resolution or any proceedings supplemental to this Bond Resolution in such manner as to permit the qualification of this Bond Resolution under the Trust Indenture Act of 1939 or any federal statute hereinafter in effect, and similarly to add to this Bond Resolution, or to any proceedings supplemental to this Bond Resolution, such other terms, conditions and provisions as may be permitted or required by such Trust Indenture Act of 1939 or any similar federal statute;

(g) To make any modification or amendment of this Bond Resolution, not adverse to the interest of the owners of the Bonds, required in order to make the Bonds eligible for acceptance by The Depository Trust Company or any similar holding institution or to permit the issuance of the Bonds or interests therein in Book-Entry Form;

(h) To modify any of the provisions of this Bond Resolution in any respect provided that such modification shall not be effective until after the Bonds Outstanding immediately prior to the effective date of such supplemental proceedings shall cease to be Outstanding and further provided that any Bonds issued contemporaneously with or after the effective date of such supplemental proceedings shall contain a specific reference to the modifications contained in such subsequent proceedings;

(i) To specify the terms and provisions applicable to the Bonds prior to their issuance, as contemplated by this Bond Resolution.

Any supplemental resolution authorized by the provisions of this Section may be enacted by the Authority without the consent of or notice to the owners of any of the Bonds at the time Outstanding, notwithstanding any of the provisions of Section 10.2.

Section 10.2 Supplemental Resolutions Requiring Consent of Bondholders. With the consent (evidenced as provided in Article VIII) of the owners of not less than 51% in principal

amount of the Bonds, the Authority may from time to time and at any time adopt a bond resolution or resolutions supplemental to this Bond Resolution for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this Bond Resolution or of any supplemental resolution; provided, however, that no such supplemental resolution shall: (1) extend the maturity date or due date of any mandatory sinking fund redemption with respect to any Bond Outstanding under this Bond Resolution; (2) reduce or extend the time of payment of the principal of, redemption premium or interest on any Bond Outstanding under this Bond Resolution; (3) reduce any premium payable upon the redemption of any Bond under this Bond Resolution or advance the date upon which any Bond may first be called for redemption prior to its stated maturity date; (4) give to any Bond or Bonds a preference over any other Bond or Bonds; (5) except as expressly permitted in this Bond Resolution, permit the creation of any mortgage, lien or any other encumbrance on the Project having a lien equal to or prior to the lien created under this Bond Resolution for the Bonds; (6) reduce the percentage of owners of the Bonds required to approve any such supplemental resolution; or (7) deprive the owners of the Bonds (except as aforesaid) of the right to payment of the Bonds or from the Pledged Revenues without the consent of the owners of all the Bonds then Outstanding.

In the event that the Authority intends to enter into or adopt any modification, alteration or amendment of this Bond Resolution as described in this Section, the Authority shall mail, by registered or certified mail, to the registered owners of the Bonds at their addresses as shown on the Bond Register, a notice of such intention along with a description of such amendment or modification not less than thirty (30) days prior to the proposed effective date of such amendment or modification. The consents of the registered owners of the Bonds need not approve the particular form of wording of the proposed amendment, modification or supplement, but it shall be sufficient if such consents approve the substance thereof. Failure of the owner of any Bond to receive the notice required in this Bond Resolution shall not affect the validity of any proceedings supplemental to this Bond Resolution if the required number of owners of the Bonds shall provide their written consent to such amendment or modification.

Promptly after the enactment by the Authority of any supplemental resolution pursuant to the provisions of this Section, the Authority shall cause the Bond Registrar to mail a notice by registered or certified mail to the registered owners of all Bonds Outstanding at their addresses shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar setting forth in general terms the substance of such supplemental resolution.

ARTICLE XI

Sale of Bonds and Application of Proceeds

Section 11.1 Sale of Bonds. The Bonds shall be sold as provided in Section 13.5.

Section 11.2 Application of Bond Proceeds. Upon the written request of the Authority, the Bond Registrar shall authenticate and deliver the Bonds to the purchaser thereof and shall receive a receipt for the payment of the purchase price therefor. The net proceeds from the sale of the Bonds remaining after paying the costs of issuance thereof and providing for payment of

capitalized interest on the Bonds, shall be applied to the Project Fund for the acquisition and construction of the Project. The proceeds of the sale of the Bonds may be applied as more specifically described in a resolution supplemental to this Bond Resolution or the closing memorandum for the issuance of the Bonds.

ARTICLE XII

Project Fund

Section 12.1 Project Fund. Proceeds of the Bonds, in the amounts directed by the Authority, together with all other amounts delivered to the Custodian for deposit in the Project Fund, shall be deposited to the Project Fund and shall be held and disbursed as provided herein. Monies in the Project Fund shall be held by the Custodian or such other bank as may from time to time be designated by the Unified Government as Custodian thereof, and applied to the payment of the Costs of the Project, or for the repayment of advances made for that purpose in accordance with and subject to the provisions and restrictions set forth in this Article. Neither the Authority nor the Unified Government will cause or permit to be paid from the Project Fund any sums except in accordance with such provisions and restrictions; provided, however, that any monies in the Project Fund not presently needed for the payment of current obligations during the course of construction may be invested at the direction of the Unified Government in Permitted Investments maturing not later than (i) the date upon which such monies will be needed according to a schedule of anticipated payments from the Project Fund or, (ii) in the absence of such schedule, 36 months from the date of purchase, in either case upon written direction of the Unified Government. Any such investments shall be held by the Custodian, in trust, for the account of the Project Fund until maturity or until sold; and, at maturity or upon such sale, the proceeds received therefrom including accrued interest and premium (if any) shall be immediately deposited by the Custodian in the Project Fund and shall be disposed of in the manner and for the purposes provided in this Bond Resolution. The moneys and securities in the Project Fund are hereby pledged for the benefit of the holders of the Bonds to the payment of amounts due on the Bonds. The Custodian may create subaccounts of the Project Fund as directed by the Authority.

Section 12.2 Payment Procedure. All payments from the Project Fund (other than payments for the costs of issuing the Bonds) shall be made upon requisitions signed by an officer (or officers) of the Unified Government properly authorized and designated to sign on the Unified Government's behalf for this purpose. Before the Custodian of the Project Fund makes any such payments (other than payments for the costs of issuing the Bonds), there shall be filed with the Custodian:

(a) A requisition for such payment stating each amount to be paid and the name of the person, firm or corporation to whom payment thereof is due; and

(b) A certificate attached to the requisition and certifying:

(i) that an obligation for Costs of the Project in the stated amount has been incurred by the Unified Government, and that the same is a proper charge against the Project Fund and has not been paid or the subject of another

requisition, and stating that the bill, invoice or statement of account for such obligation, or a copy thereof, is on file in the office of the Unified Government;

(ii) that such officer (or officers) has (have) no notice of any vendor's, mechanic's or other liens or rights to liens, chattel mortgages or conditional sales contracts which should be satisfied or discharged before such payment is made;

(iii) that no event of default (or default which, with the lapse of time or the giving of notice, or both, would constitute an event of default) exists under the resolutions authorizing the issuance of the Bonds;

(iv) that such requisition contains no item representing payment on account, or any retained percentages which the Unified Government is, at the date of such certificate, entitled to retain; and

(v) that insofar as such obligation was incurred for work, material, supplies or equipment in connection with the Project, such work was actually performed, or such material, supplies or equipment was actually installed in or about the construction site or delivered at the site of the work for that purpose.

If the United States of America or the State of Georgia, or any department, agency or instrumentality of either, agrees to allocate moneys to be used to defray any part of the cost of acquiring, constructing, expanding and improving the Project upon the condition that the Unified Government appropriate a designated amount of money for said specified purpose or purposes, and it is required to withdraw any sum so required from the Project Fund and deposit it in a special account, the Unified Government shall have the right to withdraw any sum so required from the Project Fund by appropriate transfer and deposit of the same in a special account (or accounts) for that particular purpose (or purposes); provided, however, that all payments thereafter made from said special account (or accounts) can only be made in accordance with the requirements set forth in this Section. Withdrawals for investment purposes only (including authorized deposits with other banks) may be made by the Custodian of the Project Fund to comply with written directions from an officer (or officers) of the Unified Government without any requisition other than said direction.

Section 12.3 Retention of Requisitions and Bonds. All requisitions and certificates received by the Custodian, as required in this Article as conditions to the withdrawal of moneys from the Project Fund, shall be retained in the possession of the Custodian of the Project Fund, subject at all reasonable times to the inspection of the Unified Government and the Authority.

Section 12.4 Certificate of Completion. Within 30 days after the acquisition, construction and installation of the Project are completed, the Authority shall file with the Custodian a certificate of completion, setting forth the date on which the Project was completed, and shall also file with said certificate of completion a sworn statement(s) of the contractor(s) engaged in the acquisition, construction and installation of the Project that the agreed price of all work done and material furnished by such contractor(s) with respect to such additions, extensions and improvements has been paid.

Section 12.5 Appointment of Agent. Pursuant to the Intergovernmental Contract, the Authority will appoint the Unified Government as its agent for the purpose of constructing the Project. The appointment of the Unified Government as its agent for such purposes is hereby authorized and approved.

ARTICLE XIII

Miscellaneous Provisions

Section 13.1 Severability. In case any one or more of the provisions of this Bond Resolution or of the Bonds shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Resolution or of the Bonds, but this Bond Resolution and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein. In case any covenant, stipulation, obligation or agreement contained in the Bonds or in the Bond Resolution shall for any reason be held to be unenforceable or in violation of law, then such covenant, stipulation, obligation or agreement shall be deemed to be the covenant, stipulation, obligation or agreement of the Authority to the full extent that the power to incur such obligation or to make such covenant, stipulation or agreement shall have been conferred on the Authority by law.

Section 13.2 Requests of Authority. Whenever any action is to be taken by the Bond Registrar or the Paying Agent at the request of the Authority under this article or under any other article of this Bond Resolution, if no other means of authenticating such request is required, such request shall be evidenced by a written instrument signed by the Attesting Officer and Chief Officer or the Deputy Officer, or by such other Authority official or employee (one or more) as may from time to time be designated in writing by the Attesting Officer and Chief Officer. A duly certified copy of such designation must be filed with the Bond Registrar and the Paying Agent.

Section 13.3 Validation. The Authority shall deliver a certified copy of this Bond Resolution with an appropriate notice signed by the Attesting Officer to the District Attorney for the Western Judicial Circuit accompanied by the request that the District Attorney proceed with the validation of the Bonds.

Section 13.4 Findings. The Authority hereby finds and declares that the Bonds are "self-liquidating" within the meaning of the Act and that the Project financed by the Bonds furthers the public purposes intended to be served by the Act, in that the Project develops and promotes in Clarke County and in the State of Georgia public projects for the cultural growth, public welfare, education and recreation of the people of Clarke County and of the State of Georgia. The Authority hereby further finds that the Project is a "project" within the meaning of the Act and an "undertaking" within the meaning of the Revenue Bond Law, and that the financing of the Project with the Bonds is needed, prudent, feasible and desirable.

Section 13.5 Sale of Bonds; Official Statement. Each of the Chief Officer and the Deputy Officer is hereby authorized to execute and deliver, on behalf of the Authority, the Bond Purchase Agreement providing for the sale of the Bonds. The execution and delivery of the Bond Purchase Agreement by the Chief Officer or the Deputy Officer shall constitute conclusive

evidence of the ratification, confirmation and approval by the Authority of the terms and provisions of the Bond Purchase Agreement. The preparation, use and distribution of a Preliminary Official Statement with respect to the marketing and sale of the Bonds are authorized and approved. The execution by the Chief Officer or the Deputy Officer, on behalf of the Authority, of a certificate by which the Preliminary Official Statement is "deemed final" within the meaning of Securities Exchange Act Rule 15c2-12, is hereby authorized and approved. The Chief Officer or the Deputy Officer is hereby authorized to execute and deliver a final Official Statement for and on behalf of the Authority, and the Official Statement shall be in substantially the form of the Preliminary Official Statement which is "deemed final" by the Authority, subject to such minor changes, insertions or omissions as may be approved by the Chief Officer or Deputy Officer, and the execution of said Official Statement by the Chief Officer or Deputy Officer as hereby authorized shall be conclusive evidence of any such approval. The distribution of the Official Statement for and on behalf of the Authority is hereby authorized and approved.

Section 13.6 Intergovernmental Contract. The execution, delivery and performance of the Intergovernmental Contract is hereby authorized. The Intergovernmental Contract shall be in substantially the form of that which is attached hereto as Exhibit "B", and the Chief Officer or Deputy Officer of the Authority is authorized to sign the Intergovernmental Contract in the name of and on behalf of the Authority, subject to such minor changes, insertions and omissions as may be approved by the Chief Officer or Deputy Officer. The signing of the Intergovernmental Contract by the Chief Officer or the Deputy Officer shall be conclusive evidence of the approval of any such minor changes, insertions or omissions.

Section 13.7 Deputy Officer May Act. Notwithstanding anything in this Bond Resolution to the contrary, any action which the Chief Officer is required, permitted or otherwise authorized to take may be taken by the Deputy Officer, in the absence at the time or in the event of a vacancy in the office of the Chief Officer or the incapacity at the time of the Chief Officer. These actions shall include execution, delivery or performance of any certificate, agreement, instrument, document or other writing, including the execution of the Bonds. To this end, this Bond Resolution shall be construed so that all references to the Chief Officer may also be considered to be references to the Deputy Officer. The Attesting Officer shall determine whether the Chief Officer is absent or incapacitated or whether there is a vacancy in the office of Chief Officer such that the Deputy Officer may act under this Section, and the determination of the Attesting Officer shall be binding and conclusive.

Section 13.8 Payments Due on Saturdays, Sundays, etc. Whenever a date upon which a payment is to be made under this Bond Resolution falls on a Saturday, Sunday, a legal holiday or any other day on which banking institutions are authorized to be closed in the state in which the payment is to be made, such payment may be made on the next succeeding secular day without interest for the intervening period.

Section 13.9 Waiver of Performance Audit. The Authority hereby waives the performance audit and performance review requirements of O.C.G.A. § 36-82-100 with respect to the Bonds and hereby directs that the notice of the validation contain language giving notice that the Authority is waiving such performance audit and performance review requirements, and

further, that no performance audit or performance review of the nature described in O.C.G.A. § 36-82-100 with respect to the Bonds will be conducted.

Section 13.10 Effective Date. This Bond Resolution shall take effect immediately upon its adoption.

Section 13.11 Applicable Provisions of Law. This Bond Resolution shall be governed by and construed and enforced in accordance with the laws of the State.

Section 13.12 Repeal of Conflicting Resolutions and Resolutions. Any and all resolutions, or parts of resolutions, if any, in conflict with this Bond Resolution are hereby repealed, and this Bond Resolution shall be in full force and effect from and after its adoption.

Section 13.13 No Individual Responsibility of Members and Officers of Authority. No stipulations, obligations or agreements of any member or of any officer of the Authority shall be deemed to be stipulations, obligations or agreements of any such member or officer in his or her individual capacity.

Section 13.14 Bond Resolution Constitutes a Contract. This Bond Resolution constitutes a contract with the Bondholders binding the Authority, and therefore it is proper and appropriate for the Chief Officer to execute the same on behalf of the Authority and for the Attesting Officer to attest the same.

Section 13.15 Approval of the Policy In the event that the Authority elects to cause the Policy to be issued, the Authority hereby approves the obtaining of the Policy to secure the payment of the principal of and interest on all or a portion of the Bonds.

ADOPTED this July 26, 2022.

(SEAL)

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

By: _____
Chair

Attest:

_____
Secretary

EXHIBIT "A"

(FORM OF BOND)

Unless this Bond is presented by an authorized representative of The Depository Trust Company ("DTC"), a New York corporation, to the Authority or its agent for registration of transfer, exchange or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA
STATE OF GEORGIA
CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY
REVENUE BONDS (CLASSIC CENTER ARENA PROJECT),
[FEDERALLY TAXABLE] SERIES 2022[A][B]

Number [A][B] ___ $_____

Maturity Date	Interest Rate	Date of Bond	CUSIP

Registered Owner:

Principal Amount:

Classic Center Authority for Clarke County (the "Authority"), for value received, hereby promises to pay (but only out of the sources provided) to the registered owner identified above, or registered assigns, on the Maturity Date stated above, unless this Bond shall have been called for redemption prior to maturity and payment of the redemption price shall have been duly made or provided for, the principal amount identified above and to pay (but only out of the sources provided) interest from the date hereof on the balance of such principal sum from time to time remaining unpaid at the interest rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months) on May 1 and November 1 of each year, commencing May 1, 2023, until the payment of the principal amount of this Bond in full, and promises to pay interest on overdue principal and, to the extent permitted by law, on overdue interest at such rate. Principal of and redemption premium (if any) on this Bond are payable when due in lawful monies of the United States of America upon presentation and surrender at the designated office of U.S. Bank Trust Company, National Association, as registrar and paying agent (the "Bond

Registrar"); unless provision is made otherwise in writing, interest payments (other than payment at final maturity or redemption in full) shall be paid by check or draft mailed by first-class mail on the pertinent Interest Payment Date to the registered owner of this Bond at the address shown on the registration books (the "Bond Register") of the Authority maintained by the Bond Registrar on the 15th day of the calendar month (the "Record Date") next preceding such Interest Payment Date or at such other address as is furnished in writing to the Bond Registrar by the registered owner prior to such Record Date.

This Bond is one of the $_____ aggregate principal amount Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), [Federally Taxable] Series 2022 [A][B] issued by the Authority pursuant to and in full compliance with the provisions of the Constitution and laws of the State of Georgia, including specifically, but without limitation, 1988 Ga. Laws, pp. 3799 *et seq.*, as amended by 1989 Ga. Laws pp. 4867 *et seq.,* by 2002 Ga. Laws pp. 5665 *et seq*., and by H.B. 796, 156th Gen. Assemb., Reg. Sess. (2021), the Revenue Bond Law of the State of Georgia (O.C.G.A. Tit. 36, Chapt. 82, Art. 3), as amended (the "Revenue Bond Law"), and pursuant to a Bond Resolution (the "Bond Resolution") duly adopted by the Authority on July 26, 2022, as supplemented on August 23, 2022. The series of Bonds of which this is one [together with the Authority's Revenue Bonds (Classic Center Arena Project), [Federally Taxable] Series 2022___] are all issued under and equally and ratably secured and entitled to the security of the Bond Resolution.

The Bonds of this series are being issued by means of a Book-Entry System, with actual Bonds immobilized at The Depository Trust Company, New York, New York, or its successor as securities depository (the "Securities Depository"). Actual Bonds are not available for distribution to bondholders (the "Beneficial Owners"), except under the limited circumstances set forth in the Bond Resolution. The principal, redemption premium (if any) and interest on the Bonds of this series are payable by the Paying Agent to Cede & Co., as nominee of the Securities Depository. Transfer of principal, redemption premium (if any) and interest payments to participants of the Securities Depository is the responsibility of the Securities Depository; transfers of principal, redemption premium (if any) and interest to Beneficial Owners by participants of the Securities Depository will be the responsibility of such participants and other nominees of Beneficial Owners. The Authority and the Paying Agent are not responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants. Transfers of beneficial ownership will be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository. So long as any Bonds of this series are registered in Book-Entry Form, the Authority and the Paying Agent may treat the Securities Depository as, and deem the Securities Depository to be, the absolute owner of such Bonds for all purposes whatsoever, including without limitation: (a) the payment of principal of, premium (if any) and interest on such Bonds; (b) giving notices of redemption and other matters with respect to such Bonds; (c) registering transfers with respect to such Bonds; (d) the selection of Bonds for redemption; and (e) voting and obtaining consents under the Bond Resolution.

This Bond may be registered as transferred only upon the registration books kept for that purpose at the designated office of the Bond Registrar by the registered owner hereof in person, or by his or her attorney duly authorized in writing, upon presentation and surrender to the Bond

Registrar of this Bond duly endorsed for registration of transfer or accompanied by an assignment duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new registered Bond, in the same aggregate principal amount and of the same series and maturity, shall be issued to the transferee in exchange therefor. In addition, this Bond may be exchanged by the registered owner hereof or his or her duly authorized attorney upon presentation at the designated office of the Bond Registrar for an equal aggregate principal amount of the Bonds of the same series and maturity and in any authorized denominations in the manner, subject to the conditions and upon payment of charges, if any, provided in the Bond Resolution.

[The Bonds of the series of which this is one may not be called for redemption prior to November 1, _____. The Bonds of the series of which this is one maturing on or after November 1, _____ are subject to redemption prior to maturity at the option of the Authority on or after November 1, _____, in whole at any time or in part on any Interest Payment Date, at a redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest to the redemption date.]

[The Bonds of the series of which this is one maturing on November 1, _____ are subject to scheduled mandatory redemption prior to maturity in part (the actual bonds to be redeemed to be selected by lot in such manner as is designated by the Paying Agent) at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the redemption date, in the following principal amounts and on the dates set forth below:

Redemption Date (dates inclusive)	Principal Amount]

Notice of redemption, unless waived, is to be given by registered or certified mail at least 30 and not more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All such Bonds thus called for redemption and for the retirement of which funds are duly provided shall, on the redemption date designated in such notice, become and be due and payable at the redemption price provided for redemption of such Bonds on such date and interest on the Bonds or portions of Bonds so called for redemption shall cease to accrue, such Bonds or portions of Bonds shall cease to be entitled to any lien, benefit or security under the Bond Resolution, and the holders of such Bonds or portions of Bonds shall have no rights in respect thereof except to receive payment of the redemption price thereof. Any defect in any notice of redemption shall not affect the validity of proceedings for the redemption of any Bonds.

This Bond is transferable by the registered owner at the designated office of the Bond Registrar but only in the manner, subject to the limitations and upon payment of the charges

provided in the Bond Resolution and upon surrender of this Bond. Upon such transfer a new registered Bond or Bonds of the same series, maturity, interest rate, aggregate principal amount and tenor, of any authorized denomination or denominations, and bearing numbers not then contemporaneously outstanding will be issued to the transferee in exchange therefor. The Bonds are issuable as fully registered Bonds in the denomination of $5,000 or any integral multiple thereof. The Bond Registrar is not required to transfer or exchange any Bond after notice calling such Bond for redemption has been given or during the period of 15 days (whether or not a business day, but excluding the redemption date and including such 15th day) next preceding the giving of such notice of redemption. The Bond Registrar shall also not be required to transfer or exchange any Bond during the period starting on the Record Date next preceding any Interest Payment Date and ending on such Interest Payment Date.

The Bonds of the series of which this is one [together with the Authority's Revenue Bonds (Classic Center Arena Project), [Federally Taxable] Series 2022___] are secured by pledge of the "Pledged Revenues" (as defined in the Bond Resolution) including amounts payable by the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") to the Authority pursuant to the Intergovernmental Contract dated as of September 1, 2022, as amended or supplemented from time to time (the "Intergovernmental Contract").

THIS BOND IS A LIMITED OBLIGATION OF THE AUTHORITY AND IS NOT ITS PECUNIARY OBLIGATION; THIS BOND IS PAYABLE SOLELY FROM THE PLEDGED REVENUES TO BE RECEIVED BY THE AUTHORITY INCLUDING UNDER THE INTERGOVERNMENTAL CONTRACT (EXCEPT TO THE EXTENT PAID OUT OF MONEYS ATTRIBUTABLE TO THE PROCEEDS DERIVED FROM SALE OF THE BONDS), AS PROVIDED IN THE BOND RESOLUTION. THIS BOND AND PREMIUM (IF ANY) AND INTEREST HEREON SHALL NOT BE DEEMED TO CONSTITUTE A DEBT, LIABILITY, GENERAL OBLIGATION OR A PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE STATE OF GEORGIA OR ANY POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION THEREOF. NEITHER THE STATE OF GEORGIA NOR ANY POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION THEREOF NOR THE AUTHORITY SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF THIS BOND, THE INTEREST OR PREMIUM (IF ANY) HEREON, EXCEPT THAT THE AUTHORITY SHALL PAY THE SAME FROM THE PLEDGED REVENUES AND THE FUNDS PLEDGED THEREFOR. THE AUTHORITY HAS NO TAXING POWER. NO HOLDER OF THIS BOND SHALL EVER HAVE THE RIGHT TO ENFORCE PAYMENT HEREOF AGAINST ANY PROPERTY OF THE AUTHORITY, NOR SHALL THIS BOND CONSTITUTE A CHARGE, LIEN, OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE AUTHORITY, OTHER THAN THE PLEDGED REVENUES AND FUNDS PLEDGED AS DESCRIBED ABOVE.

For a more particular statement of the covenants and provisions securing the Bonds of the series of which this is one, the conditions under which the holder of this Bond may enforce various of the covenants, and the conditions upon which the Bond Resolution may be amended, reference is made to the Bond Resolution. In case of default the holder of this Bond shall be entitled to the remedies provided by the Bond Resolution, the Act and the Revenue Bond Law.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law.

This Bond shall not be entitled to any benefit under the Bond Resolution or become valid or obligatory for any purpose until it shall have been authenticated by the certificate of the Bond Registrar endorsed hereon.

IN WITNESS WHEREOF, the Authority has caused this Bond to be executed by the manual or facsimile signature of its Chair and has caused the facsimile of the official seal of the Authority to be imprinted on this Bond and attested by the manual or facsimile signature of its Secretary.

(SEAL)

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

By: (FORM)
Chair

Attest:

(FORM)
Secretary

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution.

Date of Authentication and Registration: _____

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION,
Bond Registrar

By:_____
Title:

VALIDATION CERTIFICATE

STATE OF GEORGIA)
)
COUNTY OF CLARKE)

The undersigned Clerk of the Superior Court of Clarke County, State of Georgia, DOES HEREBY CERTIFY that this Bond was validated and confirmed by judgment of the Superior Court of Clarke County, on the _____ day of _____, 2022, that no intervention or objection was filed opposing the validation of this Bond and that no appeal of such judgment of validation has been taken.

IN WITNESS WHEREOF, I have hereunto set my hand (by my facsimile signature) and have caused to be printed hereon a facsimile of the official seal of the Superior Court of Clarke County, Georgia.

(FORM)
Clerk of the Superior Court of Clarke County, Georgia

(SEAL)

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

_____
(Name and Address of Assignee)

(Insert Social Security or Taxpayer
Identification Number of Assignee)

the within revenue bond of Classic Center Authority for Clarke County and does hereby irrevocably constitute and appoint _____ attorney to transfer the Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

_____
(Signature Guaranteed)
Notice: Signature(s) must be guaranteed by a member of the STAMP or similar program.

_____
Registered Holder
Notice: The Signature(s) on this assignment must correspond with the name as it appears on the face of the within Bond in every particular without alteration or enlargement or any change whatsoever

DTC FAST RIDER

Each bond certificate shall remain in the Paying Agent's custody subject to the provisions of the FAST Balance Certificate Agreement currently in effect between the Paying Agent and DTE – Fast Agreement.

EXHIBIT B

FORM OF INTERGOVERNMENTAL CONTRACT

SECRETARY'S CERTIFICATE

GEORGIA, CLARKE COUNTY

The undersigned Secretary of Classic Center Authority for Clarke County HEREBY CERTIFIES that the foregoing pages constitute a true and correct copy of a Bond Resolution adopted by the Classic Center Authority for Clarke County at an open public meeting duly called and lawfully assembled on July 26, 2022, in connection with the issuance and sale of up to $37,500,000 Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022, the original of such Bond Resolution being duly recorded in the Minute Book of the Classic Center Authority for Clarke County, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Classic Center Authority for Clarke County were present at such meeting:

and that the following members were absent:

and that such Bond Resolution was duly adopted by a vote of

Aye _____Nay _____.

WITNESS my hand and the official seal of Classic Center Authority for Clarke County, this July 26, 2022.

_____
Secretary

(SEAL)

RESOLUTION OF THE MAYOR AND COMMISSION OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA APPROVING AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY AND THE TERMS THEREOF; AND APPROVING CERTAIN DOCUMENTS IN THAT CONNECTION INCLUDING AN INTERGOVERNMENTAL CONTRACT, A BOND PURCHASE AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, A DISCLOSURE CERTIFICATE AND RELATED MATTERS

WHEREAS, the Classic Center Authority for Clarke County (the "Authority") has been created pursuant to 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq*., by 2002 Ga. Laws p. 5665 *et seq*. and by H.B. 796, 156th Gen. Assemb., Reg. Sess. (2021) (the "Act"); and

WHEREAS, under the Act, the Authority is empowered (i) to construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend, improve, operate, and manage public projects, including the erection of a building or buildings in Clarke County, Georgia, to be used for amusement, recreation, civic, cultural, commercial, hotel, parking, and educational purposes or a combination thereof, including fairs, expositions, exhibits, conventions, conferences, public meetings or gatherings, concerts, theater, and such other activities as are designed and intended to promote education, culture, tourism, and the arts, and (ii) with the approval of the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), to borrow and issue revenue bonds for the purpose of paying, in whole or in part, the costs of such projects; and

WHEREAS, pursuant the Revenue Bond Law (O.C.G.A. Section 36-82-60 *et seq.*, as amended, the "Revenue Bond Law"), the Unified Government has the power to (a) undertake buildings to be used for various types of sports, buildings to be used for the housing of exhibits for educational and amusement purposes and related parking facilities, and (b) issue revenue bonds to finance any such undertaking; and

WHEREAS, the Authority has previously issued, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2021, in the aggregate principal amount of $48,880,000, for the purpose of paying a portion of the cost of acquiring, constructing, installing and equipping of an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Clarke County, Georgia (the "Project"); and

WHEREAS, the Authority now proposes to issue, in one or more series, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2022, in the aggregate principal amount of up to $37,500,000 (the "Bonds"), for the purpose of paying (i) an additional portion of the cost of acquiring, constructing, installing and equipping the Project, (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds; and

WHEREAS, Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia authorizes, among other things, any county, municipality or other municipal corporation of the State to contract, for a period not exceeding fifty years, with another county, municipality or political subdivision or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, provided that such contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide; and

WHEREAS, the Authority and the Unified Government propose to enter into an Intergovernmental Contract, dated as of September 1, 2022 or the first day of the month in which the Bonds are actually issued (the "Intergovernmental Contract"), pursuant to which the Authority will agree to, among other things, issue the Bonds and operate the Project, and the Unified Government will agree to, among other things, (a) undertake the acquisition and construction of the Project, (b) pay the Authority amounts sufficient to enable the Authority to pay the debt service on the Bonds (the "Contract Payments"), and (c) to the extent funds are not available for such payments for another source, levy an ad valorem property tax on all property within the limits of the Unified Government subject to such tax in order to make such Contract Payments; and

WHEREAS, the Unified Government must enter into a Continuing Disclosure Certificate (the "Disclosure Certificate"), with respect to the issuance of the Bonds; and

WHEREAS, the Authority on July 26, 2022 has adopted a Bond Resolution (the "Bond Resolution"), authorizing, among other things, the issuance of the Bonds, the terms of such Bonds, and the execution, delivery and performance of the Intergovernmental Contract; and

WHEREAS, the Unified Government, the Authority and Raymond James & Associates, Inc. (the "Underwriter") must enter into a Bond Purchase Agreement (the "Purchase Agreement"), pursuant to which the Bonds will be sold to the Underwriter; and

WHEREAS, it is proposed that the Unified Government approve the use and distribution of a Preliminary Official Statement (the "Preliminary Official Statement") and approve the use, execution, distribution and delivery of a final Official Statement (the "Official Statement") pertaining to the Bonds; and

WHEREAS, attached hereto are forms of the following documents:

1. The Intergovernmental Contract,

2. The Purchase Agreement, and

3. The Disclosure Certificate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government (the "Commission") as follows:

Section 1. The execution, delivery and performance of the Intergovernmental Contract is hereby authorized. The Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk of Commission of the Unified Government (the "Clerk") are hereby authorized to execute and deliver the Intergovernmental Contract on behalf of the Unified Government, which Intergovernmental Contract shall be in substantially the form attached hereto as Exhibit "A", with such minor changes, insertions or omissions as may be approved by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, and the execution of the Intergovernmental Contract by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, as hereby authorized, shall be conclusive evidence of any such approval.

Section 2. The execution, delivery and performance of the Purchase Agreement are hereby authorized. The Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk are hereby authorized to execute and deliver the Purchase Agreement on behalf of the Unified Government, which Purchase Agreement shall be in substantially the form attached hereto as Exhibit "B", subject to the parameters established in the Bond Resolution, as described in Section 5 below, with pricing information and such minor changes, insertions or omissions as may be approved by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, and the execution of the Purchase Agreement by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, as hereby authorized, shall be conclusive evidence of any such approval.

Section 3. The execution, delivery and performance of the Disclosure Certificate in the form attached hereto as Exhibit "C" are hereby authorized. The Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk are hereby authorized to execute and deliver the Disclosure Certificate on behalf of the Unified Government, which Disclosure Certificate shall be in substantially the form attached hereto with such minor changes, insertions or omissions as may be approved by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, and the execution of the Disclosure Certificate by the Mayor, or Mayor Pro Tem in the Mayor's absence, and the Clerk, as hereby authorized, shall be conclusive evidence of such approval.

Section 4. The preparation, use and distribution of a Preliminary Official Statement with respect to the marketing and sale of the Bonds are authorized and approved. The execution by the Mayor of the Unified Government, on behalf of the Unified Government, of a certificate by which the Preliminary Official Statement is "deemed final" within the meaning of Securities Exchange Act Rule 15c2-12, is hereby authorized and approved. The execution by the Mayor, or Mayor Pro Tem or other administrator of the Unified Government in the Mayor's absence, and the delivery and use of a final Official Statement, substantially in the form of the Preliminary Official Statement deemed final by the Unified Government, are hereby authorized and approved, subject to such minor changes, insertions or omissions as may be approved by the Mayor or Mayor Pro Tem, and the execution of said Official Statement by the Mayor or the Mayor Pro Tem as hereby authorized shall be conclusive evidence of any such approval. The distribution of the Official Statement for and on behalf of the Unified Government is hereby authorized and approved.

Section 5. The Commission hereby acknowledges that it has received a copy of the Bond Resolution, and hereby approves the terms, parameters and provisions thereof.

Section 6. From and after the execution and delivery of the Intergovernmental Contract, the Purchase Agreement and the Disclosure Certificate, the proper officers, agents and employees of the Unified Government are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the provisions of such documents and are further authorized to take any and all further actions and to execute and deliver any and all further documents and certificates as may be necessary or desirable in connection with the issuance of the Bonds and the execution, delivery and performance of the Intergovernmental Contract, the Purchase Agreement and the Disclosure Certificate.

Section 7. All acts and doings of the officers, agents and employees of the Unified Government which are in conformity with the purposes and intents of this resolution and in furtherance of the issuance of the Bonds and the execution, delivery and performance of the Intergovernmental Contract, the Purchase Agreement and the Disclosure Certificate are hereby, ratified, approved and confirmed.

Section 8. No stipulation, obligation or agreement herein contained or contained in the documents authorized hereby shall be deemed to be a stipulation, obligation or agreement of any Commission member, officer, agent or employee of the Unified Government in his or her individual capacity, and no such Commission member, officer, agent or employee shall be personally liable on the Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 9. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof.

Section 10. This resolution shall take effect immediately upon its adoption.

Section 11. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

[SIGNATURES TO FOLLOW]

ADOPTED this August 2, 2022.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By:_____
Mayor

(SEAL)

Attest:

_____
Clerk of Commission

EXHIBIT A

INTERGOVERNMENTAL CONTRACT

EXHIBIT B

PURCHASE AGREEMENT

EXHIBIT C

FORM OF CONTINUING DISCLOSURE CERTIFICATE

CLERK'S CERTIFICATE

I, the undersigned Clerk of Commission of the Unified Government of Athens-Clarke County, Georgia, DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution, which resolution was adopted by a majority of the members of the Commission of the Unified Government in a meeting duly called and assembled on August 2, 2022, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution and said documents have been recorded in the minute book of the Commission which is in my custody and control.

Witness my hand and seal of the Clerk of Commission, this August 2, 2022.

_____
Clerk of Commission

(SEAL)

CONTINUING DISCLOSURE CERTIFICATE

September 14, 2022

This Continuing Disclosure Certificate (this "Disclosure Certificate") is executed and delivered by the Unified Government of Athens-Clarke County, Georgia, a political subdivision of the State of Georgia (the "Unified Government"), in connection with the issuance of $_____ in aggregate principal amount of Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A and $_____ in aggregate principal amount of Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B (collectively the "Bonds"). The Bonds are being issued pursuant resolutions of the Classic Center Authority for Clarke County (the "Authority") adopted on July 26, 2022 and August 23, 2022 (collectively, the "Bond Resolution"). The Bonds are secured pursuant to an Intergovernmental Contract, dated as of September 1, 2022, between the Authority and the Unified Government. The Unified Government hereby covenants and agrees as follows:

SECTION 1. Purpose of this Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Unified Government for the benefit of the Beneficial Owners of the Bonds (as herein defined).

SECTION 2. Definitions. In addition to the definitions set forth in the Bond Resolution, which apply to any capitalized terms used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"*Annual Report*" means any Annual Report provided by the Unified Government pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"*Bondholders*" means the beneficial owners of the Bonds.

"*Dissemination Agent*" means any Dissemination Agent designated in writing by the Unified Government and which has filed with the Unified Government a written acceptance of such designation.

"*EMMA*" means the Electronic Municipal Market Access system of the MSRB.

"*Fiscal Year*" means any period of twelve consecutive months adopted by the Unified Government as its fiscal year for financial reporting purposes and initially means the period beginning on July 1 of each calendar year and ending on June 30 of the next calendar year.

"*Listed Events*" means any of the events listed in Section 5 of this Disclosure Certificate.

"*MSRB*" means the Municipal Securities Rulemaking Board.

"*Rule*" shall mean Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Provision of Annual Reports.

(a) The Unified Government will provide, or cause the Dissemination Agent to provide, not later than seven months after the end of each Fiscal Year, commencing with Fiscal Year 2022, to the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA) an Annual Report that is consistent with the requirements of the provisions of Section 4 hereof. The Unified Government agrees to provide the Annual Report to the Dissemination Agent (if other than the Unified Government) not later than fifteen business days prior to such date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 hereof; provided that the audited financial statements of the Unified Government may be submitted separately from the balance of the Annual Report.

(b) If the Unified Government is unable to provide to the MSRB an Annual Report by the date required as described above, the Unified Government must send a notice to the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA) of such failure.

(c) The Dissemination Agent is required to:

(i) determine each year prior to the date for providing the Annual Report the appropriate electronic format prescribed by the MSRB for filing with the MSRB and the proper form for such filing; and

(ii) if the Dissemination Agent is other than the Unified Government, file a report with the Unified Government certifying that the Annual Report has been provided pursuant to this Disclosure Certificate and stating the date it was provided.

(d) The Unified Government is required to promptly file a notice of any change in its Fiscal Year with the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA). If the audit report specified in clause (a) of Section 4 hereof is not submitted as part of the Annual Report to the MSRB, the Unified Government agrees to, or to cause the Dissemination Agent to, provide to the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA) such audit report, together with the audited basic financial statements to which such audit report relates, when they are available to the Unified Government.

SECTION 4. Content of Annual Reports. The Unified Government's Annual Report shall contain or incorporate by reference the following:

(a) the Unified Government's basic financial statements for the preceding Fiscal Year, which must be prepared in accordance with generally accepted accounting principles, as in effect from time to time, and which must be accompanied by an audit report, if available at the time of submission of the Annual Report to the MSRB, resulting from an audit conducted by

an independent certified public accountant or firm of independent certified public accountants in conformity with generally accepted auditing standards;

(b) if generally accepted accounting principles have changed since the last Annual Report was submitted and if such changes are material to the Unified Government, a narrative explanation describing the impact of such changes on the Unified Government; and

(c) information for the preceding Fiscal Year regarding the following categories of financial information and operating data of the Unified Government: (A) the legal debt margin of the Unified Government, (B) the property tax digest of the Unified Government, (C) the millage rates of the Unified Government, (D) the property tax levies and collections of the Unified Government, (E) the estimated value of total tax executions owned by the Unified Government, (F) the ten largest taxpayers of the Unified Government, (G) the Unified Government's General Fund tax revenues by source, (H) the analysis of funding progress of the Unified Government's defined-benefit pension funds, and (I) the insurance coverage of the Unified Government.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues of the Unified Government or related public entities, which are available to the public on the MSRB's Internet Web site or filed with the Securities and Exchange Commission. The Unified Government must clearly identify each such other document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) The Unified Government shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds:

(1) Principal and interest payment delinquencies;

(2) Non-payment related defaults, if material;

(3) Unscheduled draws on debt service reserves reflecting financial difficulties;

(4) Unscheduled draws on credit enhancements reflecting financial difficulties;

(5) Substitution of credit or liquidity providers, or their failure to perform;

(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) Modifications to rights of Bondholders, if material;

(8) Bond calls, if material, and tender offers;

(9) Defeasances;

(10) Release, substitution, or sale of property securing repayment of the Bonds, if material; and

(11) Rating changes;

(12) Bankruptcy, insolvency, receivership or other similar event of the Unified Government;

(13) The consummation of a merger, consolidation, or acquisition involving the Unified Government or the sale of all or substantially all of the assets of the Unified Government, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) The incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

For the purposes of the events described in clauses (15) and (16) above, the term "Financial Obligation" shall mean a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) a guarantee of (a) or (b). The term "Financial Obligation" does not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

For purposes of the event identified in clause (12), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the Unified Government in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Unified Government, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in

possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Unified Government.

If the Unified Government obtains knowledge of the occurrence of a Listed Event, the Unified Government agrees to file in a timely manner not in excess of ten business days after such occurrence a notice of such occurrence with the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA). Notwithstanding the foregoing, notice of Listed Events described in clauses 8 (other than tender offers) and 9 need not be given any earlier than the notice (if any) of the underlying event is given to the owners of the affected Bonds pursuant to the Bond Resolution.

SECTION 6. Termination of Reporting Obligation. The Unified Government's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds.

SECTION 7. Dissemination Agent. The Unified Government may, from time to time, appoint a dissemination agent to assist it in carrying out its obligations under this Disclosure Certificate, and the Unified Government may, from time to time, discharge the dissemination agent, with or without appointing a successor dissemination agent.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Unified Government may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, if: (a) such amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the obligor on the Bonds, or type of business conducted; (b) such amendment or waiver does not materially impair the interests of the Bondholders, as determined either by an unqualified opinion of nationally recognized bond counsel filed with the Unified Government or by the approving vote of the Bondholders owning more than two-thirds in aggregate principal amount of the Bonds outstanding at the time of such amendment or waiver; and (c) such amendment or waiver is supported by an opinion of counsel expert in federal securities laws, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings in this Disclosure Certificate to violate the Rule if such amendment or waiver had been effective on the date of this Disclosure Certificate but taking into account any subsequent change in or official interpretation of the Rule, as well as any change in circumstances.

If any provision of Section 4 of this Disclosure Certificate is amended or waived, the first Annual Report containing any amended, or omitting any waived, operating data or financial information must explain, in narrative form, the reasons for the amendment or waiver and the impact of the change in the type of operating data or financial information being provided.

If the provisions of Section 4 of this Disclosure Certificate specifying the accounting principles to be followed in preparing the Unified Government's financial statements are amended or waived, the Annual Report for the year in which the change is made must present a comparison between the financial statements or information prepared on the basis of the new accounting

principles and those prepared on the basis of the former accounting principles. The comparison must include a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information, in order to provide information to the Bondholders to enable them to evaluate the ability of the Unified Government to meet its obligations. To the extent reasonably feasible, the comparison must also be quantitative. The Unified Government must file a notice of the change in the accounting principles with the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA) on or before the effective date of any such amendment or waiver.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate will prevent the Unified Government from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Unified Government chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Unified Government will have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Unified Government to comply with any provision of this Disclosure Certificate, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Unified Government to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate will not be deemed an "event of default" or "default" under the Bond Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the Unified Government to comply with this Disclosure Certificate will be an action to compel performance. A court may decide not to order the specific performance of the covenants contained in this Disclosure Certificate.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Unified Government agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The Dissemination Agent may consult with counsel (who may, but need not, be counsel for any party hereto or the Unified Government), and the opinion of such Counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance with the opinion of such Counsel. The obligations of the Unified Government under this Section 11 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Unified Government and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 13. Intermediaries; Expenses. The Dissemination Agent is hereby authorized to employ intermediaries to carry out its obligations hereunder. The Dissemination Agent shall be reimbursed immediately for all such expenses and any other reasonable expense incurred hereunder (including, but not limited to, attorney's fees).

SECTION 14. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 15. Governing Law. This Disclosure Certificate shall be governed by and construed in accordance with the laws of the State.

SECTION 16. Severability. In case any one or more of the provisions of this Disclosure Certificate shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Disclosure Certificate, but this Disclosure Certificate shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

[Execution on Following Page]

Dated as of the date first above written.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

(S E A L)

By:_____
Mayor

Attest:

_____
Commission Clerk

[Signature Page to Continuing Disclosure Certificate]

September 14, 2022

Classic Center Authority for Clarke County
Athens, Georgia

Unified Government of Athens-Clarke County
Athens, Georgia

Raymond James & Associates, Inc.
Atlanta, Georgia

Re: $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A (the "Series 2022A Bonds") and $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

To the Addressees:

We have acted as Bond Counsel in connection with the issuance of the bonds in caption (collectively, the "Bonds"), issued by the Classic Center Authority for Clarke County (the "Authority"), as more fully described in the Bond Resolution (hereinafter defined). As Bond Counsel, we have examined a certified copy of the validation proceedings relating to the Bonds conducted in the Superior Court of Clarke County, Georgia, the resolution of the Authority adopted on July 26, 2022, as supplemented by a resolution of the Authority adopted on August 23, 2022 (together, the "Bond Resolution"), and such other laws, documents, instruments and certificates of public officials as we have deemed necessary to render the opinions expressed herein. In all such examinations, we have assumed the genuineness of signatures on original documents and the conformity to original documents of all copies submitted to us as certified, conformed or photographic copies, and as to certificates of public officials, we have assumed the same to have been properly given and to be accurate.

The Bonds are being issued by the Authority pursuant to the Constitution and laws of the State of Georgia and the Bond Resolution. The Bonds are being issued for the purpose of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property

and facilities in the City of Athens, Clarke County, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds.

The Unified Government of Athens-Clarke County, Georgia (the "Unified Government") and the Authority have entered into an Intergovernmental Contract, dated as of September 1, 2022 (the "Contract"), pursuant to which the Unified Government will make payments in amounts sufficient to pay the principal of and interest on the Bonds as the same become due and payable (the "Contract Payments") and, to the extent necessary, to levy a tax on all taxable property located within the boundaries of the Unified Government. The Bond Resolution creates a first lien on Pledged Revenues (as defined in the Bond Resolution) for the payment of the principal of, redemption premium (if any) and interest on the Bonds.

In rendering our opinion that the interest on the Series 2022A Bonds is excludable from the gross income of the registered owners of the Series 2022A Bonds for federal income tax purposes, we have (i) relied as to questions of fact material to our opinion upon certificates and certified proceedings of public officials, including officials of the Authority and the Unified Government, and representations of the Unified Government and the Authority (including representations as to the use and investment of the proceeds of the Series 2022A Bonds), without undertaking to verify the same by independent investigation, and (ii) assumed continued compliance by the Unified Government and the Authority with their covenants relating to the use of the proceeds of the Series 2022A Bonds and compliance with the requirements contained in the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, the arbitrage requirements contained in Section 148 of the Code. The inaccuracy of any such certificates, representations or the failure of the Unified Government or the Authority to comply with any of such covenants could cause interest on the Series 2022A Bonds to become subject to federal income taxation retroactive to the date of issuance of the Series 2022A Bonds.

This opinion does not address the accuracy, completeness or sufficiency of any offering material relating to the Bonds; nor do we express herein any opinion as to compliance by the Authority, the Unified Government or the initial purchaser of the Bonds with any federal or state statute, regulation or ruling with respect to the sale or distribution of the Bonds.

Based upon our examination, we are of the opinion, as of the date hereof and under existing law, as follows:

1. The Authority is a duly created and validly existing public body corporate and politic of the State of Georgia with the corporate power to (a) adopt the Bond Resolution, (b) issue, execute, deliver and perform the obligations under the Bonds, and (c) execute, deliver and perform its obligations under the Contract.

2. The Bond Resolution has been duly adopted by the Authority and constitutes the legal, valid, binding and enforceable obligation of the Authority. The Bond Resolution creates a valid lien on the Pledged Revenues as security for the Bonds.

3. Each of the Bonds (a) has been authorized and executed by the Authority, (b) is a legal, valid and binding limited obligation of the Authority, payable solely from and secured by the Pledged Revenues, and enforceable in accordance with its terms.

4. The Contract has been duly authorized, executed and delivered by the Authority and the Unified Government, and constitutes legal, valid and binding obligations of the Authority and the Unified Government.

5. Interest on the Series 2022A Bonds is, under the provisions of the Code as presently construed, excludable from the gross income of the holders thereof for federal income tax purposes and is not a specific preference item for purposes of the alternative minimum tax imposed on individuals. We express no opinion regarding any other federal tax consequences caused by the receipt or accrual of interest on the Bonds. The opinion set forth in the first sentence of this paragraph is subject to the condition that the Issuer complies with all requirements of the Code that must be satisfied subsequent to the issuance of the Series 2022A Bonds in order for the interest on the Series 2022A Bonds to be and continue to be excluded from gross income for federal income tax purposes. Failure to comply with such requirements could cause interest on the Series 2022A Bonds to be included in federal gross income retroactive to the date of issuance of the Series 2022A Bonds.

6. The interest on the Bonds is exempt from all present Georgia income taxes.

The rights of the owners of the Bonds and the enforceability of the Bond Resolution, the Bonds and the Contract may be limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights generally, and may also be limited by principles of equity and the exercise of judicial discretion in appropriate cases.

Very truly yours,

SMITH, GAMBRELL & RUSSELL, LLP

By: _____
Benjamin J. Brooks

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

PETITION AND COMPLAINT

TO THE SUPERIOR COURT OF SAID COUNTY:

The STATE OF GEORGIA, by and through Deborah Gonzalez, District Attorney of the Western Judicial Circuit, in which is located the Classic Center Authority for Clarke County (the "Authority") and the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), files this Petition and Complaint against the Authority and the Unified Government and respectfully shows:

1.

The Authority is a public body corporate and politic validly existing under the Constitution and laws of the State of Georgia (including particularly Ga. Laws 1988, pp. 3799, *et seq.*, as amended, the "Act"). The Authority has been duly created, its members have been appointed, and the Authority is operating and existing as a public body corporate and politic of the State of Georgia and a public corporation.

2.

The Unified Government is a political subdivision of the State of Georgia, legally created and validly existing, and is subject to the jurisdiction of the Court.

3.

This Court has jurisdiction over the above-named defendants and the subject matter of this proceeding by virtue of the Act and the Revenue Bond Law of the State of Georgia (O.C.G.A. Section 36-82-60, *et seq.*, as amended).

4.

The Authority, in furtherance of the public purposes for which it was created, proposes to issue, in one or more series, its revenue bonds (the "Bonds"), to be designated "Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022" in the aggregate principal amount of up to $37,500,000. The Bonds are to be issued for the purposes of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds.

5.

Pursuant to the Act and the Revenue Bond Law, the Authority has the power to construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend, improve, operate, and manage public projects, including the erection of a building or buildings in Clarke County, Georgia, to be used for amusement, recreation, civic, cultural, commercial, hotel, parking, and educational purposes or a combination thereof, including fairs, expositions, exhibits, conventions, conferences, public meetings or gatherings, concerts, theater, and such other activities as are designed and intended to promote education, culture, tourism, and the arts, and

with the approval of the Unified Government, to borrow and issue revenue bonds for the purpose of paying, in whole or in part, the costs of such projects.

6.

Pursuant to the Revenue Bond Law, the Unified Government has the power to undertake grandstands and stadiums, buildings to be used for various types of sports, buildings to be constructed and used for the housing of exhibits for educational purposes, buildings to be used for amusement purposes or educational purposes or a combination of the two, and to issue revenue bonds to finance any such undertaking.

7.

Article IX, Section III, Paragraph 1(a) of the Constitution of the State of Georgia authorizes, among other things, any county, municipality or other political subdivision of the State to contract, for a period not exceeding fifty years, with another county, municipality or political subdivision or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the provision or separate use of facilities or equipment, provided that such contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide.

8.

The Bonds will be issued pursuant to the Constitution and laws of the State of Georgia, including the Act, and a Bond Resolution of the Authority adopted on July 26, 2022 (the "Bond Resolution"). A certified copy of the Bond Resolution and the form of Intergovernmental Contract, hereinafter referred to, forms a part of the Notice to the District Attorney (the "Notice") attached hereto as Exhibit "A", and such Notice and each document incorporated therein or in the Bond Resolution, by this reference thereto, are incorporated herein and made a part hereof.

9.

The Bonds shall be issued in one or more series, shall be dated their date of issuance, shall bear interest at rates not to exceed 7.0% per annum, and shall mature not later than November 1, 2061. The amount of principal of the Bonds to be paid in each year shall be determined by supplemental resolution of the Authority, and interest on the Bonds will be paid semiannually, commencing in 2023. The maximum principal and interest due on the Bonds in any year shall not exceed $3,600,000. Final terms of the Bonds, within such parameters, will be established by supplemental resolution of the Authority prior to issuance of the Bonds. The Bonds shall be subject to redemption prior to maturity and be payable as described in the Bond Resolution, as supplemented. The Bonds shall be issued in registered form with such rights of exchangeability, registration and transfer and shall be in the form and executed in the manner provided in said Bond Resolution.

10.

The Authority and the Unified Government will enter into an Intergovernmental Contract, dated as of September 1, 2022 or the first day of the month in which the Bonds are issued (the "Intergovernmental Contract"), pursuant to which the Authority will agree to, among other things, issue the Bonds to provide funds for the acquisition, construction and equipping of the Project, and the Unified Government will agree to make payments in an amount sufficient to enable the Authority to pay the principal of, redemption premium (if any) and interest on the Bonds.

11.

The Authority has found and declared that the issuance of the Bonds for the purposes described above, and the Project financed thereby will further the public purposes intended to be served by the Act, in that they will develop and promote in Clarke County and in the State of

Georgia public projects for the cultural growth, public welfare, education and recreation of the people of Clarke County and of the State of Georgia.

12.

The Authority has found that the Project constitutes a "project" within the meaning of the Act and an "undertaking" under the Revenue Bond Law, and is needed, prudent, feasible and desirable.

13.

Pursuant to the Bond Resolution, the Authority has assigned to the holder of the Bonds, to secure the payment of principal of, redemption premium (if any) and interest on the Bonds, all of its right, title and interest in the Pledged Revenues (as such term is defined in the Bond Resolution), which include investment earnings and certain other amounts held in the funds and accounts established under the Bond Resolution (together, the "Security").

14.

The Bonds will not constitute a debt or a general obligation or a pledge of the faith and credit of the State of Georgia or any political subdivision thereof (except the Authority, but only to the limited extent described below), including the Unified Government. Neither the State of Georgia nor any political subdivision of said State, including the Unified Government, shall be subject to any pecuniary liability on the Bonds. The Bonds shall be limited obligations of the Authority payable by the Authority solely from and secured by a pledge of the Security. Notwithstanding the foregoing, the obligation of the Unified Government to make payments to the Authority under the Intergovernmental Contract shall be the general obligation of the Unified Government and such payments are assigned by the Authority as part of the security for the Bonds.

15.

The Bond Resolution and the Intergovernmental Contract will constitute security for the payment of the Bonds and will constitute the legal, valid, binding and enforceable obligations of the parties thereto.

16.

The pledge of and lien on the Security held by the holder of the Bonds under the Bond Resolution shall be valid and binding against the Authority and against all parties having claims against the Authority whether such claims arise in contract, tort or otherwise, and irrespective of whether such parties have notice thereof.

17.

The undertakings and Project for which the Bonds will be issued, and the use of the proceeds of the Bonds for the purposes set forth herein and in the Bond Resolution, have been fully considered, authorized and approved in the judgment of the Authority and are permitted by law.

18.

Defendant Authority has taken or is taking all necessary and proper steps to authorize the issuance of the Bonds and will set aside, allocate, pledge and assign sufficient revenues, as described herein, to pay the principal of, redemption premium (if any) and interest on the Bonds as the same become due, thus the Bonds will be self-liquidating.

19.

Defendant Authority desires to issue the Bonds as aforesaid and desires that the same may be confirmed and validated according to law, and to this end has notified the District Attorney of the Western Judicial Circuit in writing, which notice was personally served upon such District Attorney.

WHEREFORE, within twenty days from the date of service of said Notice as described above, your District Attorney, pursuant to the laws of the State of Georgia, files this Petition and Complaint in the name of the State of Georgia against the above-named defendants, and prays:

(a) that an order be issued requiring the defendants to appear and show cause, if any exists, at such time and place, whether in term or in chambers, within twenty days from the filing of this Petition and Complaint, as the Judge of this Court may direct, why the Bonds and the security therefor should not be confirmed and validated, as well as to pass upon all questions of law and fact pertaining to the right to issue the Bonds and security therefor;

(b) that this Petition and Complaint and such order be issued and served upon the defendants in the manner provided by law, and that the order so issued be served as process;

(c) that all actions of the Authority and the Unified Government in connection with the issuance of the Bonds and the security therefor (including the Security) be confirmed and validated in all respects; and

(d) that this Court make such other adjudications with respect to the Bonds and the security therefor as may be proper or necessary in connection with the matters before it.

DEBORAH GONZALEZ,
DISTRICT ATTORNEY
WESTERN JUDICIAL DISTRICT

EXHIBIT "A"

GEORGIA, ATHENS-CLARKE COUNTY

TO THE HONORABLE DEBORAH GONZALEZ,
DISTRICT ATTORNEY OF THE WESTERN JUDICIAL CIRCUIT

YOU ARE HEREBY NOTIFIED that under and by virtue of the Constitution and laws of the State of Georgia, including specifically, but without limitation, Ga. Laws 1988, pp. 3799 *et seq.*, the Classic Center Authority for Clarke County (the "Authority") intends to issue, in one or more series, its interest-bearing revenue bonds (the "Bonds") pursuant to a resolution adopted by the Authority on July 26, 2022 (the "Bond Resolution"). The proceeds of the Bonds will be used for the purposes of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds.

The Authority and the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") will enter into an Intergovernmental Contract, dated as of September 1, 2022 or the first day of the month in which the Bonds are issued (the "Intergovernmental Contract"), pursuant to which the Authority will agree to, among other things, issue the Bonds to provide funds for the acquisition, construction and equipping of the Project, and the Unified Government will agree to make payments in an amount sufficient to enable the Authority to pay the principal of, redemption premium (if any) and interest on the Bonds. The Bonds will be secured by a pledge of Pledged Revenues as described in the Intergovernmental Contract. The date, denomination, latest maturity date, maximum annual debt service, maximum interest rate and other pertinent facts pertaining to the Bonds are shown in the Bond Resolution, a certified

copy of which, together with an unexecuted form of the Intergovernmental Contract, is attached to this Notice and made a part hereof. Final terms of the Bonds, within the parameters set forth in the Bond Resolution, will be established by supplemental resolution of the Authority prior to issuance of the Bonds.

YOU ARE HEREBY NOTIFIED that the Authority intends to issue the Bonds for the aforesaid purposes and YOU ARE HEREBY FURTHER NOTIFIED of the action of the Authority in accordance with law pertaining to the validation and confirmation of the Bonds, and request is hereby made that you take immediate and proper steps for the confirmation and validation of the Bonds as is provided by law.

This the _____ day of _____, 2022.

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

(SEAL)

By: _____
Chair

Attest: _____
Secretary

GEORGIA, ATHENS-CLARKE COUNTY

I hereby acknowledge personal service of the within and foregoing Notice; copy received; any and all other notice and service waived, this _____ day of _____, 2022.

_____

DEBORAH GONZALEZ,
DISTRICT ATTORNEY
WESTERN JUDICIAL CIRCUIT

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

RULE NISI

The within and foregoing Petition and Complaint, filed on behalf of the State of Georgia against The Classic Center Authority for Clarke County (the "Authority") and the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), by the District Attorney of the Western Judicial Circuit, in which said defendants are located, having been read and considered, IT IS HEREBY ORDERED that said Petition and Complaint be filed and that the defendants be served in the manner provided by law.

IT IS FURTHER ORDERED that the defendants appear before Judge _____ of the Superior Court of Athens-Clarke County on the ____ day of _____, 2022, at the Courthouse in Athens, Georgia, at ____ A.M., and then and there make sworn answer touching upon all matters contained in said Petition and Complaint, and show cause, if any exists, why the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 (the "Bonds"), to be issued in one or more series and in the aggregate principal amount of up to $37,500,000, and the security therefor, described in said Petition and Complaint,

should not be confirmed and validated and the other prayers of the Petition and Complaint should not be granted, all as provided by law.

In the meantime, the Clerk of this Court is hereby directed to cause to be published in the official newspaper in which sheriff's advertisements appear in Athens-Clarke County, in each of the two calendar weeks immediately preceding the week of said hearing, a notice to the public that on the day specified in this order, the above-stated cause will be heard, the same being a Petition and Complaint for the purpose of confirming and validating the Bonds, and to pass upon all matters of law and fact pertaining to the right to issue such Bonds and the security therefor, and that any citizen of the State of Georgia residing in Athens-Clarke County or any person wherever residing, who may have a right to object, may become a party to this proceeding.

Let a copy of this Petition and Complaint and of this order be served on the defendants, and the proper officers of the defendants make sworn answer, as is provided by law.

[Execution on Following Page]

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

Signature page to RULE NISI

This the _____day of _____, 2022.

_____
JUDGE, SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

Prepared By:
Benjamin J. Brooks, Esq.
Smith, Gambrell & Russell, LLP
1105 West Peachtree Street, N.E.
Suite 1000
Atlanta, Georgia 30309-3608
(404) 815-3500
State Bar Number: 718898

Revised Attachment #6

NOTICE TO THE PUBLIC

YOU ARE HEREBY NOTIFIED that on the ____ day of _____, 2022, at ____ A.M., at the Athens-Clarke County Courthouse in Athens, Georgia, Judge _____ of the Superior Court of Athens-Clarke County will hear the case of STATE OF GEORGIA v. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Civil Action File No. _____, in the Superior Court of Athens-Clarke County, the same being a proceeding to confirm and validate the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 (the "Bonds"), to be issued in one or more series, in the aggregate principal amount of up to $37,500,000. The Bonds are to be issued by the Classic Center Authority for Clarke County (the "Authority") for the purpose of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds, in order to further the purposes of the Authority. In said proceeding, the Court will also pass upon the validity of the security for the Bonds, including resolutions of the Classic Center Authority for Clarke County and an Intergovernmental Contract between said Authority and the Unified Government of Athens-Clarke County, each to be adopted or entered into in connection with the issuance of the Bonds. **No performance audit or performance review shall be conducted with regard to the Bonds**. Any citizen of the State of Georgia residing in Athens-Clarke County, or any other person wherever residing, who has a right to object, may intervene and become a party to this proceeding.

This the ____ day of _____, 2022.

_____
CLERK, SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF SERVICE BY
CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

Due and legal service of the Petition and Complaint with exhibits and order dated the _____ day of _____, 2022, filed in this case, is hereby acknowledged; copy received; process and any and all other notice and service waived this _____ day of _____, 2022.

_____
Thomas F. Hollingsworth, Esq., Attorney for
Classic Center Authority for Clarke County

Address:
Blasingame, Burch, Garrard & Ashley, PC
P.O. Box 832
Athens, Georgia 30603

Telephone: 706-354-4000

Georgia State Bar No. _____

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF SERVICE BY
UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

Due and legal service of the Petition and Complaint with exhibits and order dated the _____ day of _____, 2022, filed in this case, is hereby acknowledged; copy received; process and any and all other notice and service waived this _____ day of _____, 2022.

_____

Judd T. Drake, Esq., Attorney for Unified Government of Athens-Clarke County, GA

Address: 155 E. Washington Street
Athens, Georgia 30601

Phone: 706-613-3035

Georgia State Bar No. _____

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ANSWER OF
CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

COMES NOW CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY (the "Authority"), a defendant named in the above-entitled case and makes this answer to the Petition and Complaint of the District Attorney of the Western Judicial Circuit and the order served on it and says:

1.

This defendant admits the allegations contained in each and every paragraph of the Petition and Complaint of the District Attorney filed against this defendant in this cause.

2.

This defendant further shows that due and legal service was made upon it of said Petition and Complaint and of the order to show cause why the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 (the "Bonds"), to be issued in one or more series in the aggregate principal amount of up to $37,500,000, and the security

therefor should not be validated and confirmed. Following the service of the Petition and Complaint of the District Attorney and the order of this Honorable Court on this defendant, the Clerk of the Superior Court of Athens-Clarke County, Georgia had published in the newspaper in which sheriff's advertisements are published in said county, a notice to the public of the validation hearing as required by law. An affidavit of the publisher of said newspaper is attached hereto, made a part hereof and marked Exhibit "A".

3.

This defendant further shows that it is a public body corporate and politic and instrumentality of the State of Georgia created by the Constitution and laws of the State of Georgia (including particularly Ga. Laws 1988, pp. 3799 *et seq.*, as amended, the "Act"). The Authority has been duly created, its members have been appointed, and the Authority is operating and existing as a public body corporate and politic of the State of Georgia and a public corporation.

4.

This defendant further shows that the authority for the issuance of the Bonds by it is pursuant to the Constitution and laws of the State of Georgia, including specifically the Act. The Authority seeks validation of the Bonds pursuant to a Bond Resolution adopted on July 26, 2022, a certified copy of which forms a part of said Petition and Complaint of the District Attorney (the "Bond Resolution"). The Bond Resolution has not been modified, amended, repealed or rescinded, and is of full force and effect as of the date hereof. The proceeds derived from the sale of the Bonds will be used and applied for the purposes referred to in the Bond Resolution. The undertakings to be financed with portions of the proceeds of the Bonds have been found and determined sound, reasonable and feasible and to promote the public purposes of the Authority, and have been authorized and approved by the Authority by virtue of the Bond Resolution.

5.

This defendant further shows that the Intergovernmental Contract, dated as of September 1, 2022 (the "Intergovernmental Contract"), between the Authority and the Unified Government of Athens-Clarke County, Georgia deals with activities, facilities and services that the parties thereto are authorized by law to undertake or provide, and that said Intergovernmental Contract has been authorized by the parties thereto and will constitute the legal, valid, binding and enforceable obligation of this defendant.

6.

This defendant further shows that pursuant to the Bond Resolution this defendant has pledged to the holder of the Bonds the Security (as described in the Petition and Compliant), and that the Security will provide for the payments due under the Bonds.

7.

This defendant further shows that the Bonds will be issued in one or more series and that the proceeds of the Bonds will be used for the purposes of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the cost of issuing the Bonds.

8.

This defendant further shows that it will pledge sufficient revenues under the Bond Resolution and the Intergovernmental Contract to pay the principal of, redemption premium (if any) and interest on the Bonds as the same become due and payable. The issuance of the Bonds and the security therefor are sound, reasonable and feasible.

9.

This defendant submits that it will in every way comply with the Constitution and laws of the State of Georgia governing the authorization, issuance and delivery of the Bonds and that all steps taken pertaining thereto are legal and valid in all respects, and prays an adjudication of all matters pertaining to the validity of the Bonds and the security therefor.

WHEREFORE, having answered fully, this defendant prays judgment in favor of the validation of the Bonds, finding that all necessary requirements as a matter of fact and as a matter of law have been met, that this defendant is authorized to enter into the Bond Resolution and the Intergovernmental Contract and to assume the obligations represented thereby, and that an order be issued validating and confirming the Bonds and the security therefor and authorizing the Clerk of the Superior Court of Athens-Clarke County, Georgia to execute the Certificate of Validation on each of the Bonds, all as provided by law.

Thomas F. Hollingsworth, Esq., Attorney for
Classic Center Authority for Clarke County

Address:
Blasingame, Burch, Garrard & Ashley, PC
P.O. Box 832
Athens, Georgia 30603

Telephone: 706-354-4000

Georgia State Bar No. _____

EXHIBIT "A"

STATE OF GEORGIA

COUNTY OF ATHENS-CLARKE

I, _____, DO HEREBY CERTIFY that I am the _____ of The Athens-Banner Herald, the newspaper in which Sheriff's advertisements appear for Athens-Clarke County, and that the attached notice of bond validation was published in said newspaper on following dates: _____, 2022 and _____, 2022.

_____
Title:

Sworn to and subscribed before
me this _____ day of _____, 2022.

_____
Notary Public

My commission expires:

(NOTARIAL SEAL)

(Attach clipping)

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

VERIFICATION

STATE OF GEORGIA

COUNTY OF ATHENS-CLARKE

Personally appeared before the undersigned officer authorized to administer oaths in and for said State and Athens-Clarke County, the undersigned officer of the Classic Center Authority for Clarke County, as indicated below, who on oath deposes and says that he/she has read the above and foregoing Answer of the Classic Center Authority for Clarke County relating to the issuance of the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 and that the same is true and correct.

Sworn to and subscribed before me this
_____ day of _____, 2022.

_____
Notary Public

My commission expires:

(NOTARIAL SEAL)

_____
Chair,
Classic Center Authority for Clarke County

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF DISTRICT ATTORNEY

Due and legal service of the within and foregoing answer of Classic Center Authority for Clarke County is hereby acknowledged; copies received; and all other and further notice of service is hereby waived.

This _____ day of _____, 2022.

_____

DEBORAH GONZALEZ,
DISTRICT ATTORNEY
WESTERN JUDICIAL DISTRICT

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF
UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

Due and legal service of the within and foregoing Answer of Classic Center Authority for Clarke County is hereby acknowledged; copies received; and all other and further notice of service is hereby waived.

This ____ day of _____, 2022.

_____

Judd T. Drake, Esq., Attorney for Unified Government of Athens-Clarke County, GA

Address: 155 E. Washington Street
Athens, Georgia 30601

Phone: 706-613-3035

Georgia State Bar No. _____

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA,	)	CIVIL ACTION FILE
	)	
Plaintiff,	)	NO. _____
	)	
vs.	)	BOND VALIDATION
	)	
CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA,	)	
	)	
Defendants.	)	

ANSWER OF UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

COMES NOW the defendant Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), a political subdivision created and existing under the Constitution and laws of the State of Georgia, and having been duly served in the above-stated cause, makes this answer to the Petition and Complaint and order served upon it, and says:

1.

This defendant admits the allegations contained in each and every paragraph of the Petition and Complaint of the Honorable Deborah Gonzalez, District Attorney of the Western Judicial Circuit, filed against this defendant in this case.

2.

Answering further, this defendant shows that due and legal service was made upon it of said Petition and Complaint and of the order to show cause why the Classic Center Authority for Clarke County Revenue Bonds, to be issued in one or more series in the aggregate principal

amount of up to $37,500,000, described in the Petition and Complaint and hereinafter referred to as the "Bonds," should not be confirmed and validated.

3.

This defendant further shows that under the Constitution and laws of the State of Georgia it has the power to contract with the Classic Center Authority for Clarke County (the "Authority") for any period not exceeding 50 years, and that such contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide.

4.

This defendant further shows that it has been duly authorized by a resolution of the Mayor and Commission of the Unified Government, adopted August 2, 2022 (the "Resolution") to enter into the Intergovernmental Contract, dated as of September 1, 2022 (the "Intergovernmental Contract"), between the Unified Government and the Authority, as referred to in the Petition and Complaint, and to assume the obligations represented thereby. The Resolution has in no way been altered or repealed and is of full force and effect.

5.

This defendant further shows that the Intergovernmental Contract will be executed by the proper officers of this defendant and upon the execution and delivery of the same, the Intergovernmental Contract will constitute the legal, valid, binding and enforceable obligation of this defendant, except that the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting the enforcement of creditors' rights generally and principles of equity applicable to the availability of specific performance and other equitable relief.

WHEREFORE, having answered fully, this defendant prays for judgment in favor of the issuance of the Bonds, finding that all necessary requirements as a matter of fact and as a matter of law have been met, that this defendant is authorized to enter into the Intergovernmental Contract and to assume the obligations represented thereby, and that an order be issued confirming and validating the Bonds and the security therefor and authorizing the Clerk of the Superior Court of Athens-Clarke County, Georgia, to execute the certificate of validation on the Bonds, all as provided by law.

Judd T. Drake, Esq., Attorney for Unified Government of Athens-Clarke County, GA

Address: 155 E. Washington Street
Athens, Georgia 30601

Phone: 706-613-3035

Georgia State Bar No. _____

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

VERIFICATION

STATE OF GEORGIA

COUNTY OF ATHENS-CLARKE

Personally appeared before the undersigned officer authorized to administer oaths in and for said State and Athens-Clarke County, the undersigned Mayor of the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), who on oath deposes and says that he is the duly elected, qualified and acting officer of the Unified Government as indicated below, and that he has read the above and foregoing answer relating to the issuance of the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 and that the same is true and correct.

Sworn to and subscribed before me this
_____ day of _____, 2022.

_____
Notary Public

My commission expires:

(NOTARIAL SEAL)

_____
Mayor,
Unified Government of Athens-Clarke County, Georgia

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF SERVICE OF
ANSWER OF UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

Due and legal service of the within and foregoing Answer of Unified Government of Athens-Clarke County, Georgia is hereby acknowledged; copies received; and all other and further notice of service is hereby waived.

This _____ day of _____, 2022.

_____
Thomas F. Hollingsworth, Esq., Attorney for
Classic Center Authority for Clarke County

Address:
Blasingame, Burch, Garrard & Ashley, PC
P.O. Box 832
Athens, Georgia 30603

Telephone: 706-354-4000

Georgia State Bar No. _____

Revised Attachment #6

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

ACKNOWLEDGMENT OF DISTRICT ATTORNEY

Due and legal service of the within and foregoing Answer of Unified Government of Athens-Clarke County, Georgia is hereby acknowledged; copies received; and all other and further notice of service is hereby waived.

This _____ day of _____, 2022.

_____

DEBORAH GONZALEZ,
DISTRICT ATTORNEY
WESTERN JUDICIAL CIRCUIT

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

FINAL BOND VALIDATION ORDER

The above-entitled cause coming on for a hearing pursuant to the order of this Court heretofore granted, and it appearing from an examination and inspection of the proceedings concerning the issuance of the Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022 (the "Bonds") to be issued in one or more series in the aggregate principal amount of up to $37,500,000, described in the pleadings in this cause, that the same are regular and in due form, and after inspecting the record and hearing the evidence on all matters bearing upon the Bonds, the right of defendant Classic Center Authority for Clarke County (the "Authority") to issue the Bonds, the nature and scope of the undertakings to be financed from the proceeds of the Bonds, and the security therefor;

IT IS DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the defendants named in the Petition and Complaint of the District Attorney are proper party defendants and this Court has jurisdiction over the subject matter of this proceeding, and the parties thereto; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Constitution and laws of the State of Georgia (including particularly Ga. Laws 1988, pp. 3799 *et seq.,* as amended) have been duly enacted and approved and is legal and valid in all respects, and all rights, powers, authorities and duties therein granted and imposed are legal in all respects, and pursuant thereto the Authority was legally created as a public body corporate and politic, and has taken all proper and necessary steps required at this time to validate the Bonds; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, the Authority has determined that no performance audit or performance review shall be conducted with regard to the Bonds and such statement of that determination was including in the published Notice to the Public. As a result no performance audit or performance review shall be required with regard to the issuance of the Bonds; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the defendant Authority has the right, power and authority by virtue of the Constitution and laws of the State of Georgia to adopt the resolution dated July 26, 2022, made a part of the pleadings of this cause (the "Bond Resolution"), authorizing, among other things, the validation of the Bonds and providing for the security therefor; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Bonds are to be issued in one or more series for the purposes of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the City of Athens, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and

(iii) the cost of issuing the Bonds. The issuance of the Bonds will further the public purposes for which the defendant Authority was created, and the defendant Authority is authorized to issue the Bonds for such purposes under the Act; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that, pursuant to the powers granted under the Constitution and laws of the State of Georgia, including specifically the Act, the defendant Authority has properly authorized and adopted the Bond Resolution and that the Bond Resolution and the pledge of and lien created and established under the Bond Resolution constitute the legal, valid, binding and enforceable obligations of the defendant Authority, and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that to provide for and secure the payment of the Bonds, the Authority and the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") will deliver an Intergovernmental Contract, dated as of September 1, 2022 (the "Intergovernmental Contract"); and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that as provided in the Bond Resolution, the Authority has assigned to the holder of the Bonds, to secure the payment thereof, all right, title and interest in and to the Pledged Revenues (as such term is defined in the Bond Resolution), which includes investment earnings and certain moneys and securities held in the funds and accounts established under the Bond Resolution (the "Security"); and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Authority and the Unified Government are duly authorized to execute, deliver and perform their respective obligations under the

Intergovernmental Contract, and that Intergovernmental Contract will constitute the legal, valid, binding and enforceable obligations of the parties thereto, and will be security for the Bonds; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that under the Intergovernmental Contract, the Unified Government agrees to pay amounts sufficient to pay the principal of and interest on the Bonds; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the pledge of and lien on the Security shall be valid and binding against the Authority, and against all parties having claims against them, whether such claims arise in contract, tort or otherwise, and irrespective of whether such parties have notice thereof; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Bond Resolution constitutes the legal, valid and binding obligation of the Authority; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Authority and the Unified Government have the right and power to undertake and finance the Project referred to in the Bond Resolution, and that the Project constitutes a project within the meaning of the Act and an "undertaking" within the meaning of the Revenue Bond Law; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that when issued, the Bonds will not constitute a debt or a general obligation or a pledge of the faith and credit of the State of Georgia or of any political subdivision thereof, including the Unified Government, but will constitute limited obligations of

the defendant Authority payable solely from the revenue sources designated, assigned and pledged to the payment thereof, that neither the State of Georgia nor any political subdivision thereof, including the Unified Government shall be subject to any pecuniary liability on the Bonds, nor shall the Bonds constitute a charge, lien or encumbrance upon any property of the defendant Authority, said State or any political subdivision thereof, including the Unified Government, other than the revenue sources assigned and pledged by the Authority to the payment thereof including the Intergovernmental Contract; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law that the obligations of the Unified Government to make the payments required in the Intergovernmental Contract shall be a legal, valid and binding general obligation of the Unified Government, enforceable in accordance with its terms, and shall be absolute and unconditional irrespective of any defense or any rights of setoff, recoupment, or counterclaim, except payment, it may otherwise have. The Unified Government has covenanted and agreed that it shall, to the extent necessary to make payments as required by the Intergovernmental Contract, if other lawfully available monies are insufficient therefore, levy an annual ad valorem tax on all taxable property located within the territorial limits of the Unified Government, as now existent and as the same may hereafter be extended, at such rate or rates from which revenues the Unified Government agrees to appropriate sums sufficient to pay in full when due all of the Unified Government's obligations under the Intergovernmental Contract. The Unified Government, pursuant to the Intergovernmental Contract, has created and granted a lien in favor of the Authority on any and all revenues realized by the Unified Government from such tax to make payments required under the Intergovernmental Contract.

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that under the provisions of the laws of the State of Georgia governing the defendant Authority, it is proper and legal in all respects for the Authority to fix the principal amounts, maturities and rates of interest to be borne by the Bonds, and their redemption provisions, as set forth in the Bond Resolution and the form of Bond, and the pleadings in this action adequately set forth the terms of the Bonds as required under the Revenue Bond Law of the State of Georgia (O.C.G.A. §§ 36-82-60 *et seq.*); and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the defendant Authority is authorized to issue the Bonds in one or more series and is taking all proper and necessary steps to issue the Bonds and to use the proceeds of sale thereof for the lawful and proper purposes stated in the Bond Resolution, and all of the acts and doings of the Authority set forth in the pleadings are hereby ratified and confirmed; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Project and the issuance of the Bonds, and the security therefor, are sound, feasible and reasonable and are authorized under the Act; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Bonds, the Intergovernmental Contract and the other security therefor be, and the same are hereby in each and every respect, validated and confirmed, and the defendant Authority is authorized and empowered to issue the Bonds under the Constitution and laws of the State of Georgia, and when so issued the same shall be the legal, valid and binding, limited obligations of the defendant Authority; and

IT IS FURTHER DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law, that the Clerk of the Superior Court of Athens-Clarke County, Georgia is authorized and directed to execute the Certificate of Validation upon each of the Bonds, or any Bonds involved in exchange therefor.

Let the Authority pay the cost of this proceeding from the proceeds of the sale of the Bonds.

[Execution on following page]

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

Signature Page to FINAL BOND VALIDATION ORDER

This the ____ day of _____, 2022.

_____
JUDGE, SUPERIOR COURT,
ATHENS-CLARKE COUNTY, GEORGIA

Prepared By:
Benjamin J. Brooks, Esq.
Smith, Gambrell & Russell, LLP
1105 West Peachtree Street, N.E.
Suite 1000
Atlanta, Georgia 30309-3608
(404) 815-3500
State Bar Number: 718898

IN THE SUPERIOR COURT OF ATHENS-CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA, Plaintiff, vs. CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY and UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, Defendants.	)	CIVIL ACTION FILE NO. _____ BOND VALIDATION

CERTIFICATE OF RECORD

I, _____, Clerk of the Superior Court of Athens-Clarke County, DO HEREBY CERTIFY that I have compared the foregoing copy of all pleadings, including the Petition and Complaint and all exhibits, notices, orders and documents attached thereto, the answers of the defendants, and a Final Bond Validation Order of the Court dated August _____, 2022, the same constituting the entire file of the Clerk of the Court in this same cause, there being no other matter of record other than the foregoing, with the original record thereof now remaining in this office, and the same is a correct transcript therefrom, and the whole of such original record, and that this Court is a Court of Record.

I further certify that no intervention or objection was raised or filed in connection with the validation of the Bonds referred to in said record and that the validation order has been entered.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this ____ day of _____, 2022.

_____
CLERK, SUPERIOR COURT
ATHENS-CLARKE COUNTY, GEORGIA

PRELIMINARY OFFICIAL STATEMENT DATED AUGUST ___, 2022

This Official Statement and the information contained herein are subject to completion or amendment without notice. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation, or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

NEW ISSUE—BOOK ENTRY ONLY

RATINGS:
Moody's: _____
S&P: _____
(*See* "**MISCELLANEOUS—RATINGS**" herein)

In the opinion of Smith, Gambrell & Russell, LLP, Atlanta, Georgia, Bond Counsel, subject to the limitations and conditions described herein, interest on the Bonds is exempt from present State of Georgia income taxation, and interest on the Series 2022A Bonds is excludable from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax. See "TAX MATTERS" herein.

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY (GEORGIA)

**$_____*
Revenue Bonds (Classic Center Arena Project), Series 2022A**

**$_____*
Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B**

Dated: Date of Issuance **Due: May 1, as shown on the inside cover**

The Series 2022A Bonds and Series 2022B Bonds in the caption (collectively, the "Bonds") are being issued by the Classic Center Authority for Clarke County (the "Authority") for the purpose of paying (i) a portion of the cost of acquiring, constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in Athens-Clarke County, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the costs of issuing the Bonds. *See* "PLAN OF FINANCING" herein.

The Bonds are limited obligations of the Authority payable solely from amounts paid to the Authority pursuant to an Intergovernmental Contract, dated as of September 1, 2022 (the "Contract"), between the Authority and the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"). Under the Contract, the Unified Government has agreed to pay to the Authority amounts sufficient to pay the debt service on the Bonds (the "Contract Payments") to the extent revenues received by the Authority from the Project and deposited in the Sinking Fund for the Bonds are insufficient to make such payments. The Unified Government has agreed, to the extent necessary, to levy an ad valorem property tax on all property in the Unified Government subject to taxation for such purposes in order to make the Contract Payments. *See* "SECURITY AND SOURCES OF PAYMENT FOR THE BONDS" herein.

Interest on the Bonds is payable semiannually on May 1 and November 1 of each year (each such date, an "Interest Payment Date"), commencing May 1, 2023, by U.S. Bank Trust Company, National Association, Atlanta, Georgia, as Paying Agent, to the owners thereof as shown on the registration books maintained by U.S. Bank Trust Company, National Association, Atlanta, Georgia, as Bond Registrar. The Bonds bear interest from the Interest Payment Date next preceding their date of authentication, except as provided herein. *See* "THE BONDS—Description" herein.

The Bonds are subject to redemption prior to their maturity as described herein. *See* "THE BONDS—Redemption" herein.

The Bonds will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (the "Securities Depository"). The Securities Depository will act as securities depository for the Bonds. Purchases will be made only in book-entry form through the Participants (as herein defined) in the Securities Depository, and no physical delivery of the Bonds will be made to Beneficial Owners (as herein defined). Payment of principal of and interest on the Bonds will be made to Beneficial Owners by the Securities Depository through its Participants. As long as Cede & Co. is the registered owner of the Bonds, as nominee of the Securities Depository, references herein to the holders of the Bonds or registered owners shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners of the Bonds. *See* "THE BONDS—Book-Entry System of Registration" herein.

This cover page contains certain information for quick reference only. It is not a summary of information related to this bond issue. Investors must read the entire Official Statement to obtain information essential to making an informed investment decision.

AMOUNTS, MATURITIES, INTEREST RATES AND YIELDS ARE SET FORTH ON THE INSIDE FRONT COVER PAGE

* Preliminary, subject to change.

The Bonds are offered when, as, and if issued and received by the Underwriter, subject to prior sale, to the withdrawal or modification of the offer without notice, and subject to approval of legality by Smith, Gambrell & Russell LLP, Atlanta, Georgia, Bond Counsel and Disclosure Counsel. Certain legal matters will be passed on for the Authority by its counsel, Blasingame, Burch, Garrard, & Ashley, P.C., Athens, Georgia, for the Unified Government by its attorney, Judd Drake, Esq., Athens, Georgia, and for the Underwriter by its counsel, Kutak Rock LLP, Atlanta, Georgia. The Bonds are expected to be delivered through The Depository Trust Company in New York, New York, on or about September ___, 2022.

[Insert Raymond James Logo]

Dated: August ___, 2022

MATURITY DATES, PRINCIPAL AMOUNTS,
INTEREST RATES, YIELDS AND CUSIP NUMBERS*

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY (GEORGIA)

$_____*
Revenue Bonds (Classic Center Arena Project),
Series 2022A

Maturity (May 1)*	Principal Amount*	Interest Rate	Yield	CUSIP[1]

$_____*
Revenue Bonds (Classic Center Arena Project),
Federally Taxable Series 2022B

Maturity (May 1)*	Principal Amount*	Interest Rate	Yield	CUSIP[1]

* Preliminary, subject to change.

1 CUSIP® is a registered trademark of the American Bankers Association. CUSIP data presented herein has been provided by CUSIP Global Services (CGS). CGS is managed on behalf of the American Bankers Association by FactSet Research Systems Inc. Copyright © 2022 CUSIP Global Services. All rights reserved. CUSIP numbers are set forth herein for the convenience of reference only. No responsibility is taken for the accuracy of CUSIPs.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

ELECTED OFFICIALS

Mayor and Commission of Athens-Clarke County, Georgia

Kelly Girtz, *Mayor*

Commission Members

Patrick Davenport	Russell Edwards
Mariah Parker	Carol Myers
Allison Wright	Ovita Thornton
Tim Denson	Melissa Link
Jesse Houle	Mike Hamby

OTHER OFFICIALS

Blaine H. Williams, *Manager*
Judd Drake, Esq., *Attorney*
David Boyd, *Director of Finance*

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

Authority Members

Jack Crowley, *Chair*
Jennifer Zwirn, *Vice Chair*
Dexter Haynes
Tres Small
Jennifer Messer

Other Officials

Paul Cramer, Director
Jamie Childers, Finance Director

SPECIAL SERVICES

Underwriter

Raymond James & Associates, Inc.
Atlanta, Georgia

Bond Counsel and Disclosure Counsel

Smith, Gambrell & Russell, LLP
Atlanta, Georgia

Underwriter's Counsel

Kutak Rock LLP
Atlanta, Georgia

Financial Advisor

First Tryon Advisors
Charlotte, North Carolina

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[to be updated]

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OFFICIAL STATEMENT

Relating To

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY (GEORGIA)

$_____*	**$_____***
Revenue Bonds (Classic Center Arena Project), Series 2022A	**Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B**

INTRODUCTION

General

This Official Statement of the Classic Center Authority for Clarke County (the "Authority") sets forth certain information concerning the Authority, the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") and the Authority's issuance of its (i) Revenue Bonds (Classic Center Arena Project), Series 2022A (the "Series 2022A Bonds"), in an aggregate principal amount of $_____* and (ii) Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B (the "Series 2022B Bonds" and, together with the Series 2022A Bonds, the "Bonds"), in an aggregate principal amount of $_____*. Capitalized terms used but not defined herein shall have the meanings assigned to them in Appendix A - "SUMMARY OF PRINCIPAL DOCUMENTS."

This Introduction is not a summary of this Official Statement and is intended only for quick reference. It is only a brief description of and guide to, and is qualified in its entirety by reference to, more complete and detailed information contained in the entire Official Statement, including the cover page and the Appendices, and the documents summarized or described herein. Investors should fully review the entire Official Statement. The offering of the Bonds to potential investors is made only by means of the entire Official Statement, including the Appendices hereto. No person is authorized to detach this Introduction from the Official Statement or otherwise to use it without the entire Official Statement.

The Authority and the Unified Government

The Authority is a public body corporate and politic of the State of Georgia, created pursuant to 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq.*, by 2002 Ga. Laws p. 5665 *et seq.* and by H.B. 796, 156th Gen. Assemb., Reg. Sess. (2021) (the "Act"). *See* "THE AUTHORITY" herein. The Unified Government is a body corporate and politic and a political subdivision of the State of Georgia, which was created pursuant to an Act of the General Assembly of the State of Georgia, approved March 2, 1990, which authorized the unification of the municipal corporation known as the "City of Athens, Georgia" (the "City") and the political subdivision known as "Clarke County, Georgia" (the "County"). The Unified Government became effective on January 14, 1991. The territory comprising the Unified Government ("Athens-Clarke County") is located in the northeastern portion of the State of Georgia, approximately 65 miles northeast of Atlanta, Georgia and 100 miles northwest of Augusta, Georgia. For more complete information, *see* "THE UNIFIED GOVERNMENT" herein.

Purpose of the Bonds

The Bonds are being issued by the Authority for the purpose of paying (i) a portion of the cost of acquiring,

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* Throughout this Preliminary Official Statement, information marked with an asterisk is preliminary and subject to change.

constructing, installing and equipping an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities in the Athens-Clarke County, Georgia (the "Project"), (ii) capitalized interest on the Bonds, and (iii) the costs of issuing the Bonds. *See* "PLAN OF FINANCING" herein.

Security and Sources of Payment for the Bonds

The Bonds are limited obligations of the Authority payable solely from amounts paid to the Authority pursuant to an Intergovernmental Contract, dated as of September 1, 2022 (the "Contract"), between the Authority and the Unified Government. Under the Contract, the Unified Government has agreed to pay to the Authority amounts sufficient to pay the debt service on the Bonds (the "Contract Payments") to the extent revenues received by the Authority from the Project and deposited into the Sinking Fund are insufficient to make such payments. The Unified Government has agreed, to the extent necessary, to levy an ad valorem property tax on all property in the Unified Government subject to taxation for such purposes in order to make the Contract Payments. *See* "SECURITY AND SOURCES OF PAYMENT FOR THE BONDS" herein.

Description of the Bonds

Redemption. The Bonds are subject to optional and mandatory redemption prior to their maturity as described herein. *See* "THE BONDS – Redemption" herein.

Denominations. The Bonds are issuable in denominations of $5,000 or any integral multiple thereof.

Book-Entry Bonds. The Bonds of each series will be issued in the denomination of one bond per aggregate principal amount of the stated maturity thereof, and, when issued, will be registered in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), New York, New York, an automated depository for securities and clearing house for securities transactions, which will act as securities depository for the Bonds. Purchasers will not receive certificates representing their ownership interest in the Bonds purchased. Purchases of beneficial interests in the Bonds will be made in book-entry only form (without certificates). *See* "THE BONDS – Book-Entry System of Registration" herein.

Registration, Transfers and Exchanges. The Bonds will be issued in fully registered form. When in book-entry form, ownership of Bonds held by The Depository Trust Company, New York, New York ("DTC") or its nominee, Cede & Co., on behalf of the actual purchasers thereof (the "Beneficial Owners"), may be transferred upon delivery to DTC (or its nominee, Cede & Co.) of an assignment duly executed by the Beneficial Owner or his duly authorized attorney or legal representative. When not in book-entry form and subject to the conditions hereinafter described, ownership of any Bond may be transferred upon surrender of such Bond to the Bond Registrar, together with an assignment duly executed by the registered owner or his attorney. Subject to the conditions hereinafter described, the Bonds are exchangeable for a like aggregate principal amount of Bonds of authorized denominations and of the same maturity and series. *See* "THE BONDS – Registration Provisions; Transfer and Exchange."

Payments. Interest on the Bonds will be payable initially on May 1, 2023, and semiannually thereafter on November 1 and May 1 of each year until maturity (each an "Interest Payment Date"). Principal of the Bonds will be payable at the times and in the amounts shown on the inside front cover of this Official Statement. When in book-entry form, payment of the principal of and interest on the Bonds will be made by the Paying Agent directly to Cede & Co., as nominee of DTC, and will subsequently be disbursed to DTC Participants and thereafter to Beneficial Owners of the Bonds. *See* "THE BONDS – Book-Entry System of Registration."

When not in book-entry form, interest on the Bonds is payable by check or draft mailed to the registered owners thereof at the addresses which appear on the bond registration books of the Bond Registrar as of the close of business on the fifteenth calendar day of the month preceding each Interest Payment Date (the "Record Date"). The principal of and premium, if any, on the Bonds are payable at the designated corporate trust office of U.S. Bank Trust Company, National Association, Atlanta, Georgia, as Paying Agent and Bond Registrar. *See* "THE BONDS – Description."

For a more complete description of the Bonds and the basic documentation pursuant to which they are being issued, *see* "THE BONDS" herein and Appendix A - "SUMMARY OF PRINCIPAL DOCUMENTS."

Tax Exemption

In the opinion of Bond Counsel, subject to the limitations and conditions described herein, interest on the Bonds is exempt from present State of Georgia income taxation, and interest on the Series 2022A Bonds is excludable from gross income for federal income tax purposes, and is not an item of tax preference for purposes of the federal alternative minimum tax. *See* Appendix D hereto for the form of the opinion Bond Counsel proposes to deliver in connection with the issuance of the Bonds. For a more complete discussion of such opinion and certain other tax consequences of owning the Bonds, including certain exceptions to the exclusion of the interest on the Series 2022A Bonds from gross income, *see* "TAX MATTERS" herein.

Professionals Involved in the Offering

Certain legal matters pertaining to the Authority and its authorization and issuance of the Bonds are subject to the approving opinion of Smith, Gambrell & Russell, LLP, Bond Counsel and Disclosure Counsel. Copies of such opinion will be available at the time of delivery of the Bonds, and a copy of the proposed form of such opinion is attached hereto as Appendix D. Certain legal matters will be passed on for the Authority by its counsel Blasingame, Burch, Garrard & Ashley, P.C., for the Unified Government by its attorney, Judd Drake, Esq., Athens, Georgia, and for the Underwriter by its counsel, Kutak Rock LLP, Atlanta, Georgia. First Tryon Advisors has been employed as Financial Advisor to the Unified Government in connection with the issuance of the Bonds.

The basic financial statements of the Unified Government as of June 30, 2021 and for the year then ended, attached hereto as Appendix B, have been audited by Mauldin & Jenkins, LLC, independent certified public accountants, to the extent and for the period indicated in its report thereon which appears in Appendix B hereto.

U.S. Bank Trust Company, National Association will act as Paying Agent and Bond Registrar for the Bonds. The designated corporate trust office of the Paying Agent is located in Atlanta, Georgia.

Authority for Issuance

The Bonds are being issued and secured pursuant to the Act, the Revenue Bond Law (O.C.G.A. Section 36-82-60 *et seq*., as amended) (the "Revenue Bond Law"), and a resolution of the Authority adopted by the Authority on July 26, 2022, as supplemented on August __, 2022 (collectively, the "Bond Resolution"). The Contract will be executed and delivered pursuant to the Constitution and laws of the State of Georgia, the Act, the Bond Resolution and a resolution adopted by the Unified Government on August __, 2022 (the "Unified Government Resolution"). For more complete information, *see* "THE BONDS—Legal Authority" herein.

Offering and Delivery of the Bonds

The Bonds are offered when, as, and if issued and received by the Underwriter, subject to prior sale, to the withdrawal or modification of the offer without notice, and subject to approval of legality by Smith, Gambrell & Russell LLP, Atlanta, Georgia, Bond Counsel and Disclosure Counsel. The Bonds are expected to be delivered through The Depository Trust Company in New York, New York, on or about September __, 2022.

Continuing Disclosure

The Authority has determined that no financial or operating data concerning the Authority is material to any decision to purchase, hold or sell the Bonds, and the Authority will not provide any such information. The Unified Government has undertaken all responsibilities for any continuing disclosure to beneficial owners of the Bonds as described below, and the Authority will have no liability to the beneficial owners of the Bonds or any other person with respect to such disclosures.

The Unified Government has covenanted in a Continuing Disclosure Certificate (the "Disclosure Certificate") for the benefit of the beneficial owners of the Bonds to provide certain financial information and operating data relating to the Unified Government (the "Annual Report") by not later than seven months after the end of each fiscal year of the Unified Government, commencing with fiscal year 2022, and to provide notices of the occurrence of certain enumerated events. The Annual Report will be filed by the Unified Government with the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format as prescribed by the MSRB (which, as of the date hereof, is the Electronic Municipal Market Access ("EMMA") system of the MSRB). The notices of certain events will be filed by the Unified Government with the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is EMMA). The specific nature of the information to be contained in the Annual Report or the notices of certain events is summarized in Appendix C attached hereto. The covenants have been made in order to assist the Underwriter in complying with Securities and Exchange Commission Rule 15c12-12 (the "Rule"). *See* "CONTINUING DISCLOSURE" herein.

Other Information

This Official Statement speaks only as of its date, and the information contained herein is subject to change.

This Official Statement contains forecasts, projections and estimates that are based on current expectations but are not intended as representations of fact or guarantees of results. If and when included in this Official Statement, the words "expects," "forecasts," "projects," "intends," "anticipates," "estimates" and analogous expressions are intended to identify forward-looking statements as defined in the Securities Act of 1933, as amended, and any such statements inherently are subject to a variety of risks and uncertainties, which could cause actual results to differ materially from those contemplated in such forward-looking statements. These forward-looking statements speak only as of the date of this Official Statement. The Unified Government and the Authority disclaim any obligation or undertaking to release publicly any updates or revisions to any forward-looking statement contained herein to reflect any change in the Unified Government's or the Authority's expectations with regard thereto or any change in events, conditions or circumstances on which any such statement is based.

This Official Statement and the Appendices hereto contain brief descriptions of, among other matters, the Authority, the Unified Government, the Bonds, the Bond Resolution, the Contract and the security and sources of payment for the Bonds. Such descriptions and information do not purport to be comprehensive or definitive. The summaries of various constitutional provisions, statutes, the Bond Resolution, the Contract and other documents are intended as summaries only and are qualified in their entirety by reference to such documents, and references herein to the Bonds are qualified in their entirety to the form thereof included in the Bond Resolution. Copies of the Bond Resolution, the Contract and other documents and information are available, upon request and upon payment to the Unified Government of a charge for copying, mailing and handling, from the Treasurer, Unified Government of Athens-Clarke County, Georgia, 375 Satula Avenue, Athens, Georgia 30601, telephone (706) 613-3040. During the period of the offering of the Bonds, copies of such documents are available upon request and upon payment of a charge for copying, mailing, and handling from Raymond James & Associates, Inc., Two Buckhead Plaza, Suite 702, 3050 Peachtree Road, N.W., Atlanta, Georgia 30305; telephone: (404) 240-6840.

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement and the Appendices hereto and if given or made, such other information or representations must not be relied upon as having been authorized by the Authority, the Unified Government or the Underwriter. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person, in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained from the Authority, the Unified Government, and other sources which are deemed to be reliable. The Underwriter has provided the following sentence for inclusion in this Official Statement: The Underwriter has reviewed the information in this Official Statement in accordance with, and as a part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information. The information and expression of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall under any circumstances create an implication that there has been no change in the affairs of the Authority or the Unified Government since the date hereof.

The Underwriter intends to offer the Bonds to the public initially at the offering prices set forth on the inside cover page of this Official Statement, which may subsequently change without any requirement of prior notice. The Underwriter reserves the right to join with dealers and other underwriters in offering the Bonds to the public. The Underwriter may offer and sell the Bonds to certain dealers (including dealers depositing the Bonds into investment trusts) at prices lower than the public offering price.

In connection with this offering, the Underwriter may over-allot or effect transactions which stabilize or maintain the market price of the Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

No registration statement relating to the Bonds has been filed with the Securities and Exchange Commission or any state securities' agency. The Bonds have not been approved or disapproved by the Securities and Exchange Commission or any state securities agency, nor has the Securities and Exchange Commission or any state securities agency passed upon the accuracy or adequacy of this Official Statement. Any representation to the contrary is a criminal offense.

Use of the words "shall," "must" or "will" in this Official Statement or in summaries of documents or laws to describe future events or continuing obligations is not intended as a representation that such event will occur or obligation will be fulfilled but only that the document or law contemplates or requires such event to occur or obligation to be fulfilled.

PLAN OF FINANCING

Estimated Sources and Uses of Funds

The estimated sources and uses of funds for the Bonds are summarized below:

Sources:	Series 2022A Bonds	Series 2022B Bonds	Aggregate
Par Amount	$ _____	$ _____	$ _____
[Net Original Issue Premium/Discount]	_____	_____	_____
TOTAL:	**$ _____**	**$ _____**	**$ _____**
Uses:			
Deposit to Project Fund	$ _____	$ _____	$ _____
Capitalized Interest[1]	_____	_____	_____
Costs of Issuance[2]	_____	_____	_____
TOTAL:	**$ _____**	**$ _____**	**$ _____**

[1] Includes capitalized interest on the Bonds through and including _____ 1, 20___.

[2] Includes the underwriter's discount, legal fees, rating agency fees, paying agent fees, printing, and other costs of issuance.

The Project

[to be reviewed]

The Authority has operated an existing 2,000 seat performing arts center, convention center, parking facility and outdoor pavilion over the past 27 years. The existing complex, prior to the onset of the COVID-19 pandemic, hosted over 700 events ranging from full scale Broadway productions, concerts, conventions/tradeshows and social events.

The Authority has previously issued, with the approval of the Unified Government, its Revenue Bonds (Classic Center Arena Project), Series 2021, in the aggregate principal amount of $48,880,000 (the "Series 2021

Bonds"), for the purpose of paying a portion of the cost of acquiring, constructing, installing and equipping of an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities (the "Project"). The Authority has determined it is in the best interest of the Authority and the Unified Government to issue the Bonds described in this Official Statement in order to provide funds, after the payment of the costs of issuing the Bonds, to finance an additional portion of the costs of the Project.

The Project is expected to host larger national touring acts as well as host sporting events and family shows and attract larger conventions to be used in conjunction with the existing convention and tradeshow facilities. The Project is expected to add an additional 300 event days, create several hundred new jobs and generate millions of dollars in economic impact.

The Project will be leased by the Unified Government to the Authority pursuant to that certain Lease Agreement, dated February 27, 2020, as amended.

While not pledged pursuant to the Bond Resolution to secure the Bonds, the Authority expects to deposit a portion of the revenues generated by the Project, including, but not limited to, lease revenue, general convention center revenues, naming rights and hotel tax, into the Sinking Fund for the Bonds while the Bonds remain outstanding in amounts sufficient to pay debt service on the Bonds when due; however, to the extent that such Project revenues are not sufficient to make such payments when due, the Unified Government has agreed to make Contract Payment to the Authority in amounts sufficient to pay debt service on the Bonds. *See* Appendix A - "SUMMARY OF PRINCIPAL DOCUMENTS – THE CONTRACT – Contract Payments."

Disbursement and Investment of Bond Proceeds and Other Moneys

The proceeds of the sale of the Bonds that will be used to pay the costs of the Project will be deposited in the Project Fund. Prior to disbursement by the Custodian of the Project Fund, as directed by the Unified Government in accordance with the Bond Resolution, such moneys will be invested as described below.

Section 36-82-7 of the Official Code of Georgia Annotated provides that the proceeds of the Bonds may be invested and reinvested by the governing authority of the Unified Government in the following investments, and no others:

(1) the local government investment pool created in Chapter 83 of Title 36 of the Official Code of Georgia Annotated;

(2) bonds or obligations of the Unified Government or bonds or obligations of the State of Georgia or other counties, municipal corporations, and political subdivisions of the State of Georgia;

(3) bonds or other obligations of the United States or of subsidiary corporations of the United States government which are fully guaranteed by such government;

(4) obligations of and obligations guaranteed by agencies or instrumentalities of the United States government, including those issued by the Federal Land Bank, Federal Home Loan Bank, Federal Intermediate Credit Bank, Bank for Cooperatives, and any other such agency or instrumentality now or hereafter in existence; provided, however, that all such obligations must have a current credit rating from a nationally recognized rating service of at least one of the three highest rating categories available and have a nationally recognized market;

(5) bonds or other obligations issued by any public housing agency or municipal corporation in the United States, which such bonds or obligations are fully secured as to the payment of both principal and interest by a pledge of annual contributions under an annual contributions contract or contracts with the United States government, or project notes issued by any public housing agency, urban renewal agency, or municipal corporation in the United States which are fully secured as to payment of both principal and interest by a requisition, loan, or payment agreement with the United States government;

(6) certificates of deposit of national or state banks located within the State of Georgia which have deposits insured by the Federal Deposit Insurance Corporation and certificates of deposit of federal savings and loan associations and state building and loan or savings and loan associations located within the State of Georgia which have deposits insured by the Savings Association Insurance Fund of the Federal Deposit Insurance Corporation or the Georgia Credit Union Deposit Insurance Corporation, including the certificates of deposit of any bank, savings and loan association, or building and loan association acting as depository, custodian, or trustee for any such bond proceeds.

(7) securities of or other interests in any no-load, open-end management type investment company or investment trust registered under the Investment Company Act of 1940, as from time to time amended, or any common trust fund maintained by any bank or trust company which holds such proceeds as trustee or by an affiliate thereof so long as:

(A) the portfolio of such investment company or investment trust or common trust fund is limited to the obligations described in clause (3) and (4) above and repurchase agreements fully collateralized by any such obligations,

(B) such investment company or investment trust or common trust fund takes delivery of such collateral either directly or through an authorized custodian,

(C) such investment company or investment trust or common trust fund is managed so as to maintain its shares at a constant net asset value, and

(D) securities of or other interests in such investment company or investment trust or common trust fund are purchased and redeemed only through the use of national or state banks having corporate trust powers and located within the State of Georgia;

(8) interest-bearing time deposits, repurchase agreements, reverse repurchase agreements, rate guarantee agreements, or other similar banking arrangements with a bank or trust company having capital and surplus aggregating at least $50 million or with any government bond dealer reporting to, trading with, and recognized as a primary dealer by the Federal Reserve Bank of New York having capital aggregating at least $50 million or with any corporation which is subject to registration with the Board of Governors of the Federal Reserve System pursuant to the requirements of the Bank Holding Company Act of 1956, provided that each such interest-bearing time deposit, repurchase agreement, reverse repurchase agreement, rate guarantee agreement, or other similar banking arrangement must permit the moneys so placed to be available for use at the time provided with respect to the investment or reinvestment of such moneys; and

The portion of the certificates of deposit described in clause (6) above in excess of the amount insured by the Federal Deposit Insurance Corporation, the Savings Association Insurance Fund of the Federal Deposit Insurance Corporation, or the Georgia Credit Union Deposit Insurance Corporation, if any, must be secured by deposit, with the Federal Reserve Bank of Atlanta, Georgia, or with any national or state bank or federal savings and loan association or state building and loan or savings and loan association located within the State of Georgia or with a trust office within the State of Georgia, of one or more of the following securities in an aggregate principal amount equal at least to the amount of such excess: direct and general obligations of the State of Georgia or other states or of any county or municipal corporation in the State of Georgia, obligations of the United States or subsidiary corporations described in clause (3) above, obligations of the agencies and instrumentalities of the United States government described in clause (4) above, or bonds, obligations, or project notes of public housing agencies, urban renewal agencies, or municipalities described in clause (5) above.

In addition, Section 36-83-4(a)(1) of the Official Code of Georgia Annotated, subject to the procedures set forth in such chapter, authorizes the governing authority of the Unified Government, or the financial officer of the Unified Government to whom investment authority is delegated, to invest and reinvest any money subject to its control and jurisdiction in:

(1) obligations of the State of Georgia or of other states;

(2) obligations issued by the United States government;

(3) obligations fully insured or guaranteed by the United States government or a United States government agency;

(4) obligations of any corporation of the United States government;

(5) prime bankers' acceptances;

(6) the local government investment pool established by Section 36-83-8 of the Official Code of Georgia Annotated;

(7) repurchase agreements; and

(8) obligations of other political subdivisions of the State of Georgia.

Section 36-80-3 of the Official Code of Georgia Annotated provides that the governing body of the Unified Government, or the financial officer of the Unified Government to whom investment authority is delegated pursuant to Section 36-80-4 of the Official Code of Georgia Annotated, may invest and reinvest money subject to its control and jurisdiction in:

(1) obligations of the United States and of its agencies and instrumentalities;

(2) bonds or certificates of indebtedness of the State of Georgia and of its agencies and instrumentalities; and

(3) certificates of deposit of banks which have deposits insured by the Federal Deposit Insurance Corporation; provided, however, that portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation must be secured by direct obligations of the State of Georgia or the United States which are of a par value equal to that portion of such certificates of deposit which would be uninsured.

Section 45-8-14 of the Official Code of Georgia Annotated provides that the Athens-Clarke County Commission shall designate one or more solvent banks, insured federal savings and loan associations, or insured state chartered building and loan associations as depositories of moneys belonging to the Unified Government. Section 45-8-12 of the Official Code of Georgia Annotated prohibits the Unified Government from having on deposit at any one time in any depository for a time longer than ten days a sum of money which has not been secured by a surety bond, by federal deposit insurance, or by pledged securities, with a market value of not less than 110 percent of the public funds being secured after the deduction of the amount of deposit insurance. Section 45-8-11 of the Official Code of Georgia Annotated allows the Director of Finance of the Unified Government, in his or her discretion, to waive the requirement for security in the case of operating funds placed in demand deposit checking accounts.

The Unified Government presently deposits its general funds, and plans to deposit the proceeds of the sale of the Bonds, with Truist Bank. The Unified Government may, in its discretion, but subject to the provisions of Georgia law described in the above paragraph, deposit these funds with other financial institutions

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Debt Service Schedule

The following table sets forth the annual debt service requirements on the Bonds during each sinking fund year:

May 1	Principal	Interest	Total P+I
TOTAL			

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THE AUTHORITY

The Authority, a body corporate and politic of the State of Georgia, was created and is existing pursuant to the Act. The Authority acts as the planning and policy board for The Classic Center, a convention center and performing arts theater located in downtown Athens, Georgia, and all related properties, functions and enterprises. Under the Act, the Authority is empowered (i) to construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend, improve, operate, and manage public projects, including the erection of a building or buildings in Clarke County, Georgia, to be used for amusement, recreation, civic, cultural, commercial, hotel, parking, and educational purposes or a combination thereof, including fairs, expositions, exhibits, conventions, conferences, public meetings or gatherings, concerts, theater, and such other activities as are designed and intended to promote education, culture, tourism, and the arts, and (ii) with the approval of the Unified Government, to borrow and issue revenue bonds for the purpose of paying, in whole or in part, the costs of such projects.

The affairs of the Authority are conducted by its five members, who are appointed by the Mayor and Commission of Athens-Clarke County to four year terms. The names of the current members and the expiration of their terms of office are set forth below.

Name	Expiration of Term
Jack Crowley	6/30/2023
Jennifer Zwirn	6/30/2023
Dexter Haynes	6/30/2024
Tres Small	6/30/2024
Jennifer Messer	6/30/2026

THE BONDS

Description

The Bonds will be dated the date of their initial issuance. The Bonds will bear interest at the rates specified on the inside cover page of this Official Statement (computed on the basis of a 360-day year of twelve 30-day months) from the Interest Payment Date next preceding their date of authentication to which interest has been paid (unless their date of authentication is an Interest Payment Date, in which case from such Interest Payment Date, unless their date of authentication is after a Record Date but before an Interest Payment Date, in which case from the next Interest Payment Date, or unless their date of authentication is before the first Interest Payment Date, in which case from the date of issue). Interest will be payable semiannually on each Interest Payment Date, commencing May 1, 2023. The principal amount of the Bonds is payable at the times and in the amounts set forth on the inside cover page of this Official Statement.

When in book-entry form, payment of the principal of and interest on the Bonds will be made by the Paying Agent directly to Cede & Co., as nominee of DTC, and will subsequently be disbursed to DTC Participants and thereafter to Beneficial Owners of the Bonds. *See* "THE BONDS — Book-Entry System of Registration." When not in book-entry form, interest on the Bonds is payable by check or draft mailed to the registered owner of record as of the Record Date immediately preceding the applicable Interest Payment Date, at such owner's address as it appears on the books of registry kept by the Paying Agent. The Authority may, by supplemental resolution or a bond purchase agreement or home office payment agreement, provide for other methods or places of payment of principal and interest on the Bonds, including wire transfer, as it may deem appropriate. Notwithstanding the foregoing, interest on the Bonds will be payable to any registered owner of more than $1,000,000 in aggregate principal amount of Bonds by wire transfer to such registered owner if written wire transfer instructions are given to the Paying Agent prior to the Record Date. Interest shall continue to be so paid until such wire transfer instructions are revoked in writing. When not in book-entry form, the principal of the Bonds will be payable upon the presentation and surrender of the Bonds at the designated corporate trust office of the Paying Agent.

Registration Provisions; Transfer and Exchange

The Bonds will be issued in fully registered form. Ownership of the Bonds will be registered on the registration books maintained by the Bond Registrar. When in book-entry form, ownership of the Bonds held by DTC or Cede & Co., as its nominee, on behalf of the Beneficial Owners thereof, may be transferred or exchanged in accordance with the rules of DTC. *See* "THE BONDS — Book-Entry System of Registration."

When not in book-entry form, ownership of any Bond is transferable upon surrender thereof to the Bond Registrar, together with an assignment duly executed by the registered owner or his attorney or legal representative, in such form as shall be satisfactory to the Bond Registrar. Upon any such transfer of ownership, the Bond Registrar will cause to be authenticated and delivered a new Bond or Bonds registered in the name of the transferee in any authorized denomination in the same aggregate principal amount, maturity, series and interest rate as the Bonds surrendered for such transfer. When not in book-entry form, the Bonds may be exchanged for a like principal amount of Bonds of the same maturity, series and interest rate but of other authorized denominations. The Bond Registrar is not required to transfer or exchange any Bond after notice of redemption of such Bond has been given. For every exchange or registration of transfer, the Bond Registrar may charge an amount sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge may be made to the owner for any exchange or registration of transfer of the Bonds.

Redemption

The Bonds maturing on and after May 1, 20__ are subject to redemption prior to maturity on or after May 1, 20__, at the option of the Authority, at the direction of the Unified Government, in whole or in part at any time at a redemption price of 100% plus accrued interest to the redemption date.

The Series 2022[A/B] Bonds maturing on May 1, 20____* are subject to mandatory redemption prior to maturity, in part, by lot in such manner as may be designated by the Bond Registrar, at par plus accrued interest to the redemption date, in the following principal amounts on May 1 in the years, as follows (the May 1, 20____* amount to be paid rather than redeemed):

May 1 of the Year*	Principal Amount*
20__	
20__	
20__	
20__	
20__+	

_____
+ Final Maturity

Notice of the call for any such redemption identifying the Bonds to be redeemed shall be given by the Bond Registrar on behalf of the Authority by mailing a copy of the redemption notice by first class mail, postage prepaid, not less than 30 nor more than 60 days prior to the redemption date to the registered owner of each Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. Such notice shall state, among other things, the conditions to the redemption, if any, which may include receipt by the Paying Agent of sufficient moneys to redeem the Bonds to be redeemed on or prior to the redemption date. Any defect in any notice of redemption shall not affect the validity of proceedings for redemption of the Bonds.

Book-Entry System of Registration

The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee). One fully-registered Bond will be issued for each maturity and series of the Bonds, each in the aggregate principal amount of such maturity and series, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has Standard & Poor's rating of "AA+." The DTC Rules applicable to its Direct and Indirect Participants (collectively, the "Participants") are on file with the Securities and Exchange Commission. More information about DTC can be found at http://www.dtcc.com.

Purchases of the Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond (a "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts the Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants and by Direct and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the Bonds may wish to take certain steps to augment transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners; in the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of the notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI procedures. Under its usual procedures, DTC mails an omnibus proxy to the Unified Government as soon as possible after the record date. The omnibus

proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the omnibus proxy).

Principal, premium (if any) and interest payments on the Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from the Unified Government or the Paying Agent, on each payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent or the Unified Government, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, premium (if any) and interest to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Paying Agent or the Authority, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of the Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Authority or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, certificates will be printed and delivered to DTC.

The Authority may, at any time, decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, certificates are required to be printed and delivered.

SO LONG AS CEDE & CO, AS NOMINEE FOR DTC, IS THE OWNER OF THE BONDS, THE PAYING AGENT SHALL TREAT CEDE & CO. AS THE ONLY OWNER OF THE BONDS FOR ALL PURPOSES UNDER THE BOND RESOLUTION, INCLUDING PAYMENT OF ALL PRINCIPAL OF, PREMIUM (IF ANY) AND INTEREST ON THE BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE AUTHORITY AND/OR PAYING AGENT TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THE BOND RESOLUTION.

PAYMENTS OF PRINCIPAL, INTEREST AND REDEMPTION PREMIUM (IF ANY) WITH RESPECT TO THE BONDS, SO LONG AS DTC IS THE ONLY OWNER OF THE BONDS, WILL BE PAID BY THE PAYING AGENT DIRECTLY TO DTC OR ITS NOMINEE, CEDE & CO., AS PROVIDED IN THE LETTER OF REPRESENTATIONS FROM THE AUTHORITY TO DTC. DTC WILL REMIT SUCH PAYMENTS TO DTC PARTICIPANTS, AND SUCH PAYMENTS THEREAFTER WILL BE PAID BY DTC PARTICIPANTS TO THE BENEFICIAL OWNERS. THE AUTHORITY AND THE PAYING AGENT SHALL NOT BE RESPONSIBLE OR LIABLE FOR PAYMENT BY DTC OR DTC PARTICIPANTS, FOR SENDING TRANSACTION STATEMENTS OR FOR MAINTAINING, SUPERVISING OR REVIEWING RECORDS MAINTAINED BY DTC OR DTC PARTICIPANTS.

NEITHER THE AUTHORITY NOR THE PAYING AGENT NOR THE UNDERWRITER (OTHER THAN IN ITS CAPACITY, IF ANY, AS A DIRECT PARTICIPANT OR AN INDIRECT PARTICIPANT) WILL HAVE ANY OBLIGATION TO THE DIRECT PARTICIPANTS OR THE INDIRECT PARTICIPANTS OR THE PERSONS FOR WHOM THEY ACT AS NOMINEES WITH RESPECT TO DTC'S PROCEDURES OR ANY PROCEDURES OR ARRANGEMENTS BETWEEN DIRECT PARTICIPANTS, INDIRECT PARTICIPANTS AND THE PERSONS FOR WHOM THEY ACT RELATING TO THE MAKING OF ANY DEMAND BY CEDE & CO. AS THE REGISTERED OWNER OF BONDS, THE ADHERENCE TO SUCH PROCEDURES OR ARRANGEMENTS, OR THE EFFECTIVENESS OF ANY ACTION TAKEN PURSUANT TO SUCH PROCEDURES OR ARRANGEMENTS.

THE ABOVE INFORMATION CONCERNING DTC AND DTC'S BOOK-ENTRY SYSTEM HAS BEEN OBTAINED FROM SOURCES THAT THE AUTHORITY BELIEVES TO BE RELIABLE, BUT THE AUTHORITY TAKES NO RESPONSIBILITY FOR THE ACCURACY THEREOF. NEITHER THE AUTHORITY NOR THE PAYING AGENT WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO PARTICIPANTS, BENEFICIAL OWNERS, OR OTHER NOMINEES OF SUCH BENEFICIAL OWNERS FOR

(1) SENDING TRANSACTION STATEMENTS; (2) MAINTAINING, SUPERVISING OR REVIEWING, OR THE ACCURACY OF, ANY RECORDS MAINTAINED BY DTC OR ANY PARTICIPANT OR OTHER NOMINEES OF SUCH BENEFICIAL OWNERS; (3) PAYMENT OR THE TIMELINESS OF PAYMENT BY DTC TO ANY PARTICIPANT, OR BY ANY PARTICIPANT OR OTHER NOMINEES OF BENEFICIAL OWNERS TO ANY BENEFICIAL OWNER, OF ANY AMOUNT DUE IN RESPECT OF THE PRINCIPAL OF OR REDEMPTION PREMIUM, IF ANY, INTEREST OR PURCHASE PRICE ON BONDS; (4) DELIVERY OR TIMELY DELIVERY BY DTC TO ANY PARTICIPANT, OR BY ANY PARTICIPANT OR OTHER NOMINEES OF BENEFICIAL OWNERS TO ANY BENEFICIAL OWNERS, OF ANY NOTICE (INCLUDING NOTICE OF REDEMPTION) OR OTHER COMMUNICATION WHICH IS REQUIRED OR PERMITTED UNDER THE TERMS OF THE BOND RESOLUTION TO BE GIVEN TO HOLDERS OR OWNERS OF BONDS; (5) THE SELECTION OF THE BENEFICIAL OWNERS TO RECEIVE PAYMENT IN THE EVENT OF ANY PARTIAL REDEMPTION OF BONDS; OR (6) ANY ACTION TAKEN BY DTC OR ITS NOMINEE AS THE REGISTERED OWNER OF BONDS.

So long as Cede & Co. is the registered owner of Bonds, as nominee for DTC, references in this Official Statement to the Bondholders, holders or registered owners of Bonds (other than under the caption "TAX MATTERS" herein) shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners of Bonds.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the Authority or the Paying Agent to DTC only.

As long as the book-entry system is used for Bonds, the Paying Agent and the Authority will give any notices required to be given to Owners of Bonds only to DTC. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial owners may desire to make arrangements with a Direct Participant or Indirect Participant so that all notices of redemption or other communications to DTC which affect such Beneficial Owners will be forwarded in writing by such Direct Participant or Indirect Participant.

NEITHER THE AUTHORITY NOR THE PAYING AGENT WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO SUCH DIRECT PARTICIPANTS, OR THE PERSONS FOR WHOM THEY ACT AS NOMINEES, WITH RESPECT TO THE PAYMENTS TO OR THE PROVIDING OF NOTICE FOR THE DIRECT PARTICIPANTS, THE INDIRECT PARTICIPANTS, OR THE BENEFICIAL OWNERS OF BONDS.

Legal Authority

The Bonds are being issued pursuant to and in accordance with the Constitution and laws of the State of Georgia, including the Act, the Revenue Bond Law and the Bond Resolution.

The Contract is being executed and delivered pursuant to and in accordance with the Constitution of the State of Georgia, the Act and the Revenue Bond Law. Article IX, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983 authorizes any municipality or other political subdivision of the State of Georgia to contract for any period not exceeding 50 years with any public corporation or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, if such contract deals with activities, services, or facilities which the contracting parties are authorized by law to undertake or provide. The Act and the Revenue Bond Law authorize the Authority to provide the Project and to issue revenue bonds for such purpose, and Revenue Bond Law authorizes the Unified Government to undertake buildings to be used for various types of sports, buildings to be used for the housing of exhibits for educational and amusement purposes and related parking facilities, and issue revenue bonds to finance any such undertaking. The execution, delivery, and performance of the Contract by the Authority have been authorized and approved pursuant to the Bond Resolution. The execution, delivery, and performance of the Contract by the Unified Government have been authorized and approved pursuant to the Unified Government Resolution.

SECURITY AND SOURCES OF PAYMENT FOR THE BONDS

General

The Bonds are limited obligations of the Authority payable solely from amounts paid to the Authority pursuant to the Contract. Under the Contract, the Unified Government has agreed to pay the Authority Contract Payments in amounts sufficient to pay the debt service on the Bonds to the extent revenues received by the Authority from the Project and deposited into the Sinking Fund are insufficient to make such payments. To secure its obligations under the Bonds, the Authority has adopted the Bond Resolution pursuant to which the Authority has collaterally assigned and pledged for the benefit of the owners of the Bonds all of the Authority's right, title, interest and remedies in and to the payments and revenues to be received by the Authority under the Contract, investment earnings and all amounts held in the funds created under the Bond Resolution (excluding any amount required to be set aside for rebate to the United States government pursuant to Section 148(f) of the Code) (the "Pledged Revenues"). The Bond Resolution provides that the lien of this pledge is valid and binding against the Authority and against all parties having claims of any kind against the Authority, whether such claims arise in contract, tort or otherwise and irrespective of whether such parties have notice of the lien created by the Bond Resolution. This pledge shall rank superior to all other pledges which may hereafter be made of any of the funds pledged in the Bond Resolution. *See* Appendix A hereto.

The Authority has not granted any lien on or security interest in the Project or any other assets of the Authority or the revenues therefrom (other than the Pledged Revenues) to secure the Bonds.

The Authority may issue other bonds for the purpose of financing unrelated projects, which are not and will not be secured by the Bond Resolution or the Contract. Such bonds will be secured by instruments separate and apart from the Bond Resolution and Contract.

THE BONDS DO NOT CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE STATE OF GEORGIA, THE UNIFIED GOVERNMENT OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE OF GEORGIA. THE BONDS DO NOT OBLIGATE THE STATE OF GEORGIA, THE UNIFIED GOVERNMENT OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE OF GEORGIA TO LEVY OR TO PLEDGE ANY FORM OF TAXATION WHATEVER FOR THE PAYMENT OF THE BONDS OR TO MAKE ANY APPROPRIATION FOR THE PAYMENT OF THE BONDS. THE UNIFIED GOVERNMENT'S OBLIGATION TO LEVY AN AD VALOREM TAX ARISES SOLELY UNDER THE CONTRACT.

The Contract Payments

Under the terms of the Contract, the Unified Government is required to make Contract Payments in amounts sufficient to pay the principal of and interest on the Bonds when due to the extent revenues received by the Authority from the Project and deposited into the Sinking Fund are insufficient to make such payments. The Unified Government's obligation to make the Contract Payments at the times and in the manner specified is absolute and unconditional and such payments may not be abated or reduced for any reason.

The Unified Government has agreed pursuant to the Contract, to the extent required, to levy an ad valorem property tax on all property in the Unified Government subject to taxation for such purposes in order to make the Contract Payments. For more information on the ad valorem tax levy, *see* "— General Fund Obligation" below.

For a more complete description of the Unified Government's obligations under the Contract, *see* Appendix A - "SUMMARY OF PRINCIPAL DOCUMENTS."

General Fund Obligation

The Unified Government is required by the Contract to pay, from its general funds or out of any other funds lawfully available to the Unified Government for such purpose and to the extent such funds are not available, from the levy of an annual tax on all property within the Unified Government such amounts which, when added to the Sinking Fund for the Bonds, will be sufficient to pay the principal of and interest on the Bonds. *See* "THE

UNIFIED GOVERNMENT — Ad Valorem Taxation" herein for a description of ad valorem property taxes in general.

Enforcement of Remedies

The realization of value from the pledge of the taxing power of the Unified Government to the payment of the Bonds upon any default will depend upon the exercise of various remedies specified by Georgia law. These remedies may require judicial actions, which are often subject to discretion and delay and which may be difficult to pursue. The enforceability of rights or remedies with respect to the Bonds may be limited by state and federal laws, rulings, and decisions affecting remedies and by insolvency or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

Section 36-80-5 of the Official Code of Georgia Annotated provides that no county, municipality, political subdivision or authority created under the Constitution or laws of the State of Georgia shall be authorized to file a petition for relief from payment of its debts as they mature or a petition for composition of its debts under any federal statute providing for such relief or composition or otherwise to take advantage of any federal statute providing for the adjustment of debts of political subdivisions and public agencies and instrumentalities. Section 36-80-5 of the Official Code of Georgia Annotated also provides that no chief executive, mayor, board of commissioners, city council or other governmental officer, governing body, or organization shall be empowered to cause or authorize the filing by or on behalf of any county, municipality, school district, authority, division, instrumentality, political subdivision or public body corporate created under the Constitution or laws of the State of Georgia of any petition for relief from payment of its debts as they mature or a petition for composition of its debts under any federal statute providing for such relief or composition or otherwise to take advantage of any federal statute providing for the adjustment of debts of political subdivisions and public agencies and instrumentalities. Section 36-80-5 of the Official Code of Georgia Annotated does not constitute a statutory covenant with the owners of the Bonds and may be amended or repealed at any time without the consent of any owners of the Bonds.

THE UNIFIED GOVERNMENT

Introduction

The Unified Government of Athens-Clarke County, Georgia is a body politic and corporate and a political subdivision created and existing under the laws of the State of Georgia and presently has as its formal or legal name "Unified Government of Athens-Clarke County, Georgia." The Unified Government was created pursuant to an Act of the General Assembly of the State of Georgia, approved March 2, 1990, as amended (the "Unification Act"). The Unification Act unified the governmental and corporate powers, duties, and functions then vested in the governing authority of the municipal corporation known as the "City of Athens, Georgia" (the "City") with the governmental and corporate powers, duties, and functions of and the political subdivision known as "Clarke County, Georgia" (the "County"). The Unification Act and the unification of the City and the County were separately approved by a majority of the qualified voters of the City and the County at an election held on August 7, 1990. The Unified Government became effective as a unified city-county government on January 14, 1991, with territorial limits covering all of what was formerly the County. While the newly elected officials of the Unified Government took office on the effective date of unification, the City and the County continued to operate as separate financial entities for the remainder of the fiscal year ended June 30, 1991. The Unified Government commenced consolidated financial operations on July 1, 1991.

The Unified Government is one of several consolidated city-county governments currently existing within the State of Georgia. As a consolidated government, it has all of the governmental and corporate powers of both municipal corporations and counties under Georgia law. Under the terms of the Unification Act, the Unified Government has all of the governmental and corporate powers, duties, and functions heretofore held by and vested in the City and the County, and also the powers, duties, and functions provided in the Unified Government's charter. Unification is intended to result in the removal of duplicate services formerly rendered by county and city governments. As a result of unification, the Unified Government provides, under one management, public services throughout its territorial limits, which services would have been provided separately by the City and the County.

The City was originally chartered in 1806 by an act of the General Assembly of the State of Georgia. The City was the county seat of the County, which was originally chartered in 1801 by an act of the General Assembly of the State of Georgia. Athens-Clarke County is located in the northeast portion of Georgia, approximately 65 miles north of Atlanta, Georgia and 100 miles northwest of Augusta, Georgia. Athens-Clarke County has a land area of approximately 125 square miles, which is the smallest land area of Georgia's 159 counties; however, Athens-Clarke County ranks as the 19th most populous county in Georgia.

Athens-Clarke County is the home of the University of Georgia, the oldest state chartered university in the United States. The University of Georgia had a student enrollment in the fall of 2021 of approximately 40,118, including undergraduate and graduate/professional students (figure includes students enrolled at extended campuses in Gwinnett County, Tifton, Griffin and Buckhead).

Unified Government Administration and Officials

The form of government of the Unified Government is the municipal form of government. Under the Unification Act, the governing authority of the Unified Government is a commission designated as the "Commission of Athens-Clarke County, Georgia" (the "Commission"). The Commission consists of ten members. The Mayor of Athens-Clarke County, Georgia (the "Mayor") presides over meetings of the Commission. The members of the Commission serve staggered terms of office of four years. All members of the Commission are full voting members. The Mayor has the right to vote only in the case of a tie. Under the terms of the Unification Act, seven members of the Commission constitute a quorum for the transaction of ordinary business, and an affirmative vote of at least six members is required for the Commission to take action.

For the purpose of electing members of the Commission, the Unified Government is divided into ten commission districts. Ten commissioners are elected by the voters residing within such commissioner's commission district. No person is eligible to serve as a commissioner unless he or she: (1) has attained the age of 21 years, (2) is a qualified voter of the Unified Government, and (3) has resided in the territory of the Unified Government for one year and within the territorial limits of the district from which elected on the date of qualifying for election. A member of the Commission must continue to reside within the district from which elected during such member's term of office.

The Mayor is the official representative of the Unified Government and is elected on a territory-wide basis by the voters of the entire territory of the Unified Government. No person will be eligible to serve as Mayor unless he or she, on the date of election: (1) has attained the age of 21 years, (2) has resided in the territory of the Unified Government for at least one year immediately preceding the date of election and must continue such residence therein during the term of office, (3) is a registered voter of the Unified Government, and (4) meets any other requirements as established by law. Any Mayor who has been elected for two full consecutive four-year terms of office is not eligible to be elected for the succeeding term.

Under the Unification Act, the Mayor is required to approve or veto every ordinance or resolution adopted by the Commission within ten business days after adoption. The Commission may override a veto of the Mayor by a vote of seven of the ten commissioners at the next Commission meeting following the veto. In the event the Mayor does not approve or veto an adopted ordinance or resolution within the time required, it becomes law without his or her approval.

Information concerning the current Mayor and Commissioners is set forth below:

Name and Office Held	Expiration of Term	Principal Occupation
Kelly Girtz, *Mayor*	January 3, 2023	Mayor
Patrick Davenport, *District 1*	January 3, 2023	Operations Manager
Mariah Parker, *District 2*	January 7, 2025	Graduate teaching assistant
Melissa Link, *District 3*	January 3, 2023	Managing editor
Allison Wright, *District 4*	January 7, 2025	Certified Medical Illustrator
Tim Denson, *District 5*	January 3, 2023	Labor organizer
Jesse Houle, *District 6*	January 7, 2025	Operations Manager

Russell Edwards, *District 7*	January 3, 2023	Business owner
Carol Myers, *District 8*	January 7, 2025	Retired Educator
Ovita Thornton, *District 9*	January 3, 2023	Executive Director
Mike Hamby, *District 10*	January 7, 2025	Business owner

The daily operation of the Unified Government is directed by a Manager, who is appointed by and serves at the pleasure of the Commission. The Manager is the administrative officer and head of the administrative branch of the Unified Government, responsible to the Commission for the proper administration of all affairs of the Unified Government.

Kelly Girtz has been the Mayor of the Unified Government since January 8, 2019. Mr. Girtz served as an Athens-Clarke County Commissioner from 2007 until 2019. He previously served as Director for Student Services at Foothills Charter High School from 2015 until 2018. From 1998 to 2014, Mr. Girtz worked as a teacher and administrator in the Clarke County School District in Athens. Mr. Girtz earned his Master of Arts in Teaching from Piedmont College and Bachelor of Science in Sociology from Old Dominion University.

Blaine H. Williams has been Manager of the Unified Government since April of 2016. Prior to that, he was Assistant Manager for the Unified Government since January 2013. Mr. Williams previously served as Manager of Floyd County, Georgia from January 2012 to December 2012 and as Assistant Manager from April 2007 to January 2012. Mr. Williams has also been employed as a Senior Project Manager with ADAMS Management Services Corporation, a consulting and program management firm; as Director of Public Administration for the Middle Georgia Regional Commission, and as Downtown/River Development Director for the City of Rome, Georgia. He earned a Masters of Public Administration from UGA and a Bachelor of Arts in Political Science/English from Presbyterian College. He successfully completed the Credentialed Manager program with the International City/County Management Association (ICMA), is active with the Georgia City/County Management Association, and previously served as President of the Georgia Main Street Association.

David Boyd has served as Director of Finance of the Unified Government since October, 2014. Previously, he served as Director of Finance for Delray Beach, Florida and City of Smyrna, Georgia. He also served as an auditor for the State of Georgia Department of Audits and Vice President of Finance for a not-for-profit healthcare and retirement organization. He holds a Master of Public Administration degree from the University of Georgia and is a Georgia licensed Certified Public Accountant.

Manager's Duties

The Manager serves as the full-time administrative officer of the Unified Government. The Manager is recommended by the Mayor and confirmed by a majority vote of the entire Commission for a term of two years.

Based on the Unified Government's charter the Manager is responsible for:

(1) The management and coordination of the operations and activities of the various departments and agencies of the Unified Government;

(2) The appointment and removal of department heads;

(3) The preparation of the proposed annual budget with the assistance of all department heads for approval by the Mayor;

(4) Keeping the Commission at all times fully advised as to the financial condition and needs of the Unified Government;

(5) Conducting studies and investigations and making reports thereon to the Commission concerning the operations of the departments, offices and agencies of the Unified Government;

(6) Requiring any department, board, commission or agency under the Manager's jurisdiction to submit written reports and to provide other information deemed necessary;

(7) Prescribing, requiring, publishing and implementing standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities and other agencies of the Unified Government which are subject to the Manager's supervision and jurisdiction;

(8) Acting as the purchasing agent of Athens-Clarke County; and

(9) Maintaining all required records of the operations and activities of the Unified Government.

In addition to the duties noted above, the Manager focuses government operations on long term plans and projects that will sustain or improve services for the citizens of the government. The Manager's Office uses a working team approach that combines the best efforts of the elected and constitutional officials and the government's department directors to provide innovative quality services and responsible stewardship of the government's resources.

Unified Government Services

The Unified Government provides a number of services. The Unified Government provides police and fire protection services to residents of Athens-Clarke County, the cost of which is financed by General Fund revenues. The Unified Government also provides planning and zoning, building permits and code enforcement, library services, recreational and cultural activities, animal control, animal shelter, jail operations, court services, correctional institute operations, leaf and limb collection services and other general governmental services to its residents, the cost of which is financed by General Fund revenues. The Unified Government acquires, constructs, and maintains roads, bridges, infrastructure, and other public facilities. The Unified Government provides garbage collection services within the area consisting of the former City of Athens, designated as the "Urban Services District", the cost of which is financed by charges to the garbage collection service customers. The Unified Government provides water and sewer services to a portion of its residents and operates a Municipal Solid Waste Landfill, the cost of which is financed by charges to the water and sewer and landfill customers. The Unified Government operates a stormwater utility to manage, operate and maintain the stormwater infrastructure system, the cost of which is financed by charges to property owners in Athens-Clarke County. The Unified Government operates a transit system serving portions of Athens-Clarke County, the cost of which is financed from a combination of grants, user fees and General Fund revenues. The Unified Government operates a commercial airport and a general aviation airport, the cost of which is financed primarily by revenues generated at the airport.

Unified Government Facilities

[to be reviewed for additional updates]

The Unified Government maintains more than 1,200 lane miles of roads. The Unified Government's Police Department is nationally accredited, with a 24-hour uniformed patrol and a 911 emergency call center, operating out of 5 facilities with a total of 254 sworn positions. The Sheriff's Department operates out of 2 locations with 146 sworn positions and operates a jail facility with a current inmate capacity of 780. The Unified Government's Fire Department has 9 fire stations, 9 pumper trucks, 1 tanker brush truck, 3 aerial apparatus, 1 hazardous material vehicle, a rescue truck in service, and 187 firefighters. The Insurance Services Office issued the Unified Government a Class I/IX Public Protection rating in 2019.

The Unified Government's Leisure Services Department maintains numerous recreational and cultural facilities, parks and greenways encompassing over 3,400 acres and 59 buildings/facilities.

The Unified Government executive and judicial functions mainly operate out of two facilities owned and operated by the Unified Government: City Hall constructed in 1904 for executive functions and the Courthouse constructed in 1914 and expanded in 1990 for all court and judicial functions.

The Unified Government's Public Utilities Department operates a water supply, treatment, and distribution system serving approximately 41,856 customers. The average daily consumption of water from the Unified Government's water system for the year ended June 30, 2021 was 13.03 million gallons per day. The Unified Government also operates a sanitary sewer collection and treatment system serving approximately 29,401 customers. The average daily use of the Unified Government's sewer system for the year ended June 30, 2021 was 11.87 million gallons per day.

The Unified Government operates Athens-Ben Epps Airport. The airport provides facilities and services for both commercial and general aviation operations. General aviation operations vary from small two-seat training aircraft to 70-seat regional jet charters. The Unified Government owns and operates a transit system which operates a 32-bus fleet 7 days a week with an annual ridership of over 618,613.

The Unified Government owns a parking deck for the courthouse and two additional downtown parking decks, along with over 1,200 street and surface parking spaces, operated by the Downtown Athens Development Authority.

Demographic Information

Set forth below is selected demographic data for Athens-Clarke County.

		Per Capita Income[2]		Average Household Effective Buying Income[1]		Median
Year	Population[1]	County	State	County	State	Age[1]
1970	65,177	$ 3,107	$ 3,378	n/a	n/a	n/a
1980	74,498	7,639	8,420	n/a	n/a	24.6
1990	87,594	15,693	17,603	$ 20,806	$ 27,561	25.6
2000	101,489	21,198	27,987	29,996	41,901	25.4
2010	115,452	25,309	34,800	34,000	46,901	25.8
2020	127,315	37,588	51,704	40,363	61,224	28.1

[1] U.S. Census Bureau, 1970, 1980, 1990, 2000, 2010 and 2020 U.S. Census, 2020 American Community Survey 5-Year Estimates.

[2] U.S. Bureau of Economic Analysis.

The estimated population of Athens-Clarke County is 127,358, according to the U.S. Census Bureau, State & County Quick Facts, estimated population as of July 1, 2021.

Economic Information

The following information is provided to give prospective investors an overview of the general economic conditions in Athens-Clarke County. These statistics have not been adjusted to reflect economic trends.

Building Permits

Summary of Building Permits

	Commercial/ Industrial/Other		Residential			
			Single Family		Multi-Family	
Fiscal Year	Permits	Value	Permits	Value	Units	Value
2017	182	$ 98,676,177	167	$ 30,194,768	120	$ 10,427,507
2018	200	67,526,458	273	158,408,000	196	11,049,532
2019	203	111,962,504	325	50,199,028	405	46,809,705
2020	177	56,823,404	424	73,783,239	195	88,626,325
2021						

Source: Athens-Clarke County Building Inspections Department.

Largest Employers

Set forth below are the largest private employers located in Athens-Clarke County as of June 30, 2021, their industries, and their approximate number of employees. There can be no assurance that any employer listed below will continue to be located in the County or will continue employment at the level stated. No independent investigation has been made of, and no representation can be made as to, the stability or financial condition of the companies listed below.

Employer	Industry	Employees
Piedmont Athens Regional Medical Center	Healthcare	3,300
St. Mary's Health Care System	Healthcare	2,100
Caterpillar, Inc.	Manufacturing	1,600
Pilgrim's Pride	Manufacturing	1,350
Power Partners/ABB Power	Manufacturing	985
Carrier Transicold	Manufacturing	500
DialAmerica	Marketing	500

Source: Athens-Clarke County Economic Development Department and publicly available information.

Set forth below are the largest public employers, other than the County, located in the County as of June 30, 2021 and their approximate number of full-time employees.

Employer	Employees
University of Georgia	10,700
Clarke County School District	2,400

Source: Athens-Clarke County Economic Development Department.

Labor Statistics

Set forth below are annual averages of certain labor statistics for Athens-Clarke County, Georgia Metropolitan Statistical Area for the past five calendar years, with comparative data for the State of Georgia.

	2017	2018	2019	2020	2021
Employment	96,580	98,219	96,878	91,706	96,774
Unemployment	4,425	3,756	3,372	5,471	3,304
Total Labor Force	101,005	101,975	100,250	97,177	100,078
County Unemployment Rate	4.4%	3.7%	3.4%	5.6%	3.3%
State Unemployment Rate	4.7%	3.9%	3.5%	6.5%	3.9%

Source: State of Georgia Department of Labor; U.S. Bureau of Labor Statistics.

Average Employment and Weekly Wage by Industry

The following table shows the annual average industry mix for Athens-Clarke County, Georgia Metropolitan Statistical Area for the fourth quarter of 2021. The table is intended to provide information regarding the types of industries employing residents of Athens-Clarke County and the compensation paid to those employees. The table does not provide information with respect to all industries and firms. It is based upon and includes only those industries and firms that participate in the State Unemployment Insurance Program.

Industry	Number of Firms	Average Monthly Employment	Average Weekly Wages
Agriculture, Forestry, Fishing	67	500	889
Mining, Quarrying, Oil and Gas Extraction	13	89	1,404
Construction	467	3,365	1,398
Manufacturing	196	6,335	1,209
Services:			
Utilities	10	236	1,781
Wholesale Trade	181	3,836	1,115
Retail Trade	710	11,200	732
Transportation and Warehousing	86	1,793	1,001
Information	64	595	1,226
Finance and Insurance	262	3,001	1,766
Real Estate and Rental and Leasing	307	1,471	1,174
Professional Scientific/Technical Services	595	3,148	1,381
Management of Companies and Enterprises	21	1,003	1,684
Administrative and Support and Waste Management and Remediation Services	327	4,078	683
Educational Services	75	1,347	744
Health Care and Social Services	692	12,690	1,366
Arts, Entertainment, and Recreation	116	966	512
Accommodation and Food Services	497	9,659	417
Other Services (except public administration)	366	2,176	1,023
Unclassified, industry not assigned	419	359	1,314
Total – Private Sector	**5,471**	**67,848**	**1,028**
Total – Government	**178**	**22,884**	**1,105**
Federal Government	45	1,118	1,656
State Government	57	**	**
Local Government	76	7,596	1,011
Total All Industries	**5,649**	**90,732**	**1,048**

**Indicates confidential information relating to individual employers and cannot be released.

Source: Georgia Department of Labor. These data use the North American Industrial Classification System (NAICS) categories. Average weekly wage is derived by dividing gross payroll dollars paid to all employees – both hourly and salaried – by the average number of employees who had earnings; average earnings are then divided by the number of weeks in a reporting period to obtain weekly figures. Figures in other columns may not sum accurately due to rounding. All figures are 4th quarter of 2021. Represent jobs that are covered by unemployment insurance laws.

Deposits in Financial Institutions

Total Deposits in Financial Institutions as of June 30

Year	Clarke County (in millions)
2017	$ 3,397,094
2018	3,822,911
2019	3,422,989
2020	3,574,335
2021	4,117,785

Source: Federal Deposit Insurance Corporation.

According to the Federal Deposit Insurance Corporation, as of June 30, 2021, Clarke County had 16 financial institutions with a total of 30 branch offices.

Employees, Employee Relations and Labor Organizations

The Unified Government employed _____ persons in all departments of government as of June 30, 2021, 1,729 full-time and _____ part-time and temporary. No employees of the Unified Government are represented by labor organizations or are covered by collective bargaining agreements, and the Unified Government is not aware of any union organizing efforts at the present time. The Manager of the Unified Government believes that employee relations are good.

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UNIFIED GOVERNMENT DEBT STRUCTURE

Summary of Unified Government Debt By Category

Set forth below is information concerning debt of the Unified Government as of [July 1, 2022]. The information set forth below should be read in conjunction with the Unified Government's financial statements included as Appendix B hereto.

Category of Debt	Amount Outstanding
General Obligation Debt[1]	
Intergovernmental Contracts[2]	
Solid Waste Management Authority of Athens-Clarke County	
Development Authority of the Unified Government of Athens-Clarke County, Georgia	
Downtown Athens Development Authority	
The Classic Center Authority[3]	
Clarke County Airport	
Revenue Bonds[4]	
Water and Sewerage System	
GEFA Notes[5]	
Capital Leases	
GMA Leases[6]	
VOIP Lease	
TOTAL	

[1] General obligations of the Unified Government to which its full faith and credit and taxing power are pledged. These obligations are payable first from dedicated sales and use taxes.

[2] General obligations of the Unified Government to which its full faith and credit and taxing power are pledged. Each of these obligations is represented by one or more intergovernmental contracts with the named public entity pledged to the payment of one or more series of revenue bonds issued by such public entity. These obligations do not constitute debt of the Unified Government for purposes of the constitutional debt limit described in "UNIFIED GOVERNMENT DEBT STRUCTURE - Limitations on Unified Government Debt" herein and do not count against the Unified Government's debt limitation.

[3] Represents an intergovernmental contract in the nature of a guarantee. The Bonds that are the subject of this Official Statement are not shown in this presentation.

[4] Limited obligations of the Unified Government and payable solely from revenues derived from the named enterprise owned and operated by the Unified Government. These obligations do not constitute debt of the Unified Government for purposes of the constitutional debt limit described in "UNIFIED GOVERNMENT DEBT STRUCTURE - Limitations on Unified Government Debt" herein and do not count against the Unified Government's debt limitation.

[5] General obligations of the Unified Government to which its full faith and credit and taxing power are pledged. These obligations are represented by notes payable to the Georgia Environmental Facilities Authority. These obligations do not constitute debt of the Unified Government for purposes of the constitutional debt limit described in "UNIFIED GOVERNMENT DEBT STRUCTURE - Limitations on Unified Government Debt" herein and do not count against the Unified Government's debt limitation.

[6] Represents capital lease obligations. The financial obligations of the Unified Government under the capital leases do not constitute general obligations of the Unified Government to which its faith and credit or taxing power are pledged, but are subject to and dependent upon lawful appropriations of general revenues being made by the Commission to pay the lease payments due in each fiscal year. The Unified Government's obligations under the capital leases are from year to year only and do not constitute a mandatory payment obligation of the Unified Government in any fiscal year in which funds are not appropriated by the Unified Government to pay the lease payments due in such fiscal year. The Unified Government's obligations under the capital leases do not

constitute debt of the Unified Government for purposes of the constitutional debt limit described in "UNIFIED GOVERNMENT DEBT STRUCTURE - Limitations on Unified Government Debt" herein and do not count against the Unified Government's debt limitation.

Reference is made to Note IV.B of the basic financial statements of the Unified Government included as Appendix B for a discussion of the commitments and contingencies of the Unified Government.

There has never been a default in payment of the principal of or interest on any general obligation bonds issued by the Unified Government.

Proposed Debt

Other than as described above, the Unified Government has no present plans to incur additional long-term debt during the next three years.

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Debt Service Requirements

Set forth below are the debt service requirements of the Unified Government for all categories of debt, not including the Bonds described in this Official Statement. *See* "THE BONDS – Principal and Interest Requirements" herein for debt service requirements of the Bonds.

[to be updated with Authority's Series 2021 Bonds]

Year Ending December 31	General Obligations[1]	Intergovernmental Contracts[2]	Revenue Bonds	Notes	Capital Leases	Total Debt Service Requirements
2022[3]	$ 18,179,403		$ 14,652,475	$ 1,280,598	$ 634,812	
2023	15,794,650		14,657,225	1,280,598	365,367	
2024	15,523,150		14,653,725	1,280,599	365,367	
2025	15,242,650		14,651,225	1,280,600	365,367	
2026	14,957,900		14,653,600	1,280,600	365,367	
2027	14,663,400		14,649,850	1,280,600	365,367	
2028	14,363,900		14,648,975	1,280,600	2,355,828	
2029	14,053,900		14,651,600	1,280,600		
2030	13,767,000		14,655,850	952,878		
2031			14,653,725	297,440		
2032			14,652,600	198,292		
2033			14,651,400			
2034			14,651,400			
2035			14,651,800			
2036			14,651,800			
2037			14,650,600			
2038			14,652,300			
Total	$151,136,937		$263,740,375	$12,974,003	$5,452,287	

[1] Includes TSPLOST 2018 Note, Series 2020 GO SPLOST Bonds and Series 2021 GO SPLOST Bonds.

[2] Includes debt service for the Solid Waste Management Authority of Athens-Clarke County, the Development Authority of the Unified Government of Athens-Clarke County, Georgia, the Clarke County Airport, the Athens Public Facilities Authority, the Downtown Athens Development Authority, and the Classic Center Authority. Does not include the Bonds described in this Official Statement.

[3] Amounts shown for 2022 are total debt service requirements and are not shown net of $_____ debt service payments already made as of the date of this Official Statement. The remaining debt service for year ending December 31, 2022 is: $_____ in General Obligations, $_____ in Intergovernmental Contract debt, $_____ in Revenue Bonds, $_____ in Notes, and $_____ in Capital Leases, for total remaining debt service in 2022 of $_____.

Overlapping Debt

In addition to the Unified Government's debt obligations, property owners in Athens-Clarke County are responsible for any debt obligations of other taxing entities in the proportion to which the jurisdiction of the Unified Government overlaps such entities. Set forth below is the estimated overlapping general obligation debt and estimated overlapping property tax supported or guaranteed revenue debt of the Unified Government as of June 30, 2021. Although the Unified Government has attempted to obtain accurate information as to the outstanding overlapping debt, it does not warrant its completeness or accuracy, as there is no central reporting entity that has this information available, and the amounts are based on information supplied by others.

Name of Overlapping Entity[1]	Amount of Outstanding Debt	Percent of Outstanding Debt Chargeable to Property in Clarke County
Clarke County School District	$ 25,650,000	100%

[1] This presentation excludes the prior debt of the Classic Center Authority, which is shown as an Intergovernmental Contract under "Summary of Unified Government Debt by Category" above.

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Debt Ratios

RATIOS OF OUTSTANDING DEBT BY TYPE
LAST FIVE FISCAL YEARS

	Governmental Activities						Business-Type Activities				
Fiscal Year	General Obligation Debt[1]	Guaranteed Revenue Debt[2]	Certificates of Participation[3]	Notes Payable[4]	Capital Leases	Development Authority Revenue Bonds	Water and Sewer Revenue Bonds	Notes Payable[5]	Total Primary Government	Percentage of Personal Income[6]	Per Capita
2017	$20,209,047	$6,088,200	$2,249,000	-	-	$5,875,524	$221,158,414	$14,304,014	$269,884,199	7.42%	$2,164
2018	17,766,939	5,225,400	2,249,000	$359,746	-	5,563,673	213,865,258	14,085,778	259,115,794	6.28	2,039
2019	8,000,000	4,332,800	2,249,000	323,008	$978,977	5,246,823	206,327,530	17,872,574	245,330,712	5.67	1,927
2020	38,442,068	3,409,800	2,249,000	286,085	2,383,635	4,919,973	198,537,854	16,864,689	267,093,104	5.97	2,081
2021	31,146,046	2,455,900	2,249,000	-	1,927,804	4,583,123	190,488,943	14,635,747	247,486,563	5.15	1,937

[1] Includes Series 2013 GO Sales Tax Bonds with unamortized premium, 2018 GO Sales Tax Promissory Note, and Series 2020 GO SPLOST Bonds. Does not include Series 2021 GO SPLOST Bonds issued September 28, 2021.

[2] Includes Series 2011 Athens Downtown Development Authority Revenue Bonds, and 2010 Athens-Clarke County Public Facilities Authority Promissory Note. Does not include Series 2021 Classic Center Authority Bonds issued November 17, 2021.

[3] Includes 1998 Lease Pool Agreement with the Georgia Municipal Association.

[4] Includes 2018 SPLOST Promissory Note.

[5] Includes 2010 and 2012 Water and Sewer Promissory Notes, 2003 and 2009 Airport Promissory Notes, and 2019 Solid Waste Authority of Athens-Clarke County Promissory Note.

[6] Calculated using personal income from U.S. Department of Commerce, Bureau of Economic Analysis (CA1-3 Personal Income Summary).

Debt History

Set forth below is information concerning the different categories of liabilities (excluding interfund payables and payables to component units) of the Unified Government outstanding as of the past five fiscal years.

Category of Liabilities	Amount Outstanding as of June 30				
	2017	2018	2019	2020	2021
Short-Term	$ 51,872,557	$ 53,150,049	$ 44,618,311	$ 48,013,932	$ 75,365,102
Long-Term	414,105,648	453,160,196	536,331,921	642,708,329	593,297,809
Total	$ 465,978,205	$ 506,310,245	$ 580,950,232	$ 690,722,261	$ 668,662,911

Limitations on Unified Government Debt

The Constitution of the State of Georgia provides that the Unified Government may not incur long-term obligations payable out of general property taxes without the approval of a majority of the qualified voters of the Unified Government voting at an election called to approve the obligations. In addition, under the Constitution of the State of Georgia, the Unified Government may not incur long-term obligations payable out of general property taxes in excess of 10 percent of the assessed value of all taxable property within the Unified Government.

Short-term obligations (those payable within the same calendar year in which they are incurred), lease and installment purchase obligations subject to annual appropriation, and intergovernmental obligations (such as the Capital Leases and Intergovernmental Contracts described in "UNIFIED GOVERNMENT DEBT STRUCTURE - Summary of Unified Government Debt by Category" herein) are not subject to the legal limitations described above. In addition, refunded obligations cease to count against the Unified Government's debt limitation upon being refunded. Georgia law provides, however, that no lease or installment purchase contract subject to annual appropriation may be delivered if the principal portion of such contract, when added to the amount of debt subject to the debt limitation described above, exceeds 10 percent of the assessed value of all taxable property within the Unified Government. Georgia law also provides that no lease or installment purchase contract subject to annual appropriation with respect to real property may be developed and executed or renewed, refinanced, or restructured if the lesser of either of the following is exceeded:

(1) the average annual payments on the aggregate of all such outstanding contracts exceed 7.5 percent of the governmental fund revenues of the Unified Government for the calendar year preceding the delivery of such contract plus any available special county one percent sales and use tax proceeds collected; or

(2) the outstanding principal balance on the aggregate of all such outstanding contracts exceeds $25 million.

The table below, based upon its 2021 assessed value of the general obligation bond digest and after issuance of the Bonds, indicates the general obligation debt payable out of general property taxes the Unified Government could incur (upon necessary voter approval).

Computation of Legal Debt Margin

Assessed Value of Taxable Property	$5,069,293,000
Debt Limit (10% of Assessed Value)	$506,929,300
Amount of Debt Applicable to Debt Limit	$
Legal Debt Margin	$

THE SALES TAX

Description

Georgia law authorizes the governing authority of certain counties in the State of Georgia, including the Unified Government, by resolution to impose within the special district coterminous with its boundaries a special sales and use tax, known as the County Special Purpose Local Option Sales and Use Tax, at the rate of one percent to raise a specified amount, conditioned upon approval by a majority of the qualified voters voting in a referendum thereon. The resolution calling for the imposition of the tax, however, must state the maximum amount of revenue to be raised by the tax, and the tax will terminate as of the end of the calendar quarter during which the Revenue Commissioner of the State of Georgia (the "Revenue Commissioner") determines that the tax will have raised revenues equal to or greater than such maximum amount.

The Sales Tax was authorized under this authority to be reimposed to raise $314,303,300 pursuant to the SPLOST Referendum in the Unified Government held on November 5, 2019, called under a resolution adopted by the Commission on August 6, 2019. The canvass of the election showed 7,045 "Yes" votes and 1,937 "No" votes, an approximately 78.4% approval by those who voted in the election.

The notice of election authorized the reimposition of the Sales Tax upon the termination of the county special purpose local option sales tax presently in effect (the "Existing Sales Tax") on or about March 1, 2020 for certain purposes pursuant to an Intergovernmental Agreement dated August 5, 2019 (the "Sales Tax Contract") among the Unified Government, the City of Winterville ("Winterville") and the Town of Bogart ("Bogart"). The following capital outlay projects of the Unified Government of Athens-Clarke County, Georgia were authorized: Facilities Space Modernization, Affordable Housing, Classic Center Arena, SPLOST bond debt service, Fire Department Equipment, Fire Station #5 Replacement, E911 Phone System Replacement, Public Safety Vehicle & Equipment Replacement, Mobile Medical Services Facilities, Environmental Mitigation & Restoration, Renewable Energy, Greenspace Acquisition & Sustainability, Holland Youth Sports Complex Improvements, Athens West Park, Sandy Creek Nature Center Exhibit, Memorial Park Improvements, Beech Haven Park Improvements, Tallassee Forest Nature Preserve Improvements, Bishop Park Improvements, Parks Facilities Improvements, Bear Hollow Zoo Improvements, Broadband Connectivity Enhancement, East Athens Youth & Community Enrichment Facilities, Animal Shelter Improvements, East Side Public Library, Recovered Material Processing & Reuse Facilities, Facilities Equipment/Systems Replacement, Mental Health Recovery Facility, Welcome Center Access Improvements, Airport Capital Improvements, Vincent Drive Sidewalk, Tallassee Road Connector, Jackson Street Art Walk, Water Trails, and Live Stream Pipe Replacement. The following capital outlay projects of the City of Winterville were authorized: Fire Protection Assets, Police Assets, City Arborist Property Improvements, Pittard Park Upgrades & Improvements, Green Space Acquisition, Replacement of Marigold Express, Public Works Assets, City Hall Improvements, WCCC & Auditorium Parking Areas, Landscaping & Lighting, Sustainable Energy Project, Center for Community & Culture Improvements, Auditorium Completion, and Library Expansion. Capital outlay projects of the Town of Bogart were authorized, which may include: Sidewalk Improvements, Entryway Signage, Facility and/or Infrastructure Improvements, and Acquisition of Associated Rights-of-Way and Easements.

The Sales Tax began to be collected on or about April 1, 2020, and will cease to be collected at the end of the calendar quarter during which the Revenue Commissioner determines that the Sales Tax will have raised revenues equal to or greater than $314,303,300.

The Revenue Commissioner will remit monthly receipts of the Sales Tax, after processing, to the Unified Government. The Unified Government will fund the annual sinking fund for its Series 2020 GO SPLOST Bonds and Series 2021 GO SPLOST Bonds, then disburse to Winterville and Bogart their portions of the monthly receipts, if any, in accordance with the Sales Tax Contract. Winterville will receive annual payments of approximately $274,636 and aggregating $3,021,000, and Bogart will receive annual payments of approximately $34,363 and aggregating $378,000. The balance of receipts of the Sales Tax will be available for the authorized capital outlay projects of the Unified Government. For a description of historical collections, *see* "UNIFIED GOVERNMENT FINANCIAL INFORMATION – Sales Tax Collections" herein.

Sales Subject to Taxation

The Sales Tax will be imposed on the retail purchase, retail sale, rental, storage, use or consumption of tangible personal property and on services within Clarke County, subject to numerous exemptions, including sales to certain governmental entities and to certain non-profit organizations, professional, insurance and personal service transactions, sales of certain agricultural products, sales to and by certain agricultural enterprises, sales of certain types of manufacturing equipment, the sale or use of certain types of industrial materials, and sales of prescription drugs, certain medical devices and equipment, lottery tickets, many categories of motor fuel, energy used in the processing or manufacture of tangible goods for resale, and the purchase and lease of certain motor vehicles.

Sales Tax Collections

The Sales Tax will be generally imposed on the purchaser of tangible personal property or services and will be generally collected by the seller of tangible personal property or services from the purchaser at the time of sale. Sellers of tangible personal property or services will be generally required to file tax returns with the Revenue Commissioner on or before the 20th day of each month, showing taxable sales during the preceding calendar month, and to remit the Sales Tax shown due on the return with the return.

Permitted Uses

Georgia law provides that the Sales Tax shall be exclusively administered and collected by the Revenue Commissioner for the use and benefit of the Unified Government. The proceeds of the Sales Tax collected by the Revenue Commissioner must be disbursed to the Unified Government as soon as practicable after collection, after deducting one percent of the amount collected for the state treasury in order to defray the costs of administration.

Georgia law provides that the proceeds received by the Unified Government from the Sales Tax shall be used by the Unified Government exclusively for the purpose or purposes specified in the resolution calling for imposition of the Sales Tax. Such proceeds are required by Georgia law to be kept in a separate account from other funds of the Unified Government and may not in any manner be commingled with other funds of the Unified Government prior to expenditure. Georgia law provides that no part of the net proceeds from the Sales Tax received in any year may be used for transportation purposes until all debt service requirements on the GO SPLOST Bonds for that year have first been satisfied from the account in which the proceeds of the Sales Tax are placed.

UNIFIED GOVERNMENT AD VALOREM TAXATION

Introduction

An important source of revenue to fund the operations of the Unified Government is ad valorem property taxes. Ad valorem property taxes accounted for an annual average of approximately ___% of Unified Government General Fund revenues for the years ended June 30, 2017 to 2021, were budgeted to account for approximately ___% of General Fund revenues for the year ended June 30, 2022, and are budgeted to account for approximately ___% of General Fund revenues for the year ending June 30, 2023. Ad valorem property taxes are levied annually in mills (one tenth of one percent) upon each dollar of assessed property value.

Property Subject to Taxation

Ad valorem property taxes are levied, based upon value, against real and personal property within the Unified Government. There are, however, certain classes of property which are exempt from taxation, including public property, religious property, charitable property, property of nonprofit hospitals, nonprofit homes for the aged, and nonprofit homes for the mentally handicapped, college and certain educational property, public library property, certain farm products, certain air and water pollution control property and personal effects.

For purposes of reducing the burden of ad valorem taxation on property owned and occupied by a taxpayer at his or her legal residence, Georgia general law grants several types of homestead exemption. In addition, the Unified Government, by virtue of a local law, offers additional homestead exemptions. The Unified Government

allows limited exemptions from ad valorem taxation for homesteads, or owner-occupied residences (1) of all persons, in the amount of $10,000 of assessed value (this exemption, however, is inapplicable to taxes levied to pay bonded indebtedness), (2) of persons who are over age 65 and whose net income from all sources (including the spouse's income) does not exceed $10,000, in the amount of $10,000 of assessed value (this exemption, however, is applicable to taxes levied to pay bonded indebtedness in the amount of $4,000 of assessed value), (3) of disabled veterans and certain un-remarried surviving spouses of disabled veterans, not to exceed the greater of $64,960 or an amount determined under federal law, (4) of un-remarried surviving spouses of peace officers or firefighters who were killed in the line of duty, for the full value of that homestead, (5) of un-remarried surviving spouses of service members, not to exceed the greater of $64,960 or an amount determined under federal law, (6) of persons who are over age 62 and whose net income from all sources (including the spouse's income) does not exceed $10,000, in the amount of $10,000 of assessed value (this exemption, however, is inapplicable to taxes levied to pay bonded indebtedness), (7) of persons who are over the age of 62 and whose net income from all sources (including the spouse's income) does not exceed $10,000, in the amount of $10,000 of assessed value (this exemption, however, is inapplicable to taxes levied to pay bonded indebtedness), and (8) of seniors where households satisfy income limitations described at dor.georgia.gov/county-property-tax-facts-clarke#toc-homestead-exemptions. The Unified Government also has adopted a "freeport" exemption that exempts the inventory of companies that manufacture or warehouse goods in the jurisdiction, at the 100% level.

In the 2012 legislative session, the Georgia General Assembly enacted House Bill 48 ("HB 48"). Georgia Governor Nathan Deal signed HB 48 into law on April 17, 2012. HB 48 gives cities and counties the option to exempt some or all of business inventory from ad valorem property taxation (the "Inventory Exemption"). HB 48 mirrors the freeport inventory exemption described above. Like the freeport inventory exemption, the Inventory Exemption has to be approved by the voters of the Unified Government in a local referendum before taking effect. If approved in such a referendum, the Unified Government may exempt 20, 40, 60, 80, or 100% of business inventory from ad valorem taxation. The Unified Government has not to date held a local referendum to approve the Inventory Exemption within the Unified Government.

In the 2012 legislative session, the Georgia General Assembly also enacted House Bill 386 ("HB 386"). HB 386 provides a number of changes to Georgia's tax laws that impact local governments in Georgia, including the elimination of the ad valorem tax on motor vehicles and the replacement of such ad valorem tax with one-time state and local title fees whenever any motor vehicle changes ownership on or after March 1, 2013. For more information, *see* "LEGAL MATTERS - State of Georgia Tax Reform Legislation" herein.

Assessed Value

Assessed valuation, which represents the value upon which ad valorem property taxes are levied, is calculated as a percentage of fair market value. Georgia law requires taxable tangible property to be assessed, with certain exceptions, at 40 percent of its fair market value and to be taxed on a levy made by each tax jurisdiction according to 40 percent of the property's fair market value. Georgia law requires certain agricultural real property to be assessed for ad valorem property tax purposes at 75 percent of the value of which other real property is assessed, requires certain historical property to be valued at a lower fair market value for ad valorem property tax purposes, and requires certain agricultural, timber, and environmentally sensitive real property and certain single-family real property located in transitional developing areas to be valued at their "current use value" (as opposed to fair market value).

The chief appraiser of the Unified Government is required to submit a certified list of assessments for all taxable property, except motor vehicles and property owned by public utilities, within Clarke County to the Clarke County Board of Tax Assessors. The Clarke County Tax Commissioner is required to present the tax returns to the Board of Tax Assessors by April 1 of each year. The Board of Tax Assessors is required to complete its revision and assessment of returns and to forward the completed digest to the Tax Commissioner by July 1 of each year. The Tax Commissioner then has to forward the digest to the State of Georgia Revenue Commissioner for examination and approval by August 1. The State of Georgia Revenue Commissioner has the authority to examine the digest for the purpose of determining if the valuations of property are reasonably uniform and equalized between and within counties. Assessments may also be subject to review at various stages by the Clarke County Board of Equalization and by state courts.

The State of Georgia Motor Vehicle Tax Unit assesses the value of motor vehicles by make, model, and year by county and provides this information to each county tax office. The State of Georgia Property Tax Unit assesses the value of the property of public utilities and divides the assessment into two parts, assessed value of property and assessed value of franchise, and provides these amounts to the Unified Government, which bills these taxes to the utilities.

Annual Tax Levy

The Unified Government determines a rate of levy for each fiscal year by computing a rate which, when levied upon the assessed value of taxable property within its territorial limits, will produce the necessary amount of property tax revenues. The Unified Government then levies its ad valorem property taxes.

Property Tax Collections

The Unified Government bills and collects its own property taxes. Real and personal property taxes, except motor vehicle taxes, are levied in July of each year on the assessed value listed as of January 1. Taxes levied by the Unified Government in July are normally billed on August 20 and are normally payable on or before October 20. Motor vehicle taxes are levied, due, and collected on a staggered basis throughout the entire calendar year; however, on and after March 1, 2013, only motor vehicles titled prior to that date will be subject to ad valorem tax. For more information, *see* "LEGAL MATTERS - State of Georgia Tax Reform Legislation" herein. Interest applies to taxes paid after the due date as prescribed in Section 48-2-40 of the Official Code of Georgia Annotated, and penalties apply to taxes paid more than 120 days after the due date as prescribed in Section 48-2-44.

All taxes levied on real and personal property, together with interest thereon and penalties for late payment, constitute a perpetual lien on and against the property taxed arising after January 1 in the year in which taxed. The lien normally becomes enforceable on March 20 of the following year. Georgia law provides that taxes must be paid before any other debt, lien, or claim of any kind, except for certain claims against the estate of a decedent and except that the title and operation of a security deed is superior to the taxes assessed against the owner of property when the tax represents an assessment upon property of the owner other than the property specifically subject to the title and operation of the security deed.

Collection of delinquent real property taxes is enforceable by tax sale of such realty. Delinquent personal property taxes are similarly enforceable by seizure and sale of the taxpayer's personal property. There can be no assurance, however, that the value of property sold, in the event of a tax sale, will be sufficient to produce the amount required to pay in full the delinquent taxes, including any interest or penalties thereon.

When the last day for the payment of taxes has arrived, the tax collector may notify the taxpayer in writing of the fact that the taxes have not been paid and that, unless paid, an execution will be issued. At any time after thirty days from giving the notice described in the preceding sentence, the Clerk of Athens-Clarke County may issue an execution for nonpayment of taxes to the Sheriff, or the Tax Commissioner, as ex-officio Sheriff. The Sheriff, or the Tax Commissioner, as ex-officio Sheriff, may then publish a notice of the sale in a local newspaper weekly for four weeks and give the taxpayer ten days written notice by registered or certified mail. A public sale of the property may then be made by the Sheriff, or the Tax Commissioner, as ex-officio Sheriff, at the Clarke County Courthouse on the first Tuesday of the month after the required notices are given.

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Historical Property Tax Data

Set forth below is information concerning the assessed (40% of fair market value) and estimated actual value of taxable property within the Unified Government for calendar years 2017 through 2021 (expressed in thousands).

Calendar Year	Real & Personal Property	Motor Vehicles[1]	Mobile Homes	Public Utilities	Less Exempt Property	Total Assessed Value	Less Bond Exemptions	General Obligation Bond Tax Digest	Less Additional Maintenance & Operation Exemptions	Maintenance & Operation Tax Digest[2]	Estimated Actual Value
2017	$5,984,680	$57,786	$5,036	$84,704	$(2,009,290)	$4,122,916	$(180,041)	$3,942,875	$(155,331)	$3,787,544	$10,307,290
2018	6,231,257	42,765	5,082	84,382	(2,014,529)	4,348,957	(210,269)	4,138,688	(155,297)	3,983,391	10,872,393
2019	6,633,456	34,528	5,056	88,679	(2,017,546)	4,744,174	(231,349)	4,512,855	(154,994)	4,357,831	11,860,435
2020	6,999,093	27,681	5,103	93,942	(2,056,526)	5,069,293	(222,646)	4,846,647	(154,580)	4,692,067	12,673,233
2021	7,362,412	22,965	5,175	99,001	(2,070,810)	5,418,743	(197,637)	5,221,106	(155,468)	5,065,638	13,546,858

[1] Only motor vehicles titled prior to March 1, 2013 are subject to ad valorem tax. For more information, *see* "LEGAL MATTERS - State of Georgia Tax Reform Legislation" herein.

[2] Under Georgia law, property is assessed for taxes at 40% of fair market value.

Source: Unified Government; Clarke County Tax Commissioner.

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Set forth below is information concerning the rate of levy of property taxes per $1,000 of assessed value, or millage rates, of the Unified Government and all overlapping governments for calendar years 2017 through 2021.

Calendar Year	Unified Government[1] Maintenance and Operation	Debt Service	Total	Clarke County School District	State of Georgia	County-Wide Total
2017	13.95	0.00	13.95	20.00	0.00	33.95
2018	13.95	0.00	13.95	20.00	0.00	33.95
2019	13.95	0.00	13.95	20.00	0.00	33.95
2020	13.70	0.00	13.70	20.00	0.00	33.70
2021	13.70	0.00	13.70	20.00	0.00	33.70

Calendar Year	Downtown Development Authority	Bogart	Winterville
2017	1.00	2.878	2.90
2018	1.00	2.878	2.90
2019	1.00	2.878	2.90
2020	1.00	2.788	2.90
2021	1.00	2.664	2.90

[1] Millage rates for incorporated areas of the County

Source: Clarke County Tax Commissioner.

Set forth below is information concerning property tax levies and collections of the Unified Government for calendar years 2016 through 2020. [confirm if 2021 information is available]

Calendar Year of Levy	Taxes Levied	Collected within the Fiscal Year of the Levy Amount	Percentage of Levy	Collections in Subsequent Years	Total Collections to June 30, 2021 Amount	Percentage of Levy
2016	$52,519,681	$52,194,741	99.38%	$324,874	$52,519,615	100.00%
2017	55,726,997	55,411,318	99.43	319,992	55,731,310	100.01
2018	59,095,976	58,701,948	99.33	363,402	59,065,350	99.95
2019	65,230,044	64,733,665	99.24	337,254	65,070,191	99.76
2020	69,138,361	68,644,170	99.29	-	68,644,170	99.29

Source: Clarke County Tax Commissioner.

Set forth below is the estimated value of total tax executions (or fifas) owned by the Unified Government for the past five fiscal years. The amounts set forth below are cumulative amounts from all preceding years. [confirm if 2021 information is available]

Estimated Value as of June 30				
2016	2017	2018	2019	2020
$246,670	$226,182	$236,862	$284,255	$373,239

Source: Clarke County Tax Commissioner.

Delinquent property taxes of the Unified Government are written off when the statute of limitations for their collection (7 years) expires or if no property is found to levy upon, if earlier. The delinquent taxes written off are usually for personal property, which are more difficult to collect than taxes on real property.

Ten Largest Taxpayers

Set forth below are the ten largest taxpayers of the Unified Government for fiscal year 2021. A determination of the largest taxpayers within the Unified Government can be made only by manually reviewing individual tax records. Therefore, it is possible that owners of several small parcels may have an aggregate assessment in excess of those set forth in the table below. Furthermore, the taxpayers shown in the table below may own additional parcels within the Unified Government. No independent investigation has been made of, and consequently no representation can be made as to, the financial condition of any of the taxpayers listed below or that such taxpayers will continue to maintain their status as major taxpayers in the Unified Government.

Taxpayer	Nature of Business	Taxable Assessed Valuation	Percent of Total Taxable Assessed Value
Janssen Pharmaceuticals Inc	Pharmaceuticals	$ 71,251,962	1.52%
Georgia Power Company	Power Generation	61,828,773	1.32
Boehringer Ingelheim Animal Health	Animal Pharmaceuticals	59,395,168	1.27
The Mark At Athens LLC	Apartments	51,080,322	1.09
McLane Company Inc.	Distribution	32,403,747	0.69
Ethicon LLC	Manufacturing	31,158,602	0.66
Pilgrim's Pride Corp.	Food Processing	27,525,906	0.59
Athens Standard LLC	Apartments	27,197,066	0.58
Pep-Athens LLC	Apartments	22,438,249	0.48
West Clayton Athens GA Owner LLC	Apartments	21,957,437	0.47
TOTAL		$406,237,232	8.66%

Source: Clarke County Tax Commissioner.

UNIFIED GOVERNMENT FINANCIAL INFORMATION

Accounting System and Policies

The accounting practices and policies of the Unified Government conform to generally accepted accounting principles as applied to governments. The Unified Government's accounting system is organized and operated on a fund basis. The Unified Government's funds are segregated for the purpose of accounting for the operation of specific activities or attaining certain objectives. The Unified Government's primary fund is the General Fund, which contains all Unified Government revenues except those that are specifically allocated for other purposes. The Unified Government may appropriate money from the General Fund for all ordinary Unified Government expenses. The Solid Waste Management Authority of Athens-Clarke County, Georgia, the Athens Public Facilities Authority, the Development Authority of Athens-Clarke County, the Land Bank Authority, and the Clarke County Airport Authority are accounted for as blended component units of the Unified Government. The Downtown Athens Development Authority, the Athens-Clarke County Downtown Development Authority, the Classic Center Authority, the Alternative Dispute Resolution Program, and the Clarke County Board of Health are accounted for as discretely presented component units of the Unified Government. The Unified Government also maintains several other funds to account for specific activities or to attain certain objectives.

The funds of the Unified Government are grouped into three broad categories:

(1) Governmental Funds - This category includes the General Fund, the Special Revenue Funds, the Capital Projects Funds, the Debt Service Fund, and the Permanent Fund. The General Fund is the principal operating fund of the Unified Government and is used to account for all activities of the Unified Government not otherwise accounted for in a specified fund. The Unified Government has 12 Special Revenue Funds, which account for specific revenues that are legally restricted to expenditures for specified purposes. The Unified Government has seven Capital Projects Funds, which include those that account for collections of the special one percent sales and use tax to be used for the acquisition or construction of major capital facilities. The Unified Government has one Debt Service Fund, which accounts for special one percent sales and use tax used for debt service payments. The Unified Government has one Permanent Fund, which accounts for donations from citizens to be used for an appropriate public project in 2076.

(2) Proprietary Funds - This category includes the Enterprise Funds and the Internal Service Funds. The Unified Government has seven Enterprise Funds, which are the Water and Sewer Fund, the Landfill Fund, the Solid Waste Fund, the Transit Fund, the Airport Fund, the Land Bank Authority Fund and the Stormwater Fund. The Unified Government has five Internal Service Funds, which account for operations that provide services to other departments or agencies of the Unified Government on a cost-reimbursement basis. The Enterprise Funds and the Internal Service Funds account for Unified Government operations that are designed to be self-supporting.

(3) Fiduciary Funds - This category includes the Employee Retirement Pension Trust Fund and the Other Post-Employment Benefits Trust Fund, which account for assets held by the Unified Government in a fiduciary capacity. The Unified Government has two Pension Trust Funds and nine Agency Funds.

Reference is made to Note I of the basic financial statements of the Unified Government included as Appendix B for a detailed discussion of the Unified Government's significant accounting policies.

Five-Year General Fund History

Set forth below is an historical, comparative summary of the revenues, expenditures, and changes in fund balance of the Unified Government's General Fund for the fiscal years 2017 through 2021. Information in the following table for fiscal years 2017 through 2021 has been extracted from audited financial statements of the Unified Government for the years ended June 30, 2017 to 2021. *See* "UNIFIED GOVERNMENT FINANCIAL INFORMATION - Accounting System and Policies" herein. Although taken from audited financial statements, no representation is made that the information is comparable from year to year, or that the information as shown taken

by itself presents fairly the financial condition of the Unified Government for the fiscal years shown. For more complete information, reference is made to the audited financial statements for fiscal years 2017 to 2021, copies of which are available from the Unified Government upon request.

Unified Government General Fund

	Years Ended June 30 (Audited)				
	2017	2018	2019	2020	2021
Revenues					
Taxes	$ 97,615,436	$ 102,006,969	$107,419,345	$115,090,792	$122,735,072
Licenses and Permits	1,667,864	1,587,800	1,662,110	1,643,490	873,445
Intergovernmental	1,017,448	1,571,781	1,214,250	3,250,380	7,843,026
Charges for Services	12,235,859	12,446,653	12,824,916	9,447,427	11,137,774
Fines and Forfeitures	2,688,193	2,956,611	3,121,133	2,503,529	1,259,223
Interest	236,262	526,132	777,558	618,551	39,171
Other	518,893	689,250	653,644	801,517	861,033
Total Revenues	$115,979,955	$121,785,196	$127,672,956	$133,355,686	$144,748,744
Expenditures					
Current:					
General Government	$ 18,558,237	$ 19,996,247	$ 21,969,733	$ 24,103,373	$ 27,187,763
Judicial	26,008,847	26,724,479	10,113,115	10,182,226	10,446,969
Public Safety	37,151,467	38,496,562	56,522,765	57,113,739	59,014,531
Public Works	13,823,486	14,441,300	15,019,705	14,563,457	14,828,150
Health and Welfare	1,604,581	1,525,398	1,541,762	1,541,762	4,620,514
Culture and Recreation	9,176,186	9,241,570	9,707,908	9,593,137	10,134,569
Housing and Development	2,975,246	2,899,164	2,840,573	3,462,888	5,209,951
Intergovernmental	1,900,436	1,763,670	1,819,364	1,878,282	5,186,665
Capital Outlay:					
General Government	--	--	--	--	515,116
Public Safety	--	58,800	--	--	--
Public Works	--	38,645	--	--	--
Housing and Development	--	--	--	--	40,352
Debt Service	758,286	1,045,086	1,045,545	1,050,335	1,305,005
Total Expenditures	$111,956,772	$116,230,921	$120,580,470	$123,489,199	$138,489,585
Excess (Deficiency) of Revenues Over Expenditures	4,023,183	5,554,275	7,092,486	9,866,487	6,259,159
Other Financing Sources (Uses)					
Transfers In	2,835,324	3,011,455	3,481,619	3,830,545	3,933,683
Transfers Out[1]	(9,677,890)	(9,342,993)	(6,947,112)	(6,204,902)	(4,313,102)
Proceeds from sale of capital assets	9,297	21,223	21,035	11,339	38,294
Total Other Financing Sources (Uses)	(6,833,269)	(6,310,315)	(3,444,458)	(2,363,018)	(341,125)
Net Change in Fund Balance	(2,810,086)	(756,040)	3,648,028	7,503,469	5,918,034
Fund Balance, Beginning of Year	26,294,451	23,484,365	22,728,325	26,376,353	33,879,822
Fund Balance, End of Year	$ 23,484,365	$ 22,728,325	$ 26,376,353	$ 33,879,822	$ 39,797,856

[1] Represents primarily amounts transferred from the General Fund to fund capital projects and to supplement the budget for the Transit Enterprise Fund.

Sales Tax Collections

Athens-Clarke County, Georgia
Sales Tax Collections
Last Ten Fiscal Years

Fiscal Year	Local Option Sales Tax (LOST)	Percent Increase (Decrease)	Special Purpose Local Option Sales Tax	Percent Increase (Decrease)	Transportation Local Option Sales Tax	Percent Increase (Decrease)	Total Sales Taxes
2012	$20,134,990	6.23%	$20,364,487	6.19%	--	--	$40,499,477
2013	20,641,038	2.51	20,862,308	2.44	--	--	41,503,346
2014	20,590,218	(0.25)	20,811,035	(0.25)	--	--	41,401,253
2015	21,878,655	6.26	22,115,150	6.27	--	--	43,993,805
2016	21,899,120	0.09	22,133,571	0.08	--	--	44,032,691
2017	22,330,078	1.97	22,571,064	1.98	--	--	44,901,142
2018	22,523,030	0.86	23,777,558	5.35	$5,194,686	--	51,495,274
2019	24,266,926	7.74	24,518,639	3.12	22,938,093	341.57%	71,723,658
2020	25,121,935	3.52	25,331,845	3.32	24,596,470	7.23	75,050,250
2021	28,069,532	11.73	28,406,978	12.14	26,119,114	6.19	82,595,624

Source: Athens-Clarke County Finance Department

Note: Each tax is a $0.01 sales tax on each dollar of taxable transactions.

Management Comments Concerning Material Trends in Revenues and Expenditures

For a narrative overview and analysis of the financial activities of the Unified Government for fiscal year 2021, *see* "Management's Discussion and Analysis" included in Appendix B to this Official Statement. The Management's Discussion and Analysis is not a required part of the basic financial statements of the Unified Government but is supplementary information required by the Governmental Accounting Standards Board and has not been audited by the Unified Government's auditor.

[to be reviewed and updated] For Fiscal Year 2022, revenues are expected to exceed budget with strong tax performance from all sources. Expenditures are expected to come in under budget. Net Change in Fund Balance is expected to show a surplus exceeding $____ million.

Budgetary Process

Georgia law requires each county and municipality to operate under an annual balanced budget adopted by resolution or ordinance. A budget resolution or ordinance is balanced when the sum of estimated net revenues and appropriated fund balances is equal to appropriations.

The annual budget is the financial plan for the operations of the Unified Government for the ensuing year. The budget process provides for a professional management approach to the establishment of priorities and the implementation of work programs while providing an orderly means for control and evaluation of the financial posture of the Government. Article VII, Chapter 4 of Athens-Clarke County's Charter specifies the budgetary process. The Government is required to adopt an annual budget consisting of two parts, an operating budget and a capital improvements budget. The process to develop the budget begins about nine months prior to the beginning of the fiscal year. Departments and Constitutional Officials submit line item Operating and Capital Budget requests for review by the Manager and the Mayor. No later than sixty days prior to the beginning of each fiscal year, the Mayor, with the assistance of the Manager, is required to prepare and submit a Recommended Budget, including proposed expenditures and the means for financing them, to the Commission for review and adoption. The budget shall be accompanied by a message from the Mayor containing a statement of general fiscal policies of Athens-Clarke County, Georgia, the important features of the budgets, explanations of the major changes recommended for

the next fiscal year, a general summary of the budgets, and such other comments and information as may be deemed pertinent. The Commission may approve, reject, or modify the proposed budget and shall adopt the final budget by ordinance no later than June 30.

The Unified Government adopts annual appropriated budgets for its General Fund and Special Revenue Funds using the modified accrual basis of accounting, which is in conformity with generally accepted accounting principles and which is consistent with the basis of accounting used in the Unified Government's General Fund financial statements. The Unified Government adopts total project or project-length budgets for its Capital Project Funds. The Unified Government prepares and adopts operating budgets for its Proprietary Funds for planning, control, cost allocation, and evaluation purposes. Annual budgets are not adopted for any of the Unified Government's Fiduciary Funds because they are not legally required.

The legal level of budgetary control is the department level within individual funds. Increases in the total appropriations of a department, whether accomplished through an increase in estimated revenues or through a transfer of appropriations among departments, require the recommendation of the Manager and approval of the Mayor and Commission. The Manager may authorize transfers of appropriations between line items within any departmental budget without Commission approval. Appropriations lapse at year-end except those for project length budgets adopted for capital and grant projects. The Unified Government also prepares monthly financial statements for department and offices comparing budgeted and actual amounts and quarterly financial reports in summary fashion for management.

General Fund Budgets

Set forth below is a summary of the Unified Government's adopted operating and capital budget for its General Fund for the year ending June 30, 2023. This budget is based upon certain assumptions and estimates of the Unified Government regarding future events, transactions, and circumstances. Realization of the results projected in this budget will depend upon implementation by management of the Unified Government of policies and procedures consistent with the assumptions. There can be no assurance that actual events will correspond with such assumptions, that uncontrollable factors will not affect such assumptions, or that the projected results will be achieved. Accordingly, the actual results achieved could materially vary from those projected in the budget set forth below.

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Operating and Capital Budget of the General Fund for Year Ending June 30, 2023

Revenues:	
Property Taxes	$ 82,941,250
Sales Tax	29,900,000
Other Taxes	24,159,000
Licenses and Permits	916,000
Intergovernmental Revenues	1,293,000
Charges for Services	12,838,182
Fines and Forfeitures	2,095,000
Other Revenues	751,152
Other Financing Sources	4,154,638
Total Revenues	**$ 159,048,222**
Prior Year Fund Balance - Operating	0
Prior Year Fund Balance - Capital	7,400,000
Total Revenues & Other Sources	**$ 166,448,222**
Expenditures:	
General Government	$ 38,326,570
Judicial	11,470,247
Public Safety	62,606,959
Public Works	17,528,925
Cultural and Recreation	9,503,347
Housing & Development	5,022,415
Independent Agencies	6,246,170
Debt Service	1,316,453
Total Operating Expenditures	**$ 152,021,086**
Other Financing Uses – Oper.	1,488,136
Total Operating Expenditures & Other Financing Uses	**$ 153,509,222**
Other Financing Uses – Capital	12,939,000
Total Operating Expenditures & Capital Expenditures	**$ 166,448,222**

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Set forth below is an historical, comparative summary of the revenues and expenditures, budget and actual, of the Unified Government's General Fund for the years ended June 30, 2017 to 2021.

Unified Government General Fund

	Years Ended June 30									
	2017		2018		2019		2020		2021	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Total Revenues	$ 116,668,855	$ 15,979,955	$ 120,562,241	$ 121,785,196	$ 116,668,855	$ 115,979,955	$ 120,562,241	$ 121,785,196	$135,173,640	$144,748,744
Total Expenditures	116,855,800	111,956,772	121,167,482	116,230,921	116,855,800	111,956,772	121,167,482	116,230,921	140,455,983	131,442,447
Excess (Deficiency) of Revenues Over (Under) Expenditures	(186,945)	4,023,183	(605,241)	5,554,275	(186,945)	4,023,183	(605,241)	5,554,275	(12,410,544)	6,259,159
Other Financing Sources (Uses)	(6,894,975)	(6,833,296)	(6,235,909)	(6,310,315)	(6,894,975)	(6,833,296)	(6,235,909)	(6,310,315)	(439,819)	(341,125)
Net Change in Fund Balance	$ (7,081,920)	$ (2,810,086)	$ (6,931,150)	$ (756,040)	$ (7,081,920)	$ (2,810,086)	$ (6,931,150)	$ (756,040)	$ (12,850,363)	$ 5,918,034

The Unified Government has, with some exceptions, conformed to its General Fund budgets for the years ended June 30, 2017 to 2021. Set forth below is a summary of unfavorable variances between budgeted and actual amounts for the General Fund for the years ended June 30, 2017 to 2021.

General Fund Unfavorable Variances

	Years Ended June 30				
	2017	2018	2019	2020	2021
Revenues					
Licenses and permits	$ (163,536)	$ (127,300)	$ (97,344)	$ --	$ (87,865)
Intergovernmental	--	--	--	(161,446)	--
Charges for services	(136,371)	(650,846)	(246,692)	(1,278,688)	(2,651,196)
Fines and forfeitures	(689,807)	(112,191)	(268,637)	(742,853)	(2,327,159)
Interest	--	--	--	--	(70,829)
Expenditures					
Current					
Judicial	--	--	--	--	--
Culture and Recreation	--	--	(56)	--	--
Capital Outlay					
General Government					
Computer Infor. Services	--	--	--	--	(1,610,000)
Other Financing Sources (Uses)					
Operating transfers in	(1,600)	(15,400)	(8,467)	(21,067)	(29,600)
Proceeds from sale of capital assets	--	--	(8,965)	(18,661)	--
Net Cumulative Variance					
Favorable (Unfavorable)	$ 4,271,834	$ 6,175,110	$ 8,093,621	$ 18,213,334	$ 18,768,397

The Unified Government undertakes periodic budget revisions in which the Unified Government's adopted budget is amended to reflect actual events that have occurred during the Unified Government's current fiscal year.

Capital Improvements

The following table summarizes capital outlays for the Unified Government's governmental capital assets (excluding capital assets accounted for in the Enterprise Funds) for fiscal years 2017 through 2021.

	Years Ended June 30				
Function and Activity	2017	2018	2019	2020	2021
Land	$ 290,773	$ 993,103	$ 1,931,098	$ 17,705	$ 19,924,073
Buildings	1,260,154	3,160,834	66,772,526	90,441	--
Improvements other than Buildings	6,655,919	16,982,878	4,314,608	--	--
Machinery and Equipment	3,780,138	20,811,005	9,427,339	7,575,432	6,048,602
Infrastructure	1,531,744	47,354,839	11,756,279	350,000	2,072,286
Total	$ 13,518,728	$ 89,302,659	$ 94,201,850	$ 8,033,578	$ 28,044,961

The staff of the Unified Government has developed a multi-year capital improvements program and a plan to finance the program which relies on a combination of general fund revenues, its water and sewerage system revenues, and proceeds of debt and investment earnings on such proceeds. The capital improvements program allows the staff of the Unified Government to plan, on a long-term basis, for future capital needs. Each year the capital improvements program is updated.

For fiscal year 2023, the Unified Government has budgeted expenditures for capital expenditures totaling $_____ million, including $_____ million of capital projects to be paid from moneys on deposit in its General Fund and the remaining $____ million of capital projects to be paid from moneys on deposit in its water and sewerage enterprise fund and internal service and special revenue funds.

Sources of Tax Revenues

Set forth below are the Unified Government's General Fund tax revenues by source for the fiscal years 2017-2021.

General Fund Tax Revenues By Source

Fiscal Year Ended	Ad Valorem Property Taxes	Sales Taxes	Excise Taxes	Business Taxes	Franchise Taxes	Other Taxes	Total
2017	$53,035,937	$22,330,078	$3,164,863	$9,803,127	$8,075,196	$1,206,235	$97,615,436
2018	56,012,452	23,523,030	3,203,164	9,991,098	8,007,942	1,269,284	102,006,969
2019	59,377,704	24,266,926	3,272,336	10,647,016	8,461,593	1,393,770	107,419,345
2020	65,434,337	25,121,935	3,129,222	11,233,636	8,524,820	1,646,842	115,090,792
2021	69,653,011	28,069,532	3,320,364	11,551,453	7,795,877	2,344,835	122,735,072

Pursuant to the County Local Option Sales and Use Tax legislation, O.C.G.A. § Tit. 48, Ch. 8, Art. 3, Pt. 1, the Unified Government imposed and has reimposed for the special district comprising Clarke County a one percent (1%) county local option sales and use tax ("SPLOST") which took effect January 1, 1978. The current SPLOST (the Sales Tax) was reimposed effective April 1, 2020, and will cease, unless reimposed through voter referendum when a total of $314,303,300 is raised (expected to be March 31, 2031). SPLOST is a source of revenue for the Unified Government. The Revenue Commissioner of the State of Georgia administers and collects the tax, which must be applied to certain authorized capital outlay projects. The Unified Government and the Town of Bogart, Georgia and the City of Winterville, Georgia receive percentages of these tax proceeds. The Unified Government currently receives approximately 98.92% of total tax proceeds.

Pursuant to the Special District Mass Transportation Sales and Use Tax legislation, O.C.G.A. § Tit. 48, Ch. 8, Art. 5A, the Unified Government imposed for the special district comprising Clarke County a one percent (1%) transportation special purpose local option sales tax ("TSPLOST") which took effect April 1, 2018. The TSPLOST will cease unless reimposed through voter referendum when a total of $109,500,000 is raised or after five years, if sooner. TSPLOST is a source of revenue for the Unified Government. The Revenue Commissioner of the State of Georgia administers and collects the tax, which must be applied to certain authorized transportation projects and purposes. The City of Winterville received $193,800 of the proceeds of the TSPLOST and the Town of Bogart received $54,200 of the proceeds of the TSPLOST; remaining proceeds of the TSPLOST are available to the Unified Government.

Employee Benefits

Post-Employment Benefit Plan

Plan Description

The Unified Government of Athens-Clarke County Other Post-Employment Benefit Plan (the "OPEB Plan") is a single-employer defined benefit postretirement plan. The OPEB Plan was established by the Unified Government to provide medical, prescription drug benefits and life insurance for retirees and other former employees (and their eligible dependents) that are eligible for such benefits under the existing policies of the government. Benefit provisions and contribution requirements are established and may be amended by the Mayor and Commission. The relevant information about the OPEB Plan is provided below. No other financial reports are issued by this sole employer plan.

The assets held in the OPEB Trust Fund are used exclusively for OPEB expenses based on a trust agreement adopted by the Mayor and Commission on December 2, 2008. Under the terms of the trust agreement,

oversight of the financial assets are delegated to a six-member board composed of the Manager, the Human Resources Director, the Finance Director and three citizens appointed by the Mayor serving staggered three-year terms.

Benefits

The Unified Government provides access to health and prescription drug benefits to pre-65 eligible retirees and eligible spouses/dependents. Upon retirement, retirees are offered access to coverage as designated by the Unified Government. Based on employment and retirement date, in accordance with the Unified Government's Code of Ordinances, health and prescription drug coverage cost to the retiree varies.

The following schedule lists annual premiums for those retirees who pay for health insurance:

Plan Type	Employee	Spouse	Total
POS	--	$4,560	$4,560
POSC	$3,363	3,363	6,726
PPO	1,943	1,943	3,886
CHS Select	2,562	2,562	5,124
CHS Value	1,270	1,270	2,541

Eligible retirees receive a life insurance benefit of $10,000 in which the premium is paid by the Unified Government. Retirees, who paid for spouse life insurance coverage for at least twelve months prior to their separation from service, are eligible for spouse life insurance coverage. These spouses receive life insurance benefits of $2,000. The Unified Government pays the full cost of the premiums for life insurance for retirees and for retirees' spouses. Spouse life insurance terminates with death of the retiree.

Pre-65 year old retirees who were hired prior to July 1, 2002 receive the designated plan, which is currently POS, at no cost to them. If they were hired prior to January 1, 1994, there is also no cost for their dependent coverage.

Eligibility

Eligible participants for Other Post-Employment Benefits include:

1. Eligible employees that retire from the Unified Government and elect to enroll in the retiree health benefit plan at the time of retirement.

2. Surviving spouses/dependents receiving health benefits at the time of retiree death may participate in the health benefit plan under COBRA provisions. The dependent life insurance benefit terminates upon the death of the retiree.

3. Former elected officials, who were eligible for benefit while in office and receive retirement income from another employer, may elect to enroll in the Government's retiree health benefit plan, if they have 10 years of continuous, full-time employment.

4. Effective September 2013, all post-65 year old retirees eligible for health insurance coverage have plans available in the marketplace and access to an ACC-funded Health Reimbursement Account (HRA).

5. Effective September 2013, eligible post-65 year retiree spouses have insurance plans available in the marketplace and access to an ACC-funded Health Reimbursement Account (HRA). To be eligible for funding, the retiree must have been hired prior to 1/1/1994 and the spouse must have health insurance coverage through the retiree's ACC plan for at least 12 months prior to the retiree's separation from service.

Membership

The following schedule (derived from the most recent actuarial valuation report) reflects membership for the OPEB Plan as of July 1, 2019.

Active participants	1,503
Terminated participants who are vested but not receiving benefits	269
Disabled employees, retirees, and beneficiaries currently receiving benefits	957
Total participants	2,729

Contributions

The Unified Government contributed $6,759,600 to the OPEB Plan's fund in fiscal year 2021. Contributions are made on a pay-as-you-go basis, with additional contributions made when funding is available, as determined annually in the budget process by the Mayor and Commission. The Mayor and Commission establish and may amend the funding policy for the OPEB Plan. Employees are not required to contribute to the plan.

Changes in the Net OPEB Liability:

Service costs	$ 16,972,056
Interest	7,681,334
Changes of assumptions	(2,583,939)
Contributions – employer	(6,759,600)
Contributions – other	(72,155)
Net investment income	(1,782)
Other changes	42,647
Net change in the net OPEB liability	15,278,561
Net OPEB liability, beginning of year	333,879,470
Net OPEB liability, end of year	$ 349,158,031

OPEB Plan Funded Status

As of the most recent valuation date, June 30, 2021, the funded status of the OPEB Plan was as follows:

Total OPEB liability	$ 349,199,732
Plan fiduciary net position	41,701
Net OPEB liability	$ 349,158,031
Funded ratio	0.01%
Covered payroll	$ 75,273,275
Net OPEB liability as a percentage of covered payroll	463.85%

For the fiscal year ended June 30, 2021, the Government recognized OPEB expense of $35,317,565.

For a more detailed description of plan accounting policies, actuarial assumptions, rate of return, discount rate and sensitivity of the net OPEB liability to changes in the discount rate, *see* Note IV.C. of the basic financial statements of the Unified Government included as Appendix B.

Financial Statements

The financial statements for the OPEB Plan for fiscal year 2021 are provided below.

Statement of Fiduciary Net Position
OPEB Trust Fund
June 30, 2021

ASSETS	
Cash and cash equivalents	$ 2,801,818
LIABILITIES	
Accounts Payable	200,826
Claims payable	2,559,291
Total liabilities	2,760,117
NET POSITION	
Restricted for OPEB benefits and other purposes	$ 41,701

Statement of Changes in Fiduciary Net Position
OPEB Trust Fund
For the fiscal year ended June 30, 2021

ADDITIONS	
Employer contributions	$ 6,759,600
Other contributions	72,155
Interest income	1,782
Total additions	6,833,537
DEDUCTIONS	
Benefit payments	6,901,001
Administrative expenses and other	42,647
Total deductions	6,943,648
Change in net position	(110,111)
Net position - beginning	151,812
Net position - ending	$ 41,701

The required schedule of changes in the Government's net OPEB liability and related ratios immediately following the notes to the financial statements presents multiyear trend information about whether the value of plan assets is increasing or decreasing over time relative to the total OPEB liability.

Qualified Retirement Plan

In April 2000, the Commission of Athens-Clarke County established the Athens-Clarke County 401(a) Program, a qualified defined contribution retirement plan administered by VALIC, whereby all employees meeting eligibility requirements based on number of hours worked and length of service may elect to make tax-deferred contributions under Internal Revenue Code Section 401(a). The Unified Government's contribution is set by ordinance and may be amended by the Mayor and Commission. Currently, the Unified Government will match 25% of the employee's contribution to a 457(b) plan up to a maximum of 1% of the employee's pay. The amount contributed by the Unified Government during the fiscal year ended June 30, 2021 was $895,895 on behalf of 1,325 participants. The market value of this program as of June 30, 2021 was $14,072,869. In addition, the Unified Government provides a second 401(a) for personnel as an alternative to the pension plan. The Unified Government contributes up to 10% of salary into an employee's account. For fiscal year 2021, $330,715 was contributed on behalf of 53 participants. The market value of this program as of June 30, 2021 is $4,040,299. Also, the Unified

Government provides several 457(b) plans for employees. For fiscal year 2021, 1,315 employees contributed $4,159,495. As of June 30, 2021, the fair value of these programs totaled $56,309,530.

Athens-Clarke County Employee's Pension Plan

On July 1, 1992, the Commission of Athens-Clarke County adopted a pension plan for its employees. Prior to the creation of the Plan, the employees from the County government remained on the Clarke County Pension Plan and employees from the City of Athens maintained membership in the City of Athens Pension Plan. Both plans had similar benefits and were administered by the same private insurance carrier and reported in a single pension trust fund. Employees who became eligible for pension plan benefits during fiscal year 1992 joined the Clarke County Plan. All employees were transferred to the newly created plan, Athens-Clarke County Employees' Pension Plan, during fiscal year 1993.

Plan Description

The Unified Government, through the Pension Board, administers a defined benefit, single employer pension plan which covers substantially all of its employees. Employees are eligible for participation after one year of continuous service. The Unified Government is required by O.C.G.A. 47-20-10 statute to contribute the normal cost plus the minimum amortization payments as computed by statute to finance the coverage of its employees, without any requirement for employee contributions. Covered employees are not required to contribute to the plan. Employees become vested after ten years of continuous service.

The Athens-Clarke County Commission provides for the benefits and funding policy through ordinance. Amendments to plan provisions are authorized by the Commission of Athens-Clarke County.

The following schedule (derived from the most recent actuarial valuation report) reflects membership for the pension plan as of July 1, 2020.

Active participants	
General	795
Law Enforcement, Firefighters	508
Total active participants	1,303
Disabled employees, retirees, and beneficiaries currently receiving benefits	840
Terminated employees entitled to benefits not yet receiving them	267
Total Participants	2,410

Benefits

The Unified Government provides retirement benefits as well as death and disability benefits. All benefits vest after ten years of credited service. Employees who retire at or after age 62 (60 for police officers, firefighters, peace officers in the sheriff's department, and correctional officers) with a minimum of ten years' service are entitled to an annual retirement benefit, payable monthly for life, in an amount equal to 1.85% of their final average earnings for each of the first thirty-two years of credited service, plus .25% of final average earnings for the remaining years of credited service. Final average earning is the employee's average salary over the highest three years of the last ten years of credited service. Employees with ten years of credited service may retire at or after age 55 and receive a reduced retirement benefit. Pre-retirement death benefits are now available from the time the employee becomes vested in plan benefits. Employees eligible for disability benefits continue to accrue service for purposes of determining retirement benefits. Average monthly earnings are determined using all compensation, including deferred compensation and pre-tax health premiums.

Contributions

The Unified Government is required to contribute at a rate of 14.29% of covered payroll for the fiscal year ended June 30, 2021. Government contributions to the plan were $10,753,908 for the fiscal year ended June 30, 2021.

Changes in the Net Pension Liability:

Service Costs	$ 5,669,169
Interest	23,550,978
Differences between Expected and Actual Experience	(3,138,007)
Changes of Assumptions	8,105,008
Contributions – Employer	(10,753,908)
Net Investment Income	(71,578,966)
Other changes	94,950
Net Change in the Net Pension Liability	(48,050,776)
Net Pension Liability, beginning of year	48,135,869
Net Pension Liability, end of year	$ 85,093

The required schedule of funding progress immediately following the notes to the financial statements presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability.

Pension Plan Funded Status

The components of the net pension liability of the Unified Government at June 30, 2021, were as follows:

Total pension liability	$ 324,138,684
Plan fiduciary net position	324,053,591
Net pension liability	85,093
Covered payroll	75,273,275
Net pension liability as a percentage of covered payroll	0.11%

For the fiscal year ended June 30, 2021, the Government recognized pension expense of $3,242,214.

The required schedule of changes in the Unified Government's net pension liability and related ratios immediately following the notes to the financial statements presents multiyear trend information about whether the value of plan assets is increasing or decreasing over time relative to the total pension liability.

For a more detailed description of plan accounting policies, actuarial assumptions, rate of return, discount rate and sensitivity of the net pension liability to changes in the discount rate, *see* Note IV.E. of the basic financial statements of the Unified Government included as Appendix B.

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Financial Statements

The financial statements for the Plan for fiscal year 2021 are provided below.

Statement of Fiduciary Net Position
Employee Retirement Program Pension Trust Fund
June 30, 2021

ASSETS		
Cash and cash equivalents	$	2,600,669
Accounts receivable		22,915
Restricted investments, at fair value		
Cash and cash equivalents		226,140
Mutual Funds		
Equity		90,954,330
Fixed income		74,803,058
Exchange-traded funds		
Equity		147,569,279
Fixed income		7,951,994
Total assets		324,128,385
LIABILITIES		
Accounts Payable		74,794
NET POSITION		
Restricted for pension benefits	$	324,053,591

Statement of Changes in Fiduciary Net Position
Employee Retirement Program Pension Trust Fund
For the fiscal year ended June 30, 2021

ADDITIONS		
Employer contributions	$	10,753,908
Investment earnings		
Interest income		21,123,125
Net appreciation in fair value of investments		50,921,312
Investment expenses		(465,471)
Total additions		82,332,874
DEDUCTIONS		
Benefit payments		16,223,057
Administrative expenses and other		94,950
Total deductions		16,318,007
Change in net position		66,014,867
Net position - beginning		258,038,724
Net position - ending	$	324,053,591

Insurance Coverage

The Unified Government carries liability insurance or is self-insured for the types of claims and in amounts that are customary for similar entities. The Unified Government also carries property and casualty damage insurance on buildings and other physical assets.

Present insurance coverage for the Government includes:

- Property coverage in the amount of $760,863,381 with a deductible limit of $50,000 per occurrence.
- All Lines Insurance Policy which covers the following kinds of losses: Comprehensive General Liability/Law Enforcement Liability/Employee Benefits Liability with limits of liability at $1,000,000 each occurrence/Unlimited aggregate and a deductible limit per occurrence of $50,000; Public Officials/Errors and Omissions Liability including Employment Practices Liability, Sexual Harassment Liability, and Sexual Abuse at $1,000,000 each occurrence/$5,000,000 aggregate and a deductible limit per occurrence of $50,000.
- Crime/Fidelity coverage with limits of liability at $500,000 each occurrence with a $50,000 deductible.
- Automobile Liability coverage with a $1,000,000 limit per occurrence and $50,000 deductible. Coverage includes hired/non-owned automobiles and automobile physical damage. Uninsured Motorist Liability included with a limit of $75,000 per occurrence and a $100,000 deductible.
- Aviation Liability coverage with limits of $100,000,000 each occurrence along with sub limits for various and customary airport operational risk.
- Cyber Liability coverage with limits of liability at $5,000,000 each occurrence/$5,000,000 aggregate along with sub limits for various and customary cyber risks.
- Pollution Legal Liability at $5,000,000 each occurrence/$5,000,000 in the aggregate and a deductible limit per occurrence of $50,000.
- Railroad Protective Liability with limits of liability at $3,000,000 each occurrence/$6,000,000 aggregate.
- Catastrophic Inmate Medical coverage with limits of $250,000 per inmate per year with a deductible of $10,000.
- Drone Liability with limits of liability at $3,000,000 each occurrence/$3,000,000 aggregate.
- Fiduciary Liability with limits of liability at $5,000,000 aggregate and a $50,000 retention.

The Unified Government maintains the Self-Funded Insurance and Claims Internal Service Fund (the "Internal Service Fund") to account for and finance its self-insured risks of loss. The Internal Service Fund is maintained to provide general liability insurance, workers' compensation coverage, and employee short-term disability coverage for the Unified Government. The Unified Government is also self-insured for its employee group health insurance through a self-insurance program that is administered under contracts with third-party administrators. For a detailed description of the Unified Government's self-insurance programs, *see* Note IV to the audited financial statements of the Unified Government included as part of Appendix B to this Official Statement.

A summary of the Unified Government's self-insured retention and Excess Workers' Compensation and Employers' Liability Insurance coverage is set forth below:

	Self-Insured Retention		Employers' Liability Limit	
	Each Occurrence	Aggregate	Each Occurrence	Aggregate
Workers' Compensation	$650,000	None	$1,000,000	None

The Unified Government requires payment and performance surety bonds and builders' risk insurance of all contractors and subcontractors involved in construction. The Unified Government requires the surety bonds to be issued by surety firms listed on the U.S. Treasury-approved list and the builders' risk insurance to be in the amount of the contract sums.

COVID-19

General. The outbreak of 2019 novel coronavirus ("COVID-19"), a respiratory illness caused by a new strain of coronavirus, has affected global, national, state and local economic activity. Within the United States, the Federal government and various state and local level governments as well as private entities and institutions have implemented a variety of different efforts aimed at preventing the spread of COVID-19 including, but not limited to, travel restrictions, voluntary and mandatory quarantines, limitations on indoor and outdoor gatherings, event postponement and cancellations, voluntary and mandatory work from home arrangements, and facility closures. The impact of these various measures, as well as general concerns related to the global and national public health emergency and other contributing factors, has had an adverse impact on global financial markets and economies, including financial markets and economic conditions in the United States. Consequently, there has been significant volatility in the U.S. and global stock and bond markets. The impact of the COVID-19 pandemic on the United States economy is expected to be broad based and to negatively impact national, state and local economies.

Federal Response. On March 13, 2020, then-President Trump declared a "national emergency," which among other effects, allowed the executive branch to disburse disaster relief funds to address the COVID-19 pandemic and related economic dislocation. Soon thereafter the United States Congress enacted several COVID-19 related bills, including the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which was signed by President Trump on March 27, 2020 and provided over $2 trillion of financial aid to American families, payroll and operating expense support for small businesses, and loan assistance for distressed industries, as well as providing funds to and directing the Federal Reserve System to support capital markets. In addition, the CARES Act established the $150 billion Coronavirus Relief Fund to provide payments to States and certain eligible local governments. In December 2020, Congress passed an approximately $900 billion stimulus bill, which President Trump signed into law on December 27, 2020, to provide additional economic support for K-12 and higher education, the health care sector, the business sector, employees, individuals and families. The American Rescue Plan Act of 2021 was signed into law by President Biden on March 11, 2021 to provide aid to the United States' recovery from the economic and health effects of COVID-19 but, as newly enacted legislation, its effectiveness cannot yet be determined. The American Rescue Plan Act of 2021 was the third stimulus package passed by Congress since March 2020, and the package builds upon many of the measures of the CARES Act from March 2020 and in the Consolidated Appropriations Act 2021 from December 2020.

State Response. On March 14, 2020, the Governor of the State of Georgia declared a Public Health State of Emergency in the State of Georgia due to the spread of COVID-19, which has been extended through various subsequent Executive Orders. The spread of COVID-19 led to quarantine and other "social distancing" measures in affected areas, including the State of Georgia and the Unified Government, undertaken by governmental agencies, businesses, schools and other entities. These measures have included recommendations and warnings to limit non-essential travel, promote telecommuting and limit public gatherings. On April 2, 2020, the Governor of Georgia issued a mandatory "shelter in place" order for the entire State effective April 3, 2020 through April 30, 2020. In late April 2020, the Governor authorized the phased reopening of businesses with occupancy limitations and other requirements/restrictions in place. Executive Orders extending prior Executive Orders and/or adding or modifying conditions and restrictions applicable to certain types of activities and certain types of businesses and enterprises opening for business have been issued. However, it remains impossible to predict whether businesses will be financially able to reopen, will choose to reopen, or be able to remain open or whether customers will return in pre-closure numbers and, if so, when. On March 31, 2021, the Governor extended the Public Health State of Emergency to be effective through April 30, 2021. Effective on April 8, 2021 the Governor rolled back many of the previously issued COVID-19 restrictions, including the elimination of the gatherings ban and the remaining shelter-in-place requirements. The Governor may extend or otherwise modify each such Executive Order and is likely to issue additional Executive Orders.

Impact on the Unified Government. [to be reviewed and updated] In July 2020, the Unified Government was awarded $6,643,602 in CARES Act funding. These funds were used to offset public safety costs related to COVID-19 pandemic responses, as well as payments made to employees under the Families First Coronavirus Response Act. As of July 2022, the Unified Government received $_____ in funds under the American Rescue Plan Act of 2021 and expects to receive a total of $_____ in such funds. The Unified Government does not expect to expend any of such funds to pay costs of the Project or to pay debt service on the Bonds.

As of the date of this Official Statement, the Unified Government is unable to predict (i) the extent or duration of the COVID-19 pandemic, (ii) the extent or duration of existing and future quarantines, travel restrictions, business closures and other measures related to the COVID-19 pandemic, and (iii) whether and to what extent the COVID-19 pandemic may disrupt the local and global economy, manufacturing or supply chain, or whether any such disruption may materially adversely affect the amount of tax and other revenue received by the Unified Government, as well as the operations of the Unified Government. Given the evolving nature of the spread of COVID-19 and the response of governments, businesses and individuals, the Unified Government is unable to accurately predict the magnitude of impact of COVID-19 on the Unified Government, its revenues and the financial condition of the Unified Government.

Cybersecurity

Despite the implementation of network security measures by the Unified Government, its information technology systems may be vulnerable to breaches, hacker and ransomware attacks, computer viruses, physical or electronic break-ins and other similar events or issues. State and local governments have recently been subject to such attacks. The foregoing events or issues could lead to the inadvertent disclosure of confidential information, ransomware attacks holding critical information and operations hostage or could have an adverse effect on the Unified Government's ability to provide services and collect revenues. Any breach or cyberattack that compromises data could result in negative press.

On October 18, 2018, a PC was infected with ransomware and some files were encrypted before antivirus software stopped the encryption. Restoring files from backup was successful and data was not compromised.

On November 24, 2020, the Unified Government's IT department found multiple authentication attempts were being tried unsuccessfully from police mobile data terminals. After additional attempts occurred, the Unified Government made a claim through its cyber insurance provider for investigation. The investigation determined this was an attempt and not a full incident. No attempts were successful and no data was compromised. IT has worked with its provider to move all mobile data terminals to a private network.

While these incidents did not materially affect the Unified Government's ability to operate, no assurances can be given that the Unified Government's measures will prevent cybersecurity attacks, and no assurances can be given that any future cybersecurity attacks, if successful, will not have a material adverse effect on the operations or financial condition of the Unified Government.

LEGAL MATTERS

Litigation

The Authority and the Unified Government, like other similar governmental bodies, are subject to a variety of suits and proceedings arising in the ordinary conduct of their affairs. The Authority and the Unified Government, after reviewing the current status of all pending and threatened litigation, believe that, while the outcome of litigation cannot be predicted, the final settlement of all lawsuits which have been filed and of any actions or claims pending or threatened against the Authority, the Unified Government or their officials in such capacity are adequately covered by insurance or will not have a material adverse effect upon the financial position of the Authority or the Unified Government.

There is no litigation of any nature now pending against the Authority, or known to the Authority to be threatened, restraining or enjoining the issuance or delivery of the Bonds or questioning or affecting the validity of the Bonds or the proceedings and authority under which they are issued. There is no litigation pending which in any manner questions the power of the Authority to issue the Bonds and to secure the Bonds in accordance with the provisions of the Bond Resolution by the pledge of the Contract Payments, nor is there now pending any litigation which in any manner questions the power of the Authority.

There is no litigation now pending or, to the knowledge of the Unified Government, threatened against the Unified Government (i) which restrains or enjoins the delivery of the Contract or (ii) which questions or contests the validity of the Contract or the proceedings and authority under which it is to be delivered. Neither the creation, organization, or existence of the Unified Government, nor the title of the Mayor or Commission Members or other officials of the Unified Government to their respective offices is being contested or questioned.

Validation

In accordance with the procedures set forth in the Revenue Bond Law, the Bonds will be validated prior to delivery by order of the Superior Court of Clarke County. The judgment to be entered by the Superior Court of Clarke County in connection with the validation of the Bonds also will adjudicate the Contract as security of the payment of the Bonds. Under Georgia law, the judgment of validation is final and conclusive with respect to the validity of the Bonds against the Authority.

State of Georgia Tax Reform Legislation

During the 2012 legislative session, the Georgia General Assembly enacted legislation known as House Bill 386 ("HB 386"). HB 386 provided a number of changes to Georgia's tax laws that impact local governments in Georgia, including the Unified Government. These changes include the following:

- Elimination of the state and local sales tax and the ad valorem tax on motor vehicles and the replacement of such taxes with onetime state and local title fees whenever any motor vehicle changes ownership on or after March 1, 2013. The current title ad valorem tax rate is equal to 6.6% of the fair market value of the motor vehicle.
- Elimination of the state and local sales tax (except for any local sales tax for educational purposes) on the sales, use, storage or consumption of energy used in manufacturing. However, this legislation permits each county to adopt an ordinance to levy and collect an excise tax upon the sale or use of energy used in manufacturing to make up for the sales tax revenues lost as a result of the imposition of the sales tax exemption described above.
- Expansion of the definition of "dealer" required to collect local and state sales tax on internet transactions to include out-of-state vendors with affiliate relationships with Georgia vendors if gross sales in Georgia during the preceding 12 months exceeded $50,000.
- Comprehensive revision of the income tax credit for the qualified donation of conservation real property, including the reduction of the cap of the conservation easement tax credit to $500,000. This legislation also prohibits counties, cities, and consolidated governments from holding a conservation easement unless the encumbered property is located at least partly within the boundaries of such local government.

TAX MATTERS

[under review by bond counsel]

Generally

Legal matters incident to the authorization, validity and issuance of the Bonds are subject to the unqualified approving opinion of Smith, Gambrell & Russell, LLP, Atlanta, Georgia, Bond Counsel, available at the time of delivery of the Bonds. It is anticipated that the approving opinion will be in substantially the form attached to this Official Statement as Appendix D.

Series 2022A Bonds

Opinion of Bond Counsel

The Internal Revenue Code of 1986, as amended (the "Code"), contains a number of requirements and restrictions which apply to the Series 2022A Bonds. These include restrictions on investments, requirements for periodic payment of arbitrage profits to the United States, requirements regarding the use of Bonds proceeds and

other restrictions and requirements. Failure to comply with certain of such requirements and restrictions may cause interest on the Series 2022A Bonds to become subject to federal income taxation, retroactive, in some cases, to the date of issuance of the Series 2022A Bonds.

In the opinion of Bond Counsel, under existing law, interest on the Series 2022A Bonds is excludable from gross income for federal income tax purposes. Moreover, in the opinion of Bond Counsel, interest on the Series 2022A Bonds is not a specific "item of tax preference" for purposes of the federal alternative minimum tax imposed on individuals. The foregoing opinions are subject to the condition that the Unified Government comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Series 2022A Bonds in order that the interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. Failure to comply with certain of such requirements may cause the inclusion of the interest on the Series 2022A Bonds in gross income for federal income tax purposes to be retroactive to the date of issuance of the Series 2022A Bonds.

In concluding that interest on the Series 2022A Bonds is excludable from gross income for federal income tax purposes, Bond Counsel will rely, as to questions of fact material to its opinion, upon certified proceedings and other certifications of public officials furnished to Bond Counsel, without undertaking to verify any of them by independent investigation. If certain of these items are incorrect, interest on the Series 2022A Bonds may become included in gross income for federal income tax purposes retroactive, in some cases, to the date of issuance of the Series 2022A Bonds.

Bond Counsel expresses no opinion regarding any other federal tax consequences arising with respect to the Series 2022A Bonds or with regard to changes in law. Bond Counsel rendered its opinion under existing statutes and court decisions as of the issue date, and assumes no obligation to update, revise or supplement its opinion to reflect any action hereafter taken or not taken, or any facts or circumstances that may hereafter come to its attention, or changes in law or in interpretation thereof that may hereafter occur, or for any other reason. Bond Counsel expresses no opinion on the effect of any action hereafter taken or not taken in reliance upon an opinion of other counsel on the exclusion from gross income for federal income tax purposes of interest on the Series 2022A Bonds.

In the further opinion of Bond Counsel, the interest on the Series 2022A Bonds is exempt from State of Georgia income taxation. Bond Counsel has not opined as to whether interest on the Series 2022A Bonds is subject to state or local income taxation in jurisdictions other than Georgia; interest on the Series 2022A Bonds may or may not be subject to state or local income taxation in jurisdictions other than Georgia under applicable state or local laws. Each purchaser of the Series 2022A Bonds should consult its own tax advisor regarding the tax-exempt status of the interest on the Series 2022A Bonds in a particular state or local jurisdiction other than Georgia.

Bond Premium

The Series 2022A Bonds maturing _____ are being sold at prices in excess of the principal amount thereof. Under the Code, the excess of an owner's cost basis of a bond over the principal amount of such bond (other than a bond held as inventory, stock in trade, or for sale to customers in the ordinary course of business) is generally characterized as "bond premium." For federal income tax purposes, bond premium is amortized over the term of the related bond. An owner will therefore be required to decrease its basis in the Series 2022A Bonds by the amount of amortizable bond premium attributable to each taxable year it holds Bonds. The amount of amortizable bond premium attributable to each taxable year is determined on an actuarial basis at a constant interest rate compounded on each interest payment date. The amortizable bond premium attributable to a taxable year is not deductible for federal income tax purposes. Purchasers of Bonds should consult their own tax advisors with respect to the precise determination for federal income tax purposes of the treatment of bond premium upon sale, redemption or other disposition of Bonds.

Collateral Federal Tax Consequences for the Series 2022A Bonds

The following is a brief discussion of certain collateral federal income tax matters with respect to the Series 2022A Bonds. It does not purport to address all aspects of federal taxation that may be relevant to a particular owner of a Series 2022A Bond. Prospective investors, particularly those who may be subject to special rules, are advised to consult their own tax advisors regarding the federal tax consequences of owning and disposing of the Series 2022A Bonds.

Prospective owners of the Series 2022A Bonds should be aware that the ownership of such obligations may result in collateral federal income tax consequences to various categories of persons, such as corporations (including S corporations and foreign corporations), financial institutions, property and casualty and life insurance companies, individual recipients of Social Security and railroad retirement benefits, individuals otherwise eligible for the earned income tax credit, and taxpayers deemed to have incurred or continued indebtedness to purchase or carry obligations the interest on which is excluded from gross income for federal income tax purposes. Interest on the Series 2022A Bonds may be taken into account in determining the tax liability of foreign corporations subject to the branch profits tax imposed by Section 884 of the Code.

Federally Taxable Series 2022B Bonds

Interest on the Series 2022B Bonds is not excludable from gross income for federal income tax purposes. A holder generally must include the stated interest on the Series 2022B Bonds in its gross income as ordinary interest income (1) when it is received, if the holder uses the cash method of accounting for U.S. federal income tax purposes; or (2) when it accrues, if the holder uses the accrual method of accounting for U.S. federal income tax purposes.

In the opinion of Bond Counsel, the interest on the Series 2022B Bonds is exempt from present State of Georgia income taxation. Bond Counsel will express no opinion as to any other tax consequences regarding the Series 2022B Bonds. Bond Counsel has not opined as to whether interest on the Series 2022B Bonds is subject to state or local income taxation in jurisdictions other than Georgia; interest on the Series 2022B Bonds may or may not be subject to state or local income taxation in jurisdictions other than Georgia under applicable state or local laws. Each purchaser of the Series 2022B Bonds should consult its own tax advisor regarding the tax status of the interest on the Series 2022B Bonds in a particular state or local jurisdiction other than Georgia.

Holders of Series 2022B Bonds that have a basis in the Series 2022B Bonds that is greater than the principal amount of the Series 2022B Bonds should consult their tax advisors with respect to whether or not they should amortize such premium under section 171 of the Code.

If a holder purchases the Series 2022B Bonds (other than at original issue) for an amount that is less than the principal amount of the Series 2022B Bonds, and such difference is not considered de minimis, then such discount will represent market discount that ultimately will constitute ordinary income (and not capital gain). Further, absent an election to accrue market discount currently, upon a sale or exchange of a Series 2022B Bond, a portion of any gain will be ordinary income to the extent it represents the amount of any such market discount that was accrued through the date of sale. In addition, absent an election to accrue market discount currently, the portion of any net direct interest expense incurred or continued to carry a market discount bond that does not exceed the accrued market discount for any taxable year will be deferred.

The legal defeasance of the Series 2022B Bonds may result in a deemed sale or exchange of the Series 2022B Bonds under certain circumstances; owners of the Series 2022B Bonds should consult their tax advisors as to the federal income tax consequences of such an event.

A holder generally will recognize gain or loss upon the sale, exchange, redemption, retirement or other disposition of a Series 2022B Bond measured by the difference between (i) the amount of cash proceeds and the fair market value of any property received (except to the extent attributable to accrued interest income not previously included in income, which will generally be taxable as ordinary income, or attributable to accrued interest previously included in income, which amount may be received without generating further income), and (ii) the holder's adjusted tax basis in such Series 2022B Bond. A holder's adjusted tax basis in a Series 2022B Bond generally will equal its cost of the Series 2022B Bond, less any principal payments received by the holder. Gain or loss on the disposition of Series 2022B Bonds will generally be a capital gain or loss (although any gain attributable to accrued market discount of the Series 2022B Bond not yet taken into income will be ordinary) and will be a long-term capital gain or loss if the Series 2022B Bonds have been held for more than one year at the time of disposition. The deductibility of capital losses is subject to limitations. Purchasers should consult their tax advisors regarding the treatment of capital gains and losses.

Purchasers of the Series 2022B Bonds should consult with their own tax advisers as to the federal, state, local and foreign tax consequences of their acquisition, ownership and disposition of the Series 2022B Bonds.

Backup Withholding. General information reporting requirements will apply to payments of principal and interest made on a Series 2022B Bond and the proceeds of the sale of a Series 2022B Bond to non-corporate holders of the Series 2022B Bonds, and "backup withholding" at a rate of 28% will apply to such payments if the owner fails to provide an accurate taxpayer identification number in the manner required or fails to report all interest required to be shown on its federal income tax returns. A beneficial owner of a Series 2022B Bond that is a U.S. owner can obtain complete exemption from backup withholding by providing a properly completed IRS Form W-9 (Request for Taxpayer Identification Number and Certification) to the Paying Agent.

Non-Resident Owners. The foregoing discussion under the heading "TAX MATTERS—Series 2022B Bonds" was intended for U.S. resident holders of the Series 2022B Bonds. Nonresident aliens, foreign corporations and other non-United States persons should consult with their own tax advisers as to all tax consequences of their acquisition, ownership and disposition of the Series 2022B Bonds. Under the Code, interest on any Series 2022B Bond whose beneficial owner is a nonresident alien, foreign corporation or other non-United States person (Nonresident) are generally not subject to United States income tax or withholding tax (including backup withholding) if the Nonresident provides the payer of interest on the Series 2022B Bonds with an appropriate statement as to its status as a Nonresident. This statement can be made on IRS Form W-8BEN or a successor form. If, however, the Nonresident conducts a trade or business in the United States and the interest on the Series 2022B Bond held by the Nonresident is effectively connected with such trade or business, that interest will be subject to United States income tax but will generally not be subject to United States withholding tax (including backup withholding).

CIRCULAR 230. THE FOREGOING DISCUSSION OF TAX MATTERS RELATING TO THE SERIES 2022B BONDS WAS NOT INTENDED OR WRITTEN BY BOND COUNSEL TO BE USED, AND IT CANNOT BE USED, FOR THE PURPOSE OF AVOIDING FEDERAL INCOME TAX PENALTIES. THE FOREGOING DISCUSSION OF TAX MATTERS WAS WRITTEN TO SUPPORT THE PROMOTION OR MARKETING OF THE SERIES 2022B BONDS. EACH PURCHASER OF THE SERIES 2022B BONDS SHOULD SEEK ADVICE BASED ON THE PURCHASER'S PARTICULAR CIRCUMSTANCES FROM AN INDEPENDENT TAX ADVISER.

Possible Changes in Tax Law

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the federal or state level, may adversely affect the tax-exempt status of interest on the Series 2022A Bonds under federal or state law, or otherwise prevent Holders of the Series 2022A Bonds from realizing the full current benefits of the tax status of such interest. In addition, such legislation or actions (whether currently proposed, proposed in the future, or enacted) and such decisions could affect the market price or marketability of the Federally Taxable Series 2022B Bonds and especially the Series 2022A Bonds. Each Bond purchaser should consult its own tax advisor.

CONTINUING DISCLOSURE

The Unified Government has covenanted for the benefit of the owners of the Bonds in the Disclosure Certificate to provide (a) certain financial information and operating data relating to the Unified Government (the "Operating and Financial Data") annually and (b) notices of the occurrence of certain enumerated events (the "Events Notices"). The Operating and Financial Data and the Events Notices will be filed with the MSRB in an electronic format as prescribed by the MSRB (which, as of the date hereof, is the EMMA system of the MSRB). The Unified Government's undertaking to provide Operating and Financial Data and Events Notices pursuant to the Disclosure Agreement is described in Appendix C. The covenants have been made in order to assist the Underwriter in complying with Securities and Exchange Commission Rule 15c12-12 (the "Rule").

The annual report and operating data required by certain previous continuing disclosure undertakings of the Unified Government under Rule 15c2-12 for fiscal years 2015 through 2018 and for 2020 were filed between one and four days late. The previous continuing disclosure undertakings at issue require filings be made within 180 days of the end of the Unified Government's fiscal year, and the timing of the completion of the comprehensive annual financial report resulted in the late filings. In addition, the property tax digest included in the operating data for fiscal years 2017 and 2018 did not present data for the current tax year. Except as described above, the Unified Government has complied in all material respects with its continuing disclosure undertakings during the previous five years. [to be confirmed]

MISCELLANEOUS

Ratings

Moody's Investors Service, Inc. and S&P Global Ratings, a Division of The McGraw-Hill Companies, have assigned ratings of "____" and "____", respectively, to the Bonds. The ratings reflect only the respective views of the rating agencies, and any desired explanation of the significance of each rating should be obtained from the rating agency furnishing such rating, at the following addresses: Moody's Investors Service, Inc., 7 World Trade Center, 250 Greenwich Street, New York, New York 10007 and S&P Global Ratings, a Division of The McGraw-Hill Companies, 55 Water Street, New York, New York 10041. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies, and assumptions of its own. There is no assurance that either or both of such ratings will remain unchanged for any given period of time or that they will not be revised downward or withdrawn entirely by the rating agency furnishing the same, if, in its judgment, circumstances so warrant. Any such downward revision or withdrawal of such ratings, or either of them, may have an adverse effect on the liquidity and market price of the Bonds. A securities rating is not a recommendation to buy, sell or hold securities and may be subject to revision or withdrawal at any time.

Underwriting

The Bonds will be purchased by Raymond James & Associates, Inc. (the "Underwriter"). The Underwriter has agreed, subject to certain conditions, to purchase the Bonds at a price of $_____ (par, plus original issue premium of $_____, less an underwriter's discount of $_____). The expected date of issuance and delivery of the Bonds and the initial public offering prices of the Bonds are as shown on the front page of this Official Statement. The initial public offering prices may be changed from time to time by the Underwriter. The Underwriter may also allow a concession from the public offering prices to certain dealers and others. The Unified Government has agreed to indemnify the Underwriter against certain liabilities arising under the securities laws with respect to this Official Statement and the offering of the Bonds.

Independent Auditors

The financial statements of the Unified Government as of June 30, 2021 and for the years then ended, attached hereto as Appendix B, have been audited by Mauldin & Jenkins, LLC, independent certified public accountants. **The Unified Government has not requested or obtained the consent of Mauldin & Jenkins, LLC to the inclusion of its audit report in Appendix B to this Official Statement.**

Financial Advisor

The Unified Government has employed First Tryon Advisors as its Financial Advisor in connection with the issuance of the Bonds. The Financial Advisor's fee for services rendered with respect to the sale of the Bonds is contingent on the issuance and delivery of the Bonds. The Financial Advisor is not obligated to undertake, and has not undertaken, either to make an independent verification of or to assume responsibility for the accuracy, completeness, or fairness of the information contained in this Official Statement and the appendixes thereto.

AUTHORIZATION OF OFFICIAL STATEMENT

The Authority and the Unified Government duly authorized the execution and delivery of this Official Statement as of the date shown on the cover page.

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

By: _____
Chair

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

APPENDIX A

Summary of Principal Documents

APPENDIX B

FINANCIAL STATEMENTS OF THE UNIFIED GOVERNMENT

The audited financial statements of the Unified Government as of June 30, 2021 and for the year then ended, included as this Appendix B, have been audited by Mauldin & Jenkins, LLC, Atlanta, Georgia, independent certified public accountants, to the extent and for the period indicated in its report thereon which appears in this Appendix B. Such financial statements have been included herein in reliance upon the report of Mauldin & Jenkins, LLC.

[Attached]

APPENDIX C

Form of Continuing Disclosure Certificate

[Attached]

APPENDIX D

Form of Bond Counsel Opinion

[Attached]

Attachment #8

BOND PURCHASE AGREEMENT

August 23, 2022

Classic Center Authority for Clarke County
300 North Thomas Street
Athens, Georgia 30601
Attention: Chair

Unified Government of Athens-Clarke County, Georgia
375 Satula Avenue
Athens, Georgia 30601
Attention: Director of Finance

$_____
Classic Center Authority for Clarke County
Revenue Bonds (Classic Center Arena Project), Series 2022A

$_____
Classic Center Authority for Clarke County
Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

Ladies and Gentlemen:

The undersigned, Raymond James & Associates, Inc. (the "**Underwriter**"), hereby offers to enter into this Bond Purchase Agreement (the "**Purchase Contract**") with the Classic Center Authority for Clarke County (the "**Authority**") and the Unified Government of Athens-Clarke County, Georgia (the "**Unified Government**"), for the sale by the Authority and purchase by the Underwriter of the above-referenced Series 2022A Bonds (the "**Series 2022A Bonds**") and the above-referenced Federally Taxable Series 2022B Bonds (the "**Series 2022B Bonds**" and together with the Series 2022A Bonds, the "**Series 2022 Bonds**"). This offer is made subject to the written acceptance hereof by the Authority and the Unified Government and delivery of such acceptance to the Underwriter (in the form of one or more executed counterparts hereof) at or prior to 6:00 p.m., Eastern Daylight time, on the date hereof. Upon such acceptance, this Purchase Contract will be in full force and effect in accordance with its terms and will be binding upon the Authority, the Underwriter and the Unified Government. Capitalized terms not otherwise defined herein have the meanings given them in the Official Statement (defined below).

On November 17, 2021, the Authority issued its Revenue Bonds (Classic Center Arena Project), Series 2021, in the aggregate principal amount of $48,880,000, for the purpose of paying a portion of the cost of acquiring, constructing, installing and equipping of an approximately 7,000-seat multi-purpose arena facility, parking facilities and related property and facilities to be located in the City of Athens, Clarke County, Georgia (the "**Project**"). The proceeds of the Series 2022 Bonds will be used for the purpose of paying (i) a portion of the cost of acquiring, constructing, installing and equipping the Project, (ii) capitalized interest on the Series 2022 Bonds, and (iii) the costs of issuing the Series 2022 Bonds.

The Series 2022 Bonds will be issued pursuant to 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq.* and 2002 Ga. Laws p. 5665 *et seq.* (the "**Act**") and a Bond Resolution adopted by the Authority on July 26, 2022, as supplemented by a Resolution to Supplement the Bond Resolution adopted by the Authority on August 23, 2022 (collectively, the "**Bond Resolution**"). The

Series 2022 Bonds will be limited obligations of the Authority secured by the "**Pledged Revenues**," which includes (i) all moneys paid into the funds created under the Bond Resolution, excluding the Rebate Fund (as defined in the Bond Resolution), and interest earning thereon and (ii) all payments and revenues to be received by the Authority under an Intergovernmental Contract dated as of September 1, 2022 (the "**Intergovernmental Contract**") between the Authority and the Unified Government.

Pursuant to the Intergovernmental Contract, the Unified Government will be obligated to make payments, if necessary, in amounts sufficient to enable the Authority to provide for the payment of principal of and interest on the Series 2022 Bonds as the same become due and payable at maturity or by proceedings for mandatory redemption. In order to assure such payments as to the Series 2022 Bonds, the Unified Government will agree to levy annually an ad valorem tax on all taxable property located within the limits of the Unified Government subject to taxation for such purposes at such rate or rates necessary to produce revenues sufficient to fulfill the Unified Government's obligations under the Intergovernmental Contract. Pursuant to the Intergovernmental Contract, the Unified Government will agree to comply with its obligations under a Continuing Disclosure Certificate to be dated as of the date of issuance and delivery of the Series 2022 Bonds (the "**Closing**") executed by the Unified Government (the "**Disclosure Certificate**"), the form of which is attached as Appendix C to the hereinafter defined Preliminary Official Statement.

The Series 2022 Bonds will not constitute indebtedness or obligations of the Authority, the State of Georgia (the "**State**") or any municipality or political subdivision thereof. The Series 2022 Bonds will be payable by the Authority, solely from the Pledged Revenues pledged to the payment thereof under the Bond Resolution. No owner of the Series 2022 Bonds will ever have the right to compel the exercise of the taxing power of the State or any political subdivision thereof to pay the Series 2022 Bonds or the interest thereon or any other cost relating thereto or to enforce payment thereof against any property of the Authority, the State or any political subdivision thereof; *provided that* the Unified Government's taxing power will be pledged to its obligations under the Intergovernmental Contract. No recourse will be had for the payment of the principal of or interest on the Series 2022 Bonds against any officer, director or member of the Authority. The Authority has no taxing power.

1. Upon the terms and conditions and based on the representations, warranties and covenants hereinafter set forth, the Underwriter agrees to purchase from the Authority and the Authority hereby agrees to sell to the Underwriter, all (but not less than all) of (i) the Series 2022A Bonds at the purchase price of $_____ (representing $_____ par amount of the Series 2022A Bonds plus an original issue premium of $_____ and less an Underwriter's discount of $_____) and (ii) the Series 2022B Bonds at the purchase price of $_____ (representing $_____ par amount of the Series 2022B Bonds less an Underwriter's discount of $_____).

Each of the Authority and the Unified Government acknowledges and agrees that: (i) the primary role of the Underwriter, as an underwriter, is to purchase the Series 2022 Bonds, for resale to investors, in an arm's length commercial transaction among the Authority, the Unified Government and the Underwriter; (ii) the Underwriter is acting solely as a principal and is not acting as a municipal advisor, financial advisor or fiduciary to the Authority or the Unified Government and has not assumed any advisory or fiduciary responsibility to the Authority or the Unified Government with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether the Underwriter has provided other services or is currently providing other services to the Authority or the Unified Government on other matters); (iii) the only obligations the Underwriter has to the Authority and the Unified Government with respect to the transaction contemplated hereby expressly are set forth in this Purchase Contract; (iv) the Underwriter has financial and other interests that differ from those of the Authority and the Unified Government; and (v) each of the

Authority and the Unified Government has consulted its own financial and/or municipal, legal, accounting, tax, financial and other advisors, as applicable, to the extent it has deemed appropriate.

2. The Series 2022 Bonds will (i) be described in the Official Statement relating thereto (which is further described in Section 3 hereof) and (ii) mature in the years, bear interest at the rates and be subject to optional redemption and mandatory sinking fund redemption as shown on Exhibit A attached hereto and as provided in the Bond Resolution. The Bond Resolution and the Intergovernmental Contract are referred to herein as the "**Authority Documents**." The Intergovernmental Contract and the Disclosure Certificate are referred to herein as the "**Unified Government Documents**."

3. Based, in part, on information provided and certified by the Unified Government and with no independent investigation by the Authority regarding such information, the Authority has caused to be prepared a Preliminary Official Statement dated August __, 2022 (such Preliminary Official Statement, including the cover page and all appendices, exhibits, reports and statements included therein or attached thereto for use with respect to the Series 2022 Bonds being herein called the "**Preliminary Official Statement**"), and the Authority authorized the use of the Preliminary Official Statement by the Underwriter prior to the date hereof in connection with the offering of the Series 2022 Bonds. The Authority agrees to deliver the final Official Statement dated the date hereof (such final Official Statement, including the cover page and all appendices, exhibits, reports and statements included therein or attached thereto and any amendments and supplements thereto that may be authorized by the Authority for use with respect to the Series 2022 Bonds being herein called the "**Official Statement**") to the Underwriter for distribution in such quantity as may be requested by the Underwriter no later than the earlier of (i) seven (7) business days after the date of this Purchase Contract or (ii) one (1) business day prior to the date of the Closing, in order to permit the Underwriter to comply with Rule 15c2-12 (the "**Rule**") of the U.S. Securities and Exchange Commission, and the applicable rules of the Municipal Securities Rulemaking Board (the "**MSRB**"), with respect to distribution of the Official Statement. The Authority shall prepare the Official Statement, including any amendments thereto, in word-searchable PDF format as described in the MSRB's Rule G-32 and shall provide the electronic copy of the word-searchable PDF format of the Official Statement to the Underwriter no later than one (1) business day prior to the date of the Closing to enable the Underwriter to comply with MSRB Rule G-32. The Authority hereby consents to the use of copies of the Official Statement once delivered and other pertinent documents in connection with the offering, sale and placement of the Series 2022 Bonds.

4. If, at any time prior to the earlier of (i) receipt of notice from the Underwriter that final offering statements are no longer required to be delivered under the Rule or (ii) 25 days after the end of the "underwriting period," as defined in the Rule, any event occurs with respect to it as a result of which the Official Statement might include an untrue statement of a material fact, or omit to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, the Underwriter, the Authority or the Unified Government, as appropriate, will promptly notify all the other parties thereof in writing. Upon the request of the Underwriter, the Authority will pay for preparation and delivery to the Underwriter and the Unified Government of as many copies of an amendment or supplement, in form and substance reasonably acceptable to the Underwriter, as are necessary to correct any untrue statement or omission.

5. Establishment of Issue Price.

(a) The Underwriter agrees to assist the Authority in establishing the issue price of the Series 2022A Bonds and shall execute and deliver to the Authority at Closing an "issue price" or similar certificate, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit F, with such modifications as may be appropriate or necessary, in the reasonable judgment of the Underwriter, the Authority and Bond Counsel, to accurately reflect, as

applicable, the sales price or prices or the initial offering price or prices to the public of the Series 2022A Bonds.

(b) Except as otherwise set forth in Exhibit A attached hereto, the Authority will treat the first price at which 10% of each maturity of the Series 2022A Bonds (the "10% test"), is sold to the public as the issue price of that maturity. At or promptly after the execution of this Purchase Contract, the Underwriter shall report to the Authority the price or prices at which the Underwriter has sold to the public each maturity of Series 2022A Bonds. If at that time the 10% test has not been satisfied as to any maturity of the Series 2022A Bonds, the Underwriter agrees to promptly report to the Authority the prices at which Series 2022A Bonds of that maturity have been sold by the Underwriter to the public. That reporting obligation shall continue, whether or not the Closing has occurred, until either (i) the Underwriter has sold all of the Series 2022A Bonds of that maturity or (ii) the 10% test has been satisfied as to the Series 2022A Bonds of that maturity, provided that, the Underwriter's reporting obligation after the Closing may be at reasonable periodic intervals or otherwise upon the request of the Authority or Bond Counsel. For purposes of this section, if the Series 2022A Bonds mature on the same date but have different interest rates, each separate CUSIP number within that maturity will be treated as a separate maturity of the Series 2022A Bonds.

(c) The Underwriter confirms that it has offered the Series 2022A Bonds to the public on or before the date of this Purchase Contract at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in Exhibit A attached hereto, except as otherwise set forth therein. Exhibit A also sets forth, as of the date of this Purchase Contract, the maturities, if any, of the Series 2022A Bonds for which the 10% test has not been satisfied and for which the Authority and the Underwriter agrees that the restrictions set forth in the next sentence shall apply, which will allow the Authority to treat the initial offering price to the public of each such maturity as of the sale date as the issue price of that maturity (the "hold-the-offering-price rule"). So long as the hold-the-offering-price rule remains applicable to any maturity of the Series 2022A Bonds, the Underwriter will neither offer nor sell unsold Series 2022A Bonds of that maturity to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(1) the close of the fifth (5th) business day after the sale date; or

(2) the date on which the Underwriter has sold at least 10% of that maturity of the Series 2022A Bonds to the public at a price that is no higher than the initial offering price to the public.

The Underwriter will advise the Authority promptly after the close of the fifth (5th) business day after the sale date whether it has sold 10% of that maturity of the Series 2022A Bonds to the public at a price that is no higher than the initial offering price to the public.

(d) The Underwriter confirms that:

(i) any selling group agreement and any third-party distribution agreement relating to the initial sale of the Series 2022A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each dealer who is a member of the selling group and each broker-dealer that is a party to such third-party distribution agreement, as applicable:

(A)(i) to report the prices at which it sells to the public the unsold Series 2022A Bonds of each maturity allocated to it, whether or not the Closing has occurred, until either all Series 2022A Bonds of that maturity allocated to it have been sold or it is notified by the Underwriter that the 10% test has been satisfied as to the Series 2022A

Bonds of that maturity, provided that, the reporting obligation after the Closing may be at reasonable periodic intervals or otherwise upon the request of the Underwriter and (ii) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the Underwriter.

(B) to promptly notify the Underwriter of any sales of the Series 2022A Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Series 2022A Bonds to the public (each such term being defined below), and

(C) to acknowledge that, unless otherwise advised by the dealer or broker-dealer, the Underwriter shall assume that each order submitted by the dealer or broker-dealer is a sale to the public.

(ii) any selling group agreement relating to the initial sale of the Series 2022A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Series 2022A Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the public the unsold Series 2022A Bonds of each maturity allocated to it, whether or not the Closing has occurred, until either all Series 2022A Bonds of that maturity allocated to it have been sold or it is notified by the Underwriter or the dealer that the 10% test has been satisfied as to the Series 2022A Bonds of that maturity, provided that, the reporting obligation after the Closing may be at reasonable periodic intervals or otherwise upon the request of the Underwriter or the dealer, and (B) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the Underwriter or the dealer and as set forth in the related pricing wires.

(e) The Authority acknowledges that, in making the representations set forth in this section, the Underwriter will rely on (i) in the event a selling group has been created in connection with the initial sale of the Series 2022A Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing the issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, as set forth in a selling group agreement and the related pricing wires, and (ii) in the event that a third-party distribution agreement that was employed in connection with the initial sale of the Series 2022A Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing the issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The Authority further acknowledges that the Underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no Underwriter shall be liable for the failure of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement, to comply with its corresponding agreement to comply with the requirements for establishing the issue price of the Series 2022A Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Series 2022A Bonds.

(f) The Underwriter acknowledges that sales of any Series 2022A Bonds to any person that is a related party to an underwriter participating in the initial sale of the Series 2022A Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this section. Further, for purposes of this section:

(i) "public" means any person other than an underwriter or a related party,

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the Authority (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2022A Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Series 2022A Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Series 2022A Bonds to the public),

(iii) a purchaser of any of the Series 2022A Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) "sale date" means the date of execution of this Purchase Contract by all parties.

6. The Authority hereby represents and warrants to and covenants with the Underwriter as follows:

(a) The Authority is, and will be at the date of the Closing, validly existing as a public body corporate and an instrumentality of the State having the powers and authority set forth in the Act. The Authority is authorized by the Act to provide for the issuance of revenue bonds to finance and refinance the costs of acquiring, constructing and equipping facilities to be used for amusement, recreational, civil, cultural, parking and educational purposes or a combination thereof such as the Project located within its jurisdiction.

(b) To the best of the Authority's knowledge after due inquiry, all consents, approvals, authorizations and orders of any court or if requested, governmental body, if any, that are required to be obtained in connection with the performance by the Authority of its obligations under this Purchase Contract, the Authority Documents or the Official Statement, have already been obtained or will be obtained on or prior to the Closing, except that no representation or covenant is made as to compliance with any applicable state securities or "Blue Sky" laws in connection with the purchase and distribution of the Series 2022 Bonds by the Underwriter. The Authority agrees to cooperate with the Underwriter and its counsel in any endeavor to qualify the Series 2022 Bonds for offering and sale under the securities or "Blue Sky" laws of such jurisdictions of the United States of America as the Underwriter requests; provided that in no event will the Authority be obligated to take any action that would subject it to service of process in any state where it is not now so subject, nor will the Authority be required to qualify to do business in any other jurisdiction nor will the Authority be required to incur any costs or expenses in connection with any such qualification of the Series 2022 Bonds.

(c) Neither the execution and delivery of the Series 2022 Bonds, the Authority Documents, or this Purchase Contract, nor the compliance with the provisions hereof or thereof by the Authority conflicts with or will result in a breach of or default under (i) any indenture, mortgage, commitment, note or other agreement or instrument to which the Authority is a party or by which it is bound, (ii) the Act or any judgment, order or decree of any court having jurisdiction over the Authority or (iii) to the best of the Authority's knowledge, any other law, rule, regulation or ordinance or judgment, order or decree of any

court or governmental agency or body having jurisdiction over the Authority or any of its activities or properties.

(d) (i) At or prior to the Closing, the Authority will have taken all action required and requested to be taken by it to authorize the issuance and delivery of the Series 2022 Bonds and the performance of its obligations thereunder, (ii) the Authority has full legal right, power and authority to enter into this Purchase Contract and to perform its obligations hereunder, and at the date of the Closing will have full legal right, power and authority to enter into the Authority Documents and to perform its obligations thereunder, (iii) at or prior to the Closing, the Series 2022 Bonds and the Authority Documents will have been duly authorized and (assuming due authorization, execution and delivery by the other parties thereto) when executed, will constitute valid and binding obligations of the Authority enforceable in accordance with their respective terms against the Authority, subject to equitable principles, bankruptcy, insolvency and similar laws and public policy limiting the right to indemnification, (iv) this Purchase Contract has been duly executed and delivered and (assuming due authorization, execution and delivery by the other parties thereto) constitutes a valid and binding obligation of the Authority, subject to equitable principles, bankruptcy, insolvency and similar laws and public policy limiting the right to indemnification, and (v) the Authority has duly authorized the performance by it of all actions required of it by this Purchase Contract.

(e) The information set forth in the Preliminary Official Statement as of its date and as of the date of this Purchase Contract and the Official Statement as of its date and as of the date of the Closing, other than the information under the captions entitled "THE UNIFIED GOVERNMENT," "UNIFIED GOVERNMENT DEBT STRUCTURE, "THE SALES TAX," "UNIFIED GOVERNMENT AD VALOREM TAXATION" and "UNIFIED GOVERNMENT FINANCIAL INFORMATION," and in Appendix B (Audited Financial Statements of the Unified Government for the Fiscal Year Ended June 30, 2021) attached to the Official Statement, does not and will not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(f) The Authority will apply the proceeds from the sale of the Series 2022 Bonds as specified in the Bond Resolution and the Official Statement.

(g) Between the date of this Purchase Contract and the Closing, the Authority will not, except as described in or contemplated by the Official Statement, incur any material liabilities, direct or contingent, nor will there be any adverse change of a material nature within the control of the Authority in the financial position, results of operations or condition, financial or otherwise, of the Authority, the effect of either of which would be to materially adversely affect the ability of the Authority to perform its obligations under the Authority Documents.

(g) Except as is described in the Official Statement, to the best of the Authority's knowledge, there is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or threatened against or affecting the Authority (or, to the knowledge of the Authority, any meritorious basis therefor) (i) attempting to limit, enjoin or otherwise restrict or prevent the Authority from functioning, or contesting or questioning the existence of the Authority or the titles of the present officers of the Authority to their offices or (ii) wherein an unfavorable decision, ruling or finding would materially and adversely affect (A) the existence or powers of the Authority, (B) the financial condition of the Authority, (C) the exclusion of interest on the Series 2022A Bonds from the gross income of the recipients thereof pursuant to the Internal Revenue Code of 1986, as amended ("**Code**"), (D) the transactions contemplated by the Authority Documents or hereby, or (E) the validity or enforceability of the Series 2022 Bonds, the Authority Documents, this Purchase Contract or any

agreement or instrument to which the Authority is a party and which is used or contemplated for use in the consummation of the transactions contemplated hereby or by the aforesaid documents.

(h) Prior to the execution of this Purchase Contract, there have been delivered, on behalf of the Authority, to the Underwriter copies of the Preliminary Official Statement which the Authority "deemed final" as of its date for purposes of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended, except for the permitted omissions described in paragraph (b)(1) of Rule 15c2-12.

7. The Unified Government hereby represents and warrants to and covenants with the Underwriter as follows:

(a) The Unified Government is, and will be at the date of the Closing, a political subdivision of the State, with all requisite power and authority to carry on its business as it is now being conducted.

(b) To the best of the Unified Government's knowledge after due inquiry, no consent, approval, authorization or order of any court or governmental body is required for the consummation by the Unified Government of the transactions contemplated by this Purchase Contract and the Unified Government Documents except such as have already been obtained or will be obtained on or prior to Closing; provided that the Unified Government makes no representation, warranty or covenant with respect to any federal or state securities or "Blue Sky" laws in connection with the purchase and distribution of the Series 2022 Bonds by the Underwriter.

(c) Neither the execution and delivery of the Unified Government Documents or this Purchase Contract, nor the compliance with the provisions thereof and hereof by the Unified Government conflicts in any material respect with or will result in a breach of or default under any indenture, mortgage, commitment, note or other agreement or instrument to which the Unified Government is a party or by which it is bound, or to the best of the Unified Government's knowledge, any existing law, rule, regulation or ordinance or judgment, order or decree of any court or governmental agency or body having jurisdiction over the Unified Government or any of its activities or properties.

(d) (i) The Unified Government has, and at the date of the Closing will have, full legal right, power and authority to enter into this Purchase Contract and to perform its obligations hereunder and to carry out and effectuate the transactions contemplated hereby, and at the date of the Closing will have full legal right, power and authority to enter into the Unified Government Documents and to perform its obligations thereunder and to carry out and effectuate the transactions contemplated to be performed by it thereby and by the Official Statement, (ii) at or prior to the Closing, the Unified Government Documents will have been duly authorized by the Unified Government and (assuming due authorization, execution and delivery by the other parties thereto) when executed, will constitute valid and binding obligations of the Unified Government enforceable in accordance with their respective terms against the Unified Government, subject to equitable principles, bankruptcy, insolvency and similar laws and applicable securities laws and public policy limiting the right to indemnification and contribution, (iii) this Purchase Contract has been duly authorized, executed and delivered by the Unified Government and (assuming due authorization, execution and delivery by the other parties thereto) constitutes a valid and binding obligation of the Unified Government, subject to equitable principles, bankruptcy, insolvency and similar laws and applicable securities laws and public policy limiting the right to indemnification and contribution, and (iv) the Unified Government has duly authorized the consummation by it of all transactions contemplated by this Purchase Contract.

(e) The information set forth in the Preliminary Official Statement as of its date and as of the date of this Purchase Contract and the Official Statement as of its date and as of the date of the Closing under the captions entitled "THE UNIFIED GOVERNMENT," "UNIFIED GOVERNMENT DEBT STRUCTURE,

"THE SALES TAX," "UNIFIED GOVERNMENT AD VALOREM TAXATION" and "UNIFIED GOVERNMENT FINANCIAL INFORMATION," and in Appendix B (Audited Financial Statements of the Unified Government for the Fiscal Year Ended June 30, 2021) attached to the Official Statement, does not and will not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(f) Between the date of this Purchase Contract and the Closing, the Unified Government will not, except as described in or contemplated by the Official Statement, incur any material liabilities, direct or contingent, nor will there be any adverse change of a material nature within the control of the Unified Government in the financial position, results of operations or condition, financial or otherwise, of the Unified Government, the effect of either of which would be to materially adversely affect the ability of the Unified Government to perform its obligations under the Unified Government Documents.

(g) Except as is described in the Official Statement, to the best of the Unified Government's knowledge, there is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or threatened against or affecting the Unified Government (or, to the knowledge of the Unified Government, any meritorious basis therefor) (i) attempting to limit, enjoin or otherwise restrict or prevent the Unified Government from functioning or contesting or questioning the existence of the Unified Government or (ii) wherein an unfavorable decision, ruling or finding would materially and adversely affect (A) the existence or powers of the Unified Government, (B) the financial condition of the Unified Government, (C) the exclusion of interest on the Series 2022A Bonds from the gross income of the recipients thereof pursuant to the Code, (D) the transactions contemplated by the Unified Government Documents or hereby, or (E) the validity or enforceability of the Unified Government Documents, this Purchase Contract or any agreement or instrument to which the Unified Government is a party and which is used or contemplated for use in the consummation of the transactions contemplated hereby or by the aforesaid documents.

(g) Except as is described in the Official Statement, the Unified Government has not failed to comply in any material respect with any continuing disclosure undertaking pursuant to Rule 15c2-12 in the last five years.

8. The Underwriter hereby represents and warrants to and covenant with the Authority that it is, and at all times during the offer and sale of the Series 2022 Bonds will be, a member of the Financial Industry Regulatory Authority ("**FINRA**"), and is or will be licensed, to the extent required by applicable law, to offer and sell the Series 2022 Bonds in each jurisdiction in which it offers to sell the Series 2022 Bonds, and, to the best of its knowledge, is or will be in compliance with the rules and regulations of FINRA and other regulatory agencies with jurisdiction over it or any of its activities.

9. The Closing will be held at 10:00 a.m., Eastern Daylight time, at the offices of Smith, Gambrell & Russell, LLP, Atlanta, Georgia ("**Bond Counsel**") on September 14, 2022, or at such other place or time as have been mutually agreed upon by the Authority, the Unified Government and the Underwriter. The Authority will deliver the Series 2022 Bonds, or cause the Series 2022 Bonds to be delivered, to the Underwriter or as directed by the Underwriter, duly executed by the Authority and authenticated by the Bond Registrar, and the Underwriter will accept such delivery and pay the purchase price of the Series 2022 Bonds by check payable to the order of, and delivered to, the Bond Registrar on behalf of the Authority or by wire transfer to the Bond Registrar for the account of the Authority, in either case payable in immediately available funds. The Series 2022 Bonds will be initially delivered at the Closing as a single definitive certificate for each maturity of Series 2022 Bonds registered in the name of Cede & Co., as nominee for The Depository Trust Company.

10. The obligations of the Underwriter hereunder are subject (i) to the performance by the Authority and the Unified Government of their respective obligations to be performed hereunder at and prior to the Closing, (ii) to the accuracy of the representations and warranties of the Authority and the Unified Government contained in the Authority Documents and the Unified Government Documents, respectively, and herein, as the case may be, as of the date hereof and as of the time of the Closing, as if made at and as of the time of the Closing; and (iii) to the following conditions, including the delivery by the Authority of such documents as are contemplated hereby:

(a) At the time of the Closing (i) the Official Statement, the Authority Documents, the Unified Government Documents and this Purchase Contract must be in full force and effect and may not have been amended, modified or supplemented, except as may have been agreed to in writing by the Underwriter, (ii) the Authority must have duly adopted and there must be in full force and effect such resolutions (the "**Authority Resolutions**") as, in the opinion of Bond Counsel, are necessary in connection with the transactions contemplated hereby, (iii) the Commission of the Unified Government must have duly adopted and there must be in full force and effect such resolutions (the "**Unified Government Resolutions**") as, in the opinion of Bond Counsel, are necessary in connection with the transactions contemplated hereby, and (iv) the Authority must have delivered the Official Statement to the Underwriter as contemplated by Section 3 hereof; and

(b) At or prior to the Closing, the Underwriter must have received the following documents:

(i) The approving opinion of Bond Counsel, dated the date of the Closing and substantially in the form attached as Appendix D to the Official Statement;

(ii) A supplemental opinion of Bond Counsel addressed to the Underwriter, dated the date of Closing, in substantially the form set forth in Exhibit B hereto;

(iii) An opinion of Smith, Gambrell & Russell, LLP, Atlanta, Georgia, disclosure counsel to the Unified Government, dated the date of the Closing, addressed to the Unified Government, the Authority and the Underwriter, in substantially the form set forth in Exhibit C hereto;

(iv) A certificate dated the date of the Closing, signed by the Authority, in form and substance satisfactory to the Underwriter, to the effect that (1) the representations and warranties of the Authority in the Authority Documents and herein are true and correct in all material respects as if made as of the date of the Closing; (2) as of the Closing, no event has occurred and is continuing which with the lapse of time or the giving of notice, or both, would constitute a "Default" or "Event of Default" under any of the Authority Documents and (3) the Authority Resolutions are in full force and effect and have not been amended, repealed or otherwise rescinded;

(v) A certificate of the Unified Government, dated the date of the Closing, signed by the Unified Government, in form and substance satisfactory to the Underwriter, to the effect that (1) the representations and warranties of the Unified Government contained in the Unified Government Documents and herein are true and correct in all material respects as of the date of the Closing, as if made on and as of the date of the Closing, (2) as of the Closing, no event has occurred and is continuing which with the lapse of time or the giving of notice, or both, would constitute an "Event of Default" under the Intergovernmental Contract and (3) the Unified Government Resolutions are in full force and effect and have not been amended, repealed or otherwise rescinded;

(vi) An opinion of Blasingame, Burch, Garrard, & Ashley, P.C., Athens, Georgia, counsel to the Authority, dated the date of the Closing, addressed to Bond Counsel, the Unified Government and the Underwriter, dated the date of the Closing, in substantially the form set forth in Exhibit D hereto;

(vii) An opinion of Judd Drake, Esq., Athens, Georgia, counsel to the Unified Government, dated the date of the Closing, addressed to Bond Counsel, the Authority, and the Underwriter, in substantially the form set forth in Exhibit E hereto;

(viii) An opinion of Kutak Rock LLP, counsel to the Underwriter, dated the date of the Closing, concerning the Preliminary Official Statement and the Official Statement, in form and substance satisfactory to the Underwriter;

(ix) Executed copies of the Authority Documents and the Unified Government Documents, and certified copies of the Authority Resolutions and the Unified Government Resolutions;

(x) Written evidence that Moody's Investors Service, Inc. ("**Moody's**") and S&P Global Ratings ("**S&P**") have issued and has not withdrawn its ratings of "[Aa1]"and "[AA]," respectively, for the Series 2022 Bonds;

(xi) A Bond specimen for each series of the Series 2022 Bonds;

(xii) An executed copy of the Authority's Blanket Issuer Letter of Representation with The Depository Trust Company;

(xiii) Evidence that the Series 2022 Bonds have been validated by an order of the Superior Court of Clarke County;

(xiv) A certificate executed by the appropriate representative of the Authority, dated the date of the Closing, to the effect that on the basis of facts and estimates set forth therein that (1) to the best of its knowledge and belief without any independent investigation, it is not expected that the proceeds of the Series 2022A Bonds will be used in a manner that would cause the Series 2022A Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and applicable regulations thereunder and (2) to the best of the knowledge and belief of said representative without any independent investigation, such expectations are reasonable; and

(xv) Such additional legal opinions, certificates of proceedings, instruments and other documents as Bond Counsel and the Underwriter or its counsel may reasonably request to evidence compliance by the Authority and the Unified Government with legal requirements, the truth and accuracy, as of the time of Closing, of the representations of the Authority and the Unified Government herein contained, and the due performance or satisfaction by the Authority and the Unified Government, at or prior to the Closing, of all agreements then required to be performed and all conditions then required to be satisfied by the Authority and the Unified Government.

11. The Underwriter will also have the right to cancel its obligation to purchase and accept delivery of the Series 2022 Bonds hereunder by notifying the Authority, in writing (which may be by facsimile), of its election to do so between the date hereof and the Closing if, on or after the date hereof and prior to the Closing:

(a) an event shall occur which makes untrue or incorrect in any material respect, as of the time of such event, any statement or information contained in the Official Statement or which is not reflected in the Official Statement but should be reflected therein in order to make the statements contained therein in the light of the circumstances under which they were made not misleading in any material respect and, in either such event, (a) the Authority refuses to permit the Official Statement to be supplemented to supply such statement or information in a manner satisfactory to the Underwriter or (b) the effect of the Official Statement as so supplemented is, in the judgment of the Underwriter, to materially adversely affect the market price or marketability of the Series 2022 Bonds or the ability of the Underwriter to enforce contracts for the sale, at the contemplated offering prices (or yields), of the Series 2022 Bonds; or

(b) legislation shall be introduced in, enacted by, reported out of committee, or recommended for passage by the Georgia General Assembly, either House of the United States Congress, or recommended to the Congress or otherwise endorsed for passage (by press release, other form of notice or otherwise) by the President of the United States, the Treasury Department of the United States, the Internal Revenue Service or the Chairman or ranking minority member of the Committee on Finance of the United States Senate or the Committee on Ways and Means of the United States House of Representatives, or legislation is proposed for consideration by either such committee by any member thereof or presented as an option for consideration by either such committee by the staff or such committee or by the staff of the Joint Committee on Taxation of the Congress of the United States, or a bill to amend the Code (which, if enacted, would be effective as of a date prior to the Closing) shall be filed in either House, or a decision by a court of competent jurisdiction shall be rendered, or a regulation or filing shall be issued or proposed by or on behalf of the Department of the Treasury or the Internal Revenue Service of the United States, or other agency of the federal government, or a release or official statement shall be issued by the President, the Department of the Treasury or the Internal Revenue Service of the United States, in any such case with respect to or affecting (directly or indirectly) the federal or state taxation of interest received on obligations of the general character of the Series 2022A Bonds which, in the judgment of the Underwriter, materially adversely affects the market price or marketability of the Series 2022 Bonds or the ability of the Underwriter to enforce contracts for the sale, at the contemplated offering prices (or yields), of the Series 2022 Bonds; or

(c) a stop order, ruling, regulation, proposed regulation or statement by or on behalf of the Securities and Exchange Commission or any other governmental agency having jurisdiction of the subject matter shall be issued or made to the effect that the issuance, offering, sale or distribution of obligations of the general character of the Series 2022 Bonds (including any related underlying obligations) is in violation or would be in violation of any provisions of the Securities Act of 1933, as amended (the "Securities Act"), the Securities Exchange Act of 1934, as amended or the Trust Indenture Act of 1939, as amended; or

(d) legislation introduced in or enacted (or resolution passed) by the United States Congress or an order, decree, or injunction issued by any court of competent jurisdiction, or an order, ruling, regulation (final, temporary, or proposed), press release or other form of notice issued or made by or on behalf of the Securities and Exchange Commission, or any other governmental agency having jurisdiction of the subject matter, to the effect that obligations of the general character of the Series 2022 Bonds, including any or all underlying arrangements, are not exempt from registration under or other requirements of the Securities Act or that the Indenture is not exempt from qualification under or other requirements of the Trust Indenture Act of 1939, as amended, or that the issuance, offering, or sale of obligations of the general character of the Series 2022 Bonds, including any or all underlying arrangements, as contemplated hereby or by

the Official Statement or otherwise, is or would be in violation of the federal securities law as amended and then in effect; or

(e) there shall have occurred (1) any outbreak or escalation of hostilities, declaration by the United States of a national or international emergency or war; or (2) any other calamity or crisis in the financial markets of the United States or elsewhere; or (3) a downgrade of the sovereign debt rating of the United States by any major credit rating agency or payment default on United States Treasury obligations; or (4) a default with respect to the debt obligations of, or the institution of proceedings under any federal bankruptcy laws by or against any state of the United States or any city, county or other political subdivision located in the United States having a population of over 1,000,000, which, in the judgment of the Underwriter, materially adversely affects the market price or marketability of the Series 2022 Bonds or the ability of the Underwriter to enforce contracts for the sale, at the contemplated offering prices (or yields), of the Series 2022 Bonds; or

(f) there shall have occurred a general suspension of trading, minimum or maximum prices for trading shall have been fixed and be in force or maximum ranges or prices for securities shall have been required on the New York Stock Exchange or other national stock exchange whether by virtue of a determination by that Exchange or by order of the Securities and Exchange Commission or any other governmental agency having jurisdiction or any national securities exchange shall have: (i) imposed additional material restrictions not in force as of the date hereof with respect to trading in securities generally, or to the Series 2022 Bonds or similar obligations; or (ii) materially increased restrictions now in force with respect to the extension of credit by or the charge to the net capital requirements of underwriters or broker-dealers which, in the judgment of the Underwriter, materially adversely affects the market price or marketability of the Series 2022 Bonds or the ability of the Underwriter to enforce contracts for the sale, at the contemplated offering prices (or yields), of the Series 2022 Bonds; or

(g) a general banking moratorium shall have been declared by federal or New York or Georgia state authorities or a major financial crisis or a material disruption in commercial banking or securities settlement or clearances services shall have occurred which, in the judgment of the Underwriter, materially adversely affects the market price or the marketability for the Series 2022 Bonds or the ability of the Underwriter to enforce contracts for the sale, at the contemplated offering prices (or yields), of the Series 2022 Bonds; or

(h) a downgrading or suspension of any rating (without regard to credit enhancement) by Moody's or S&P of the Series 2022 Bonds shall have occurred, or there shall have been any official statement as to a possible downgrading (such as being placed on "credit watch" or "negative outlook" or any similar qualification) of any rating by Moody's or S&P of the Series 2022 Bonds.

12. If the Authority is unable to satisfy the conditions to the obligations of the Underwriter contained in this Purchase Contract, or if the obligation of the Underwriter to purchase and accept delivery of the Series 2022 Bonds is terminated for any reason permitted by this Purchase Contract, this Purchase Contract will terminate and neither the Underwriter, the Unified Government, nor the Authority will be under further obligation hereunder; except that the obligations of the Authority to pay expenses, as provided in Section 15 hereof, will continue in full force and effect. The Underwriter may, in its discretion waive any one or more of the conditions imposed by this Purchase Contract for its protection and proceed with the Closing.

13. (a) To the fullest extent permitted by applicable law, the Unified Government will indemnify and hold harmless, the Authority and the Underwriter and each member, officer,

director, official, employee, agent or attorney of the Authority Government and the Underwriter, and each person, if any, who controls the Unified Government or the Underwriter within the meaning of Section 15 of the Securities Act of 1933, as amended, or Section 20 of the Securities Exchange Act of 1934, as amended (each an "**Indemnified Party**" and collectively "**Indemnified Parties**"), against any and all losses, claims, damages, expenses, actions or liabilities, joint or several, to which any of the Indemnified Parties may become subject under any statute or regulation or at common law or otherwise and, except as hereinafter provided, will reimburse the Indemnified Parties for any legal or other expense reasonably incurred by them or any of them in connection with investigating, preparing for or defending against any such losses, claims, damages, expenses or actions asserting liability, whether or not resulting in any liability, insofar as such losses, claims, damages, expenses, actions or liabilities arise out of or are based upon (i) any untrue statement or misleading or alleged untrue statement or alleged misleading statement of a material fact contained in the Preliminary Official Statement or the Official Statement or any omission or alleged omission from the Preliminary Official Statement or the Official Statement of material fact necessary to be stated therein in order to make the statements therein, in light of the circumstances under which they were made, not misleading, except such indemnification shall not extend to statements in the Preliminary Official Statement or the Official Statement under the captions entitled "THE BONDS—Book Entry System of Registration," "LEGAL MATTERS-Litigation" (but only insofar as it refers to the Authority) and "MISCELLANEOUS-Underwriting," or (ii) the failure to register the Series 2022 Bonds or any security therefore under the Securities Act of 1933, as amended, or to qualify the Bond Resolution under the Trust Indenture Act of 1939, as amended; provided, however, that (A) the Unified Government will not be liable to the Underwriter in any such case to the extent that any such loss, claim, damage or liability arises out of or is based upon any such untrue statement or alleged untrue statement or omission or alleged omission made in the Preliminary Official Statement or the Official Statement under the caption entitled "MISCELLANEOUS-Underwriting," and (B) the Unified Government will not be liable to the Authority in any such case to the extent that any such loss, claim, damage or liability arises out of or is based upon any such untrue statement or alleged untrue statement or omission or alleged omission made in the Preliminary Official Statement or the Official Statement or in any amendment or supplement thereto in reliance upon and in conformity with written information furnished by or on behalf of the Authority specifically for inclusion therein.

(b) Promptly after receipt by an Indemnified Party of notice of the commencement of any action in respect of which indemnification may be sought pursuant to subsection (a) of this Section, the Indemnified Party in respect of which indemnification is sought will notify the Unified Government in writing; but the omission to so notify the Unified Government will not relieve the Unified Government from any liability which it may have to any Indemnified Party otherwise than under this Section nor affect any rights it may have otherwise than under this Section to participate in and/or assume the defense of any action brought against any Indemnified Party. In case such action is brought against any Indemnified Party, and such Indemnified Party notifies the Unified Government of the commencement thereof, the Unified Government will be entitled to participate in, and, to the extent that it chooses so to do, to assume the investigation and defense thereof (including the employment of counsel satisfactory to the Indemnified Party), and the Unified Government will assume the payment of all fees and expenses relating to such investigation and defense and will have the right to negotiate and consent to settlement thereof. Any one or more of the Indemnified Parties will have the right to employ separate counsel in any such action and to participate in the defense thereof, but after notice from the Unified Government to such Indemnified Party of its election to assume the defense thereof, the fees and expenses of such separate counsel will be at the expense of such Indemnified Party unless (i) the employment of such counsel and the payment of such fees and expenses by the Unified

Government have been specifically authorized in writing by the Unified Government or (ii) the Unified Government has not employed counsel to have charge of the defense of such action within a reasonable time after receipt of a request by the Indemnified Party to assume the defense of the action or (iii) counsel for such Indemnified Party or Parties has reasonably concluded that there are conflicting interests among the Indemnified Parties, in which case, the Unified Government will not have the right to direct the defense of such action on behalf of such Indemnified Party and the fees and expenses of counsel necessary as a result of the occurrence of the events described in (i), (ii) or (iii) above will be borne by the Unified Government. The Unified Government will not be liable for any settlement of any such action effected without its consent, but if settled with the consent of the Unified Government or if there is a final judgment for the plaintiff in any such action as to which the Unified Government has received notice in writing as hereinabove required, the Unified Government agrees to indemnify and hold harmless the Indemnified Party from and against any loss or liability by reason of such settlement or judgment.

(c) The indemnity provided by this Section will be in addition to any other liability that the Unified Government may otherwise have hereunder, at common law or otherwise, and is provided solely for the benefit of each of the Indemnified Parties and their respective successors, assigns and legal representatives, and no other person will acquire or have any right under or by virtue of such provisions of this Purchase Contract. No purchaser of the Series 2022 Bonds from the Underwriter will be deemed to be a successor to the Underwriter by reason of such purchase.

(d) The indemnity agreements contained in this Section will remain operative and in force and effect, regardless of any investigation made by or on behalf of the Unified Government or the Underwriter or the delivery of and the payment for any Series 2022 Bonds hereunder, and will survive the termination or cancellation of this Purchase Contract.

(e) In the event that the indemnity provided in paragraph (a) of this Section 13 is unavailable to or insufficient to fully hold harmless the Indemnified Parties for any reason, the Unified Government agrees to contribute to the aggregate losses, claims, damages and liabilities (including legal or other expenses reasonably incurred in connection with investigating or defending the same) (collectively, "**Losses**") to which the Unified Government may be subject in such proportion as is appropriate to reflect the relative benefits received by the Unified Government on the one hand and by the Authority or the Underwriter on the other from issuing and offering the Series 2022 Bonds. If the allocation provided by the immediately preceding sentence is unavailable for any reason, the Unified Government shall contribute in such proportion as is appropriate to reflect not only such relative benefits but also the relative fault of the Unified Government on the one hand and the Authority or the Underwriter on the other in connection with the statements or omissions which resulted in such Losses, as well as any other relevant equitable considerations. In no case will the Underwriter be responsible for any amount in excess of the underwriter's discount applicable to the Series 2022 Bonds purchased by the Underwriter hereunder. Benefits received by the Unified Government will be deemed to be equal to the total net proceeds from the offering (before deducting expenses) received by it, and benefits received by the Underwriter will be deemed to be equal to the total underwriter's discount in each case set forth in the Official Statement. Relative fault will be determined by reference to, among other things, whether any untrue or any alleged untrue statement of a material fact or the omission or alleged omission to state a material fact relates to information provided by the Unified Government on the one hand or the Authority or the Underwriter on the other, the intent of the parties and their relative knowledge, information and opportunity to correct or prevent such untrue statement or omission. The Authority, the Unified Government and the Underwriter agree that it would not be just and equitable if contribution were determined by pro rata allocation or

any other method of allocation which does not take account of the equitable considerations referred to above. Notwithstanding the provisions of this paragraph (e), no person guilty of fraudulent misrepresentation (within the meaning of Section 11(f) of the Securities Act of 1933, as amended) will be entitled to contribution from any person who was not guilty of such fraudulent misrepresentation. For purposes of this Section 13(e), each person who controls the Unified Government or the Underwriter within the meaning of Section 15 of the Securities Act of 1933, as amended, or Section 20 of the Securities Exchange Act of 1934, as amended, and each director, officer, official, employee and agent of the Unified Government and the Underwriter will have the same rights to contribution as the Unified Government or the Underwriter.

14. All representations, warranties and agreements of the Underwriter, the Authority and the Unified Government set forth in or made pursuant to this Purchase Contract will remain operative and in full force and effect, regardless of any investigations made by or on behalf of the Underwriter and will survive the delivery of and payment for the Series 2022 Bonds.

15. If the Authority sells the Series 2022 Bonds to the Underwriter except as provided in the following paragraph, the Authority will pay all expenses incident to the performance of its obligations hereunder and the issuance of the Series 2022 Bonds, including but not limited to (i) the cost of the preparation, reproduction, printing, distribution, mailing, execution, delivery, filing and recording, as the case may be, of the Authority Documents, this Purchase Contract, the Official Statement and all other agreements and documents required in connection with the consummation of the transactions contemplated hereby, (ii) the fees and disbursements of Bond Counsel, disclosure counsel to the Authority, counsel for the Authority, counsel to the Unified Government and counsel for the Underwriter, (iii) the initial or acceptance fees of U.S. Bank Trust Company, National Association, as the Paying Agent under the Bond Resolution, and the Authority, (iv) any fees charged by any rating agency for the rating of the Series 2022 Bonds, and (v) all other costs of issuance of the Series 2022 Bonds. In addition, if the Authority sells the Series 2022 Bonds to the Underwriter, the Authority shall reimburse the Underwriter for actual expenses incurred or paid for by the Underwriter on behalf of the Authority or the Unified Government in connection with the marketing, issuance, and delivery of the Series 2022 Bonds, including, but not limited to, transportation, lodging, and meals for employees and representatives of the Authority or the Unified Government; provided, however, that (i) reimbursement for such expenses shall not exceed an ordinary and reasonable amount for such expenses and (ii) such expenses are not related to the entertainment of any person and not prohibited from being reimbursed from the proceeds of an offering of municipal securities under the MSRB's Rule G-20. Such reimbursement may be in the form of inclusion in the expense component of the Underwriter's discount or direct reimbursement as a cost of issuance.

The Underwriter will pay (i) the cost of preparing and publishing all advertisements relating to the Series 2022 Bonds upon commencement of the offering of the Series 2022 Bonds, (ii) any fees of the MSRB in connection with the issuance of the Series 2022 Bonds and (iii) the cost of obtaining a CUSIP number assignment for the Series 2022 Bonds.

16. This Purchase Contract will inure to the benefit of and be binding upon the Authority, the Unified Government, the Underwriter and their respective successors and assigns. Nothing in this Purchase Contract is intended or will be construed to give any person, firm or corporation, other than the parties hereto and their respective successors and assigns, any legal or equitable right, remedy or claim under or in respect of this Purchase Contract or any provision herein contained. This Purchase Contract and all conditions and provisions hereof are intended to be for the sole and exclusive benefit of the parties hereto and their respective successors and assigns, and for the benefit of no other person, firm or corporation. No purchaser who purchases the Series 2022 Bonds from the Underwriter or other person or entity will be deemed to be a successor merely by reason of such purchase.

17. No stipulation, obligation, indemnity, covenant or agreement contained in this Purchase Contract, the Authority Documents or the Unified Government Documents will be deemed to be a stipulation, obligation, indemnity, covenant or agreement of any officer, commissioner, director, employee or agent of the Authority or the Unified Government, and no such officer, commissioner, director, employee or agent will be personally liable on the Series 2022 Bonds or be subject to personal liability or accountability by reason of the issuance thereof. Any and all personal liability of every nature, whether at common law or in equity, or by statute or constitution or otherwise, of any trustee, director, member, commissioner, officer, employee or agent, as such, to respond by reason of any act or omission on his part or otherwise, for the payment for or to the Authority or the Unified Government or any receiver thereof, the Underwriter or otherwise, of any amount that may become owed by the Authority or the Unified Government hereunder is hereby expressly waived and released as a condition of and in consideration for the execution of this Purchase Contract.

18. Any notice or other communication to be given to the Authority or the Unified Government under this Purchase Contract may be given by delivering the same in writing at its address set forth above. Any notice or other communications to be given to the Underwriter under this Purchase Contract may be given by the same in writing to:

Raymond James & Associates, Inc.
3050 Peachtree Road, N.W., Suite 702
Atlanta, Georgia 30305
Attention: Todd L. Barnes

19. This Purchase Contract will be governed by and construed in accordance with the laws of the State of Georgia.

20. This Purchase Contract may be executed in multiple counterparts, each of which will be an original but all of which together will constitute but one and the same instrument and delivery hereof may be effected by delivery to the other parties by facsimile transmission on or before the time and date specified therein.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

[COUNTERPART SIGNATURE PAGE TO THE BOND PURCHASE AGREEMENT]

RAYMOND JAMES & ASSOCIATES, INC.

By _____
Todd L. Barnes
Managing Director

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

[COUNTERPART SIGNATURE PAGE TO THE BOND PURCHASE AGREEMENT]

CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY

By _____
Ryan Brinson
Chair

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

[COUNTERPART SIGNATURE PAGE TO THE BOND PURCHASE AGREEMENT]

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By _____
Kelly Girtz
Mayor

EXHIBIT A

MATURITIES, PRINCIPAL AMOUNTS, INTEREST RATES AND YIELDS

Series 2022A Bonds

Maturity (May 1)	Principal Amount	Interest Rate	Yield	Maturity (May 1)	Principal Amount	Interest Rate	Yield

$_____ ___% Term Bonds due May 1, 20__, to Yield ___%[1]

_____

1 Priced to first optional redemption date of May 1, 20__.

Series 2022B Bonds

Maturity (May 1)	Principal Amount	Interest Rate	Yield	Maturity (May 1)	Principal Amount	Interest Rate	Yield

$_____ ___% Term Bonds due May 1, 20__, to Yield ___%[1]

Optional Redemption. The Series 2022 Bonds maturing on and after May 1, 20__ are subject to redemption prior to maturity on or after May 1, 20__, at the option of the Authority, at the direction of the Unified Government, in whole or in part at any time at a redemption price of 100% plus accrued interest to the redemption date.

Scheduled Mandatory Redemption of the Series 2022A Bonds. The Series 2022A Bonds maturing on May 1, 20__ are subject to mandatory redemption prior to maturity, in part, by lot in such manner as may be designated by the Bond Registrar (as defined in the Bond Resolution), at par plus accrued interest to the redemption date, in the following principal amounts on May 1 in the years, as follows (the May 1, 20__ amounts to be paid rather than redeemed):

May 1, 20__ Term Bond

May 1 of the Year	Principal Amounts

Scheduled Mandatory Redemption of the Series 2022B Bonds. The Series 2022B Bonds maturing on May 1, 20__ are subject to mandatory redemption prior to maturity, in part, by lot in such manner as may be designated by the Bond Registrar, at par plus accrued interest to the redemption date, in the following principal amounts on May 1 in the years, as follows (the May 1, 20__ amounts to be paid rather than redeemed):

May 1, 20__ Term Bond

May 1 of the Year	Principal Amounts

Hold-the-Offering-Price Maturities. The Underwriter expects that the following maturities of the Series 2022A Bonds will not satisfy the 10% test as of the date of this Purchase Contract:

[None]

EXHIBIT B

FORM OF SUPPLEMENTAL BOND COUNSEL OPINION

September 14, 2022

Classic Center Authority for Clarke County
Athens, Georgia

Unified Government of Athens-Clarke County, Georgia
Athens, Georgia

Raymond James & Associates, Inc.
Atlanta, Georgia

Re: $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A and $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

To the Addressees:

We have acted as Bond Counsel in connection with the issuance of the above-referenced revenue bonds (collectively, the "Series 2022 Bonds") by the Classic Center Authority of Clarke County (the "Authority"). In that connection, we have examined the Preliminary Official Statement dated August __, 2022 (the "Preliminary Official Statement") and the Official Statement dated August 23, 2022 (the "Official Statement") with respect to the Series 2022 Bonds and such other documents, records, agreements and certificates as we have considered necessary or appropriate to enable us to render this opinion. In all such examinations, we have assumed the genuineness of signatures on original documents and the conformity to original documents of all copies submitted to us as certified, conformed or photostatic copies, and as to certificates of public officials, we have assumed the same to have been properly given and to be accurate. Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to such terms in the Bond Purchase Agreement dated August 23, 2022 among the Authority, the Unified Government of Athens-Clarke County, Georgia and Raymond James & Associates, Inc., as underwriter.

Based upon such examination and premises above referred to, we are of the opinion that as of this date:

(1) No registration of the Series 2022 Bonds under the Securities Act of 1933, as amended, or qualification of the Bond Resolution under the Trust Indenture Act of 1939, as amended, is required in connection with the sale of the Series 2022 Bonds to the public.

(2) We have reviewed those portions of the Preliminary Official Statement and the Official Statement appearing under the captions "THE BONDS" (other than the information under the subcaption "-Book-Entry System of Registration," as to which we give no opinion), "SECURITY AND SOURCES OF PAYMENT FOR THE BONDS," "TAX MATTERS" and Appendix A (Summary of Principal Documents) and are of the opinion that the statements made under such

captions and in such Appendix as of the date of the Preliminary Official Statement and the Official Statement, respectively, and as of the date hereof fairly and accurately summarize the portions of the documents or the matters purported to be summarized therein.

We are members of the State Bar of Georgia. Our opinions herein are limited to the laws of the State of Georgia and any applicable federal laws of the United States. This opinion is limited to the matters expressly set forth above, and no opinion is implied or may be inferred beyond the matters so stated. This opinion is intended solely for the use of the addressees and their permitted successors and/or assigns and may not be relied upon for any other purpose or furnished to any other person for any purpose without our prior written consent. We expressly disclaim any duty to update this opinion in the future for any changes of fact or law that may affect any of the opinions expressed herein.

Very truly yours,

SMITH, GAMBRELL AND RUSSELL, LLP

EXHIBIT C

FORM OF OPINION OF DISCLOSURE COUNSEL TO THE AUTHORITY

September 14, 2022

Classic Center Authority for Clarke County
Athens, Georgia

Unified Government of Athens-Clarke County,
Georgia
Athens, Georgia

Raymond James & Associates, Inc.
Atlanta, Georgia

Re: $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A and $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

To the Addressees:

We have acted as Bond Counsel and Disclosure Counsel to the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") in connection with the issuance by the Classic Center Authority for Clarke County (the "Authority") of the above-described Series 2022 Bonds. In such capacity, we have rendered legal advice and assistance to the Authority in the course of its preparation of the Preliminary Official Statement dated August __, 2022 (the "Preliminary Official Statement") and the Official Statement dated August 23, 2022 (the "Official Statement") with respect to the Series 2022 Bonds.

Rendering such assistance involved, among other things, our participation in discussions and inquiries concerning various legal matters, our review of various legal documents and our participation in conferences with representatives of the Authority and the Unified Government during which the contents of the Preliminary Official Statement and the Official Statement and related matters were discussed and reviewed. The limitations inherent in the independent verification of factual matters and the character of determinations involved in the preparation of the Preliminary Official Statement and the Official Statement are such, however, that we do not assume responsibility for the accuracy, completeness or fairness of the statements contained in the Preliminary Official Statement or the Official Statement.

On the basis of the information that was developed in the course of the performance of the services referred to above, considered in light of our understanding of the applicable law and the experience we have gained through our practice thereunder, we advise you that nothing came to our attention that caused us to believe that the Preliminary Official Statement as of its date and as of the date of the Bond Purchase Agreement dated August 23, 2022 among the Authority, the Unified Government and Raymond James & Associates, Inc., as underwriter, or the Official Statement as of its date and as of the date hereof (other than the statistical and financial data included therein and the Appendices attached thereto, the financial statements and related notes and schedules attached thereto as Appendix B and the information regarding the book-entry system of registration, as to which we express no view), contained

any untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading.

We are members of the State Bar of Georgia. Our opinions herein are limited to the laws of the State of Georgia and any applicable federal laws of the United States. This opinion is limited to the matters expressly set forth above, and no opinion is implied or may be inferred beyond the matters so stated. This opinion is intended solely for the use of the addressees and their permitted successors and/or assigns and may not be relied upon by any other person for any purpose without our prior written consent in each instance. We expressly disclaim any duty to update this opinion in the future for any changes of fact or law that may affect any of the opinions expressed herein

Very truly yours,

SMITH, GAMBRELL & RUSSELL, LLP

EXHIBIT D

FORM OF OPINION OF COUNSEL TO THE AUTHORITY

September 14, 2022

Classic Center Authority for Clarke County
Athens, Georgia

Unified Government of Athens-Clarke County, Georgia
Athens, Georgia

Raymond James & Associates, Inc.
Atlanta, Georgia

Smith, Gambrell & Russell, LLP
Atlanta, Georgia

Re: $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A and $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

Ladies and Gentlemen:

Blasingame, Burch, Garrard, & Ashley, P.C. is counsel to the Classic Center Authority for Clarke County (the "Authority") and has represented the Authority in connection with the issuance of $_____ in aggregate principal amount of its Revenue Bonds (Classic Center Arena Project), Series 2022A (the "Series 2022A Bonds") and $_____ in aggregate principal amount of its Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B (the "Series 2022B Bonds" and together with the Series 2022A Bonds, the "Series 2022 Bonds"), and in this connection I have examined:

(a) the Bond Purchase Agreement dated August 23, 2022 (the "Purchase Contract") among the Authority, the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") and Raymond James & Associates, Inc. (the "Underwriter");

(b) the Bond Resolution adopted by the Authority on July 26, 2022, as supplemented by the Resolution to Supplement the Bond Resolution adopted by the Authority on August 23, 2022 (collectively, the "Bond Resolution");

(c) the Intergovernmental Contract dated as of September 1, 2022 (the "Intergovernmental Contract") between the Authority and the Unified Government;

(d) the Preliminary Official Statement dated August __, 2022 (the "Preliminary Official Statement") and the Official Statement dated August 23, 2022 (the "Official Statement") relating to the Series 2022 Bonds;

(e) a transcript of the validation proceedings concluded in the Superior Court of Athens-Clarke County, Georgia with respect to the Series 2022 Bonds;

(f) 1988 Ga. Laws p. 3799 *et seq.*, as amended by 1989 Ga. Laws p. 4867 *et seq.* and 2002 Ga. Laws p. 5665 *et seq.* (the "Act");

(g) the Opinion of Counsel to the Unified Government of even date herewith given by Judd Drake, Esq. with respect to the Series 2022 Bonds (the "Unified Government Opinion");

and such other public records and documents and instruments and proceedings of the Authority as I have deemed relevant. All capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Purchase Contract. The Purchase Contract, the Bond Resolution and the Intergovernmental Contract are referred to herein, collectively, as the "Authority Documents."

In all such examinations, we have assumed, with your consent, the genuineness of all signatures (other than signatures on behalf of the Authority), the authenticity of all documents submitted to us as originals, and the conformity to authentic original documents of all documents submitted to us as certified, conformed or photostatic copies. We have also assumed, with your consent, the due authorization, execution and delivery of all relevant documents by all parties thereto (other than the Authority), the due authority of all persons executing and delivering such documents on behalf of such parties (other than the Authority), and the validity and enforceability of such documents as to and against such parties (other than the Authority).

Any reference to "the best of our knowledge," "our knowledge" or to any matter "coming to our attention" or "of which we are aware" or any variation of any of the foregoing shall mean the actual knowledge of the attorneys in our firm who have represented the Authority in connection with the execution and delivery of the Authority Documents of the existence or absence of any facts which would contradict the opinions set forth below. We have not undertaken any independent investigation to determine the existence or absence of such facts, and no inference as to our knowledge of the existence or absence of such facts should be drawn from the fact of our representation of the Authority.

Based on the foregoing, we are of the opinion that as of this date:

(1) The Authority is validly existing as a public body corporate and politic under the Constitution and laws of the State of Georgia, and is an instrumentality of one or more political subdivisions of such State with power and authority to adopt the Bond Resolution, to issue and sell the Series 2022 Bonds, to execute and deliver and carry out and perform its obligations under, the Authority Documents, to pledge its interest in the Pledged Revenues as defined and provided in the Bond Resolution, to distribute the Preliminary Official Statement and execute and distribute the Official Statement.

(2) Each of the Series 2022 Bonds has been authorized and executed by the Authority.

(3) The Authority Documents have been duly authorized, executed and delivered by the Authority, and the Authority Documents constitute valid and legally binding and enforceable obligations of the Authority, except to the extent that their enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting the enforcement of creditors' rights generally and principles of equity affecting the availability of specific performance or other equitable relief.

(4) Neither the adoption of the Bond Resolution, the execution, delivery, receipt or the due performance of the Authority Documents or the other agreements contemplated on the part of the Authority by the Purchase Contract or by the Official Statement under the circumstances contemplated thereby, nor the compliance by the Authority with the provisions thereof, nor the issuance and sale of the Series 2022 Bonds, nor the distribution of the Preliminary Official Statement or the execution and

distribution of the Official Statement will conflict with the Act or, to the best of my knowledge, any agreement or other instrument to which the Authority is subject or by which it is or may be bound, or result in the creation or imposition of any lien, charge, encumbrance or security interest on any property of the Authority (other than as contemplated by the Bond Resolution).

(5) Based solely on the Unified Government Opinion and the transcript of the validation proceedings concluded in the Superior Court of Athens-Clarke County, Georgia with respect to the Series 2022 Bonds, all consents, approvals or authorizations, if any, of any governmental authority required on the part of the Authority in connection with the adoption of the Bond Resolution, the issuance of the Series 2022 Bonds, the execution and delivery of the Authority Documents or the other agreements contemplated on the part of the Authority by the Purchase Contract or by the Official Statement under the circumstances contemplated thereby, the consummation of the transactions contemplated thereby, the distribution of the Preliminary Official Statement and the execution and distribution of the Official Statement have been obtained.

(6) The Authority has duly authorized the use and distribution of the Preliminary Official Statement and Official Statement by the Underwriter in connection with the sale of the Series 2022 Bonds and the execution of the Official Statement by the Authority. The Official Statement has been duly executed by the Authority.

(7) The Bond Resolution has been duly adopted by the Authority and to the best of our knowledge has not been repealed, revoked, rescinded or amended, and no further action of the Authority is required for its continued validity.

(8) To the best of our knowledge, there is no action, suit, proceeding, inquiry or investigation at law or in equity, or before or by any court, public board or body, pending or threatened against the Authority (or to the best of my knowledge is there any basis therefor), wherein an unfavorable decision, result or finding would, in any way, adversely affect the validity or enforceability of the Authority Documents, the Bond Resolution or the Series 2022 Bonds or the security for the Series 2022 Bonds.

Based solely on the foregoing, we report to you as follows. Although we have made no independent investigation or verification of the accuracy, fairness or completeness of, and do not pass upon or assume any responsibility for, the statements included in the Preliminary Official Statement and the Official Statement, during the course of the activities described above, no information came to our attention which causes us to believe that the Preliminary Official Statement as of its date and as of the date of the Purchase Contract and the Official Statement as of its date and as of the date hereof contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading in any material respect. Notwithstanding the foregoing we make no opinion or statement as to whether any of the following provisions of the Preliminary Official Statement and Official Statement under the captions entitled "THE UNIFIED GOVERNMENT," "UNIFIED GOVERNMENT DEBT STRUCTURE, "THE SALES TAX," "UNIFIED GOVERNMENT AD VALOREM TAXATION" and "UNIFIED GOVERNMENT FINANCIAL INFORMATION," and in Appendix B (Audited Financial Statements of the Unified Government for the Fiscal Year Ended June 30, 2021) attached to the Preliminary Official Statement and the Official Statement contain any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein in light of the circumstances under which they were made, not misleading in any material respect.

We express no opinion as to the laws of any jurisdiction other than the laws of the State of Georgia. The opinions expressed below concern only the effect of the laws (excluding the principles of conflict of laws) of the State of Georgia as currently in effect. No opinion is expressed as to the applicability of the federal securities laws or regulations or the Blue Sky laws or regulations of any state

on the transaction described above. No opinion is expressed as to any federal or state tax matters. No opinion is given as to the tax status of the Series 2022A Bonds or the interest thereon. No opinion is given concerning the requirement for registration of the Series 2022 Bonds under the securities laws of any state or the Securities Act of 1933, as amended, nor is an opinion given concerning qualification of any document under the Trust Indenture Act of 1939, as amended, nor is any opinion given as to the proper filing, recordation, or other necessary steps or to establish a lien or other matters of record in the real property records.

This opinion is intended solely for the benefit of the addressees and is not to be furnished, quoted, referred to or relied upon by any other person or entity without the prior written consent of the undersigned. This opinion is limited to the matters expressly set forth above, and no opinion is implied or may be inferred beyond the matters so stated. We expressly disclaim any duty to update this opinion in the future for any changes of fact or law which may affect any of the opinions expressed herein.

Sincerely,

BLASINGAME, BURCH, GARRARD & ASHLEY, P.C.

BY: _____
Alvin L. Bridges, Shareholder

EXHIBIT E

FORM OF OPINION OF COUNSEL TO THE UNIFIED GOVERNMENT

September 14, 2022

Classic Center Authority for Clarke County
Athens, Georgia

Unified Government of Athens-Clarke County, Georgia
Athens, Georgia

Raymond James & Associates, Inc.
Atlanta, Georgia

Smith, Gambrell & Russell, LLP
Atlanta, Georgia

Re: $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Series 2022A and $_____ Classic Center Authority for Clarke County Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B

Ladies and Gentlemen:

I am counsel to the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") and have represented the Unified Government in connection with the issuance of by the Classic Center Authority for Clarke County (the "Authority") of $_____ in aggregate principal amount of its Revenue Bonds (Classic Center Arena Project), Series 2022A (the "Series 2022A Bonds") and $_____ in aggregate principal amount of its Revenue Bonds (Classic Center Arena Project), Federally Taxable Series 2022B (the "Series 2022B Bonds" and together with the Series 2022A Bonds, the "Series 2022 Bonds"), and in this connection I have examined:

(a) the Bond Purchase Agreement dated August 23, 2022 (the "Purchase Contract") among the Authority, the Unified Government and Raymond James & Associates, Inc.;

(b) the Intergovernmental Contract dated as of September 1, 2022 (the "Intergovernmental Contract") between the Authority and the Unified Government;

(c) the Preliminary Official Statement dated August __, 2022 (the "Preliminary Official Statement") and the Official Statement dated August 23, 2022 (the "Official Statement") relating to the Series 2022 Bonds;

(d) the Continuing Disclosure Certificate dated September 14, 2022 (the "Disclosure Certificate") executed by the Unified Government;

(e) the Constitution and laws of the State of Georgia;

(f) the resolution of the Commission of the Unified Government adopted on August 2, 2022 relating to the Contract (the "Resolution");

and such other public records and documents and instruments and proceedings of the Unified Government as I have deemed relevant. All capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Purchase Contract. The Purchase Contract, the Intergovernmental Contract and the Disclosure Certificate are referred to herein, collectively, as the "Unified Government Documents."

In all such examinations, I have assumed, with your consent, the genuineness of all signatures (other than signatures on behalf of the Unified Government), the authenticity of all documents submitted to us as originals, and the conformity to authentic original documents of all documents submitted to us as certified, conformed or photostatic copies. I have also assumed, with your consent, the due authorization, execution and delivery of all relevant documents by all parties thereto (other than the Unified Government), the due authority of all persons executing and delivering such documents on behalf of such parties (other than the Unified Government), and the validity and enforceability of such documents as to and against such parties (other than the Unified Government).

Any reference to "the best of my knowledge," "my knowledge" or to any matter "coming to my attention" or "of which I am aware" or any variation of any of the foregoing shall mean my actual knowledge as the attorney who has represented the Unified Government in connection with the preparation, execution and delivery of the Unified Government Documents of the existence or absence of any facts which would contradict the opinions set forth below. I have not undertaken any independent investigation to determine the existence or absence of such facts, and no inference as to my knowledge of the existence or absence of such facts should be drawn from the fact of my representation of the Unified Government.

Based on the foregoing, I am of the opinion that as of this date:

(1) The Unified Government is a political subdivision of the State of Georgia with power and authority to adopt the Resolutions, to execute and deliver and carry out and perform its obligations under, the Unified Government Documents and to distribute the Preliminary Official Statement and execute and distribute the Official Statement.

(2) The Unified Government Documents have been duly authorized, executed and delivered by the Unified Government, and the Unified Government Documents constitute valid and legally binding and enforceable obligations of the Unified Government, except to the extent that their enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting the enforcement of creditors' rights generally and principles of equity affecting the availability of specific performance or other equitable relief.

(3) Neither the adoption of the Resolution, the execution, delivery, receipt or the due performance of the Unified Government Documents or the other agreements contemplated on the part of the Unified Government by the Purchase Contract or by the Official Statement under the circumstances contemplated thereby, nor the compliance by the Unified Government with the provisions thereof, nor the distribution of the Preliminary Official Statement or the distribution or execution of the Official Statement, will conflict with, or constitute on the part of the Unified Government a breach of or a default under any existing constitutional provision, law, court or administrative regulation, decree or order or, to the best of my knowledge, any agreement or other instrument to which the Unified Government is subject or by which it is or may be bound, or result in the creation or imposition of any lien, charge, encumbrance or security interest on any property of the Unified Government.

(4) All consents, approvals or authorizations, if any, of any governmental authority required on the part of the Unified Government in connection with the adoption of the Resolution, the execution

and delivery of the Unified Government Documents or the other agreements contemplated on the part of the Unified Government by the Purchase Contract or by the Official Statement under the circumstances contemplated thereby, the consummation of the transactions contemplated thereby and the distribution of the Preliminary Official Statement and the distribution and execution of the Official Statement have been obtained.

(5) The Resolution has been duly adopted by the Commission of the Unified Government and has not been repealed, revoked, rescinded or amended and no further action of the Unified Government is required for its continued validity.

(6) To the best of my knowledge, there is no action, suit, proceeding, inquiry or investigation at law or in equity, or before or by any court, public board or body, pending or threatened against the Unified Government (or to the best of my knowledge is there any basis therefor), wherein an unfavorable decision, result or finding would, in any way, adversely affect the validity or enforceability of the Unified Government Documents or the Resolutions, the security for the Series 2022 Bonds or the financial condition of the Unified Government.

(7) The Unified Government has duly authorized the used and distribution of the Preliminary Official Statement and the Official Statement by the Underwriter in connection with the sale of the Series 2022 Bonds and the execution of the Official Statement by the Unified Government. The Official Statement has been duly executed by the Unified Government.

Without independent investigation or verification and without assumption of any responsibility for the factual accuracy or completeness of the Preliminary Official Statement and the Official Statement or of the accuracy, fairness or completeness of, the statements included in the Preliminary Official Statement and the Official Statement, no information has come to my attention which causes me to believe that the information contained in the Preliminary Official Statement as of its date and as of the date of the Purchase Contract or the Official Statement as of its date and as of the date hereof under the captions entitled "THE UNIFIED GOVERNMENT," "UNIFIED GOVERNMENT DEBT STRUCTURE, "THE SALES TAX," "UNIFIED GOVERNMENT AD VALOREM TAXATION" UNIFIED GOVERNMENT FINANCIAL INFORMATION," and "LEGAL MATTERS-Litigation" (but only insofar as it refers to the Unified Government) and in Appendix B (Audited Financial Statements of the Unified Government for the Fiscal Year Ended June 30, 2021) attached to the Official Statement (except for the financial statements, financial, statistical, demographic, economic and numerical information, forecasts, estimates, assumptions and expressions of opinion included therein, as to which I express no view) contained or contains any untrue statement of a material fact or omitted or omits to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

I express no opinion as to the laws of any jurisdiction other than the laws of the State of Georgia. The opinions expressed below concern only the effect of the laws (excluding the principles of conflict of laws) of the State of Georgia as currently in effect. No opinion is expressed as to the applicability of the federal securities laws or regulations or regulations of any state on the transaction described above. No opinion is expressed as to any federal or state tax matters.

This opinion is intended solely for the benefit of the addressees and is not to be furnished, quoted, referred to or relied upon by any other person or entity without the prior written consent of the undersigned. This opinion is limited to the matters expressly set forth above, and no opinion is implied or may be inferred beyond the matters so stated. I expressly disclaim any duty to update this opinion in the future for any changes of fact or law which may affect any of the opinions expressed herein.

Sincerely,

JUDD DRAKE, ESQ.

EXHIBIT F

FORM OF ISSUE PRICE CERTIFICATE

$_____
Classic Center Authority for Clarke County
Revenue Bonds (Classic Center Arena Project), Series 2022A

ISSUE PRICE, WEIGHTED AVERAGE MATURITY AND YIELD CERTIFICATE

The undersigned, on behalf of Raymond James & Associates, Inc. (the "Raymond James"), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Series 2022A Bonds").

1. ***Sale of the Series 2022A Bonds***. As of the date of this certificate, for each Maturity the first price at which at least 10% of such Maturity of the Series 2022A Bonds was sold to the Public is the respective price listed in Schedule A hereto.

2. ***Initial Offering Price of the Hold-the-Offering-Price Maturities***.

(a) Raymond James offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A hereto (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Series 2022A Bonds is attached to this certificate as Schedule B.

(b) As set forth in the Bond Purchase Agreement, dated August 23, 2022, among the Classic Center Authority for Clarke County (the "Authority"), the Unified Government of Athens-Clarke County, Georgia (the "Unified Government"), and Raymond James, Raymond James has agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, it would neither offer nor sell any of the unsold Series 2022A Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, Raymond James has not offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Series 2022A Bonds during the Holding Period.

3. ***Defined Terms***.

(a) *General Rule Maturities* means those Maturities of the Series 2022A Bonds listed in Schedule A hereto as the "General Rule Maturities."

(b) *Hold-the-Offering-Price Maturities* means those Maturities of the Series 2022A Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."

(c) *Holding Period* means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date (as defined below), or (ii) the date on which Raymond James has sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.

(d) *Maturity* means Series 2022A Bonds with the same credit and payment terms. Series 2022A Bonds with different maturity dates, or Series 2022A Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(e) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(f) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Series 2022A Bonds. The Sale Date of the Series 2022A Bonds is August 23, 2022.

(g) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Authority (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Series 2022A Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Series 2022A Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Series 2022A Bonds to the Public).

4. ***Weighted Average Maturity and Yield.***

(a) We have been asked by Bond Counsel to calculate the yield of the Series 2022A Bonds using the definition that follows. Generally, "yield" is the discount rate calculated on the basis of a 360-day year consisting of 12 months of 30 days each and assuming semiannual compounding that, when used in computing the present value as of the date hereof of all unconditionally payable payments of principal, interest (including original issue discount), and fees for qualified guarantees on the Series 2022A Bonds, produces an amount equal to the present value, using the same discount rate, of the issue price of the Series 2022A Bonds. The yield on the Series 2022A Bonds that are "Yield to Call Bonds" is computed by treating such Series 2022A Bonds as redeemed on the optional redemption date that would produce the lowest yield on the issue. Yield to Call Bonds are Series 2022A Bonds subject to optional early redemption and issued at an issue price that exceeds the stated redemption price at maturity by more than one-fourth of one percent multiplied by the product of the stated redemption price at maturity and the number of complete years to the first optional call date for such Series 2022A Bonds. In accordance with this calculation, the yield on the Series 2022A Bonds is [_____]%.

(b) We have been asked by Bond Counsel to calculate the weighted average maturity of the Series 2022A Bonds in the following manner: divide (a) the sum of the products determined by taking the Issue Price of each maturity of the Series 2022A Bonds times the number of years from the date hereof to the date of such maturity (treating the mandatory redemption of the Series 2022A Bonds as a maturity), by (b) the aggregate issue price of the Series 2022A Bonds. Based on this calculation, the weighted average maturity of the Series 2022A Bonds is [_____] years.

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Raymond James's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Authority and the Unified Government with respect to certain of the representations set forth in the Tax and Non-Arbitrage Certificate and with respect to compliance with the federal income tax rules affecting the Series 2022A Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Series 2022A Bonds is excluded from gross income for federal income tax purposes, the preparation of the

Internal Revenue Service Form 8038, and other federal income tax advice that it may give to the Authority and the Unified Government from time to time relating to the Series 2022A Bonds.

RAYMOND JAMES & ASSOCIATES, INC.

By:_____
James A. Wright
Managing Director

Dated: September 14, 2022

SCHEDULE A

General Price Maturities: All maturities

Hold-the-Offering-Price Maturities: [None]

Maturity (May 1)	Principal Amount	Interest Rate	Yield	Maturity (May 1)	Principal Amount	Interest Rate	Yield

$_____ ___% Term Bonds due May 1, 20__, to Yield ___%[1]

_____

1 Priced to first optional redemption date of May 1, 20__.

Denson CDO - SPLOST 2020 - Project 19, Bishop Park Improvements Sub-Project #1 - Proposed Schematic Design

REVENUES:	**$ 4,900,000**	**SPLOST 2020 Project 19**
	$ 500,000	**FY23 Capital Fund Balance**
	$ 4,900,000	**Total Revenue Available**
EXPENSES:		
CAPITAL:	**$ 434,637**	**Expensed & Encumbered (Includes Design Fee)**
	$ 188,963	**Designated Misc./ PM Fees/ Testing Permitting**
	$ 30,000	**Designated Public Art**
	$ 100,000	**Designated Furniture, Fixtures, & Equipment (FF&E)**
	$ 346,400	**Designated Contingency**
	$ 500,000	**Additional Elements (2 lanes, diving boards, water play)**
	$ 4,300,000	**Available for Construction**

Additional elements:

- Two swimming lap lanes - increases the number of competitive swim lanes from eight to ten - $360,000
- Diving well and two diving boards – increases depth from 6'7" to 13" - $100,000
- Two (or more) water spray fountains (jets) added to the zero depth pool entry - $40,000
- infrastructure needed to prepare for an adjacent splash pad when future funding becomes available - no additional cost, covered by current existing budget

TOTAL $500,000

CDO recommendation:

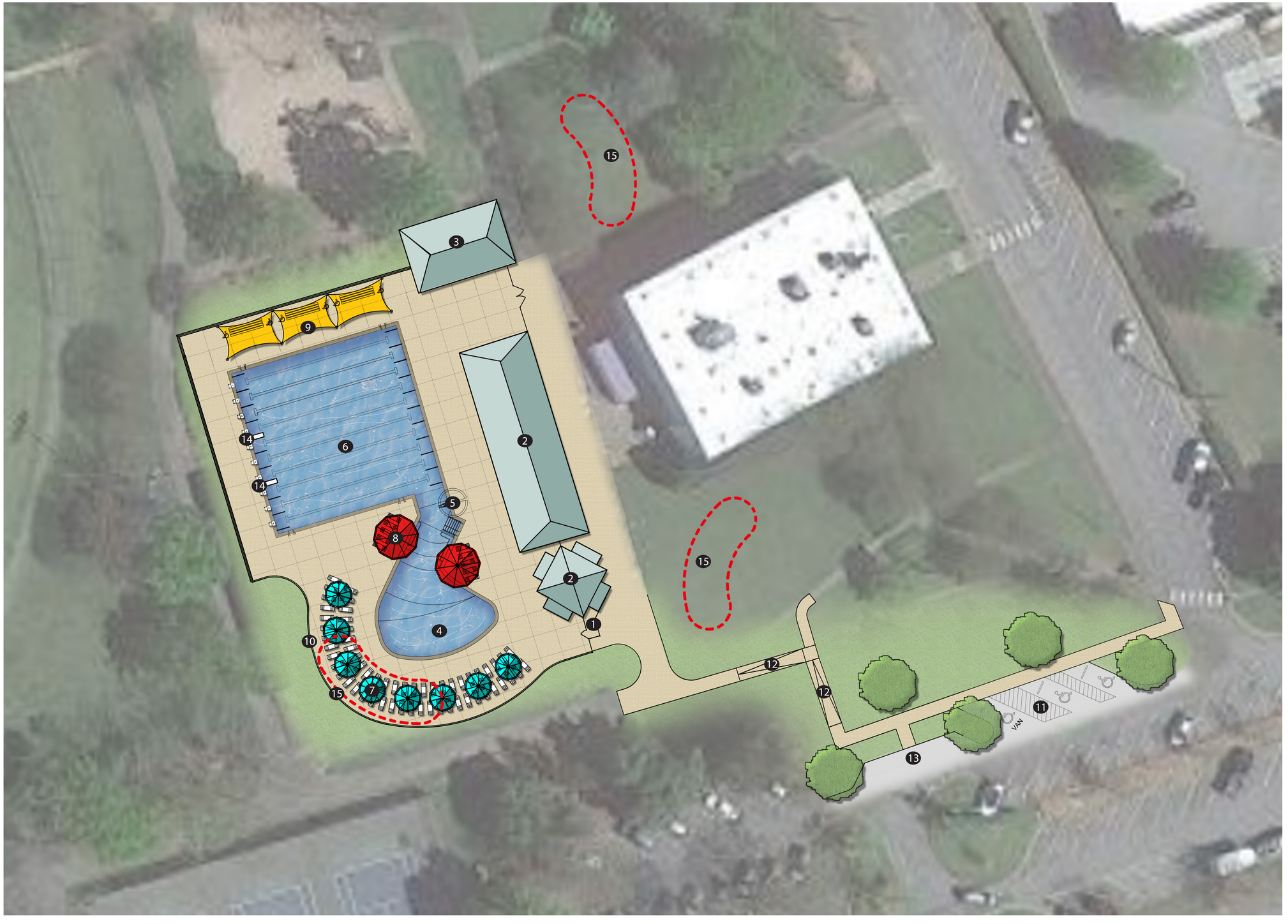
1. Mayor and Commission:

a. Approve the SPLOST 2020 Project 19, Bishop Park Improvements Sub-Project #1 Proposed Schematic Design, as generally shown in CDO attachment #1, as recommended by staff with the additions of:

- Two swimming lap lanes - increases the number of competitive swim lanes from eight to ten
- Diving well and two diving boards
- water-play component
- the infrastructure needed to prepare for an adjacent future splash pad

b. Authorize staff to complete the Construction Documents and to advance the project to the Bid & Award Phase in accordance with the approved Schematic Design; and

c. Authorize the Mayor and appropriate staff to execute all related documents.



LEGEND:

SITE AMENITIES:

1. MAIN ENTRANCE
2. EXISTING BUILDINGS
3. POOL PUMP BUILDING
4. LEISURE POOL W/ BEACH ENTRY
5. ADA POOL ENTRY
6. COMPETITION POOL (10 LANES)
7. SMALL UMBRELLA
8. LARGE UMBRELLA
9. SHADE SAILS W/ BLEACHERS
10. FENCE
11. ADA PARKING
12. RAMP
13. DROP OFF ZONE
14. DIVING BOARD
15. POTENTIAL SPLASH PAD LOCATIONS

LOSE DESIGN
SPACES FOR LIFE.

BISHOP PARK POOL (10 LANE OPTION)

ATHENS, GEORGIA

W E S

0 20 40 80

SCALE 1"= 20'
JUNE 2022
© LOSE DESIGN
#21182

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR ADDITIONAL POOL ELEMENTS FOR THE BISHOP PARK IMPROVEMENTS PROJECT; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Capital Projects Fund to provide funding for additional pool elements for the Bishop Park Improvements Project. Said Operating and Capital budget is hereby amended as follows:

General Capital Projects Fund:

Expenditures:	
Decrease:	
Leisure Services – Capital	
R&M for Existing Facilities Project	($500,000)
Increase:	
Leisure Services – Capital	
Bishop Park Improvements Project	$500,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 - Project 19, Bishop Park Improvements Sub-Project #1 - Proposed Schematic Design

DATE: July 7, 2022

BUDGET INFORMATION:

REVENUES:	$ 4,900,000	SPLOST 2020 Project 19
	$ 4,900,000	Total Revenue Available
EXPENSES:		
CAPITAL:	$ 434,637	Expensed & Encumbered (Includes Design Fee)
	$ 188,963	Designated Misc./ PM Fees/ Testing Permitting
	$ 30,000	Designated Public Art
	$ 100,000	Designated Furniture, Fixtures, & Equipment (FF&E)
	$ 346,400	Designated Contingency
	$ 3,800,000	Available for Construction
OPERATIONAL:	$0/yr	
FUNDING SOURCES:		
CAPITAL:	SPLOST 2020 Project 19	
OPERATIONAL:	General Fund	

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the SPLOST 2020 Project 19, Bishop Park Improvements Sub-Project #1 Proposed Schematic Design as generally shown in **Attachment #1** (SPLOST 2020 Project 19);

b. Authorize staff to complete the Construction Documents and to advance the project to the Bid & Award Phase in accordance with the approved Schematic Design; and

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On January 1, 1972, Athens Mayor Julius Bishop announced a purchase agreement for the Athens Fairground property for the development of a recreational park. The initial 23-acre

property on Hawthorne Avenue was held by the Athens Fairgrounds Association, who at the time used the property for the annual county fair.

2. In December 1973, the City of Athens began construction of the park. The first phase included site preparation and grading, two basketball courts, three softball fields, six lighted tennis courts, picnic tables, and parking for 275 cars.

3. In 1974, the Athens City Council voted to name the park, originally conceived as the Athens Fairgrounds Park, in honor of Mayor Bishop for his pivotal role in its development.

4. In 1975, construction of the Bishop Park gymnasium began and was completed the following year.

5. In summer 1977, the park's swimming pool opened.

6. In 1984, the parking area was expanded using additional land acquired along Sunset Drive.

7. In 1989, three tennis courts were constructed in the park near Sunset Drive.

8. In 1996, SPLOST IV Project #27 provided for the construction of two covered tennis courts.

9. In Fall 2013, nine tennis courts were reconditioned as a part of SPLOST 2011 Project #16, Sub-Project #3, Park Facilities Improvements.

10. In 1998, the Bishop Park Pool shell and equipment received a significant overhaul.

11. On August 7, 2012, the Mayor and Commission (M&C) approved the Project Concept for the Bishop Park Pool Resurfacing as SPLOST 2011, Project, 16, Sub-Project #4 to the Bid and Award Phase in accordance with the approved Project Concepts.

12. On August 6, 2013, M&C approved a construction contract with Paddock Pools to resurface the pool liner, replace pool equipment, rework the pool gutters, and increase the pool depth under the diving blocks to meet competitive swimming safety regulations.

13. In May 2014, Paddock Pools completed the repairs and resurfacing of the pool. After the repairs, Bishop Park Pool began to experience significant water loss. Extensive efforts to stop the water loss have been unsuccessful. It has been determined that the water loss is an unintended consequence of raising the water depth and the original pool construction.

14. From September 27 to October 10, 2014, Leisure Services Department staff, with assistance from the University of Georgia (UGA) Masters of Environmental Planning & Design (MEPD) students, conducted an on-line and field survey of park users, staff received 502 responses.

15. On October 6, 2014, approximately 40 people attended a public input session led by UGA's Center for Community Design & Preservation (CCDP) with Leisure Services Department staff to gather input and ideas on park improvements. The session included an overview of the project and facilitated round-table discussions.

16. From October 17-19, 2014, CCDP staff conducted a three-day design charrette with UGA students to generate design concepts for the park based on public input.

17. On October 27, 2014, CCDP presented concepts produced during the charrette and gathered public feedback on elements of those alternatives at a public meeting. Approximately 40 people attended.

18. Between November 4-19, 2014, Leisure Services Department staff conducted stakeholder interviews with contracted/permitted park users, including representatives from the Athens Farmer's Market, Downtown Falcons Football program, Dolphins Swim Team, and WOW Boot Camp.

19. On March 25, 2015 and April 4, 2015, Leisure Services Department staff held open houses at the Athens Farmer's Market to gather feedback for the proposed master plan concepts. Citizens were able to view the concepts and respond via an on-line survey from March 9 to April 13, 2015. 153 responses were received to the preliminary concept survey in person or on-line.

20. On August 11, 2015, the Draft Master Plan was presented to the Mayor and Commission at their August work session.

21. In August 2015, the Mayor withdrew the Draft Master Plan from the Mayor and Commission meeting agenda.

22. On March 14, 2017, staff presented an updated Draft Master Plan to the Mayor and Commission at their March work session.

23. Between June 7-12 of 2017, staff solicited public input on the updated Master Plan with three open house sessions and online comments. Fifty people attended the open houses and 57 comments were received online and in person.

24. On July 10, 2018, staff presented the draft master plan revision to Mayor and Commission at their July work session.

25. On August 7, 2018, M&C approved the Bishop Park Master Plan. To view this document please go to the following link: https://www.accgov.com/DocumentCenter/View/52453/Bishop-Park-Master-Plan-2018---reduced

26. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This Referendum included the Bishop Park Improvements (SPLOST 2020 Project 19).

27. On May 12, 2021, the ACAC recommended that SPLOST 2020 Project 19, Sub-Project #1 Bishop Park Improvements be designated as appropriate for public art with a budget amount of 1% of the proposed construction budget.

28. On June 1, 2021, the M&C approved the Master Implementation Plan and Funding Schedule for the SPLOST 2020 Program. The SPLOST 2020 Project 19, Bishop Park Improvements, included funding programmed for Tiers #1, #2, & #3.

29. On July 4, 2021, Leisure Services opened the online public input for initial visioning for Bishop Park Improvements.

30. On July 10, & 12, 2021 Leisure Services held in-person public input sessions for initial visioning for Bishop Park Improvements.

31. On July 15, 2021, Leisure Service held a virtual Public Input Session for initial visioning for Bishop Park Improvements.

32. On August 1, 2021, the public input on-line survey for the initial visioning for Bishop Park Improvements was completed. In total, 173 responses were received from all of the public input.

33. On August 16, 2021, Manager Williams approved a User Group for the project, consisting of:
    - Emily Mann,
    - Eric Eleton,
    - Mel Cochran Davis,
    - Johnathan Foggin,
    - Sybilla Beckmann, and
    - Usha Rodriques.

34. On September 30, 2021, the Unified Government of Athens-Clarke County (ACCGov) advertised an RFP #01055 for Professional Design Services for the Bishop Park Improvements.

35. On October 9, 2021, the User Group approved the Project Concept list that will be released for additional public input.

36. On October 13, 2021, the call for on-line public input survey for the proposed Project Concept was released on the Leisure Services website, Facebook, and Instagram.

37. On October 27, 2021, the on-line public input survey was closed. In total, 297 responses were received and used by the User Group to develop the recommended project priority list.

38. On October 28, 2021, the User Group recommended to proceed with moving the Proposed Project Concept list for consideration by the M&C during the November/December voting cycle.

39. On November 9, 2021, during the regularly scheduled work session, the SPLOST 2020 Project 19, Sub-Project #1-Bishop Park Improvements Project Concept was presented to the M&C.

40. On November 15, 2021, the SPLOST 2020 Oversight Committee unanimously agreed that the Proposed Project Concept List is in alignment with the goals set forth within the Bishop Park Improvements Initial Project Statement.

41. On December 7, 2021, the M&C approved the Project Concept, **Attachment #2**, and designated Lose Design as the Professional Design and Construction Administration Services for Bishop Park Improvements.

42. On February 7, 2022, a contract was executed with Lose Design to provide services for developing a schematic design.

43. On February 22, 2022, Geohydro has completed the interior building material assessment and identified no hazardous materials to be abated prior to refurbishing the building.

44. On May 10, 2022, the User Group approved recommending the Proposed Schematic Design and distribute the design for public input.

45. On May 16, 2022, the Bishop Park Pool Schematic Design online survey was opened to the public for comment. The online survey will end June 5, 2022. In-person public input session were held May 24th, May 29th, and June 5th. A total of 149 responses were received in total. M&C requested that staff take a second look at adding potentially three elements to the project (i.e. additional lap lanes, diving boards, and splash pad).

46. On June 14, 2022, at the M&C regular scheduled work session, staff presented the Proposed Bishop Park Schematic Design.

47. On June 16, 2022, M&C received an email and memorandum from staff describing the summary of the public input comments on the Proposed Schematic Design and the complete listing of comments received from the public, as shown in **Attachment #3**.

48. On July 13, 2022, staff forwarded a memorandum to the Manager's Office outlining the additional cost and implications of adding (History #45) the additional elements to the Proposed Schematic Design.

FACTS & ISSUES:

1. The Initial Project Statement of SPLOST 2020 Project 19 reads as follows;

   Bishop Park Improvements, *will provide funding for the most critical improvement needs as identified in the Bishop Park Master Plan, as may be amended by the Mayor and Commission from time to time. Depending upon costs and funding availability, examples of eligible subprojects may include, but not be limited to, reconstruction of the aquatics area, including replacement of the pool and ancillary structures, new splash pad, pool house with restrooms, new playground with an adjacent pavilion and restrooms. To the extent available, remaining funds may be used to target the pedestrian improvement and fence project along Hawthorne Avenue. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

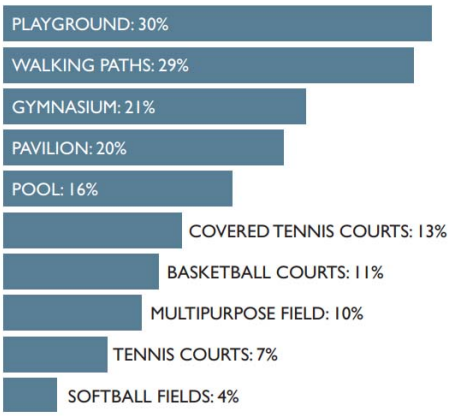
2. Some of the park's infrastructure dates back to the original fairgrounds construction in the 1950's with most of the remaining infrastructure added during the park's construction in the 1970's. This infrastructure has exceeded its useful life and is in need of replacement. Water, sewer, and electrical failures are regular issues throughout the park. All of the original infrastructure and structures predate modern building codes and fail to meet accessibility standards. The proposed master plan reconfigures portions of Bishop Park's infrastructure as part of needed renovations and projects to better support current patterns of use, while preserving the community character.

3. Bishop Park Pool is the largest of the ACCGov Leisure Services pools. It is the most heavily used pool and the only pool available for swim team activities

4. From the extensive Public Input Sessions that were held to develop the Approved Master Plan and the Proposed Project Concept one of the questions and responses is noted below. Four of the top five items noted in the survey are included in the Approved Project Concept's Must Haves or Highly Wanted items.

Figure 2.5: Online Survey – Question 3

Which facilites at Bishop Park need improvement or expansion?



(The one item missing is the gymnasium and work required for the gym is well outside of the project budget.) Although the Pool is the fifth item on the survey, the User Group considered it the highest priority, due to it being the most expensive of the "big rocks" work that needs to be completed and will have the largest reduction in operational cost. The other items can be done incrementally, based on the remaining funds and as additional funding becomes available.

5. The Bishop Park Pool serves multiple functions as a recreational swim destination, swim lesson site, summer camp swim, and competition pool. All of these functions are very popular and can compete with each other for time and space in the pool. The 2021 attendance numbers are listed below and based on a 64-day operational season:

Bishop Pool Attendance 2021:	2,338
Dolphins Swim Team 2021:	185
Kinder swim at Bishop 2021:	61
Swim School at Bishop 2021:	308
Adult Lap Swim 2021:	50

6. User Group meetings have been held in February to May 2022 reviewing iterations of the designs provided by Lose Design. The primary focus for the pool design was to provide a design that included, at a minimum, all of the "Must Have" items from the M&C Approved Project Concept, as shown on **Attachment #2.** The intent was to provide space for water introduction, recreational play, swim education, and competitive swim. During the User Group meetings, continued discussions have been held to debate the pool layout and how it would best serve the community, work through the ergonomics of the facility, discuss the need to include ADA accessibility, and to incorporate the approved Project Concept Items within the project scope.

7. On May 10, 2022 (History #44), the user group adopted the Proposed Schematic Design, as shown in **Attachment #1**, and recommended moving it forward to Public Input and

ultimately to M&C for consideration. The Proposed Schematic Design includes all of the "Must Have" items from the Approved Project Concept (**Attachment #2**). The current construction budget for the Proposed Schematic design is $3.8 million, with approximately $350,000 being held as contingency. This does represent the full available project budget. Staff recommends, once SP #1 work is completed, that any remaining project funds be used for continuing the work of the "Highly Wanted" and "Nice to Have" items that can be afforded. Schematic Designs would be brought back to M&C for consideration as funding becomes available.

8. A total of 149 responses were received from the May 16, 2022 – June 5, 2022 public input sessions. In-person Public Input Forums were held on May 24th, May 29th, and June 5th at Bishop Park Pool. There were requests for additional lap lanes, diving boards, and a splash pad. Members of the community were pleased to see that the ancillary facilities are being updated with ADA accessible facilities, providing an ADA ramp, recreational swim area for infants, and pool shading. The complete list of public input comments can be reviewed in **Attachment #3**. Staff made some counts on the "common themes" of the comments or the types of comments (more anecdotal than analytical):
    - 8 comments requested the diving boards be kept or added back;
    - 8 comments requested the splash pads be added to the design;
    - 8 comments liked the added shade and/or wanted even more shade;
    - 19 comments used the words "love" or "great" designs to describe the design; and,
    - ~73 comments mentioned more lap lanes, more competitive lanes, summer swim league, or swim team (8 of these also requested an indoor pool).

9. The Proposed Schematic Design includes all of the elements, as shown in **Attachment #1**, and represents an estimated $25,000 annual savings in operational costs.

10. The proposed final schedule, assuming approval of the Project Concept Design, is as follows:
    - Award of Construction Services for Designer – August 2022
    - Schematic Design Approval – August 2022
    - Bidding and Award Project Contractor – November 2022 to January 2023
    - Final Design and Permitting – December 2022
    - Construction Notice to Proceed – February 2023
    - Pool Closure – Summer of 2023
    - Project Completion – February 2024

11. Based on the above schedule, the Bishop Park Pool will be closed for the summer of 2023, most swim programs for kids and lap swim for adults can be recaptured at ACCGov's other aquatic facilities. The only programs that would be lost for the summer would be camp swim for gymnastics (which is a small part of their day) and the Dolphins swim team program, which involves approximately 200 kids in a competition swimming. Given the amount of advance notice, the Dolphins' coaches may be able to find a temporary location for summer 2023.

12. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Built and Natural Infrastructure, Strategy A: *Develop well-planned new infrastructure according to future land use values and framework*

OPTIONS:

1. Mayor and Commission:

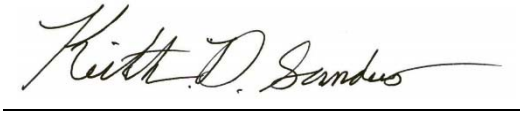
    a. Approve the SPLOST 2020 Project 19, Bishop Park Improvements Sub-Project #1 Proposed Schematic Design as generally shown in **Attachment #1** (SPLOST 2020 Project 19);

    b. Authorize staff to complete the Construction Documents and to advance the project to the Bid & Award Phase in accordance with the approved Schematic Design; and

    c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c
DEPARTMENT: Department of the Manager – SPLOST Program Management
Prepared by: Keith Sanders



Keith Sanders, SPLOST Program Administrator — Date: July 07, 2022

ADMINISTRATIVE COMMENTS:

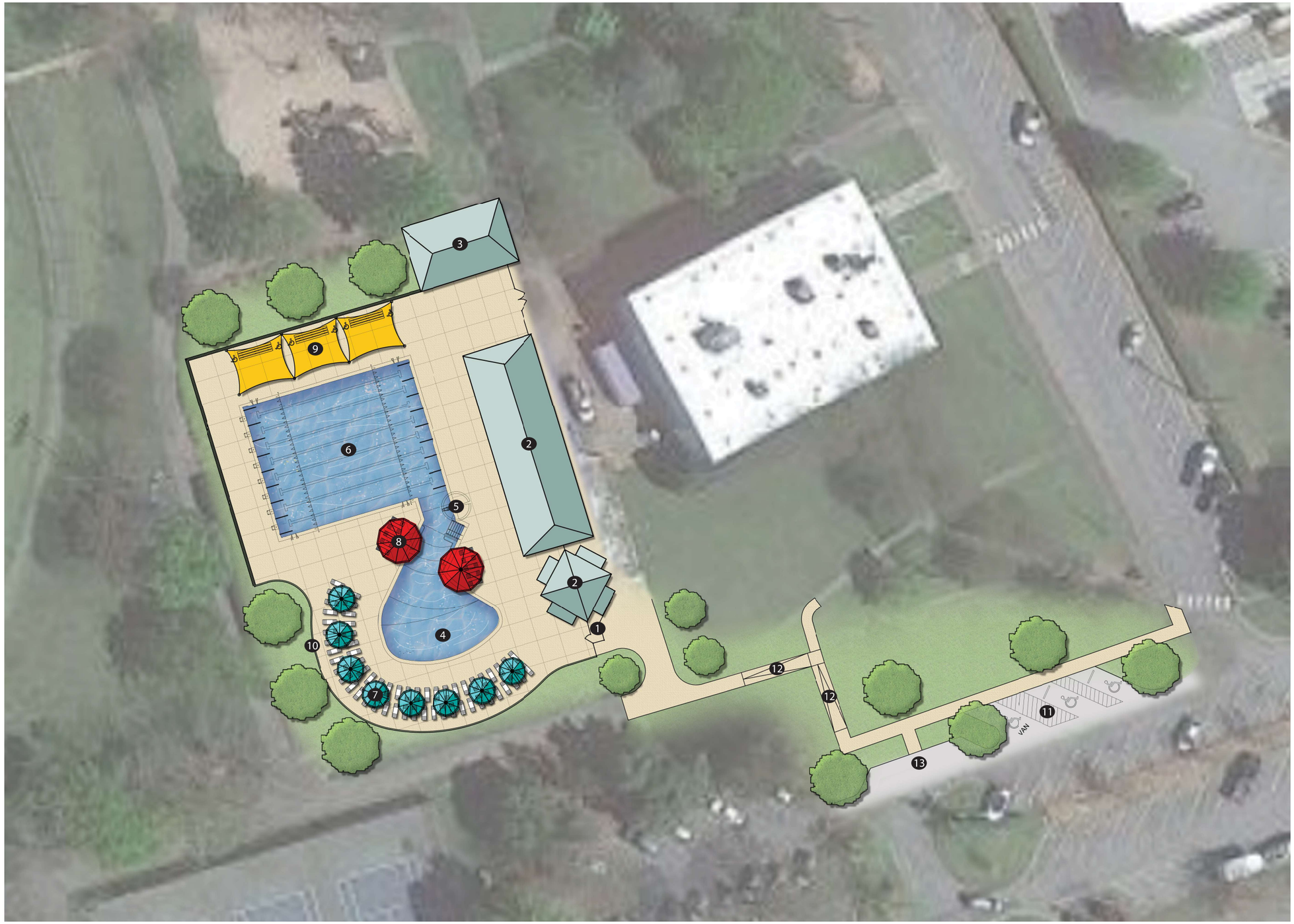
ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager — Date: July 14, 2022

ATTACHMENTS:
Attachment #1: Proposed Schematic Design
Attachment #2: Approved Project Concept
Attachment #3: Schematic Design Public Input Comments

Attachment 1



LEGEND:

SITE AMENITIES:

1. MAIN ENTRANCE
2. EXISTING BUILDINGS
3. POOL PUMP BUILDING
4. LEISURE POOL
5. ADA POOL ENTRY
6. COMPETITION POOL (8 LANES)
7. SMALL UMBRELLA
8. LARGE UMBRELLA
9. SHADE SAILS W/ BLEACHERS
10. FENCE
11. ADA PARKING
12. RAMP
13. DROP OFF ZONE

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BISHOP PARK POOL

ATHENS, GEORGIA

W E S

0 20 40 80

SCALE 1"= 20'
May 2022
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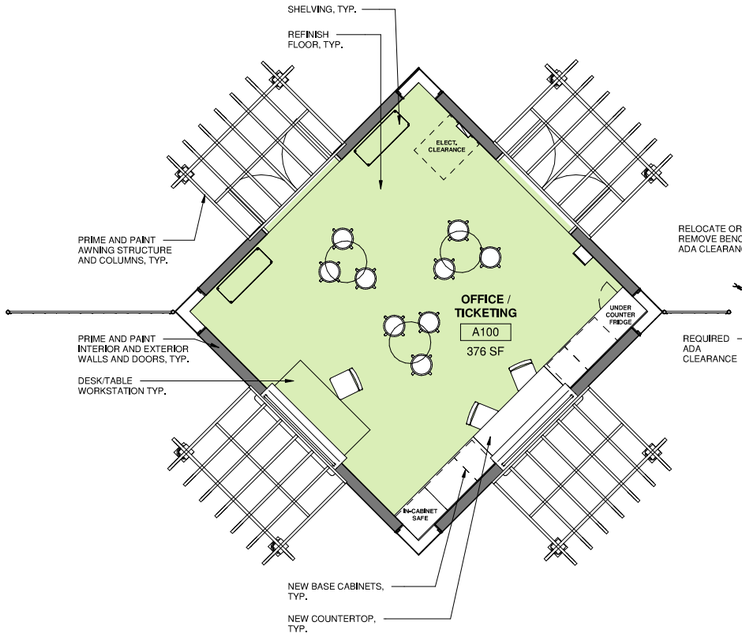
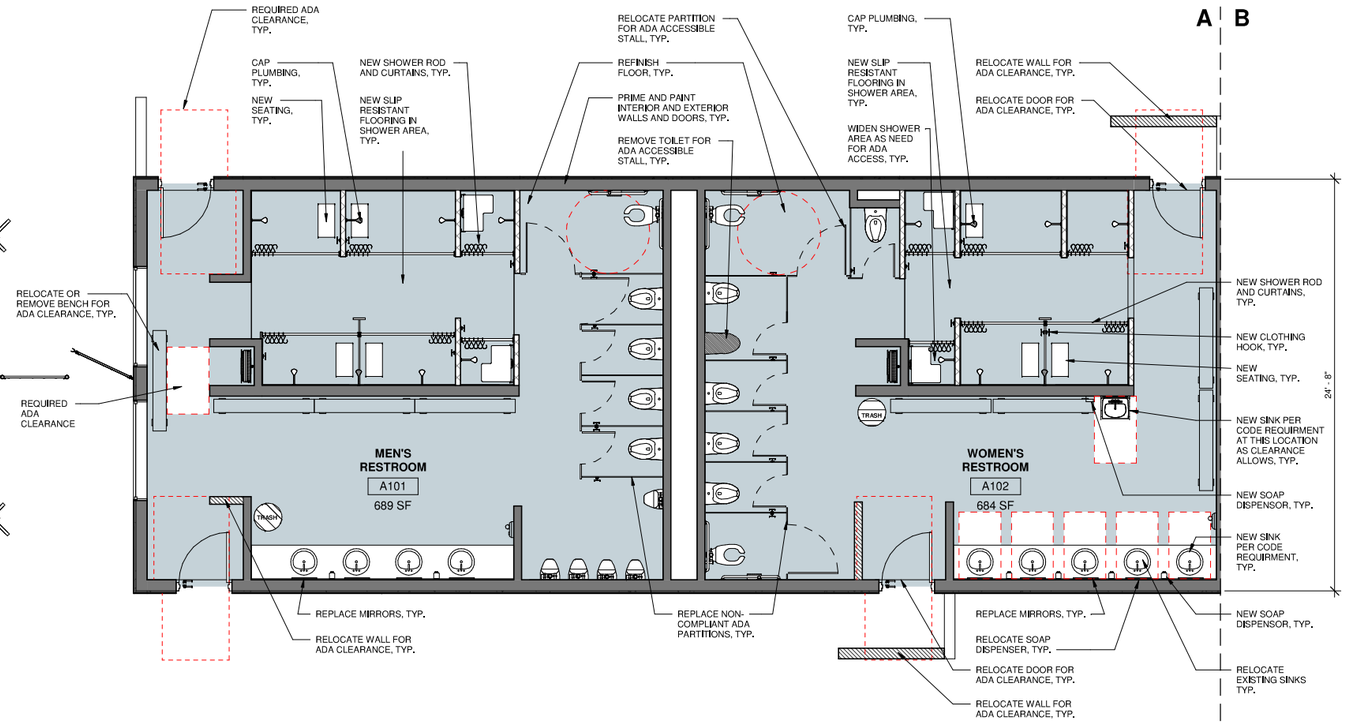


EXISTING TICKETING BUILDILNG

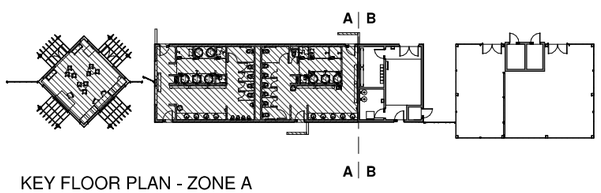


EXISTING POOL SUPPORT BUILDILNG

BUILDING PROGRAMMING

- OFFICE / TICKETING
- MEN'S RESTROOM
- WOMEN'S RESTROOM

FLOOR PLAN - POOL / TICKET BLDG. - ZONE A PROGRAM



KEY FLOOR PLAN - ZONE A

BISHOP PARK IMPROVEMENTS
POOL BUILDING - CONCEPT 2

ATHENS, GA.

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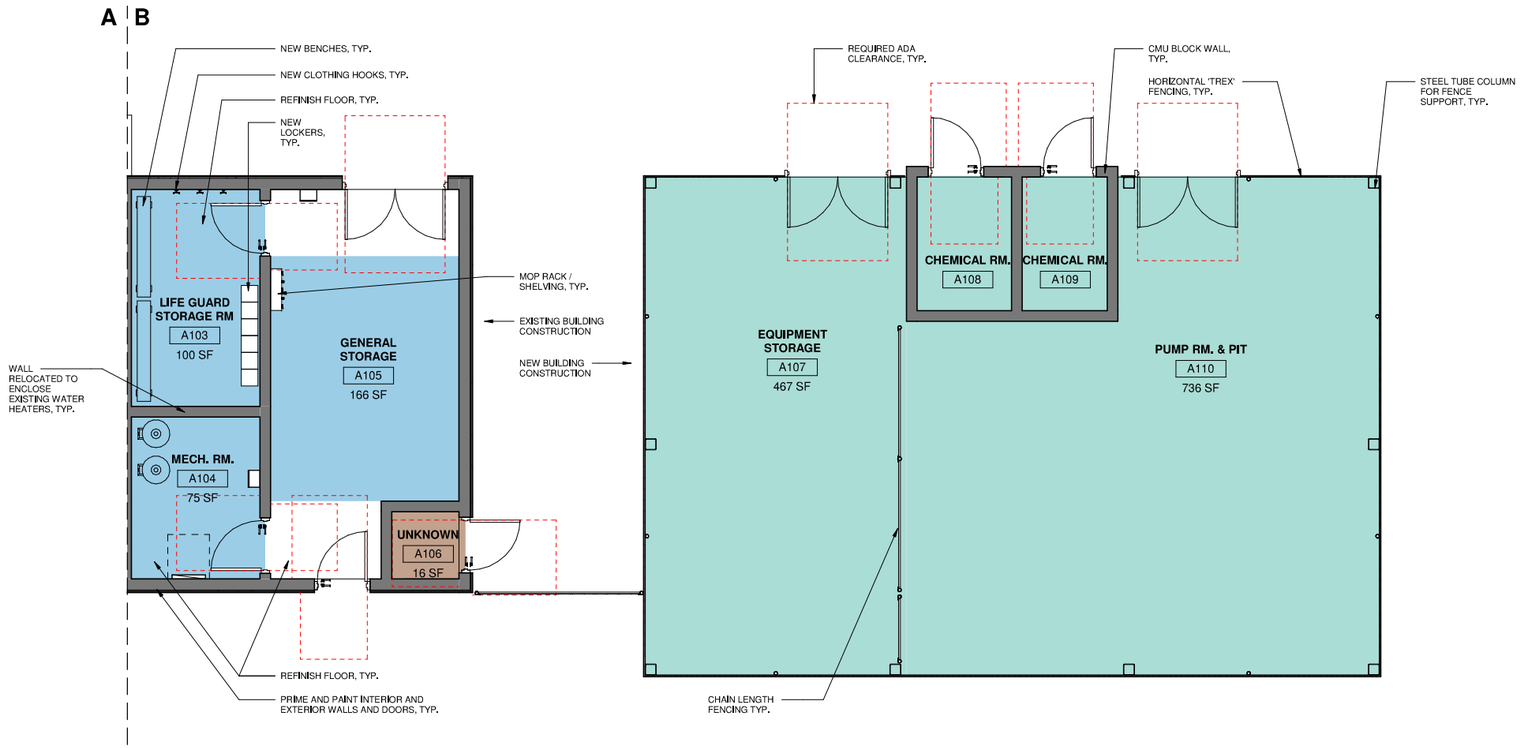
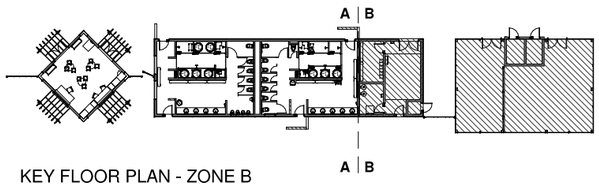


FLOOR PLAN - CHEMICAL / STORAGE BLDG.
- ZONE B PROGRAM

BUILDING PROGRAMMING

- LIFE GUARD STORAGE RM
- MECH. RM.
- UNKNOWN
- GENERAL STORAGE
- EQUIPMENT STORAGE
- CHEMICAL RM.
- PUMP RM. & PIT



KEY FLOOR PLAN - ZONE B

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BISHOP PARK IMPROVEMENTS
POOL BUILDING - CONCEPT 2

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SPLOST 2020 – Project 19, Bishop Park Improvements

Total project budget - $5,000,000

Project Statement

The Bishop Park user group, made up of six Leisure Services Staff and six Athens-Clarke County residents has been tasked with developing a project concept for the Bishop Park Improvements Project. The group develops the project concept based on a priority list of items that are broken into three categories. The must have list are the items that absolutely must be accomplished for this project and funds will be expended in the order items are listed. The next group is highly wanted. If funds remain after completing the must have list, the items in the highly wanted list will be developed in order as funding allows. It is highly unlikely that the nice to have list will make it into the project as the SPLOST dollars will not stretch that far down the list. It is important to still maintain those priorities as funds are identified in the future.

- **Must Haves**
  - Pool replacement: Footprint and layout may be adjusted
  - Pool usage for competition swim, recreational swim, and aquatic programs
  - Replace all mechanical and chemical feed systems associated with the pool, including pool cover.
  - Remodeling or replacement of the pool and guard house to be ADA compliant and to improve facility lighting.
  - Provide adequate seating and shade around pool

- **Highly Wanted**
  - Provide infrastructure that will allow for extended seasonal use (spring, fall, perhaps winter).
  - Updated playground that is accommodating to a more diverse age group, greater accessibility, and more challenging equipment. Include shade and seating.

- **Nice to Have**
  - New pavilion and restroom facility near playground
  - Upgrade basketball courts
  - Repair and update walking trails
  - Climbing wall/slide/diving board
  - Splash Pad
  - Misting features at pool and playground
  - Bishop Park Fencing
  - Pickleball courts

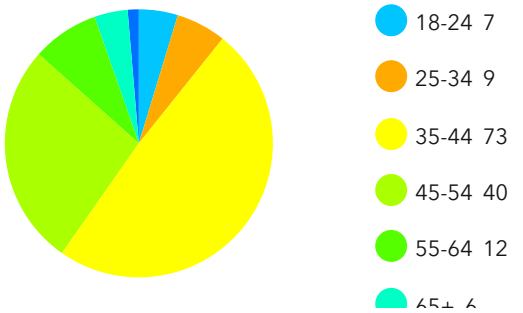
Bishop Park Improvements June 20…

ACC Resident	ZIP Code
No categor…	No categor…

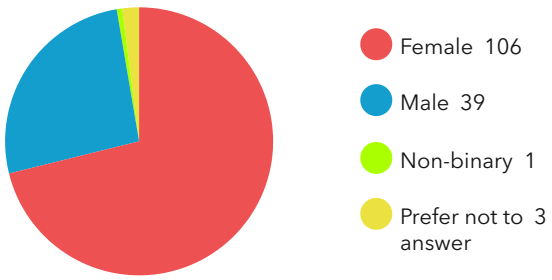
Survey Submissions

149

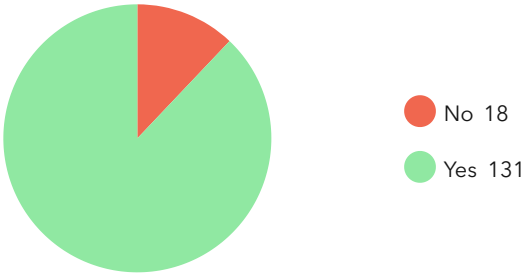
What is your age?



Which best describes you gender identity?



Are you an Athens-Clarke County resident?



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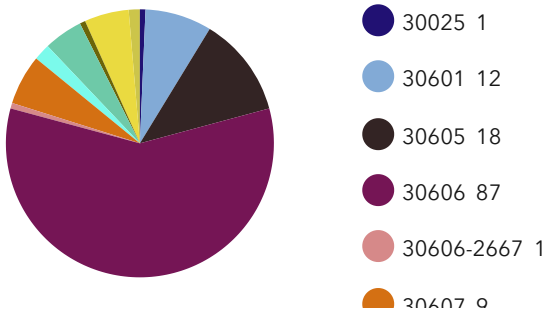
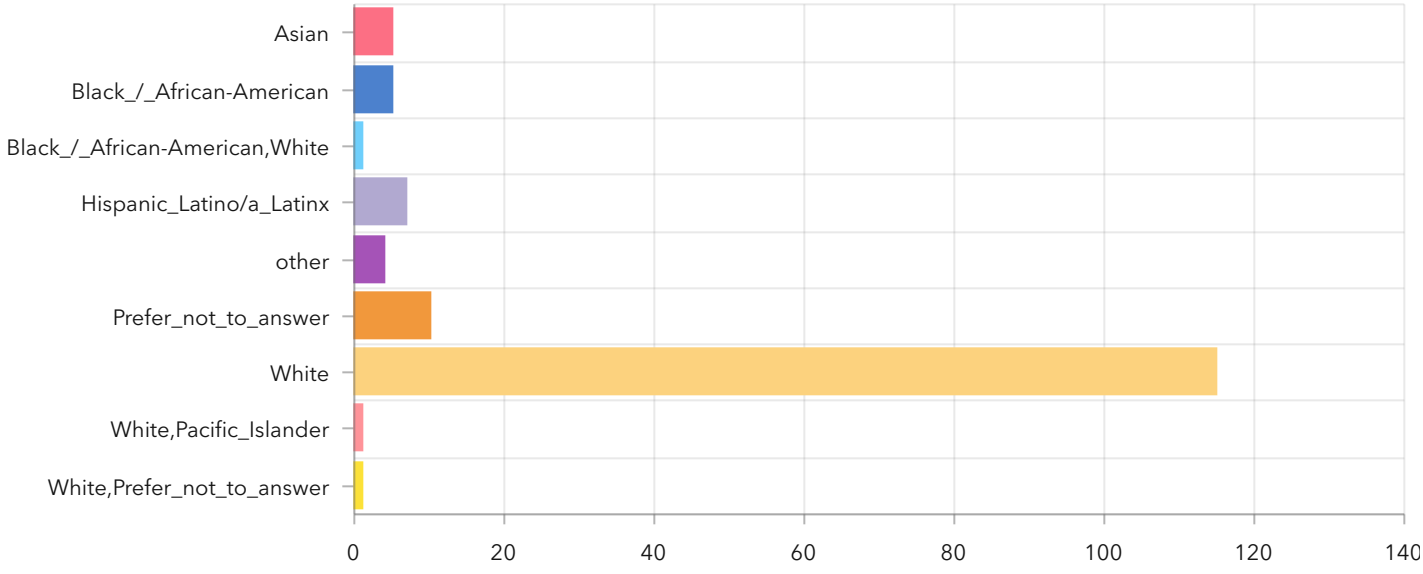
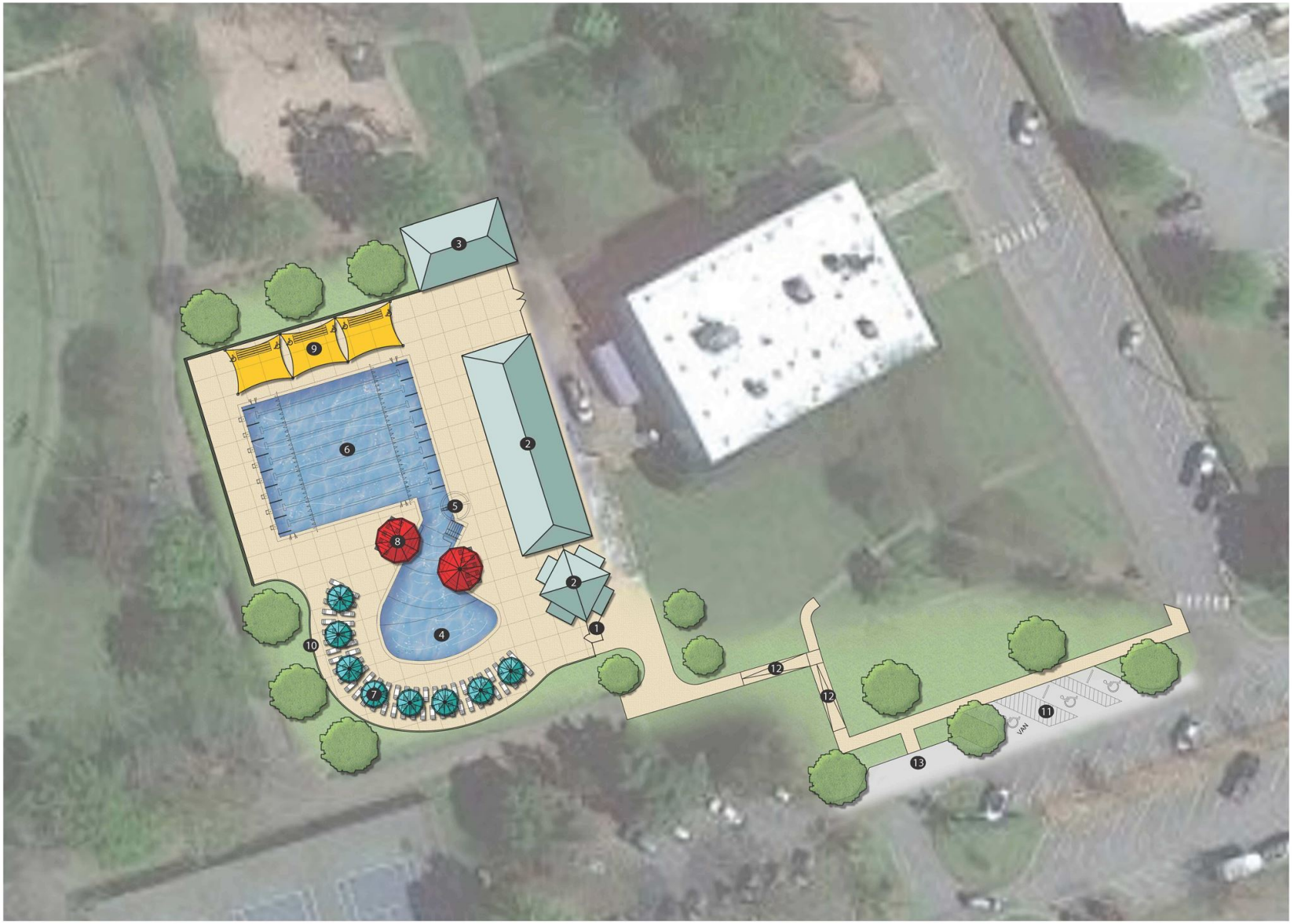


How would you best describe your racial/ethnic identity?





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ATHENS, GEORGIA

W E S

0 20 40

SCALE 1"= 20'
May 2022
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Schematic Design – Pool Area
1. While I appreciate an option that distinguishes a play area from lap lanes, the Leisure Pool area is EXTREMELY small. The designers have attempted to create an interesting shape in plan view that will feel awkward and confining in reality, with a significant area wasted as concrete surface that would be better used for a larger swimming area. If you want to create something unique, try a zero-entry entrance, or submerged seating walls, or slides, or bring back the diving boards. UGA's Legion Pool accomplishes both play areas and lap lanes in a more generous manner by having shallow areas in each end of a rectangle. (The downside of Legion Pool being there isn't a shallow-enough end for young kids, so that should be considered). Why double-stack rows of lounge chairs so people have to sit directly behind strangers? Too close for comfort and hard to watch your child. Again, a dynamic plan-view illustration trick that is not based in the reality of how people naturally use such a space.
2. Looks great!
3. I love all of the shade umbrellas and connectivity of the pool!
4. Is there a shallow area in the leisure pool for small children? I have toddlers and would like for them to have a place to play. I would like to keep a diving board area.
5. Whenever I am at the Bishop Park pool I see kids lined up to use the diving board. I don't see one in the design schematic. I think the young pool users would really like to have one. My 16 year old son's only comment was, "where is the diving board? Otherwise it looks good." My primary hope is that once it completed that the pool hours make it more accessible to the entire community. It is tremendously disappointing that it is only open to the public on Saturdays & Sundays rather than Tuesday - Sunday like every other ACC pool.
6. I am disappointed in this design. The original plans had more drastic changes. Most notably, a splash pad is missing from this design. Additionally, I thought more of the park was being improved and this only addresses the pool area. I do like the more inclusive design for people with disabilities.
8. Looks nice but between family time and competitions time where is adult swim time? I have lived here over 10 years and i have not been able to enjoy the pool at all minus one a hour at a time a few days a week and I to pay for the privilege. Please make it so everyone gets a chance to enjoy the leisure and the lap pool the pool should be for the community at large not just children and select groups but the elderly and the single adults as well.
9. It looks great.
10. MORE shade on the deck
11. I hope the pool will have a soft entry into the pool instead of just ladders to climb down into the pool. That is not ideal for single adults with smaller children
12. The pool design looks great! Will the competition pool be used for competitions only, or can it be used in conjunction with the leisure pool?
13. Not related to the pool but the overall re-design, would love to see a dog park which is really missing on this side of town
15. Leisure pool should be larger, nearly same square footage of the lap pool. This is the amenity young families are lacking on this side of town. The county's splash pad on the Eastside may be great, but isn't a viable option for westside families who are not members of private pools. Leisure pool should be larger with a splash pad element that would be attractive to families with toddlers for smaller non-swimming children
16. This design doesn't seem large enough to accommodate the best program you have, the Dolphins Swim Team. As it is now with 8 center lanes and the two side pools, every single summer there is a wait list to get on the team, and the practice for young children is divided. Why would you spend so much money to make something that limits an amazing and incredibly popular program even more? 10 useable lanes should be your minimum. And it would be helpful to have a lesson pool as well. Why would the designers not listen to the people who use the pool most? Also, that looks like less seating than you have now. Again, why?
17. I love the design as presented and i support the use of funds for pedestrian upgrade

18. The size of this pool looks to be a third of the current swimmable pool. We MUST find a way to fully fund a pool that is the same size or larger than the current facility. If there are budget issues, other funding sources (surplus, fundraising, etc.) could be identified. There isn't another public competition swimming pool in the county or surrounding areas. We would lose the Dolphins swim team or reduce it greatly (and the team was full for kids under 13 within 48 hours of registration opening). Has Jonathan Foggin (Dolphins) been asked about these plans? The original plans show a pool the same size as the current one. I wouldn't have supported renovating Bishop Park if these were the pool plans. As a parent of two small children who use the park 3-4 days a week (including tennis and gymnastics), I'd happily see other things cut from the renovations. Pools are a long-term investment that we won't be able to update for decades. Please return to the promised design.
19. Pool design is ok. Parking? Needs to be closer! There's a lot of handicapped and older people who can't walk that far or have medical device aids. Move the parking a lot closer! I won't use this pool area with the parking that far away from the pool access!
20. I like the larger and smaller pool offering and design and more covered areas
21. In my honest opinion i definitely feel as if the overall look of the pool will be more visually pleasing. Also I do admire adding a kid area of swimming but as far as the downsizing the area where I think most people swim it will definitely be a less used pool after the downsize.
22. Love the design, need more shade
23. Looks great, kids would love a slide
24. Love the shade options.
25. Lots of shade is necessary during the summer.
26. I like it because it has tint we can sit under and I also like the shape of it
28. Awesome
29. Love it!
30. I hope we was get a splash pad build on?
32. I like all of the umbrellas -- the more the better. I assume the leisure pool has a shallow part for small children? I hope so because that's very helpful to families. Thank you!
33. Maybe a slide or a splash pad on the side of the pool It’s so boring right now.
34. This design looks great. Glad to see ADA pool access and parking.
35. Adding a place for young children is great.
36. I really am happy with the new design. I love the shade that is provided. However, I am unhappy to see the diving board removed. That means not a single diving board for kids in the area to enjoy.
37. 1. New main part of pool is too small. The pool is used recreationally as well as by swim teams. 2. The "kids" pool is also a bit small. 3. I'm not sure how the kids pool can be kept from "contaminating" the bigger part of the pool since it is connected, when an "accident" happens. It might be best to have the two sections separated so the whole pool doesn't have to be shut down (as used to happen at Legion Pool quite frequently). I like the general idea of an area for younger children, but I would physically separate it from the main area. 4. The shape of the kids pool is interesting, but if you just made it a round pool, separate from the main pool, would that be less expensive? 5. Can we have a splash pad instead please? Finally, we have been providing input on Bishop park updates for over a decade. Why has nothing been done in all that time? It is only going to get more expensive to fix things. Thanks.
38. Pool looks big enough and accommodating.
39. This is a terrible design especially for the summer league team that practices at the pool. We are already cramped for lane space (only having 8 competition lanes and having 5-6 shorter lanes in the shallow and deep ends) and cutting down the lanes is not in anyway an improvement but will actually hurt the community because it will cut down on the amount of swimmers able to practice and also make it much harder to run swim meets in an incomplete pool. doing this will not make people happier but will reduce the amount of exercise and competitive swimming in the athens Clarke county area . I’m not entirely sure who thought that this would be a good idea but I

know that I filled out a previous survey expressing my desire for more swimming/lane space in my community…NOT LESS, but that clearly was not fully taken into account. If you go through with this we essentially will NOT have a competitive swimming program in the Clarke county area. This is a very bad decision.
40. Looks like the pool I getting cut in 1/2 don't remember anything wrong with old design. Hours not long enough, I would like to swim more often, but hours are not conducive to people that work. I say save the money, make the hours longer. Another thought, with the building being built, updated, offer a budget friendly daycare with use of the pool.
41. I love the addition of the leisure pool. I hope it will be big enough that the general public can use it during the week. I would add more shade features.
42. I don't feel the pool has enough competitive lanes to keep our youth swimming programs going and would drastically reduce the amount of kids we can serve in this community. Cutting lanes to allow for a fun area for swimming seems to miss the whole point of the pool today. I feel the design needs to add some lanes and cut down on the perceived "fun area" of the pool.
43. Please consider either raising the budget or creating a design with more lanes for competitive use. Our family has been involved in the Athens swim community for the past 12 years, and our area has a huge competitive swimming community. Bishop Park is the only pool in Athens that allows for competitive swimming, and it needs a design that will allow families to participate in lap swimming programs. Swimming skills save lives, create positive growth and confidence in children, and build strong communities. We ask that you reconsider this design. Thank you.
44. Both of my children are members of the dolphins swim team and I feel like this team adds so much to their lives. This team is such a connecting and warm community and I hope the design for the development will continue to incorporate lap lanes that allow children to have a county based swim team. I have lived in many cities and having a county based swim team is such a gift. Please do keep a lap pool and the dolphins swim team alive!
45. I think that the amount of lap lanes should be increased or kept the same rather than decreased. While the Bishop Park pool is an important recreation area, it is also a heavily used lap pool during the summer. It is important to have ample room in order to promote swim safety in our community through swim lessons, swim team, and other opportunities. More lane space would allow more people to engage in these activities.
47. This pool design will significantly limit the opportunity for ACC kids to learn how to swim and participate in competitive swimming. In our area, the Dolphins program is the single most affordable way for kids to develop their swimming skills. Every summer, dozens of young kids start the program barely able tread water. By the end of 6 weeks, they have learned how to safely swim across a 25 meter pool on their own. These lessons come out to less than $2/hour. Under this design, there won't be enough space to teach these novice swimmers. As a result, the program will be limited to families who can afford private lessons or have memberships to private pools where their kids can become strong enough at swimming to be able join a competitive team. ACC has done a great job of building multiple facilities where local kids can play in the water and cool off during summer months. Please don't shrink the one place where local kids can learn how to become strong, safe swimmers.
48. This pool design does not have enough room for the Dolphins Swim Team. DST provides competitive swim instruction to over 200 swimmers per summer, with many others on a wait list. These swimmers range in age between 5-18, many of which come from low-income families. DST is limited to only 21 lanes with the current design of the Bishop Park pool, all of which are packed to the brim with young swimmers eager to participate in Summer League swimming. While open to the general public, they only use it on the weekends. The new design does not meet the needs of around 300 kids who use the pool almost every weekday. This includes the 200 DST swimmers, and the children who take part in ACC Leisure Service's swim camps, including Kinderswim, The Swim School, and Adult's Aqua Aerobics. Including 10 lap lanes, plus an an additional 8-lane shallow end and 8-lane deep end into the plans for the Bishop Park pool renovation would benefit not just these programs, but the entire Athens community.

49. This pool design does not support recreational and competitive swimming adequately. For a college town that attracts elite swimmers for college and/or professional training, more should be done to support the sport of swimming at the community level. Downtown Dolphins does a wonderful job of exposing children to swimming...some who likely would not have access otherwise. Additionally, it promotes water safety, which is a necessity for anyone since no one can go through their entire life without being confronted by water (pool, lake, creek, ocean, pond, etc.). It is imperative that we raise/grow citizens who are comfortable in and around water. The swimming community continues to grow in Clarke, Oconee, and Jackson County. More thought should be taken to create a facility that will attract water enthusiasts from these surrounding counties. Bishop Park is centrally-located making it the perfect spot for a better, year around (indoor/outdoor) recreational and training facility.
50. If we want to do away with the very successful and important summer swim programs, this pool design will accomplish that. We already have a shortage in the community of lap lanes (YMCA's are inadequate, and so is Bishop). To continue serving the community's needs, the current design is wholly inadequate. The Dolphins swim program has been a strong and positive program for all our community's kids (a standout in a community in need of standout programs!) for many many years. The program is already quite limited by the existing lap lanes at Bishop Park (wait lists for participation etc). The new design makes it even worse and would ultimately kill the program - given its limits, its necessary practice adjustments to make due with limited space. We pay a lot of taxes in Athens,... this pool was supposed to be an expansion of what was in existence. It will be a shame to ruin what has been a great facility and program that encourages exercise/health. Find the funds to do it right.
51. There are not enough swim lanes for competitive swim or for swim classes. This is the ONLY competitive swimming pool in ACC leisure services. We do not need another place for toddlers to play, they have the splash pads, we need an area for older kids who are serious about competitive swimming. When I gave feedback on the need for a Bishop Park pool renovation, this is NOT what I had in mind. This will not serve our family, there needs to be more swim lanes.
52. I wish this was a little more descriptive as I have no idea what a "leisure pool" is. I think this design would be bad for the Dolphin swim team. My kids are in the Dolphin "shallow end" group - meaning they use shallow part of the pool as opposed to the lanes that go the full length. My kids are not strong enough swimmers to practice in the full pool yet. Under this design they would probably not do Dolphins anymore. This design would limit the participation of younger kids and the kids who are not year round swimmers who are not ready to swim full laps. Dolphins is very popular and there is a noticeable split between those who swim yr round & are doing this for fun and the kids who do not have the ability &/or resources to participate in year round swimming. It is a shame to discourage kids in the latter group from doing Dolphins. I suggest squaring off the leisure pool instead of having it be rounded & make at least part of it 3 feet so the little kids can use it for swim practice.
53. My kids have been participating in the summer swimming team at Bishop Park. They enjoy and benefit a lot from the program. The current design of the competition pool does not have enough 25-yard lanes to support the practices and lessons for the swimming team. There should be at least 8 additional lanes. I think it is worthwhile to take away the lecture pool given this is the only pool that can be used for competitive swimming.
54. This is definitely not enough lanes for a growing competitive swim program like the Downtown Dolphins who have 200+ children in its program. If ACC intends to continue offering lap/competitive swimming to the Athens Clarke County community, the lap lanes need to be expanded to include 10-12 total lanes. Even then I'm not sure it's enough lane space. It's not just about hosting meets -- for practices, the Dolphins need more than the 8 lanes this current plan offers. Move the spectator bleachers off the pool deck and back outside the fencing. Then you can add in more lanes.
55. We need more competition lanes. The leisure pool takes up too much space so I think it might be better if you make it smaller or maybe even take it away.

56. The current pool at Bishop park has been such a great community property for so many years. As a parent of kids utilizing summer swimming under the Dolphins program it has been amazing watching them grow and learn alongside other community kids. This is currently the only facility in the county with enough competitive lanes. The new build project has only 8 lanes! This is a major downgrade. Bishop needs to continue to be the center of Athens and accommodate the current size at a minimum. Please consider increasing the budget for this very important piece of public property. This is more than a wading pool for the weekend. It is such a big part of where community kids learn to swim competitively and set them up for a lifetime of sports and competition and more. Please utilize a design that would keep the current 25 lane lap pool available. Thanks
57. We need more lanes for competitive swimming. This is the only public pool in the city that is suitable for competitive swimming and the Dolphins swim team is a huge part of teaching local kids how to swim. Swimming is a crucial life skill and also great exercise for our sedentary youth. We need enough lanes for the Dolphins to be able to operate smoothly. Please increase the budget for this very important project.
58. I would love to see more lap lanes and a 50meter option. The dolphins swim team and any swim lessons that can be provide are a huge benefit to the community.
59. I hope that the lap area will not be smaller than the current design. The pool is already full to bursting during swim team. I also like the idea that it could be converted into an indoor pool for all year use. That would be great!!
60. we need more space for lap/competitive swimming and lesson programs.
61. I like the idea of having a usable space for families and young swimmers. I'm concerned about the reduction of swim lanes that are needed for the ACC Dolphins summer program and for other swimmers who use those lanes for lap swimming. The pool is already at capacity or limited by the amount of swimmers it can accommodate for lap swimming. This will limit it even more. Please consider keeping the amount of lanes consistent with what it is now.
62. I think the new pool needs to have more useable lap lanes to facilitate more practices, competitions, and overall swimmers. It should be at least as big as the current pool in this regard, and with the potential to cover the pool in the future.
63. More lap lanes for the Bishop pool is beneficial for the ACC community. I think there are multiple pools in ACC that provide play areas that benefit younger children that cannot swim. Because of it's affordable costs and local location, Bishop is a pool that provides ALL children in ACC an opportunity to learn to swim competitively. Providing a resource that teaches children to focus and grow up with competitive swimming is a huge asset to ACC. Reducing the lap lanes will hinder the possibility of those with less resources to have this opportunity that ACC has provided in the past. Please don't limit the swimming program by reducing lap lanes and consider adding more lap lanes.
64. This pool does not provide enough lanes for competition and lap swimming. The lack of lanes would mean ACC would have to greatly reduce the number of swimmers in its summer league. Summer league is one (of very few) way this community provides equitable competitive sporting opportunities for all incomes. For example, there is no competitive tennis offered for kids even though a whole lot of money was spent on a tennis center. Are going to reduce the number of kids who have equitable access to a competitive sport? That is not improvement. That is regression. If the city was willing to spend more money, we could make this a year round pool with a cover and plenty of lap lanes. This would provide an opportunity for kids in poverty to have year round access to the sport of swimming. The current access for youth competitive tennis and swimming in our community is reserved for the wealthy.
65. This proposed design seems to have a lot of wasted space that could be better designed and have more competitive swimming lanes. By taking away so many swimming lanes, we are hurting the ACC swim team. There is not another pool in ACC that can support a swim team like Bishop park does. Designing these features out of the pool affects our community and those that can't afford to swim else where. Go back to the drawing board and don't forget about all those who have learned to swim and swim competitively in those waters.

66. While this pool design is pretty. It seems a bit short-sighted. The overall plan will have a negative impact on the swim team in the summer for the children by dramatically reducing the number of competitive lanes. The goal of having the shallower area might be a benefit but the county maintains several other pools that could be designed this way. This is the only pool to my knowledge that is used for competition and reducing will have a negative impact on the lower-income families who cannot afford the more costly swim teams. The changes as prescribed would certainly make the summer program less convenient or significantly reduced in size for a program that already has a waitlist most years. The current setup already has siblings with different schedules and a reduction of competitive lanes by more than half with only exacerbate the program. It seems better to either increase the budget for the project or leave the pool design as is and proposed changes at other locations.
67. Unfortunately this pool is not large enough to host a summer swim team and swim meets. The current Bishop Park pool is the only site in Clarke county large enough to be used for the summer swim team, and the replacement needs to maintain that capability. The summer swim team is so important to our children, providing exercise, socialization, teaching good sportsmanship, improving swimming skills, etc. For many children, the summer swim team is the only time they are able to have regular swim lessons. Please reconsider tjis design.
68. I see the need and benefits for revisions and updates of the Bishop Park aquatic center for our community. Please select SPLOST funding for pool updates. It is vital for our community and for all ages. Thank you.
69. Minimizing the number of lanes available for practice and meets at Bishop Park's pool will systematically erode the program currently offered at a reasonable cost to Athenians. Thus directly impacting the diverse community that the ACC Leisure Services aims to provide opportunities in the community, per the Mission Statement. While a zero-entry beach pool with a play structure sounds like a great play option for children in the community, I do not believe that the pool at Bishop Park is the best choice for these changes, especially since the other four pools in the county are primarily used for recreational purposes. These options would better serve a recreational pool, rather than one used for competitive swimming for ACC youth. In order for swim programs to continue to be offered in our community competitive/lap swimming lanes need to remain the priority at Bishop Park during the summer and hopefully later with year-round utility via a covered and converted option.
70. My family uses the pool for summer swim league. The current design does not allow for enough swim lanes to allow the Dolphins swim team to function at its current capacity. The rec pool does not allow for additional smaller swim lanes, and therefore, the swim team will not have enough room for all swimmers. I would like for it to have the same and capacity (25 yards and 15 yard lanes in rec pool) to be able to be used in this way for the swim team.
71. We need an indoor pool as well as a bigger pool with more lanes so the county could accommodate as many kids during swimming team season. Our leisure service department has to grow accordingly because every summer many kids can't get a spot on summer camps.
72. Please do not decrease the number of swim lanes in the Bishop Park pool. We can encourage Athens residents to utilize the existing water parks in Athens while we continue to have functioning swim leagues in Athens! Anyone who has spectated these swim events could tell you that decreasing the number of lanes at Bishop Park will make competitive swimming for our students impractical and therefore obsolete; the events already last a LONG time! With no other public pool over 5 lanes in the Athens/ Oconee area to hold these events, renovations to the park which decrease the number of swim lanes is essentially an attack on our competitive leagues which have made Athens proud and our children healthier for decades. I encourage an upgrade to the current function of our pool and spectating area.
73. While this is a great step forward, the amount of lap lanes is not sufficient to meet the needs of various swim programs, namely The Dolphins Swim Team, to continue offering and facilitating critical swimming teaching for the ACC community. Please consider increasing the budget for this project for the addition of more lanes. As a community, this is a very unique and awesome program that does bring folks together to visit and use Bishop park, and to curtail the number of

participants each summer by not including more lap lanes will result in a loss of participants and a loss of much needed swimming instruction.
75. Looks nice
76. I think this is much need for our community
77. It would be amazing if we had an indoor swim option so that we could have a county swim team year round.
78. This is a fantastic design. The shaded areas are extremely important here and redesign for the drop off area is much needed.
79. We need more swim lanes.
80. This pool design will effectively end the Dolphins swim program. Our entire family has participated in this program for the last 20 years. It reaches hundreds of kids, teaching them the fundamentals of swimming, competition, good sportsmanship, etc. A swimming pool with this few competitive lanes will make that program almost impossible and will end up being extremely selective and exclusive, if it can continue to exist at all. Please reconsider this design in favor of one that at a very minimum provides the same number of existing competitive lanes as the pool currently affords.
81. Is the pool going to be smaller now? Isnt it a 50 meter pool now? There are no publicly accessible Olympic Sizes (50 meter) pools anywhere nearby. Athens should have a 50 meter pool.
82. I think we need more lanes in the pool for lap swimming and competition. We have several play pools around town and we real need this pool to be suitable for competitive swimming. Every other area similar to Athens has a 10-14 lane pool available to the community but we do not. Most of those are even indoors. Please make competitive swimming a priority in Athens-Clarke County.
84. The Athens-Clarke county and surrounding areas are in desperate need of a swimming pool that can accommodate the needs of competitive swimmers. We have plenty of recreation pools, and there is such a demand for practice and competition space for this sport. The current plans are inadequate to meet the needs - I urge the committee to reconsider these plans.
85. I would like to see more lanes for swimmers to practice in. It seems like this plan is losing a lot of capacity. Since this is the only pool in Athens that can accommodate the dolphins swim team, I think that should be a priority.
87. We need more lan space for lap swim, and swim team. drowning is one of the number one causes of death in kids. teaching kids to swim should be a priority! Right now, the dolphins swim teams has at least 10 lanes and then mroe space to teach kids to swim. It is vital to the community that it continues to have this spcae, if not more, to teach kids to swim. We need to prevent accidental drowing
88. As an Olympian coming from a background of summer swimming,it is so important to give as many kids as possible the opportunity to have swimming as an Avenue for exercise and for competition. Summer swim Leagues provide an avenue for building confidence and strength life lessons about healthy competition and having fun , so many things. Every year I see pools being taken down or remodeled to something smaller and non-useful. Please don’t let this happen to Bishop Park pool keep it as a large 25 yard pool that can sustain 200+ swimmers and that may have the possibility to be converted to an indoor pool at some point. Also as an older swimmer, it is important to have pools Available for lap swimming for masters programs. Also it is important to have the space for seniors in order to have programs to keep them healthy, And active.
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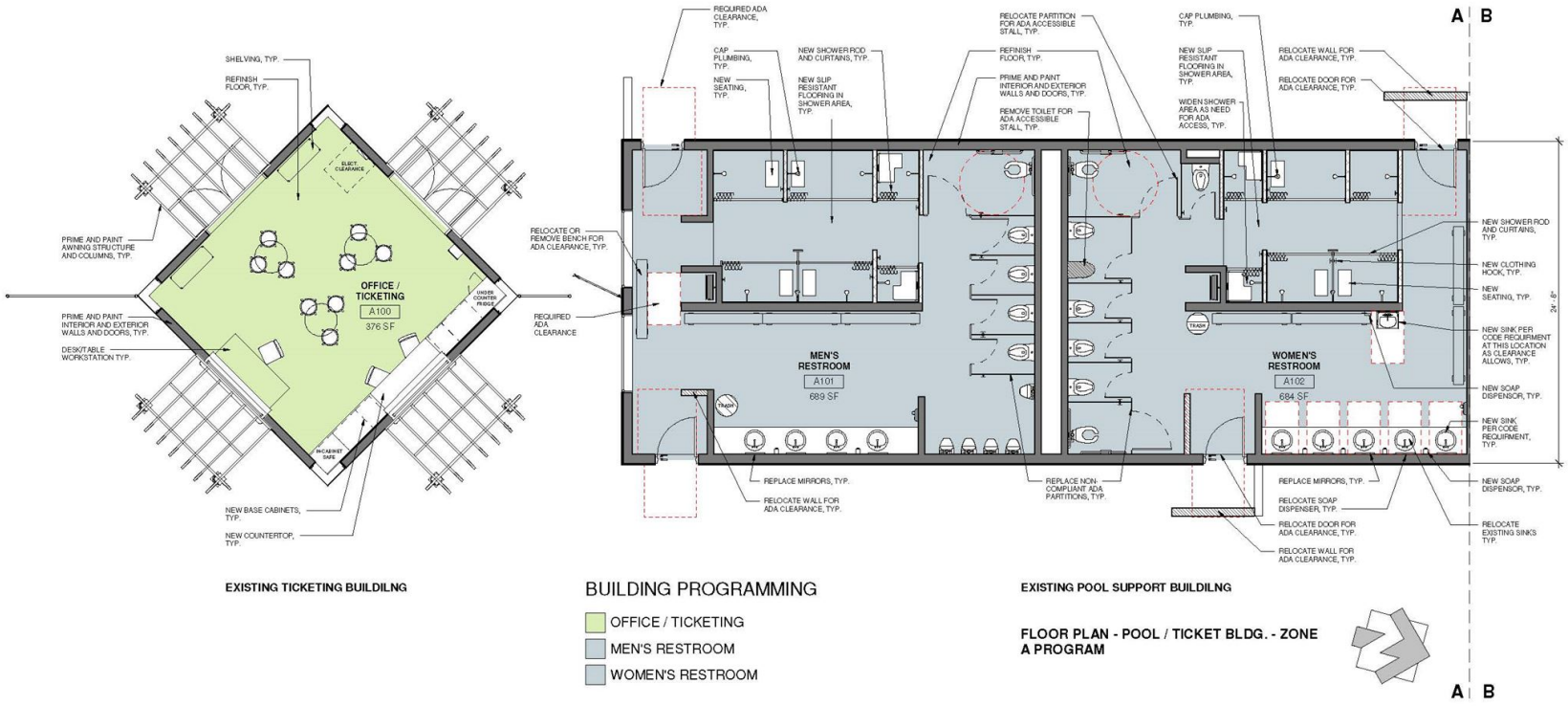
90. I write as the father of a swimmer who has practiced and competed at the Bishop Park pool, the only public pool in ACC suitable for competitive swimming. Swimming has really taken off in Athens, but there aren't enough pools and programs to serve our community. The Dolphins program is a standout. The proposed design reduces usable space for swimming and practice to eight 25-yard lanes. The Dolphins will thus be forced to reduce participation, expand practice time, or both. Expanding practice time will mean that many families will have children coming and going on different schedules; reducing participation will create discord and exclusion. I respectfully request that the top priority for the renovation should be more space (not less!) for lap and competitive swimming and lesson programs. Please provide our swimming community with proper resources and space! Doing so is a wonderful investment in the health and well being of our children! Many thanks for your good work.
91. Needs more lap swimming space and not enough space for playing/swimming. We need a large competitive pool in Athens Clarke County to host large meets which are a revenue driver and be available for lessons and adult lap swimming to the community!!
92. This is a great improvement for our community. Our swimmers and family thank you!
93. This design limits the lanes used in the pool for competition so I do not wish to see this happen.
94. The Athens-Clarke County is in need of more lanes used for competitive swimming and lap swimming. ABSC should be the go-to for pool input as this program makes sure every swimmer has a place.
95. As a swim coach with ABSC who uses Bishop Park for practices and private swim lessons, I am concerned that the new design would limit the amount of lanes to be used for our swimmers. Specifically the new design removes the 50m long course lanes and only provides a small number of short course lanes. I would like the 50m lanes to be kept (since there are very few other long course pools in the Athens area) so that our swimmers could use Bishop Park for long course training. At the very least I would like more lanes to be added to the Bishop Park pool can be effective for all swimmers to train and compete.
96. The new design hinders effective swim lessons and competition for swimmers.
97. The pool space as it is now provides more space that is much needed for a variety of activities. As a coach for the Dolphins swim team, I know how critical it is to have the lane space necessary to allow as many kids as possible to swim in a timely manner. The current design gives enough space for all groups to practice. It would be extremely difficult to keep the team the same size that it is with only an 8 lane pool to practice in. It would be beneficial to have at least another 8 lane size pool or just refurbish the current design. It would be harder on more families in the program if the pool space for recreational activities is cut.
98. I like this design, it is much needed. Please allow the improvement of this project so our communities can benefit and prosper!!
99. I LOVE the shallow end entry for children. Right now, Bishop Park pool is not a child-friendly pool. My 5 year old cannot stand in shallow end of the pool. However, I am bummed at the loss of the pool lanes. My children compete with Dolphins every summer, and they utilize the length of the current pool for practice. It is a wonderfully generous, encouraging, and inclusive program that teaches so many community kids to swim all 4 strokes. I would love to see existing lanes kept in place with an addition of a true shallow end.
100. Nice design, although reduces a lot of the area for training and competitions. The main attraction for this neighborhood during the summer is getting our kids into the Dolphins club. With this new design the chances of getting a spot will be even lower.
101. My family lives in Hampton Park right by Bishop, and while I'm excited for the update to the facility this is a pretty substantial reduction in lap swim/teaching space for the only pool in our county that is set up for any sort of competitive swim or lap swim. I have a 2 year-old child and in a few years when she's 5 I plan to sign her up for the Dolphins swim team. I know at least 30 or 40 families involved with the Dolphins and am excited about the program. To me, this would limit the ability of a program like the Dolphins - which provides AFFORDABLE competitive swimming opportunities for our community - to serve the number of families it already serve. I know there's

already a waiting list, in part because no other local pools offer competitive swim. If we're willing to invest in facilities like Holland Park to to maximize baseball potential, we should also invest in swimming for our community and we should be empowering Bishop Park to meet our community's needs, not limiting it.
102. Bishop Park is not a viable option for a recreational pool experience because there are normally swim lessons going on in the morning and summer swim league in the evening. Not to mention the hours are limited to the weekend. If the aim is to make this particular pool more accessible to the larger community, then I think it does take steps to accomplish this goal. As someone who has children who participate both in swimming lessons and summer swim league, this seems like a big reduction in regards to swim education and skill building by greatly reducing the amount of available lanes. If Bishop Park is not going to have the more pie-in-the-sky options that were presented (slides, lazy river, etc.) that would've heightened its appeal and attraction, then I would favor keeping this more focused for swim lessons and swim league while perhaps looking at making the pool, overall accessible (e.g. ADA entry, separate shallow pool for younger children like the YMCA) for recreational hours.
103. I like the idea of the lap lanes being separate, with the hope that there would be more available lap swimming time. No kiddie pool though?
104. More competitive lanes. This plan looks like it is reducing the size of the current pool. A pool used for kids playing is nice, don't get me wrong, but will only be used a short time of the year. A pool with the option to add a cover could be used year round, benefiting the community much much more. Classes could be held all the time for all age groups.
106. The proposed pool is too small and does not provide enough space for competition and lap swimming. The pool simply needs more lanes. Diving blocks should also be included in the remodeled pool.
107. I can't tell what the depth of the pool is or specifics. What kept me from enjoying the pool there was the depth. A pool that is 5 feet deep is not comfortable for me to stand or support a youngster in the pool. I could not take children or grandchildren there. It needs a shallow end like Legion pool. Covered areas for seating are a big plus. I assume that is what the sails provide but it would be better with some picnic tables or casual seating.
108. Why are you making pool smaller? Pretty overhead design but when kids are playing not very practical. If crowded does nothing to help distance from others.
109. The pool needs the best use for lap lanes and competitive swimming. That would be the best design use for all residents.
111. This design looks appropriate. The more important steps would be to open the pool for more inclusive public hours following the renovation. It's is important to maintain sufficient space for the current swim team needs as well.
113. At the main entrance, be sure there's a way for an attendant to collection a fee. For out of county residents, this fee should be double that of what Clarke County residents are charged. I'm sick of having the pool crowded with people from surrounding counties. If they are going to take advantage of facilities that we, as taxpayers, fund, then they have to contribute more. Is the entrance to the "leisure pool" gradual so that little teeny children can enter easily? I see no "kiddie" pool in the design but maybe I'm missing something. It seems like you have created a facility for swim teams, not necessarily for families.
114. "Identity" has nothing to do with public works improvements...this is a disgrace and sad state of affairs as it relates to tax dollars being spent to improve the community that is home to many different types of people.
115. Terrible. Where are the diving boards.
116. Too many lap lanes. Not at all family friendly. Is it going to be a competitive swimming venue where kids aren't welcome?
117. Are there benches in the ladies bathroom where a mother could sit down with her child to dress or undress them after or before swimming? If not, there need to be benches.
118. More lanes, please

119. Why would we want to pay such a massive amount of Money to make this pool SMALLER! Bishop Park has ample room to expand the current pool into a 50meter x25 yard pool and build bleachers/ stands. This would allow county and local High Schools to host swimming meets which are huge economic generators for the community. Currently neither of Athens Public High Schools have pools available for training or meets. Thus they are forced to pay HUGE Sums of money to private facilities for training and meets. They are also forced to train either very early in the am prior to school or extremely late in the PM when those facilities have finished with their own swimmers. A larger pool at Bishop Park would remedy this allowing Both HS teams to have training and meet facilities. Enlarging the facility to a 50 meter pool would also allow the County to Rent the facilities to UGA and their USA club for summer training. This could be an off hours huge income generator for the facility.
120. I like the additional lanes for swim team competitions.
121. I like the new layout. I do wonder if there are enough lanes for Dolphins swim team practices, however. It appears space was taken away, and Dolphins has always been a good opportunity to bring children across the community together for a wonderful team building experience. Keeping space for the team to be successful should be a priority.
122. I believe that this design will damage the community in a large way. Swimming and drowning deaths is such a large cause of death in this country, getting rid of pool space and hindering the dolphins program that serves many underprivileged and low income families and teach them how to swim. I think that doing this will be a harmful thing to the many minorities that live in Athens Clarke County. The dolphins program that provides many opportunities to underprivileged people needs a pool equal to or larger than the facility currently in use. Doing this will hurt hundreds of kids across Clarke county and I think it won't be a good idea.
123. i love everything about it! It screams: "Bring your family!" ♥
124. I hope this plan includes more space for lap/competitive swimming and swim lesson programs because, out of the five public pools in Clarke County, Bishop Park is the only one suitable for competitive swimming.
125. I'd very much prefer to see more lap lanes for swim programs and summer swim team. Dolphins swim team is a real treasure in this community and needs to be able to expand instead of being cut in half, which this design would do. Thank you.
127. Please consider re-budgeting the plan to incorporate additional lanes for competitive swimming. This design is not a good long-term solution to the competitive swimming program that is very popular for Athens-Clarke county residents.
128. I do like the creative design of an attached leisure pool. I do wish that there was still a splash pad component involved, even if a small one like the Rocksprings pool.
129. Leisure pool area needs to be much larger. Zero entry with a few bubbler fountains for children would also be very nice.
130. This would drastically reduce the area of the pool for lap and competitive swimming. This is a vital resource and program for our area to keep our kids healthy and out of trouble. It is also open to the surrounding areas with opportunities to expand the year round options which are severely lacking. Please don't reduce the amount of lanes that already exist and please plan for the future. There are already plenty of family play pools. We need more year round competitive swim and healthy outlets for youth and adults!
131. We would love having a leisure area of the pool separate from the lanes. Why remove the diving area, though?
132. I would love to see more competitive/lap lanes. This is the only ACC pool suitable for competitive swimming, and eight lanes is not enough. The Dolphins swim team alone has over 200 swimmers. Over the years, ACC has expanded soccer and tennis facilities, thereby expanding access to those sports and improving the quality of instruction and experience for our kids. We could do the same for swimming, a life-long sport that promotes water safety, health and well-being. Many people who might not be physically able to participate in other sports can enjoy

time in the pool. Please consider the swimming opportunities ACC might provide for all the children in our community by providing a suitable facility.
133. Would love diving boards and a slide. The area that connects lanes to lagoon is too narrow.
134. Area 4 is way too small for usage. So many residents use this pool for swim lessons and making 4 so small will hinder that.
135. There needs to be more lanes (for competitive events and lessons). This is the only pool in Clarke County that can accommodate a competitive swim program while serving the community.
136. This plan does not included enough lanes for competitive swimming and lessons! Bishop Park is the ONLY pool of our county pools that currently is set up for a summer competitive swimming program and lessons - we CANNOT be short sighted and eliminate the capacity to offer very important service by eliminating lanes and reducing capacity. We must have a pool facility within our county portfolio that has adequate capacity. Knowing how to swim - and having the opportunity to do this in a summer competitive league is more that a 'nice to have' - it is an essential public safety issue. The Dolphins program is a successful program with a 15 year track record of providing summer league to 200 swimmers (with a waiting list) each summer. That is 3,000 swimmers! Many of these swimmers would NOT have access to this LIFE SAVING instruction and experience without our county programs. Without AT least one pool in our county with enough lanes, we cannot provide these services.
137. Pool should be bigger to accommodate swim team and meets as well be enclosed to use year round. There is NOT one other public pool in the county to use indoors. Thank you.
138. My daughter and husband love swimming there and wish it could be larger pool for swim teams and enclosed so can be used year round.
139. Pool size reduced and should be larger and enclosed to used all year round.
140. There are not nearly enough swimming lanes. I believe our top priorities at this site should be more space for lap/competitive swimming and lesson programs (it's important to note that out of the five public pools in Clarke County, Bishop Park is the only one suitable for competitive swimming). Thank you.
141. I think there needs to be more lanes for swimming laps.
142. The new design is not large enough to continue the full support of the swimming programs currently offered at Bishop Park. These programs are critical to teaching swimming to all residents, not just those that can afford private swim club pool fees. This smaller design would be similar to taking 2/3 of another sporting complex and converting it to playground.
143. Looks nice, but need more lanes for swim team. Thank you!
144. This pool does not have enough lanes for the summer swim programs.
145. It looks beautiful but the pool's most crucial function has been as a competition pool for the county's competitive swim program. This program has been a staple in the community as one of the best/only swim/learn to swim programs in the area.The pool needs to incorporate more competition lanes if the program is to continue at its current capacity. Please get this right for the city of Athens and the future of our kids.
146. As a parent of a current swimmer on the ACC Dolphins swim team (and as a former coach of the team), I'm quite disappointed to see the reduction in available lane space at this pool. ACC already has insufficient space to accommodate all swimmers who wish to participate in competitive swim programs as evidenced by the wait list to join the Dolphins each summer. Since to my knowledge there are no plans to build additional competitive swimming facilities for the county, I believe that it's essential to at a minimum preserve the space we do have. It's wonderful to see the eight-lane competitive pool space preserved, but it's a travesty to see the loss of the additional practice and lessons space. Please do everything possible to come up with a plan that maintains as much practice space as possible, even if at the expense of part or all of the leisure pool if necessary.
147. The design is pretty but drastically decreases the amount of swimming area/lanes. There seems to be plenty of hot cement already without decreasing the amount of swimming pool. Currently the Dolphins program is one of the highlights of Athens Clarke County Leisure services,

filling to capacity each year and providing an affordable way for kids to become strong swimmers. Reducing the number of lanes would reduce the capacity of the program. The few pools we have in Athens are too small (check out memorial park pool on a Saturday).
148. I am in favor of a larger pool with more lanes for children in the grade 1 through five age group to learn to swim , shallow ends but appropriate for lap swimming such as the dolphin swim team.
149. - a large 3' section is key to school aged children's play! Seems like this is mostly 5'? - even more shade would be appreciated! - sprinkler/splash pad feature (even ONE!) can make a mom or dad of young kids' day SO much easier!!



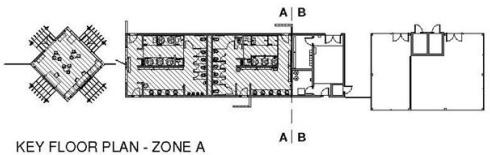
EXISTING TICKETING BUILDILNG

BUILDING PROGRAMMING

- OFFICE / TICKETING
- MEN'S RESTROOM
- WOMEN'S RESTROOM

EXISTING POOL SUPPORT BUILDILNG

FLOOR PLAN - POOL / TICKET BLDG. - ZONE A PROGRAM



KEY FLOOR PLAN - ZONE A

LOSE DESIGN
SPACES FOR LIFE.

BISHOP PARK IMPROVEMENTS
POOL BUILDING - CONCEPT 2

ATHENS, GA.

NOT FOR CONSTRUCTION
02/08/2022
21182

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Schematic Design – Building Layout
1. Can't tell from the schematics what is being changed, so cannot provide an opinion. If you are including Consessions, that'd be awesome. Lastly, Bishop Park pool's swimming availability has always been infuriating, as the majority of the summer it is unavailable to the general public. If Bulldog Swim Team is that important, then those activities should take place at the UGA Natatorium and not hold our public pool hostage all summer weekdays when neighborhood kids could walk themselves over and in the evenings when adults could swim after work. Improvements to Bishop Park Pool should actually IMPROVE the recreational opportunities for a wide and diverse segment of the community, not lessen amenities.
2. Looks great!
3. Trash can should be located beside the door so someone can use their drying napkin to open the door and then toss in trash as they exit.
9. Very nice!
10. More shower stalls
15. Is any sort of locker for personal items being considered?
17. Great layout
18. The original plans for the park showed these buildings being replaced with the restrooms being part of a new (gymnastics?) building. Replacing and moving them would allow better access to the pools from the parking areas. The pool opened in 1977. It will be 50 years before we get another chance to do this right. ACC is growing. These facilities do not reflect that. Please reconsider these plans. The community would support doing this well and proper finances can be secured. As the city experiences longer, hotter summers this facility will only get more use. Our summer swimming programs (learn to swim, lessons, swim team, etc.) serve a diverse range of ACC residents. I'd love to see us expand those offerings and we can't do that with the facilities outlined here. We need a proper pool with support structures (including shaded areas and concessions). We can create something really good for our growing community. Let's make Bishop Park the park we need going forward!
20. Nice usage of the space provided
24. Looks good.
25. Updating the facilities will be nice.
26. More room
28. Great
31. Where is the splash pad located at?
32. Please be sure to put at least one diaper-changing table, and preferably more, in both the women's restroom and the men's restroom. Also, with so many toilets and showers, a maintenance person will need to check on these facilities with high regularity to ensure they're clean and working properly. Thank you!
34. The design looks great.
36. The building design is nice. I like the private shower design.
37. New Pool building looks great.
39. I think that instead of cutting down on lane space you should expand the pool so that it will be 25 yards across the entire pool. This will open up more lane space and expanding the pool will help bring in citizens that may want to exercise take legion pool for example 25 yards across and multiple lanes for training use. Changing the shape of the pool will not make it more popular or more fun to use. And learning to swim is a valuable and life saving skill to have. There are so many programs that could be run out of the pool if it was larger and due to the fact that it is 50 meters across the pool could be changed to a “long course” pool and swim teams and citizens could train in this 50 meter pool. Additionally the design makes no sense at all it is poorly constructed and making the pool smaller WILL NOT make it any more popular. Once again this design will not meet the needs of the public and something needs to change.
40. Don't remember it being run down or needing updating. But it looks good. Thank you for a chance to express an opinion.

42. Building is fine. I'm concerned about the pool in it's current design.
44. As per above, please keep lap lanes to allow for a county swim team, my children have learned so much through the dolphins swim team and connected to peers all across ACC.
45. This looks good! I was just thinking the other day how the mirrors need to be replaced.
46. The design really needs to have as much as space for lap swimming and competitive swimming as possible. Summer programs like the dolphins need to have enough space for all the children they serve. We also need space for adults to swim labs, ideally in a covered area so we could do it year-round
48. With the expansion of the pool discussed in the above feedback, extra restrooms will need to be provided, allowing for every person to have access when needed.
51. As long as there are more swim lanes for competitive swimming, I don't care what the changing area looks like. Put the money for this towards more lanes.
56. I believe the scale of this project is currently a down grade for what currently exists. I am asking and hopeful the mayor and commission could allocate a larger budget and bigger scale for this important community pool.
59. Looks good to me
60. na
61. It would be helpful to have family bathrooms and changing areas for families.
66. I'm fine with the pool building design.
71. Looks great!
74. Bishop is the only pool that can accommodate lap swimming . The new design significantly limits the space for lap swimming compared to the current pool. The number of proposed lanes needs to be increased. While the play areas are nice, they detract from the one thing bishop offers- lap swimming. Either make the entire project bigger, or eliminate the play area and send the little kids to the other ACC pools and splash pads. Without more lanes, swim teams can’t use the pool going forward.
75. I would recommend making the women's restroom larger than the men's. I think more women will come with children and need more space to manage groups.
76. I approve this is much need for our community
77. The restrooms are very out of date. It would be nice to have a concession area.
78. These updates look good.
79. The most important aspect is swim lanes. Save money on the bathrooms of possible and add swim lanes.
81. These improvements are desperately needed. Those changing areas are horrible. I wish you could start from scratch an build decent facilities. Everyone complains about Gwinnett County traffic, but we go there to use their public pools. Why cant Athens have nice things?
85. Building design is fine.
90. To me, this looks good!
91. This looks like it provides enough space for large crowds to support swim meets, etc.
94. More hooks and shelves in addition to bench seats is appreciated for changing and keeping personal items dry.
98. Looks great! Highly approve.
100. Looks fine
108. Will you have a family changing area? Will you have adult changing table for special needs or will you continue to ignore needs of special need community.
111. This is acceptable
113. Be sure to have a way to check people into the pool so that they pay a required fee, which should be higher for non-county residents. I don't really care about the pool building design.
114. "Identity" has nothing to do with public works improvements...this is a disgrace and sad state of affairs as it relates to tax dollars being spent to improve the community that is home to many different types of people.
115. Terrible. No diving boards. Why is it not working now?

117. Are toddlers able to walk into the pool without having to use steps?
119. The addition of 3 to 4 family bathrooms/changing rooms over on the bleachers side of the facility would allow a more family friendly environment. It would also allow for spectator bathrooms during competition events leaving the locker rooms for Competitors. Outdoor Showers in the same area, possibly one or two on each side of the Family bathroom building, would again make the facility far more family friendly! We have an opportunity with bishop park to make this facility not only family and community(High School Swimming) friendly but to build a facility that would actually generate money for community businesses! To fail to do so would be failing the community in general!
120. There should be family restrooms for mixed gender groups and also for gender non conforming folks who need a place to change.
123. Seems fine enough.
125. Id love to see some non-gendered restrooms and changing areas to make the facility more including to gender-nonconforming folks.
127. Please consider re-budgeting the plan to incorporate additional lanes for competitive swimming. This design is not a good long-term solution to the competitive swimming program that is very popular for Athens-Clarke county residents.
129. Design looks appropriate
130. I'm curious why such a large area for ticketing if you're not going to offer enough space for teams to compete for swim meets and large events. These events can bring in revenue and you can even rent the space to surrounding counties for their high school swim teams since they lack facilities.
131. This building definitely needs improvement, much needed! Thank you for prioritizing ADA requirements.
134. The current bathrooms are a horror show so this design for improvement is excellent
136. Ensure that the pool can be covered in the future would: 1.) Ensure that the CCSD school district can move away from paying large $ to UGA Ramsey for school rental. 2.) Allow for year round swim lesson programming (this addresses the public health issue of kids in Clarke County who cannot swim). 3.) Enable opportunities for adults to swim laps for exercise.
137. Building could be larger for changing and enclose the entire pool to be available year round.
138. Like to see entire pool enclosed.
139. Cover and enclose the pool
140. For shorter individuals, one of the sinks should have a folding stepstool attached to the wall. It flips down to step on to so they can reach the sink, and folds up when not in use.
146. These plans seem adequate, though I fear the facility will still seem dated and unwelcoming.
148. No comment
149. - non-gendered bathrooms and locker rooms

Attachment #1

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE GEORGIA CRIMINAL JUSTICE COORDINATING COUNCIL'S (CJCC) RESTORATIVE JUSTICE GRANT PROGRAM FOR EXPENSES RELATED TO AN ADDITIONAL VICTIM ADVOCATE POSITION, A YOUTH RESTORATIVE JUSTICE CONFERENCING PROGRAM AND ASSOCIATED OPERATING EXPENSES; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding, if awarded, from the Georgia Criminal Justice Coordinating Council's (CJCC) Restorative Justice Grant Program for expenses related to an additional Victim Advocate position, a youth restorative justice conferencing program and associated operating expenses. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
CJCC Restorative Justice Grant	$120,000
EXPENDITURES:	
Increase:	
District Attorney:	
Personal Services	$65,000
Operating Expenses	$55,000
Total	$120,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: District Attorney's Office Restorative Justice Grant

DATE: July 8, 2022

BUDGET INFORMATION:

REVENUES: $120,000 (Estimate)

EXPENSES:
ANNUAL: $120,000 Grants
CAPITAL: $0
OTHER: $0

FUNDING SOURCE: Criminal Justice Coordinating Council Grant Program

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve the District Attorney's application for and, if awarded, acceptance of a Criminal Justice Coordinating Council grant in the amount of $120,000 to be used to:

   - fund one victim advocate position;
   - the creation of a Youth Restorative Justice Conferencing program in partnership with the Georgia Conflict Center, and
   - acquire necessary supplies and equipment for the victim advocate position;

b. Authorize the creation of a new victim advocate position;

c. Authorize staff to accept grant funds, if awarded;

d. Adopt the attached budget amendment ordinance **(Attachment #1)**; and

e. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. The District Attorney's Office created a Restorative Justice working group that met for the first time in early 2022. This group consisted of The District Attorney's Office (DAO), Athens-Clarke Juvenile Court Judges, Department of Juvenile Justice (DJJ), Georgia Conflict Center (GCC), and Juvenile Offender Advocate Inc (JOA). This working group was established to research and work towards creating a Restorative Justice program.

2. Several members of the working group, including District Attorney Deborah Gonzalez and Juvenile Court Judge Hull, attended site visits to experience these programs in action to learn from their successes, best practices, and discover which model would work best for Athens-Clarke County.

3. After extensive research the working group decided that a Pre-Petition Restorative Justice Conferencing Program was the best fit for Athens-Clarke. Meaning the juvenile would be referred to the program before a juvenile petition is formally filed with the court.

4. The group continued to meet through June 2022 to determine how to make the program a success and solidify program details.

5. In June 2022 a formal memorandum of understanding (MOU) was created between the District Attorney's Office and the Georgia Conflict Center with input and approval from members of the working group including Judge Trimble from Juvenile. As of July 15th 2022 it is currently being reviewed by Sherrie Hines in the Athens-Clarke County Attorney's Office.

6. On April 5th, 2022, the District Attorney's Office (DAO) met with members of the Criminal Justice Coordinating Council (CJCC) to discuss the relationship between victim services and restorative justice. CJCC then asked the DAO to submit an informal proposal detailing the proposed program and the costs associated.

7. On April 15th, 2022, the District Attorney's Office submitted the Youth Restorative Justice Conferencing proposal to CJCC.

8. On May 23rd, 2022, CJCC informed the District Attorney's Office that they would like to fund the program contingent on their discretionary funding allotments, to begin in January 2023 with funds up to $120,000. CJCC stated their intentions to use that funding for a pilot year of the Restorative Justice Conferencing and that in subsequent years the District Attorney's Office would be able to re-apply for funding in the competitive grant cycle.

FACTS & ISSUES:

1. The Victims of Crime Act Guidelines, as outlined in 1997, include responding to the emotional and physical needs of crime victims, assisting primary and secondary victims of crime to stabilize their lives after victimization, assisting victims to understand and participate in the criminal justice system, and providing victims of crime with a measure of safety and security.

2. Restorative Justice is the evidence-backed philosophy that focuses on the rehabilitation of offenders through reconciliation with victims and the community at large, in which the offender takes accountability for their actions in an effort to repair harm and prevent it from happening again. Restorative Justice boasts improved outcomes for both victim and offender, as demonstrated through 85 studies done over the last 30 years. High satisfaction rates have been tracked from both offenders and victims.

3. Restorative Justice Conferencing (RJC) works by engaging the people most directly affected by a crime. This can include the offender, the victim, and the communities surrounding each individual (family, friends, supporters, and others). The program is based upon proven models already in use across the country. The Restorative Justice Juvenile Program would be a collaborative effort between the Georgia Conflict Center and the District Attorney's office. All direct service would be through Georgia Conflict Center.

4. The current responses to juvenile delinquency have proven ineffective. A staggering number of low-risk youth are being funneled into the court system, resulting in a drain on resources that should be focused on higher-risk youth for the purpose of community safety, and negatively impacting long-term outcomes for these low-risk youths. This program seeks to solve that problem.

5. This grant requires no match and there is no obligation by ACCGov to fund the program beyond the grant timeline.

6. Subject to annual federal appropriations and allocations by the Criminal Justice Coordinating Council, this grant may be renewed in the competitive grant cycle.

7. This grant would last for a full calendar year, beginning January 2023, allowing for reapplication in Fall of 2023.

8. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy A: *Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community.*

OPTIONS:

1. Mayor and Commission:

    a. Approve the District Attorney's application for and, if awarded, acceptance of a Criminal Justice Coordinating Council grant of $120,000 to be used to fund one victim advocate position, and the creation of a Youth Restorative Justice Conferencing program in partnership with the Department of Juvenile Justice and Georgia Conflict Center as well as necessary supplies and equipment for the victim advocate position;

    b. Authorize the creation of a new victim advocate position;

c. Authorize staff to accept grant funds, if awarded;

d. Adopt the attached budget amendment ordinance **(Attachment #1)**; and

e. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny acceptance of the District Attorney's application of the Criminal Justice Coordinating Council grant in the amount of $120,000.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, d & e

DEPARTMENT:
Prepared by: Jenna Vaisvil

Jenna Vaisvil *7/12/2022*
Jenna Vaisvil Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, d & e



July 14, 2022
Manager Date:

ATTACHMENTS:
Attachment #1 – Budget Amendment Ordinance

Attachment #1

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) OFFICE FOR VICTIMS OF CRIME (OVC) TECHNOLOGY GRANT PROGRAM FOR EXPENSES RELATED TO AN ADDITIONAL PART-TIME PROJECT MANAGER POSITION, A VICTIM SERVICES APPLICATION AND ASSOCIATED OPERATING EXPENSES; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding, if awarded, DOJ Office for Victims of Crime Technology Grant Program for expenses related to an additional Part-Time Project Manager position, a victim services application and associated operating expenses. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
DOJ OVC Technology Grant	$740,760
EXPENDITURES:	
Increase:	
District Attorney:	
Personal Services	$26,000
Operating Expenses	$354,760
Capital Expenses	$360,000
Total	$740,760

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: District Attorney's Office Technology Grant for Victims of Crime

DATE: July 8, 2022

BUDGET INFORMATION:

REVENUES: $740,760

EXPENSES:
ANNUAL: $740,760 Grant
CAPITAL: $0
OTHER: $0

FUNDING SOURCE: Office for Victims of Crime

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

1) Approve the District Attorney's application for and, if awarded, acceptance of the Office for Victims of Crime grant in the amount of $740,760 to be used to:
   - Fund one temporary part-time project manager position as well as necessary supplies and equipment for the position;
   - Build a Victim Services Application;
   - Conduct a community needs assessment;
   - Conduct a community strengths survey of available services; and
   - Create a public awareness campaign surrounding the application.

2) Adopt the attached budget amendment ordinance **(Attachment #1)**; and

3) Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On April 4, 2022, the Office for Victims of Crime released the Fiscal Year 2022 Advancing the Use of Technology to Assist Victims of Crime request for proposals.

2. On May 2, 2022, the District Attorney's Office held a meeting with the Solicitor General's Office and local non-profits that provide services for victims of crime. Out of this meeting, it became clear that an application that would act as a hub for victim services would be beneficial to all organizations and to victims of crime. The group decided to pursue the grant opportunity.

3. On May 26, 2022, the District Attorney's Office submitted the grant package.

FACTS & ISSUES:

1. The Victims of Crime Act Guidelines, as outlined in 1997, include responding to the emotional and physical needs of crime victims, assisting primary and secondary victims of crime to stabilize their lives after victimization, assisting victims to understand and participate in the criminal justice system, and providing victims of crime with a measure of safety and security.

2. The Application for Victim Resources and Information (AVRI) will provide victims with a one-stop-shop to find resources that meet their needs, both within the justice system and outside of it. In addition, the application will allow victims to report a crime, update their contact information for use by their appointed victim advocate, guide them through the court process, and access services based on their unique individual needs.

3. A major barrier to successful victim services has been the ability for victims to find and utilize services. While resources may exist, they often go undiscovered by victims as currently there exists no central hub for victims to be able to view and access services. Research has indicated that victims who engage with victims' services feel more empowered, have better outcomes, and are less likely to be revictimized.

4. This grant requires no match.

5. This grant would last for 36 months, beginning in October of 2022, and there is no obligation by ACCGov to fund the program beyond the grant timeline.

6. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy A: *Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community.*

OPTIONS:

1. Mayor and Commission:

    a. Approve the District Attorney's application for and, if awarded, acceptance of the Office for Victims of Crime grant in the amount of $740,760 to be used to:
        - Fund one temporary part-time project manager position as well as necessary supplies and equipment for the position;
        - Build a Victim Services Application;

- Conduct a community needs assessment;
- Conduct a community strengths survey of available services; and
- Create a public awareness campaign surrounding the application.

b. Adopt the attached budget amendment ordinance **(Attachment #1)**; and

c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny acceptance of the District Attorney's application of the Office for Victims of Crime grant in the amount of $740,760.

3. Mayor and Commission defined option.

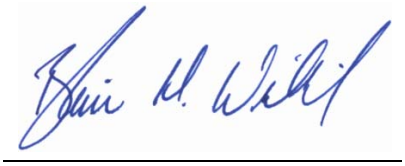
DEPARTMENT RECOMMENDED ACTION: Option #1 a b, & c

DEPARTMENT:
Prepared by: Jenna Vaisvil

Jenna Vaisvil *7/12/2022*
Jenna Vaisvil Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a b, & c



July 14, 2022
Manager Date:

ATTACHMENTS:
Attachment #1 – Budget Amendment Ordinance

Attachment #1

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) OFFICE OF JUVENILE JUSTICE DELINQUENCY PREVENION JUVENILE JUSTICE GRANT PROGRAM FOR EXPENSES RELATED TO AN ADDITIONAL SOCIAL WORKER/PROJECT COORDINATOR POSITION AND ASSOCIATED OPERATING EXPENSES TO IMPROVE OUTCOMES AND REDUCE RECIDIVISM FOR GIRLS IN THE JUVENILE JUSTICE SYSTEM; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding, if awarded, from the DOJ Office of Juvenile Justice Delinquency Prevention Juvenile Justice Grant Program for expenses related to an additional Part-Time Project Manager position and associated operating expenses to improve outcomes and reduce recidivism for girls in the juvenile justice system. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
DOJ Juvenile Justice Grant	$511,802
EXPENDITURES:	
Increase:	
District Attorney:	
Personal Services	$65,000
Operating Expenses	$446,802
Total	$511,802

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: District Attorney's Office Reducing Risk for Girls in the Juvenile Justice System Grant

DATE: July 8, 2022

BUDGET INFORMATION:

REVENUES: $511,802.35

EXPENSES:
ANNUAL: $511,802.35 Grant
CAPITAL: $0
OTHER:$0

FUNDING SOURCE: Office of Juvenile Justice and Delinquency Prevention Grant Program

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

1. Approve the District Attorney's application for and, if awarded, acceptance of the Office of Juvenile Justice and Delinquency Prevention grant in the amount of $511,802.35 to be used to:
   - Fund one Social Worker/Project Coordinator position as well as necessary supplies and equipment for the position;
   - Build off of a diversion program that has been created for Athens-Clarke County, and pay for services for that portion of the program, designed specifically for the needs of girls under the age of 17 with a focus on young mothers or girls at high risk to become young mothers;
   - Authorize a sub-award for the direct service provider of the program (Juvenile Offender Advocate INC.) of $187,000; and
   - Create a public awareness campaign surrounding the application.

2. Authorize the creation of a new full-time position Social Worker/Project Coordinator.

3. Adopt the attached budget amendment ordinance **(Attachment #1)**; and

4. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On April 5, 2022, the Office of Juvenile Justice and Delinquency Prevention released Reducing Risk for Girls in the Juvenile Justice System, a request for proposals aimed at programs designed specifically for the needs of justice-involved girls.

2. On April 26, 2022, the District Attorney's Office held a meeting with Juvenile Offender Advocate INC in which community needs were discussed. It was determined to be a needed program for the Athens-Clarke County area.

3. Throughout the month of May 2022, the District Attorney's Office met with several service providers and non-profits to determine the needs the program should fulfill for the community.

4. The District Attorney's Office partnered on this grant with Juvenile Offender Advocates Inc. (JOA), a local non-profit, due to their vast knowledge of working with justice-involved teens and the Executive Director's experience as a member of community law enforcement. The DA's office met with several potential partners and considered several variables such as experience, network, space, and capacity.

5. The District Attorney's Office and JOA worked together to design a program, including utilizing a Restorative Justice Conferencing pre-petition diversion program designed by a working group consisting of The District Attorney's Office (DAO), Athens-Clarke Juvenile Court Judges, Department of Juvenile Justice (DJJ), Georgia Conflict Center (GCC), and Juvenile Offender Advocate Inc (JOA).

6. In May 2022, the District Attorney's Office worked alongside Juvenile Offender Advocates INC to draft a proposal.

7. On June 2, 2022, the District Attorney's Office submitted the grant package.

FACTS & ISSUES:

1. While rates for youth male offenders steadily decline, rates for female offenders remain fairly steady accounting for the increase in the share of arrests, calling into question the issue at hand: juvenile justice measures are not designed with girls' needs in mind.

2. In 2019 there were 641 cases referred to the ACCGov Juvenile Court, in that same year female offenders accounted for 31% of juvenile arrests nationwide DA staff estimate that approximately 200 girls had cases referred to the Juvenile Court in Athens-Clarke County. Currently, there exists no girl-specific programming feeding into the nationwide issue that while overall juvenile arrest rates have been steadily declining, male youth make up a much larger portion of the overall decline causing the female share of juvenile arrests to increase from 18% in 1980 to 31% by 2019.

3. Giving Justice-Involved Girls WINGS has designed program operations around the key risk factors facing these girls with teen motherhood being the main focus: substance abuse, risky sexual behavior, poverty, illiteracy, and mental health concerns being essential contributing factors to the overall success of the program for justice-involved girls. The overall goal of this program is to improve long-term outcomes and reduce recidivism.

4. Girls eligible for this program will be girls 17 and under who have a non-violent first offense in the juvenile justice system. These girls will be in the pre-sentencing phase and will be offered this program as a diversion program.

5. This grant requires no match, and there is no obligation by ACCGov to fund the program beyond the grant timeline.

6. This grant would last for 36 months, beginning in October of 2022.

7. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy B: *Proactively reform systems of accountability to reduce jail and supervised population and plan for transitioning and returning residents*

OPTIONS:

1. Mayor and Commission:

    a. Approve the District Attorney's application for and, if awarded, acceptance of the Office of Juvenile Justice and Delinquency Prevention grant in the amount of $511,802.35 to be used to:
        - Fund one Social Worker/Project Coordinator position as well as necessary supplies and equipment for the position;
        - Build off of a diversion program that has been created for Athens-Clarke County, and pay for services for that portion of the program, designed specifically for the needs of girls under the age of 17 with a focus on young mothers or girls at high risk to become young mothers;
        - Authorize a sub-award for the direct service provider of the program (Juvenile Offender Advocates INC.) of $187,000; and
        - Create a public awareness campaign surrounding the application.

    b. Authorize the creation of a new full-time position Social Worker/Project Coordinator

    c. Adopt the attached budget amendment ordinance **(Attachment #1)**; and

d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny acceptance of the District Attorney's application for the Office of Juvenile Justice and Delinquency Prevention grant in the amount of $511,802.35.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c & d

DEPARTMENT:
Prepared by: Jenna Vaisvil

Jenna Vaisvil *7/12/2022*
Jenna Vaisvil Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c & d



July 14, 2022
Manager Date:

ATTACHMENTS:
Attachment #1 – Budget Amendment Ordinance

ATTORNEY REVISION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **POSSESSION OF MARIJUANA;** AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the Mayor and Commission of the Unified Government of Athens-Clarke County are authorized by the Charter of Athens-Clarke County to provide for the safety, health, peace, security, and general welfare of the community members and visitors of Athens-Clarke County; and

WHEREAS, the Unified Government is committed to creating a safer community by reducing crime, working to ensure the safety of its citizens, and fostering a relationship of trust and partnership within the community; and

WHEREAS, enactment of an ordinance concerning the offense of simple marijuana possession within Athens-Clarke County limits is intended to enhance public safety and eliminate costs by reducing the amount of time police officers spend in connection with the arrest, processing, and transportation of those accused of simple marijuana possession; and

WHEREAS, O.C.G.A. § 36-32-6 grants municipal courts concurrent jurisdiction "to try and dispose of cases where a person is charged with the possession of one ounce or less of marijuana if the offense occurred within the corporate limits of such municipality"; and

WHEREAS, enactment of an ordinance concerning the offense of simple marijuana possession is further intended to prevent people from entering the criminal justice system and avoiding the enduring stigma associated therewith.

NOW THEREFORE, the Mayor and Commission of Athens-Clarke County, Georgia, herby ordains and orders that the Code of Ordinances of Athens-Clarke County shall be amended as follows:

SECTION 1

Section 3-2-25 entitled "*Reserved*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 3-2-25. Possession of Marijuana

(a) It shall be unlawful for any person to possess or have under their control within the limits of Athens-Clarke County one (1) ounce or less of marijuana.

(b) For the purposes of this section the term "marijuana" shall mean all parts of the plant of genus cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture or preparation or such plant, its seeds or resin; but shall not include samples as described in subparagraph (P) of paragraph (3) of O.C.G.A. § 16-13-25; and shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake, or the completely sterilized samples of seeds of the plant which are incapable of

germination; and shall not include hemp or hemp products as defined in O.C.G.A. S 2-23-3 subparagraph (5) and (6).

(c) Any person found guilty of violating this section shall be punished by a fine of $35.00."

SECTION 2

This ordinance shall take effect immediately after passage.

SECTION 3

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 4

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5

The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

Marijuana Possession Decriminalization Ordinance

Commission-Defined Option (CDO)

Athens-Clarke County Mayor and Commission
(Commissioners Houle, Parker, Denson)
August 2, 2022

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **POSSESSION OF MARIJUANA**; AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the Mayor and Commission of the Unified Government of Athens-Clarke County are authorized by the Charter of Athens-Clarke County to provide for the safety, health, peace, security, and general welfare of the community members and visitors of Athens-Clarke County; and

WHEREAS, the Unified Government is committed to creating a safer community by reducing crime, working to ensure the safety of its citizens, and fostering a relationship of trust and partnership within the community; and

WHEREAS, enactment of an ordinance concerning the offense of simple marijuana possession within Athens-Clarke County limits is intended to enhance public safety and eliminate costs by reducing the amount of time police officers spend in connection with the arrest, processing, and transportation of those accused of simple marijuana possession; and

WHEREAS, the Mayor and Commission wish to discourage the use of criminal penalties regarding the offense of simple marijuana possession and provide for civil alternatives; and

WHEREAS, the Mayor and Commission find that enforcement of the State laws prohibiting simple marijuana possession has been inequitable and has fallen disproportionately on certain subsets of the population; and

WHEREAS, arrest and/or conviction for the State law offense of simple marijuana possession presents employment obstacles which marginalize broad swaths of the population; and

WHEREAS, enactment of an ordinance concerning the offense of simple marijuana possession is further intended to prevent people from entering the criminal justice system and avoiding the enduring stigma associated therewith;

NOW THEREFORE, the Mayor and Commission of Athens-Clarke County, Georgia, herby ordains and orders that the Code of Ordinances of Athens-Clarke County shall be amended as follows:

SECTION 1

Section 3-2-25 entitled "Reserved" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"**Sec. 3-2-25. Possession of Marijuana**

(a) It shall be unlawful for any person to possess or have under their control within the limits of Athens-Clarke County one (1) ounce or less of marijuana.

(b) For the purposes of this section the term "marijuana" shall mean all parts of the plant of genus cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture or preparation or such plant, its seeds or resin; but shall not include samples as described in subparagraph (P) of paragraph (3) of O.C.G.A. § 16-13-25; and shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake, or the completely sterilized samples of seeds of the plant which are incapable of germination; and shall not include hemp or hemp products as defined in O.C.G.A. § 2-23-3 subparagraph (5) and (6).

(c) Any person found guilty of violating this section shall be punished by a fine of $1.00."

SECTION 2

Violation of this ordinance shall not constitute probable cause for violation of any other law.

SECTION 3

This ordinance shall take effect immediately after passage.

SECTION 4

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 5

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6

The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

GEORGIA PUBLIC DEFENDER COUNCIL

WESTERN JUDICIAL CIRCUIT PUBLIC DEFENDER OFFICE
440 College Avenue • Suite 220 Athens, Georgia 30601 • **Telephone** 706-369-6440 • **Facsimile** 706-369-6444

John W. Donnelly
Circuit Public Defender

June 24, 2022

Dear Athens-Clarke County Commissioners:

I am writing regarding the pending local legislation concerning marijuana possession.

As I understand it, one proposal is to add language stating that, while the possession of marijuana will violate a county ordinance, such conduct should not be used by police as grounds for a more generalized search of their person or property.

For a variety of reasons, many poorly understood, the jail remains full and the criminal courts stay busy, mostly with low-income residents. One prominent area of scrutiny in a criminal case concerns police searches of an arrestee's clothing, bag or car. To do our job properly, we routinely assert our clients' constitutional rights to be free from improper government intrusion and inspection of their property. In this spirit, I support inclusion of language in the marijuana ordinance stating that a violation of the ordinance shall not be considered probable cause for violation of any other law.

There is precedent. The same language appears in the State criminal code so it has already been considered and approved by the Georgia legislature. The code section making failure to use a seatbelt a traffic offense contains the exact language. O.C.G.A. §40-8-76.1.

Including this language doesn't direct a police officer to ignore some evidence of a separate crime, if that evidence is readily observable in the course of issuing a citation. Nor does the language violate the separation of powers. Any question over the existence of "probable cause" would still need to be litigated in a courtroom and ruled on by the presiding judge.

The language seems primarily to be a policy statement in furtherance of minimizing the state's involvement in people's lives who possess marijuana.

Sincerely,

John Donnelly

JD/jm

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **POSSESSION OF MARIJUANA;** AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the Mayor and Commission of the Unified Government of Athens-Clarke County are authorized by the Charter of Athens-Clarke County to provide for the safety, health, peace, security, and general welfare of the community members and visitors of Athens-Clarke County; and

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(b) For the purposes of this section the term "marijuana" shall mean all parts of the plant of genus cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture or preparation or such plant, its seeds or resin; but shall not include samples as described in subparagraph (P) of paragraph (3) of O.C.G.A. § 16-13-25; and shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake, or the completely sterilized samples of seeds of the plant which are incapable of germination; and shall not include hemp or hemp products as defined in O.C.G.A. § 2-23-3 subparagraph (5) and (6).

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SECTION 4

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5

The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SO ORDERED AND ORDAINED this ___ day of _____, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

Legislative Review Committee
Commission Report

SUBJECT: LRC Report: Possession of Marijuana Local Ordinance

DATE: June 14, 2022

PURPOSE: This report provides the Mayor and Commission with a recommendation from the Legislative Review Committee regarding marijuana penalty options that could be embedded in local ordinance as an alternative to state charges.

HISTORY:

1. On February 1, 2022, Mayor Girtz assigned to the Legislative Review Committee (LRC) the topic, "Examine marijuana penalty options that could be embedded in local ordinance as an alternative to state charges."

2. The LRC discussed this topic at its February 3, 2022, meeting and requested staff provide information on what other municipalities in Georgia have done regarding misdemeanor marijuana possession charges in local ordinance as well as data from the Athens-Clarke County Police Department (ACCPD) on arrests and simple possession charges.

3. At the March 3, 2022, meeting, the LRC reviewed a comparative analysis of nine municipalities within Georgia and data from ACCPD. Solicitor General C.R. Chisholm shared an overview of pros and cons for adopting a local marijuana ordinance. He shared that, under the State of Georgia's 2019 Georgia Hemp Farming Act, misdemeanor marijuana cases are not currently prosecutable, because ACCGov does not have the testing capability required to distinguish between hemp and marijuana. Circuit Public Defender John Donnelly also shared his thoughts with the Committee and expressed support for a local misdemeanor marijuana ordinance.

4. At the May 12, 2022, meeting, the LRC continued discussion of the topic. The committee voted to request staff to bring back to the Committee an ordinance draft that considers Section III of the City of Tybee ordinance, the definition of marijuana used in the City of Doraville ordinance, and sets the penalty at $1. The motion passed 3-2, with Commissioner Thornton and Commissioner Wright opposed.

5. At the June 9, 2022, meeting, the LRC reviewed the draft possession of marijuana ordinance. The Committee voted unanimously to remove section 1 - item d and the word "young" from the recitals section in the draft ordinance. The Committee also agreed to modify the word "his" to "their" in section 1 – item a.

   The Committee voted unanimously to recommend the draft ordinance to the full Mayor and Commission with the understanding that a CDO might come forward.

RECOMMENDATIONS:
The Legislative Review Committee recommends adopting the ordinance for misdemeanor marijuana possession, as outlined in **Attachment #1**.

ADDITIONAL INFORMATION/COMMENTS:

Russell Edwards 6/14/22

Russell Edwards, Chair Date:
Legislative Review Committee

ATTACHMENTS:

Attachment #1: Possession of Marijuana Ordinance

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Authorization of the Housing Affordability Investment Strategy

DATE: ~~July 12, 2022~~ July 29, 2022

BUDGET INFORMATION:

REVENUES:	$ 11,000,000	ARPA SLFRF M&C Designation for Affordable Housing
EXPENSES:		
ANNUAL:		
CAPITAL:		
OTHER:	$ 1,733,334	Designated for the North Downtown Athens Redevelopment Project
	$ 5,266,666	Affordable Housing Phase I and Additional North Downtown Athens Redevelopment Funding (if needed)
	~~$ 3,854,450~~	~~Available for Affordable Housing Phase II~~
	$ 3,839,450	Available for Affordable Housing Phase II
	$ 160,550	Housing Affordability Investment Strategy Consultant (not to exceed price)
	~~$ 145,550~~	~~Housing Affordability Investment Strategy Consultant (not to exceed price)~~

FUNDING SOURCE: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF)

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Authorize staff to issue a purchase order to HR&A Advisors to complete the Housing Affordability Investment Strategy as a part of the ARPA strategic planning process, at an amount not to exceed $160,550 ~~$145,550~~; and
b. Authorize staff to execute all related documents.

HISTORY:

1. On March 11, 2020, the World Health Organization declared COVID-19 a global pandemic.

2. On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The $1.9 trillion package is intended to combat the COVID-19 pandemic by stabilizing state and local government operations, households, and small businesses.

3. In mid-March 2021, ACCGov was granted $57.6 million of ARPA Coronavirus State and Local Fiscal Recovery Funds (SLFRF) funding to allocate across defined categories by virtue of being both a city and a county.

4. On January 6, 2022, the U.S. Department of the Treasury released the Final Guidance for ARPA SLFRF.

5. On March 1, 2022, the Mayor and Commission (M&C) approved a budget allocating ARPA SLFRF to various programs, including a budget of $11,000,000 for affordable housing. This action included a strategic planning process, followed by an RFP, and the associated timeline. The M&C also designated the existing Georgia Initiative for Community Housing (GICH) Committee as the advisory committee for the affordable housing allocation.

6. On March 17, 2022, the ARPA Affordable Housing Advisory Committee (AHAC) met for the first time. At this meeting, they began to frame out a project scope for a strategic plan to support affordable housing in Athens. This plan would be called the Housing Affordability Investment Strategy (HAIS).

7. On April 14, 2022, the AHAC finalized the scope for an RFP for a consultant to develop the HAIS.

8. On April 15, 2022, ACCGov released a Request for Proposal for the Housing Affordability Investment Strategy. This plan will serve as the strategic plan that will inform a portion of the ARPA Affordable Housing Allocation.

9. On May 17, 2022, proposals were returned for the solicitation to develop the HAIS. Only one qualified proposal was received.

10. On May 17, 2022, the M&C approved a concept to help fund a $13.7 million funding deficit for the North Downtown Athens Redevelopment Project. $1,733,334 of this balance was designated from the ARPA Affordable Housing allocation.

11. On June 7, 2022, the M&C approved the Phase I Accelerated Concept to deploy up to $5,266,666 in ARPA SLFRF Affordable Housing funding in support of long lead time projects in Athens.

12. On June 24, 2022, staff released a Request for Proposal for organizations to deploy the Phase I Affordable Housing funding in Athens.

13. On July 5, 2022, staff completed the review of the sole proposal for a consultant to develop the HAIS.

14. On July 25, 2022, in response to M&C questions raised at the Agenda Setting Meeting, staff met with representatives from HR&A to discuss community engagement strategies. At this

meeting, staff requested that a proposal addendum be provided to detail costs and opportunities for in-person community engagement.

15. On July 28, 2022, staff received a proposal addendum from HR&A for enhanced in-person community engagement services (**Attachment 2**).

FACTS & ISSUES:

1. The U.S. Treasury Department requires that ARPA SLFRF funds be obligated by December 31, 2024 and spent by December 31, 2026. At the March 1, 2022 meeting, the M&C approved general timelines for the designation and use of ARPA funds in the community. The M&C also designated the Georgia Initiative for Community Housing (GICH) task force as the advisory group for the ARPA Affordable Housing Allocation.
2. The U.S. Treasury Department strongly encourages communities to guide the implementation of ARPA SLFRF funds through a strategic planning process. This process permits SLFRF utilization be informed by a needs assessment and strategies to enhance community equity.

3. At the March 1, 2022 voting meeting, the M&C approved five focus areas for the use of SLFRF funding in the community. These include Affordable Housing, Youth Development, Homelessness, Business and Workforce Development, and Behavioral Health. This same agenda report identifies the AHAC is responsible for guiding the creation of a community-wide Housing Affordability Investment Strategy.

4. Staff issued a Request for Proposal to select a consultant to develop the HAIS. The scope of this RFP was developed in partnership with the AHAC. The RFP was posted to the ACCGov website and the Georgia State Procurement Registry for a period of 30 days.

5. At the end of the RFP period, a single proposal was received from HR&A Advisors (**Attachment #1**). Staff completed the review of the HR&A proposal. In total, it was awarded 84 of 100 possible points. In their review, staff noted the following items regarding the HR&A proposal:
    - The project approach is systematic, well thought out, and clear on deliverables.
    - The proposal includes a thorough analysis of the housing market conditions and the existing affordable housing landscape.
    - The proposal is well informed regarding Athens-Clarke County. It's clear the team spent time researching Athens.
    - The approach to community engagement is sufficient, and is fairly traditional.
    - The firm has extensive experience on similar projects, with significant experience in the South.
    - Team experience includes project management, real estate experience, planning and economic development.
    - The project pricing is fair for the scope of work offered.

6. In response questions raised by the Mayor and Commission at the Agenda Setting Meeting, staff met with the HR&A project team to discuss the approach to community engagement. HR&A referenced that the engagement component of the plan was described as being finalized in partnership with the ARPA Affordable Housing Advisory Committee (AHAC). HR&A noted that their community engagement methods may include items such a surveys, stakeholder interviews, leveraging the services of the Neighborhood Leaders, workshops, and/or other educational activities. Staff are comfortable with this approach; however, expressed the importance about the physical presence of the project team. At the request of staff, HR&A submitted a proposal addendum for enhanced in-person community engagement activities (**Attachment #2**).

7. The in-person engagement activities identified in the addendum are more of a menu for service rather than a prescribed list of mandatory activities. Staff recommends that $15,000 be added to the not to exceed project price to allow for flexibility related to in-person community engagement. Should the AHAC not recommend these activities, the project price will not reach the maximum stated price.

8. It is estimated it will take eight months to complete the HAIS. Upon completion, the plan will be presented back to the M&C for acceptance. Once accepted, staff will use the plan to guide the implementation of ARPA Affordable Housing Phase II and future investments and policy decisions in support of affordable housing.

9. Per the local purchasing ordinance, M&C approval is not traditionally required for purchases under $200,000. However, the agenda report for the March 1, 2022 ARPA concept approval states "*The primary advisory group for affordable housing (GICH) is charged with creating a community-wide Housing Affordability Investment Strategy. This would involve the group returning to the M&C for the approval for a qualified facilitator for development of such an investment strategy, after a competitive procurement process."* It is for this reason that staff are requesting approval for this purchase. Per the requirements of the RFP, HR&A Advisors is only required to honor this proposal through August 19, 2022.

10. This recommendation supports the following ACCGov Strategic Plan Goals and Strategies:
    - Organizational Improvement Goal, Strategy D: *Increase resident engagement in the decision-making process to give greater emphasis to information and power sharing, mutual respect, and reciprocity between residents and their government.*
    - Quality, Stable, Affordable Housing Goal, Strategy C: *Preserve and increase the supply of affordable rental housing.*
    - Quality, Stable, Affordable Housing Goal, Strategy E: *Improve equitable housing opportunities in identified disinvested or underinvested areas.*

OPTIONS:

1. Mayor and Commission:
   a. Authorize staff to issue a purchase order to HR&A Advisors to complete the Housing Affordability Investment Strategy as a part of the ARPA strategic planning process, at an amount not to exceed $160,550 ~~$145,550~~; and
   b. Authorize staff to execute all related documents.

2. Mayor and Commission choose not to authorize initiation of the project.

3. Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a & b

DEPARTMENT: Housing and Community Development
Prepared by: Andrew Saunders



July 12, 2022

Andrew Saunders
Interim Director of Housing
& Community Development

Date

ADMINISTRATIVE RECOMMENDATION:



July 14, 2022

Manager

Date

ATTACHMENTS:
Attachment #1 Housing Affordability Investment Strategy Proposal from HR&A Advisors
Attachment #2 - Proposal Addendum for In-Person Engagement Opportunities

Housing Affordability Investment Strategy

PROPOSAL

Unified Government of Athens-Clarke County | May 16, 2022



RFP #01068 Housing Affordability Investment Strategy

HR&A Analyze. Advise. Act

HR&A Analyze. Advise. Act.
1 Glenwood Avenue, 5th Floor, Raleigh, NC 27603
T: 919.390.3004 | www.hraadvisors.com

May 16, 2022

Toro Holt, Senior Buyer
The Unified Government of Athens-Clarke County
Finance Department, Purchasing Division
375 Satula Avenue
Athens, GA 30601

Dear Toro:

On behalf of **HR&A Advisors, Inc.** (HR&A), I am pleased to present this proposal to work with the **Unified Government of Athens-Clarke County** (the Unified Government) on a **Housing Affordability Investment Strategy.**

HR&A brings decades of experience analyzing housing markets and developing affordable housing strategies and programs for cities across the country. We are an industry-leading real estate and public policy consulting firm based in New York with offices in Washington, DC, Los Angeles, Dallas, and Raleigh. For over 40 years, we have provided solutions to the most complex urban redevelopment challenges in cities, including creating strategies, policies, and financing tools to support equitable housing development throughout Southeast.

Athens-Clarke County (ACC) is facing substantial challenges to housing affordability. Amid a national affordable housing crisis arising from trends in incomes and home prices, declining federal support for housing, and the more immediate impacts of the COVID-19 crisis and other recent developments on employment, housing stability, and the construction sector, ACC also faces local challenges to maintaining an adequate housing supply persist given the county's low-density land use patterns, the housing needs of the student population of the University of Georgia, and a lack of affordable rental housing. ACC needs a strategy to increase the production of market-rate and affordable housing while supporting existing neighborhoods and mitigating displacement.

HR&A is uniquely positioned to work with the Unified Government to develop innovative approaches to investing in long-term affordability in ACC, informed by a nuanced understanding of local needs and existing housing programs.

We are deeply familiar with the process of developing a housing strategy that reflects local needs and priorities, in mid-sized cities. HR&A has worked with cities with a broad range of market and policy challenges to develop market-responsive and results-oriented housing strategies to address housing issues including a lack of supply, rental affordability, neighborhood disinvestment, racial equity, and barriers to homeownership. We have developed housing strategies to help local governments in Wake County, Greensboro, El Paso, Norfolk, Stamford, Charlottesville, Detroit, and other communities to better align funding and local regulations with market realities and local housing priorities. In addition, we excel at engaging elected leaders, public staff, advocates, developers, and other stakeholders to inform, to listen, and to build consensus around priority actions. We are excited to bring this experience to Athens to support the development of an actionable plan to support long-term housing affordability.

HR&A has firsthand experience with best practices in the design and implementation of housing programs from our work across the country. We know how to write implementable recommendations, because we also understand how to design and implement housing programs. We have designed inclusionary zoning policies in communities such as Stamford, New Orleans, and Alexandria; we have advised on the creation of loan funds for the development and preservation of affordable housing for public, nonprofit, and private-sector clients; and we have helped design and launch emergency rental assistance programs during the COVID-19 pandemic. We understand that effective programs require a broad range of partnerships to work, often involving multiple local governments, state housing finance agencies, local housing authorities, nonprofit housing organizations, developers, philanthropic organizations, and private stakeholders. In Pittsburgh, we designed and launched the Housing Opportunity Fund, a local housing trust fund, that brought

together the Redevelopment Authority, local financial institutions, community advocates, and affordable housing developers. Finally, we understand that public funding is constrained and know the most effective ways to use limited local funding to maximize support for affordable housing. We will work with Athens-Clarke County to develop a comprehensive approach to addressing housing challenges that leverages a combination of local, federal, and private resources and existing and new innovative land use policies.

We understand that impactful affordable housing strategies must consider broader policy and planning issues. Investments in neighborhoods, infrastructure, and housing all have impacts which can jointly address or exacerbate affordability and displacement risk. HR&A supported the City of Raleigh in developing an Equitable Development Around Transit Guidebook to create opportunities for growth along planned Bus Rapid Transit corridors that could support long term affordability. In cities like El Paso and Portsmouth, VA we incorporated recommendations about neighborhood planning and downtown revitalization as part of affordable housing strategies; and in Rochester we helped the City design a local Housing Trust Fund focused on anti-displacement strategies. We draw on our firm's broad expertise in subjects that include real estate, inclusive cities, economic development, and Transit-Oriented Development to advise our clients on how housing strategies can align with other local and regional planning needs.

We are excited at the opportunity to work with the Unified Government of Athens-Clarke County to plan for its next phase of affordable housing investments. If you have any questions, please do not hesitate to contact me at 202.903.0722 or pkash@hraadvisors.com.

Sincerely,



Phillip Kash
Partner
HR&A Advisors, Inc.

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HR&A OVERVIEW AND BUSINESS INFORMATION

HR&A Advisors, Inc. (HR&A) is an industry leader in economic development, real estate and public policy consulting. Equipped with a unique understanding of the intersection of the public and private sectors, HR&A has served a diversity of clients since 1976. We approach each assignment by focusing on how to achieve our client's goals in the context of the public sector's priorities and the private sector's motivations. Our approach has allowed hundreds of clients to transform public infrastructure, real estate and economic development concepts first into actionable plans, then into job-producing, community-strengthening assets.

HR&A Advisors, Inc.
925 15th St NW, Washington, D.C. 20005
Phillip Kash, Partner
(202) 903-0722



HR&A has offices in New York, Washington, D.C., Los Angeles, Raleigh, Atlanta, and Dallas. – a presence that allows us to serve our clients around the world. HR&A is a closely-held, 100% employee-owned Class S corporation, incorporated under our current name in 2007, but formerly known as Hamilton, Rabinovitz and Alschuler. Present ownership and key management consist of 17 partners, leading 120 full-time employees. **This project will be staffed primarily out of the Washington, D.C. office.** HR&A is incorporated in New York State and is licensed to operate in the following states: California, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, and Washington.

HR&A TEAM

HR&A brings a depth and breadth of experience in developing affordable housing strategies and programs. Our team has worked across the country to deliver community-focused and actionable strategies rooted in market realities. HR&A's project personnel include consultants with expertise in affordable housing, real estate, community engagement, economic development, and municipal budgeting and management.

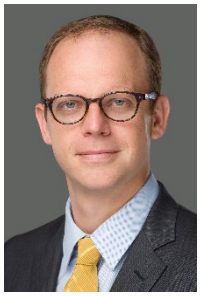
Phillip Kash, Partner, will serve as the Partner-in-Charge for this project, and will be responsible for overall project direction, overseeing all aspects of HR&A's work product including the structuring of our project approach, the production of deliverables, and the facilitation of client meetings. Phillip leads the firm's affordable housing practice. Phillip currently serves as partner-in-charge to several projects, including: Buckhead Employer-Assisted Housing Strategy (completion date: July, 2022); Amazon Housing Equity Fund (Ongoing); California Dream for All Program (Ongoing); Wake Forest Affordable Housing Plan (May 2022); Raleigh Affordable Housing Investment Plan (August 2022).



Sarah Kirk, Principal, will serve as Project Manager, and will be responsible for overseeing the project team as well as the day-to-day project management, communication with the client team, and production of all deliverables. Sarah helps public and nonprofit clients address community and economic development challenges and has worked in affordable housing both as a planner and a practitioner. Sarah's current project assignments include: Morrisville Affordable Housing Plan Implementation (completion date: September 2022); Richmond CA ARPA Investment Strategy (August 2022); Raleigh Affordable Housing Investment Plan (August 2022); and work in Atlanta on the Sweet Auburn Green and Equitable District (March 2023).

This project will be supported by two to three analytical staff members. HR&A continuously monitors staff workloads to assure ability to deliver timely and high-quality service on all projects. Based on the alignment of applicable experience and availability, we may bring analytical staff to join this project from HR&A's deep bench of analytical talent.

HR&A Analyze. Advise. Act.



PHILLIP KASH

PARTNER

EDUCATION

University of North Carolina At Chapel Hill
Master of City and Regional Planning

University of North Carolina At Chapel Hill
Bachelor of Arts
Economics

WORK EXPERIENCE

HR&A Advisors, Inc.
Partner
2018 – Present

HR&A Advisors, Inc.
Principal
2015 – 2017

Enterprise Community Partners
Director
2014 – 2015

Enterprise Community Partners
Senior Program Director
2013 – 2014

Enterprise Community Partners
Program Director
2010 – 2013

Enterprise Community Partners
Program Officer
2009 – 2010

Enterprise Community Partners
Freddie Mac Fellow
2008 – 2009

Center for Community Capital
Research Assistant
2007 – 2008

Client Relationship Specialist
Vanguard Financial
2006

English Teacher
Xi'an, China
2005 – 2006

Phillip Kash leads engagements on affordable housing, strategic planning and resilient disaster recovery. He has over a decade of experience designing and implementing programs and real estate development project that draw together public, private and philanthropic stakeholders to address pressing community needs.

Charlottesville Comprehensive Plan Update and Affordable Housing Strategy, VA
Led development of an affordable housing plan for the City of Charlottesville, VA, as part of the city's comprehensive plan update. Worked with RHI and Brick&Story, engaged extensively with local residents, nonprofit service providers, developers, City staff, elected officials, and other stakeholders to identify housing needs and solutions. Created public-facing housing plan with phased strategy to implement housing tools, spanning land use tools (including soft density by-right development, ADU development, and inclusionary zoning), subsidy tools (including both rental and homeowner subsidies), and tenants' rights tools. Housing plan recommendations will be incorporated into zoning rewrite and comprehensive plan update, facilitated by partner firm Code Studio.

Affordable Housing Strategy for Stamford, CT
Led the Affordable Housing Action and Implementation Plan for the City of Stamford, Connecticut to actively address the city's affordable housing needs. Conducted a housing needs assessment to identify demographic trends and the gap in housing supply, particularly for a growing renting population. Assessed the efficacy of the existing below market rate program in achieving the City's affordable housing goals. Managed a Steering Committee and Community Advisory Committee of diverse housing stakeholders over a 12-month planning process. Developed recommendations to adjust the City's land use policies, including adjustments to the City's existing inclusionary zoning program, as well as recommendations to structure an Affordable Housing Trust Fund through fee-in-lieu payments to invest in the city's affordable housing needs.

Atlanta Equitable Housing Needs Assessment
Led an assessment of Atlanta's existing and projected future housing needs to determine the housing necessary to achieve an equitable supply and distribution of affordable housing. Based on the assessment of equitable housing needs HR&A will describe a suite of policies and programs to move Atlanta toward equitable housing. With the city, HR&A co-facilitated a series of community meetings to present the assessment of equitable housing needs and gather input on public support for different policies and programs to move toward and equitable supply of affordable housing throughout the city.

Greensboro Affordable Housing Plan
Worked with the City of Greensboro, North Carolina to create a Comprehensive Affordable Housing Strategy that focuses on: 1) the current need for affordable housing in the city, 2) how this need will shift into the future, 3) viable solutions going forward, and 4) the capacity to implement over the 5- and 10-year horizons. Conducted an analysis of Greensboro's existing conditions, formed recommendations and strategies to guide the City's affordable housing efforts, and made recommendations for re-structuring of the city's Neighborhood Development Department to efficiently carry out new and existing programs. Formation of the Plan was accompanied by a robust engagement process with steering committee members, stakeholders, and the public. As a new phase of work, currently supporting Greensboro in implementing key recommendations.

Wake County Long-Term Affordable Housing Plan

Led a team to develop a long-term Affordable Housing Plan on behalf of Wake County. Reviewed existing affordable housing programs, analyzed demographic and market conditions, and performed a housing gap analysis and a financial feasibility analysis for affordable housing development. Formulated a set of strategies and initiatives to address Wake County's affordable housing needs. Translated affordable housing need findings from and strategy and initiative recommendations into a comprehensive plan for Wake County's affordable housing efforts over the next 20 years.

Wake County COVID-19 Housing Response

Supported Wake County, NC in the design and implementation of an eviction prevention program to respond to the needs of COVID-19. Developed an estimate of job loss among Wake County residents, including an estimate of residents impacted by race, income, and tenure. Based on this estimate, quantified the likely number of households and total gap in rent payments likely over a six-month period. Advised on strategies to reduce the total gap, including understanding residents' capacity to pay based on reduced income and unemployment payments and potential landlord rent forgiveness. Guided Wake County through key program design considerations including the level of assistance, eligibility and prioritization of households by income, mechanisms to secure landlord participation, and necessary partnerships with other organizations. Identified strategies to further support housing stability by supplementing rental assistance with legal services for tenants facing eviction. Wake County has implemented a version of the recommended program, the House Wake! COVID-19 Eviction Prevention Program.

Apex, North Carolina Affordable Housing Plan

Supported the Town of Apex, North Carolina on the development of an affordable housing plan. Conducted a housing needs assessment to understand populations served and not served by Apex's housing market. Led an engagement process that included surveys, focus groups and interviews, online materials, mailers, and public webinars, as well as working closely with a steering committee of local stakeholders. Following the needs assessment, developed recommendations for Apex to address its housing needs and enhance affordability, including opportunities to collaborate with County-level affordable housing programs. Developed a public-facing plan that explained each recommended tool and its potential impacts for Apex, as well as an implementation memo for Apex staff. The final plan was adopted by Apex's Town Council in a unanimous vote in early 2021.

Detroit Long-Term Affordability Feasibility Study and Plan

Led a multi-disciplinary team to develop models that leverage publicly owned land to create and preserve long-term housing affordability. Guided the Team in exploring the viability of different models by evaluating existing market conditions and housing typologies, local and national precedent models, financial feasibility, legal considerations, and local capacity for implementation. Supported business operations planning for a preferred model, which will identify the steps that the City, funders, and partners will need to take to implement the identified long-term affordability strategy.

Housing Policy and Affordability Calculator: Seattle, Portland, Charlotte

Created an interactive and user-friendly webtool that supports policy conversations by illustrating the tradeoffs between housing affordability and other public goals, evaluating policies such as density requirements, height restrictions, and single-family upzoning. Interviewed numerous local developers, policymakers, and academic economists to develop sound assumptions and methodologies. Designed the underlying financial and economic models for the calculator that quantifies the impact of local policies on housing affordability and availability. Assisted with rollout and oversaw iterations of feedback, test runs, and edits. Drafted a public-facing white paper detailing the existing literature, project methodology, and key findings.



SARAH KIRK

PRINCIPAL

Sarah Kirk is a real estate, affordable housing, and economic development advisor with over a decade of professional experience. Prior to joining HR&A Advisors, Sarah was Senior Project Manager in IFF's Real Estate Solutions team where she oversaw affordable housing projects and helped nonprofit organizations throughout the Midwest make informed decisions about their facility needs and real estate investments.

Charlottesville, Virginia Affordable Housing Plan

Worked with the City of Charlottesville, Virginia to develop an affordable housing plan with a focus on racial equity, as part of a larger planning effort led by RHI, which includes updates to the City's comprehensive plan, called "Cville Plans Together". Engaged extensively with multiple stakeholder groups including local residents, developers, nonprofit service providers, City staff, and elected officials to understand key challenges and areas of opportunity to support a comprehensive approach to housing affordability in Charlottesville. Developed recommendations to amend the City's governance of housing funds, set target funding for housing programs, adjust land use policies and affordable housing programs, and pursue additional policy changes to enhance racial equity and affordability in housing. Recommendations will be incorporated in the comprehensive plan update as well as a zoning rewrite facilitated by partner firm Code Studio.

Raleigh New Bern Avenue Bus Rapid Transit Station Area Planning

Working as part of a consulting team in Raleigh, NC to produce corridor and station area plans for a planned Bus Rapid Transit line. Overseeing market analysis and the development of an affordable housing inventory to understand the existing subsidized and naturally-occurring affordable housing and extent of housing need along the corridor. Based on this work, will design and host an affordable housing summit to share findings and gather input from affordable housing professionals and community members, and support planning for implementation, including identifying strategies to support affordability and limit displacement.

Raleigh Affordable Housing Investment Plan

Currently working with the City of Raleigh on a five-year update of the Affordable Housing Investment Plan. Developing a public-facing housing needs assessment to communicate major housing needs and barriers to affordability. Conducting a review of existing affordable housing programs and identifying policy changes to better align programs with desired outcomes, including the efficient deployment of public funds to meet affordable housing goals. Future work will include developing strategic recommendations to guide affordable housing investments including the deployment of $80 million in bond funds.

Apex, North Carolina Affordable Housing Plan

Supported the Town of Apex, North Carolina on the development of an affordable housing plan. Conducted a housing needs assessment to understand populations served and not served by Apex's housing market. Designed and led an engagement process that included public engagement through surveys, focus groups and interviews, online materials, mailers, and public webinars, as well as working closely with a steering committee of local stakeholders. Following the needs assessment, developed recommendations for Apex to address its housing needs and enhance

EDUCATION

University of North Carolina at Chapel Hill
Master of City & Regional Planning

Middlebury College
Bachelor of Arts, Geography

WORK EXPERIENCE

HR&A Advisors, Inc.
Principal
2021 – Present
Director
2018 – 2020

IFF
Senior Project Manager
2017 – 2018
Project Manager
2015 – 2017

SB Friedman Development Advisors
Associate
2013 – 2015

University of North Carolina at Chapel Hill Department of City and Regional Planning
Progress Energy Fellow
2012 – 2013

Seedco
AmeriCorps*VISTA
2010 – 2011

LANGUAGES

Mandarin Chinese, Proficient

PUBLICATIONS

"Making Room for Manufacturing: Understanding Industrial Land Conversion in Cities" *Journal of the American Planning Association* Vol. 79 (4) 2013.

AWARDS

Egan Award for Technology, Department of City and Regional Planning, University of North Carolina at Chapel Hill

Weiss Urban Livability Fellowship, University of North Carolina at Chapel Hill

affordability, including opportunities to collaborate with County-level affordable housing programs. Developed a public-facing plan that explained each recommended tool and its potential impacts for Apex, as well as an implementation memo for Apex staff. The final plan was adopted by Apex's Town Council in a unanimous vote in early 2021.

El Paso Regional Housing Plan

Produced a plan to support the preservation and development of housing in El Paso. Evaluated the financial feasibility of multifamily housing development including market rate development and Low-Income Housing Tax Credit projects. Analyzed public tools available to support target housing development projects. Made recommendations to the City and the housing authority about strategies to support and promote desirable development.

Housing Trust Fund Planning and Design Services, Rochester, NY

On behalf of the City of Rochester, conducted a housing needs assessment to inform the potential activities and target populations to be served by the housing trust fund (HTF); a revenue study to assess and recommend the best potential sources to sustainably and adequately fund an HTF; research and analysis to develop a formal HTF proposal with recommendations for effective programs, governance, and administration of a local HTF; and community and stakeholder engagement to inform HTF planning and development.

Portsmouth, Virginia Citywide Housing Plan

Developed a plan to support and incentivize investments in Portsmouth's housing market. Evaluated demographics, housing needs, and market trends at the neighborhood, city, and regional level to identify housing market strengths and challenges. Created detailed implementation plans to incentivize catalytic downtown redevelopment, pursue neighborhood-supported investments in housing and amenities, meet the needs of senior residents, and work regionally to support the deconcentration of poverty.

Wake County COVID-19 Housing Response

Supported Wake County, NC in the design and implementation of an eviction prevention program to respond to the needs of COVID-19. Developed an estimate of job loss among Wake County residents, including an estimate of residents impacted by race, income, and tenure. Based on this estimate, quantified the likely number of households and total gap in rent payments likely over a six-month period. Advised on strategies to reduce the total gap, including understanding residents' capacity to pay based on reduced income and unemployment payments and potential landlord rent forgiveness. Guided Wake County through key program design considerations including the level of assistance, eligibility and prioritization of households by income, mechanisms to secure landlord participation, and necessary partnerships with other organizations. Identified strategies to further support housing stability by supplementing rental assistance with legal services for tenants facing eviction. Wake County has implemented a version of the recommended program, the House Wake! COVID-19 Eviction Prevention Program.

Previous Work

West Cook Advantage & South Cook Homeownership Program

Served as grant administrator and coordinator for two homeownership programs designed to mitigate flood damage and foreclosures in suburban Cook County. Oversaw program operations to acquire, renovate, and sell single-family and small multi-unit properties to income-qualified buyers. Provided grant-backed mortgages and coordinated funding and budget management with developers. Coordinated program management and facilitated communication between developers, State grantors, and homeownership counselors to meet program objectives.

Project Understanding

PROJECT UNDERSTANDING

Athens-Clarke County faces significant housing affordability challenges arising from limited supply and a rapid increase in rents and home prices relative to incomes. Athens-Clarke County (ACC) is home to a population of over 127,000, including close to 40,000 students at the University of Georgia (UGA). ACC has a strong local economy anchored by the University as well as major employers in manufacturing, health care, and other sectors. However, a constrained supply of housing may threaten ACC's ability to continue to grow and support its economic base, and housing development activity continues to lag population growth. The large UGA student population further strains Athens' housing market. Low-density land use patterns through much of the county pose a major barrier to increasing its housing supply, while the COVID-19 pandemic and its effects, including rising construction costs have created further challenges both to housing affordability and housing supply. Like much of the country, ACC is facing affordability challenges for households at a range of incomes, including an estimated 10,500 households with low incomes as defined by HUD. In addition, ACC is concerned with the need to retain and support existing residents and invest in older neighborhoods without creating displacement pressures.

Recognizing these challenges, ACC has made housing affordability a community priority. Following the findings of recent housing affordability studies, the Unified Government has committed over $55 million in local and federal funding sources, including $11 million in funds from its allocation of American Rescue Plan Act (ARPA) funds, to support affordable housing. ACC needs a strategic and market-responsive plan to invest these funds and align its land use and development policies to meet a range of housing goals, including increasing the supply of affordable and market-rate housing while supporting neighborhoods and mitigating the displacement of existing residents. A successful Affordable Housing Investment Strategy will create a clear roadmap for the Unified Government to make strategic investments and policy changes, with milestones for implementation.

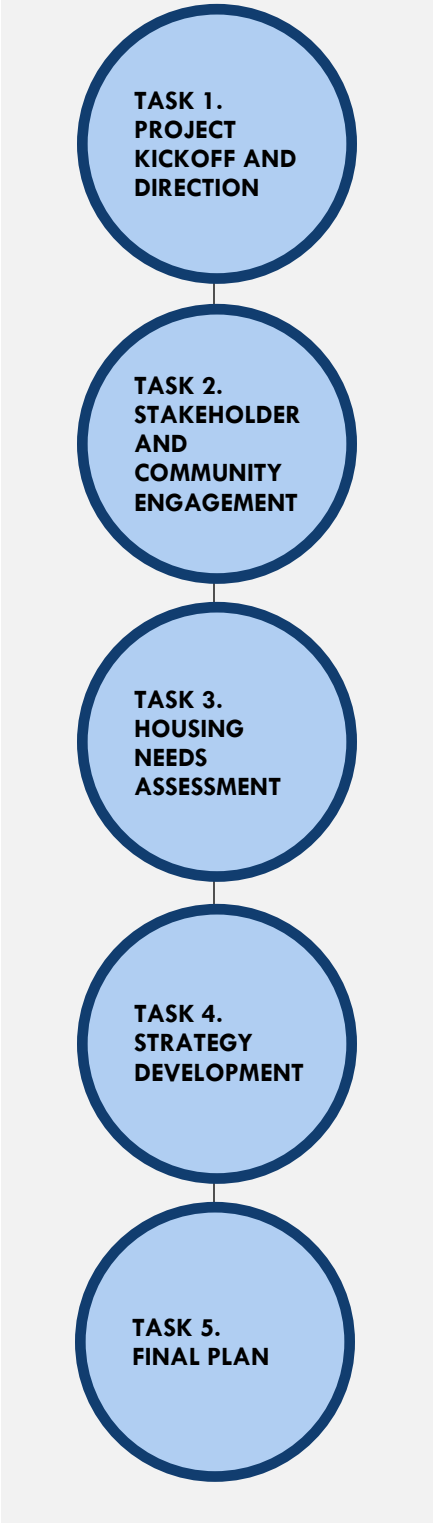
HR&A is well positioned to support the Unified Government in developing an actionable strategy for affordable housing investments. Our housing practice bridges analysis, planning, and implementation to produce affordable housing plans that respond to the pressing needs of a local housing market and identify the necessary resources, partners, and actions for implementation. We have worked with a broad range of mid-sized cities, including El Paso, Detroit, Stamford, Greensboro, Raleigh, and Charlottesville, to develop and implement plans that reflect local market conditions, address housing challenges, and use policy and subsidy to jointly solve pressing housing affordability issues. In Charlottesville we worked with local advocates, housing professionals, and representatives from the City and County governments and the University of Virginia to create an affordable housing plan guided by principles of racial equity, regional collaboration, and advancing a comprehensive approach to housing. We are currently engaged with the City to implement several key recommendations from the plan, including the development of an inclusionary zoning policy and other land use changes to increase the supply of both market rate and affordable rental housing. In addition, our firm brings expertise in anti-displacement, Transit-Oriented Development, neighborhood planning, and other areas with implications for affordable housing in ACC and other communities.

We believe that inclusive and thoughtful community engagement leads to better, more effective policy. A successful planning process will ensure the opportunity to incorporate input from a range of stakeholders including community residents, housing advocates, and other partners, while demonstrating tangible outcomes for participants and limiting the "engagement fatigue" that can accompany long public planning processes. In addition, the success of the plan will rely on buy-in from elected leaders and staff who will implement recommendations. In places like Pittsburgh and Wake County, we have engaged "grasstops" stakeholders representing policymakers, advocates, nonprofits, developers, and the broader business community. Achieving consensus among this broad-based group of

stakeholders has helped the cities we work with advance strategies that can withstand time. In addition, we know that public communication can be critical to a plan's success. In Detroit, we developed a public-facing housing strategy document that expressed the City of Detroit's housing priorities and established a formalized plan for implementation.

PROPOSED SCOPE OF WORK

Our approach is rooted in a close partnership with the Unified Government of Athens-Clarke County, opportunities to listen to the community and housing stakeholders, and building a clear case for recommended policy changes and investments to support equitable and affordable housing outcomes for Athens residents.



TASK 1. PROJECT KICKOFF AND DIRECTION

Project Kickoff

HR&A will conduct a virtual kickoff meeting with the client team to confirm goals and priorities for the plan update and discuss processes for project management. We anticipate discussing and confirming project elements including:

- Project goals and objectives;
- Project timeline;
- Existing available local data to support the housing needs assessment; and
- Defining roles and responsibilities for HR&A and the client team.

Throughout the engagement, HR&A will conduct regular project status meetings by phone with Unified Government staff to track progress, provide updates, and address any emerging issues. We will remain flexible to adapt analysis and scope as local conditions evolve.

Existing Plans and Data

The Georgia Initiative for Community Housing's 2019 report "Finding Home" outlines a vision and strategies to increase access to quality and affordable housing for all Athens-Clarke County residents. This plan, other plans such as the Unified Government of Athens-Clarke County's Comprehensive Plan, the 2021 Analysis of Impediments to Fair Housing, and current policies and studies related to affordable housing such as the Athens-Clarke County Revolving Loan Fund guidelines will provide a strong basis from which to begin the housing needs assessment and the development of the Affordable Housing Investment Strategy. HR&A will work with the client team to identify appropriate documents for review and understand the context of each document. Data on existing housing programs, recent housing investments, and policies related to investments in affordable housing will further provide a base of knowledge to inform the Affordable Housing Investment Strategy.

Task 1 Deliverables: *Data request, project schedule*

TASK 2. STAKEHOLDER AND COMMUNITY ENGAGEMENT

Engagement Planning

HR&A will work with the client team to develop an approach to community engagement that incorporates input from a range of stakeholders throughout the planning process. Following the kickoff meeting, HR&A will produce a draft engagement workplan and discuss the proposed approach with the client team. Following this discussion, we will produce a revised engagement workplan that will guide engagement activities.

Engagement Activities

We will work with the client team throughout the process to review engagement materials and provide project updates as needed. Engagement activities will include:

- Meetings with staff and elected officials from the Unified Government of Athens-Clarke County;
- Individual and small group interviews with affordable housing professionals including advocates, developers, and housing service providers; and
- Public engagement in the form of workshops to solicit substantive input and inform strategies.

In addition, we anticipate convening an advisory group comprised of local service providers, affordable housing developers, and individuals who are likely to benefit from increased access to affordable housing. HR&A will work closely with the client team to identify individuals that are likely to understand the need for and implementation of affordable housing and related services in Athens-Clarke County. We suggest engaging with the working group 3-4 times throughout the process for the following purposes:

- To receive input on goals and priorities for the affordable housing plan
- The gather feedback on findings from the housing needs assessment and discuss priority affordable housing issues which the plan must address
- To establish guiding principles for the recommendations and prioritize a preliminary list of housing tools
- To gather feedback on the feasibility and potential implementation of the recommendations

HR&A is accustomed to conducting this type of engagement both in person and using remote platforms such as zoom, and we anticipate that a majority of activities for this engagement will be conducted remotely. Since the onset of the COVID-19 pandemic we have gained substantial experience facilitating public meetings, interviews, and advisory group meetings remotely, and have developed best practices to solicit input through these engagement activities. We use live survey tools, interactive activities, discussion, and chat functions to facilitate and encourage participation.

Task 2 Deliverables: *Engagement workplan, outreach list for interviews, other engagement materials as appropriate*

TASK 3. HOUSING NEEDS ASSESSMENT

A thorough analysis of housing market conditions and the existing affordable housing landscape will form an important foundation from which to develop strategic recommendations. HR&A will combine quantitative analysis, qualitative research, and findings of stakeholder engagement to develop the housing needs assessment. We will produce a briefing book that summarizes the findings of the needs assessment.

Housing Demand

A thorough demographic analysis will inform which specific populations are in need of housing – both now and in the future – and where that housing is needed throughout the town. HR&A will provide a comprehensive analysis of local demographic data and trends over the past 10 years that are likely to impact the type of housing demanded by residents, using data from the American Community Survey (ACS) as well as other state and local data sources . This analysis will be used to communicate which types of households are growing or shrinking in Athens-Clarke County, especially as it relates to income, race, ethnicity, family status, and education levels. These trends will identify what households are being served by the current housing market, who the housing market is leaving out, and likely future

needs. Data trends that will be analyzed include: population and household change, income distribution by housing tenure, cost-burdened households, and other relevant data points. HR&A will also work to conduct a high-level analysis of economic conditions in Athens-Clarke County and the region to understand how trends in employment may continue to impact the need for affordably-priced housing for the local workforce.

HR&A will also consider the needs of vulnerable populations present in Athens-Clarke County. Target populations include but are not limited to veterans, houseless individuals and families, people living with disabilities, and older adults hoping to age in place.

Housing Supply

Concurrently with the demand analysis, HR&A will create a detailed profile of rental and homeownership housing conditions in Athens-Clarke County, both overall and within relevant submarkets. As part of this task, we will analyze development patterns, trends in housing prices, and other factors related to the supply and condition of housing.

HR&A will analyze the current market-rate rental market using data sources including Census data, such as Public Use Microdata Samples (PUMS), Zillow, Redfin, Real Capital Analytics (RCA), CoStar, and others. This will allow us to investigate trends related to: age of housing stock; rent prices for new and existing development; shifting patterns in single-family vs. multifamily occupancy; vacancy rates; balance of inventory typologies; and pipeline of planned development. As a part of this work, HR&A will also conduct an inventory of both subsidized and naturally occurring affordable rental housing and evaluate the market pressures and redevelopment patterns that may be threatening naturally occurring affordable housing.

HR&A will create a detailed profile of Athens-Clarke County's homeownership market to identify obstacles impacting affordable homeownership. The team will assess trends in: home values over time; home pricing; sales pace and price; inventory types; age and condition of existing housing; and pipeline of planned development.

Existing Programs and Policies

Through stakeholder engagement and other research, including a review of City budgets and materials from the Housing and Community Development Apartment, HR&A will map the existing landscape of providers and programs available to support affordable housing, including support for renters and homeowners, homeless services, supportive housing, and land use codes, development policies, and subsidy for the provision of affordable housing. We will work to understand how Athens-Clarke County collaborates with nonprofit organizations and other partners including the Continuum of Care and the Athens Housing Authority to deliver these programs.

Gaps and Barriers to Affordable Housing

HR&A will synthesize the findings of the review of existing programs and policies, and the analysis of housing demand and supply, to create a summary of housing gaps and unmet needs in the market. This will include an analysis of the current mismatch between the supply of housing and the demand for that housing, both for rental and homeownership, and how these may shift in the future. We will provide a summary of the households considered to be "housing cost burdened" and identify other unmet housing needs, which may include concerns about housing quality, access to transit, displacement, racial equity in housing, neighborhood development, and other related housing issues. HR&A will work to understand the financial, market, and regulatory barriers which may contribute to these unmet needs. HR&A will identify and illustrate other major challenges that impact housing availability and quality, which may include homelessness; high costs of rehabilitation; lack of available land for new development; fair housing issues that impact tenants' rights and housing quality; residential segregation, historic disinvestment, and environmental justice issues affecting specific neighborhoods; and limited housing options for seniors, veterans, people with disabilities, and other special-need populations. Finally, HR&A will identify any gaps in current housing programs and policies which could address these housing needs.

Task 3 Deliverables: *Draft and final Housing Needs Assessment briefing book*

TASK 4. STRATEGY DEVELOPMENT

Housing Goals

HR&A will engage with the client team as well as the advisory group and others as appropriate to facilitate discussion about the goals which will guide the Affordable Housing Investment Strategy. Affordable housing is a broad concept that encompasses many policy priorities – supporting access to homeownership, ending homelessness, preventing displacement, improving the quality of housing, expanding the supply of affordable rental housing, etc. Our engagement will focus on clarifying which issues within affordable housing are most pressing for ACC residents. This will shape how the Unified Government of Athens-Clarke County will prioritize investments related to the location of housing (such as targeting investments in areas served by transit or neighborhoods with particular needs), level of affordability, type of housing, households served, and other aspects.

Housing Tools

Based on the housing needs identified in Task 3 and the housing goals, HR&A will develop a preliminary list of housing tools which Athens-Clarke County may implement. These tools will primarily relate to land use and development regulation (such as by-right multifamily zoning and "soft density"), public subsidy (such as gap financing, homeownership assistance, and public land disposition), and tenants' rights (such as right to counsel and foreclosure prevention counseling). HR&A will focus on evaluating how each tool could be implemented and funding, the collaboration and partnerships necessary, legality in the State of Georgia, cost per unit, and the potential to impact Athens-Clarke County's housing market. Based on this analysis HR&A will work with the client team and others as appropriate to refine the preliminary list and identify priority tools.

Recommendations

HR&A will work closely and iteratively with the client team and community partners to develop strategic recommendations to meet the housing goals, using the priority tools identified. This may include developing new tools or making changes to existing housing programs, policies, and investments to better align outputs with housing needs. For each recommendation, we will provide context illustrating the recommended policy change or investment, implementation needs and timing, key partners, anticipated impacts, and metrics to track success.

Task 4 Deliverables: *Presentations and other materials to facilitate conversation about housing goals, tools, and recommendations*

TASK 5. FINAL PLAN

HR&A will create a visually-compelling briefing book that summarizes the major findings of the Housing Needs Assessment an communicates the goals and recommendations that will guide Athens-Clarke County's investments in affordable housing over a ten year period, as well as the intended outcomes and metrics to track implementation. The final plan will be written and developed to communicate clearly with a public audience, while outlining implementation needs and timing to guide Unified Government of Athens-Clarke County staff and others responsible for implementing recommendations. As appropriate, we will provide illustrative best practice examples from comparable cities.

Task 5 Deliverables: *Draft and final Affordable Housing Investment Strategy, collected data*

Project Experience & References



Reference
Missy Creasy, Deputy Director of Neighborhood Development Services, City of Charlottesville
CreasyM@charlottesville.gov
434-970-3182

Charlottesville Affordable Housing Strategy & Comprehensive Plan Update
In coordination with an effort to update the City's Comprehensive Plan and rewrite sections of its zoning code led by Rhodeside Harwell, Inc., HR&A developed an Affordable Housing Plan for the City of Charlottesville that centers around racial equity and regional collaboration to guide the City's investments in affordable housing programs and policies. HR&A engaged with multiple stakeholder groups including a steering committee to understand key challenges and areas of opportunity to support a comprehensive approach to housing affordability in Charlottesville, review potential housing tools, and refine proposed strategies. In March 2021, the City approved the Affordable Housing Plan with recommendations to amend the City's land use policies, dedicate funding for affordable housing programs, and pursue additional governance and policy changes to enhance racial equity and affordability in housing. Project staff included Phillip Kash and Sarah Kirk.



Reference
Lorena McDowell, Housing Department Director, Wake County
Lorena.McDowell@wakegov.com
919-856-5267

Wake County Affordable Housing Plan and Implementation
On behalf of Wake County, HR&A led a team to develop a long-term Affordable Housing Plan that sets the vision for the County's investments in affordable housing over the next 20 years. During Phase 1, the HR&A Team conducted a comprehensive review of the County's current affordable housing programs and policies, analyzed demographic and market conditions, and performed a housing gap analysis to assess the current and likely future unmet affordable housing need. During Phase 2, the HR&A Team worked closely with a 32-person Steering Committee composed of local stakeholders to create a set of recommended tools to address Wake County's affordable housing needs now and in the future. During Phase 3, the Team translated the housing need findings from Phase 1 and recommended tools from Phase 2 into a comprehensive plan for Wake County, which considers both the role of the county and the individual municipalities in execution. The plan was approved by the Wake County Board of Commissioners in October 2017, and the County is currently exploring new funding sources to enable full implementation. Project staff included Phillip Kash.



Reference
Emily M. Gordon, Director of Housing and Community Development, City of Stamford, CT
egordon@stamfordct.gov
203-977-5650

Affordable Housing Strategy for Stamford, CT
On behalf of the Stamford Land Use Bureau, HR&A created an Affordable Housing Action Plan to actively address the economic, environmental, and social equity impacts of Stamford's affordable housing needs. The city has experienced substantial growth, which is slated to continue for the foreseeable future, but growth in housing inventory has been unevenly distributed throughout the city, placing disproportionate pressure on some neighborhoods. The plan provides a housing needs assessment, comprehensive market analysis, and comprehensive community engagement, which serve as the foundation for the targeted regulatory and funding recommendations in the Plan. HR&A analyzed the efficacy of the existing inclusionary zoning program and made recommendations to adjust the administration and fee-in-lieu payment option based on current market conditions and the capacity of city staff. HR&A also advised the City on its new Housing Trust Fund, which adds important standards, governance and oversight to the City's funding of affordable housing projects. Project staff included Phillip Kash.

SELECT REGIONAL EXPERIENCE



Buckhead Employer Assisted Housing Strategy

On behalf of the Livable Buckhead Initiative, HR&A is working to develop an Employer Assisted Housing program for the Buckhead Community Improvement District (CID). Buckhead, a second downtown and economic engine for the city of Atlanta, is experiencing a growing mismatch between its housing stock and labor force, with most of its labor force making long commutes into the region—exacerbating traffic issues and livability. As one potential solution, HR&A is working with Livable Buckhead to create a framework for an employer-funded housing program to increase access to affordable housing and reduce traffic in Buckhead. HR&A engaged with a diverse stakeholder group to build a comprehensive understanding of employee needs, employer priorities, and developer perspectives on the Atlanta economy and market. Additionally, HR&A identified viable employer assisted housing program types, legal and regulatory barriers, and potential partner programs and funding sources. HR&A will work closely with the team to create a conceptual development program, test its financial feasibility, and develop a funding and financing strategy for successful project implementation.



City of Atlanta Equitable Housing Needs Assessment

On behalf of the City of Atlanta, HR&A developed an equitable housing needs assessment for the City of Atlanta and Fulton County to inform housing development as Atlanta moves towards its population growth target. HR&A reviewed existing affordable housing plans, programs, and policies; analyzed demographic and market conditions; identified existing publicly subsidized and naturally occurring affordable housing; and assessed affordable housing demand through a housing gap analysis to advise affordable housing production goals. HR&A then performed a financial feasibility analysis and assessment of existing affordable housing tools to develop recommendations for improving the City's current toolkit and implementing changes to mediate projected shortfalls. HR&A worked closely with stakeholders and the Atlanta Office of Housing and Community Development to develop a final housing needs assessment and implementation road map for the City.



Assessment of MARTA Joint-Development Program

On behalf of the Metropolitan Atlanta Rapid Transit Authority (MARTA), HR&A assessed MARTA's Transit-Oriented Development (TOD) policies and guidelines to identify lessons learned from past projects, identify emerging trends facing TOD implementation, and to provide recommendations to facilitate implementation of future TOD projects. HR&A assessed current development trends across the Atlanta region and evaluated local/regional plans to assess consistency with the TOD guidelines and potential obstacles to implementation. HR&A then interviewed TOD managers at peer agencies nationwide to benchmark MARTA's TOD program processes and outcomes.

In addition, HR&A assessed the affordable housing policies, practices, and tools of those agencies to identify opportunities to enhance MARTA's approach toward addressing affordable housing in its TOD projects. Based on the findings of this research, HR&A developed recommendations to help MARTA strengthen their TOD program and joint development efforts.

Financial Information & Documentation

ORGANIZATIONAL STRUCTURE

HR&A Advisors, Inc. (HR&A) is a closely-held, 100% employee-owned. New York State, Class S corporation, incorporated under our current name in 2007, but formerly known as Hamilton, Rabinovitz and Alschuler and operating under that name since 1976. HR&A has been in continuous operation for more than 40 years, since 1976 in Los Angeles and in New York since 1984, and has been incorporated under the laws of the State of New York since 2007. HR&A maintains offices in New York, Los Angeles, Dallas, Atlanta, Raleigh, and Washington DC with 135 employees. HR&A Advisors, Inc. (HR&A) is an industry leader in economic development, real estate and public policy consulting.

Financial References

Our fiscal year gross revenues were $30.1 million in 2019, $25.8 million in 2020, and $30.3 million in 2021. Our estimated gross revenue for fiscal year 2022 is $37 million. HR&A has lines of credit available in the approximate amount of $3.3 million through our banking institutions. As a privately held S-corporation, HR&A is not required to have audited financial statements. HR&A can provide CPA Reviewed Financial Statements upon request.

OTHER DISCLOSURES

Failure to Complete Prior Projects

The firm has not failed to complete a similar project.

Penalties or Damages

HR&A has not failed to meet a project budget or schedule, or incurred penalties or damages as a result of failing to meet a project's budget or schedule. HR&A works closely with the client and client's designated project manager to ensure projects are delivered on time and within budget. The initial project schedule may adjust during the course of the project in alignment with client and project needs, contingent on client approval, but we will work with the client to ensure that any critical milestones are met. Project fees for the agreed scope of work will not be billed in excess of the contract amount. Any adjustment in project budget arising from a significant addition to the scope of work will require an amendment on project contract with approval by both the client and contractor.

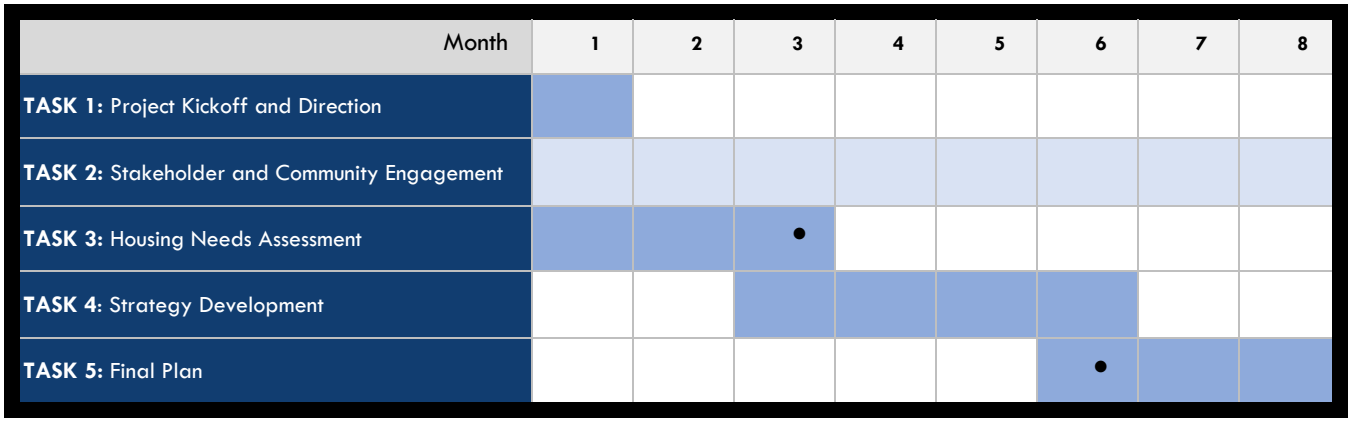
Litigation Disclosure

The firm has no past, present, pending, and/or threatened legal proceedings within any forum.

Project Schedule & Cost

PROJECT SCHEDULE

HR&A anticipates completing this scope of work within a period of 6 to 8 months. The timing and nature of stakeholder and community engagement activities will likely have the greatest impact on the project schedule.



● Anticipated presentation to elected officials

TIME AND COST MANAGEMENT

HR&A proposes holding regular check-ins with the client team throughout the engagement to track progress and ensure the project remains on schedule. We monitor our staff time internally to ensure the project stays on budget, but will not invoice for any fee beyond the not-to-exceed contract amount. If the scope changes substantially and requires a change to the budget we will request written approval prior to incurring any unforeseen costs.

Other Relevant Information

None provided

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

A: PROPOSAL FORM

Proposal of 01068 RFP Housing Affordability Investment Strategy

(Hereinafter called "Offeror"), organized and existing under the laws of the State of

New York, ***doing business as*** HR&A Advisors***.***

In compliance with your RFP, the Offeror hereby proposes and agrees to perform and furnish all work for the requirement known as **RFP #01068 Housing Affordability Investment Strategy** in strict accordance with the Proposal Documents, within the time set forth therein, and at the price proposed.

By submission of this Proposal, the Offeror certifies, and in the case of a joint Offer, each party thereto certifies as to its own organization that:

1. The Offeror has examined and carefully studied the Proposal Documents and the Addenda, receipt of all of which is hereby acknowledged at Section V-B.
2. The Offeror agrees that this proposal may not be revoked or withdrawn after the time set for the opening of proposals but shall remain open for acceptance for a period of ninety (90) days following such time.

Company:	HR&A Advisors		
Contact:	Phillip Kash		
Address:	925 15th Street NW FL 3		
	Washington, DC 20005		
Phone:	(704) 806-3559	Fax	
Email:	pkash@hraadvisors.com		

☑ ***By checking this box, I acknowledge that I have read ATTACHMENT B - MASTER CARD E-PAYABLES PROGRAM WELCOME LETTER***

☑ ***By checking this box, I acknowledge that I have read all insurance requirements and will meet requirements listed in* RFP #01068 Housing Affordability Investment Strategy if awarded.**

Phillip Kash		5/12/2022
Authorized Representative/Title ***(print or type)***	**Authorized Representative** ***(Signature)***	**Date**

Company Name (*printed*): HR&A Advisors

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

B: ADDENDA ACKNOWLEDGEMENT

The Offeror has examined and carefully studied the Specifications and the following Addenda, Receipt of all of which is hereby acknowledged:

Addendum No.		dated		Acknowledgement	
Addendum No.		dated		Acknowledgement	*Initial*
Addendum No.		dated		Acknowledgement	*Initial*
Addendum No.		dated		Acknowledgement	*Initial*
					Initial

Offerors must acknowledge any issued addenda. Proposals which fail to acknowledge the offeror's receipt of any addendum will result in the rejection of the proposal if the addendum contained information which substantively changes the Owner's requirements.

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

C: GEORGIA SECURITY & IMMIGRATION COMPLIANCE (GSIC) AFFIDAVIT

The Unified Government of Athens-Clarke County and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

The Contractor further agrees that its compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 is attested to on the executed Contractor Affidavit and Agreement attached hereto.

If employing or contracting with any subcontractor(s) in connection with this Agreement, Contractor further agrees:

(1) To secure from the subcontractor(s) an affidavit attesting to the subcontractor's compliance with O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02; such affidavit being in the form attached hereto; and

The failure of Contractor to supply the affidavit of compliance at the time of execution of this Agreement and/or the failure of Contractor to continue to satisfy the obligations of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 as set forth in this Agreement throughout the contract period shall constitute a material breach of the contract. Upon notice of such breach, Contractor shall be entitled to cure the breach within ten days, upon providing satisfactory evidence of compliance with the terms of this Agreement and State law. Should the breach not be cured, Athens-Clarke County shall be entitled to all available remedies, including termination of the contract and damages.

SEE AFFIDAVIT ON FOLLOWING PAGE

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

C: CONTRACTOR AFFIDAVIT & AGREEMENT UNDER O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, as amended, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of The Unified Government of Athens-Clarke County, Georgia, has registered with, is authorized to use, and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the provisions and deadlines established in O.C.G.A. § 13-10-91, as amended.

Furthermore, the undersigned will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

19850 — Federal Work Authorization Company Identification Number

10/26/2005 — Date of Authorization

Name of Contractor: HR&A Advisors

Name of Project: 01068 RFP Housing Affordability Investment Strategy

Name of Public Employer: The Unified Government of Athens-Clarke County

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 5, 13, 2022 in New York, NY.

Signature of Authorized Officer or Agent

JAMIE DANG, CHIEF OPERATING OFFICER & ASSISTANT SECRETARY
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE
13th DAY OF May, 2022

Notary Public
My Commission Expires: April 4, 2024

ROXANNA TORHAN
NOTARY PUBLIC STATE OF NEW YORK
NO. 01TO6339536
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES APRIL 4, 2024

Company Name (*printed*): HR&A Advisors

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

D: PRICE/PROPOSAL SCHEDULE

(Must be submitted on a separately sealed drive)

TOTAL NOT TO EXCEED PROPOSAL FEE = $ 145,550

PROJECT TEAM RATES

Team Member	Role	Hourly Rate	Project Hours	Total
Phillip Kash	Partner-in-Charge	$390	40	$15,600
Sarah Kirk	Project Manager	$370	100	$37,000
Keiley Gaston	Senior Analyst	$255	190	$22,950
Alexandra Poses	Analyst	$200	190	$38,000
Anna Gallicchio	Research Analyst	$160	200	$32,000
PROJECT TOTALS:				$145,550

HR&A Analyze. Advise. Act.

July 28, 2022

Niki Jones, Asst. Manager
The Unified Government of Athens-Clarke County
301 College Ave., Suite 202
Athens, GA 30601

HR&A's proposal, dated May 16, 2022, outlines the following engagement activities, the majority of which would be conducted remotely:

- Meetings with staff and elected officials from the Unified Government of Athens-Clarke County
- Interviewing "grass-tops" leaders and representatives of marginalized groups, and using these community leaders to conduct outreach to the populations they represent; and
- Working with paid, or volunteer, community liaisons who present materials prepared by HR&A to community groups, facilitate discussion, and collect substantive input to inform strategies
- Creating a diverse advisory committee, in collaboration with our local government partner, with representatives from housing service providers, real estate professionals, housing advocates, and low-income populations to provide input throughout the planning process;

We understand that more extensive community engagement is likely to be necessary to ensure that the plan receives substantive input from a broad range of residents and stakeholders, including marginalized populations. In addition, we understand that some in-person engagement may be needed. At the outset of the project, we will work with the Unified Government to develop an outreach and engagement approach to ensure inclusive participation. Based on initial feedback from the City, we anticipate the need for additional community engagement and in-person meetings. Toward that goal we propose adding $15,000 to the budget that the City can draw on at its discretion for additional engagement activities. The original proposed scope includes the preparation of materials and work to conduct advisory committee meetings, community meetings and in-person interviews. The additional costs, described below, cover the travel cost and additional time necessary to be in-person.

- In-person advisory committee meeting – Two to three HR&A team members would run an advisory committee meeting in person. This would cost $4,000*, inclusive of travel and staff time.
- In-person community meeting – Three to four HR&A team members would run a community meeting in-person. We would work closely with City staff to address logistics – identification of an appropriate site, printing of materials, provision of refreshments and childcare. $ This would cost $5,000*, inclusive of travel and staff time.
- In-person interviews – Two to three staff will conduct in-person interviews and stakeholder roundtables over a period of two days to supplement remote interviews. This would cost $5,500*, inclusive of travel and staff time.

* When different engagement activities are combined – for example, a trip that includes both an advisory committee meeting and a community meeting – then the cost can be reduced by $2,000 to reflect the savings on travel costs – airfare, lodgings, etc.

RESOLUTION TO Protect Reproductive Freedom and Abortion Access in Athens-Clarke County CDO presented by Denson, Houle, Myers, & Parker

WHEREAS, in *Roe v. Wade*, a 1973 landmark decision of the U.S. Supreme Court, the Court ruled that the Constitution of the United States generally protects a pregnant individual's liberty to choose to have an abortion; and

WHEREAS, in 2019 the Georgia General Assembly passed anti-abortion legislation (HB 481), which was signed into law by Governor Kemp, that outlaws most abortions when a doctor can detect fetal cardiac activity, which is typically around six weeks of pregnancy; and

WHEREAS, in 2020 the United States District Court for the Northern District of Georgia ruled HB 481 to be unconstitutional due to the *Roe v. Wade* decision; and

WHEREAS, on June 24th, 2022, the United States Supreme Court ruled on *Dobbs v. Jackson Women's Health Center*, effectively overturning *Roe v. Wade*; and

WHEREAS, HB 481 was appealed to the 11th Circuit Court of Appeals which put a stay on review of HB 481 until after the Supreme Court decided *Dobbs v. Jackson Women's Health*; and

WHEREAS, the 11th Circuit Court of Appeals issued a decision on July 20, 2022, in favor of HB 481, which has the effect of banning most abortions in Georgia after around six weeks into pregnancy; and

WHEREAS, eliminating legal access to abortion has been empirically proven to dramatically increase the risk of death, bodily injury, and infertility, especially within low-income communities and communities of color; and

WHEREAS, low-income women are over five times more likely than affluent women to experience an unintended pregnancy, which has significant implications for social mobility, given that unplanned childbearing is associated with higher rates of poverty, less family stability, and worse outcomes for children according to the Brookings Center on Children & Families; and

WHEREAS, the state of Georgia currently leads the nation in maternal and infant mortality, and a recent study by the University of North Carolina School of Medicine found that pregnant people are 14x more likely to die of pregnancy complications than complications resulting from an abortion,

WHEREAS, the state of Georgia has refused to expand access to Medicare, fully fund childcare and public schools, raise the minimum wage, or otherwise support infants, children, and families by giving them the educational, medical, or financial support needed to escape cycles of generational poverty; and

WHEREAS, we affirm our support of reproductive justice, which means the freedom to create the families of our choice under the conditions of our choice, including not only access to abortion care but access to quality housing, healthcare, childcare, and jobs with thriving wages needed to support healthy families; and

WHEREAS the strategic plan for the Unified Government of Athens-Clarke County adopted on March 1, 2022, commits the Unified Government of Athens-Clarke County ("ACCGov") to supporting and promoting healthy lifestyles, including physical and psychological care; developing programs, policies, and processes to address unaddressed community needs and facilitate community transformation; and securing affordable housing for all;

WHEREAS, Western Judicial Circuit District Attorney Deborah Gonzalez has stated, "I will not be prosecuting women seeking reproductive health care, I will not prosecute doctors providing women with care. I will not be complacent in a system attempting to strip away the rights of American citizens"; and

WHEREAS, ACCGov recognizes every individual's right to privacy, including the protection of doctors and all others involved with medical treatment and decisions made within the healthcare provider-patient relationship, so long as those decisions occur without coercion, force, or negligence; and

WHEREAS, the Mayor and Commission of Athens-Clarke County, Georgia, oppose the use of any public funds to record and or investigate reports of abortion care; and

WHEREAS, the right to privacy guaranteed by both the United States and Georgia Constitutions should protect doctors, patients, and all others involved with medical treatment from any criminal investigation related to decisions made within the healthcare realm; and

WHEREAS, ACCGov has a duty to protect its residents and employees from any violation of their human rights and any criminalization of the free exercise thereof, and this Resolution is in the best interest of the welfare of Athens-Clarke County, its businesses, visitors, and residents.

NOW THEREFORE BE IT RESOLVED BY THE ATHENS-CLARKE COUNTY MAYOR AND COMMISSION AS FOLLOWS:

Section 1. The Mayor and Commission condemn any actions intended to abrogate the fundamental liberties to bodily sovereignty and affirms its commitment to protecting the rights of all to make health decisions for themselves, including abortion care.

Section 2. It is the policy of Athens-Clarke County that, except to the extent otherwise required by state or federal law, ACCGov funds will not be used to:

- Store or catalog any report of abortion, miscarriage, or other conduct that could be prosecuted under state laws criminalizing reproductive care;
- Provide information to any other governmental body or agency about any abortion, miscarriage, or other conduct that could be prosecuted under state laws criminalizing reproductive healthcare, unless such information is provided to defend the patient's right to abortion care or the healthcare provider's right to provide that care;
- Conduct surveillance or collect data or other information related to any individual, organization, location vehicle, action, financial record or internet activity for the purpose of determining whether an abortion has occurred, except for the collection of aggregated data without personally identifying information or personal health information for purposes unrelated to criminal investigation, enforcement or prosecution.

Section 3. It is the desire of the Mayor and Commission that the Manager shall use appropriate discretion in determining what resources, outside of funding, if any, should be allocated to the investigation or support for the prosecution of any allegation, charge, or information relating to the outcome of a given pregnancy, including abortion and abortion-related care, with the understanding that the Mayor and Commission would request that such cases be assigned the lowest priority for both enforcement and the use or assignment of resources and personnel, except in (a) cases where coercion or force is used against a pregnant person; (b) cases involving conduct that is either (1) criminally negligent, (2) evidencing reckless disregard, or (3) demonstrating intent to harm the health of the pregnant person seeking abortion care; or (c) cases where the abortion, miscarriage, or reproductive healthcare is evidence of another crime against the mother, such as sexual assault.

Section 4. The Mayor and Commission commit to ensuring that abortion care is included in any health insurance coverages made available to ACCGov employees and directs the Manager to investigate and explore updates to health care insurance policies to meet that goal.

Section 5. It is the policy of Athens-Clarke County that ACCgov will not participate in any State, Federal, or private grant program with the intent to investigate or support the prosecution of any allegation, charge, or information relating to the outcome of a given pregnancy, including abortion and abortion-related care, except in (a) cases where coercion or force is used against a pregnant person; (b) cases involving conduct that is either (1) criminally negligent, (2) evidencing reckless disregard, or (3) demonstrating intent to harm the health of the pregnant person seeking abortion care; or (c) cases where the abortion, miscarriage, or reproductive healthcare is evidence of another crime against the mother, such as sexual assault.

APPROVED AND ADOPTED this _____ day of _____, 2022.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

Attest: _____
Clerk of Commission

(SEAL)

RESOLUTION TO Protect Reproductive Freedom and Abortion Access in Athens-Clarke County

WHEREAS, in *Roe v. Wade*, a 1973 landmark decision of the U.S. Supreme Court, the Court ruled that the Constitution of the United States generally protects a pregnant individual's liberty to choose to have an abortion; and

WHEREAS, in 2019 the Georgia General Assembly passed anti-abortion legislation (HB 481), which was signed into law by Governor Kemp, that outlaws most abortions when a doctor can detect fetal cardiac activity, which is typically around six weeks of pregnancy; and

WHEREAS, in 2020 the United States District Court for the Northern District of Georgia ruled HB 481 to be unconstitutional due to the *Roe v. Wade* decision; and

WHEREAS, on June 24th, 2022, the United States Supreme Court ruled on *Dobbs v. Jackson Women's Health Center*, effectively overturning *Roe v. Wade*; and

WHEREAS, HB 481 was appealed to the 11th Circuit Court of Appeals which put a stay on review of HB 481 until after the Supreme Court decided *Dobbs v. Jackson Women's Health*; and

WHEREAS, the 11th Circuit Court of Appeals will be issuing a decision after legal briefs are presented in July 2022, which is expected to be in favor of HB 481 and, if so, would ban most abortions in Georgia after around six weeks into pregnancy; and

WHEREAS, eliminating legal access to abortion has been empirically proven to dramatically increase the risk of death, bodily injury, and infertility, especially within low-income communities and communities of color; and

WHEREAS, low-income women are over five times more likely than affluent women to experience an unintended pregnancy, which has significant implications for social mobility, given that unplanned childbearing is associated with higher rates of poverty, less family stability, and worse outcomes for children according to the Brookings Center on Children & Families; and

WHEREAS, the state of Georgia, which leads the nation in maternal & infant mortality, has refused to expand access to Medicare, fully fund childcare and public schools, raise the minimum wage, or otherwise support infants, children, and families by giving them the educational, medical, or financial support needed to escape cycles of generational poverty; and

WHEREAS, we affirm our support of reproductive justice, which means the freedom to create the families of our choice under the conditions of our choice, including not only access to abortion care but access to quality housing, healthcare, childcare, and jobs with thriving wages needed to support healthy families; and

WHEREAS the strategic plan for the Unified Government of Athens-Clarke County adopted on March 1, 2022 commits the Unified Government of Athens-Clarke County ("ACCGov") to supporting and promoting healthy lifestyles, including physical and psychological care; developing programs, policies, and

processes to address unaddressed community needs and facilitate community transformation; and securing affordable housing for all;

WHEREAS, Western Judicial Circuit District Attorney Deborah Gonzalez has stated, "I will not be prosecuting women seeking reproductive health care, I will not prosecute doctors providing women with care. I will not be complacent in a system attempting to strip away the rights of American citizens"; and

WHEREAS, ACCGov recognizes every individual's right to privacy, including the protection of doctors and all others involved with medical treatment and decisions made within the healthcare provider-patient relationship, so long as those decisions occur without coercion, force, or negligence; and

WHEREAS, the Mayor and Commission of Athens-Clarke County, Georgia, oppose the use of any public funds to record and or investigate reports of abortion care; and

WHEREAS, the right to privacy guaranteed by both the United States and Georgia Constitutions should protect doctors, patients, and all others involved with medical treatment from any criminal investigation related to decisions made within the healthcare realm; and

WHEREAS, ACCGov has a duty to protect its residents and employees from any violation of their human rights and any criminalization of the free exercise thereof, and this Resolution is in the best interest of the welfare of Athens-Clarke County, its businesses, visitors, and residents.

NOW THEREFORE BE IT RESOLVED BY THE ATHENS-CLARKE COUNTY MAYOR AND COMMISSION AS FOLLOWS:

Section 1. The Mayor and Commission condemn any actions intended to abrogate the fundamental liberties to bodily sovereignty and affirms its commitment to protecting the rights of all to make health decisions for themselves, including abortion care.

Section 2. It is the desire of the Mayor and Commission that the Manager shall use appropriate discretion in determining what resources, if any, should be allocated to the investigation or support for the prosecution of any allegation, charge, or information relating to the outcome of a given pregnancy, including abortion and abortion-related care, with the understanding that the Mayor and Commission would request that such cases be assigned the lowest priority for both enforcement and the use or assignment of resources and personnel, except in (a) cases where coercion or force is used against a pregnant person, (b) cases involving conduct criminally negligent to the health of the pregnant person seeking abortion care, or (c) cases where the abortion, miscarriage, or reproductive healthcare is evidence of another crime against the mother, such as sexual assault.

Section 3. The Mayor and Commission commit to ensuring that abortion care is included in any health insurance coverages made available to ACCGov employees and directs the Manager to investigate and explore updates to health care insurance policies to meet that goal.

APPROVED AND ADOPTED this _____ day of _____, 2022.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

Attest: _____
(SEAL) Clerk of Commission

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA THROUGH THE UNIVERSITY OF GEORGIA FOR THE DOWNTOWN ATHENS PUBLIC SAFETY CAMERA SYSTEM AND IMPROVED LIGHTING INITIATIVE; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Capital Projects Fund to provide funding from the University System of Georgia for the purchase of enhanced public safety camera capacities, installation, and lighting in the downtown district and related equipment. Said Operating and Capital budget is hereby amended as follows:

General Capital Projects Fund:

REVENUES:	
Increase:	
Intergovernmental - Local	$250,000
Expenditures:	
Increase:	
Police Department:	
Capital Expenses	$250,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: University of Georgia Contribution in Support of the Downtown Public Safety Camera System and Improved Lighting

DATE: July 19, 2022

BUDGET INFORMATION:

REVENUES: $250,000

EXPENSES:
ANNUAL:
CAPITAL: $250,000
OTHER:

FUNDING SOURCE: $250,000 Board of Regents / University of Georgia

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that the Mayor and Commission:

a. Approve an Intergovernmental Agreement between the Unified Government of Athens-Clarke County (ACCGov) and the Board of Regents / University of Georgia **(Attachment #1)** in support of the Downtown Public Safety Camera System and improved lighting;
b. Accept the allocated funds;
c. Adopt the attached budget amendment ordinance **(Attachment #2)**; and
d. Authorize the Mayor and appropriate staff to execute all documents associated with the allocated funds.

HISTORY:

1. On July 7, 2005, the first generation of the Downtown Public Safety Camera System was made operational. The system has since expanded to meet dynamic operational needs and has been maintained.

2. In August 2021, staff began the process of evaluating a potential expansion of the Downtown Public Safety Camera System with the assistance of UGA stakeholders and resources.

3. In September 2021, stakeholders inclusive of UGA Police Department (UGAPD), Athens-Clarke County Police Department (ACCPD), and camera system installers examined potential

sites for camera system expansion and retrofitting to meet nascent operational needs. Such observations informed an ongoing discussion of where camera coverage and lighting could be enhanced to best address the presence and fear of crime.

4. In January 2022, the ACCGov Attorney's Office was contacted to assist in the development of an Intergovernmental Agreement between the Board of Regents / UGA and ACCGov.

5. In April 2022, a mutually acceptable draft agreement was returned and transmitted to UGAPD for approval and signature.

6. In May 2022, UGAPD approved the Intergovernmental Agreement and returned the project for ACCGov review and consent.

7. On June 28, 2022, the UGAPD and ACCPD were able to link their existing camera systems so that they may be viewed by the partner agency in support of actions inclusive of officer safety, situational awareness, and investigative purposes.

FACTS & ISSUES:

1. Since 2005, the Athens-Clarke County Police Department has operated a camera system within the Downtown District. Such cameras have added to the department's situational awareness, have allowed for video recordings in investigative actions, and have added to the general level of safety enjoyed by residents and visitors to the district.

2. Currently, ACCPD maintains 27 cameras within the district with pan-tilt-zoom (PTZ) capacities. This project seeks to enhance the current system as with the provision of 360-degree recording capacities, as appropriate, and to add cameras in locations as necessary to meet nascent operational needs.

3. The University of Georgia Police Department (UGAPD) has requested assistance in the prevention and detection of violations of law, which both the ACCPD and UGAPD agree is important to benefit the safety of Athens-Clarke County residents, visitors, UGA faculty, staff, and students.

4. This initiative seeks to deter criminal activity, provide a heightened sense of safety, and to aid in the follow-up on criminal reports.

5. The UGAPD and ACCPD agree to share video footage and information from the cameras installed under this agreement and each agency's pre-existing camera systems.

6. Both agencies agree to comply with all applicable federal and state laws and regulations regarding the collection, storage, retrieval, and dissemination of any video footage.

7. It is proposed that the agencies shall have direct access to view all live and archived video footage captured by the cameras installed under this agreement and pre-existing camera

systems. Each agency will also adhere to its own policies and procedures, along with state and federal law, to govern access to video footage.

8. Towards development of an enhanced camera environment and lighting, ACCPD and UGAPD stakeholders have:
    a) Conducted visual surveys of the areas to help ensure that funds allocated are used in an effective and efficient manner;
    b) Collaboratively identified areas of concern;
    c) Developed recommendations for cameras and lighting;
    d) And submitted such recommendations for the approval of both Chiefs of Police.

9. It shall be the responsibility of the ACCGov and ACCPD to:
    a) Follow ACCGov procurement policies in obtaining equipment and bids for installation;
    b) Acquire all materials and seek reimbursement of associated costs following purchase and installment of equipment; and
    c) Provide ongoing management, maintenance, and support costs for acquired equipment.

10. It shall be the responsibility of UGA and UGAPD to:
    a) Reimburse ACCGov up to $250,000 for expenses related to this initiative;
    b) Process payment of associated invoices in a timely manner; and
    c) Maintain internal records as necessary concerning funding used for this initiative.

11. All equipment, hardware, and software licenses purchased pursuant to the Intergovernmental Agreement shall become the property of the ACCPD.

12. The term of this agreement shall be one (1) year, commencing on the date of execution by the later party to execute it, and will automatically renew for nine (9) additional one (1) year periods.

OPTIONS:

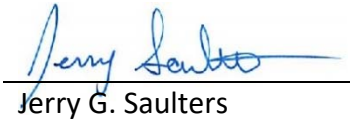
1. Mayor and Commission:
    a. Approve an Intergovernmental Agreement between the Unified Government of Athens-Clarke County (ACCGov) and the Board of Regents / University of Georgia **(Attachment #1)** in support of the Downtown Public Safety Camera System and improved lighting;
    b. Accept the allocated funds;
    c. Adopt the attached budget amendment ordinance **(Attachment #2)**; and
    d. Authorize the Mayor and appropriate staff to execute all documents associated with the allocated funds.

2. Mayor and Commission deny the authorization to approve the Intergovernmental Agreement and acceptance of funds.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION:
Option #1 a, b, c, and d

DEPARTMENT:
Prepared by: Joshua Watkins



Jerry G. Saulters

07/19/2022
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION:



Manager

July 22, 2022
Date:

ATTACHMENTS:

Attachment #1 - Intergovernmental Agreement
Attachment #2 – Budget Ordinance

INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, AND THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA BY AND ON BEHALF OF THE UNIVERSITY OF GEORGIA FOR ESTABLISHING THE DOWNTOWN ATHENS SAFETY CAMERA AND LIGHTING INITIATIVE

This Intergovernmental Agreement ("Agreement") is entered into as of the date of execution by the latter Party to execute it between the Unified Government of Athens-Clarke County, Georgia, a body politic and corporate and a political subdivision of the State of Georgia ("ACCGov"), and the Board of Regents of the University System of Georgia by and on behalf of the University of Georgia ("UGA"), for the establishment of the Downtown Athens Safety Camera and Lighting Initiative, each a "Party" and collectively the "Parties."

WHEREAS, pursuant to O.C.G.A. § 36-69-3(a)(2)(B) "[u]pon the request for assistance [...] in the prevention or detection of violations of any law [...] which request is made by a [...] chief of police of any institution within the University System of Georgia [...] after approval by the president of such institution, the chief of police [...] of any municipality or any county police force may, with the approval of the governing authority of any such officer's political subdivision and the sheriff of the county, cooperate with and render assistance extraterritorially to such law enforcement agency of the institution requesting the same"; and

WHEREAS, the Chief of Police of the UGA Police Department has requested and obtained approval for the assistance of the ACCGov Police Department in the prevention and detection of violations of law, which both ACCGov and UGA agree is important to benefit the safety of Athens-Clarke County residents, visitors, and UGA faculty, staff, and students; and

WHEREAS, ACCGov and UGA are empowered to enter into this Intergovernmental Agreement pursuant to Ga. Const. Art. IX, Sec. III, Par. I as an intergovernmental agreement not exceeding fifty years.

NOW THEREFORE, ACCGov and UGA agree to be mutually bound by the terms and conditions of this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby agree to the following terms:

ARTICLE I – PURPOSE AND MISSION

The purpose of this initiative is to improve the overall safety of the downtown Athens area, including areas occupied by UGA, and to benefit Athens-Clarke County residents, visitors, and UGA faculty, staff, and students with a focus on student safety. Focus of the project is to deter criminal activity, provide a heightened sense of safety, and to aid in the follow-up on criminal reports. The Parties agree that this is a beneficial and collaborative affiliation between the UGA Police Department ("UGAPD") and the Athens-Clarke County Police Department ("ACCPD") (each hereafter referred to individually as an "Agency" or collectively the "Agencies").

ARTICLE II – OBLIGATIONS OF THE PARTIES

A. Visual surveys of the areas will be conducted by members of both Agencies to ensure that available funds are being used in the most effective and efficient manner possible.

B. All additional lighting and camera installations will be based on input from each Agency's representative. Any relocation of existing cameras and lighting will also be based on input from each Agency's representative. Each Agency will nominate a lead representative and will provide the other Agency with the name and contact information of the lead representative. If the lead representative needs to be changed for any reason, the Agency must provide the other Agency notice in writing within seven (7) days of the change to include the name and contact information of the new lead representative.

C. Input will be sought from staff of both Agencies to identify areas of concern. Areas of concern will be determined based on physical observation of the location, identified vehicle and pedestrian pathways, and analysis of call volume and criminal activity.

D. Recommendations for installation will be submitted in writing to both the chiefs of both Agencies. Recommendations shall include supporting documentation to show why a particular area requires additional lighting or camera installation. Installation will begin only after both Agency representatives approve the installation in writing and will be consistent with the Areas of Focus, attached hereto as Exhibit A and incorporated herein.

E. All equipment, hardware, and software licenses purchased pursuant to this Agreement shall become the property of ACCPD.

F. Duties of ACCGov & ACCPD

   a. ACCPD shall follow ACCGov procurement policies in obtaining equipment and bids for installation of approving additional lighting and cameras.

   b. ACCPD shall be responsible for purchasing any hardware, materials, software or necessary items and shall cover the cost of installation for any lighting or camera equipment purchased pursuant to this Agreement.

   c. ACCGov shall be responsible for entering into a contract with any vendor chosen to provide materials or labor in carrying out the purpose of this agreement.

   d. ACCGov shall invoice UGA for reimbursement of associated costs following purchase and installment of equipment.

   e. ACCGov shall provide ongoing management, maintenance, and support costs to operate and maintain the camera and lighting equipment and shall be responsible for ensuring all items are in good working condition.

   f. ACCGov shall maintain internal records of purchase, including but not limited to, invoices, purchase agreements, warranties, and licenses, and shall provide copies of such to UGA upon request.

G. Duties of UGA & UGAPD
   a. UGA shall reimburse ACCGov up to a maximum of two hundred and fifty thousand dollars ($250,000) for expenses related to this initiative.
   b. UGA shall process payment of associated invoices in a timely manner.
   c. UGA shall maintain internal records of funding used for this initiative and shall share this information with ACCGov following each expenditure or upon request.

H. The Agencies agree to share video footage and information from the cameras installed under this Agreement and those of the Agencies' preexisting camera systems identified by each Agency.

I. The Agencies agree to comply with all applicable federal and state laws and regulations regarding the collection, storage, retrieval, and dissemination of any video footage.

J. The Agencies shall have direct access to view all live and archived video footage captured by the cameras installed under this Agreement and those of the Agencies' preexisting camera systems identified by each Agency.

K. Each Agency will adhere to its own policies and procedures, along with state and federal law, to govern access to video footage.

L. Except as otherwise required by law, neither Agency shall disseminate to any third party data or information of which the other Agency is the owner without prior written consent of the owner. Each Agency shall respond as required by law to the requests made pursuant to Georgia Open Records Act and shall provide prompt written notice to the other Agency of any request for data or information in its possession of which the other Agency is the owner.

ARTICLE III – GENERAL CONDITIONS

A. The term of this Agreement shall be one (1) year, commencing on the date of execution by the latter Party to execute it, and will automatically renew for nine (9) additional one (1) year periods. This Agreement may be renewed or amended by written consent of the Parties.

B. This Agreement may be terminated in whole or in part, pursuant to the following terms and conditions:
   a. by mutual written consent of the Parties hereto;
   b. by either Party if there has been a material default or breach on the part of the other Party in any of its representations, covenants, or obligations contained in this Agreement and such default or breach is not satisfactorily cured within thirty (30) days following written notice from the non-breaching Party;
   c. by either Party for convenience upon sixty (60) days' written notice to the other Party;
   d. by either Party if its governing body does not allocate funding necessary to perform its obligations hereunder;
   e. by ACCGov, if it has terminated its Agreement with the design and installation vendor for convenience,

f. by ACCGov if there has been a material default or breach on the part of the vendor in any of its representations, covenants, or obligations to ACCGov that affect this Agreement, and such default or breach is not cured within thirty (30) days following written notice from ACCGov.

C. If a dispute arising out of or relating to this Agreement or the breach thereof occurs, the Parties will attempt to resolve the disputes through discussion by the Chief of Police of each Agency. If the dispute cannot be settled by such discussion, the Parties may agree in good faith to settle the dispute by mediation. In the event the Parties cannot resolve a dispute, the dispute may be submitted to a court of competent jurisdiction.

D. The Parties agree that for all purposes this Agreement shall be governed and interpreted in accordance with the laws of the United States and the State of Georgia.

E. Neither Party shall be deemed in default of any provision of this Agreement or be liable for any delay, failure in performance, or interruption in service resulting from acts of war, acts of terrorism, acts of God, acts of civil or military authority, civil disturbance, epidemics or pandemics, floods, severe weather events, strikes, or any other cause beyond its reasonable control.

F. The waiver by either Party of any of its rights or remedies in enforcing any action for breach under this Agreement in a particular instance shall not be considered as a waiver of the same or different rights, remedies, or actions for breach in subsequent instances.

G. If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby, and all other parts of this Agreement shall nevertheless be in full force and effect.

H. Neither Party shall assign or transfer this Agreement nor any rights or obligations thereunder without the express written consent of the other Party, except to the extent that such assignment, subletting, or transfer is mandated or restricted by law. Such written consent shall not be unreasonably withheld. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

I. This Agreement, together with the Attachments identified above, constitutes the entire agreement between the Parties hereto with regard to the subject matter hereof. This Agreement supersedes any and all prior discussions and/or representations, whether written or oral, and no reference to prior dealings may be used to in any way modify the expressed understandings of this Agreement.

J. This Agreement may not be amended or modified unless done so in writing in a document of the same level of formality as this Agreement that is signed by authorized representatives of both Parties.

K. Time is of the essence in the Parties' performance under this Agreement.

L. Any written notice as provided herein shall be addressed as follows:

(a) If to ACCGov: Chief of Police

3035 Lexington Road
Athens, GA 30605

(b) If to UGA:

Chief of Police
286 Oconee Street
Suite 100
Athens, GA 30602

For personal delivery, notice shall be deemed effective the date of delivery. If delivered by common carrier (e.g., FedEx or UPS), delivery shall be deemed effective as shown by such carrier. If delivered by certified or registered mail, return receipt requested, delivery shall be deemed effective as shown on the receipt. If delivered by regular U.S. mail, delivery shall be deemed to be effective two (2) days after the postmark date.

SIGNATURES TO APPEAR ON FOLLOWING PAGE

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

BY: _____
Kelly Girtz, Mayor
Athens-Clarke County

DATE: _____

ATTEST: _____
Gloria J. Spratlin, Clerk of Commission

Seal

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA BY AND ON BEHALF OF THE UNIVERSITY OF GEORGIA

BY: _____

DATE: _____

ATTEST: _____

Seal

APPROVED AS TO FORM:

BY: _____
Athens-Clarke County Office of the Attorney

BY: _____
Dan Silk
University of Georgia Police

BY: _____
Jerry Saulters
Athens-Clarke County Police

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **SCHEDULE OF FEES TO BE ADOPTED ANNUALLY**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 2-6-2 of the Code of Athens-Clarke County, Georgia, entitled "Schedule of fees to be adopted annually," is hereby amended by adding the following:

CENTRAL SERVICES		
	Subject	**Fee/Unit**
	Parklet Program	
39	Initial application fee	$100.00
40	Annual application renewal fee	$50.00
41	Quarterly fee for the first two parking spaces utilized	$500.00
42	Quarterly fee for each additional parking space utilized	$500.00
43	Fee for required signage next to bike lane	$100.00
44	Expense to modify public property for the use of a parklet	At cost

SECTION 2. All ordinances or parts of ordinances in conflict herein are hereby repealed.

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA TO APPROVE AND AUTHORIZE THE SETTLEMENT OF THE CLAIMS OF RICHELLE BURTON; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, on April 10, 2021, Rebecca Croxton, acting in her capacity as an employee of the Unified Government of Athens-Clarke County, Georgia, ("ACCGov") was operating an ACCGov motor vehicle traveling eastbound on SR10 (West Broad Street) that struck a vehicle being driven by Richelle Burton ("Burton"); and

WHEREAS, on April 26, 2022, Burton's attorney submitted a pre-suit settlement package to ACCGov's Claim Consultant alleging claims for damages against ACCGov for the alleged injuries Colbert suffered as a result of being struck by Rebecca Croxton, ("Burtons's Claims"); and

WHEREAS, ACCGov and Burton desire to voluntarily resolve Burton's Claims and all other disputes that may exist between them by compromise and without incurring additional attorney's fees, expenses, and costs of litigation; and

WHEREAS, without admitting liability or fault, the Commission finds it to be in the best interests of ACCGov to resolve Burton's Claims as set forth below;

NOW, THEREFORE, the Commission hereby resolves as follows:

SECTION 1.

The Commission does hereby approve and authorize the payment of the sum of One Hundred Fifty Thousand and 00/100 Dollars ($150,000.00) to Burton in settlement of Burton's Claims.

SECTION 2.

The Attorney for ACCGov and ACCGov's Claim Consultant shall have authority to take all further actions necessary to carry out the intents and purposes of this Resolution and to prepare, or to cause to be prepared, any and all documents necessary to effectuate the resolution of the Claims as described herein.

SECTION 3.

The Mayor of ACCGov shall have authority to take all further actions necessary to carry out the intents and purposes of this Resolution, including but not limited to, the authority to sign any documents as may be necessary or appropriate to effectuate the intents and purposes of this Resolution.

SECTION 4.

The Commission hereby declares that the foregoing preamble and whereas provisions set forth hereinabove constitute, and shall be considered to be, substantive provisions of this Resolution and are hereby incorporated by reference into this provision.

SECTION 5.

In the event scrivener's errors shall be discovered in this Resolution or in the Exhibits hereto after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution.

SECTION 6.

This Resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

SO RESOLVED by the Commission of Athens-Clarke County, Georgia, on the ____ day of _____, 2022.

APPROVED: _____
Mayor

ATTEST: _____
Clerk of Commission

AN ORDINANCE FOR THE THIRTY-THIRD DECLARATION OF A LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER PURPOSES.

WHEREAS, like much of the world the United States, the State of Georgia, and the Unified Government of Athens-Clarke County, Georgia, ("ACCGov") are currently responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2" and the disease it causes named "coronavirus disease 2019" (abbreviated "COVID-19"); and

WHEREAS, COVID-19 is officially a global pandemic according to the WHO; and

WHEREAS, COVID-19 can spread from person to person, and can result in no symptoms, minor symptoms, or serious illness causing permanent organ damage and death; and

WHEREAS, individuals age 65 or over or living with certain medical conditions identified by the CDC (members of Vulnerable Populations) and members of other populations identified by the CDC ("Other Populations at Risk") are at risk of severe and lasting harm to health or death from COVID-19; and

WHEREAS, COVID-19 also has been reported to cause severe and permanent damage to some children; and

WHEREAS, the CDC has noted that COVID-19 spreads very easily and sustainably when an infected person (who may not exhibit symptoms at all, or only minor symptoms) talks, sneezes, or coughs in close proximity with others (within six feet); and

WHEREAS, on March 16, 2020, the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia adopted an Ordinance for the Declaration of Local State of Emergency related to COVID-19;

WHEREAS, on March 19, 2020, pursuant to their authority under the Athens-Clarke County Emergency Management Ordinance, the Athens-Clarke County Mayor and Commission adopted a Second Declaration of Local Emergency activating certain emergency powers in order to allow Athens-Clarke County to quickly respond to the COVID-19 pandemic and renewed that declaration on April 21, 2020, June 2, 2020, July 7, 2020, July 30, 2020, August 18, 2020, September 15, 2020, October 6, 2020, November 4, 2020, December 1, 2020, January 6, 2021, February 2, 2021, March 2, 2021, April 6, 2021, May 4, 2021, June 1, 2021, June 15, 2021, July 20, 2021, August 3, 2021, September 7, 2021, October 5, 2021, November 2, 2021, December 7, 2021, January 4, 2022, February 1, 2022, March 1, 2022, April 5, 2022, May 3, 2022, June 7, 2022, June 14, 2022, and again on July 19, 2022; and

WHEREAS, the COVID-19 Omicron variant and its progeny (e.g., BA.2 and BA.5), which are even more transmissible than earlier variants, are on the rise globally and in the United States; and

WHEREAS, CNN reported on July 14, 2022, that a highly-transmissible new variant, BA.5, has become the leading cause of COVID-19 in the United States in just two months and that immunity from vaccinations or previous infections does not appear to provide much protection from BA.5 (even where someone was recently infected with variants like BA.1 and BA.2), and that experts continue to be concerned that at-home testing obscures the data and that true case increases may be as much as seven to ten times higher; and

WHEREAS, NPR reported on July 15, 2022, that the Mayo Clinic has described BA.5 as "hypercontagious" and that Dr. Gregory Poland, the head of the Mayo Clinic's Vaccine Research Group, has warned that "Whether you've been vaccinated, whether you've been previously infected, whether you've been previously infected and vaccinated, you have very little protection against BA.5 in terms of getting infected or having mild to moderate infection," although "You have good protection against dying, being hospitalized or ending up on a ventilator"; and

WHEREAS, the CDC indicates that a person's risk of exposure to COVID-19 infection is directly related to the risk of exposure to infectious persons, which is largely determined by the extent of COVID-19 circulation in the surrounding community; and

WHEREAS, CDC currently recommends using a combination of three metrics – new COVID-19 admissions per 100,000 population in the past 7 days, the percent of staffed inpatient beds occupied by COVID-19 patients, and total new COVID-19 cases per 100,000 population in the past 7 days – to assess the COVID-19 Community Level indicating the current level of community transmission; and

WHEREAS, as of Thursday, July 28, 2022, the CDC reports that the COVID-19 Community Level in Athens-Clarke County is high;

WHEREAS, according to the Georgia Department of Public Health COVID-19 update on Wednesday, July 27, 2022, (the "GDPH Update") Georgia now has 2,126,403 confirmed cases of COVID-19, including 28,266 confirmed cases in Athens-Clarke County; and

WHEREAS, according to the GDPH Update, 32,396 individuals in Georgia have died and 119,705 have been hospitalized after contracting COVID-19; and

WHEREAS, Georgia earlier experienced a significant surge in COVID-19 cases due primarily to the Omicron variant, having recorded on January 7, 2022, its highest single-day total of new COVID-19 cases since the pandemic began; and

WHEREAS, the White House released a statement on March 3, 2022, indicating that (1) COVID-19 "continues to pose a risk to the American people and our health care system," (2) that we must "be prepared for possible future variants," and (3) that terminating the national emergency at this time would "unnecessarily and abruptly curtail the ability… to respond to the COVID-19 pandemic;"

WHEREAS, the Center for Disease Control ("CDC") has issued guidance on the emerging and rapidly evolving situation of the COVID-19 pandemic, including how to protect oneself from this illness; and

WHEREAS, social distancing is recommended by the CDC to prevent the continued spreading of this illness in the community; and

WHEREAS, the CDC also advises that the use of masks or cloth face coverings will slow the spread of COVID-19; and

WHEREAS, on April 2, 2020, Governor Kemp signed an Executive Order to Ensure a Safe and Healthy Georgia (Governor's Executive Order 04.02.20.01) to address the COVID-19 pandemic by implementing temporary actions necessary and appropriate to protect the health, safety, and welfare of Georgia's residents and visitors; and

WHEREAS, subsequently, Governor Kemp issued a series of Executive Orders which amended and revised the temporary action necessary and appropriate to protect the health, safety, and welfare of Georgia's residents and visitors, the last such Executive Order expiring on July 1, 2021; and

WHEREAS, nevertheless, because of the continuing negative impacts of the COVID-19 pandemic on the State's economy, supply chain, and healthcare infrastructure, on June 30, 2021, Governor Kemp issued an Executive Order declaring there to be a State of Emergency in the State of Georgia and ordering that all resources of the State of Georgia shall be made available to assist in activities designed to address this emergency and aid recovery and response efforts and subsequently renewed that declaration on July 22, 2021, August 19, 2021, September 20, 2021, October 21, 2021, November 19, 2021, December 17, 2021, January 18, 2022, February 18, 2022, and March 21, 2022; and

WHEREAS, on April 14, 2022, Governor Kemp signed an Executive Order declaring a State of Emergency for Supply Chain Disruptions to address the continuing economic harms caused by the COVID-19 pandemic and subsequently renewed that declaration on May 10, 2022, May 26, 2022, and July 1, 2022; and; and

WHEREAS, on February 18, 2022, Joseph Biden, President of the United States, issued notice stating that the national emergency declared on March 13, 2020 (and later extended on both February 24, 2021 and February 18, 2022) concerning the COVID-19 pandemic is to continue in effect beyond March 1, 2022; and

WHEREAS, on July 19, 2021, Xavier Becerra, Secretary of the United States Department of Health and Human Services, renewed his determination (and that of former Secretary Alex M. Azar II) that a public health emergency exists and has existed since January 27, 2020, such prior renewals having been executed upon April 21, 2020, July 23, 2020, October 2, 2020, January 7, 2021, April 15, 2021, July 19, 2021, October 15, 2021, January 14, 2022, April 12, 2022, and July 16, 2022; and

WHEREAS, pursuant to the authority of O.C.G.A. § 38-3-28, local governments are specifically empowered to enact such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of Articles 1 through 3 of the Emergency Management chapter of the Official Code of Georgia, but such orders, rules, and regulations shall not be inconsistent with any orders, rules, and regulations promulgated by the Governor or by any state agency exercising a power delegated to it by him; and

WHEREAS, this emergency order is authorized by O.C.G.A. §§ 38-3-4 and 38-3-28, which authorize the Mayor and Commission to use emergency powers in O.C.G.A. §§ 38-3-1 through 38-3-64; and

WHEREAS, pursuant to O.C.G.A. § 38-3-6, during an emergency, O.C.G.A. §§ 38-3-1 through 38-3-64 are supposed to be liberally construed to effectuate their purposes; and

WHEREAS, on July 27, 2021, the CDC issued new guidance pursuant to which it recommends that to maximize protection from the Delta SARS-CoV-2 variant and to prevent possibly spreading it to others, persons, including those who are fully vaccinated, should wear a mask indoors in public if they are in an area of substantial or high transmission; and

WHEREAS, the CDC issued guidance (most recently updated on March 24, 2022) continuing to recommend mask wearing in public indoor spaces regardless of vaccination status in areas with a high community level (and in a medium community level when around those who are at high risk for severe disease) to maximize protection from COVID-19; and

WHEREAS, requiring the use of masks is a targeted response that can combat the threat to public health using the least restrictive means, and if people follow this requirement, more extreme measures may be avoided; and

WHEREAS, pursuant to Section 1-104 (d) of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the right, duty, power, privilege and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this Charter as fully and completely as if such powers were fully enumerated herein and to do and perform all of the acts pertaining to its property, affairs and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions; and

WHEREAS, pursuant to Sub-Sections (36) and (39) of Section 8-114 of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the following additional powers:

(17) Health: To prescribe and enforce heath and sanitation standards; and

(36) Emergencies: To provide for the determination, proclamation and combatting of emergencies; and

(39) General health, safety, and welfare: To define, regulate and prohibit any act, practice, conduct or use which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the unified government; and

WHEREAS, the United States Supreme Court has previously held that "[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members; and

WHEREAS, pursuant to this declaration, the Mayor and Commission of Athens-Clarke County, Georgia have determined that it is necessary to continue the previous provisions of its Twenty-Seventh Declaration and to additionally provide that persons within the jurisdiction of the Unified Government of Athens-Clarke County, Georgia, shall wear a mask over the nose and mouth indoors in public as described herein; and

WHEREAS, the following actions related to outdoor restaurant seating areas, outdoor retail areas, and the indoor mask mandate are necessary and appropriate to balance the public's interest in being free from undue restrictions with the compelling public interest of providing for the health, safety, and welfare of residents of Athens-Clarke County and the surrounding communities, particularly those individuals who are members of Vulnerable Populations or Other Populations at Risk; and

WHEREAS, in the judgment of the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia, with advice from other subject matter experts, there exist

emergency conditions as a result of COVID-19 within the geographical boundaries of the Unified Government as described in Section 1-102 of the Charter requiring extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Athens-Clarke County and the surrounding communities;

NOW, THEREFORE, the Commission of Athens-Clarke County, Georgia hereby ordains and declares that a local state of emergency continues to exist within the territorial limits of the Unified Government of Athens-Clarke, County, Georgia, and shall continue until the conditions requiring this declaration are abated.

NOW, THEREFORE, because of the local state emergency ordained and declared above, the Commission of Athens-Clarke County, Georgia hereby ordains and orders the following:

SECTION 1.
Indoor Mask Mandate

(a) The provisions of Section 1 of this Ordinance shall only be enforced when the COVID-19 Community Level in Athens-Clarke County is "high" according to the Centers for Disease Control.

(b) For purposes of this Ordinance, the following terms are hereby defined as follows:

(1) *Entity* means any private business, establishment, corporation, non-profit corporation, or organization, including the curtilage thereof.

(2) *Facial covering or mask* means a device to cover the nose and mouth of a person and impedes the spread of saliva, respiratory droplets, or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned as advised by the CDC

and from other suitable fabrics. The mask must cover the mouth and nose of the wearer.

(3) *Polling place* means the room provided in each precinct for voting at a primary or election.

(4) *Public place* means any place other than a personal vehicle, residential property, or an entity including the curtilage thereof.

(c) Except as otherwise provided in this Ordinance all persons in an entity or a public place shall wear a facial covering or mask over the mouth and nose at all times when indoors.

(d) Facial coverings or masks are not required in the following circumstances:

(1) In personal vehicles or upon residential property;

(2) When a person is alone in enclosed spaces or only with other household members;

(3) When the individual has a bona fide religious objection to wearing a facial covering or mask;

(4) While drinking or eating;

(5) When a licensed healthcare provider has determined that wearing a facial covering or mask causes or aggravates a health condition for the individual or when such person has a bona fide medical reason for not wearing a facial covering or mask;

(6) When wearing a facial covering or mask would prevent the receipt of personal services or performing work in the course of employment;

(7) When complying with the directions of a law enforcement officer or for the purposes of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;

(8) Children under the age of ten (10) years;

(9) When the individual is having difficulty donning or removing a face mask or face covering without assistance;

(10) At any polling place and no individual shall be denied ingress or egress to or from a polling place for failure to wear a facial covering or mask; and

(e) (1) Every entity subject to this Ordinance which does not consent to enforcement of this Ordinance upon its property shall post a clearly legible sign in one inch Arial font at all public entrances of such entity stating the following: "This location does not consent to enforcement of any local face covering requirement upon this property."

(2) If an entity does not post the signage described in subparagraph (1) of this paragraph it shall be conclusively presumed to have consented to enforcement of this Ordinance on its property and failures by individuals to wear facial coverings or masks as required by this ordinance shall be determined to be violations and enforced as contemplated in paragraph (f).

(f) Violations of this Section 1 may be enforced by a notice of ordinance violation issued by any police officer, code enforcement officer, or other authorized law enforcement official, as provided below:

(1) A person who fails to comply with paragraph (c) of Section 1 of this Ordinance shall be first given a warning and an opportunity to put on a facial covering or mask, leave the entity, or comply with one of the exceptions in paragraph (d) of Section 1.

(2) If the person violating this Ordinance refuses or fails to comply with this Ordinance after being given a warning pursuant to subparagraph (1) of this paragraph then such person may be subject to a civil penalty of not more than $25.00 on the first offense and not more than $50.00 on the second and any subsequent offenses.

(3) A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by Athens-Clarke County.

(4) Violations of this ordinance shall not be enforced against any entity and shall not be taken against any owner, director, officer, or agent of an entity for the failure of their customers to comply with this ordinance.

(5) Notwithstanding the foregoing, every effort shall be made to bring an individual into voluntary compliance with the terms of this Ordinance prior to issuance of any notice of violation, including providing complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.

(g) In all locations where facial coverings or masks are not required to be worn pursuant to this Ordinance, they are strongly encouraged to be worn.

SECTION 2.
Outdoor Retail Areas

Any provisions of the Alcoholic Beverages Ordinance which prohibit any person from having in his or her possession any alcoholic beverages in any open container be temporarily suspended as it applies to patrons or employees of any licensee possessing a Class D (retail liquor by the drink), D1 (retail liquor by the drink, low volume restaurant), E (retail beer by drink), or F (retail wine by the drink) license who is participating in the Outdoor Retail Area Program pursuant to policy number MGR-008D entitled "A Policy to Extend the Outdoor Retail Areas Pilot Program for the Remainder of 2020," and who are transporting, serving, or consuming alcoholic beverages in the Outdoor Retail Area as approved by the Athens-Clarke County Central Services Department or who are transporting alcoholic beverages across public streets, sidewalks or rights-of-way for the purpose of serving or consuming said beverages in said Outdoor Retail Area.

SECTION 3.

The Mayor and Commission adopt and make the findings discussed in the "Whereas" paragraphs the factual findings of the Mayor and Commission.

SECTION 4.

This Ordinance shall become effective at 8:00 a.m. on the next day following the Mayor's approval and will continue to be in effect until 11:59 p.m. on Wednesday, September 7, 2022, or until it otherwise extended, rescinded, superseded, or amended by an ordinance of the Commission.

SECTION 5.

Should any provision, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, paragraphs, sentences, or words of this Ordinance as

hereby issued shall remain in full force and effect. All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

SECTION 6.

The Clerk of Commission, in consultation with the County Attorney, shall have the power to correct scrivener's errors.

SECTION 7.

Copies of this Ordinance shall be: (1) promptly posted at Athens-Clarke County City Hall, 301 College Avenue, Athens, Georgia; (2) promptly posted on the www.accgov.com website; and (3) provided to any member of the public requesting a copy of this Order.

SO ORDERED AND ORDAINED this ___ day of August, 2022.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

_____
Kelly Girtz, Mayor

Attest: _____
Jean Spratlin, Clerk of Commission

P:\ORD ACC\Thirty-Third Ordinance Declaring Local Emergency related to COVID-19, 8-2-22.doc

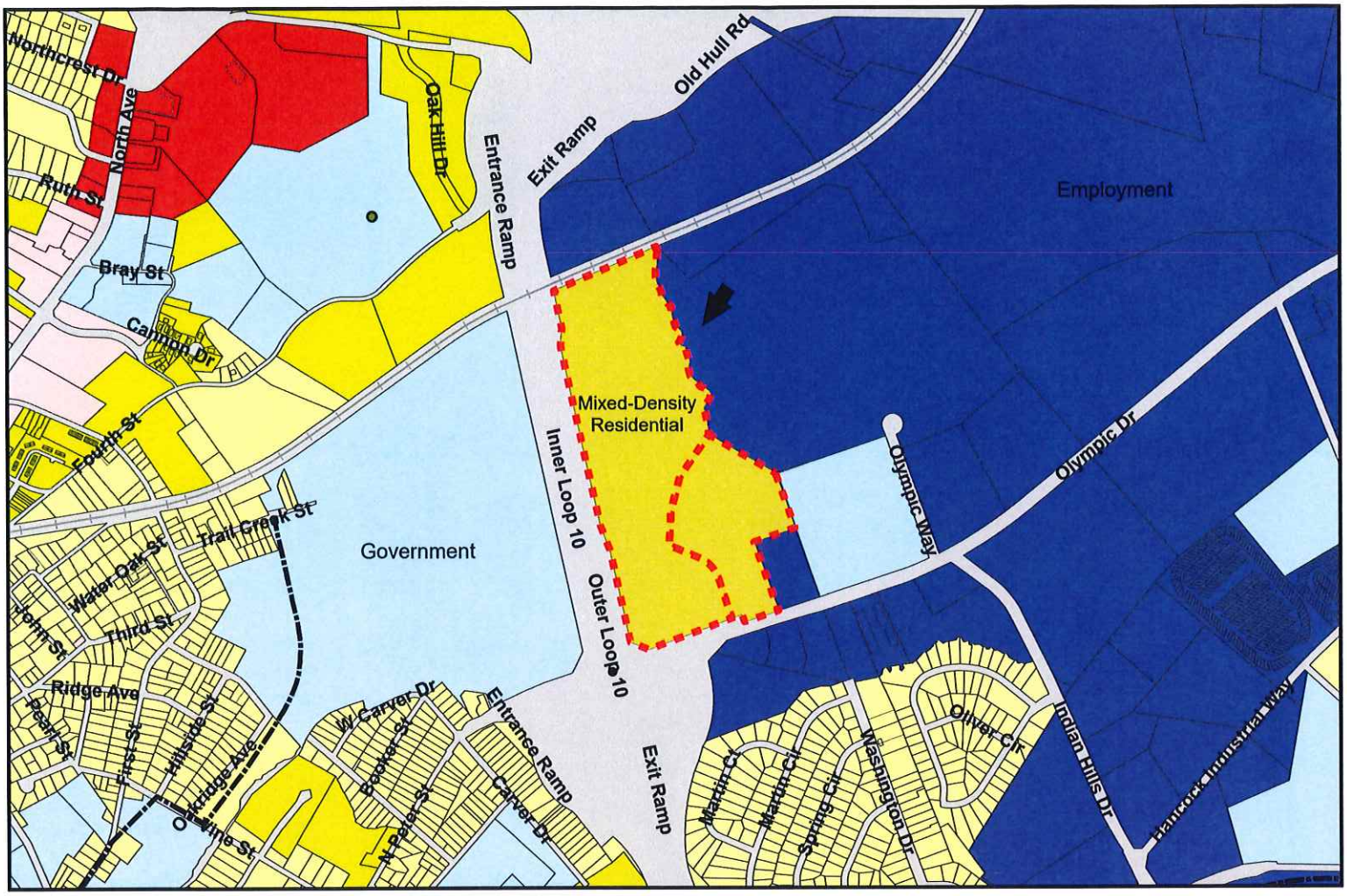
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING THE OFFICIAL FUTURE LAND USE MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION ON APPROXIMATELY 65.89 ACRES OF LAND LOCATED AT 505 & 515 OLYMPIC DRIVE FROM "EMPLOYMENT CENTER" TO "MIXED DENSITY RESIDENTIAL";** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Official Land Use Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future land use designation on approximately 65.59 acres of land located at 505 and 515 Olympic Drive, County tax parcel number 164 021 and 164 024H, from "Employment Center" to "Mixed Density Residential," as more fully shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Land Use Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Land Use Map and Exhibit A hereto are available for inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



Legend

- County Boundary
- City Boundary
- Parcel Boundary
- Building Footprint
- School
- A-CC Owned Parks and Open Space
- Other Parks and Open Space
- Transportation,Communication and Utilities
- Airport Hazard Zone
- Railroad
- Rails to Trails
- Proposed Road Widening
- Proposed New Road
- Intersection Realignment

Descriptions

- General Business
- Downtown
- Main Street Business
- Employment Center
- Government
- Mixed- Density Residential
- Traditional Neighborhood
- Single Family Residential
- Rural

EXHIBIT A	**PD-2022-03-608** **MASTER PLANNED DEVELOPMENT** **505 & 515 OLYMPIC DRIVE** *Michael Canady / Mill Creek Residential* *SFI Land, LLC & Wollmoor Properties, LLC*	N
MAP 526A		
FROM: **Employment Center**	TO: **Mixed-Density Residential**	0 400 Feet
TAX PARCEL # *164 021 & 164 024H*	PLANNING COMMISSION MEETING DATE *July 7, 2022*	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE *August 2, 2022*

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING TWO PARCELS OF LAND COMPRISING APPROXIMATELY 65.89 ACRES LOCATED AT 505 & 515 OLYMPIC DRIVE FROM E-I (EMPLOYMENT-INDUSTRIAL) & I* (INDUSTRIAL ZONING WITH CONDITION) TO RM-1 (PD) (MIXED DENSITY RESIDENTIAL, PLANNED DEVELOPMENT);** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

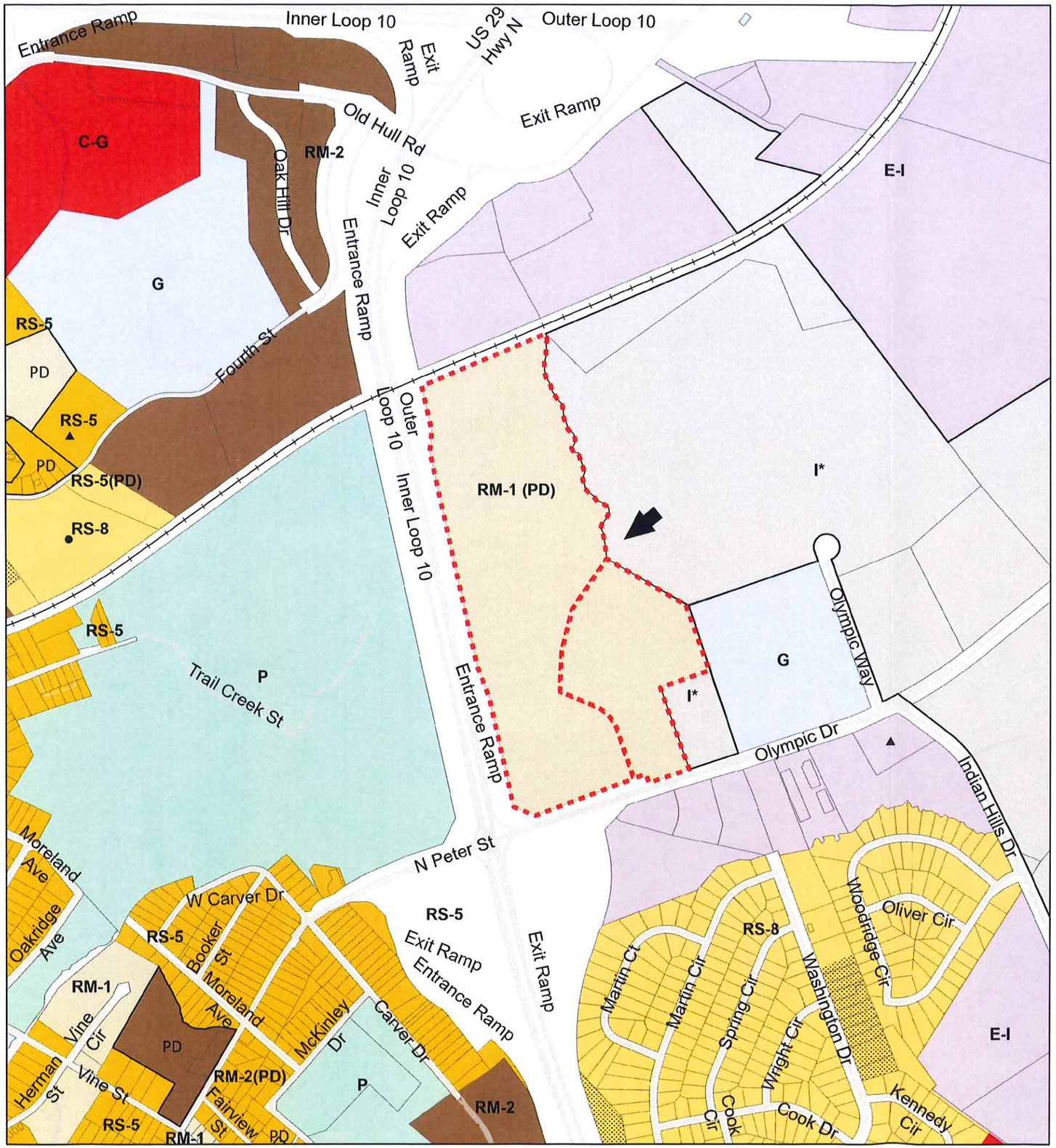
SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of two parcels of land comprising approximately 65.89 acres located at 505 and 515 Olympic Drive, Athens, Georgia from E-I (Employment-Industrial) & I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development) as shown on Attachment A hereto. Said affected parcels of land being more fully described in the master site plan entitled "Preliminary Plan for: 505 & 515 Olympic Drive Tax Parcel # 164 021 & 164 024H", dated April 22, 2022, prepared by and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

The parcels comprising the subject 65.89 acre tracts of land are also known as parcel numbers 164 021 and 164 024H on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of one sheet in total, entitled ""Preliminary Plan for: 505 & 515 Olympic Drive Tax Parcel # 164 021 & 164 024H", dated April 22, 2022, prepared by Alliance and stamped "Binding 7-12-22".

The binding written report associated with this ordinance consists of fourteen pages in total, is entitled "Millcreek Residential Amavi Athens Preserve-Application Report", dated May 24, 2022, and is stamped "Binding 7-12-22". Said report is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W, Dougherty Street, Athens, Georgia.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
  - *(ND)*, North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD — Planned Development
- * — Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

670 335 0 670 1,340 2,010 Feet

ATTACHMENT A	PD-2022-03-608 MASTER PLANNED DEVELOPMENT 505 & 515 OLYMPIC DRIVE Michael Cannady / Mill Creek Residential SFI Land, LLC & Wollmoor Properties, LLC	
526		
FROM: E-I & I*	TO: RM-1 (PD)	
TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
164 021 & 164 024H	July 7, 2022	August 2, 2022

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: PD-2022-03-608

LOCATION: 505 & 515 Olympic Drive
APPLICANT: Michael Canady / Mill Creek Residential
OWNER: SFI Land, LLC & Wollmoor Properties, LLC
REQUEST: From *Employment Center* to *Mixed Density Residential*
DISTRICT: 2

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Ms. Rowland made a motion to recommend denial. Ms. Kinman seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Michael Canady, Grant Whitworth
Against: None

Discussion: The Planning Commission discussed the lack of commercial and transit services in the area and the negative impacts of introducing residential use into the industrial area.

Motion: Ms. Rowland made a motion to recommend denial. Ms. Kinman seconded the motion, which passed unanimously.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: PD-2022-03-608

LOCATION: 505 & 515 Olympic Drive
APPLICANT: Michael Canady / Mill Creek Residential
OWNER: SFI Land, LLC & Wollmoor Properties, LLC
REQUEST: From E-I (Employment-Industrial) and I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development)
DISTRICT: 2

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Ms. Rowland made a motion to recommend denial. Ms. Kinman seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Michael Canady, Grant Whitworth
Against: None

Discussion: The Planning Commission discussed the lack of commercial and transit services in the area and the negative impacts of introducing residential use into the industrial area.

Motion: Ms. Rowland made a motion to recommend denial. Ms. Kinman seconded the motion, which passed unanimously.

STAFF REPORT
MASTER PLANNED DEVELOPMENT
CASE NUMBER PD-2022-03-608
505 & 515 OLYMPIC DRIVE
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Michael Canady / Mill Creek Residential
OWNER	SFI Land, LLC & Woolmoor Properties, LLC
REQUESTS	From *Employment Center* to *Mixed Density Residential*; From E-I (Employment-Industrial) & I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development)
TYPE OF REQUEST	Type I
LOCATION	505 & 515 Olympic Drive
COUNTY COMMISSION DISTRICT	2
SIZE OF REZONING AREA	65.89 acres
PRESENT USE	Undeveloped
PROPOSED USE	Multifamily residential
TAX MAP NUMBERS	164 021 & 164 024H
ADJACENT USES AND ZONING	(N) Railroad
	(E) Contractors supply stores / I*, undeveloped / I; post office / G
	(S) Olympic Drive
	(W) Outer Loop 10
STAFF RECOMMENDATIONS:	
Future Land Use	**Denial**
Zoning	**Denial**
PLANNING COMM. RECOMMENDATIONS:	
Future Land Use	**Denial**
Zoning	**Denial**

II. PURPOSE

The purpose of this request is to rezone 65.89 acres in two parcels located at 505 and 515 Olympic Drive from E-I (Employment-Industrial) and I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development) for a proposed residential development. A planned development includes a binding application report, site plan, and architectural elevations as a guarantee to the community that what is proposed will be constructed.

The subject properties were rezoned in 2005 from E-O (Employment-Office) and RM-2 (Residential Mixed Density) to E-O (PD) (Employment-Office, Planned Development) and RM-2 (PD) (Residential

Mixed Density, Planned Development) for a proposed mix of single-family homes, townhouses, and apartments, as well as 87,800 square feet of commercial/office space. The Planned Development was amended in 2008 to clarify setbacks on the E-O (PD) portion of the project and to incorporate "age restricted" residential uses in the RM-2 (PD) portion of the development. In 2013 the Planned Development was removed and the properties rezoned to E-I (Employment-Industrial). The I* (Industrial Zoning with Condition) portion was acquired in 2019 from the parcel at 545 Olympic Drive.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The two subject parcels totaling 65.89 acres are located at the intersection of Olympic Drive and the SR 10 Loop. The properties are currently undeveloped and are transected by Trail Creek with associated 75' riparian buffer, 100-year floodplain, and wetlands. An ACC sanitary sewer line and associated easement also crosses the property adjacent to the creek.

Adjacent properties to the north and to the south (across Olympic Drive) are undeveloped with E-I (Employment-Industrial) zoning. A large undeveloped tract to the west is zoned I (Industrial). The other adjacent parcel to the west is zoned I* (Industrial Zoning with Condition) and contains warehouse storage and distribution units. The zoning condition on part of the subject property at 515 Olympic Drive and on the adjacent property at 545 Olympic Drive is from a 2001 ordinance that prohibits the I (Industrial) zoning district from having a solid waste transfer station, commercial feedlot, or Level III uses listed in Section 9-11-5(A)(3).

IV. PROPOSED DEVELOPMENT

The proposal is for the construction of a residential development, consisting of 271 attached townhouse-style dwellings, with a total of 681 bedrooms, and a clubhouse/pool amenity lot.

Architectural renderings and detailed floor plans have been submitted with this application, which provide for one- and two- story units with either two and three bedrooms. All units would have front-loaded garages and individual driveways, while the two-story design would also provide rear porches. Exterior cladding would be a mix of cementitious-based siding and brick.

Two gated entrances are proposed off Olympic Drive. The amenity area would be publicly accessible with its parking lot access located outside the gated entrance. Sidewalks are proposed along both sides of the interior drives.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The Future Land Use Map indicates that the subject parcels have an *Employment Center* designation, which is described as follows:

Employment Center: These are areas of industry, office, research parks, and flex-space mixed uses. Two types of employment areas are distinguished in the land-use classifications for the specific properties. The first type is large-scale employment areas, which include large industrial areas, manufacturing, office

parks, and research centers. Housing is incompatible with these areas. As these areas are generally not visible from the main corridors of the community, design standards should only be employed within areas that are visible from main corridors and for buffering adjacent residential areas. The second type of employment area is smaller in scale and is appropriate to be in close proximity to a neighborhood area. Design standards regulating building placement, landscaping, and buffering should apply. Housing and small amounts of retail may be compatible in some areas.

The proposal is to rezone the subject property to RM-1, which is incompatible with the existing Future Land Use designation per the Compatibility Matrix in ACC Code Chapter 9-4. Therefore, the application includes a request to change the Future Land Use designation to *Mixed Density Residential*, which is described as follows:

These are residential areas where higher density residential development is allowed and intended. Limited nonresidential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation.

No properties have this FLU designation along Olympic Drive, which has a consistent Employment Center designation. The closest location for the proposed designation is a multifamily development on Fourth Street sitting catty-corner across the SR 10 Loop from the subject property.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN POLICIES

The following is a relevant 2018 Comprehensive Plan policy:

- Infill housing should be promoted and concentrated in areas near commercial nodes, providing easy access to everyday services.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to rezone 65.89 acres at 505 and 515 Olympic Drive from E-I (Employment-Industrial) and I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development) for a proposed residential development. Similar to the proposed FLU designation, the proposed zoning designation is also not currently found along Olympic Drive. The closest location is the multifamily development on Fourth Street on the other side of the SR 10 Loop.

One of the review criteria adopted by Athens-Clarke County for evaluating rezoning requests is whether the request would create an isolated zoning district. The only location of the proposed zoning designation in the immediate vicinity is across SR 10 Loop on Fourth Street. Olympic Drive itself has consistent Employment and Industrial zoning designations. All of the developed parcels along Olympic Drive have non-residential uses, and Staff has significant concerns with a potential negative deterrence on additional

investment for the development or redevelopment for nearby industrial properties due to perceived negative impacts (noise, odors, vibration, etc.) on the future residents within this proposed development.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards. No waivers have been requested with the master plan submittal.

RM-1 zoning allows a maximum of 16 bedrooms per acre and a maximum lot coverage of 55%; the proposal is compliant with 11.85 bedrooms per acre and 17% lot coverage. Scaled architectural elevations have not been provided, but the proposed dwellings must not exceed the maximum building height of 30 feet, and the minimum distance between two detached dwellings is one-half the height of the tallest building, but no less than 12 feet.
The Code restricts the same exterior design to no more than 30 units in a project. The application includes two architectural renderings; at least nine different exterior designs will be required, which can be achieved through different fenestration patterns, porches, rooflines, etc. The RM-zone design standards also require that half of the buildings have a front entrance porch of at least five-foot depth facing a public or private street; the provided architectural examples in the application report and the uniform block buildings on the site plan do not provide enough information to ensure this standard is being met.

RM-zone developments require that 15% of the property be dedicated to outdoor recreation space, passive and active, which for this development equals 9.88 acres. A second standard requires that 8% (5.27 acres) of the property be in active recreation space. The proposal provides for active recreation space with a clubhouse and pool and a playground/dog park/event lawn near the front of the property, and a mulch trail in the rear half of the property. These proposed improvements equate to roughly 2.2 acres of active space and 4.7 acres of total recreation space (given 50' credit for the proposed trail and an acre credit for the large common area between rear units, if not fenced for individual units). Therefore, the plan does not provide the required amounts of active and total recreation space. [Note: Other areas shown as open space on the site plan are indicated as forest regeneration areas on the tree management plan, and, thus, cannot be included in the recreation area calculation.]

Olympic Drive has existing frontage sidewalk along most of the subject property frontage. A sidewalk extension along the remaining frontage is required as shown on the site plan. The proposed streets inside the development will also have sidewalk.

The application report denotes that outdoor lighting will comply with the ACC lighting ordinance, which is found in Code Chapter 9-19.

Scaled architectural elevations are required for the clubhouse, which will need to comply with the design standards of Sec. 9-25-8(E). An accessible route from the parking to the building is also required.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The proposed planned development would introduce residential use into the industrial area along Olympic Drive. Both sides of the road from the SR 10 Loop to its end at Voyles Road have Employment or Industrial zoning, the only exceptions being a post office, day care and fire station. Staff has significant concerns with a potential negative deterrence on additional investment, the development or redevelopment for nearby industrial properties due to perceived negative impacts (noise, odors, vibration, etc.) on the future residents within this proposed development.

Athens-Clarke County has recently seen a significant increase of multifamily developments. In the past four years over 15,000 multifamily bedrooms have been either permitted for construction, are being processed through the plans review process, or are under consideration by the Planning Commission or Mayor and Commission. Taken into consideration with the other recent requests, the accumulative effect creates a significant impact on the balance of land uses in Athens-Clarke County.

II. POPULATION

The proposed development would have 681 bedrooms, the sixth largest multifamily bedroom count proposed in the last four years.

III. ENVIRONMENT

The Athens-Clarke County Environmental Areas Map shows 75' riparian buffer, 100-year floodplain, and jurisdictional wetlands. The site is almost completely wooded at this time.

The Athens-Clarke County Arborist has reviewed the provided Tree Management Plan (TMP) and has no tree-related comments at this time.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The proposed development would have sidewalk along the entire Olympic Drive frontage and on both sides of all proposed new streets within the development. Olympic Drive is not served by Athens Transit.

The master Planned Development application includes a traffic impact study, which calculates an expected trip generation of 2,472. The study noted that multiple approaches to nearby intersections already operate with an "inadequate LOS" (Level of Service), but concluded that the additional trip generation from the proposed development is "not expected to significantly impact the roadway network surrounding the proposed project site." No Olympic Drive travel lane improvements are proposed.

The Athens-Clarke County Department of Transportation and Public Works has reviewed the proposal and has no transportation-related comment at this time.

V. GRADING AND DRAINAGE

The site plan shows two large stormwater management areas, one on each side of the creek traversing the middle of the subject property.

The Athens-Clarke County Department of Transportation and Public Works has reviewed the proposal and has no comments on the proposed grading or drainage at this time.

VI. WATER AND SEWER AVAILABILITY

The ACC Public Utilities Department has the following comments:

- *ACC water and sanitary sewer are available to serve the proposed development.*
- *The development plan should provide for a water main extension along Olympic Drive to create a water loop (with taps on either side of the clubhouse).*
- *PUD does NOT recommend approval at this time.*

VII.FIRE PROTECTION

The ACC Fire Marshal has reviewed the plans and has the following comments:

- *ACCFES can provide fire protection without any fire services being affected or any additional cost for equipment or personnel.*
- *Additional fire hydrants are needed.*
- *Fire apparatus can access the project. A turnaround is not needed*
- *Buildings must have sprinkler systems, unless two-hour wall separation.*

RECOMMENDATIONS

I. STAFF RECOMMENDATIONS

Future Land Use – Denial
Zoning - Denial

The request is to rezone 65.89 acres in two parcels located at 505 and 515 Olympic Drive from E-I (Employment-Industrial) and I* (Industrial Zoning with Condition) to RM-1 (PD) (Mixed Density Residential, Planned Development) for a proposed residential development of 271 attached townhouse-style dwellings, with a total of 681 bedrooms, and a clubhouse/pool amenity lot. The request requires a corresponding change in the Future Land Use designations of the subject parcels from *Employment Center* to *Mixed Density Residential*.

As a reason for the rezoning to RM-1, the application report mentions the subject property proximity to SR Loop 10, downtown [1.7 miles via Peter Street and Oconee Street to Thomas Street], as well as Trail Creek Park. Another stated reason is the provision of quality housing for industrial area employees. However, the proposed location does not adhere to the Comprehensive Plan principle that infill housing should be promoted and concentrated in areas near commercial nodes, providing easy access to everyday services. Also, Olympic Drive is not served by Athens Transit.

Staff has concerns with both the proposed Future Land Use and Zoning Map amendments. One of the review criteria noted in the back of this Staff report is whether the request would create an isolated zoning district. The only location of the proposed designations in the immediate vicinity are across SR 10 Loop on Fourth Street. Olympic Drive itself has a consistent *Employment Center* Future Land Use designation with Employment and Industrial zoning designations.

Additional review criteria include whether there are substantial reasons why the property cannot be used in accordance with existing zoning, and whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. Staff is unaware of any reason why the property cannot be developed under its current E-I and I zoning, and also unaware of any changing conditions in the immediate area supporting the request. All of the developed parcels along Olympic Drive have non-residential uses, and Staff has significant concerns with a potential negative deterrence on additional investment for the development or redevelopment for nearby industrial properties due to perceived negative impacts (noise, odors, vibration, etc.) on the future residents within this proposed development.

Similar to the urgency to develop single-family subdivisions prior to the last recession, Athens-Clarke County is presently experiencing a rapid escalation of high density residential development. When the 781-bedroom proposal is taken into consideration with other countywide residential activity totaling over 15,000 bedrooms approved or under current consideration in the last four years, the cumulative effect creates a significant impact on the balance of land uses in Athens-Clarke County.

In addition, the provided plans require significant revision before they could be offered as binding development conditions of approval. The submitted plans do not meet the following Code standards:

1. The development plan should provide for a water main extension along Olympic Drive per the specifications of the Public Utilities Department.
2. Half of the buildings should have a front entrance porch of at least five-foot depth facing a public or private street.
3. Outdoor recreation space should constitute a minimum 15% of the property, and active recreation space constitute a minimum 8% of the property.
4. Scaled architectural elevations should be provided for the proposed dwellings and clubhouse.
5. Accessible parking and an accessible route from the parking to the clubhouse building should be provided.
6. The binding site plan should provide topographical contours.

II. PLANNING COMMISSION RECOMMENDATIONS

Future Land Use – Denial
Zoning - Denial

The Planning Commission considered the request at their regular meeting on July 7, 2022. The Planning Commission recommended denial of both the Future Land Use and Zoning Map amendments.

III. CURRENT STATUS

The proposal and the Planning Commission recommendation are scheduled for presentation to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to hear and take final action on this request on August 2, 2022.

REPORT FOR: **505 & 515 OLYMPIC DRIVE**

Zoning Criteria for Type I Applications

1. The Future Development Map and its intended outcome, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.

2. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.

3. Public facility elements of the Comprehensive Plan and how the proposed change will affect the provision of the services anticipated in the plan.

4. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.

5. The existing land use pattern surrounding the property in issue.

6. The possible creation of an isolated district unrelated to adjacent and nearby districts.

7. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.

8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.

9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

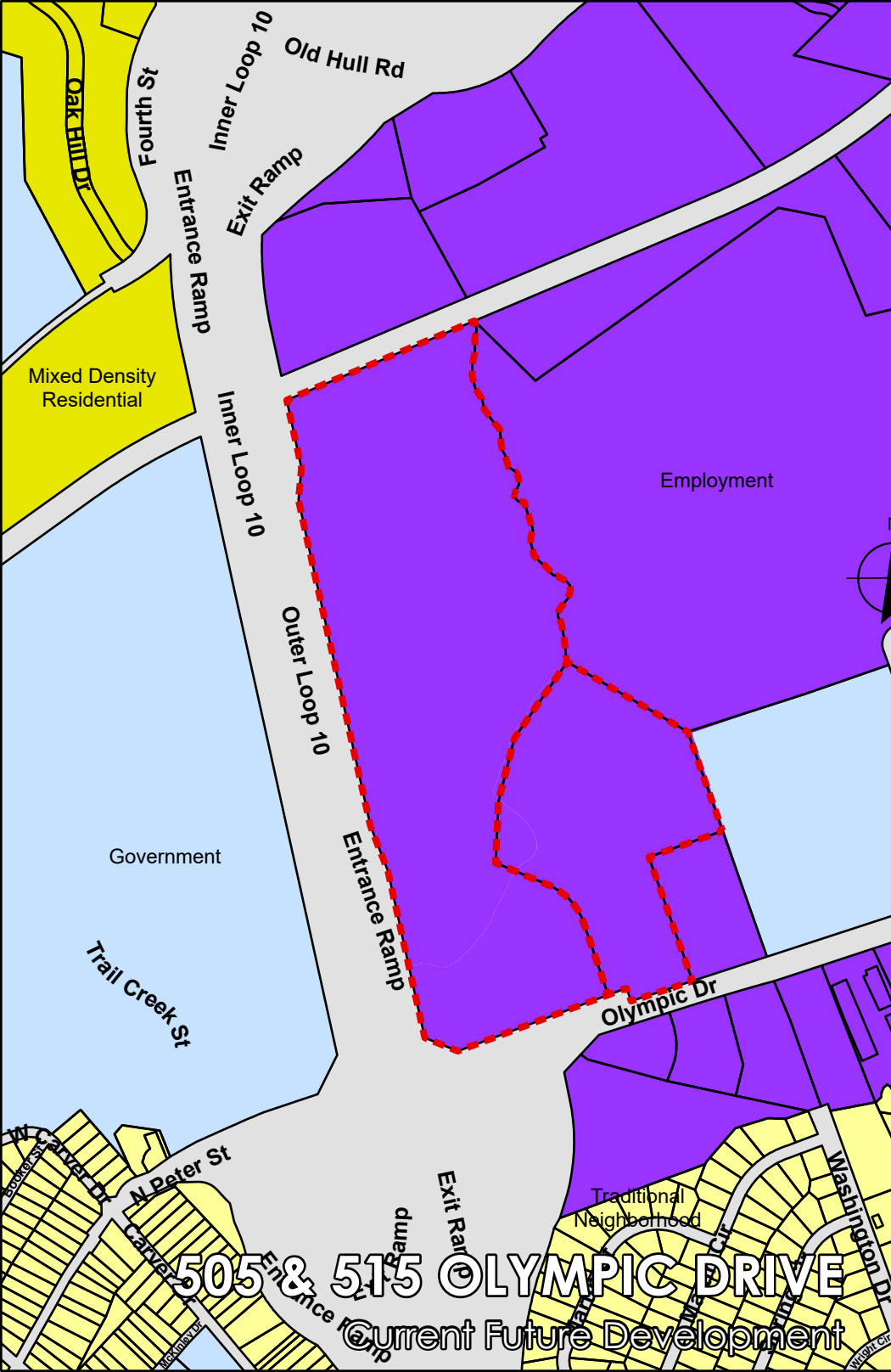
10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

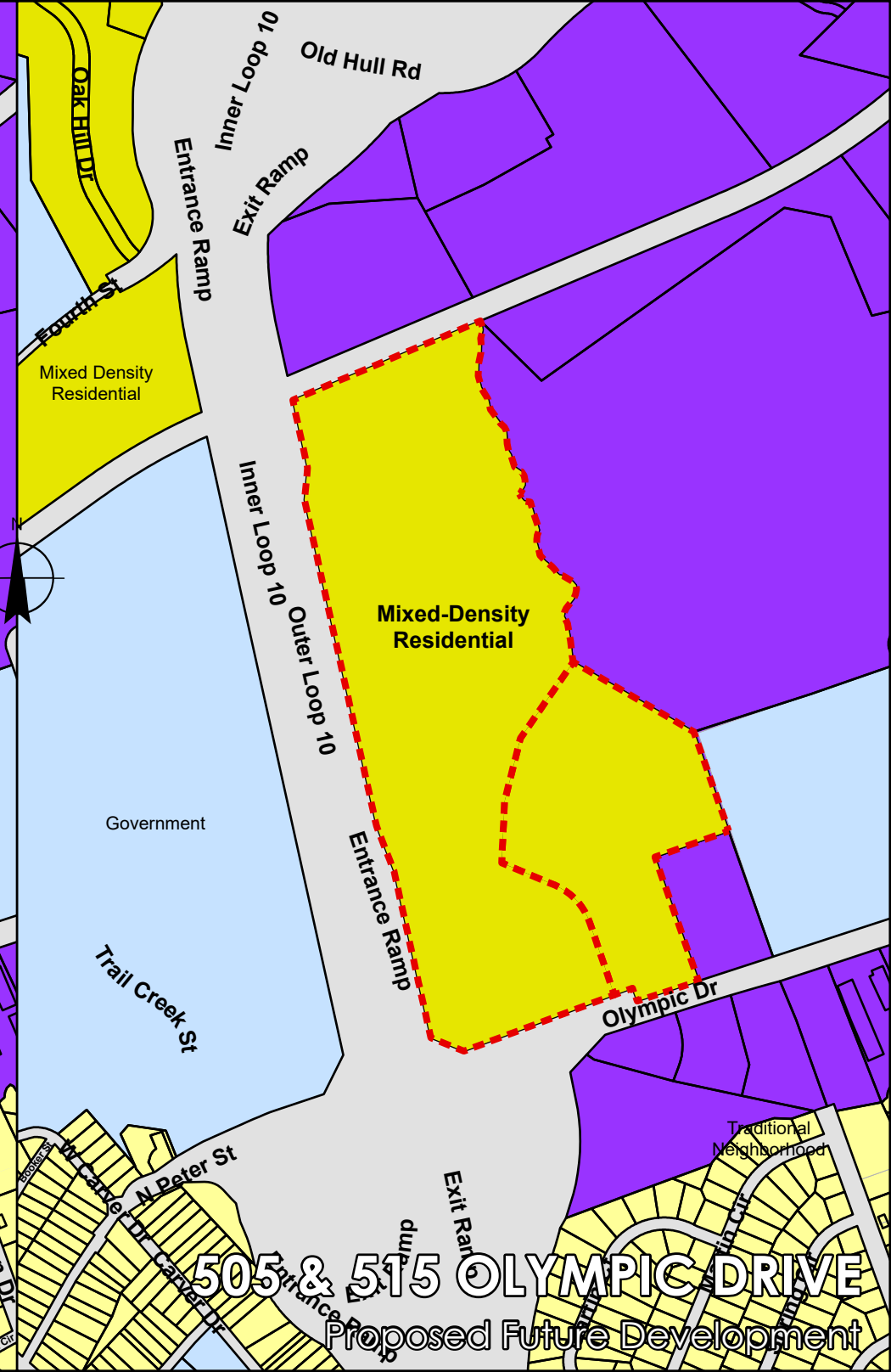
11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment.

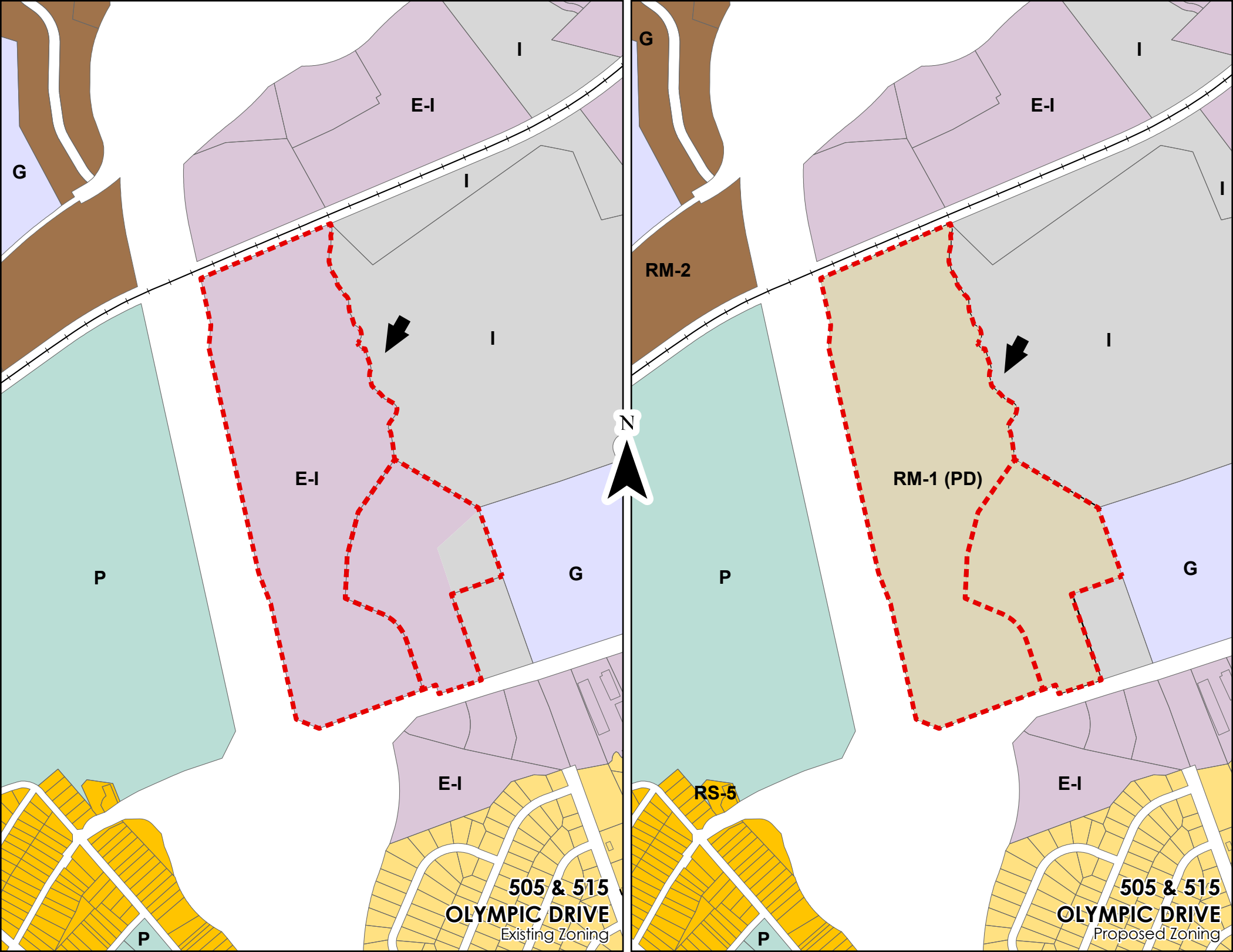
12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

13. Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.

Public Notice: In accordance with Section 9-4-9(E), public notice of this zoning request was last posted on or near the subject property on June 22, 2022.


Oak Hill Dr
Fourth St
Inner Loop 10
Old Hull Rd
Exit Ramp
Entrance Ramp
Mixed Density Residential
Inner Loop 10
Employment
Outer Loop 10
Government
Entrance Ramp
Trail Creek St
Olympic Dr
W Carver Dr
N Peter St
Traditional Neighborhood
Washington Dr
505 & 515 OLYMPIC DRIVE
Current Future Development


Oak Hill Dr
Inner Loop 10
Old Hull Rd
Entrance Ramp
Exit Ramp
Fourth St
Mixed Density Residential
Inner Loop 10
Outer Loop 10
Mixed-Density Residential
Government
Entrance Ramp
Trail Creek St
Olympic Dr
Traditional Neighborhood
N Peter St
W Carver Dr
505 & 515 OLYMPIC DRIVE
Proposed Future Development


G
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505 & 515
OLYMPIC DRIVE
Existing Zoning
N
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E-I
I
RM-2
I
RM-1 (PD)
P
G
E-I
RS-5
P
505 & 515
OLYMPIC DRIVE
Proposed Zoning

To: Planning Commission
From: Planning Staff
Date: June 30, 2022

Re: Attached letter from Chamber of Commerce

Attached is a letter from the Chamber of Commerce that had been sent in response to a recently requested rezoning request on Spring Valley Road. Staff finds that many of its concerns could be applied as well to the proposed Olympic Drive rezoning on your July 7th meeting agenda.

ATHENS AREA
CHAMBER OF COMMERCE

November 2, 2021

Attn: Brad Griffin
Planning and Zoning Department
Athens-Clarke County Unified Government
P.O. Box 1868
Athens, GA 30603

Dear Brad,

The Athens Area Chamber of Commerce is a membership-based organization with over 800 members employing over 11,000 people. Our work is focused on creating an environment in which businesses can flourish for years to come.

As you know, Clarke County is the smallest county in Georgia and, as such, we really have to be highly conscientious as to how remaining land will be used. Land that is, by all indications, most effectively used for industrial purposes must be zoned accordingly. The property on 1310 Spring Valley Road (289.476 acres) is critical for the continued economic growth of this county. Through the Staff Recommendation report, it is noted that the property was zoned for Industrial purposes as early as the 1960's. In 2002, the property owner (presumably to stave off property tax increases) asked that the property be converted to Agricultural. With the adoption of the 2018 Future Land Use Map this property was designated as an Employment Center. The current property owner is now requesting the property to be zoned as an E-I property.

We strongly support the rezoning to an E-I designation. Virtually all contiguous property has a similar designation meeting this meeting the best, most effective utilization of the property. Athens must maintain and grow as an employment center for the region. This property is a vital component of the growth as determined by the interest it has received.

We are grateful for the consideration of the Planning Board on this request.

Sincerely,

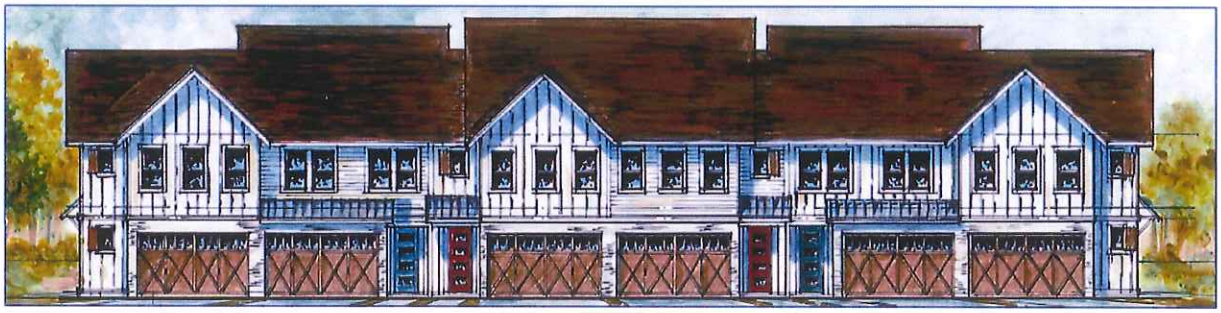
David Bradley
President/CEO

Binding
R Cie 7-12-22

MILL CREEK
RESIDENTIAL

Amavi Athens Preserve – Application Report

05/24/2022



Prepared by:

Michael Canady

Vice President, Land Acquisition

Mill Creek Residential

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Executive Summary..... 1
Existing Site Description..... 2
Existing Surrounding Conditions..... 3
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EXECUTIVE SUMMARY

The proposed Planned Development is for a Mill Creek Residential multifamily townhome community. Currently, the property is vacant land. The proposed development would consist of 310 for rent townhomes, with a mix of 2 bedroom one-story and 3 bedroom two-story units. The community will have first class amenities, including a pool, clubhouse, fitness center, dog park, and gated entrances.

The proposed development would improve the site by providing high-quality housing in a location that is convenient to downtown Athens. The one-story (ranch style) townhomes will appeal to the active adult demographic (aged 50+ years old), while the two-story product will appeal to young professionals and families looking for proximity to downtown and Loop 10.

Although the subject property is currently zoned for an industrial use, lies within the Employment future land use, and has adjacent uses that are industrial, the property is also within a few hundred feet of Trail Creek Park, Mixed Density Residential, and Traditional Neighborhood future land uses. The applicant believes that a multifamily community would provide a complimentary use to its industrial neighbors, as those employment centers will need quality housing for their employees.

The proposed development will provide a unique, high quality alternative to existing multifamily product. Mill Creek Residential plans to own and operate the proposed neighborhood for at least 10 years and hopes to become an excellent neighbor within the Athens Community.

Existing Site Description

The site is located at 505 and 515 Olympic Drive, Athens, GA 30601. The 64 acre site is an irregular shape and is bounded by Loop 10 to the west, a railroad to the north, Olympic Drive to the south, and employment centers to the east, including an industrial warehouse and a United States Postal Service Office. Trail Creek runs through the center of the site. The current Athens Clarke County Future Land Use Map indicates that the subject parcel is in the Employment future land use classification, and the site is currently zoned E-I and E-O.



Existing Surrounding Conditions

The subject site is surrounded by varying uses. West of the site is Loop 10, in addition to an on ramp that leads to Loop 10. Trail Creek park is located on the opposite side of the highway.



To the north is a railroad track with vacant land currently zoned E-I. The south is bounded by Olympic Drive, and there is currently vacant industrial land on the other side of the road. The neighbor to the east is a pair of industrial buildings, which sell plumbing and electrical supplies.

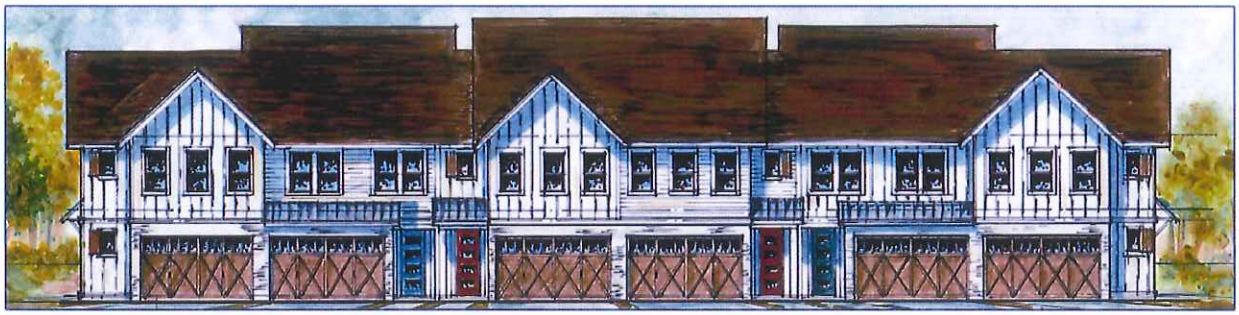


Proposed Land Use

The proposed development is a multifamily townhome community. The rental community shall have 310 townhomes on one plat. Homes will range in size from 1,100 to 1,700 square feet, and the community will feature an amenity area.

The proposed use is not permitted within the current E-I and E-O zoning districts, which is why we are seeking a re-zoning to RM-1. Although the property is adjacent to industrial uses, it is also within 1,000 feet of multiple residential uses and a large park.

The homes will be constructed with a mix of cementious based siding and brick exteriors. Other architectural elements include columns, shutters, and garages.





Congruence with Surrounding Uses

The area surrounding the subject property has a mix of uses, including active industrial properties, vacant industrial land, a major highway, a park, and residential uses within 1,000 feet of the property.



Proposed Future Land Use and Zoning Considerations

The developer is requesting a re-zoning from E-I and E-O to RM-1 and a change in future land use from Employment to Mixed Density Residential.

Traffic Analysis

Mill Creek employed Keck + Wood to perform a traffic analysis on the subject property. Below are their findings.

TRIP GENERATION

The traffic that would be generated by the proposed development was estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual (TGM) 11th Edition. The trips expected to be generated by this development were determined using ITE Land Use Code 215 – Single-Family Attached Housing; the independent variable used to calculate the number of generated trips was number of dwelling units. Table 1 provides a breakdown of the anticipated trip generation information.

Table 1 - Trip Generation

Land Use Code 215 - Single-Family Attached Housing 331 Dwelling Units		Weekday			AM Peak Hour			PM Peak Hour		
		Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Total Car Trips		2472	1236	1236	166	51	115	195	111	84
Pass-By Trips	*0% AM / 0% PM*	0	0	0	0	0	0	0	0	0
New Trips	*(Total Trips - Pass-by Trips)*	2472	1236	1236	166	51	115	195	111	84

The data in the ITE TGM indicates there are no pass-by trips associated with this land use. Therefore, all the trips associated with this development will be new trips. In the AM Peak, it is anticipated that more vehicles will be exiting the proposed development, whereas in the PM Peak more vehicles are anticipated to enter the proposed development.

A traffic impact study is currently being developed for the proposed development and will be submitted to Athens-Clarke County Unified Government as soon as it is completed. The traffic impact study will evaluate the existing roadway infrastructure with the proposed development built.

Lighting

Lighting to be utilized on the site shall be in the form of street lighting throughout the community. Light poles, consistent with other residential neighborhoods, shall be placed intermittently between townhome buildings. All signage shall also have lighting built into the structure. Lighting choices have been made to provide safety and security to tenants, reduce light spillage onto neighboring properties, enhance the architectural features, and conserve energy. The proposed lighting intensity will comply with the ACC lighting ordinance.

Water, Sanitary Sewer, and Stormwater

Alliance Engineering has been retained by Mill Creek to perform all engineering on the site. Alliance has been in contact with ACC Public Utilities and Public Works to discuss our water, sanitary sewer, and stormwater management plan. Below are comments from those discussions.

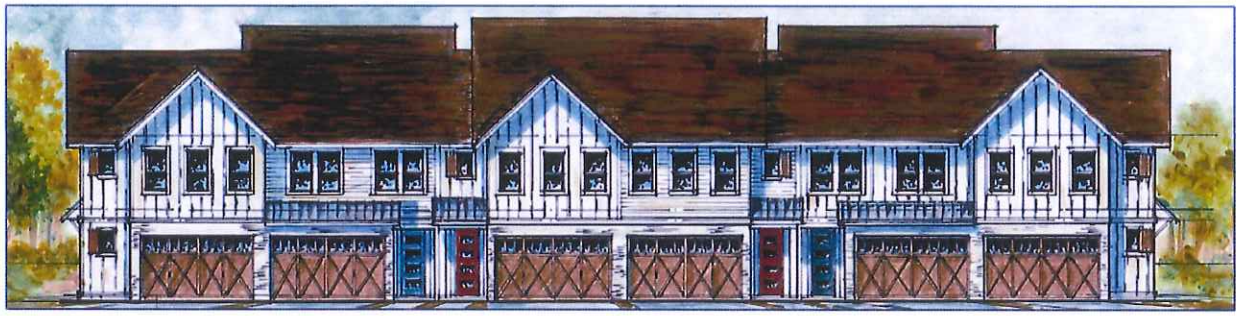
ALLIANCE reached out to Athens/Clark County (A/CC) Planning Department for guidance on establishing pre-submittal reviews by the Economic Development Department (EDD), Public Utilities Department (PUD) (water and sewer departments) and Public Works Department (PWD) (stormwater department). The PUD responded, directing ALLIANCE to prepare and submit a request letter that includes: the name of the proposed development, street address, tax parcel identification number, proposed density of the development (number of units and total number of beds), the zoning designation, proposed domestic water and sanitary sewer demands, location map, and plan showing proposed development. The PUD further advised ALLIANCE that the fee for evaluations is $150 for sanitary sewer and $50 for water. The PUD estimated at least a week to review all submitted information, with requests for follow-up information after that. Currently, the requested information has been submitted to the PUD and is under review.

ALLIANCE heard back from the PWD regarding setting up a stormwater plan review meeting. The PWD requested an existing conditions plan sheet that shows all the environmental areas/resources to accompany the site plans already submitted by ALLIANCE. The PWD advised ALLIANCE that, due to a busy schedule, they would reach out with a meeting date once one became available during the week of 2/28/22 – 3/4/22.

Ongoing Maintenance

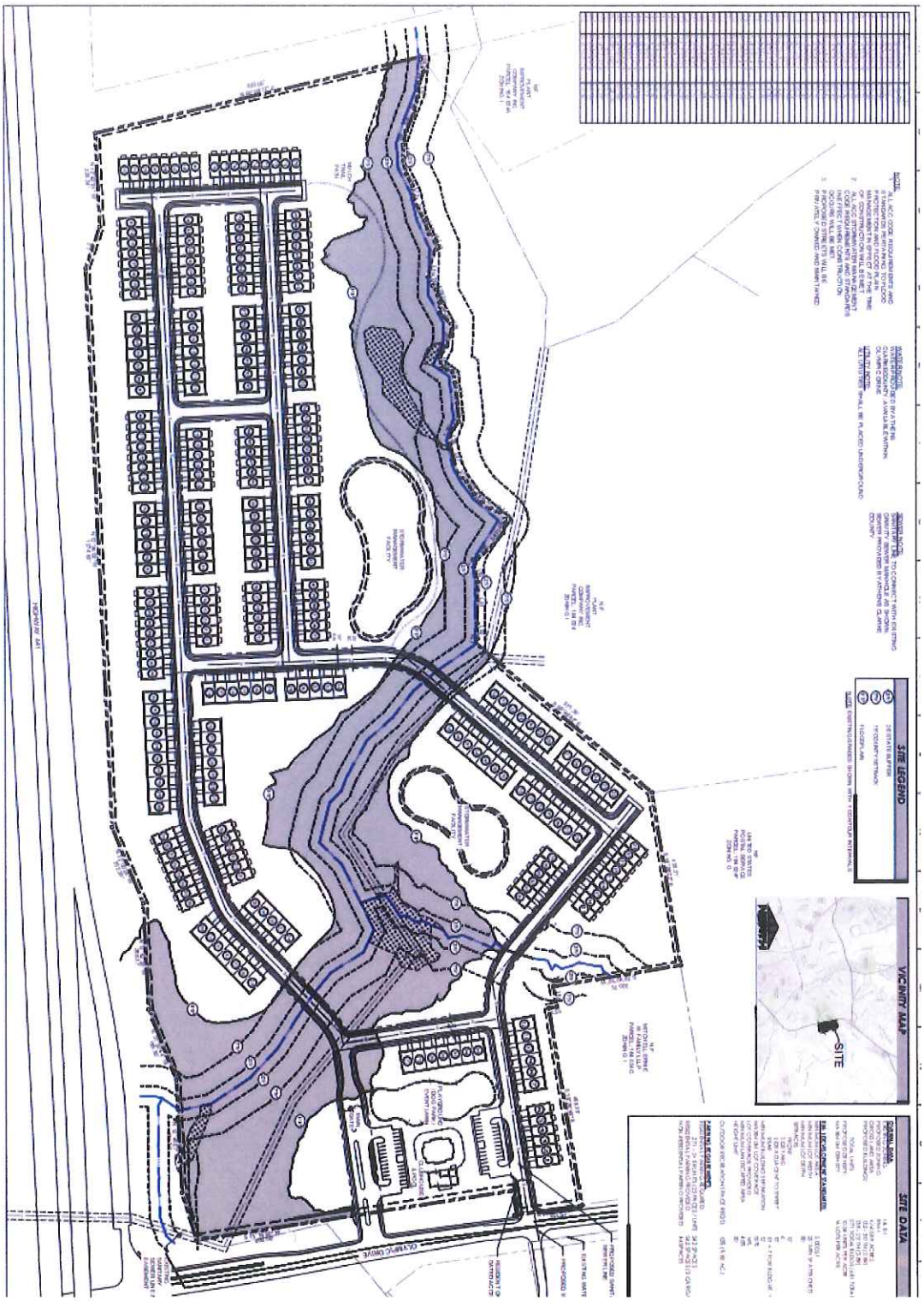
Mill Creek will be the owner of the property. Mill Creek will be responsible for all the maintenance of the premises. Mill Creek prides itself in quality, well maintained facilities, and invests in long term capital improvements as necessary. Mill Creek owns and operates over 20,000 homes across 79 communities in the United States and continually exceeds averages in industry surveys from ORA and Kingsley for online reputation and resident satisfaction. Maintenance is handled through an in-house facility support division that is responsible for the maintenance of all facilities, and the coordination with outside contractors for landscaping and grounds maintenance.

Proposed Plans and Elevations

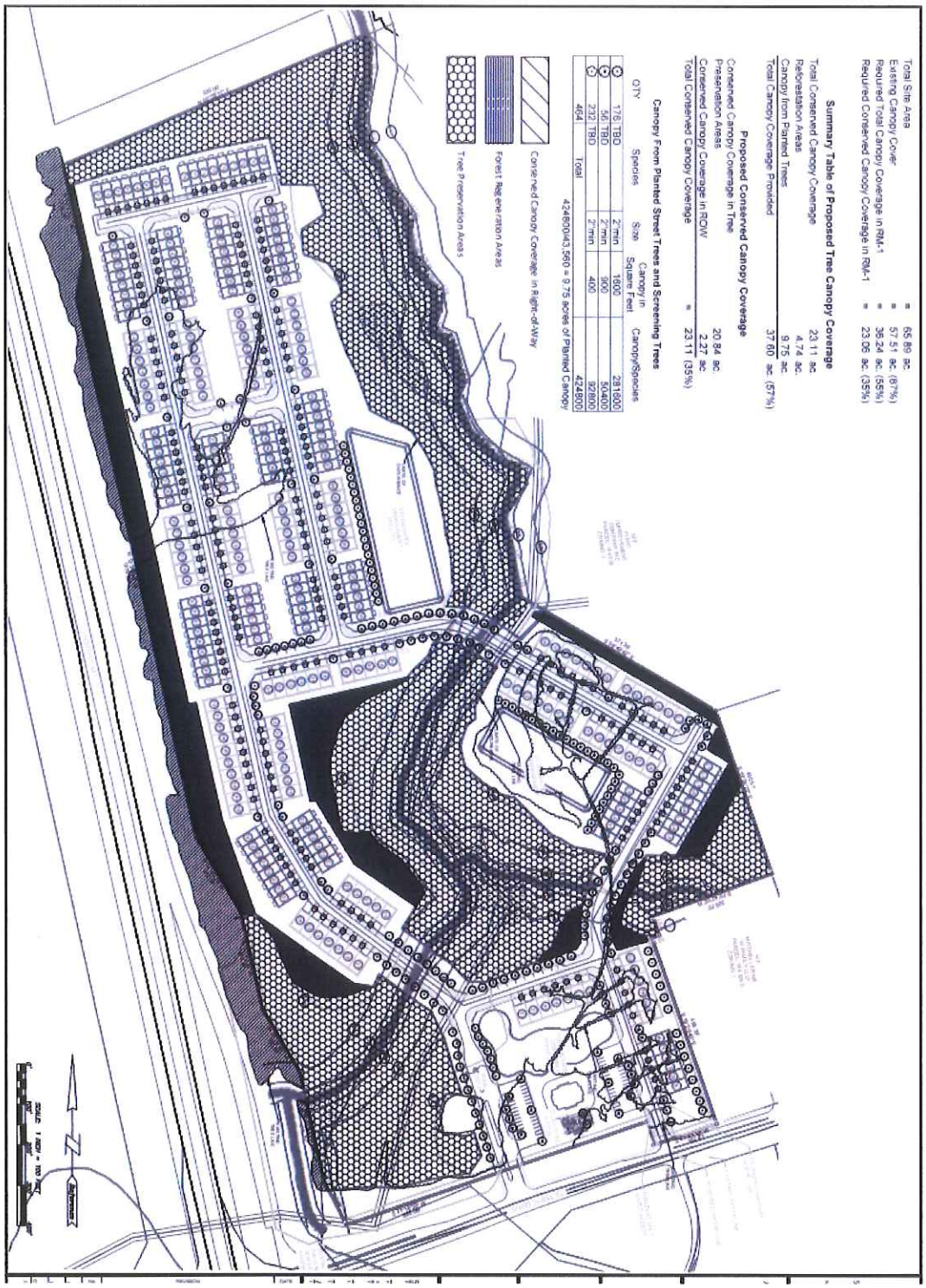




Proposed Preliminary Site Plan



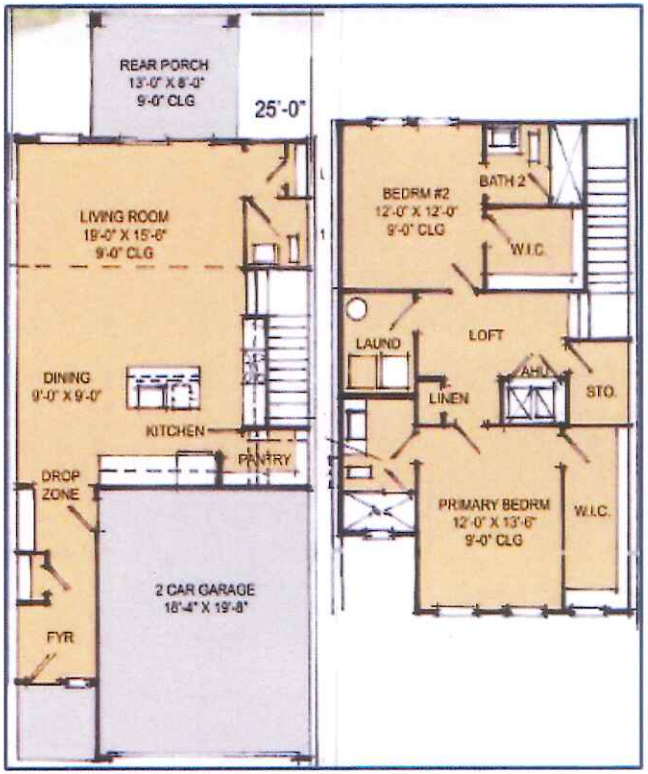
Tree Management Plan

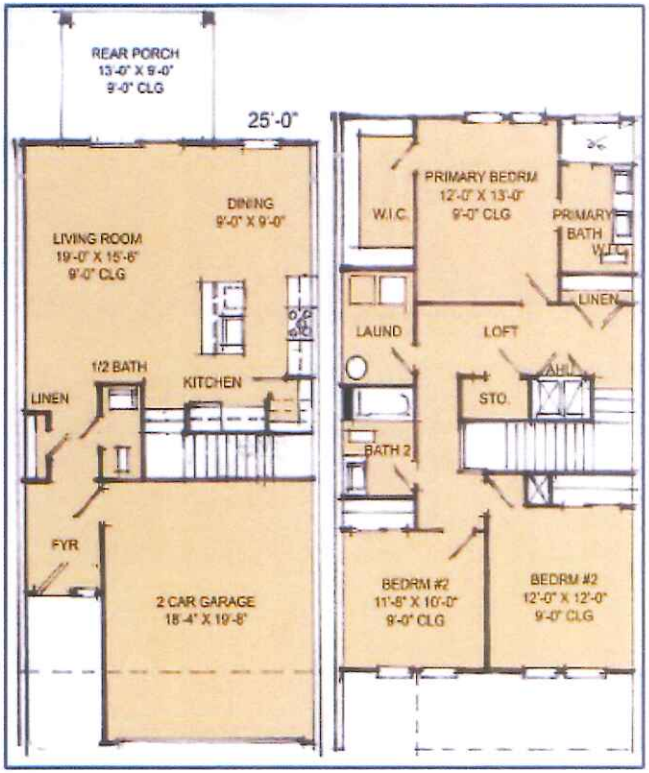


MILL CREEK RESIDENTIAL

Width: 25’
Depth: 55’
Stories: 2
Heated SF: 1,599 – 1,701

Beds: 2-3
Baths: 2.5
Garage: 2 Car



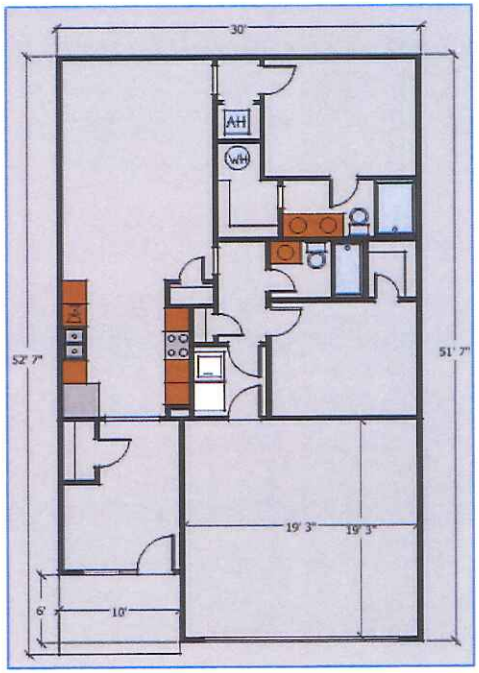




PEOPLE • PLACES • RELATIONSHIPS

Width: 30’
Depth: 52’
Stories: 1
Heated SF: 1,139 – 1,400

Beds: 2-3
Baths: 2
Garage: 2 Car





Plot Date: Tuesday, May 24, 2022 10:09:47 AM

LINE	BEARING	DISTANCE
L1	N 27°12'26" W	121.65'
L2	N 09°09'25" E	107.70'
L3	S 18°47'38" E	6.52'
L4	S 25°51'51" E	30.87'
L5	S 12°10'38" W	29.58'
L6	S 02°37'32" E	35.10'
L7	S 03°38'50" W	45.29'
L8	S 14°09'21" W	42.31'
L9	S 02°29'43" W	35.56'
L10	S 10°55'51" E	36.01'
L11	S 21°17'28" E	33.56'
L12	S 38°09'37" E	32.18'
L13	S 14°49'43" E	33.40'
L14	S 37°24'24" E	59.47'
L15	S 28°58'14" E	34.77'
L16	S 50°48'49" E	22.75'
L17	S 14°25'56" E	20.25'
L18	S 12°33'02" W	32.40'
L19	S 09°10'31" E	38.37'
L20	S 36°12'57" E	23.14'
L21	S 53°11'29" E	12.79'
L22	S 27°31'37" E	14.67'
L23	S 25°33'14" E	18.83'
L24	S 08°56'37" E	24.80'
L25	S 56°05'14" E	39.35'
L26	S 21°56'58" E	13.11'
L27	S 08°09'24" W	44.04'
L28	S 22°48'28" W	30.12'
L29	S 17°20'34" E	29.19'
L30	S 83°43'20" E	28.27'
L31	S 24°54'07" E	28.07'
L32	S 15°44'59" E	51.02'
L33	S 14°03'36" E	44.97'
L34	S 27°44'25" W	22.54'
L35	S 17°38'38" W	21.64'
L36	S 17°29'32" E	17.71'
L37	S 23°07'49" E	21.51'
L38	S 57°50'20" E	33.59'
L39	S 41°03'30" E	36.09'
L40	S 35°24'12" E	21.31'
L41	N 85°26'27" E	8.88'
L42	S 64°01'48" E	26.56'
L43	S 79°45'53" E	26.16'
L44	S 49°09'08" E	20.66'
L45	S 12°02'51" E	9.73'
L46	S 03°06'36" W	26.11'
L47	S 30°17'16" W	36.68'
L48	S 38°09'31" W	50.83'
L49	S 15°56'49" W	22.66'
L50	S 24°08'16" E	37.58'
L51	S 09°11'02" E	102.06'
L52	S 11°03'17" E	36.31'
L53	S 14°53'10" W	10.67'
L54	S 19°49'55" E	50.57'
L55	S 70°37'48" W	20.10'
L56	N 18°30'11" W	59.96'

NOTE:
1. ALL ACC CODE REQUIREMENTS AND STANDARDS PERTAINING TO FLOOD PROTECTION AND FLOOD PLAIN MANAGEMENT IN EFFECT AT THE TIME OF CONSTRUCTION WILL BE MET.
2. ALL ACC STORMWATER MANAGEMENT CODE REQUIREMENTS AND STANDARDS IN EFFECT WHEN CONSTRUCTION OCCURS WILL BE MET.
3. PROPOSED STREETS WILL BE PRIVATELY OWNED AND MAINTAINED.

WATER NOTE:
WATER PROVIDED BY ATHENS CLARKECOUNTY; AVAILABLE WITHIN OLYMPIC DRIVE

UTILITY NOTE:
ALL UTILITIES SHALL BE PLACED UNDERGROUND

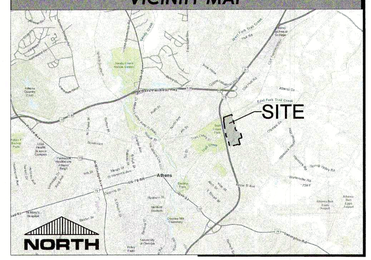
SEWER NOTE:
SANITARY LINE TO CONNECT WITH EXISTING GRAVITY SEWER MANHOLE AS SHOWN. SEWER PROVIDED BY ATHENS CLARKE COUNTY.

SITE LEGEND

25'	25' STATE BUFFER
75'	75' COUNTY SETBACK
FP	FLOODPLAIN

NOTE: EXISTING GRADES SHOWN WITH 1' CONTOUR INTERVALS

VICINITY MAP



SITE DATA

OVERALL DATA:

EXISTING ZONING	I & E-I
PROPOSED ZONING	RM-1
GROSS LAND AREA	+/-65.89 ACRES
PROPOSED BUILDINGS:	132 - 30' TH (2 BR) 139 - 25' TH (3 BR)
TOTAL UNITS:	271 TOTAL BLDGS (681 TOTAL BR)
PROPOSED DENSITY:	10.36 UNITS PER ACRE
MAXIMUM DENSITY	16 LOTS PER ACRE

RM-1 DEVELOPMENT STANDARDS:

MINIMUM LOT AREA	5,000 SF
MINIMUM LOT WIDTH	25' MIN SF ATTACHED
MINIMUM LOT DEPTH	80'
SETBACKS	
FRONT	15'
SIDE YARD	6'
SIDE ADJACENT TO STREET	10'
REAR	10' + 1' FOR BLDG HT. >25'
MINIMUM BUILDING SEPARATION	12'
MAXIMUM LOT COVERAGE	55%
LOT COVERAGE PROVIDED	16%
MINIMUM LANDSCAPED AREA	45%
HEIGHT LIMIT	30'
OUTDOOR RECREATION SPACE REQ'D:	15% (9.88 AC.)

PARKING REQUIREMENTS:

RESIDENTIAL PARKING REQUIRED:	
271 - 2+ BR UNITS (2 SPACES / UNIT)	542 SPACES
RESIDENTIAL PARKING PROVIDED:	542 SPACES (2 CAR GARAGE)
ADD'L RESIDENTIAL PARKING PROVIDED:	70 SPACES

N/F
PLANT
IMPROVEMENT
COMPANY INC
PARCEL: 164 024A
ZONING: I

N/F
PLANT
IMPROVEMENT
COMPANY INC.
PARCEL: 164 024
ZONING: I

N/F
UNITED STATES
POSTAL SERVICE
PARCEL: 164 024F
ZONING: G

N/F
MITCHELL ERNIE
W FAMILY LLLP
PARCEL: 164 024G
ZONING: I

430.51'
S 19°28'22" E

571.36'
S 59°49'24" E

320.75'
S 20°42'10" W

488.39'
S 19°26'49" E

N 69°58'03" W
1,199.58'

N 12°42'01" W
229.24'

N 12°36'00" W
1374.82'

N 32°05'26" W
202.39'

N 12°42'33" W
260.37'

N 31°32'44" W
185.82'

N 12°40'27" W
276.70'

S 11°49'50" W
800.08'

STORMWATER MANAGEMENT FACILITY

STORMWATER MANAGEMENT FACILITY

MULCH TRAIL PATH

PROPOSED SANITARY SEWER LINE

EXISTING WATER LINE

PROPOSED WATER LINE

RESIDENT ONLY GATED ACCESS

PLAYGROUND / DOG PARK / EVENT LAWN

CLUBHOUSE & POOL

MAIN GATE

OLYMPIC DRIVE

EXISTING SANITARY SEWER LINE & EASEMENT

HIGHWAY 441

Binding
R.C.e 7-12-22

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE • LAND SURVEYING
299 South Main St., Suite A | Alpharetta, GA 30009
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NOT RELEASED FOR CONSTRUCTION

Mill Creek Residential
3715 Northside Parkway, Building 200 Suite 440
Atlanta, Ga. 30327

Preliminary Plan for:
505 & 515 Olympic Drive
TAX PARCEL # 164 021 & 164 024H

Orig. Issue	1.25.22
Designed by	GB
Checked by	BW
Project #	21365

NORTH

SCALE: 1"=100'
0 100

ZONING PLAN

4.22.22

File Location: e:\dropbox (oep)\01-civil projects\00-projects\mill creek residential\21365 - olympic tract\02-design\04wg01\concept\21365 - olympic tract concept 3.dwg, 5/24/2022 10:09:47 AM, DWG To PDF.pc3

E:\Dropbox (OEP)\01-civil projects\00-Projects\Mill Creek Residential\21365 - Olympic Tract\02-Design\Dwg\01-Concept\21365 - Olympic Tract Concept 3.dwg, 5/24/2022 10:09:47 AM, DWG To PDF.pc3

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING A PLANNED DEVELOPMENT COMPRISING APPROXIMATELY 15.13 ACRES AND LOCATED AT 100, 106, 179 & 185 TIMOTHY PARK LANE IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT)**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by modifying a planned development for four parcels of land comprising approximately 0.439 acre, located at 100, 106, 179 and 185 Timothy Park Lane, Athens, Georgia in the C-N (PD) (Commercial-Neighborhood, Planned Development) District. Said affected parcels are more fully described in that certain site plan entitled "Village Park at Timothy Planned Development Master Plan" said site plan having a date of July 29, 2014, revised October 3, 2014, last revised March 4, 2022, prepared by W&A Engineering, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The original planned development amended by this ordinance is described in that certain ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE EXISTING PLANNED DEVELOPMENT, ZONED C-N (PD) (COMMERCIAL NEIGHBORHOOD, PLANNED DEVELOPMENT) ON 35 PARCELS OF LAND AT 455 EPPS BRIDGE PARKWAY," which was adopted by the Commission on November 4, 2014 (hereinafter the "November 2014 Ordinance").

The subject parcels comprising approximately 0.439 acre are also known as parcel numbers 123A8 B098, 123A8 B001, 123A8 F001 and 123A8 F002 on the Athens-Clarke County tax maps, being on file and available for pubic inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County shall be noted on said Official Zoning Map in the office of the Clerk of Commission at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of one sheet in total, entitled "Village Park At Timothy Planned Development Master Plan," dated July 29, 2014, revised October 3, 2014, last revised March 4, 2022, and stamped "Binding 7-12-22".

The binding written report associated with this ordinance consists of two pages in total, is entitled "Village Park at Timothy Planned Development Amendment," dated July 7, 2022 and is stamped "Binding 7-12-22". Said report is on file and available for public

inspection in the office of the Athens-Clarke County Planning Department, 120 W, Dougherty Street, Athens, Georgia.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	**FILE NO: PD-2022-03-610**

LOCATION: 100, 106, 179 & 185 Timothy Park Lane
APPLICANT: Scott Haines / W&A Engineering
OWNER: Keystone Custom Homes, LLC
REQUEST: Amendment to C-N (PD) (Commercial-Neighborhood, Planned Development)
DISTRICT: 10

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Tucker made a motion to recommend approval w/ condition. Ms. Rowland seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Justin Crighton, Mike Castronis
Against: Kathy Krueger
Rebuttal: Justin Crighton

Discussion: The Planning Commission discussed the proposed return to the originally approved number of single-family lots and the review of driveway locations by the Transportation and Public Works Department.

Motion: Mr. Tucker made a motion to recommend approval with the following condition:

1. Prior to Mayor & Commission consideration, the application report shall be revised to denote the inclusion of 185 Timothy Park Lane in the proposed Planned Development amendment and to correct the misidentification of tax parcel 123A8 B098.

Ms. Rowland seconded the motion, which passed unanimously.

STAFF REPORT
PLANNED DEVELOPMENT AMENDMENT
CASE NUMBER PD-2022-03-610
100, 106, 179 & 185 TIMOTHY PARK LANE
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Scott Haines / W&A Engineering
OWNER	Keystone Custom Homes, LLC
ZONING REQUEST	Amendment to C-N (PD) (Commercial-Neighborhood, Planned Development)
TYPE OF REQUEST	Type II
LOCATION	100, 106, 179, 185 Timothy Park Lane
COUNTY COMMISSION DISTRICT	10
SIZE OF REZONING AREA	15.13 acres (0.439 acres amended in this request)
PRESENT USE	Commercial & Single-Family Residential
PROPOSED USE	Commercial & Single-Family Residential
TAX MAP NUMBERS	123A8 B098, 123A8 B001, 123A8 F001, 123A8 F002
ADJACENT USES AND ZONING	(N) Church / Conditional Use in RS-8 (Single-Family Residential); Duplexes / RM-1 (Mixed Density Residential)
	(E) Single-Family Dwellings / RS-25
	(S) (across Timothy Rd) Single-Family Dwellings / RS-25
	(W) Multi-Family Dwellings, Offices / C-O (PD) (Commercial-Office Planned Development); (across Epps Bridge Pkwy) Single-Family Dwellings / RS-15
STAFF RECOMMENDATION:	**Approval w/ condition**
PLANNING COMM. RECOMMENDATION:	**Approval w/ condition**

II. PURPOSE

The purpose of this request is to amend an existing C-N (PD) (Commercial-Neighborhood, Planned Development) to add two additional developable lots for single-family houses and to divide the previously approved amenity lot into a greenspace lot and a building lot. The request for a Planned Development amendment includes a new binding site plan.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The 15.13-acre development is located in western Athens-Clarke County on the east side of Epps Bridge Parkway and Ruthwood Lane and on the north side of Timothy Road. The property was originally rezoned to C-N (PD) in January 2005 for a mixed-use development combining commercial, multifamily and single-family residential uses. In 2008, an amendment to the Planned Development was approved for a bank drop-

tube kiosk, which was constructed in the commercial parking area. In 2014, an amendment to the Planned Development was approved to replace 21 previously approved multifamily dwellings with five additional single-family residential lots and to provide for an amenity lot with a neighborhood swimming pool.

The Planned Development at this time consists of one commercial building of 19,918 sf, 91 associated parking spaces, 15 single-family houses, a public street named Timothy Park Lane, and a privately-maintained alley. Two additional commercial buildings, 11 additional single-family dwellings and the amenity lot approved with the previous Planned Development requests have yet to be constructed. The development is not located within a local or National Register historic district, nor does it have a historic landmark designation.

To the north is a church, which is zoned as a Conditional Use in a RS-8 (Single-Family Residential) district, and a duplex subdivision zoned RM-1 (Mixed Density Residential). To the south, across Timothy Road, and to the east are single-family dwellings with RS-25 zoning. To the west is a C-O (PD) (Commercial-Office Planned Development) with an office building and residential condominiums. Also to the west, across Epps Bridge Parkway, are single-family dwellings zoned RS-15.

IV. PROPOSED DEVELOPMENT

The proposed Planned Development is requesting two changes. The first request is to divide the previously approved amenity lot, also known as 179 Timothy Park Lane (that was added in the 2014 amendment at the request of the current owner), into a greenspace lot and a developable single-family lot. The second request is to subdivide the parcel addressed as 100 Timothy Park Lane (identified as Lot 8 in the previously approved master site plan) into two separate developable single-family lots. The approval of these requests would result in a net increase of two total lots, bringing the overall total to 27 developable single-family lots.

Single-family lots in C-N zones are required to meet the minimum standards for RS-5 zones. The proposed single-family lots meet the minimum standards established by RS-5 zoning for subdivisions with more than two acres and five lots, which require 40’ lot widths and street frontage. Single-family construction would adhere to the minimum 10' front building setbacks*, 6' side setbacks, 10’ side street setbacks, and 10' rear setbacks. [*Previous approval reduced the front setback from 15’ to 10’.]

The application report states that no changes are proposed to the commercial portion of the Planned Development. The current proposal does not include commercial or residential architectural renderings. Therefore, the current binding commercial elevations will remain in effect. Architectural designs of the new homes will be expected to comply with all zoning regulations established by Section 9-7-3, the site-design standards established 9-25-8(B), and all other standards applicable to the development of single-family homes since no waivers have been requested with this proposed amendment.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The current Future Land Use Map indicates that the subject parcels and all others within the Village at Timothy Park have a *Traditional Neighborhood* designation. This designation is described as follows:

Traditional Neighborhood

These are medium density neighborhoods with traditional quality developments. These areas should include well-connected street systems, sidewalks, street trees, and a variety of housing types. Homes are often built close to the street with front porches. Garages are set back farther than the homes and porches. Traditional Neighborhood areas support single-family residences, duplexes which resemble large homes, and townhouses. Strict design standards should be implemented to ensure appropriateness of design and to protect neighborhood character. Limited commercial and other nonresidential uses designed at a neighborhood scale are encouraged, but only in areas close to principal and minor arterial routes that have good access to transit.

The C-N zoning designation and the *Traditional Neighborhood* Future Land Use designation are deemed compatible per the Compatibility Matrix in Table 9.4 of the Athens-Clarke County Code.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN POLICIES

Some of the relevant 2018 Comprehensive Plan policies:

- Infill housing should be promoted and concentrated in areas near commercial nodes, providing easy access to everyday services.
- Identify areas that could potentially be developed for unique neighborhoods with smaller houses and a cohesive theme
- Our neighborhoods will be vibrant, safe, and stable places where residents interact with each other and have access to a range of diverse housing types, public spaces, and services.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to amend an existing Planned Development with an underlying C-N zoning designation. The existing zoning is not requested to be changed, and is compatible with the *Traditional Neighborhood* Future Land Use designation.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal. The existing Planned Development has previously been approved with the following waivers:

- Several encroachments into the 75’ riparian buffer
- Reduced front yard setback from 15’ to 10’

No additional waivers are being proposed; therefore, the development would be expected to adhere to all other ordinance standards.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

This proposal for a planned development includes the creation of two additional single-family residential lots. The development would not cause a significant change in the balance of land uses in Athens-Clarke County.

II. POPULATION

The overall population of the immediate region would increase with this proposal as the request includes two additional residential lots in the development, which currently has 26 lots and 15 existing houses. Census data indicate 2.59 persons per household for Athens-Clarke County, so the population would expect to increase by approximately five people.

III. ENVIRONMENT

The Athens-Clarke County Environmental Areas Map and the submitted site plan indicate the presence of riparian buffers within the boundaries of the proposed Planned Development. The 25-foot State Waters buffer and the 75-foot local riparian buffers are indicated on the plan.

The C-N (Commercial-Neighborhood) zoning district standard for conserved tree canopy is 15% of the site, or 98,855 sf. The proposal indicates that the conserved canopy would decrease to 230,340 sf (34.95% of the overall site), which significantly exceeds the requirement. The required overall canopy is 45% of the site. The proposed site plan indicates that the proposed total tree canopy would be a compliant 375,940 sf or 57.04%.

A tree management plan has been submitted as part of this proposal for review by the Athens-Clarke County Arborist, who has no comments at this time. Without a requested waiver or variance to tree management standards, the Planned Development will be expected to comply with all ACC tree management standards .

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The existing access points along Epps Bridge Parkway, Ruthwood Lane, and Timothy Road will remain unchanged. Public sidewalk already exists along the developed street frontages and will be extended as other areas of the project are developed. Athens-Clarke County Transit does not serve the area. While the potential trip generation would be expected to increase slightly, it would not increase any more than what was approved with the original Planned Development.

The Transportation & Public Works Department has reviewed the proposal and has no traffic-related comments.

V. GRADING AND DRAINAGE

The application does not indicate a grading plan. It is presumed that minimum grading would occur as the proposed lots have already been graded per previous plans. The site drains to an existing stormwater

detention facility in the open space portion of the project. The Transportation & Public Works Department has reviewed the proposal and has no grading or drainage comments at this time.

VI. WATER AND SEWER AVAILABILITY

The Public Utilities Department reports that Athens-Clarke County water and sanitary sewer are available.

VII. FIRE PROTECTION

The Athens-Clarke County Fire Marshal has reviewed this request and found that fire service protection can be provided for this project without any services being affected or additional cost.

RECOMMENDATIONS

I. STAFF RECOMMENDATION – Approval w/ condition

The purpose of the Planned Development amendment is to revert back to a previous rendition of the single-family portion of the development with 28 buildable lots, adding two buildable lots to the current binding plan. The C-N zoning is consistent with the existing *Traditional Neighborhood* Future Land Use designation, so a Future Land Use Map amendment is not required. Staff has no concern with the actual proposed amendment to the Planned Development to add two buildable lots. The reduction of the amenity lot would only decrease the proposed open space from 4.103 acres (27.12%) to 3.94 acres (26.04%), which is still well above the required 5% requirement. Overall residential density would not exceed the allowable density for single-family subdivisions in the C-N zone.

Staff notes that those who purchased lots in the development since 2014 may have done so with the understanding that the current binding plan offers a pool/amenity lot. However, Staff also notes that the proposed house lots were previously approved as house lots on previous binding plans for the development.

The lots meet the zoning standards and any new houses would also be required to meet all applicable zoning requirements, such as building height and setbacks, architectural design, parking spaces, lot coverage, frontage sidewalk and street trees. House construction on the subject property is also regulated by recorded neighborhood covenants, which are cited in the application report and privately enforced.

Therefore, Staff recommends approval with the following condition:

1. Prior to Mayor & Commission consideration, the application report shall be revised to denote the inclusion of 185 Timothy Park Lane in the proposed Planned Development amendment and to correct the misidentification of tax parcel 123A8 B098.

II. PLANNING COMMISSION RECOMMENDATION – Approval w/ condition

The Planning Commission considered the request at their regular meeting on July 7, 2022 and recommended approval with the following condition:

1. Prior to Mayor & Commission consideration, the application report shall be revised to denote the inclusion of 185 Timothy Park Lane in the proposed Planned Development amendment and to correct the misidentification of tax parcel 123A8 B098.

III. PLAN UPDATE

Since the Planning Commission meeting the application report has been revised to satisfy the recommended approval condition.

IV. CURRENT STATUS

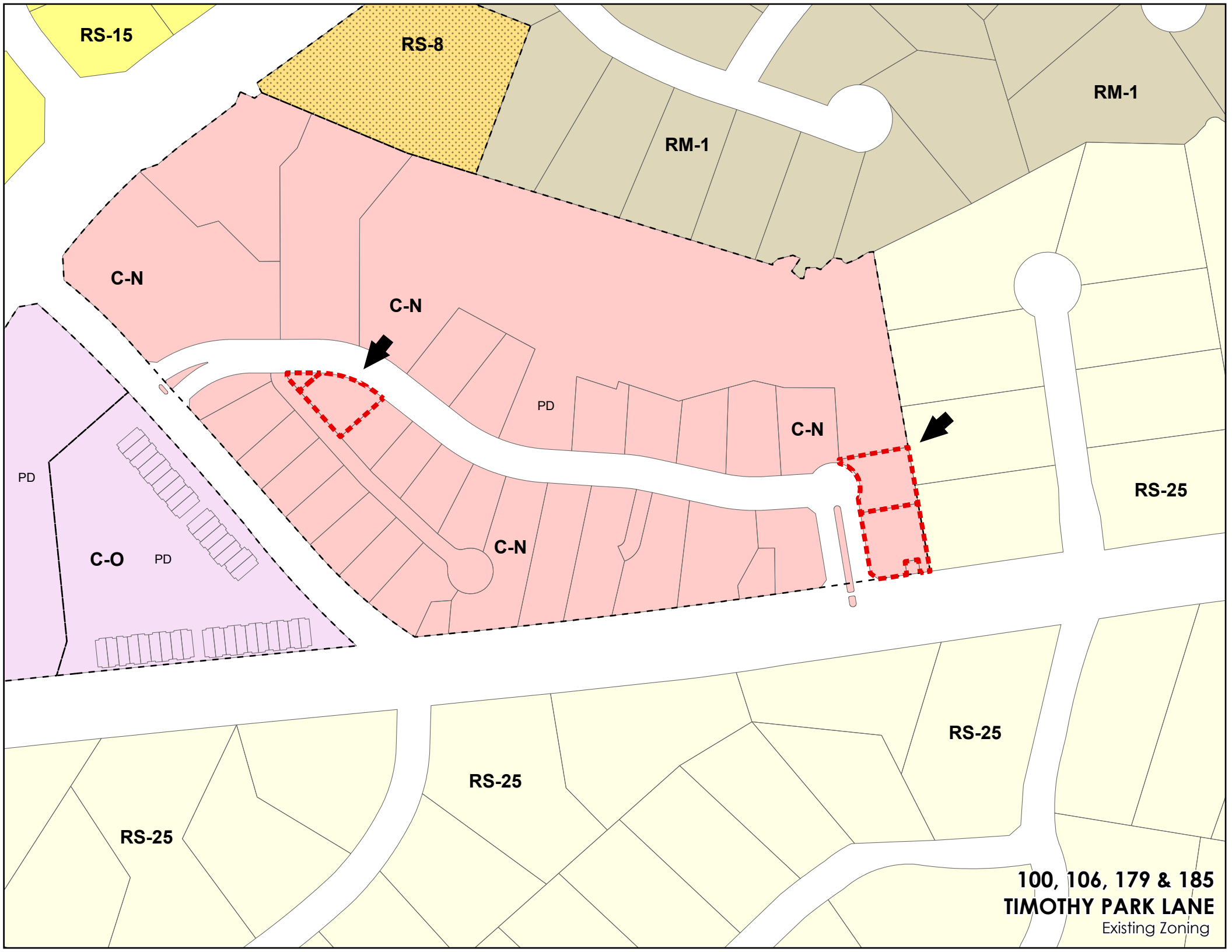
The request and the Planning Commission recommendation are scheduled for presentation to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to take action on this request on August 2, 2022.

Report for 100, 106, and 179 Timothy Park Lane

Zoning Criteria for Type II Applications

X		1. The proposed rezoning conforms to the future development map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
	X	2. The proposed special use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
X		3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.
X		4. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
X		5. Existing land use pattern surrounding the property in issue
X		6. Possible creation of an isolated district unrelated to adjacent and nearby districts
X		7. Population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities and streets
X		8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures
X		9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity
X		10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations
X		11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment
X		12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area
X		13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal

Public Notice: In accordance with Section 9-4-9(E), public notice of this zoning request was last posted on or near the subject property on June 22, 2022.


RS-15
RS-8
RM-1
RM-1
C-N
C-N
PD
C-N
C-N
PD
C-O
PD
RS-25
RS-25
RS-25
100, 106, 179 & 185
TIMOTHY PARK LANE
Existing Zoning

Village Park at Timothy

Planned Development Amendment
July 7, 2022

I. Request

Applicant: W&A Engineering, Inc.
Owner: Keystone Custom Homes, LLC
Location : 185 Timothy Park Ln., 179 Timothy Park Ln., 106 Timothy Park Ln., 100 Timothy Park Ln.
Tax Parcels : 123A8 B098, 123A8 B001, 123A8 F001, 123A8 F002
Size: 15.13 Acres Total with 0.439 total acres to be affected by this request
Current Use: Master Planned Development – Residential and Amenity
Current Zoning: C-N (Commercial Neighborhood), PD (Planned Development)
Proposed Zoning: C-N (Commercial Neighborhood), PD (Planned Development)

II. Purpose

The purpose of this request is to amend the approved Master Planned Development for Village Park at Timothy. The proposed amendment, if approved, would result in the re-establishment of the previously approved master plan in two areas. First, the amenity area as shown on the current binding plan would be divided into a green space and a building lot. Second, the parcel identified as Lot 8 on the approved Master Plan will revert to the originally approved two-lot configuration. Both of these are depicted on the included concept plan.
The Planning Commission recommended a meeting between the applicant and the property owners when it received public comment at its March meeting. The owner presented at that meeting a revised concept more closely based on the final plat.
Additionally, Lot 8 was always intended to be two separate building lots and was combined as part of a 2014 amendment at the request of a potential owner. The amended Master Plan proposal would permit the approval of a subdivision of Lot 8 into two 7,500 square foot lots in conformance with the previously approved Master Plan.
This request would result in a net increase of two single-family lots, for a total of 28 single family lots. If approved, the new lots would represent an increase to the overall single-family residential density from 1.7 to 1.9 units/acre, which is compatible with the residential standards set forth for the RS-5 zoning district. New homes will maintain a consistent architectural theme with existing construction. The overall impact of the proposed changes are likely to be negligible. The approval of the request to add two additional single-family residences will not result in the removal of any additional tree canopy. Similarly, if approved, there would be no additional impacts to the nearby environmental areas.

III. Existing Conditions

The site is located approximately 1.1 miles north of the Clarke and Oconee County line and originally consisted of 15.13 acres bound by Epps Bridge Parkway to the west, and Ruthwood Lane and Timothy Road to the south. The site is currently developed with a commercial building (identified as Building A on approved plans) and several single-family homes.

All properties within the PD are currently zoned C-N (PD). Properties adjacent to the site are predominately residential, the exception being the parcel across Ruthwood Lane that is zoned as a Planned Development with underlying Commercial-Office. Adjacent and nearby zoning districts include RM-1, RS-8, RS-25, and RS-15.

IV. Development History

At the time of original approval, the Athens-Clarke County Future Land Use plan designated this property as *Traditional Neighborhood* and *Corridor Residential*, with the total acreage being fairly evenly split between the two. The designation of approximately 8 acres of *Corridor Residential* was changed to *Traditional Neighborhood* when the Future Development Map was updated in 2008.

A request to rezone the entirety of the 15.13-acre tract from RS-8 to Planned Development (C-N PD) was approved in 2004. Subsequent PD Amendments in 2005 and 2007 modified the parking configuration for the commercial portion of the project to allow for underground parking, as well as the construction of a banking kiosk associated with a tenant. The most recent amendment, approved in 2014, reconfigured lots to utilize space previously approved for a multi-family use, allowing for the creation of an additional five single-family lots and an amenity lot.

In conclusion, this amendment request seeks to re-establish a previously approved Master Plan, and allow the construction of three new single family homes within the community.

TREE LEGEND	
	EXISTING DECIDUOUS TREE
	PROPOSED DECIDUOUS TREE

EXISTING PLANTED TREES			
QTY.	TREE SIZE	INDIVIDUAL CANOPY	TOTAL CANOPY
54	LARGE CANOPY TREE	1,600 SF.	86,400 SF.

EXISTING TREE CANOPIES

CANOPY 1: 211,510.00 SF. (4.86 ACRES)

CANOPY 2: 18,830.00 SF. (0.43 ACRES)

TOTAL EXISTING CANOPY: 230,340.00 SF.

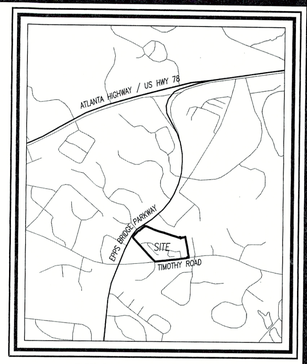
PROPOSED PLANTED TREES			
QTY.	TREE SIZE	INDIVIDUAL CANOPY	TOTAL CANOPY
37	LARGE CANOPY TREE	1,600 SF.	59,200 SF.

GENERAL NOTES

1. ALL UTILITIES ARE APPROXIMATELY LOCATED.
2. ALL PROPOSED UTILITIES ARE TO BE LOCATED WITHIN UTILITY EASEMENTS.
3. STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH ALL COUNTY STATE AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION PLAN APPROVAL.
4. ALL PLANTINGS SHALL BE PLANTED TO ATHENS-CLARKE COUNTY CODE OF ORDINANCES SECTION 8-7-19.
5. THIS PLAN REFLECTS PLATTED CONDITIONS AND ALL ADMINISTRATIVE AMENDMENTS PRIOR TO THIS SUBMITTAL.
6. STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH ATHENS-CLARKE COUNTY ORDINANCES AND REGULATIONS.
7. PIER OR BASEMENT FOUNDATIONS SHALL BE USED FOR THE DETACHED SINGLE-FAMILY STRUCTURES IN ORDER TO MITIGATE THE IMPACT ON THE TOPOGRAPHY OF THE SITE.

SITE LIGHTING NOTE

THERE IS CURRENTLY NO ADDITIONAL PROPOSED SITE LIGHTING FOR THIS DEVELOPMENT. BEFORE ANY LIGHTING IS INSTALLED ONSITE, A LIGHTING PLAN MUST BE SUBMITTED TO AND APPROVED BY ATHENS-CLARKE COUNTY PLANNING DEPARTMENT. LIGHTING SHALL INCLUDE ADEQUATE LIGHTS SO THAT THE PEDESTRIAN AREAS ARE ILLUMINATED WITH AT LEAST ONE HALF-FOOT CANDLE OF ILLUMINATION. LIGHT MAY NOT DIRECTLY ILLUMINATE PROPERTY BEYOND THE DEVELOPMENT, EXCEPT FOR THE PUBLIC RIGHT-OF-WAY.



VICINITY MAP

SCALE: 1" = 1500'

EPPS BRIDGE PARKWAY (R/W VARIES)
TIMOTHY PARK LANE (50' R/W)
TIMOTHY ROAD (100' R/W – 24.2' PAVED)
RUTHWOOD LANE (50' R/W – 19' PAVED)
PARCEL 123A8 C001A N/F 455 EPPS BRIDGE, LLC. DB 5206 PG 315 ZONED C–N
PARCEL 123A8 C002 N/F 455 EPPS BRIDGE, LLC. DB 5206 PG 315 ZONED C–N
PARCEL 123A8 C001 N/F VILLAGE PARK AT TIMOTHY, LLC. DB 5206 PG 285 ZONED C–N
PARCEL 123 018 N/F GEORGIA CONFERENCE ASSOC. ZONED RS–8
PARCEL 123A1 A002 N/F GEORGIA CUMBERLAND ASSOCIATION OF SEVEN DB 2682 PG 216 ZONED RM–1
PARCEL 123A1 A003 N/F T.E.W. PROPERTIES, LLC. DB 2132 PG 205 ZONED RM–1
PARCEL 123A1 A004 N/F BAYBERRY COURT, LLC. DB 4989 PG 346 ZONED RM–1
PARCEL 123A1 A005 N/F REA MICHAEL S & ASHLEY M DB 5167 PG 77 ZONED RM–1
PARCEL 123A1 A006 N/F WINDY HILL PLACE, LLC. DB 4989 PG 340 ZONED RM–1
PARCEL 123A8 D099 N/F VILLAGE PARK PROPERTY OWNERS ASSOCIATION DB 3921 PG 313 ZONED C–N
PARCEL 12306 A005 N/F PURCELL JONATHAN D & LYQUAIA S DB 5247 PG 200 ZONED RS–25
PARCEL 12306 A006 N/F ROUNTREE STEPHEN H & SUSAN S DB 5224 PG 143 ZONED RS–25
PARCEL 12306 A007 N/F PARKER BETTY DB 4356 PG 332 ZONED RS–25
PARCEL 12306 A008 N/F LYELLS CHRISTOPHER D & LINDSEY I DB 5196 PG 151 ZONED RS–25
PARCEL 123A8 A099 N/F VILLAGE PARK, LLC ZONED CN–RD
PARCEL 123 021 N/F VILLAGE PARK PROPERTY OWNERS ASSOC. ZONED CN
PROPOSED BUILDING 6,637 SF.
PROPOSED BUILDING 10,667 SF.
EXISTING BUILDING 9,959 SF.
EXISTING CANOPY 1: 211,510.00 SF.
EXISTING CANOPY 2: 18,830.00 SF.
EXISTING 0.20 ACRE POND
EXISTING CREEK
EXISTING SPRING HEAD
75' ENVIRONMENTAL BUFFER
50' NATURAL BUFFER
25' ENVIRONMENTAL BUFFER
AREA OF ENCROACHMENT INTO 75' BUFFER
EXISTING TREE CANOPY
UTILITY EASEMENT
LIMITS OF PLAN DEVELOPMENT
GREEN SPACE 1,787 SF 0.04 AC
LOT 1 BLOCK B 5,291 SF 0.12 ACRES
LOT 2 BLOCK B 5,483 SF 0.126 ACRES
LOT 3 BLOCK B 5,827 SF 0.134 ACRES
LOT 4 BLOCK B 7,052 SF 0.162 ACRES
LOT 5 BLOCK B 7,670 SF 0.176 ACRES
LOT 6 BLOCK B 16,605 SF 0.381 ACRES
LOT 7 BLOCK B 13,758 SF 0.316 ACRES
LOT 8 BLOCK B 13,356 SF 0.307 ACRES
LOT 1 BLOCK D 10,472 SF 0.240 ACRES
LOT 2 BLOCK D 9,690 SF 0.223 ACRES
LOT 1 BLOCK E 8,160 SF 0.187 ACRES
LOT 2 BLOCK E 7,826 SF 0.175 ACRES
LOT 3 BLOCK E 7,910 SF 0.182 ACRES
LOT 4 BLOCK E 10,443 SF 0.240 ACRES
LOT 5 BLOCK E 10,773 SF 0.247 ACRES
LOT 1 BLOCK F 7,370 SF 0.169 ACRES
LOT 2 BLOCK F 8,460 SF 0.194 ACRES
LOT 1 BLOCK A 12,960 SF 0.296 ACRES
LOT 2 BLOCK A 12,960 SF 0.296 ACRES
LOT 3 BLOCK A 14,360 SF 0.330 ACRES
LOT 5 BLOCK A 9,780 SF 0.224 ACRES
LOT 2 BLOCK G 7,943 SF 0.182 ACRES
LOT 3 BLOCK G 6,350 SF 0.146 ACRES
LOT 4 BLOCK G 6,365 SF 0.146 ACRES
LOT 5 BLOCK G 6,402 SF 0.147 ACRES
LOT 6 BLOCK G 7,070 SF 0.162 ACRES
LOT 7 BLOCK G 7,013 SF 0.161 ACRES
LOT 8 BLOCK G 8,620 SF 0.198 ACRES
L=119.970 R=204.500 N73°11'48"E 118.26
L=93.869 R=129.500 N69°14'14"E 91.83
L=166.435 R=192.301 N41°44'30"W 161.33
L=130.833 R=195.027 N70°46'38"W 128.39
L=62.814 R=145.000 N64°22'18"W 62.32
L=51.709 R=275.000 S69°00'46"E 51.63
L=72.344 R=225.000 N77°00'56"W 72.03
L=62.76 R=225.000 N59°53'32"W 61.99
L=40.952 R=275.000 N81°57'38"W 40.91
L=62.497 R=225.000 N85°39'06"W 62.30
L=62.557 R=275.000 S87°05'32"E 62.42
L=122.193 R=11767.819 S81°56'02"W 122.19
L=97.630 R=11942.140
L=65.240 R=11942.140
S65°29'11"E 13.02'
N53°15'32"E 13.46'
S67°21'42"E 80.47'
S67°21'42"E 153.70'
S72°55'52"E 8.28'
S72°55'52"E 98.77'
S72°54'49"E 90.28'
S72°53'10"E 128.94'
S72°52'45"E 109.74'
S72°53'55"E 98.41'
S72°55'55"E 43.43'
N89°59'49"W 70.06
N89°59'49"W 54.64
N89°59'49"W 44.69'
N83°23'22"W 33.37
N89°50'32"E 25.43
N83°22'14"W 14.95'
N49°40'02"E 46.41'
N57°10'42"E 98.20'
N78°49'39"E 32.00
N66°18'16"E 120.67'
N66°18'16"E 115.46'
N66°20'48"E 115.46'
N66°20'48"E 115.80'
N66°21'06"E 116.12'
N66°21'06"E 121.81'
N66°21'06"E 121.81'
N66°21'06"E 36.08'
N66°21'06"E 36.08'
N66°21'06"E 36.08

July 5, 2022

Dear ACC Planning Commission:

We have lived at 130 Timothy Park Lane in Athens for the past 14 years. We are against both Keystone proposals.

The amenity lot was set aside for the neighborhood homeowners. This lot is similar to the cemetery, the wooded area, the pond, the buffer areas around the entrances and the wide strip along Timothy Rd. It was all once owned by the developer when purchased and responsibly turned over to the association to maintain. The homeowners currently take care of these areas. 17 lots are built & only 8 remain. It's almost as if he is trying to squeeze more homes into our subdivision because of the current housing market.

We urge you to stick to the 2014 plan. It was listed and signed as "binding" in red letters and approved by ACC Planning Commission (Handout 1). Keystone should follow what they agreed to and build the type of homes they proposed in their pictures included in their plan (Handout 2). Keystone claims in their current proposal this new plan is "identical" to the old plan, which is not true if you take all lots into consideration.

Keystone only met once with homeowners. Most of the comments were regarding the amenity lot. Keystone is only offering us about 20% of the current amenity lot (Handout 3).

Little was said at this meeting about the other single lot. The plans he passed out were incorrect. The stone and brick on the front had been removed. The garage doors were not in front of the house (Handout 4). They plan on removing a gable as well. The houses do not look like the pictures of "Typical Architecture" in Handout 2. Questions on the lot and future plans were not clearly answered.

Their statement that Lot 8 was always intended to be two lots is untrue. It was actually implied to me by one of the developers that these lots were not big enough for two separate houses that matched the larger houses around it. During the same period, several lots were made larger.

We went from 17 lots in 2007 to 25 proposed in 2014. Most against this current proposal were in favor of the increase in 2014. There were several lots made larger in the 2014 plan, not just one lot for one builder. Actually 7 lots were made larger (2015-2017), not just the one in question (1&2 F). Lot 4 was considered small as well & divided between 4&5A (Handout 5). Lots 6,7,8 B were doubled in size (Handout 6).

Their proposed changes do not make a "consistent architectural theme" as stated. The impact will not be "likely negligible" as stated. Keystone would not say in the meeting with homeowners that they would not split more lots.

A larger new home will sell. Last winter a $680,000 home sold on Mansfield across the street. A house directly behind the single lot on Cypress Manor is just pending at $689,000.

We would like to point out to this committee that over 70% of the homes contributed to the legal expenses incurred to help us deal with this issue. That shows the concern of most of our homeowners.

We need your help saving our property values and uniformity of our neighborhood. Stick to the approved current 2014 plan.

Sincerely,

Bill and Phyllis Graves
130 Timothy Park Lane 30606

2014 Council ordinance.pdf

Binding
Richard Smith 10/07/14

Village Park at Timothy

A Planned Development with underlying Commercial-Neighborhood zoning

160 Ruthwood Lane

Revised Master Plan Report

ACC Case Number PD-2004-010, PD-2007-012

August 22, 2014: Request to amend PD to reduce residential density and provide amenity area.
October 3, 2014: Revised to reflect staff comments.

Date of Original Report: October 1, 2004
PD Amended in September 2005 to allow for lower-level parking in Building C.
PD Amended in December 2007 to allow for drive-up banking kiosk for Building A.

Property Information and the Request to Amend PD

Applicant:	Williams & Associates, P.C.
Owner:	Epps Bridge Partners, Keystone Custom Homes, LLC and Village Park Office LLC
Location:	North of Ruthwood Drive at Timothy Road and Epps Bridge Parkway
Size:	15.13 Acres Total / 5.51 acres included in current amendment request
Request:	Request to amend PD to reduce residential density and add amenity area lot.

Proposed PD Amendment – August 2014

Requested Changes

The current amendment request is to allow for the reconfiguration of the residential area to eliminate the townhome lots in their entirety and to increase the lot size for several single-family homes lots. As part of this lot reconfiguration, the alley will be shortened and terminated with a cul-de-sac. The landscaped buffer currently existing along the rear yards of existing homes on the south side of Timothy Park Lane will be extended west along the newly configured lots with rear yards adjacent to Timothy Road. Also included is the request to add a neighborhood pool and associated amenity area on the reconfigured lot across Timothy Park Lane from Building C at its intersection with the alley. The amenity area will be fenced and attractively landscaped. Use of the pool area will be limited to residents of the Village Park community.

The reason for this request is to improve the development potential for the residential portion of the project.

Handout 1

2014 Council ordinance.pdf

TYPICAL ARCHITECTURE

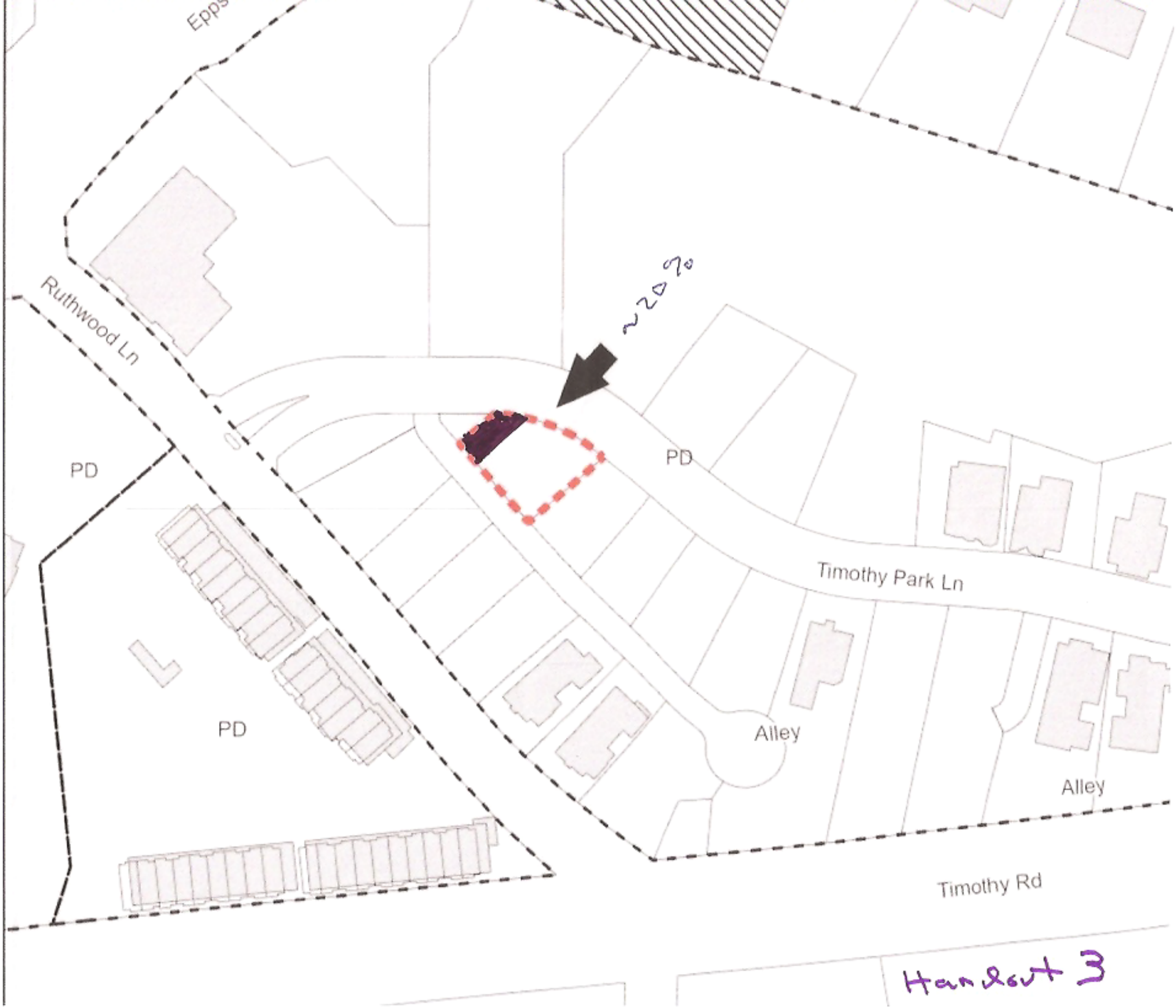








Handout 2


Ruthwood Ln
PD
PD
PD
Timothy Park Ln
Alley
Alley
Timothy Rd
~220°

Handout 3

106

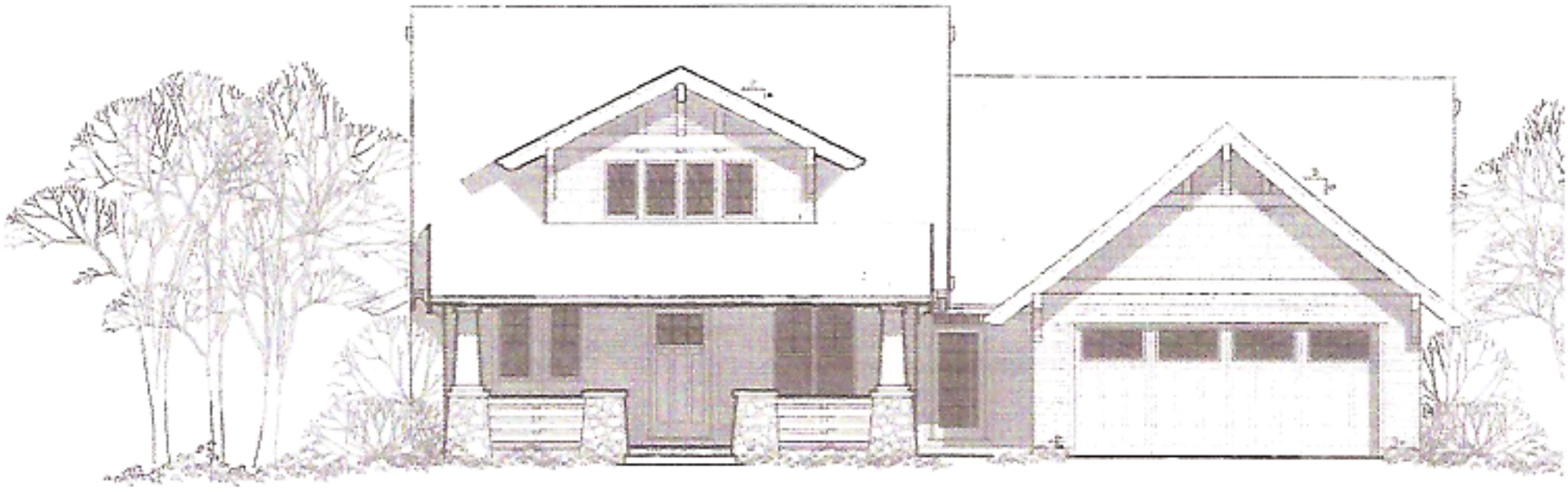
MOLLY PLAN



FRONT ELEVATION

107

JAMES PLAN



FRONT ELEVATION

Handout 4

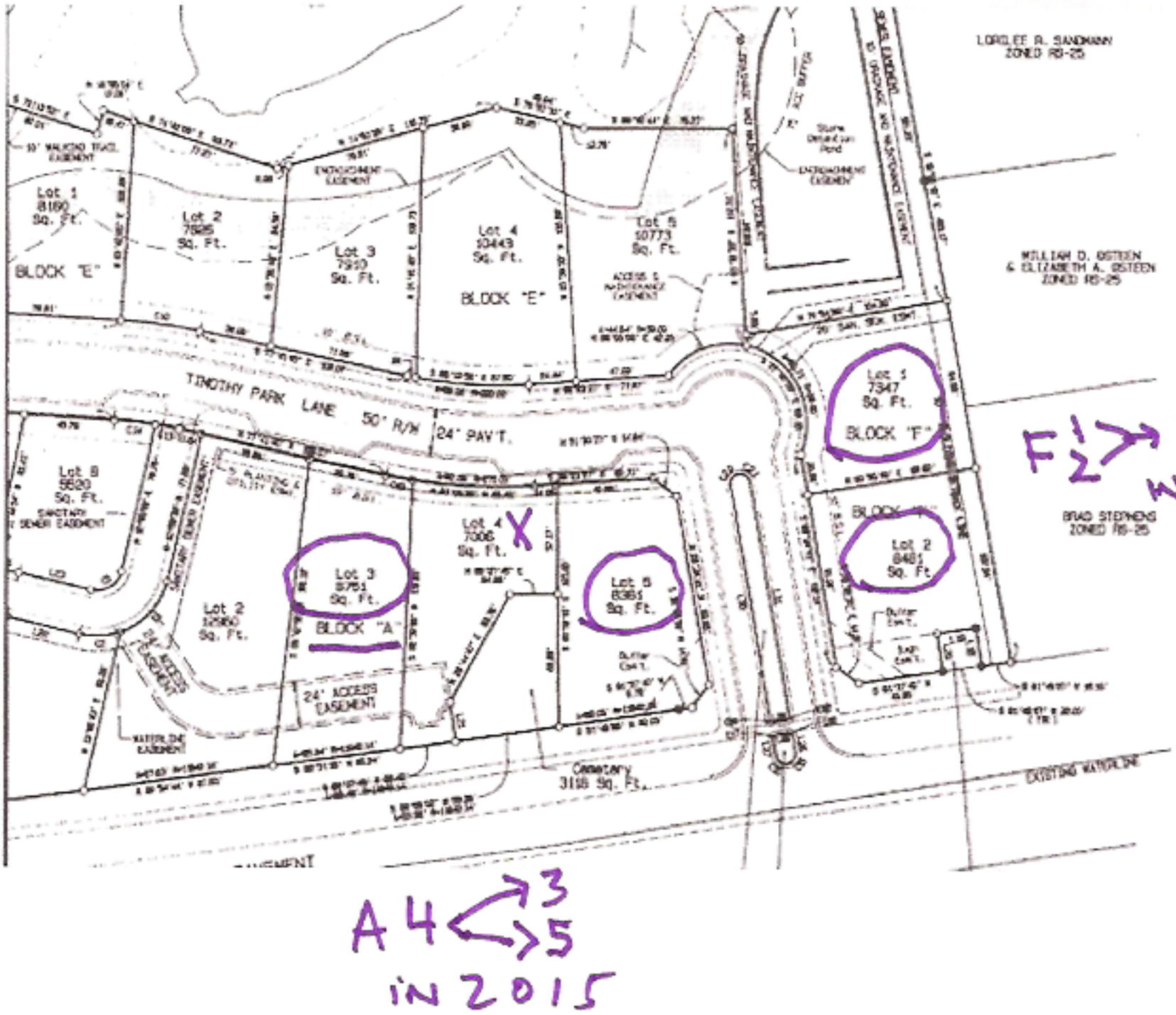
2007

2:28 PM Fri Jun 12

Done

Bylaws and Covenants (15 of 37)

100%



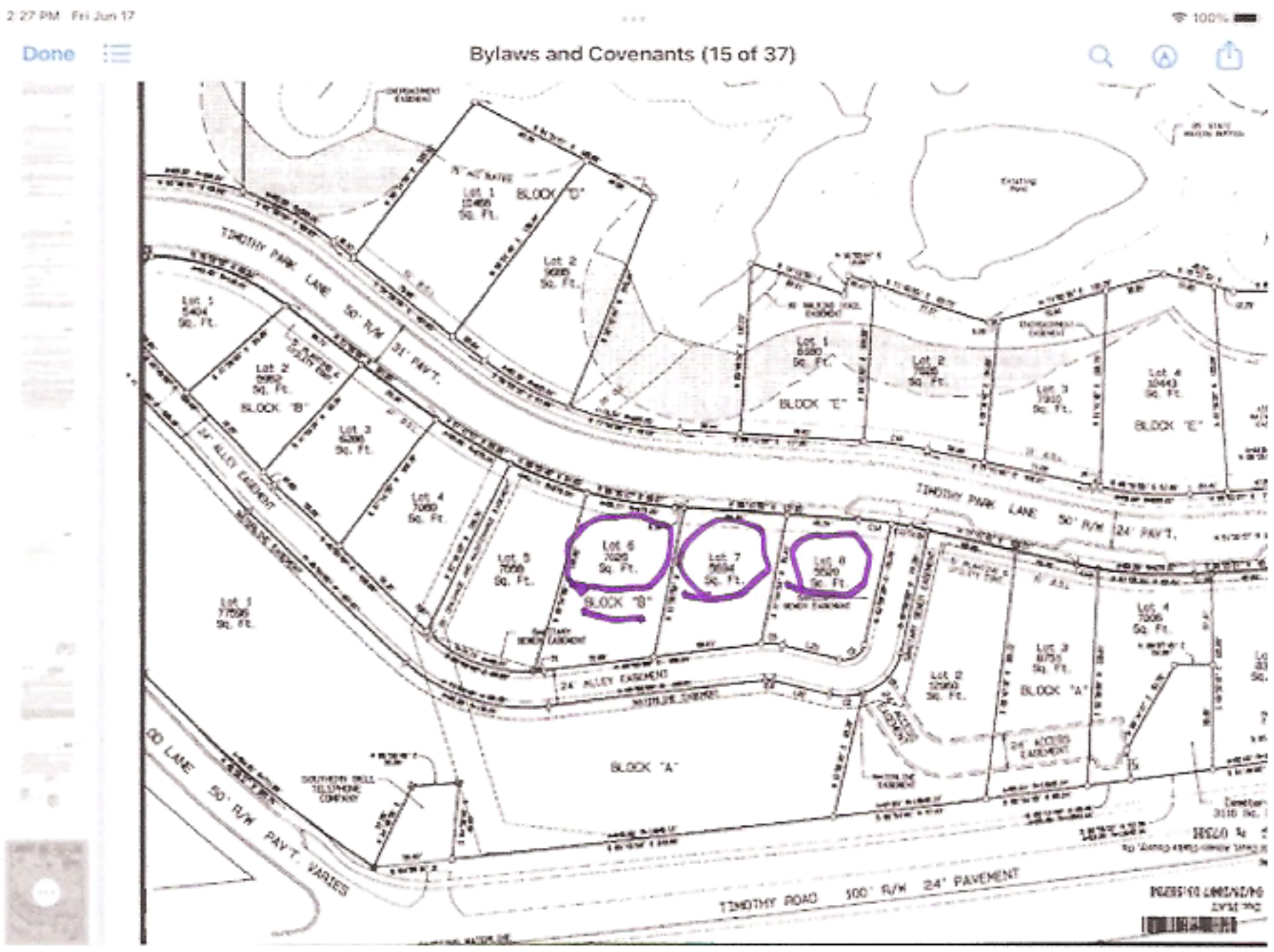
F 1 <-> 1 IN 2017

A 4 <-> 3 5

IN 2015

Handout 5

2007



6, 7, 8 B x 2 in 2017

Handout 6

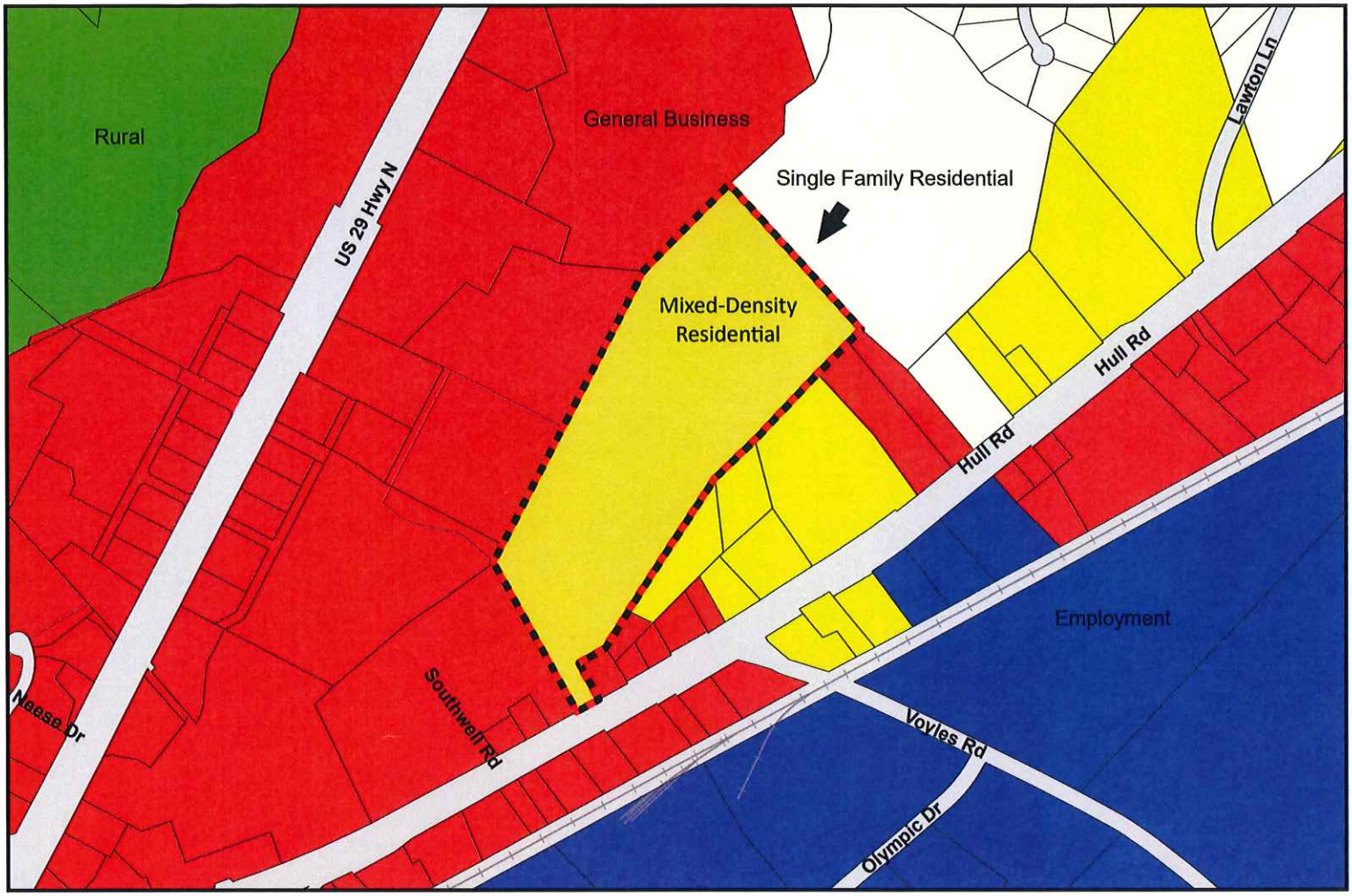
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **AMENDING THE OFFICIAL FUTURE LAND USE MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION ON APPROXIMATELY 42.95 ACRES OF LAND LOCATED AT 1000 BLOCK OF HULL ROAD FROM "GENERAL BUSINESS AND RURAL" TO "MIXED DENSITY RESIDENTIAL";** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Official Land Use Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future land use designation on approximately 42.95 acres of land located at 1000 Block of Hull Road, County tax parcel number 213 018B, from "General Business and Rural" to "Mixed Density Residential," as more fully shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Land Use Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Land Use Map and Exhibit A hereto are available for inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



Legend

- County Boundary
- City Boundary
- Parcel Boundary
- Building Footprint
- School
- A-CC Owned Parks and Open Space
- Other Parks and Open Space
- Transportation,Communication and Utilities
- Airport Hazard Zone
- Railroad
- Rails to Trails
- Proposed Road Widening
- Proposed New Road
- Intersection Realignment

Descriptions

- General Business
- Downtown
- Main Street Business
- Employment Center
- Government
- Mixed- Density Residential
- Traditional Neighborhood
- Single Family Residential
- Rural

EXHIBIT A	**ZONE-2021-12-3511** **REZONE**	N
MAP 524A	**1000 BLOCK OF HULL ROAD** *Michael B. Thurmond / Armentrout Matheny Thurmond, PC* *CJB Athens, LLC*	
FROM: **General Business and Rural**	TO: **Mixed-Density Residential**	0 400 Feet
TAX PARCEL # *213 018B*	PLANNING COMMISSION MEETING DATE *July 7, 2022*	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE *August 2, 2022*

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING ONE PARCEL OF LAND COMPRISING APPROXIMATELY 42.95 ACRES LOCATED AT 1000 BLOCK OF HULL ROAD FROM C-R (COMMERCIAL-RURAL) TO RM-1 (MIXED DENSITY RESIDENTIAL);** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of one parcel of land comprising approximately 42.95 acres located at 1000 block of Hull Road, Athens, Georgia from C-R (Commercial-Rural) to RM-1 (Mixed Density Residential) as shown on Attachment A hereto.

The parcel comprising the subject 42.95 acre tract of land, is more particularly described as Tract 3A in that certain document entitled "Talley Property Athens-Clarke County, Georgia", prepared by Armentrout Roebuck Matheny Consulting Group, P.C., and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The affected property is also known as parcel number 213 018B on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

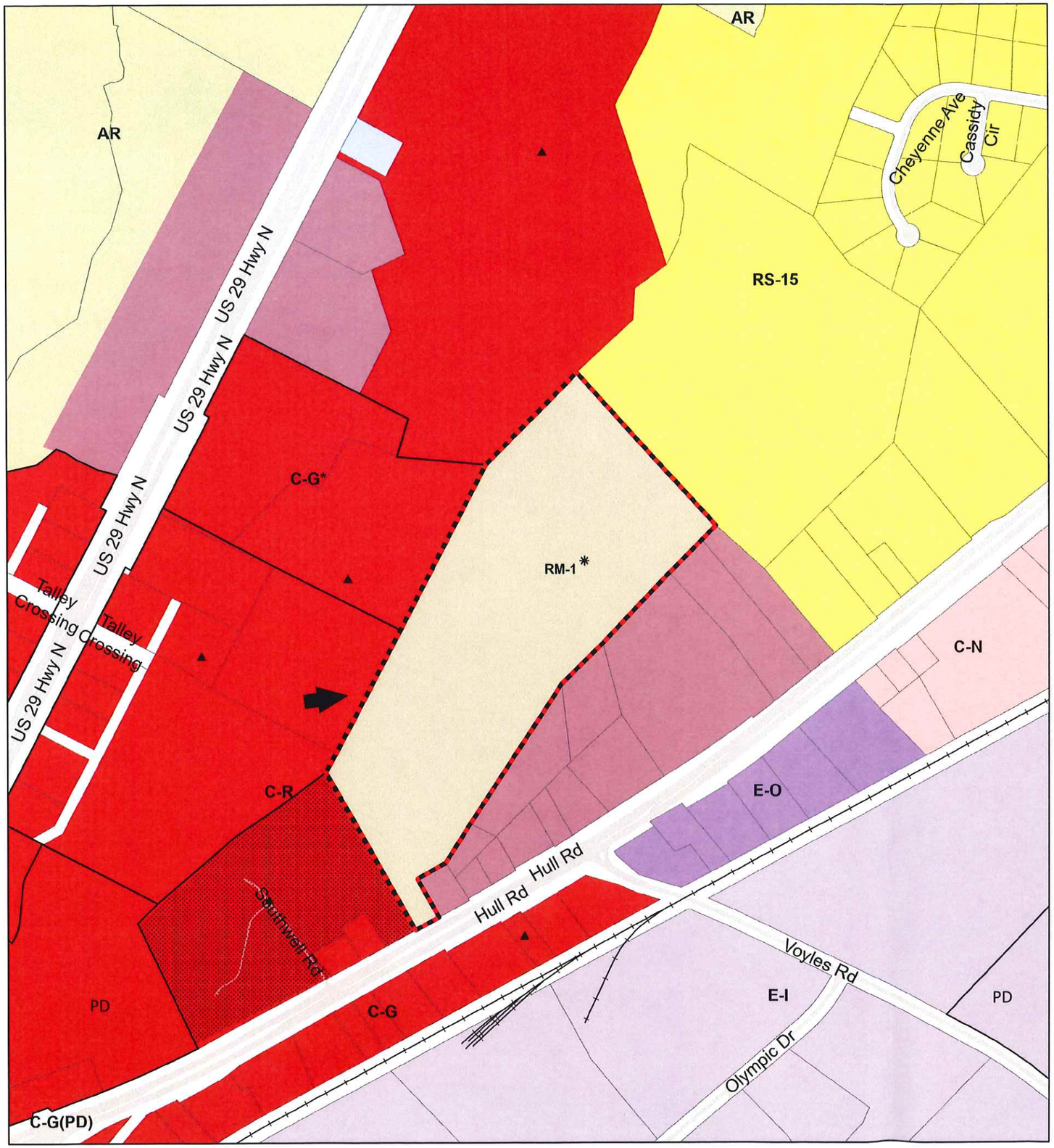
SECTION 2. The following conditions of zoning are associated with this ordinance:

(1) A property survey shall require review and approval of Athens-Clarke County staff and be recorded prior to the issuance of any permits for the development of the subject property.

(2) Any development plan shall provide for the extension of the Talley Crossing across the full width of the subject property per the Athens-Clarke County Official Transportation Corridor Concept Map subject to the review and approval of the Athens-Clarke Transportation & Public Works Department.

(3) Any development plan for the subject property shall include a public or private street connection from Talley Crossing to Hull Road and connection to the recently approved development at 1005 Hull Road.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
  - *(ND)*, North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD — Planned Development
- * — Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

500 250 0 500 1,000 1,500 Feet

ATTACHMENT A	ZONE-2021-12-3511 REZONE **1000 BLOCK OF HULL ROAD** Michael B. Thurmond / Armentrout Matheny Thurmond, PC CJB Athens, LLC
524	
FROM: **C-R**	TO: **RM-1***

TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
213 018B	July 7, 2022	August 2, 2022

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: ZONE-2021-12-3511

LOCATION: 1000 block of Hull Road
APPLICANT: Michael B. Thurmond / Armentrout Matheny Thurmond, PC
OWNER: CJB Athens, LLC
REQUEST: From *General Business* and *Rural* to *Mixed Density Residential*
DISTRICT: 9

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Hall made a motion to recommend approval. Ms. Rowland seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Bret Thurmond
Against: None

Discussion: The Planning Commission discussed the appropriateness of the proposed Future Land Use designation due to the rapid development of the vicinity and sanitary sewer availability, as well as adjacent properties sharing the same designation.

Motion: Mr. Hall made a motion to recommend approval. Ms. Rowland seconded the motion, which passed unanimously.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: ZONE-2021-12-3511

LOCATION: 1000 block of Hull Road
APPLICANT: Michael B. Thurmond / Armentrout Matheny Thurmond, PC
OWNER: CJB Athens, LLC
REQUEST: From C-R (Commercial-Rural) to RM-1 (Mixed Density Residential)
DISTRICT: 9

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Tucker made a motion to recommend approval w/ conditions. Ms. Rowland seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Bret Thurmond
Against: None

Discussion: The Planning Commission discussed the appropriateness of the proposed zoning designation due to the rapid development of the vicinity and sanitary sewer availability, as well as adjacent properties being recently approved for multifamily development.

Motion: Mr. Tucker made a motion to recommend approval with the following conditions:

1. A sealed survey with metes and bounds around the subject property area shall be provided prior to Mayor & Commission consideration. Said survey shall require review and approval of the ACC staff and be recorded prior to the issuance of any permits for the development of the subject property.

2. Any development plan shall provide for the extension of Talley Crossing across the full width of the subject property per the ACC Official Transportation Corridor Concept Map subject to the review and approval of the ACC Transportation & Public Works Department.

3. Any development plan for the subject property shall include a public or private street connection from Talley Crossing to Hull Road and connection to the recently approved development at 1005 Hull Road.

Ms. Rowland seconded the motion, which passed unanimously.

STAFF REPORT
ZONING MAP AMENDMENT
ZONE-2021-12-3511
1000 BLOCK OF HULL ROAD
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Michael B. Thurmond / Armentrout Matheny Thurmond, PC
OWNER	CJB Athens, LLC
FUTURE LAND USE REQUEST	From *General Business* and *Rural* to *Mixed Density Residential*
ZONING REQUEST:	From C-R (Commercial-Rural) to RM-1 (Mixed Density Residential)
TYPE OF REQUEST	Type I
LOCATION	1000 block of Hull Road
COUNTY COMMISSION DISTRICT	9
SIZE OF SUBJECT AREA	42.95 acres
PRESENT USE	Undeveloped
PROPOSED USE	Residential
TAX MAP NUMBER	213 018B
ADJACENT USES AND ZONING	(NW) School; undeveloped / C-G*; undeveloped / Special Use in C-G (NE) Undeveloped / RS-15 (SE) Single-family dwellings; auto repair; undeveloped / C-R (SW) Residential / Special Use in C-G
STAFF RECOMMENDATIONS:	
Future Land Use	**Approval**
Rezone	**Approval w/ conditions**
PLANNING COMM. RECOMMENDATIONS:	
Future Land Use	**Approval**
Rezone	**Approval w/ conditions**

II. PURPOSE

The request is to rezone the 42.95-acre subject parcel located in the 1000 block of Hull Road from C-R (Commercial-Rural) to RM-1 (Mixed Density Residential). The request requires a corresponding change in the Future Land Use designation of the subject property from *General Business* and *Rural* to *Mixed Density Residential*.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The subject parcel is undeveloped, has approximately 125' of frontage on the north side of Hull Road and a total of 42.95 acres, which are currently zoned as C-R (Commercial-Rural). ACC records do not indicate county approval for the creation of the parcel, which lacks an official street address . Surrounding properties include single-family residences and an auto repair business to the southeast with C-R zoning, and a private school to the northwest zoned C-G (Commercial-General). Adjoining parcels to the northwest and southwest have recently approved Special Use Permits for proposed multifamily developments.

IV. PROPOSED DEVELOPMENT

The application report denotes an intent to develop the property for residential use, ranging from single-family to multifamily. As a straight rezoning request, the application does not include a binding use or binding development plans.

The property has access from Hull Road. A second potential point of access would be an extension of Talley Crossing, a public street that will provide a westbound connection to US Highway 29 North. Talley Crossing is shown on a submitted application plan as crossing the subject property per the ACC Official Transportation Corridor Concept Map for the purpose of an eventual intersection with Hull Road at Voyles Road. Another potential interconnection is to the adjoining property at 1005 Hull Road, which was recently approved for multifamily development with a binding plan that would extend a private access easement to the southwest boundary of the subject property.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The 2018 Future Land Use Map designates the subject property as *General Business* and *Rural*, which are defined as follows:

General Business
These are commercial areas that serve a variety of needs for the residents of the region. It is intended for small- and large-scale retailing and service uses that are auto-oriented, such as Atlanta Highway, Lexington Road and US 29 North. Pedestrian-oriented design is particularly appropriate when these streets contain neighborhood-shopping areas or are adjacent to multifamily housing or residential neighborhoods. Pedestrian circulation in these centers is a primary concern, therefore, connectivity within and to surrounding areas should be encouraged. Internal pedestrian walkways should be provided from the public right-of-way to the principal customer entrance of all principal buildings on the site. Walkways should connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building, store entry points, and plaza space. Walkways shall feature adjoining landscaped areas that contribute to the establishment or enhancement of community and public spaces. The street level facade of these areas should have a scale and architectural elements that relate to pedestrians. Buildings should be oriented to the street and corridors should be lined with street-trees. Small and medium scale retail stores should frame the streets with large-scale retailers located behind with focus given to pedestrian circulation rather than automobiles. Parking lots should not be located at the street front and shared parking should be encouraged.

Rural
Rural lands are intended to have very low densities. To maintain open space, clustering of units is encouraged with common open spaces protected by conservation easements. Agricultural uses are encouraged, as well as other compatible uses such as limited, low-impact commercial uses, equestrian and other animal boarding facilities.

The proposal is to rezone the subject property to RM-1, which is incompatible with both existing Future Land Use designations per the Compatibility Matrix in ACC Code Chapter 9-4. Therefore, the proposal includes a change to amend the Future Land Use designation on the subject property to *Mixed Density Residential*, which is described as follows:

These are residential areas where higher density residential development is allowed and intended. Limited nonresidential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation.

This proposal would not create an isolated Future Land Use designation since adjoining parcels to the east have the *Mixed Density Residential* designation. Due to the proposed Future Land Use Map amendment, the request is being processed as a Type I application.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN POLICIES

The following is a relevant 2018 Comprehensive Plan policy:

- Infill housing should be promoted and concentrated in areas near commercial nodes, providing easy access to everyday services.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The request is to rezone the subject property to RM-1 (Mixed Density Residential). All adjoining parcels are zoned as either C-G (Commercial-General), C-R (Commercial-Rural) or RS-15 (Single-Family Residential). Although no RM zoning district currently exists in the vicinity, the request is compatible with the *Mixed Density Residential* designation on adjacent parcels to the east, as well as the recently approved Special Use Permit for a proposed multifamily development on the adjacent parcel to the west.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

The application report denotes an intent to develop the property for residential use, ranging from single-family to multifamily. As a straight rezoning request, the application does not include a binding use or binding development plans. Therefore, without a restriction on other permitted uses of RM-1 zoning, the subject property would also have the potential to be developed for the following uses:

Professional services & office*	Church	Laundry facility*	Day care or school
Bed & breakfast*	Bakery*	Nursing home	

*Subject to size limitations.

Any development of the subject property would require compliance with all applicable environmental area restrictions, RM-1 zoning and design standards, including those pertaining to parking, lighting, street frontage sidewalk, and tree canopy.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The request is to rezone the subject property from C-R (Commercial-Rural) to RM-1 (Mixed Density Residential). The application report denotes an intent to develop the property for residential use; however, as a straight rezoning request, the application does not include a binding use. Therefore, the property could be developed with any permitted use in the RM-1 zone.

Athens-Clarke County has recently seen a significant increase of multifamily developments. In the past four years, approximately 15,000 bedrooms have been constructed, are undergoing Staff review for permitting, have been approved for - or being presently considered for - a rezoning. This count includes 1,246 bedrooms in three nearby multifamily developments, one of which has nearly finished construction, another with development plans being reviewed for permitting, and the third having been granted a Special Use Permit by the Mayor and Commission earlier this year. If the subject property is developed to its maximum potential density as multifamily, then the 687-bedroom development would be the sixth largest out of the 51 potential multifamily developments of the past four years. Taken into consideration with the other recent requests, the accumulative effect creates a significant impact on the balance of land uses in Athens-Clarke County and in the subject property vicinity.

II. POPULATION

The maximum potential density for the subject property under the proposed RM-1 zoning would be 687 bedrooms.

III. ENVIRONMENT

According to the Athens-Clarke County Environmental Areas Map, a pond, 100-year floodplain and protected 75’ riparian buffer exists in the northwestern corner of the subject property. The subject parcel is covered in mature tree canopy. The RM-1 requirement for conserved tree canopy is 35%. The total post-construction planting and conserved canopy requirement is 55%.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The provided rezoning boundary map shows a proposed extension of Talley Crossing, which would be a public street connecting with US Highway 29 North to the west and, eventually, Voyles Road to the east. Two public street connections would be required for a single-family subdivision exceeding 19 lots or for a multifamily development that would generate more than 250 vehicle trips per day. The application report also describes a private driveway between the Talley Crossing extension and Hull Road. A third possibility is an access easement recently included on the binding Special Use plan for a proposed multifamily development to the southwest of the subject property.

Public sidewalk would be required along the Talley Crossing frontage for any development of the subject property. With the pending development of the adjoining property to the west, development of the subject property would create a sidewalk network along Talley Crossing connecting to the commercial development fronting US Hwy 29 North. ACC Transit currently serves the nearby Trail Creek Village shopping center and runs along the other side of Hull Road to the Voyles Road intersection.

The ACC Transportation and Public Works Department has no traffic-related comments at this time.

V. GRADING AND DRAINAGE

The ACC Transportation and Public Works Department does not have any grading or drainage comments on the proposal at this time.

VI. WATER AND SEWER AVAILABILITY

The Public Utilities Department has the following comments:

- *ACC water service is available to serve the proposed development.*
- *A sanitary sewer extension by the developer is needed; once installed, then ACC sanitary sewer service will be available in sufficient capacity to serve the proposed development.*

VII. FIRE PROTECTION

The Athens-Clarke County Fire Marshal has the following comments on the proposal:

- *ACC Fire & Emergency Services can provide fire protection without any fire services being affected or any additional cost for fire department equipment or personnel.*
- *Additional fire hydrants are needed.*
- *Fire apparatus can access the property. A turnaround is not needed.*

RECOMMENDATIONS

I. STAFF RECOMMENDATIONS

Future Land Use – Approval
Rezone – Approval w/ conditions

The request is to rezone the 42.95-acre subject parcel located in the 1000 block of Hull Road from C-R (Commercial-Rural) to RM-1 (Mixed Density Residential). The request requires a corresponding change in the Future Land Use designation of the subject property from *General Business* and *Rural* to *Mixed Density Residential*.

The application report denotes an intent to develop the property for residential use, ranging from single-family to multifamily. As a straight rezoning request, the application does not include a binding use or binding development plans. Therefore, the subject property would also have the potential to be developed by right for a church, day care, private school, or nursing home. Other possible uses with size limitations include professional services & office, laundry facility, bed & breakfast and bakery.

The C-R (Commercial-Rural) zoning is no longer appropriate for a rapidly developing area and for a property with access to sanitary sewer service and a primary arterial corridor. Although RM zoning does not currently exist in the vicinity, the request is compatible with the *Mixed Density Residential* designation

on adjacent parcels to the east, as well as the recently approved Special Use Permits for proposed multifamily developments on the adjacent parcels to the west and southwest. Therefore, Staff recommends approval of the requested Future Development Map amendment and approval of the requested Zoning Map amendment with the following conditions:

1. A sealed survey with metes and bounds around the subject property area shall be provided prior to Mayor & Commission consideration. Said survey shall require review and approval of the ACC staff and be recorded prior to the issuance of any permits for the development of the subject property.
2. Any development plan shall provide for the extension of Talley Crossing across the full width of the subject property per the ACC Official Transportation Corridor Concept Map subject to the review and approval of the ACC Transportation & Public Works Department.
3. Any development plan for the subject property shall include a public or private street connection from Talley Crossing to Hull Road and connection to the recently approved development at 1005 Hull Road.

II. PLANNING COMMISSION RECOMMENDATIONS

Future Land Use – Approval
Rezone – Approval w/ conditions

The Planning Commission consider the requests at their regular meeting on July 7, 2022. The Planning Commission recommended approval of the Future Land Use Map amendment and approval of the Zoning Map amendment with the following conditions:

1. A sealed survey with metes and bounds around the subject property area shall be provided prior to Mayor & Commission consideration. Said survey shall require review and approval of the ACC staff and be recorded prior to the issuance of any permits for the development of the subject property.
2. Any development plan shall provide for the extension of Talley Crossing across the full width of the subject property per the ACC Official Transportation Corridor Concept Map subject to the review and approval of the ACC Transportation & Public Works Department.
3. Any development plan for the subject property shall include a public or private street connection from Talley Crossing to Hull Road and connection to the recently approved development at 1005 Hull Road.

III. PLAN UPDATE

Since the Planning Commission meeting a sealed survey of the subject property has been provided to Staff, which satisfies the first part of recommended approval condition #1. The survey still needs review and approval of Staff and recording, so the second part of the first condition remains, as well as conditions #2 and #3.

IV. CURRENT STATUS

The request and the Planning Commission recommendation are scheduled for presentation to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to take action on this request on August 2, 2022.

REPORT FOR: 1000 block of Hull Road

Zoning Criteria for Type I Applications

1. The Future Development Map and its intended outcome, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.

2. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.

3. Public facility elements of the Comprehensive Plan and how the proposed change will affect the provision of the services anticipated in the plan.

4. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.

5. The existing land use pattern surrounding the property in issue.

6. The possible creation of an isolated district unrelated to adjacent and nearby districts.

7. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.

8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.

9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

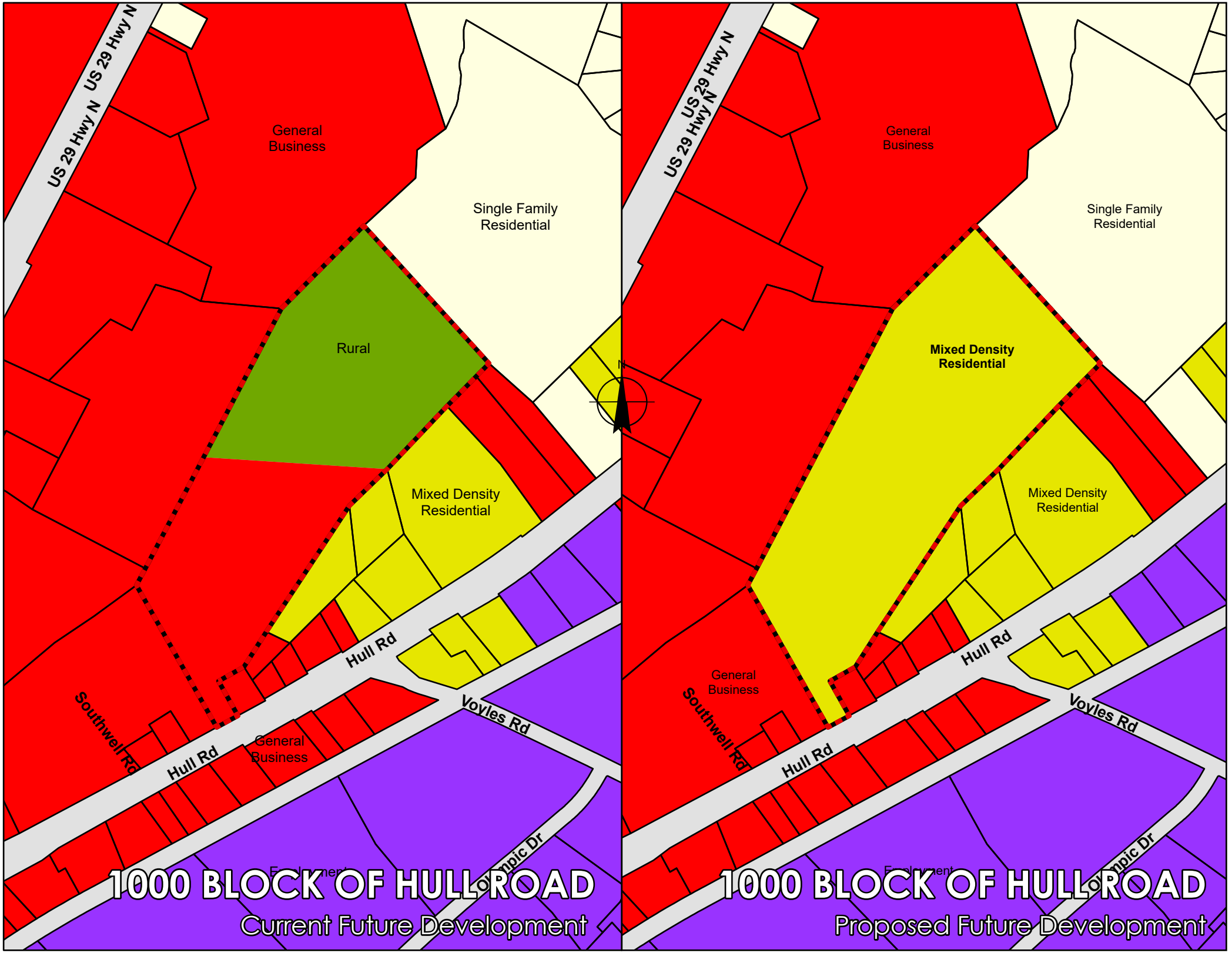
11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment.

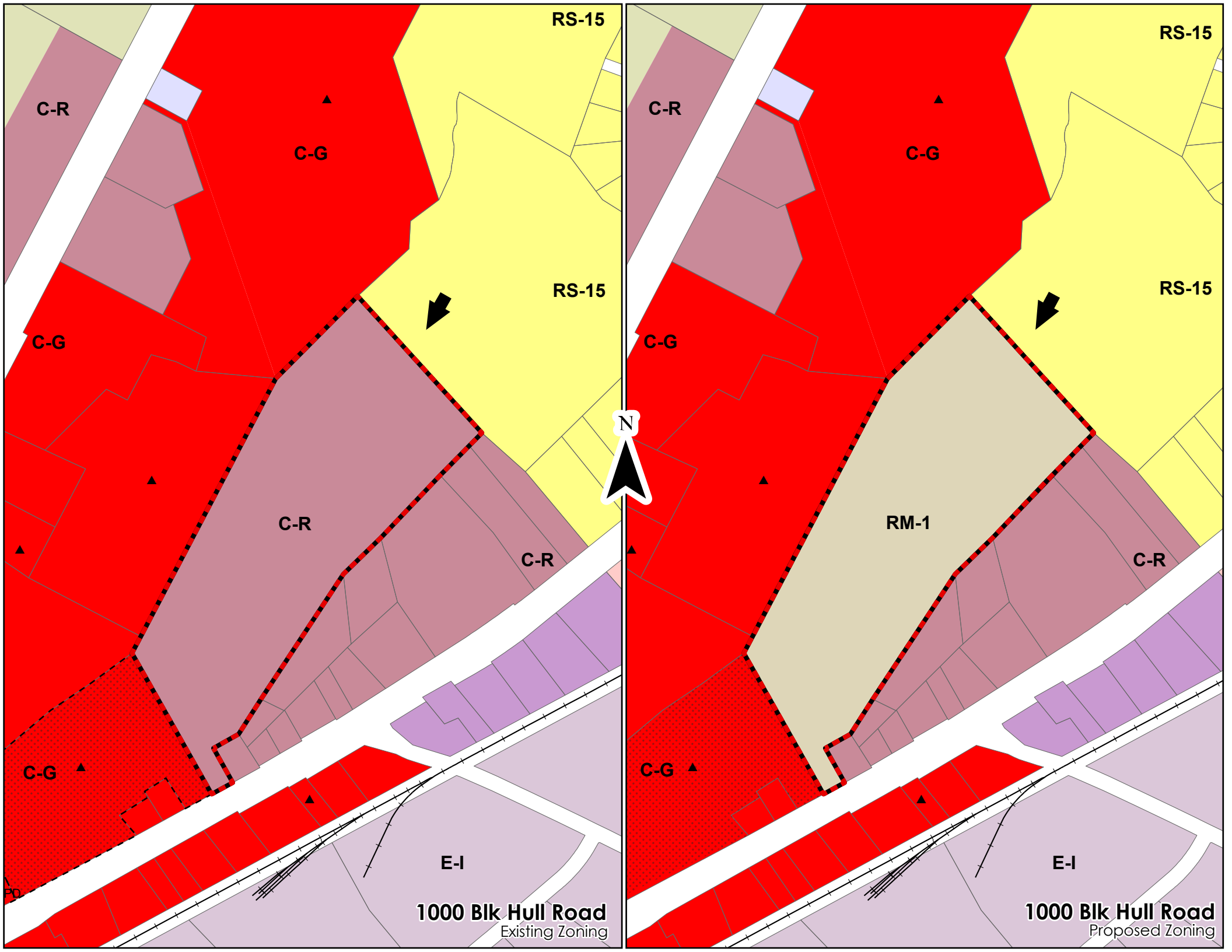
12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

13. Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.

Public Notice

In accordance with Section 9-4-9(E), public notice of this zoning request was last posted on or near the subject property on June 22, 2022.


US 29 Hwy N
US 29 Hwy N
General Business
Single Family Residential
Rural
Mixed Density Residential
Hull Rd
Voyles Rd
Southwell Rd
Hull Rd
General Business
Olympic Dr
1000 BLOCK OF HULL ROAD
Current Future Development
US 29 Hwy N
US 29 Hwy N
General Business
Single Family Residential
Mixed Density Residential
Mixed Density Residential
Hull Rd
Voyles Rd
General Business
Southwell Rd
Hull Rd
Olympic Dr
1000 BLOCK OF HULL ROAD
Proposed Future Development


RS-15
C-R
C-G
RS-15
C-G
C-R
C-R
N
C-G
E-I
1000 Blk Hull Road
Existing Zoning
RS-15
C-R
C-G
RS-15
C-G
RM-1
C-R
C-G
E-I
1000 Blk Hull Road
Proposed Zoning

Non-Binding

Rezone for Parcel 213 018B
REPORT

This report is intended to support the application to rezone the parcel 213 018B. The parcel contains 42.95 acres and is currently zoned C-R. The property contains two Future Land Uses: General Business and Rural. The property will be subdivided in the future by extending the existing public road, Talley Crossing as shown in the attached overall site plan. A private road is also planned to interconnect Talley Crossing to GA Highway 72. In the future, the goal for Athens-Clarke County (ACC) is to extend Talley Crossing beyond this property to align with the current GA 72-Voyles Road intersection. The owner wishes to rezone all of the property to RM-1. This will require a change of the Future Land Uses from General Business and Rural to Mixed Density Residential which is compatible with zoning RS-5, RM-1, RM-2, C-O and C-N. The area proposed to be rezoned is 42.95 acres and is bounded on the south by Hull Road. The owner wishes to construct family housing on the property. The options include apartments, townhomes, duplexes, single-family houses or a mix of these options. The owner wishes to retain development options available under an RM-1 zoning; therefore, the request is a rezone to RM-1 with no conditions. The parcel would be developed following the Athens Clarke County Code of Ordinances for the proposed zone.

The requested rezone is not compatible with the Future Land Use designation of this property. As a result, this is a Type I rezone application. The rezone of the parcel requires a change to the Future Land Use plan from General Business/Rural to Mixed Density Residential. The very northern section of this parcel will remain in its current wooded condition. There is a section of a NRCS flood control lake, wetlands and two small streams on this northern portion of the property.

The overall development plan identifies the tract as CJB Athens, LLC as the parcel proposed for rezone. The plan also identifies the environmental areas on the property including the flood zone area related to the NRCS lake and stream buffers. The plan has the future land use overbid on the parcel. Red is General Business and green is Rural.

The development of this parcel under an RM-1 zoning will not create an isolated district in the Future Development Map. Changing the parcel to Mixed Density Residential is consistent as the property to the west is currently Multi-Family Residential. The parcel to the south identified with Southwell Road is proposed to be developed as commercial fronting Hull Road and residential behind.

The proposed rezoning will not adversely affect the balance of the land uses in Athens Clarke County since the parcel is not overly large, the surrounding area is developing in proportionate commercial and residential uses. The current zoning allows multi-family residential use (above ground floor) at the same density as the proposed RM-1 zoning. Single family is allowed as a special use in the C-R zone following RS-5 zoning regulations. Under the proposed RM-1 zoning, single family developments are allowed outright with limits described in the zoning regulations.

The rezone should not affect the provision of services in the area. ACC and private developers have developed the infrastructure to support this amount of density in commercial and residential uses. Any infrastructure required to support the development on this property is being provided by the owner or developer including the construction of the public road that will front this parcel. Water and sewer infrastructure will be sized to handle other future development that may tie to that installed by the owner.

The proposed use on this parcel appears to meet all objective criteria set forth for that use in the zoning regulations. No variances or special conditions are required to develop the property under RM-1 zoning regulations. An RM-1 zoning conforms to the purpose and intent of the Comprehensive Plan for this area.

The existing land use pattern surrounding the property is a mix of commercial and residential properties of varying densities. The intent of this rezone is to develop the property at the same residential density allowed under the C-R zoning but allow more freedom during design to develop the property under RM-1 zoning requirements without having to submit for variances or special use permits which are binding.

The surrounding parcels are a mix of multifamily residential or commercial uses on properties zoned C-G or C-R. The adjacent property to the north is zoned RS-15. While the proposed rezone of this parcel may be construed as creating an isolated district, it is in effect not. The adjacent C-G parcel to the west of this parcel is being developed as a multifamily development under an approved special use plan. There are other multifamily developments under construction or planned nearby.

The population density pattern for the area is increasing in density. The existing roads in the area are developed or being developed to handle the required density. The increase in density will result in a new traffic light at the intersection of Talley Crossing and Highway 29 once the Georgia Department of Transportation has actual field counts to warrant the signal. The rezone will allow the property to be developed which will result in the extension of Talley Crossing. This meets ACC's long range goal for a road extension from US Highway 29 to Voyles Road. A separate private road will extend south from Talley Crossing to Highway 72. This will be a right-in/right-out intersection. The existing utilities installed were designed to handle the capacity envisioned by this rezone following the ACC Comprehensive plan.

The owner or developer will be constructing all the roads and utilities to support development under an RM-1 zone. Athens-Clarke County currently has water and sewer capacity to support development under the density allowed by the current C-R zone or the RM-1 zone. See attached letter. This development may increase the number of children attending Clarke County schools.

The development of this parcel whether it is under the current C-R zone or the proposed RM-1 zone will create environmental impacts on the property. The impact will be mitigated by application of current ACC ordinances for Erosion Sedimentation and Pollution Control as well the Georgia Stormwater Management Manual. The site includes a stream that may be perennial or intermittent and a flood zone. All development will comply with State and Local ordinances with respect to development outside of the flood zone and riparian buffers. Development will not occur in the riparian buffers or the flood zone. No reduction in air quality is anticipated during or after this development. The rear of the property is proposed to remain undeveloped.

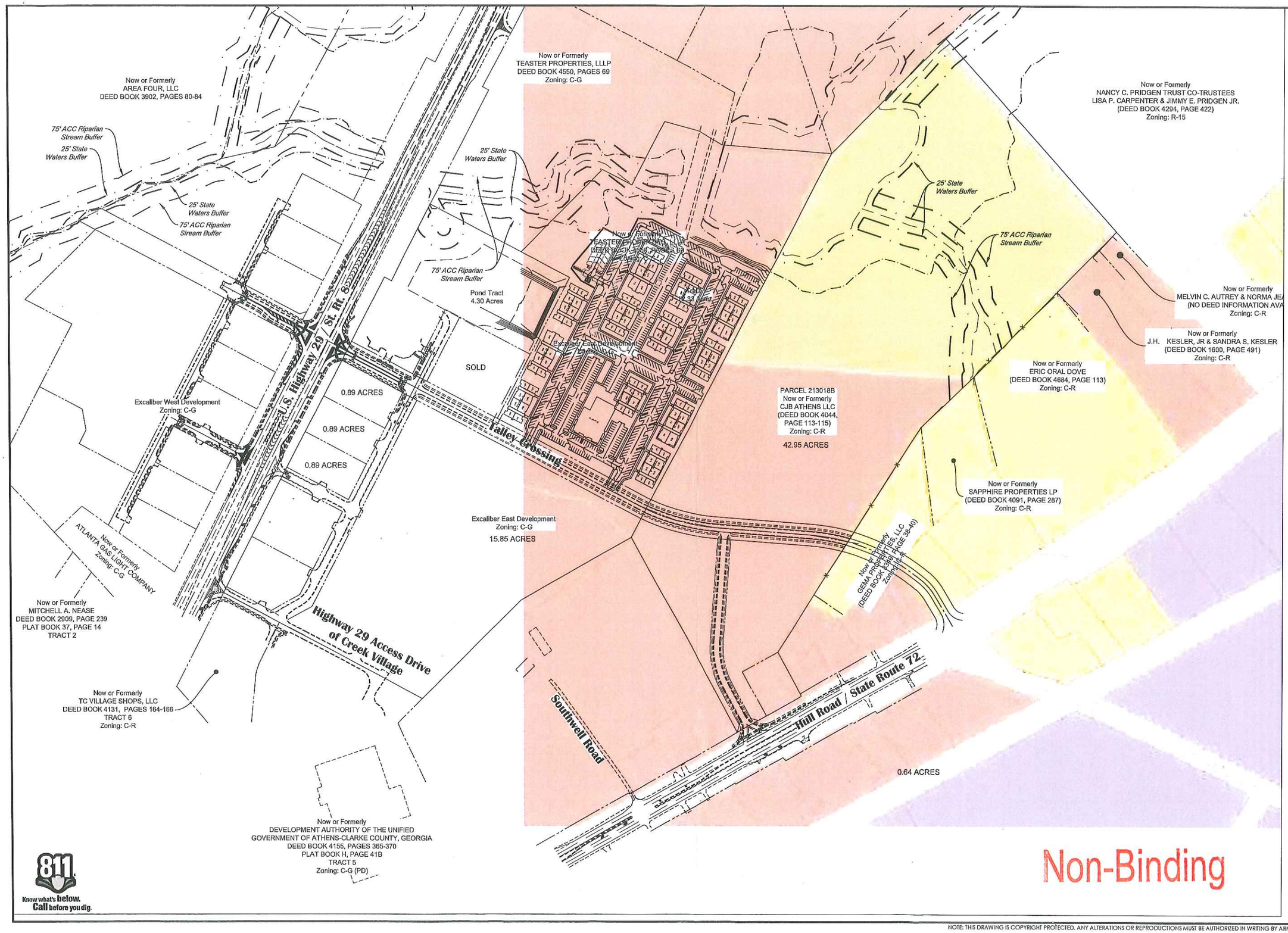
The proposed zoning amendment will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations because the adjacent parcels are all zoned C-R or C-G which has allowable uses that are greater than or equal to the proposed RM-1 rezone of this parcel.

The current C-R zone does not allow for multifamily development on the ground floor. Approval for ground floor residential requires a special use rezone which is costly and ties the developer to an

approved plan that is difficult and time-consuming to revise. Overall development in the area is a mix of commercial and residential.

The aesthetic effect of existing and future use of the property as it relates to the surrounding area is not changed whether the property is rezoned RM-1 or remains C-R. Both zones allow residential development of the same density. All developments must conform to ACC development ordinances, therefore, residential development will be similar in either development case. The current trend for residential mixed use in this area is to allow residences on ground floors by special use as long as they do not front the highways in the area. By rezoning the property to RM-1, the developer understands that the overall green space for RM-1 is greater than that required for C-R zone.

The future extension to Talley Crossing will create a new corridor directly to the employment area to the east across Highway 72. This rezone will result in residential development in close proximity to existing and future commercial and industrial businesses nearby. The rezoned property will include amenities and be close enough to businesses to create a walkable environment.



REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: MBT
DRAWN: SLS
CHECKED: MBT
APPROVED: MBT

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GEORGIA REGISTERED No. 0281 PROFESSIONAL ENGINEER MICHAEL BRET THURMOND 08/24/2021

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OVERALL DEVELOPMENT PLAN FOR TALLEY CROSSING PROPERTIES

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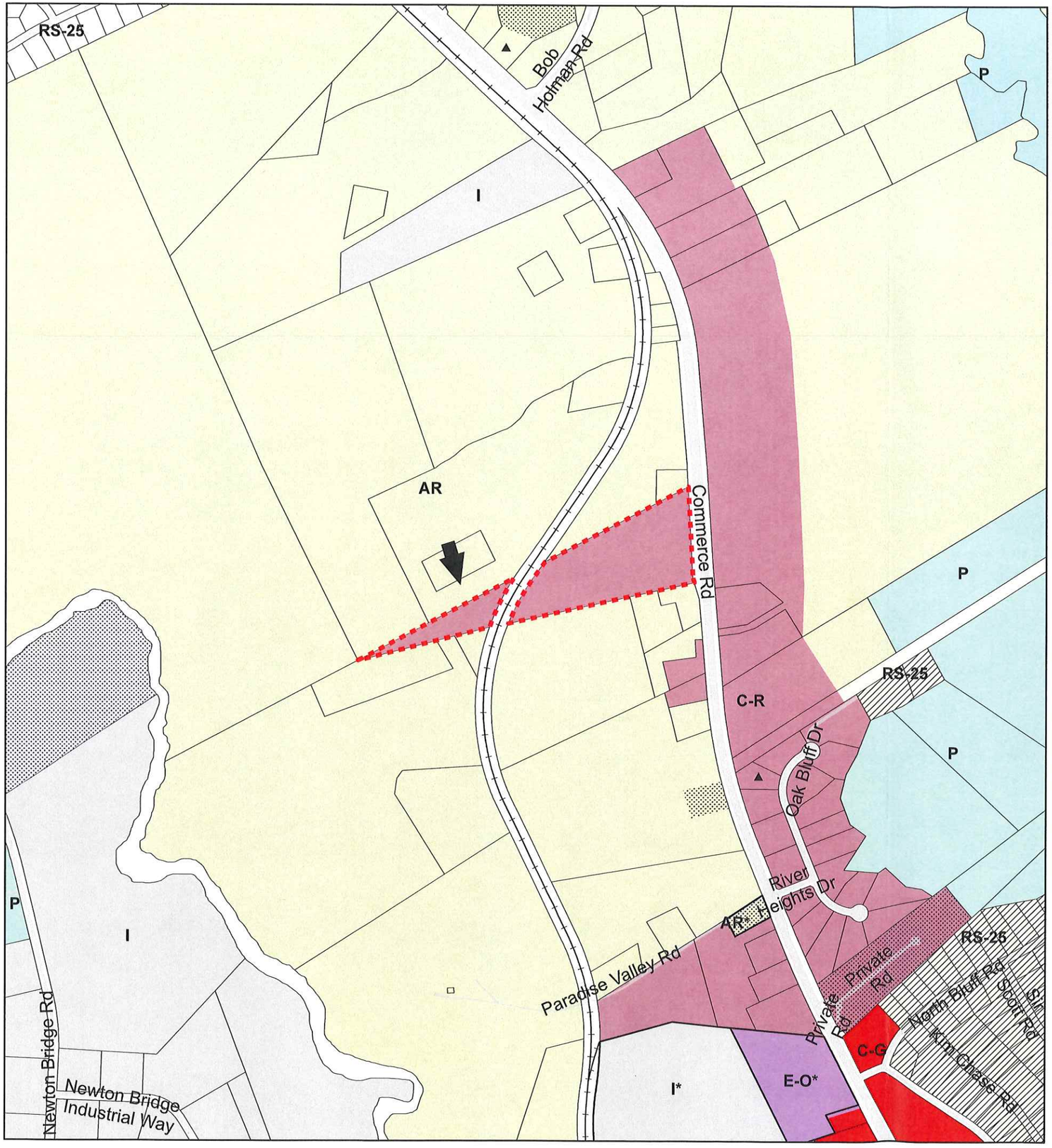
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING ONE PARCEL OF LAND COMPRISING APPROXIMATELY 16.17 ACRES LOCATED AT 2325 COMMERCE ROAD FROM AR, (AGRICULTURAL RESIDENTIAL) TO C-R (COMMERCIAL RURAL);** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of one parcel of land comprising approximately 16.17 acres located at 2325 Commerce Road, Athens, Georgia from AR (Agricultural Residential) to C-R (Commercial Rural) as shown on Attachment A hereto. Said affected parcels of land being more fully described in the master site plan entitled "Survey for: Schubert Properties, LLC 219TH GMD Clarke County, Georgia," said site plan having a date of February 4, 2013, prepared by Patrick & Associates, Inc. Surveying and Engineering, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

The parcel comprising the subject 16.17 acre tract of land is also known as parcel number 102 019 on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*

Parcel boundaries of the site are determined by legal description.
The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
  - *(ND)*, North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

670 335 0 670 1,340 2,010 Feet

ATTACHMENT A	ZONE-2022-05-1427 REZONE 2325 COMMERCE ROAD Robert Shields Habersham Partners I, LLC	
522		
FROM: AR (Agricultural Residential)	TO: C-R (Commercial-Rural)	
TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
102 019	July 7, 2022	Augist 2, 2022

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: ZONE-2022-05-1427

LOCATION: 2325 Commerce Road
APPLICANT: Robert Shields
OWNER: Habersham Partners I, LLC
REQUEST: From AR (Agricultural Residential) to C-R (Commercial-Rural)
DISTRICT: 5

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Hall made a motion to recommend denial. Mr. Tucker seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: None
Against: None

Discussion: The Planning Commission discussed the lack of reasons in the application report for amending the zoning classification.

Motion: Mr. Hall made a motion to recommend denial. Mr. Tucker seconded the motion, which passed unanimously.

STAFF REPORT
ZONING MAP AMENDMENT
CASE NUMBER ZONE-2022-05-1427
2325 COMMERCE ROAD
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT:	Robert Shields
OWNER:	Habersham Partners 1, LLC
REQUEST:	From AR (Agricultural Residential) to C-R (Commercial-Rural)
TYPE OF REQUEST:	Type II
LOCATION:	2325 Commerce Road
COUNTY COMMISSION DISTRICT:	5
SIZE OF SUBJECT PROPERTY	16.17 acres
PRESENT USE:	Undeveloped
PROPOSED USE:	None
TAX MAP NUMBER:	102 019
ADJACENT USES AND ZONING:	(N) Single-family dwellings / AR
	(E) Commerce Rd.; Undeveloped / C-R
	(S) Single-family dwelling; undeveloped / AR
	(W) Railroad; Undeveloped / AR
STAFF RECOMMENDATION:	**Denial**
PLANNING COMM. RECOMMENDATION:	**Denial**

II. PURPOSE

The request is for a Zoning Map amendment from AR (Agricultural Residential) to C-R (Commercial-Rural Zoning) at 2325 Commerce Road.

The specific purpose for the request, as denoted in the application report, is to allow the property owner more avenues to look for future development. A survey of the property is included.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The subject property consists of 16.17 acres and is located in northern Athens-Clarke County on the western side of Commerce Road (US 441) between Paradise Valley Road and Bob Holman Road. It is currently undeveloped and wooded with rolling topography. The property was purchased by the current owner earlier this year.

The subject property is bounded by AR (Agricultural Residential) zoning on every side, except for across Commerce Road to the east of the subject property where there is C-R (Commercial-Rural) zoning. All adjacent properties are either undeveloped or contain single-family dwellings.

IV. PROPOSAL

The requested C-R (Commercial-Rural) zoning potentially allows more commercial, industrial and institutional property uses by right than the current AR (Agricultural Residential) zoning. C-R zoning also allows more intensive property development, such as a higher maximum lot coverage and building height.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The Future Land Use Map designates the subject property as *Rural*. The requested C-R zoning is compatible with the Future Land Use designation, which is shared with the surrounding Athens-Clarke County properties and is defined as follows:

Rural lands are intended to have very low residential density. To maintain open space, clustering of dwellings is encouraged with common open spaces protected by conservation easements. Agricultural uses are encouraged, as well as other compatible uses, such as limited, low-impact commercial uses, equestrian and other animal boarding facilities.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN

The following are relevant 2018 Comprehensive Plan statements:

- Develop incentives to reuse existing development before new development in greenfields, including TDR's, CID's, TAD's, and BID's. Given the county's small geographic area, redevelopment should be prioritized over greenfield development as plenty of opportunity exists to improve blight along corridors and gateways, strip malls, industrial sites, and aging apartments.
- Athens-Clarke County has dozens of private properties, totaling more than half a million square feet of available commercial and industrial building space, that need to be marketed and taken into consideration when rezoning for such uses.
- Development has an opportunity to locate outside Athens-Clarke County, just over the county line in an effort to avoid county regulations and land value, but still claim proximity to the county and its population. Practices to prevent this type of occurrence are needed.
- *Strategy:* Create appealing community gateways and corridors by recognizing their challenges and opportunities. This includes plans for redevelopment and revitalization that consider potential uses while balancing real estate value with aesthetics, allowing movement with safety, and creating appealing community gateways from the outside of the County into Downtown.
- *Policy:* Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- *Policy:* Develop incentives to reuse existing development before new developments in Greenfields.
- Create inviting city entrances that embrace community character and promote a sense of pride through beautification efforts.
- Partner with surrounding counties to help preserve the Greenbelt by decreasing development pressure.
- *Policy:* Identify and evaluate tax incentives on AR zoned property to incentivize maintaining AR land.
- A Greenbelt that accommodates changes but preserves most areas.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to rezone the subject property at 2325 Commerce Road from AR (Agricultural Residential) to C-R (Commercial-Rural). The requested zoning would not create an isolated district since the properties directly across Commerce Road to the east and a few nearby parcels on the same side of the road (about 400 feet south of the subject property) have the same zoning classification.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

The applicant has not proposed a use for the property, so there are no plans to judge for compatibility with the zoning code. Some of the standards that would need to be met are specified below.

Commercial zone architectural standards prohibit non-architectural metal siding and non-decorative concrete exteriors, while requiring primary orientation to the frontage road, building offsets or other distinctive changes in building facades exceeding 100 feet in length, covered public building entrances, and 30% fenestration for all first floor wall surfaces facing the road. Windows used to meet the fenestration requirement must allow views into working areas.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The request is to rezone the subject property from AR (Agricultural Residential) to C-R (Commercial-Rural). Approval of the rezone request would not create a significant impact on the balance of land uses in Athens-Clarke County.

II. POPULATION

There is no proposed use for the property at this time. The proposed C-R (Commercial-Rural) zone allows for residential uses under certain conditions, such as a group or congregate personal care home or a mixed-use development with non-residential uses on the ground floor.

III. ENVIRONMENT

According to the Athens-Clarke County Environmental Areas Map, no protected environmental areas (wetlands, flood plain, streams, riparian buffers) currently exist on the subject property. The subject property is entirely wooded and falls from east to west with a draw in the middle of the property.

The requested C-R (Commercial-Rural) zoning requires that any development conserve 30% of the property in tree canopy and provide total tree canopy of 60%.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The property sits on Commerce Road (US-441), one of the major arterial roads into Athens-Clarke County. The addition of a yet-to-be-determined use could generate trips that may degrade the road's ability to serve as an efficient high-speed highway connecting Athens to Commerce and I-85. Since it is a

state highway, any proposed access will need to obtain GDOT approval. ACC Transit does not serve Commerce Road.

V. GRADING AND DRAINAGE

The ACC Transportation and Public Works Department does not have any grading or drainage comments on the proposal at this time.

VI. WATER AND SEWER AVAILABILITY

The ACC Public Utilities Department has the following comments:

- ACC water service is available.
- ACC sanitary sewer service is not available in the area. A private septic system would require approval from Clarke County Environmental Health Services.

VII. FIRE PROTECTION

The ACC Fire Department has the following comments on this proposal:

- *ACC Fire & Emergency Services can provide fire protection without any services being affected or any additional cost for fire department equipment or personnel.*
- *Fire hydrants shall be installed per Code.*
- *Fire apparatus can access the project.*

RECOMMENDATION

I. STAFF RECOMMENDATION – Denial

The requested C-R (Commercial-Rural) zoning designation is appropriate for the subject property, which is in the immediate vicinity of other properties with the same zoning classification. The requested zoning is also compatible with the *Rural* Future Land Use designation, which is shared with all surrounding properties. However, the applicant has not demonstrated why the existing zoning is insufficient for the applicant's use. The applicant's report simply states that the C-R zoning category would make the site more marketable without specifying a use or a specific need for the rezoning. Furthermore, the Comprehensive Plan favors preserving the Greenbelt and AR land, redevelopment before greenfield development, and nodal development instead of strip projects.

Therefore, Staff recommends denial of the request.

II. PLANNING COMMISSION RECOMMENDATION – Denial

The Planning Commission considered the request at their regular meeting on July 7, 2022 and recommended denial.

III. CURRENT STATUS

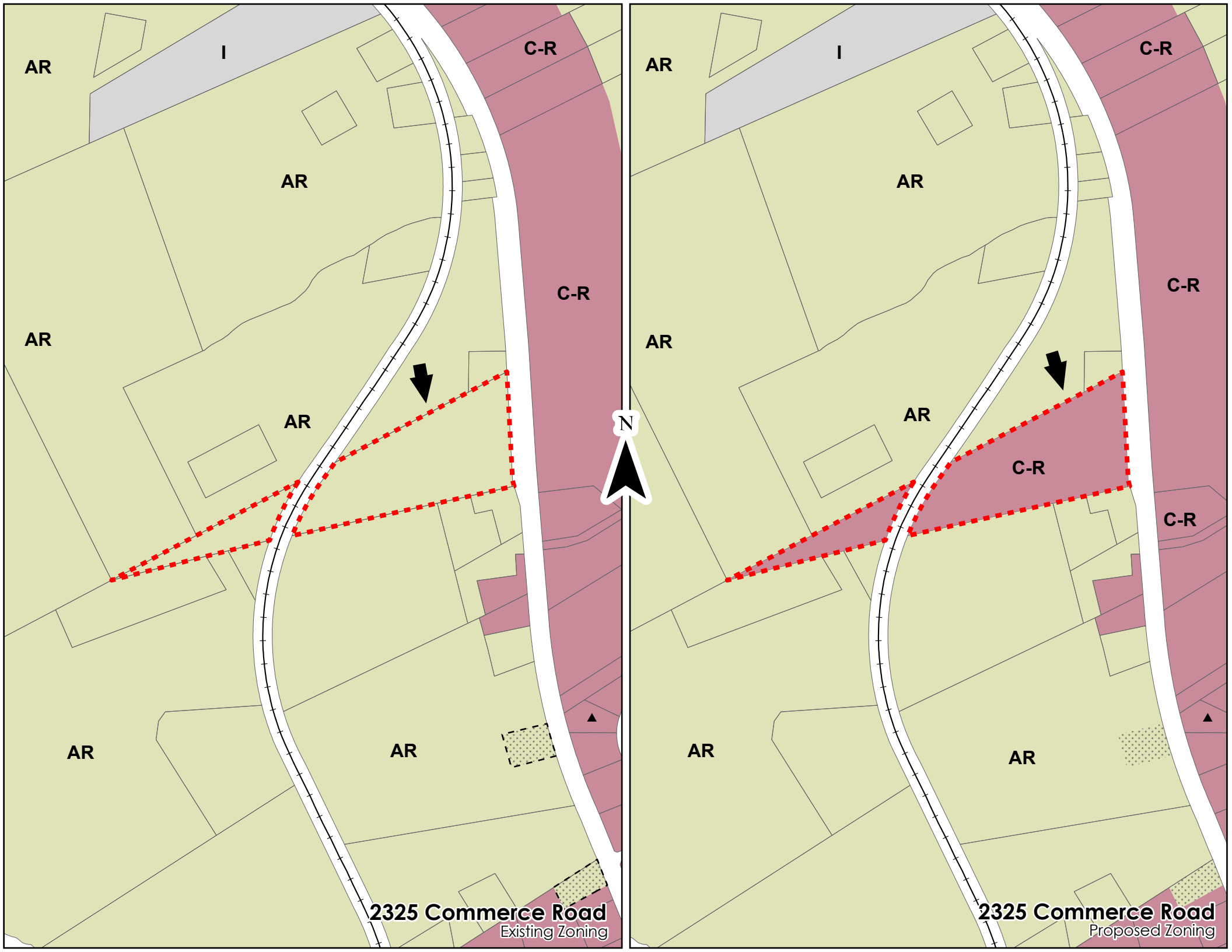
The request and the Planning Commission recommendation are scheduled to be presented to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to take action on this request on August 2, 2022.

REPORT FOR 2325 COMMERCE ROAD

Reviewed	Not Applicable	Zoning Criteria for Type II Applications
X		1. The proposed rezoning conforms to the future development map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
	X	2. The proposed special use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
X		3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.
X		4. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
X		5. Existing land use pattern surrounding the property in issue
X		6. Possible creation of an isolated district unrelated to adjacent and nearby districts
X		7. Population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities and streets
X		8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures
X		9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity
X		10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations
X		11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment
X		12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area
X		13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal

Public Notice

In accordance with Section 9-4-9(E), public notice of this zoning request was posted on or near the subject property on June 22, 2022.


AR
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2325 Commerce Road
Existing Zoning
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2325 Commerce Road
Proposed Zoning

Rezoning Proposal 5/25/2022

Applicant : Habersham 1 Properties llc

Tax Parcel 102 019

Location 2325 Commerce Road Athens, Ga 30607

Size 13.06 Ac

Undeveloped

Current zoning AR

Proposed zoning CR

There is currently no anticipated development for this property. The new owner Habersham Properties 1 LLC, feels that changing to Commercial Rural would be a better zoning than current.

There is access to rail on the rear of property that could be a possible use in the future because the whole area will probably be a light commercial area in the future.

This rezone will still be in the rural category, it will simply give the owner more avenues to look for future development

Non-Binding

SURVEY FOR:

SCHUBERT PROPERTIES, LLC

219TH GMD

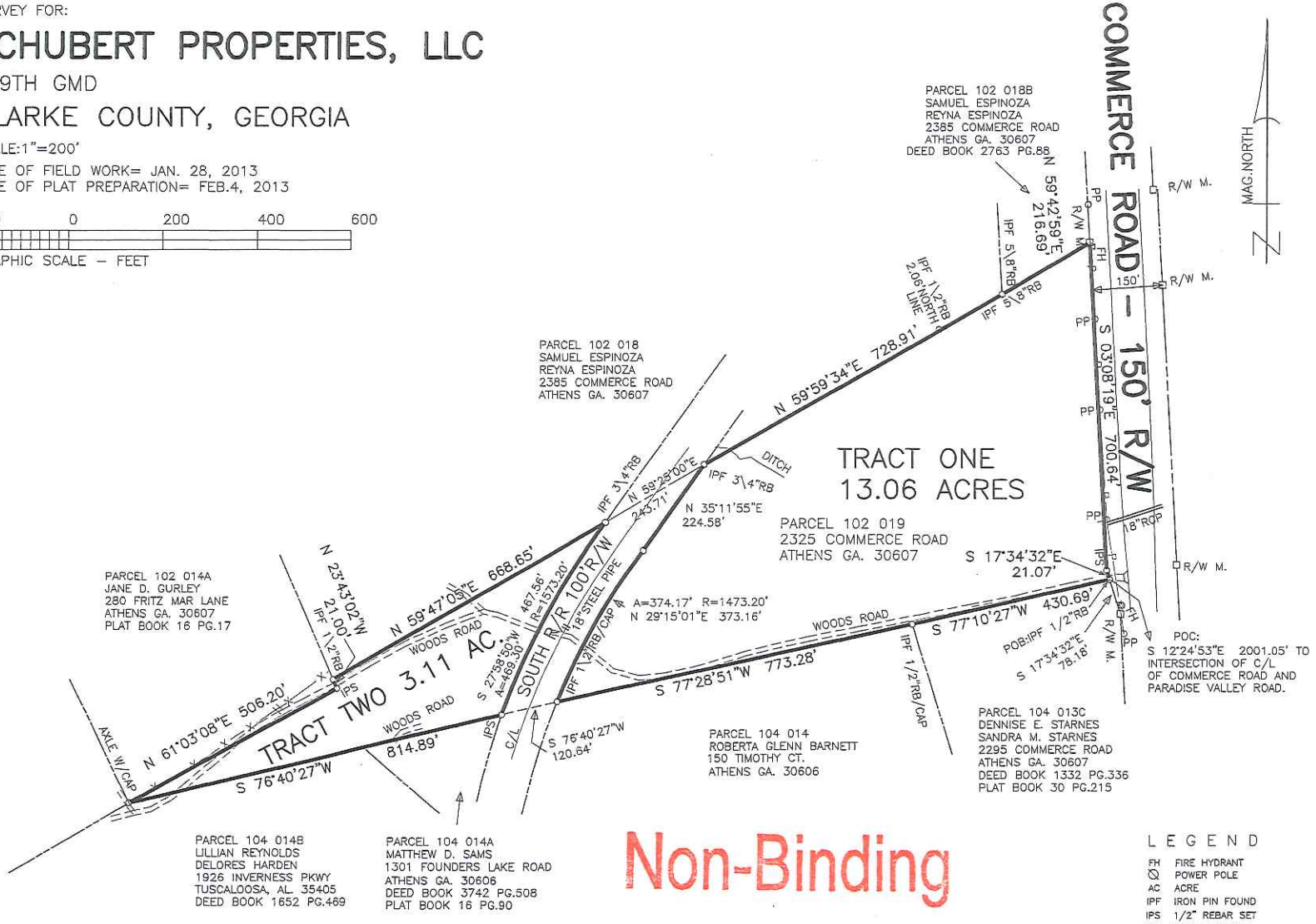
CLARKE COUNTY, GEORGIA

SCALE:1"=200'

DATE OF FIELD WORK= JAN. 28, 2013
DATE OF PLAT PREPARATION= FEB.4, 2013

200 0 200 400 600

GRAPHIC SCALE – FEET



Non-Binding

TOTAL AREA= 16.17 ACRES

LEGEND

FH	FIRE HYDRANT
∅	POWER POLE
AC	ACRE
IPF	IRON PIN FOUND
IPS	1/2" REBAR SET
OTP	OPEN TOP PIPE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PP	POWER POLE
RCP	REINFORCED CONCRETE PIPE
R/W M	RIGHT OF WAY MONUMENT
SF	SQUARE FEET
—P—	OVER HEAD POWER LINE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 47,970 FEET AND AN ANGULAR ERROR OF 05" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 4,737,618 FEET.

EQUIPMENT USED: LEICA TCR 703

GEORGIA REGISTERED NO. 2293 LAND SURVEYOR CHARLES O WIGGINS

PATRICK & ASSOCIATES, INC.
SURVEYING & ENGINEERING
928 BLACKLAWN ROAD
CONYERS, GEORGIA 30094
PHONE: 770-483-9745 - FAX: 770-483-9219

JOB NO. 6022

DWG. NO. 28954

SCREEN FILE 6022BDRY

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **SPECIAL USE APPROVAL IN THE C-D (WE) (COMMERCIAL–DOWNTOWN, WEST END DOWNTOWN DESIGN AREA) DISTRICT ON THE APPROXIMATE 1.2-ACRE PARCEL OF LAND LOCATED AT 229 MEIGS STREET;** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the current C-D (WE) (Commercial Downtown, West End Downtown Design Area) district in which is located an approximate 1.2-acre parcel of land at 229 Meigs Street, Athens, Georgia, is hereby amended to provide for Special Use approval to permit residential dwellings on the ground floor, as shown on Attachment A hereto. The subject parcel is more fully described as follows:

All that approximate 1.2-acre parcel of land as described by that certain site plan entitled "Bottleworks Expansion 1.198 AC. - 229 Meigs Street Athens-Clarke County, Georgia" dated June 8, 2022, prepared by Pittman Engineering PC, stamped "Binding 7-12-22," and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 1.2-acre parcel of land at 229 Meigs Street, Athens, Georgia is designated as tax parcel number 171A1 O002 on the Athens-Clarke County tax map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment shall be duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of ten sheets in total, with each sheet being numbered and titled in the lower-right hand corner and stamped "Binding 7-12-22." The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
01	Special Use Site Plan	6/08/22
A-0.0	Cover	5/26/22 last revised 6/2/22
A-1.0	Building 1 Overall Floor Plans	5/26/22 last revised 6/2/22
A-1.1	Building 1 Exterior Elevation	5/26/22 last revised 6/2/22
A-1.2	Building 2 Overall Floor Plans	5/26/22 last revised 6/2/22
A-1.3	Building 2 Exterior Elevation	5/26/22 last revised 6/2/22
A-1.4	Building 3 Overall Floor Plans	5/26/22 last revised 6/2/22
A-1.5	Building 3 Exterior Elevation	5/26/22 last revised 6/2/22
A-1.6	Building 4 Overall Floor Plans	5/26/22 last revised 6/2/22

A-1.7	Newtown Street Elevation + Rendering	5/26/22 last revised 6/2/22

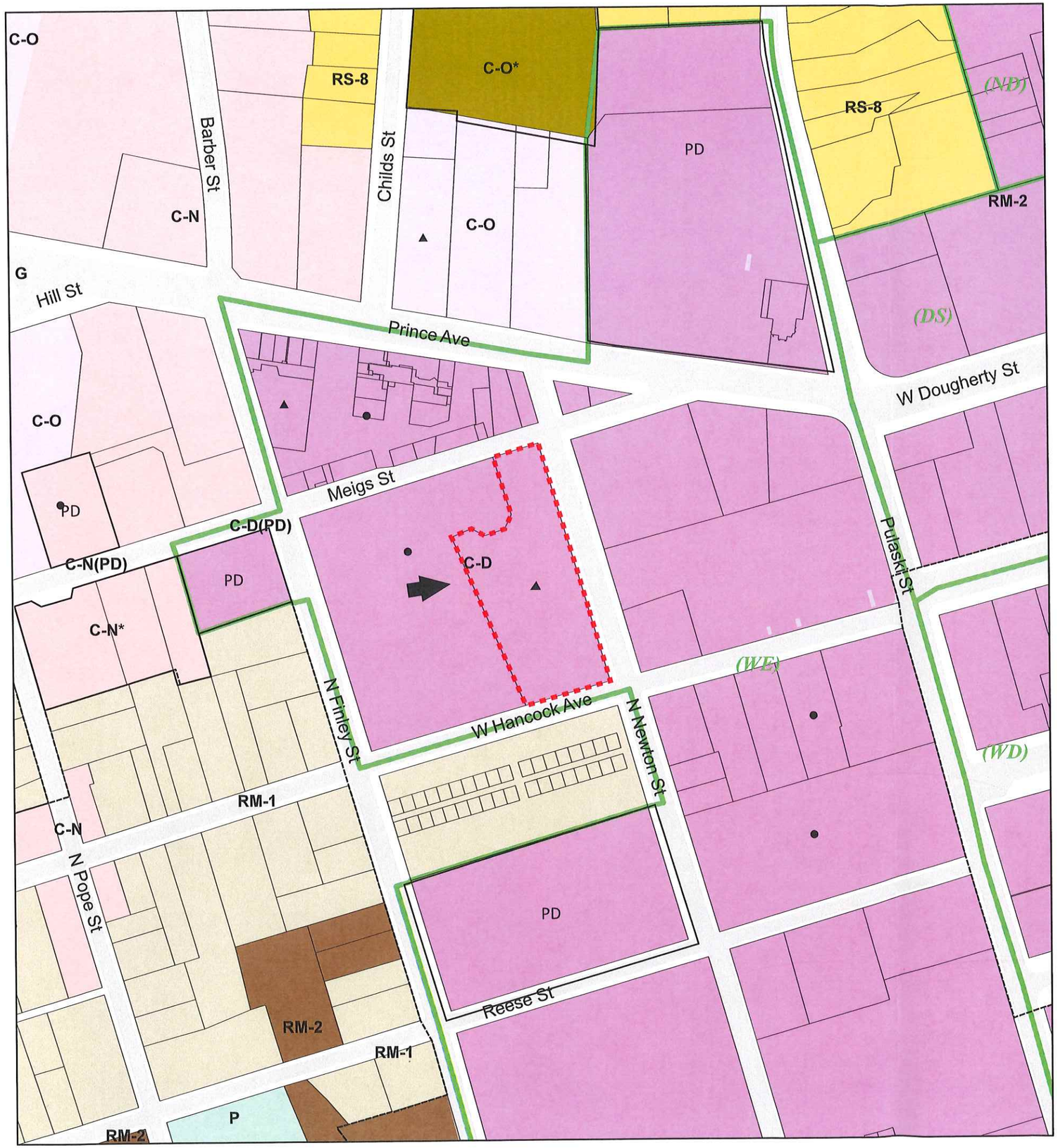
The binding site plan associated with this ordinance is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

The binding written report associated with this ordinance and incorporated herein by reference consists of six pages, being entitled "Special Use for 229 Meigs Street Project Name: Bottleworks Expansion" dated June 2, 2022, stamped "Binding 7-12-22," prepared by E+E Architecture , and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. The conditions associated with approval of the requested special use permit are as follows:

1. A water and sanitary sewer capacity evaluation shall be submitted to and approved by the Public Utilities Department
2. The site plan shall be revised to denote the proposed water and sanitary sewer line connections.
3. The site plan shall be revised to denote additional right-of-way dedication along Meigs Street and West Hancock Avenue per the standards of the Transportation and Public Works Department.
4. The site plan shall be revised to denote the proposed floor area ratio (FAR).
5. The site plan shall be revised to provide the required sidewalk along the Newton Street frontage.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential *(1 unit per 10 acre density)*
- RM-1, Mixed Density Residential *(16 multi-family units per acre)*
- RM-2, Mixed Density Residential *(24 multi-family units per acre)*
- RM-3, Mixed Density Residential *(50 multi-family units per acre)*
- RS-5, Single-Family Residential *(5,000 sq. ft. min. lot area)*
- RS-8, Single-Family Residential *(8,000 sq. ft. min. lot area)*
- RS-15, Single-Family Residential *(15,000 sq. ft. min. lot area)*
- RS-25, Single-Family Residential *(25,000 sq. ft. min. lot area)*
- RS-40, Single-Family Residential *(40,000 sq. ft. min. lot area)*

Parcel boundaries of the site are determined by legal description.
The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
  - *(ND)*, North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

160 80 0 160 320 480 Feet

ATTACHMENT A	SUP-2022-06-1477 SPECIAL USE PERMIT **229 MEIGS STREET** Christopher Evans/E+E Architecture Bottleworks Parking, LLC	
525		
FROM: **C-D (WE)**	TO: **Special Use in C-D (WE)**	
TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
171A1 0002	July 7, 2022	August 2, 2022

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: SUP-2022-06-1477

LOCATION: 229 Meigs Street
APPLICANT: Christopher Evans / E+E Architecture
OWNER: Bottleworks Parking, LLC
REQUEST: Special Use in C-D (WE) (Commercial-Downtown, West End Downtown Design Area)
DISTRICT: 3

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Kinman made a motion to recommend approval w/ conditions. Ms. Rowland seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Chris Evans, John Keeble, Mark Wilson
Against: Liz DeMarco, Kyle Tibbs Jones

Discussion: The Planning Commission discussed the appropriateness of the proposed development in the Downtown area, the positive use of structured parking and the ability to convert ground-floor dwelling units into additional commercial space.

Motion: Ms. Kinman made a motion to recommend approval with the following conditions:

1. A water & sanitary sewer capacity evaluation shall be submitted to and approved by the Public Utilities Department.
2. The site plan shall be revised to denote the proposed water and sanitary sewer line connections.
3. The site plan shall be revised to denote additional right-of-way dedication along Meigs Street and West Hancock Avenue per the standards of the Transportation and Public Works Department.
4. The site plan shall be revised to denote the proposed floor area ratio (FAR).
5. The site plan shall be revised to provide the required sidewalk along the Newton Street frontage.

Ms. Rowland seconded the motion, which passed unanimously.

STAFF REPORT
SPECIAL USE PERMIT
CASE NUMBER: SUP-2022-06-1477
229 MEIGS STREET
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	Christopher Evans / E+E Architecture, Inc.
OWNER	Bottleworks Parking, LLC
REQUEST	Special Use Permit for residential dwellings on the ground level in a Commercial-Downtown (C-D) zone
TYPE OF REQUEST	Type II
LOCATION	229 Meigs Street
COUNTY COMMISSION DISTRICT	3
SIZE OF REZONING AREA	1.2 acres
PRESENT USE	Parking Lot
PROPOSED USE	Mixed-use (residential & commercial) development
TAX MAP NUMBER	171A1 O002
ADJACENT USES AND ZONING	(N) Bottleworks mixed-use development (C-D)(WE)
	(E) First Baptist Church and parking lot (C-D)(WE)
	(S) 421 West multifamily development (RM-1)
	(W) Office (C-D)(WE)
STAFF RECOMMENDATION	**Table**
PLANNING COMM. RECOMMENDATION	**Approval w/ conditions**

II. PURPOSE

The request is for a Special Use Permit, at 229 Meigs Street, to allow ground-floor residential in a C-D (Commercial-Downtown) Zone. A Special Use includes a binding application report, site plan, and architectural elevations as a guarantee to the community that what is proposed would be constructed. The request does not require a change to the Future Land Use Map.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The 1.2 acre parcel is located on the north side of Hancock Avenue, the west side of Newton Street, and the south side of Meigs Street. The parcel is currently a parking lot for the adjacent Bottleworks complex.

The surrounding properties are zoned RM-1 (Mixed-Density Residential) and C-D (WE) (Commercial-Downtown, West End Downtown Design Area), and consist of mixed-use residential/commercial, offices, a church and its parking lot, and multifamily dwellings. First Baptist Church of Athens and its parking lot are located across Newton Street to the east, the Bottleworks mixed-use complex is located across Meigs Street to the north, an office is located to the west, and a multifamily building is located across Hancock Avenue to the south.

The subject parcel is within a National Register Historic District. The Camak House, now an office building located on the adjacent parcel to the west, is designated as a local historic landmark.

IV. PROPOSED DEVELOPMENT

The proposal is to expand the Bottleworks mixed-use complex via construction of a multifamily development, consisting of 69 proposed dwellings with a total of 159 bedrooms (includes 5 four-bed, 23 three-bed, 29 two-bed, and 12 one-bed units). The proposal would take the form of four buildings with 4,333 sf of commercial space in Building 4, and a wrapped 244-space parking deck. Architectural elevations and floorplans for all four buildings have been submitted with this review. The plans call for five-story buildings with residential units ranging in size from 508-1,622 sf. The application report states that the architecture is inspired by the row house style and would include, "a variety of materials (mainly masonry) and colors to break apart larger buildings into identifiable homes." In all cases, parking would be accessed via the rear parking deck. Walk-up apartments are proposed on both Hancock and Newton Streets. The application report notes that the ground floor residential units could potentially be turned into small offices either for their original use or over the life of the building.

No amenities are proposed within the site; the application report suggests that downtown Athens serves as an amenity itself. No specific stormwater management plans are proposed, although the application report states that all state and local stormwater requirements will be followed. Garbage pickup will be by a private hauler.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE LAND USE MAP

The 2018 Future Land Use Map designates the subject parcel as *Downtown*, which is defined as follows:

Downtown

Retail, office and entertainment uses are encouraged, as is high-density multifamily housing. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation. As parking is handled on a district level, off-street parking for individual commercial development is not intended. Parking structures with commercial uses on the street-level frontage are encouraged rather than surface parking lots. This area should have strict design requirements to protect historic integrity and to ensure that new buildings develop in a form and architectural style compatible with existing downtown character.

The proposal does not require a change to the Future Land Use Map, and it is consistent with the Future Land Use description through its provision of high-density housing, the replacement of a surface parking lot with a parking deck, the addition of new ground-floor commercial space, and the use of physical form and architecture to maintain compatibility with the existing downtown character area.

II. COMPATIBILITY WITH COMPREHENSIVE PLAN POLICIES

The 2018 Comprehensive Plan recommends the following principles:

- Increase the supply and variety of quality housing units, at multiple price points, in multiple locations, to suit the needs of a variety of households.
- Increase access to affordable housing
- Infill and redevelopment should be prioritized over greenfield expansion.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- Pursue nodal development that locates residences close including jobs, services, schools,
- Re-examine zoning standards to ensure that they are delivering on community objectives such as affordable housing, provision of parkland and greenspace, environmental sustainability, etc.

- Promote intra and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development. This applies to both vehicular and pedestrian pathways and may not always require formal, paved improvements when associated with walkability.
- Ensure that necessary infrastructure (streets, sidewalks, utilities, etc.) is provided for all neighborhoods.

The proposal adhere to the Comprehensive Plan support for infill redevelopment at major nodes rather than sprawl development in greenfield areas. A variety of unit sizes will allow multiple types of households to live on the property. However, the provision of one bathroom for each bedroom in larger three- and four-bedroom units may limit the marketability of those units to non-students. The applicant does not mention price points or affordable units, so Staff is left to assume that all units will be market-rate. The location of the project lends itself to non-automobile transportation options, but the site plan does not show bicycle parking or a complete sidewalk network on Newton Street.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The existing C-D (WE) (Commercial-Downtown, West End Downtown Design Area) zoning would remain. All of the surrounding properties, with the exception of the multifamily RM-1 parcel across Hancock Avenue, are also zoned C-D (WE). Therefore, the proposal is compatible with the zoning map.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards. No waivers have been requested with the plan submittal. Therefore, it is expected that the development will comply with all applicable standards, including but not limited to *Section 9-10-6* Design Standards for C-D Zones and *Section 9-19* Outdoor Lighting and Glare Standards.

C-D zoning allows a variety of commercial uses and a maximum of 200 bedrooms per acre. Dwellings are allowed only above or below ground-level, while at least 50% of the ground floor must be leasable commercial space. Multifamily residential uses on the ground floor are only allowed via a Special Use Permit. C-D zoning does not have a minimum lot size or minimum building setbacks, although *Section 9-10-6* denotes a maximum 30' setback from all street rights-of-way. The maximum FAR (Floor-Area Ratio) is 5.0 and the minimum FAR is 0.40. The maximum allowable lot coverage is 100% and the building height limit is 100 feet. No parking minimums are required except for residences and hotels. Residential units require one space per dwelling unit for 1-2 bedroom units and two spaces per dwelling unit for 3 or more bedroom units.

The proposed residential density is 132.5 bedrooms per acre, including units on the ground floor. A total gross square footage has not been provided to demonstrate compliance with the FAR maximum. The proposed lot coverage would increase from 70% to 82%. The height would be approximately 60 feet.

All of the proposed 244 parking spaces would be sited in the proposed parking deck. Staff notes that the existing 93 spaces, owned by the Bottleworks, are not needed to fulfill the minimum parking requirement for the existing Bottleworks development. Therefore, those spaces are not required to remain as a condition of construction to meet ACC Code requirements. The Code does not require parking for the proposed commercial space, but 97 parking spaces are required for the residential portion. Surface parking lots can exceed the applicable parking minimum by 50%. Normally, in this case, the Code would cap the parking at 147 spaces, but parking maximums do not apply to structured parking. Since only

structured parking is proposed, no maximum limit applies. Staff would like the application report to address the need for the significant amount of additional parking, given that the intent of the minimum C-D zone parking calculations is to reduce the need for parking in the Downtown area.

The project is located in the West End Downtown Design Area, which anticipates substantial residential development with some commercial and institutional uses. New buildings are generally expected to be positioned close to the street and parking should be screened. Since the West End abuts residential zones, projects that create compatible transitions between Downtown and the residential areas are a priority.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The request is for a Special Use Permit that would allow ground-floor residences in a Commercial zone. The balance of land uses, as described in the Future Land Use Map, anticipates high-density residential and commercial development in the Downtown area. Athens-Clarke County has seen an influx of multi-family development. In the past four years, approximately 15,000 bedrooms have been constructed, are undergoing Staff review for permitting, or are being considered for a rezoning. When this 159-bedroom proposal is taken into consideration with the other recent requests, especially the 1,146 bedrooms currently under construction in the next two blocks south of the subject property, the cumulative effect could potentially create an impact on the balance of land uses in the County and the West End area of Downtown.

II. POPULATION

The resident population of the immediate neighborhood will increase by 159 bedrooms.

III. ENVIRONMENT

According to the Athens-Clarke County Environmental Areas Map, no protected environmental areas exist on the subject property. The property is paved with the exception of a strip of landscaping between the street and the parking lot. A strip of trees runs along the rear of the property.

The Athens-Clarke County Arborist has reviewed the proposal and has the following comments:

- *The site plan should demonstrate if any existing trees will be impacted by the proposal. It should also include if any trees are proposed to be planted.*

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

The subject property has three street frontages – Meigs Street, Newton Street, and Hancock Avenue. Public sidewalk exists along Meigs Street and Hancock Avenue, and any new development would be required to install sidewalk along the Newton Street frontage. Multiple ACC Transit routes are within walking distance of the property.

The Athens-Clarke County Department of Transportation and Public Works has reviewed the proposal and has the following comment:

- *ACC TPW requires additional right-of-way dedication for Meigs Street and Hancock Avenue to reach the 50' minimum public street standard adjacent to the proposed development.*

V. GRADING AND DRAINAGE

The ACC Transportation and Public Works Department has reviewed the proposal and has no grading- or drainage-related comment at this time.

VI. WATER AND SEWER AVAILABILITY

The Public Utilities Department has the following comments:

- *ACC water is available.*
- *ACC sanitary sewer is available to the site, but each structure requires an individual water and sewer connection. Sewer main extension may be required, particularly to serve buildings 3 and the parking deck. The plans need to indicate how water and sewer connections will be made.*
- *A water and sanitary sewer capacity evaluation by ACC PUD is required.*
- *PUD does NOT recommend approval until these issues are addressed.*

VII. FIRE PROTECTION

The Athens-Clarke County Fire Marshal has the following comments:

- *ACC Fire & Emergency Services can provide fire protection without any fire services being affected or any additional cost for equipment or personnel.*
- *Additional fire hydrants are needed.*
- *Fire apparatus can access buildings from the street. A turnaround is not necessary.*
- *Buildings are required to have sprinkler and alarm systems.*

RECOMMENDATIONS

I. STAFF RECOMMENDATION - Table

The proposed development is consistent with the Future Land Use description through its provision of high-density housing, the replacement of a surface parking lot with a parking deck, the addition of new ground-floor commercial space, and the use of physical form and architecture to maintain compatibility with the existing downtown character area.

However, Staff recommends a table at this time to allow additional time for the applicant to address the following significant technical concerns:

1. The access concerns of the Fire Marshal should be resolved.
2. The site plan should denote additional right-of-way dedication along Meigs Street and Hancock Avenue per the comments of the Transportation & Public Works Department.
3. A water and sanitary sewer capacity evaluation should be submitted to the Public Utilities Department.
4. The site plan should denote the proposed water and sanitary sewer connections.
5. The site plan should denote the proposed FAR (floor area ratio).
6. The application report should explain why additional parking capacity is being proposed beyond the required minimums.
7. The site plan should denote the required sidewalk along the Newton Street frontage.
8. Information should be provided to the ACC Arborist regarding potential tree canopy impacts.

Note: After the Staff report had been distributed to the Planning Commission, consultations of the applicant with the Fire and Public Utilities Departments resulted in the Fire Department revising its recommendation to approval with comments and the Public Utilities Department revising its recommendation to approval with conditions. These updated recommendations were related to the Planning Commission at their meeting.

II. PLANNING COMMISSION RECOMMENDATION – Approval w/ conditions

The Planning Commission considered the request at their regular meeting on July 7, 2022 and recommended approval with the following conditions:

1. A water & sanitary sewer capacity evaluation shall be submitted to and approved by the Public Utilities Department.
2. The site plan shall be revised to denote the proposed water and sanitary sewer line connections.
3. The site plan shall be revised to denote additional right-of-way dedication along Meigs Street and West Hancock Avenue per the standards of the Transportation and Public Works Department.
4. The site plan shall be revised to denote the proposed floor area ratio (FAR).
5. The site plan shall be revised to provide the required sidewalk along the Newton Street frontage.

III. CURRENT STATUS

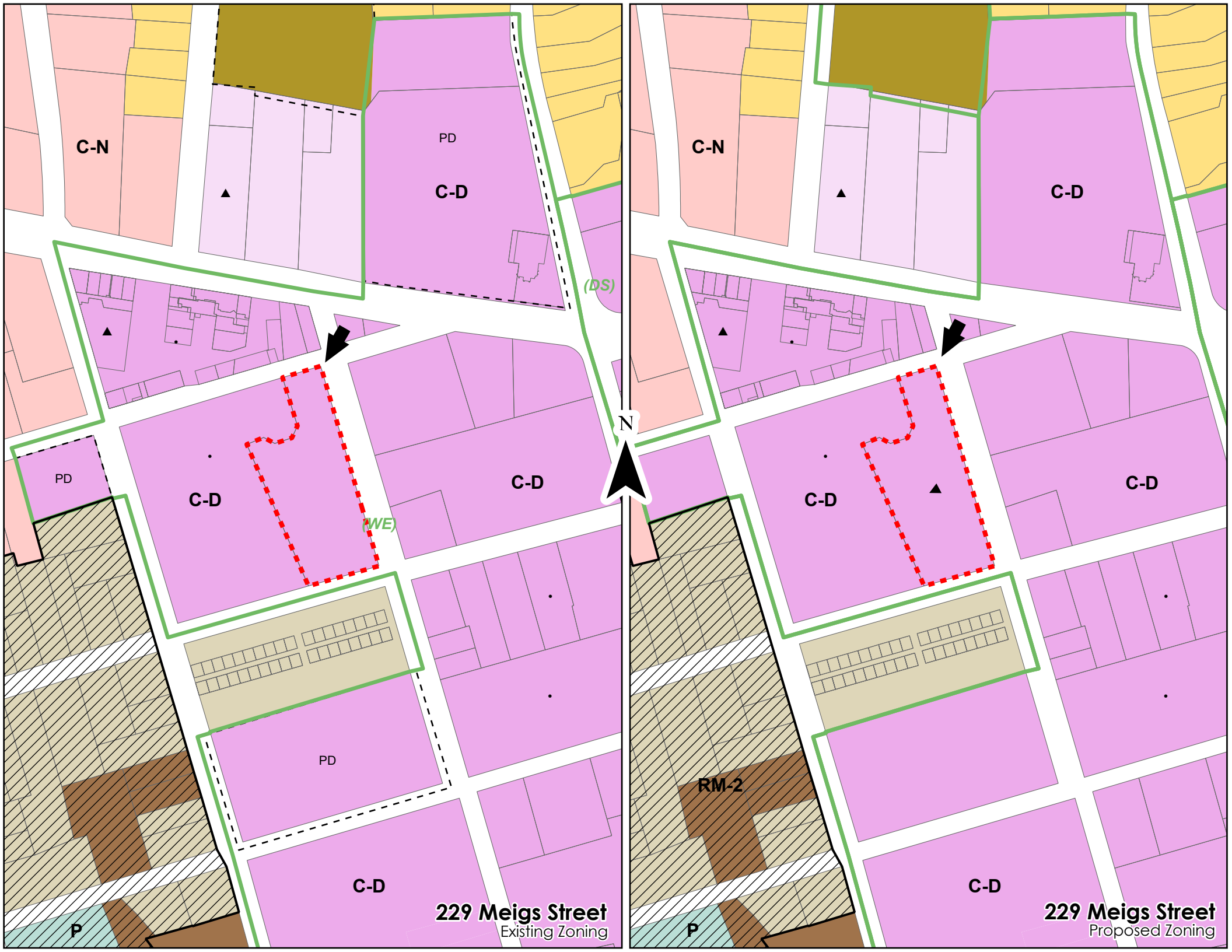
The request and the Planning Commission recommendation are scheduled for presentation to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to take action on this request on August 2, 2022.

REPORT FOR: 229 MEIGS STREET

Zoning Criteria for Type II Applications

X		1. The proposed rezoning conforms to the future development map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
	X	2. The proposed special use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
X		3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.
X		4. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
X		5. Existing land use pattern surrounding the property in issue
X		6. Possible creation of an isolated district unrelated to adjacent and nearby districts
X		7. Population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities and streets
X		8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures
X		9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity
X		10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations
X		11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment
X		12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area
X		13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal

Public Notice: In accordance with Section 9-4-9(E), public notice of this zoning request was last posted on or near the subject property on June 22, 2022.


C-N
PD
C-D
(DS)
PD
C-D
C-D
(WE)
N
PD
C-D
P
229 Meigs Street
Existing Zoning
C-N
C-D
C-D
C-D
RM-2
P
229 Meigs Street
Proposed Zoning

Date June 2, 2022

Special Use for 229 Meigs Street

Project Name: Bottleworks Expansion

Pre-Application Conference: 3-23-2022 with Richard Cowick

Property Address:	229 Meigs Street
Tax parcel:	171A1 0002
Current zoning:	C-D
Tax District	Downtown Development Authority
Proposed zoning:	C-D
Property owner:	UH Development
Applicant:	Christopher Evans / E+E Architecture, Inc
Future Land Use:	Downtown
Commission district:	3 – Melissa Link (706-372-3382; melissa.link@accgov.com)

Description of project:

The proposed project requests a special use for residential dwelling units on the street level for buildings 1, 2, and 3.

The Project:

229 Meigs Street is an existing surface parking lot located in C-D zoning. This parcel is 1.198 acres. We are proposing to construct a four-story parking deck along with four, free-standing buildings which shall surround the parking structure. The parking structure will be connected back to the buildings on multiple floors for direct access from rear porches into the deck. By wrapping the parking deck structure, we will create open green space between the four buildings and the parking structure. The buildings will be five stories inclusive of private rooftop decks and bedrooms set back from the street. There are no amenities associated with this project, rather we consider the amenity to be the surrounding area, the Bottleworks, and downtown Athens.

This development shall serve as an expansion of the existing Bottleworks complex. The majority of the existing Bottleworks parking will be in the parking deck and there will be meaningful pedestrian connections from the new to the existing buildings. The project's goal is to create a transitional development, bridging a neighborhood with downtown. Architecturally, we are deliberately leaning towards a "Brownstone" style architecture with a scale focused on pedestrians and the street. We will use a variety of materials and colors to break apart larger buildings into identifiable homes.

Binding
RC 7-12-22

Building 1 / Fronts Hancock. This building will have garden-level and walk-up dwelling units with stoops facing Hancock. The Second and Third-floor units will be accessible from the connected walkway to the parking deck.

Building 2 / Fronts Newton Street. This building will be comprised of at-grade dwellings and walk-up dwellings with stoops from Newton. The Second and Third-floor units will be accessible from a connected walkway to the parking deck.

Building 3 / Fronts Newton Street. This building will be comprised of garden-style and walk-up units with stoops from Newton Street. The Second and Third-floor units will be accessible from a connected walkway to the parking deck.

Building 4 / Fronts Newton Street and Meigs Street. This building will have ground-floor commercial space and residential on upper floors. There will be an exterior colonnade connecting the original Bottleworks buildings with parking. This will provide an arcade for the existing Bottleworks owners and tenants to access the parking deck and trash—no special requests are needed for this building.

While we are proposing the street-facing units be residential within building 1-3, these uses can easily flip to a small office both in the immediate time frame and over the life of the project.

The existing Bottleworks development is comprised of +/-38,000 sqft of commercial space on the ground level and +/- 24,940 sqft of existing residential.

Total Proposed Commercial Space within Building 4: 4,333 sqft –

Refer to Architectural drawings for additional information.

The Proposed Use conforms with the Future Land Use Map, the general plans for the physical development of Athens Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission

The parcel located at 229 Meigs Street does not alter current zoning or impact future development. The site is an existing parking lot for the Bottleworks development, and a residential use is allowed by-right.

The proposed Special Use meets all the objective criteria set forth for that use provided in the zoning ordinance. It conforms to the purposed and intent of the comprehensive plan and all its elements.

The proposed development is being integrated into an existing mix-used development with existing residential, retail, office, and restaurants. This project fits into the current zoning ordinance and conforms to the intent of the comprehensive plan. As noted above, this project expands the existing mixed-use development and hides parking behind the front doors of homes. The project also serves as a transitional level of density from a neighborhood into a downtown use.

Public Services, which include physical facilities and staff capacity, exist sufficient to service the proposed Special Use

Adding this development will not impact Athens Clarke County's infrastructure or staff services. The zoning allows for a significantly higher bed count.

The proposed Special Use will not adversely affect the balance of the land uses in Athens-Clarke County.

This project is located in C-D zoning and will not adversely affect the balance of land within our county. The use (commercial and residential) is allowed in CD and as mentioned above, we are allowed to have a significantly higher density but have opted to develop as presented to be transitional and compatible with the existing Bottleworks buildings.

Is the proposed use in conformance with all standards within the zoning district in which the use is proposed to be located and in conformance with relevant Comprehensive plan policies implemented by Athens-Clarke County and with all state or federal laws.

The proposed use of residential and commercial conforms with all standards within ACC zoning and conforms with ACC comprehensive plan policies. All State and federal laws will be met.

Is there adequate capacity of Athens-Clarke County facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation that can and will be provided to and through the subject property?

WATER SUPPLY

Water will be provided by Athens-Clarke County Public Utilities. Domestic water demands are as follows:
Residential: 159 beds x 150 gpd per bed = 23,850 gpd
Commercial: 4,333 sf x 1 worker per 200 sf x 30 gpd per worker = 650 gpd
Total demand: 24,500 gpd

SEWAGE DISPOSAL

Sanitary Sewer will be provided by Athens-Clarke County Public Utilities. Sanitary sewer demands are as follows:
Residential: 159 beds x 150 gpd per bed = 23,850 gpd
Commercial: 4,333 sf x 1 worker per 200 sf x 30 gpd per worker = 650 gpd
Total demand: 24,500 gpd

GARBAGE COLLECTION

Garbage collection will be handled by a private contractor.

PUBLIC SERVICES

The request will not cause a strain on public services as the request does not change the existing C-D zoning. There is adequate water, sewer, stormwater, electrical, and roadway infrastructure to serve the site.

STORMWATER MANAGEMENT AND ENVIRONMENTAL CONCERNS

As the project is developed, Stormwater Management will be provided for Runoff Reduction per the ACC Stormwater Code and the GA State Stormwater Manual under the redevelopment section of the stormwater code. Erosion and Sedimentation Control Plans will be submitted and adhered to, to ensure no adverse environmental impacts on the property or adjacent properties. With no change in zoning class, there will not be a change in any noise or air pollution from the property.

Will the Special Use have an adverse impact on the surrounding area?

The expansion of the existing Bottleworks Development will not adversely impact the surrounding area. This expansion is located in the C-D zoning district. This expansion activates the streetscape and infuses pedestrians into the community. Presently, the surface-level lot, surrounded by shrubs is not a community asset. This project will create homes and commercial space and will strengthening Downtown and the existing development at Bottleworks.

When evaluating the effect of the proposed use on the impact area, the following factors shall be considered.

- **The similarity in Scale, bulk, and coverage** – The proposed expansion will be similar in Scale to the existing Bottleworks and surrounding buildings within the few blocks of the area. The existing surface parking lot is being developed, so no additional impact to lot coverage is being added.

- **Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets** – There will not be a significant traffic impact from the proposed project. The property is currently zoned CD and the request does not allow for more projected traffic than would be created if developed without the requested special use. The special use

request is for an allowance of ground-floor residential units instead of the required commercial use of the ground floor. If the ground floor was completely commercial, the traffic generated would be substantially more than what is projected with this development. The project as presented does not create enough traffic per ITE Manual, 10th edition to warrant a traffic impact analysis (TIA). The threshold for a required TIA is 1,000 daily trips or 100 peak hour trips. The projected traffic generated by this project is 424 daily trips and a maximum peak hour trips of 57. Please see the attached traffic generation memo for the breakdown of projected traffic.

- **Architectural compatibility with the surrounding area** – The proposed architecture is compatible with surrounding buildings and the buildings within the Downtown District. The architecture is based on a row-house-style architecture with a variety of colors and details. The exterior materials will be mainly masonry.

- **The possible impact on the environment and water quality, including the generation of smoke, dust odors, or other environmental pollutants** – The proposed mixed-use development is not a change in zoning class, so there will not be any change to water quality, smoke, dust and other environmental pollutants. As noted above, the maximum density allowed by right would have a greater impact than what we are proposing.

- **Generation of noise, light, and glare** – The proposed dwellings are located in an existing mixed-use development with residential and commercial. The parking will now be interior with lighting and noise buffered from the surrounding streetscape. The proposed expansion of this addition will not generate additional noise, light, or glare. All noise, light and glare will fall within ACC outdoor lighting/glare ordinance section 9-19 and section 3-5-25 Noise Control.

- **The development of adjacent properties is compatible with the Future Development Map and the zoning district** - The proposed mixed-use development is compatible with Future Development.

- **Impact on future transportation corridors** –There is no change in future corridors. This property is currently accessed by an entrance into the existing parking lot from Meigs Street. The proposed re-development would be accessed from an entrance on Newton Street which is a much safer, wider street than Meigs.

Existing Development Parking

Total existing parking within the existing development = 53 Parking Spaces (not including private garage parking)

Parking at Bottleworks Expansion

None required Park for Commercial Space

Per Sec. 9-10-4. - Downtown district—Required Parking the project will provide one space per dwelling unit for one and two-bedroom units. For all units with three or more bedrooms, we shall provide 2 spaces/unit.

Total Proposed Parking spaces located in new Parking Deck = 244

Total Parking for the Bottleworks Proper would be 297 Parking Spots; this does not include the private garages for existing residences.

Trip Generation Memo

The accepted procedure for determining the trips generated by the development of a property based on the land use and intensity is to apply the rates or equations developed by the Institute of Transportation Engineers (ITE) as published in the Trip Generation Manual – 10th Edition. The rates or equations in this informational report are calculated from nationally collected data. This method was used to establish the trip generation for the proposed development.

The results of the trip generation for The Bottleworks are given in Table 1.

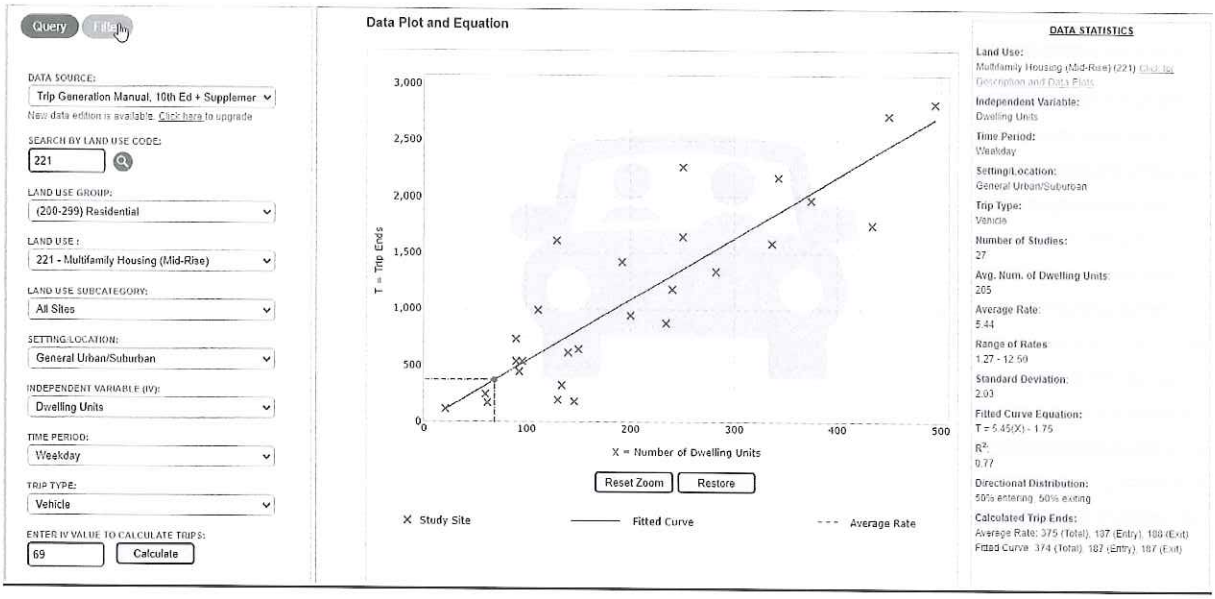
Table 1. Trip Generation Results-Base Design (69 DU and 4,333sf Commercial Office)

Trip Generation									
Land Use (ITE Code)	Intensity	Independent Variable	ADT	AM Peak Hour			PM Peak Hour		
			2-Way	Enter	Exit	Total	Enter	Exit	Total
Housing (Mid-Rise) (221)	69	Dwelling Units	374	6	18	24	19	12	31
General Office Building (710)	4.333	1000 Sq. Ft. GFA	50	26	4	31	1	5	6
Total			424	32	22	54	20	17	37

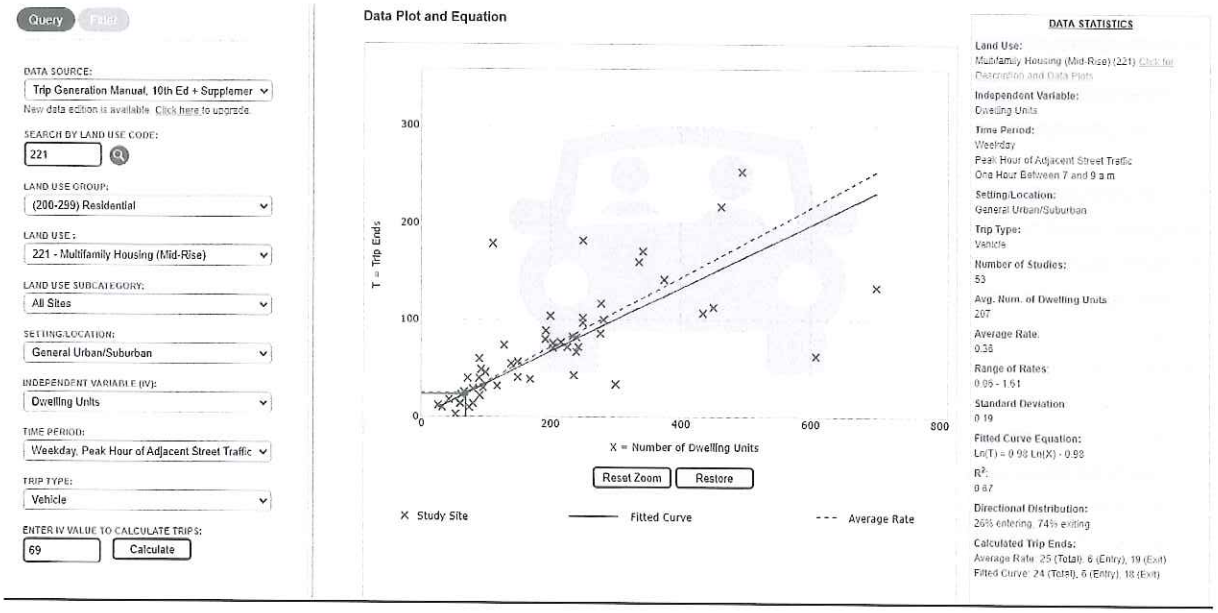
BOTTLEWORKS
TRIP GENERATION
MAY 17, 2022

ITE Trip Generation Web-based App Output

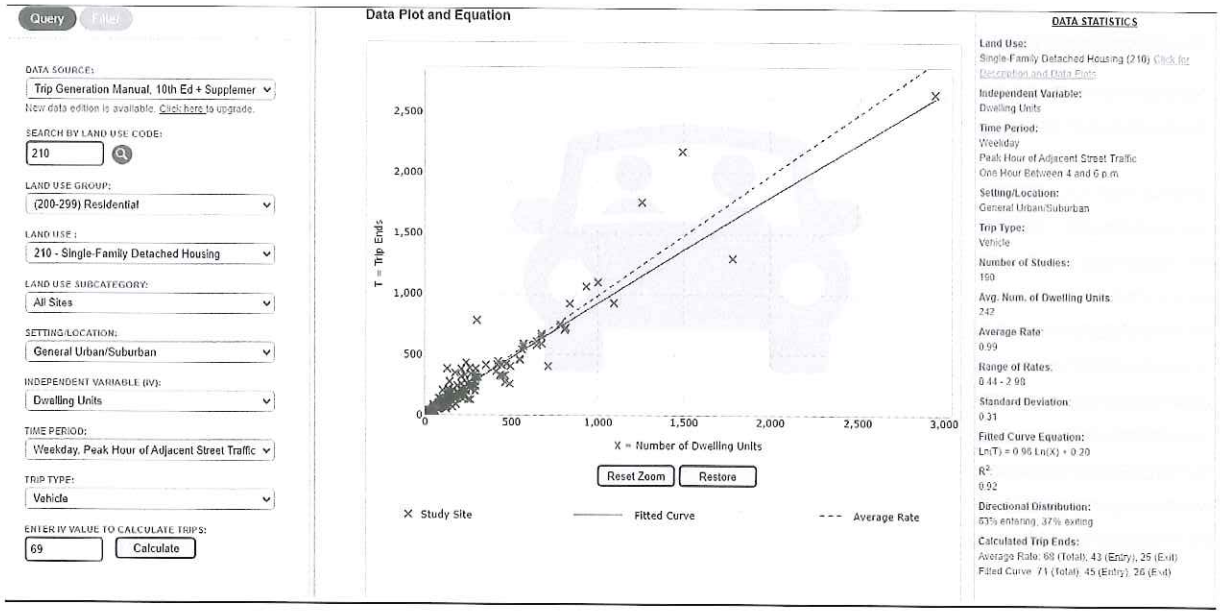
Weekday Average Daily Traffic: Multifamily Housing (Mid-Rise) (221)



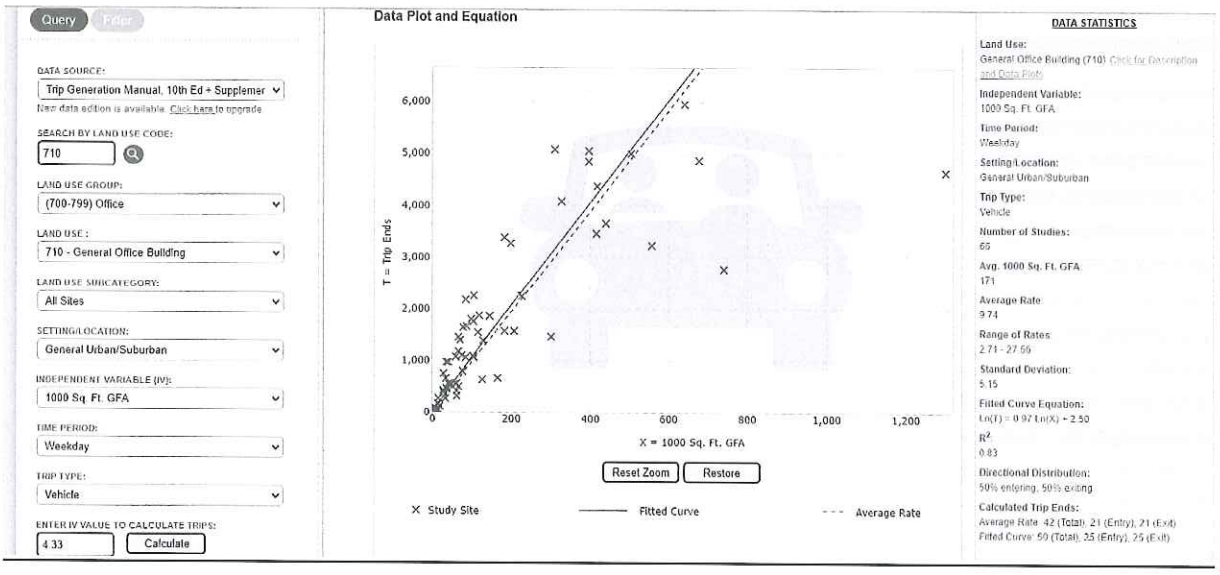
Weekday, Peak Hour of Adjacent Street Traffic One Hour Between 7 and 9 AM: Multifamily Housing (Mid-Rise) (221)



Weekday, Peak Hour of Adjacent Street Traffic One Hour Between 4 and 6 PM: Multifamily Housing (Mid-Rise) (221)

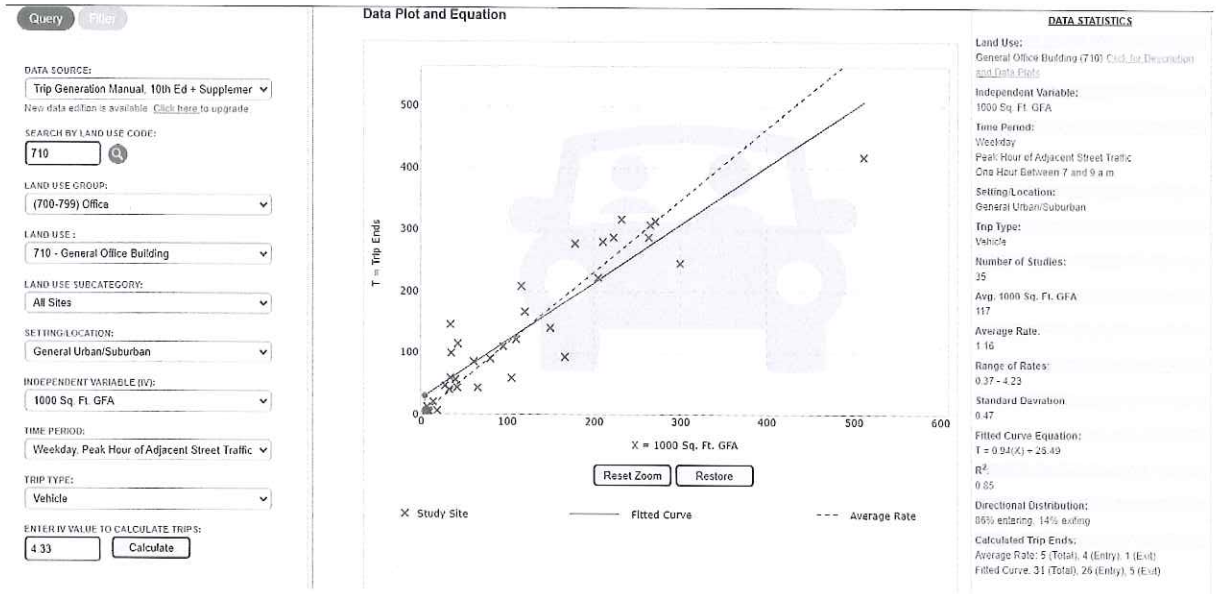


Weekday Average Daily Traffic: Office (710)

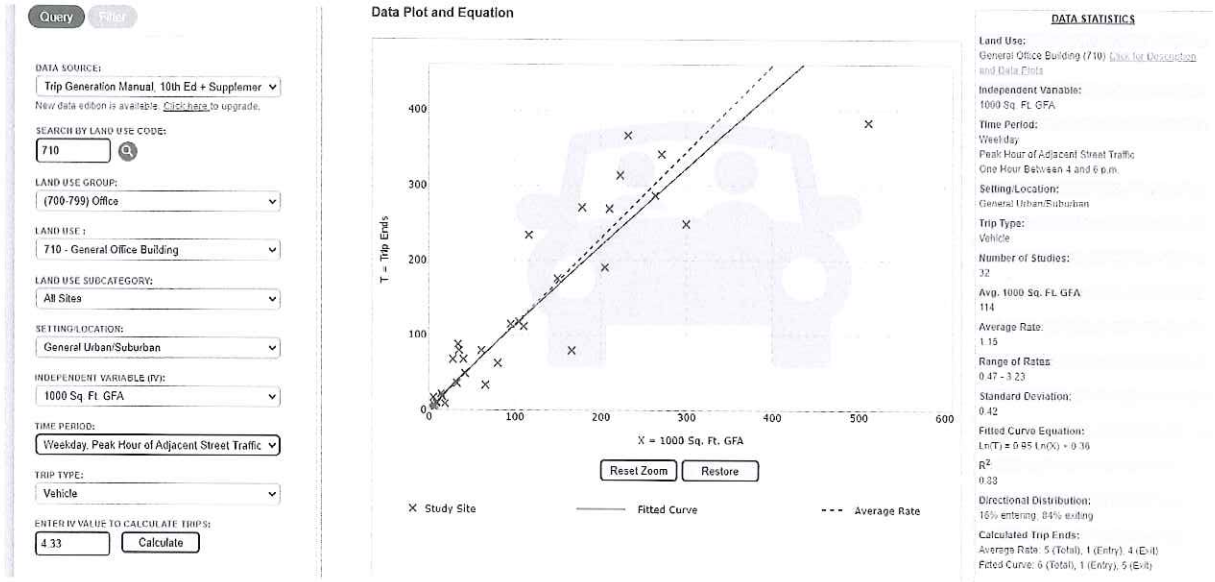


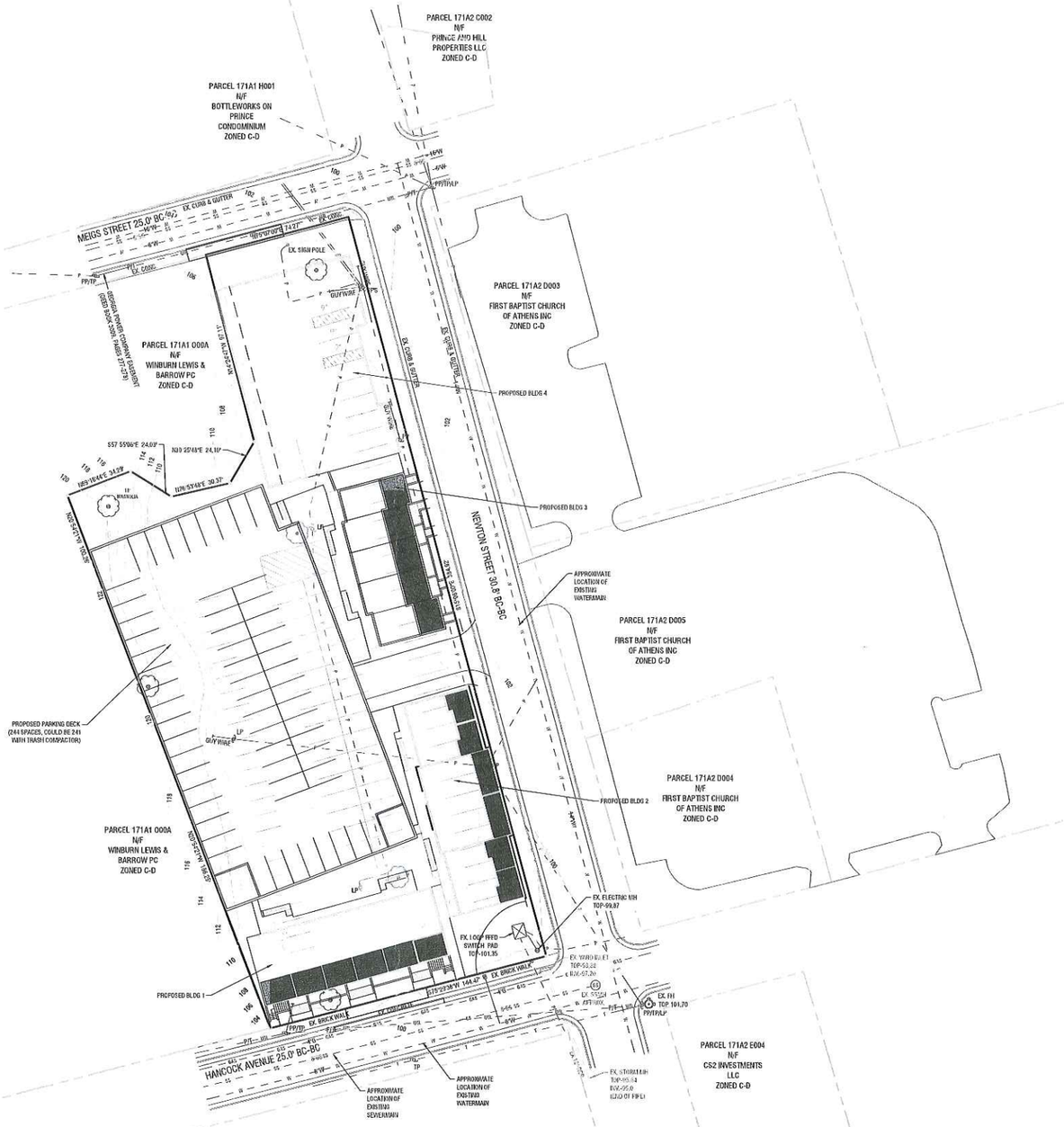
BOTTLEWORKS
TRIP GENERATION
MAY 17, 2022

Weekday, Peak Hour of Adjacent Street Traffic One Hour Between 7 and 9 AM: Office (710)



Weekday, Peak Hour of Adjacent Street Traffic One Hour Between 4 and 6 PM: Office (710)





PROJECT DATA

PROPERTY OWNER:
BOTTLEWORKS PARKING LLC
248 PRINCE AVENUE
ATHENS, GEORGIA 30601
ATTN: BRYAN AUSTIN

DEVELOPER:
BOTTLEWORKS PARKING LLC
248 PRINCE AVENUE
ATHENS, GEORGIA 30601
ATTN: BRYAN AUSTIN

AUTHORIZED AGENT:
PITTMAN ENGINEERING, PC
1050 BARBER CREEK DRIVE, BLDG 400
WATKINSVILLE, GEORGIA 30677
706.340.5599

PHYSICAL ADDRESS: 229 MEIGS STREET

TAX PARCEL: 171A1 000Z

TOTAL PROJECT ACREAGE: 1.198 ACRES

CONTOUR INTERVAL: 2' FIELD RUN FIELD RUN TOPO BY BEN MCLEROY & ASSOCIATES, INC, DATED 08.07.2007.

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A BEN MCLEROY & ASSOCIATES, INC. ALTA/ACSM LAND TITLE SURVEY FOR CLASSIC BW, LLC, PARKSIDE BW INVESTORS, LLC, STATE BANK AND TRUST COMPANY, AND FIRST AMERICAN TITLE INSURANCE COMPANY, DATED 08.07.2007.

EXISTING ZONING: C-D

PROPOSED ZONING: C-D WITH SPECIAL USE

EXISTING USE: SURFACE PARKING LOT

PROPOSED USE: MIXED USE

FLOOD PLAIN: SUBJECT PROPERTIES ARE WITHIN AREAS HAVING ZONE DESIGNATION OF ZONE X, DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NO. 13059C0035E, WITH AN EFFECTIVE DATE OF 09/08/2016, FOR COMMUNITY PANEL NUMBER 130400, (ATHENS-CLARKE COUNTY), GEORGIA.

THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.

THERE ARE NO WETLANDS DELINEATED ON SITE.

THIS PROPERTY DOES NOT CONTAIN ENVIRONMENTAL AREAS AS DENOTED ON THE ATHENS-CLARKE COUNTY ENVIRONMENTAL MAP DATED 11/24/13.

UNIT DATA

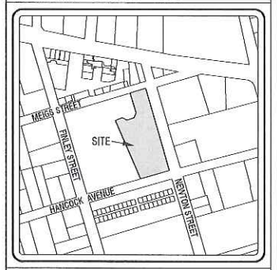
BUILDING 1: 14 TOTAL DWELLINGS INCLUDING 38 BEDS
(INCLUDES 2- 4 BR DWELLINGS, 8 - 3 BR DWELLINGS, AND 6 - 2 BR DWELLINGS)
BUILDING 2: 18 TOTAL DWELLINGS INCLUDING 35 BEDS
(INCLUDES 2-4BR DWELLINGS, 4-3BR DWELLINGS, 4-2BR DWELLINGS, & 8-1BR DWELLINGS)
BUILDING 3: 13 TOTAL DWELLINGS INCLUDING 29 BEDS
(INCLUDES 1-4BR DWELLING, 5-3BR DWELLINGS, 3-2BR DWELLINGS, & 4-1BR DWELLINGS)
BUILDING 4: 24 TOTAL DWELLINGS INCLUDING 66 BEDS & 4,333 SF COMMERCIAL SPACE
(INCLUDES 8-3BR DWELLINGS & 16-2BR DWELLINGS)

PARKING DATA

REQUIRED PARKING: 97 SPACES
CD ZONING 1&2 BEDROOM DWELLINGS = 1 SPACE REQUIRED PER DWELLING X 41 1&2 BR DWELLINGS = 41 SPACES REQUIRED
CD ZONING 3&4 BEDROOM DWELLINGS = 2 SPACES REQUIRED PER DWELLING X 28 DWELLINGS = 56 SPACES REQUIRED

PROPOSED PARKING: 244 SPACES (COULD BE REDUCED TO 241 WITH TRASH COMPACTOR IN PARKING DECK)

VICINITY MAP - SCALE: 1" = 300'



CD ZONING REGULATIONS

MINIMUM LOT AREA: NA
MINIMUM LOT WIDTH (WITH SEWER): NA
MINIMUM LOT WIDTH (WITHOUT SEWER): NA
MINIMUM BUILDABLE AREA: NA
MINIMUM FRONT YARD: NA
MINIMUM SIDE YARD: NA
MINIMUM REAR YARD: NA
MAXIMUM BUILDING HEIGHT: 100'
MAXIMUM LOT COVERAGE: 100%

SITE DRAINAGE & STORMWATER MANAGEMENT

CONCRETE CURB AND GUTTER AND COUNTY APPROVED PIPE WILL BE EMPLOYED TO COLLECT AND DIVERT SURFACE WATER TO THE PROPOSED STORM WATER MANAGEMENT FACILITY CONSISTING OF RUNOFF REDUCTION TREATMENT IN STONE INFILTRATION TRENCHES.

SITE COVERAGE DATA - EXISTING AND PROPOSED

TOTAL PROJECT ACREAGE: 1.198 ACRES

EXISTING LOT COVERAGE: 0.84 AC = 70% OF SITE

PROPOSED LOT COVERAGE: 0.98 AC = 82% OF SITE

Binding
RCole 7-12-22

REVISIONS

DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-
-	-

PITTMAN ENGINEERING PC
PO BOX 1023
WATKINSVILLE GA 30677
P. 706-340-5599
WWW.PITTMANENGINEER.COM

GEORGIA REGISTERED PROFESSIONAL ENGINEER B. FRANK PITTMAN 06.08.2022

ISSUE PURPOSE
FOR SPECIAL USE PERMIT

BOTTLEWORKS EXPANSION
1.198 AC. - 229 MEIGS STREET
ATHENS-CLARKE COUNTY, GEORGIA

SCALE 1" = 30'
0 15 30

PROJECT NUMBER
2022-011

811 Know what's below. Call before you dig.

DATE
06.08.2022

SPECIAL USE SITE PLAN

01

R:\bottleworks\SUP01.dwg 6-08-22 12:44:25 PM fpittman



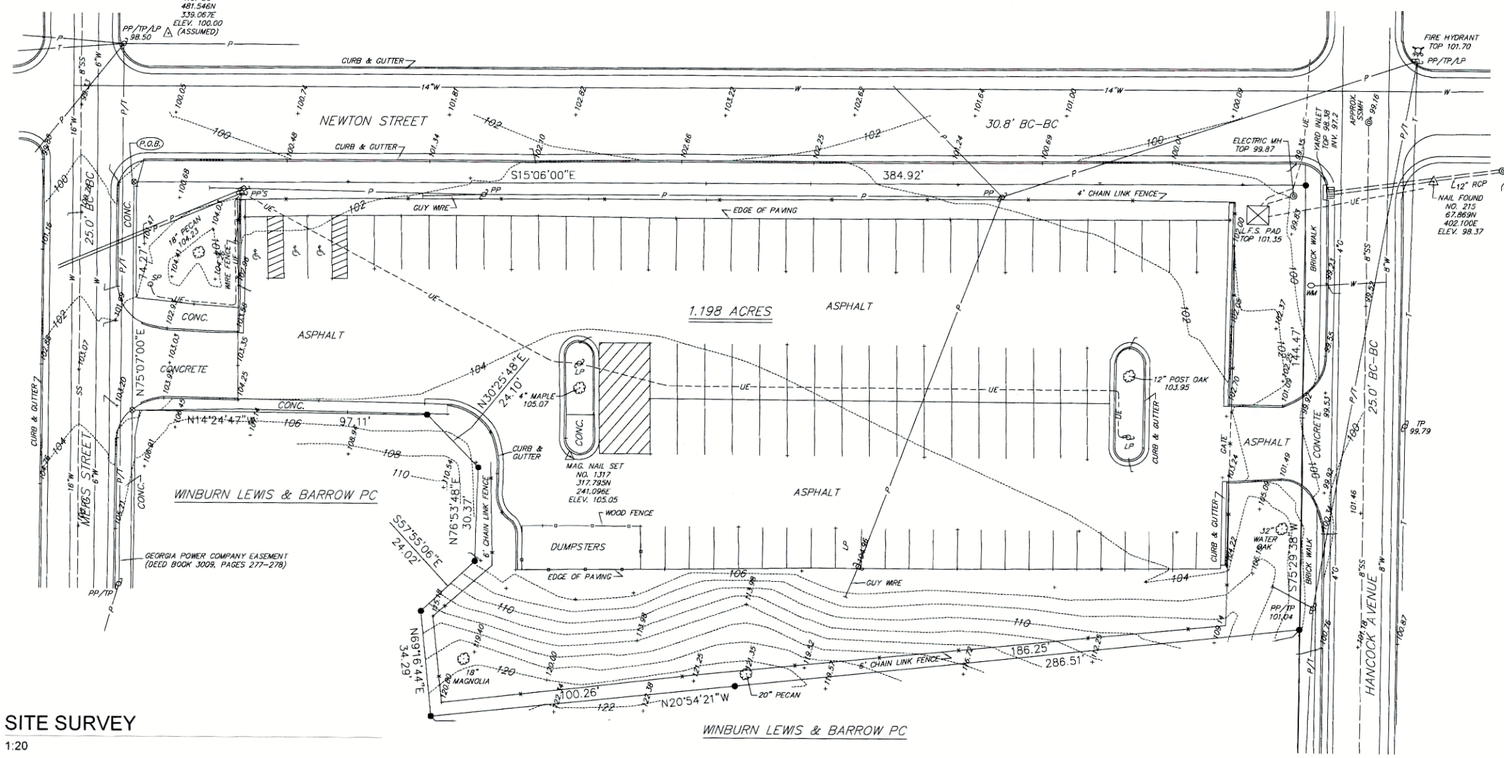
RENDERED SITE PLAN

N.T.S.

EXISTING IMAGES

N.T.S.





SITE SURVEY

1:20

DRAWING INDEX
UH DEVELOPMENT
229 MEIGS ATHENS, GEORGIA

		SPECIAL USE SUBMISSION 05.26.22				
GENERAL						
A-0.0	COVER	●				
S-1.0	SITE PLAN	●				
(A) ARCHITECTURAL						
A-1.0	BUILDING 1 OVERALL FLOOR PLAN	●				
A-1.1	BUILDING 1 EXTERIOR ELEVATIONS	●				
A-1.2	BUILDING 2 OVERALL FLOOR PLAN	●				
A-1.3	BUILDING 2 EXTERIOR ELEVATIONS	●				
A-1.4	BUILDING 3 OVERALL FLOOR PLAN	●				
A-1.5	BUILDING 3 EXTERIOR ELEVATIONS	●				
A-1.6	BUILDING 4 OVERALL FLOOR PLAN	●				
A-1.7	NEWTON STREET ELEVATION + RENDERINGS	●				

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CONSULTING ENGINEERS

TEAM INFORMATION:

OWNER:
UH DEVELOPMENT
ATHENS GEORGIA

ARCHITECT:
E+E ARCHITECTURE, INC
297 PRINCE AVE SUITE 28B
ATHENS GEORGIA

CIVIL ENGINEER:
PITTMAN ENGINEERING, PC
1050 BARBER CREEK DR BLDG 400
WATKINSVILLE, GEORGIA

MAGNETIC NORTH

LEGEND

P/T	OVERHEAD POWER/TELEPHONE LINE
UE	UNDERGROUND ELECTRIC LINE
W	WATER LINE
G	GAS LINE
SS	SANITARY SEWER LINE
⊗	MARK IN CONCRETE
●	1/2" REINFORCING ROD FOUND
PP/TP/LP	POWER/TELEPHONE/LIGHT POLE
SP	SIGN POLE
L.F.S.	LOOP FEED SWITCH
SSMH	SANITARY SEWER MANHOLE
WM	WATER METER
RCP	REINFORCED CONCRETE PIPE

CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal:

Binding
RC 2-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm

ARCHITECTURE

297 PRINCE AVE. SUITE 28B
ATHENS, GEORGIA
O 706.850.1330

Drawing Title

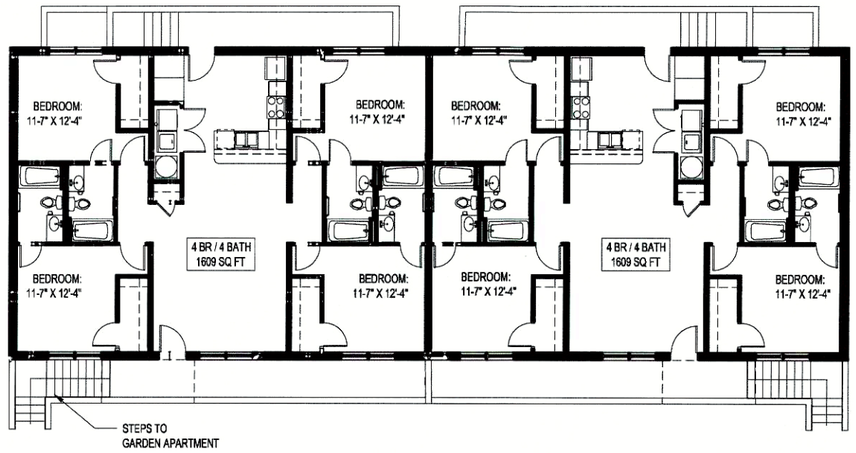
COVER

Date	Project Number
05.26.22	2021-33

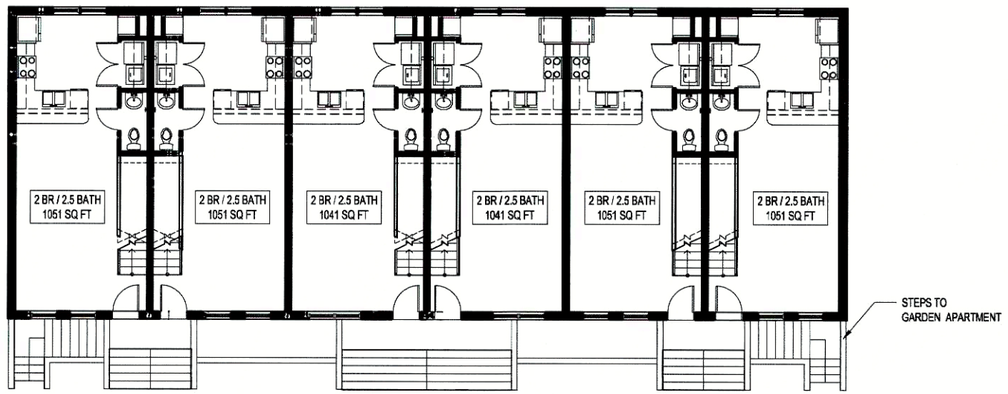
CAD File Name
BUILDING 1 - SHEETS FOR PRINT_24X22.DWG

Drawing Number

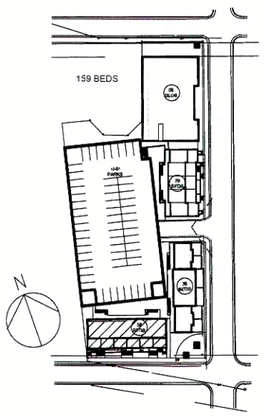
A-0.0

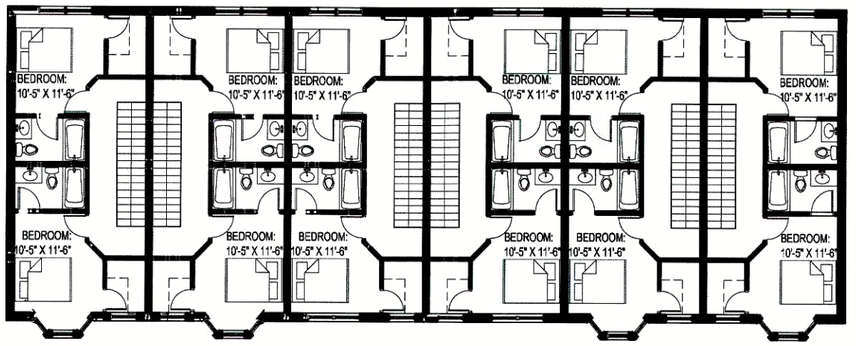


1 GARGEN LEVEL (SUB-GRADE) - BUILDING 1
1/8"=1'-0"

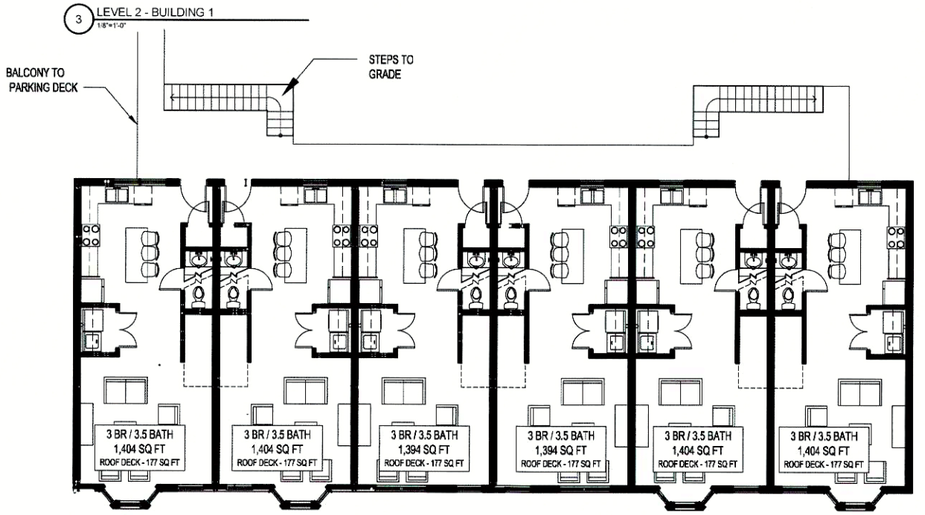


1 STREET LEVEL 1 - BUILDING 1
1/8"=1'-0"

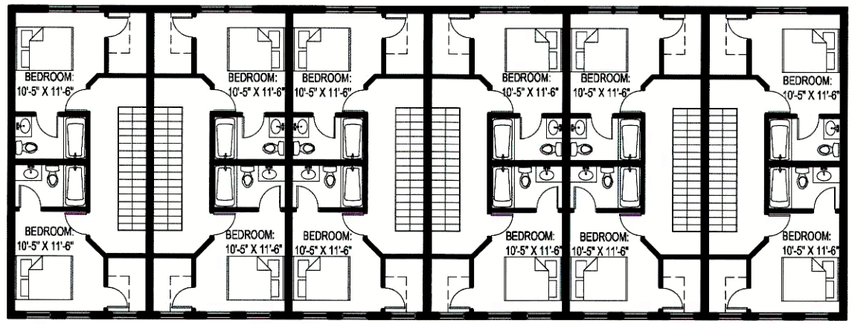




3 LEVEL 2 - BUILDING 1
1/8"=1'-0"



4 LEVEL 3 - BUILDING 1
1/8"=1'-0"



5 LEVEL 4 - BUILDING 1
1/8"=1'-0"

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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal:

Binding
RCe 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

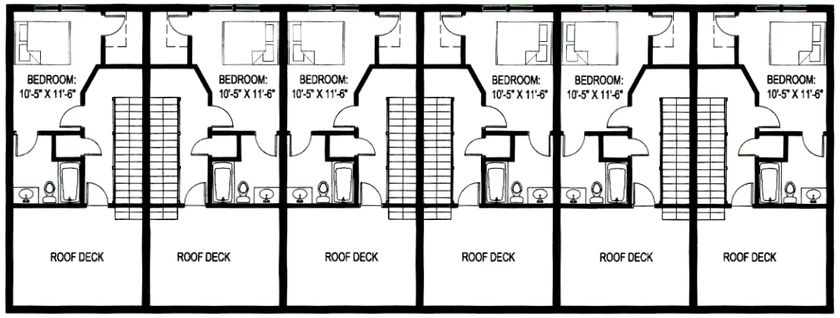
Design Firm
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 28B
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title
BUILDING 1
OVERALL FLOOR
PLANS

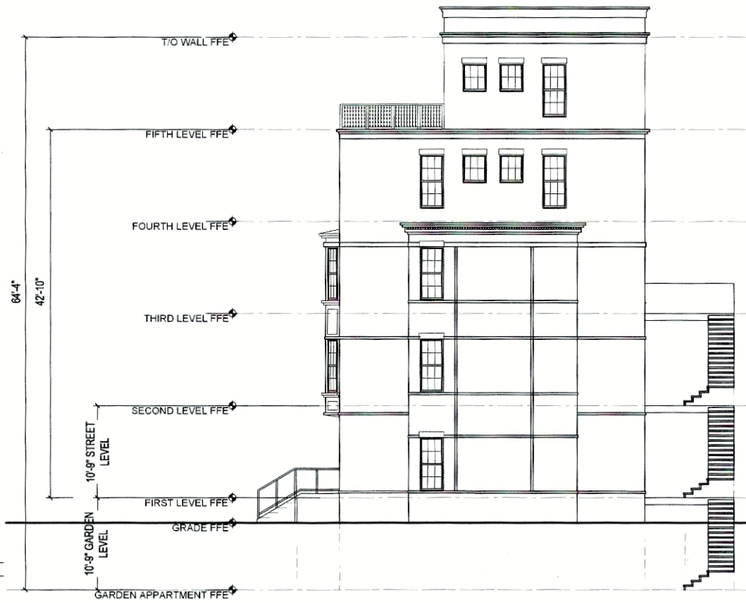
Date	Project Number
05.26.22	2021-33

CAD File Name: BUILDING 1 – SHEETS FOR PRINT_040522.DWG

Drawing Number
A-1.0



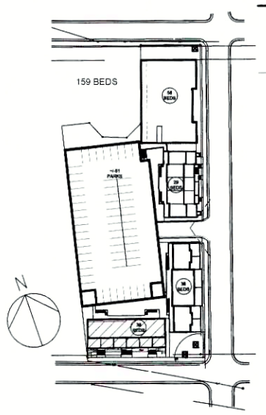
1 LEVEL 5 - BUILDING 1
1/8"=1'-0"



2 EXTERIOR SIDE ELEVATION (TYP) -BUILDING 1
1/8"=1'-0"



3 EXTERIOR ELEVATION HANCOCK -BUILDING 1
1/8"=1'-0"



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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal:

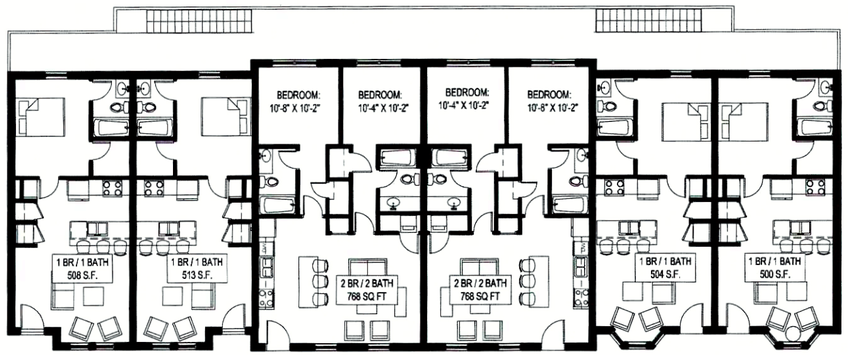
Binding
RCE 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

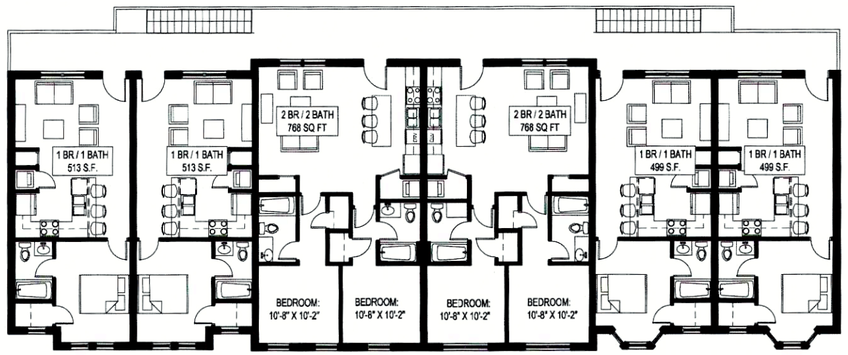
Design Firm
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 28B
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title
BUILDING 1
EXTERIOR
ELEVATION

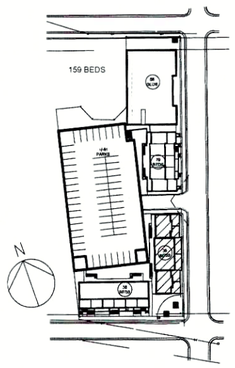
Date: 05.26.22
Project Number: 2021-33
CAD File Name: BUILDING 1 - SHEETS FOR PRINT_05.26.22.DWG
Drawing Number: A-1.1

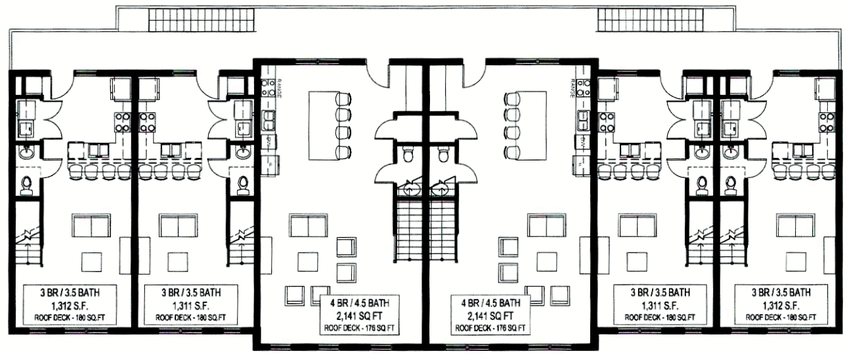


1 STREET LEVEL 1 - BUILDING 2
1/8"=1'-0"

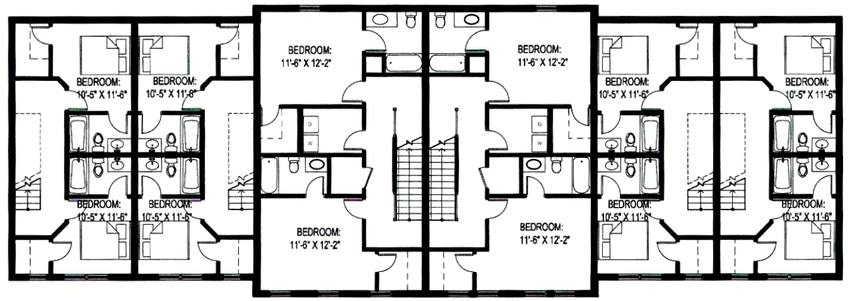


2 LEVEL 2 - BUILDING 2
1/8"=1'-0"

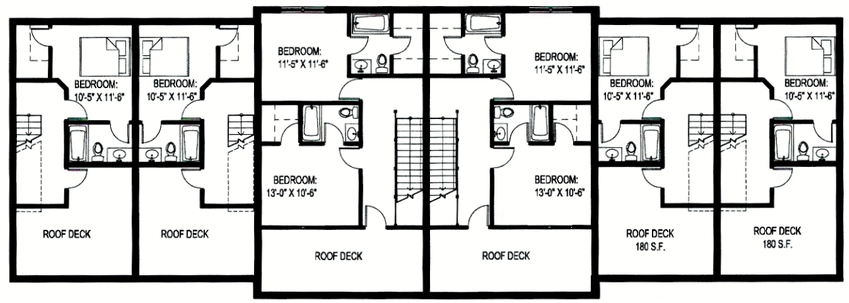




3 LEVEL 3 - BUILDING 2
1/8"=1'-0"



4 LEVEL 4 - BUILDING 2
1/8"=1'-0"



5 LEVEL 5 - BUILDING 2
1/8"=1'-0"

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CONSULTING ENGINEERS

CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Status
Binding
RCid 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 28B
ATHENS, GEORGIA
O 706.850.1330

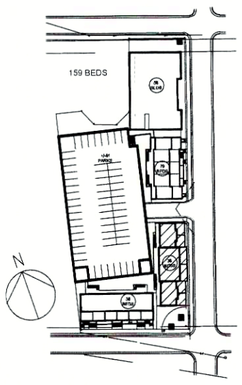
Drawing Title
BUILDING 2
OVERALL FLOOR
PLANS

Date 05.26.22
Project Number 2021-33
CAD File Name BUILDING 2 - SHEETS FOR PRINT_R4.22.DWG
Drawing Number A-1.2



1 SDE ELEVATION (TYP) - BUILDING 2
1/8"=1'-0"

2 STREET ELEVATION - BUILDING 2
1/8"=1'-0"



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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal

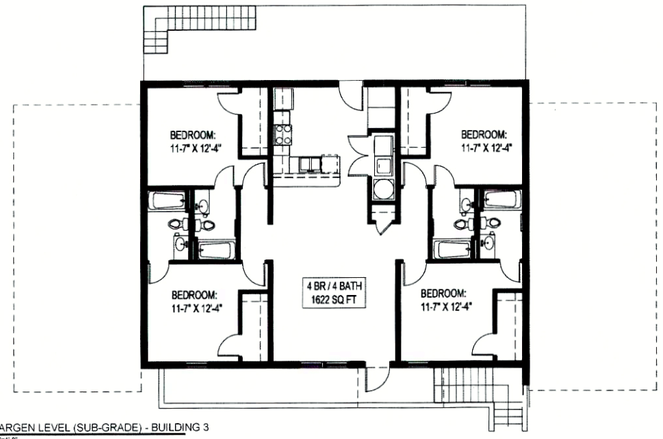
Binding
RCE 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 269
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title
BUILDING 2
EXTERIOR
ELEVATION

Date 05.26.22
Project Number 2021-33
CAD File Name BUILDING 2 - SHEETS FOR PRINT_04022.DWG
Drawing Number
A-1.3



1 GARGEN LEVEL (SUB-GRADE) - BUILDING 3
1/8"=1'-0"



3 LEVEL 2 - BUILDING 3
1/8"=1'-0"



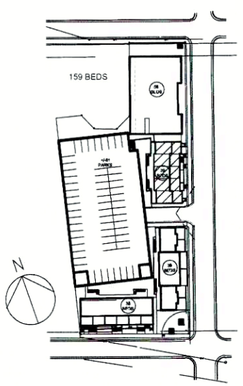
2 STREET LEVEL 1 - BUILDING 3
1/8"=1'-0"



4 LEVEL 3 - BUILDING 3
1/8"=1'-0"



4 LEVEL 4 - BUILDING 3
1/8"=1'-0"



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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal

Binding
R Cio 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm

297 PRINCE AVE. SUITE 2BB
ATHENS, GEORGIA
O 706.850.1330

Drawing Title

BUILDING 3 OVERALL FLOOR PLANS

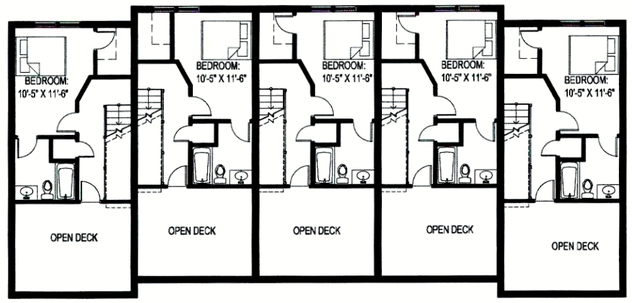
Date: 05.26.22

Project Number: 2021-33

CAD File Name: BUILDING 3 - SHEETS FOR PRINT_05.22.22.DWG

Drawing Number

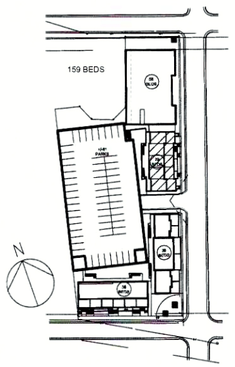
A-1.4

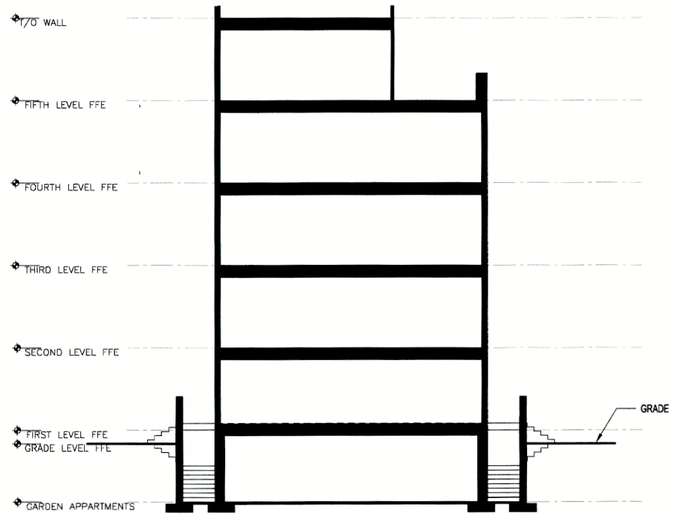


1 LEVEL 5 - BUILDING 2
1/8"=1'-0"



2 EXTERIOR ELEVATION (NEWTON) - BUILDING 3
1/8"=1'-0"





3 SECTION (TYP) - BUILDING 3
1/8"=1'-0"

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CONSULTING ENGINEERS

CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal
Binding
R C e 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm

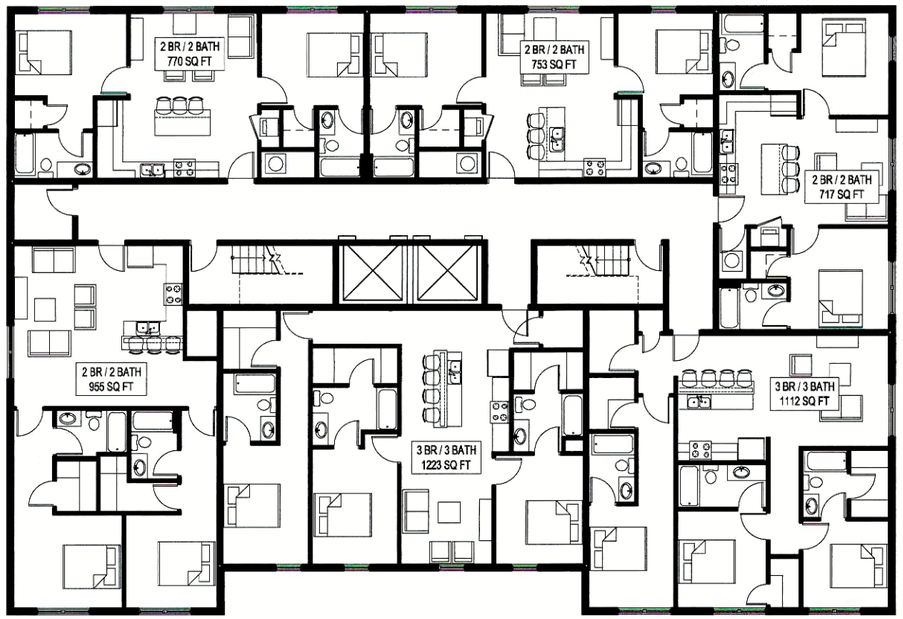
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 283
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title

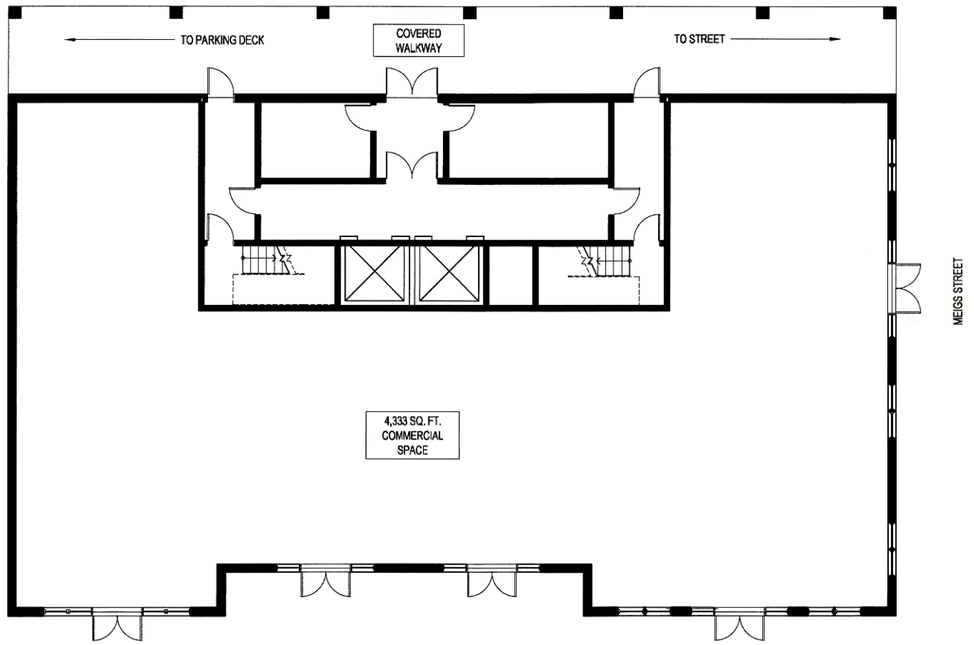
BUILDING 3 EXTERIOR ELEVATION

Date: 05.26.22
Project Number: 2021-33
CAD File Name: BUILDING 3 - SHEETS FOR PRINT_R22.DWG
Drawing Number

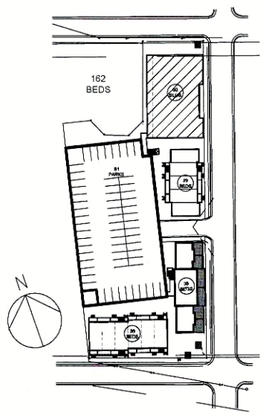
A-1.5



1 LEVEL 2-5 - BUILDING 4
1/8"=1'-0"



2 LEVEL 1 - BUILDING 4
1/8"=1'-0"





3 STREET ELEVATION NEWTON - BUILDING 4
1/8"=1'-0"

4 STREET ELEVATION COURTYARD - BUILDING 4
1/8"=1'-0"

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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal:

Binding
P Co 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm
E+E ARCHITECTURE
297 PRINCE AVE. SUITE 26B
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title
BUILDING 4
OVERALL FLOOR PLANS

Date 05.26.22
Project Number 2021-33
CAD File Name BUILDING 4 - SHEETS FOR PRINT_MM22.DWG
Drawing Number
A-1.6



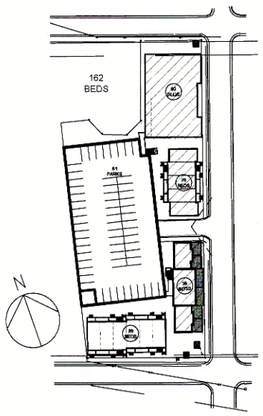
1 STREET ELEVATION NEWTON
1/8"=1'-0"



2 RENDERING VIEW 1
N.T.S.



3 RENDERING VIEW 2
N.T.S.



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CONCEPTUAL DRAWINGS
BOTTLEWORKS EXPANSION
229 MEIGS STREET
ATHENS GEORGIA

Seal: Binding
RCD 7-12-22

No.	Date	Issue Notes
	06.02.2022	SPECIAL USE SUBMISSION

Design Firm

E+E ARCHITECTURE
297 PRINCE AVE. SUITE 269
ATHENS, GEORGIA
O: 706.850.1330

Drawing Title
NEWTON STREET ELEVATION + RENDERING

Date: 05.26.22
Project Number: 2021-33
CAD File Name: BUILDING 4 – SHEETS FOR PRINT_060222.DWG

Drawing Number
A-1.7

Richard Cowick

From: Max Doty
Sent: Wednesday, July 6, 2022 10:28 AM
To: Richard Cowick
Subject: FW: [EXT] 229 Megs St

From: Todd Hurt <[redacted]>
Sent: Wednesday, July 6, 2022 10:14 AM
To: Planning Internet Email <planning@accgov.com>
Subject: [EXT] 229 Megs St

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning and Zoning
I am unable to attend tomorrows meeting in regards to 229 Megs street. We are a brand new business in Bottleworks and any loss in parking spaces would negatively affect our business. My wife Angela Hurt and I oppose any zoning change that would reduce available parking

Thanks for allowing us to express our concerns. I will be back in Athens next week if I may provide any other justification

Sincerely
Todd and Angela Hurt
Tapped Athens
--
Todd Hurt, PhD., CSW
Co-owner & CEO
Tapped Athens Wine Tasting Market
[redacted]

Richard Cowick

From: Liz DeMarco <[redacted]>
Sent: Wednesday, July 6, 2022 11:25 AM
To: Planning Internet Email; Stephen Jaques; Richard Cowick
Subject: [EXT] Submission for Planning Commission - 229 Meigs Street - SUP 2022-06-1477

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include the following for submission to all Planning Commissioners for the July 7th meeting.

Re: 229 Meigs Street - SUP-2022-06-1477

Type II – Special Use Permit

Petitioner: E&E Architecture

Owner: Bottleworks Parking, LLC

Dear Planning Commission and ACC Planning Department,

Unfortunately, I have not taken the time to submit opposition to student housing complexes since The Mark. I understood that ACC was going to "sacrifice" that end of downtown in order to protect other Downtown boundaries and opportunities to enhance Downtown? This has not been the case. Oversized student housing complexes have proliferated. For the past twenty-two years, I have lived and raised my family in a neighborhood adjacent to Downtown Athens and loved it!! Athens will benefit if we start to value the quality of living for non-students in and around Downtown.

I request that this project be at least "Tabled" if not "Rejected". I have two main reasons: (1) the proposed 3 & 4 bedroom/bath units make it another student housing project and (2) the five floors are out-of-place and overwhelm the historic nature of this part of Athens. This particular lot has tremendous potential, and I am confident that the owners/architects can do better!

One aspect of this Special Use Permit that I support is to allow for ground floor residential. In fact, this block abuts "Traditional Neighborhood" on the "Future Land Use Map for ACC". I think there is strong reason that this block fits more with "Traditional Neighborhood" rather than "Downtown". Currently, as part of the Bottleworks complex, there are highly sought after condominiums directly across and along Meigs Street from this proposed development.

When interested neighbors were invited to meet with the owners/architects, the owners compared this project to another of their projects, The Mathis, 1550 S. Lumpkin Street. Those units are Studios, One Bedroom, and Two Bedrooms only. To appeal to non-students, I think that this should be considered for this development too. Perhaps keep some 3 bedroom but eliminate the 4 bedroom/4 bath?

This lot, 229 Meigs Street, is unique. It is a special lot for Athens because it shares the block with the historic Camak House which is protected by covenants held by the Georgia Trust for Preservation. The covenants ensure minimum development and so a patch of green space in our high-density area. As Athens grows and fills in open spaces, we will regret if we eliminate our green spaces. The most livable, desirable, and best cities include parks and open green space. This project has the potential to

negatively impact the feel of openness and green of the Camak House. The Camak house recently sold and ideally the two owners would work together. The proposed tall, five-story density in this location feels abrupt. Moreover, the existing residential and commercial spaces around are historic and low. That edge of Downtown is airy because of low line buildings and historic homes and structures - this development does not fit. Keeping this area feeling like Athens makes sense.

This has development has incorporated good aspects such as multiple buildings and stepping back the top story, but I think owners/architects can go much further in creating a development that complements the surroundings rather than overwhelm.

Respectfully,

Liz DeMarco

327 Hill Street, Athens, GA 30601

[redacted]

[redacted]

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **SPECIAL USE APPROVAL IN THE C-D (WE) (COMMERCIAL–DOWNTOWN, WEST END DOWNTOWN DESIGN AREA) DISTRICT ON THE APPROXIMATE 0.32-ACRE PARCEL OF LAND LOCATED AT 347 WEST HANCOCK AVENUE;** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the current C-D (WE) (Commercial Downtown, West End Downtown Design Area) district in which is located an approximate 0.32-acre parcel of land at 347 West Hancock Avenue, Athens, Georgia, is hereby amended to provide for Special Use approval to establish a fraternity use, as shown on Attachment A hereto. The subject parcel is more fully described as follows:

All that approximate 0.32-acre parcel of land as described by that certain site plan entitled "Plat for: CR Athens Holdings, LLC" dated February 9, 2022, prepared by Baseline Surveying & Engineering, Inc., stamped "Binding 7-12-22," and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 0.32-acre parcel of land at 347 West Hancock Avenue, Athens, Georgia is designated as tax parcel number 171A2 E001A on the Athens-Clarke County tax map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment shall be duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of four sheets in total, with each sheet being numbered and titled in the lower-right hand corner and stamped "Binding 7-12-22." The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
1 of 1	Project 22-2639S Administrative Subdivision Plat	02/09/2022, last revised 3/21/22
A100	Stevens-Thomas House ca-1849 347 W Hancock Ave, Athens, GA 30601	
A200	347 W Hancock Ave, Athens, GA 30601	
L100	Stevens-Thomas House ca-1849 347 W Hancock Ave, Athens, GA 30601	

The binding site plan associated with this ordinance is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia.

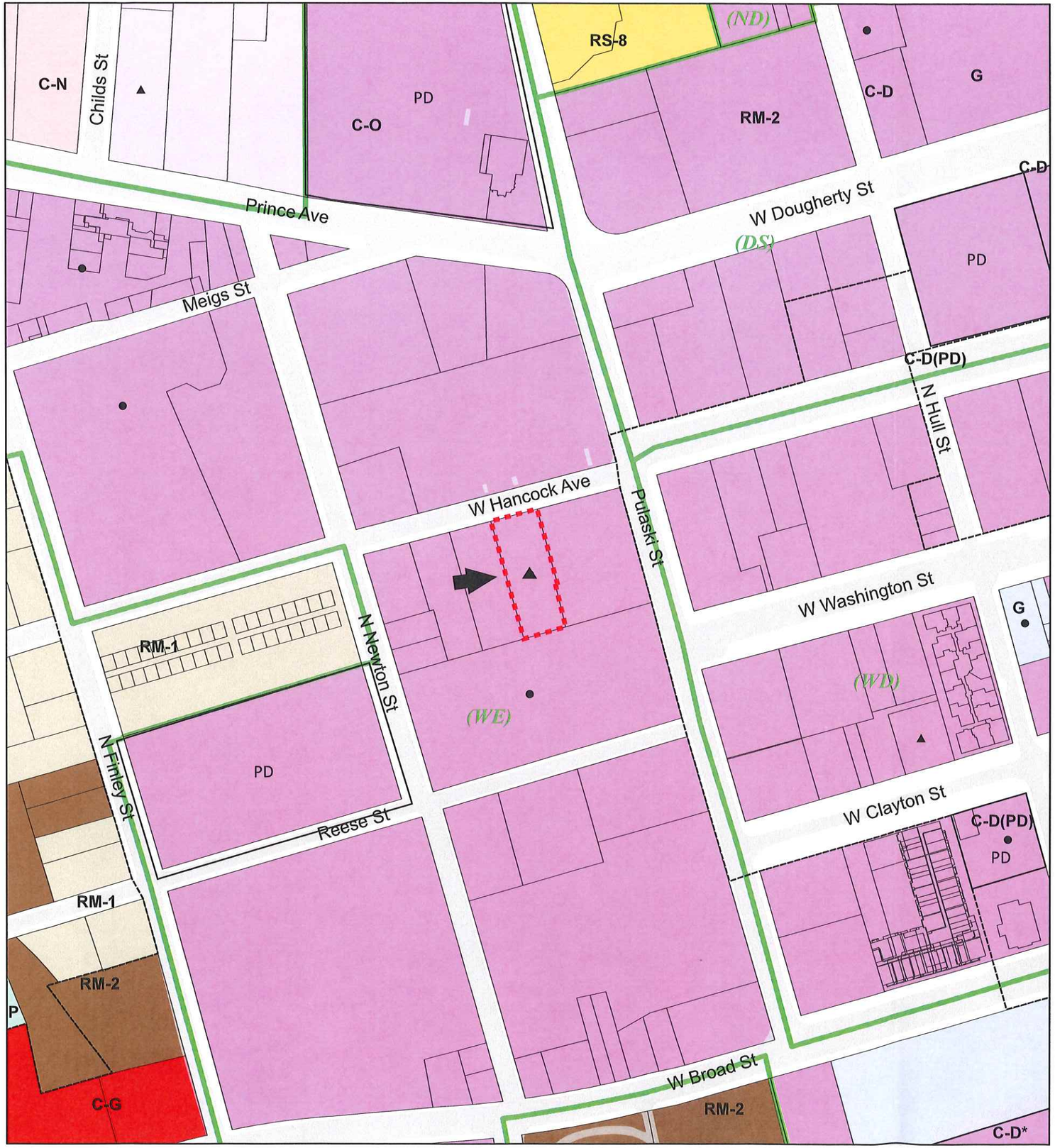
The binding written report associated with this ordinance and incorporated herein by reference consists of nine pages, being entitled "Report to Support the Special Use Application Phi Kappa Tau Fraternity" dated June 2, 2022, stamped "Binding 7-12-22," prepared by Armentrout Matheny Thurmond, P.C., and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. The conditions associated with approval of the requested special use permit are as follows:

1. Off-site parking agreement(s) meeting the minimum parking requirements of Sec. 9-10-4 and the standards of 9-30-8 shall be approved in form by the Athens-Clarke County Attorney and recorded by the applicant prior to permitting.

2. The Special Use Permit shall expire 12 months after approval by the Mayor and Commission, at which time the fraternity shall cease operations on the subject property.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - *(DHD)*, Downtown Historic District
  - *(WD)*, West Downtown
  - *(ED)*, East Downtown
  - *(DS)*, Dougherty Street
  - *(RIV)*, River
  - *(WE)*, West End
  - *(ND)*, North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

160 80 0 160 320 480 Feet

ATTACHMENT A	SUP-2022-06-1480 SPECIAL USE PERMIT
523	**347 WEST HANCOCK AVENUE** David W. Matheny / AMT, PC 347 Downtowner, LLC & The Hancock House, LLC
FROM: **C-D (WE)**	TO: **Special Use in C-D (WE)**

TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
171A2 E001A	July 7, 2022	August 2, 2022

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: July 7, 2022	FILE NO: SUP-2022-06-1480

LOCATION: 347 West Hancock Avenue
APPLICANT: David W. Matheny / AMT, PC
OWNER: 347 Downtowner, LLC & The Hancock House, LLC
REQUEST: Special Use in C-D (WE) (Commercial-Downtown, West End Downtown Design Area)
DISTRICT: 3

PLANNING COMMISSION MOTION AND RECOMMENDATION:
Mr. Hall made a motion to recommend approval w/ conditions. Mr. Tucker seconded.

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Sara Beresford, Chair Present				Kristen Morales Absent			
Sarah Gehring Present	X			Taylor Pass Present	X		
Catherine Goodrum Present	X			Lucy Rowland Present	X		
Matthew Hall Present	X			Monique Sanders Absent			
Alice Kinman Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	0

For: Bret Thurmond, Alan Cleveland
Against: Liz DeMarco, Kyle Tibbs Jones, Stephanie Lynn
Rebuttal: Bret Thurmond

Discussion: The Planning Commission discussed the appropriateness of a fraternity use in the Downtown area,

Motion: Mr. Hall made a motion to recommend approval with the following conditions:

1. Off-site parking agreement(s) meeting the minimum parking requirements of Sec. 9-10-4 and the standards of Section 9-30-8 shall be approved in form by the ACC Attorney and recorded by the applicant prior to permitting.
2. The Special Use Permit shall expire 12 months after approval by the Mayor and Commission, at which time the fraternity shall cease operations on the subject property.

Mr. Tucker seconded the motion, which passed unanimously.

STAFF REPORT
SPECIAL USE PERMIT
SUP-2022-06-1480
347 WEST HANCOCK AVENUE
JULY 7, 2022

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT	David W. Matheny/ AMT, PC
OWNER	347 Downtowner, LLC & The Hancock House, LLC
REQUEST	Special Use in C-D (WE) (Commercial-Downtown, West End Design Area)
TYPE OF REQUEST	Type II
LOCATION	347 W. Hancock Avenue
COUNTY COMMISSION DISTRICT	3
SUBJECT PROPERTY AREA	0.32 acres
PRESENT USE	Office
PROPOSED USE	Fraternity
TAX MAP NUMBER	171A2 E0001A
ADJACENT USES AND ZONING	(E) Office / C-D (WE) (Commercial-Downtown, West End Design Area);
	(S) Fraternity / C-D (WE) (Commercial-Downtown, West End Design Area)
	(N) West Hancock Avenue; Church / C-D (WE) (Commercial-Downtown, West End Design Area)
	(W) Parking Lot / C-D (WE) (Commercial-Downtown, West End Design Area)
STAFF RECOMMENDATION	**Table**
PLANNING COMM. RECOMMENDATION	**Approval w/ conditions**

II. PURPOSE

The purpose of this request is to seek approval of a Special Use Permit to establish a fraternity use within the Commercial-Downtown zoning district. According to Section 9-10-2 of the Athens-Clarke County Zoning and Development Standards, a proposed new fraternity or sorority use in a Commercial zone requires approval of a Special Use Permit by the Mayor and Commission. The application report, site plan, and architecture of the structure associated with this request will become binding upon approval.

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The 0.32-acre subject parcel is located on the southern side of Hancock Avenue, one parcel west of the intersection with Pulaski Street. This parcel and all surrounding property are zoned C-D (WE) (Commercial-Downtown, West End Downtown Design Area). To the north across Hancock Avenue is the First Baptist Church. To the east is a commercial office building. To the south is the SAE Fraternity. To the west are two parcels with surface parking lots. The one directly adjacent was divided from the subject property as a separate lot in March 2022. The subdivision plat denoted that the existing parking

lot could no longer be used for such use; this recorded restriction is due to the prohibition of parking as a principal property use in the C-D zone without Special Use approval.

The subject property contains a two-story structure with 5,444 square feet. The property has a local landmark designation from 1991 and is known as the Steven Thomas House. While built as a residence in 1849, the structure has been used as a commercial office for many years.

IV. PROPOSED DEVELOPMENT

The proposal is for a Special Use Permit in the C-D (WE) (Commercial-Downtown, West End Design Area) zoning district to allow a fraternity use within the existing structure. No modification to the site or structure are proposed for the project. The building would house up to eight fraternity members within the existing four bedrooms on the upper floor of the building, plus an on-site resident director. The ground floor of the building would contain the common and assembly areas for the fraternity at the front portion of the building, while the single-story rear portion would contain the suite for the resident director. Nine parking spaces would be provided off-site within 1,500 feet for the nine potential residents of the property. A specific location of the off-site parking has not been indicated at this time.

Note that under Section 9-10-4, only residential uses within the C-D (Commercial-Downtown) zoning district are required to have parking provided. Therefore, no additional parking would be required to accommodate chapter meetings and other on-site events.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE DEVELOPMENT MAP

The Future Development Map indicates that the subject property is designated as *Downtown*, which is defined as follows:

Retail, office and entertainment uses are encouraged as is high-density multifamily housing. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants and vehicle sales, are not included in this designation. As parking is handled on a district level, off-street parking for individual commercial development is not intended. Parking structures with commercial uses on the street-level frontage are encouraged rather than surface parking lots. This area should have strict design requirements to protect historic integrity and to ensure that new buildings develop in a form and architectural style compatible with existing downtown character.

The Special Use Permit application does not include a request to change the existing C-D (WE) (Commercial-Downtown, West End Downtown Design Area) zoning designation. Since the zoning and the proposed use are compatible with the *Downtown* Future Development Map designation, an amendment to the Future Development Map is not required and the application is being processed as a Type II request.

II. COMPATIBILITY WITH VISION STATEMENTS, ISSUES AND OPPORTUNITIES & POLICIES

Some of the relevant 2018 Comprehensive Plan vision statements, issues, opportunities, and policies include:

- Housing options that reflect the diversity and meet the needs of the community, including housing for families and a diverse workforce. These are quality options with a variety of types, prices, and locations.
- A vibrant downtown with less vehicles, but more open space, this is clean, walkable, and park-like.
- The preservation and adaptive reuse of existing structures offers benefits both financially and environmentally. Historic structures also contribute to heritage tourism.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to obtain a Special Use Permit, pursuant to Section 9-10-2, for use of the subject property as a fraternity. This application does not propose an amendment to the current C-D (WE) (Commercial-Downtown, West End Downtown Design Area) zoning designation.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

The Special Use Permit process is primarily intended to review requests for specific uses in order to ensure that the use in question will not have an adverse impact on the surrounding properties. As found in Section 9-20-5, a Special Use Permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, to the following approval criteria. Staff comments regarding the ability of the current request to satisfy each criterion are provided below.

Criteria and Comments:

A. Is the proposed use in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive Plan policies that are implemented by any Athens-Clarke County, State, or Federal law or program?

Fraternities within the C-D (WE) (Commercial-Downtown, West End Downtown Design Area) zoning district may be allowed by Special Use Permit approval. The application report, site plan, and architectural elevations will be binding for the development. It is the responsibility of the applicant to request variances for any and all deviations from applicable zoning and development standards. The binding plans and report do not release the developer from the responsibility to fully comply with all Athens-Clarke County codes not specifically waived by the terms of the Special Use Permit.

The proposed development with its fraternity use within a renovated existing structure is compatible with the Comprehensive Plan and with the *Downtown* Future Development Map designation. No formal variances have been sought as part of the application; thus, the proposal shall comply with the zoning and development standards associated with a fraternity use within the C-D (WE) zoning district.

B. Is there adequate capacity of Athens-Clarke County facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation that can and will be provided to and through the subject property?

The Public Utilities Department has indicated that Athens-Clarke County water and sanitary sewer capacity will be made available to serve the proposed fraternity use once a planned sanitary sewer extension to the parcel is constructed. Vehicular access to the site and on-site parking are not proposed for the fraternity use. Roll carts are proposed for trash pick-up with those to be stored in an enclosure to be created behind the house. No food service or kitchen are proposed, and no regular deliveries are expected. No modification to the impervious surface on the site or any stormwater facility improvements are planned. The Public Works Department does not have any comments regarding the proposal at this time. Athens-Clarke County Transit serves the area through existing routes along both Hancock Avenue and W. Broad Street. Public sidewalk exists along the Hancock Avenue frontage.

C. Will the special use have an adverse impact on the surrounding area? When evaluating the effect of the proposed use on the surrounding area, the following factors shall be considered:

1. ***Similarity in scale, bulk, and coverage.***
2. ***Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.***
3. ***Architectural compatibility with the surrounding area.***
4. ***The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors or other environmental pollutants.***
5. ***Generation of noise, light, and glare.***
6. ***The development of adjacent properties compatible with the future development map and the zoning district.***
7. ***Impact on future transportation corridors.***
8. ***Impact on the character of the neighborhood by the establishment of the proposed use in conjunction with similar uses.***
7. ***Other factors found to be relevant by the hearing authority for review of the proposed use.***

As the proposed use will involve reuse of the existing structure, the proposed change of use would not include changes in scale, bulk, or coverage. If any exterior modifications to accommodate the fraternity use are proposed in the future, then the architectural compatibility will be reviewed by the Historic Preservation Commission for a Certificate of Appropriateness. [Note: A Certificate of Appropriateness application was reviewed and approved for proposed changes to the building and property for a bed & breakfast use at the May 18, 2022 hearing.]

Traffic generation to and from the subject property as a result of the fraternity use would be limited given the lack of on-site parking. The nine residents will be provided off-site spaces within a 1,500-foot walking distance. Visitors to the property would need to find their own parking nearby, such as in one of the public parking decks, or utilize alternative transportation, such as public transit, walking or bicycling. The provided Parking Policy states that fraternity members will be encouraged to utilize public parking decks, downtown on-street parking spaces, public transit, ride-share or bicycles. Alternatively, members will be discouraged from utilizing neighborhood street parking, such as the on-street spaces located nearby on Newton Street.

The proposed fraternity use should not have an appreciable effect on air quality or water quality, nor generate dust, odors, or other environmental pollutants beyond that of other downtown developments. All exterior lighting would be required to meet current ordinance restrictions, which also protect

against glare. An increase in noise is anticipated during events on the site. Compliance with Athens-Clarke County Noise Control regulations set forth in Section 3-5-24 would be required.

Since all properties within the immediate area are identically zoned, it is the opinion of Staff that the location of a fraternity at the existing structures should not create any negative impact on the future development of surrounding parcels.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

A fraternity use includes residential and assembly components, similar to those that might be seen with a club or restaurant in a building with residential uses on upper levels. These small-scale, mixed-use parcels are common within the downtown area and typically co-exist well due to the usual assembly times not conflicting with the office and retail uses in the vicinity.

II. POPULATION

The proposal includes a total of five bedrooms to house up to nine residents. Although this will directly increase the population in the area, the project still remains well under the maximum 200 bedrooms per acre allowed by the C-D (Commercial-Downtown) zoning.

III. ENVIRONMENT

No environmental areas are found on the subject property. No modification to the existing trees on the site is proposed; no street trees are required within the C-D (Commercial-Downtown) zoning district; and, no on-site parking is proposed that would require parking lot trees. Therefore, a tree management plan is not required for this project.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

No on-site parking is proposed as part of the project. No regular delivery needs are anticipated and trash pick-up would utilize roll carts. All parking for residents and visitors to the proposed fraternity would be off-site.

Parking is required for the residential portion of the use at the rate of one space per each of the one- or two-bedroom units. This would mean a minimum requirement of nine spaces. The application denotes that an off-site parking agreement would be secured for the nine residents to park their vehicles within the1,500 feet maximum walking distance allowed under Section 9-10-4. No specific location for the agreement has been indicated at this time.

Other visitors would be responsible for securing their own parking at an off-site location of their choice. Aside from on-street parking available in the near vicinity, the public parking deck at Washington Street and Lumpkin Street is at roughly a 1,200’ distance. The Transportation Policy Statement provided by the applicant and required under Section 9-30-8-G also describes the use of public transportation, walking, and bicycling.

Public sidewalk exists along the Hancock Avenue street frontage. Athens-Clarke County Transit serves both Hancock Avenue and West Broad Street.

The Transportation and Public Works Department does not have any comments or concerns regarding this proposal at this time.

V. GRADING AND DRAINAGE

The project will not include any modification to the impervious lot coverage on the site or any additional stormwater measures.

VI. WATER AND SEWER AVAILABILITY

The Athens-Clarke County Public Utilities Department comments that sufficient ACC water and sanitary sewer capacity will be available once a planned sanitary sewer extension to the parcel is constructed.

VII. FIRE PROTECTION

The Athens-Clarke County Fire Department has reviewed this request and has the following comments:

- ACCFES can provide fire protection without any fire services being affected or additional cost for fire equipment or personnel.
- Fire apparatus can access this project without need of a turnaround.
- The building must have sprinkler and alarm systems.

RECOMMENDATIONS

I. STAFF RECOMMENDATION ON SPECIAL USE PERMIT – Table

The proposed fraternity resembles a mixed-use project found in the immediate vicinity (Georgia Heights, 115 East Broad Street), although of a much smaller scale. Given the subject property location within the C-D (Commercial-Downtown) zone, surrounded by these larger mixed-use projects, government and university uses, the proposed fraternity is expected to have minimal adverse impact.

However, Staff has a concern with the lack of specificity regarding the proposed off-site parking location since those spaces are a requirement of zoning compliance.

Furthermore, the subject property has recently been issued a Certificate of Appropriateness for a bed and breakfast use, the plans of which are also currently being reviewed for Staff permitting. The plans include parking and building additions, which are not shown on the binding Special Use plans.

For these reasons, Staff recommends a table to allow additional time for the applicant to provide the following:

1) Off-site parking agreement(s) meeting the minimum parking requirements of 9-10-4 and otherwise complying with Section 9-30-8.
2) Revised binding site and building plans reflecting the approved COA plans and the plans currently being reviewed for Staff permitting.

II. PLANNING COMMISSION RECOMMENDATION – Approval w/ conditions

The Planning Commission considered the request at their regular meeting on July 7, 2022 and recommended approval with the following conditions:

1) Off-site parking agreement(s) meeting the minimum parking requirements of 9-10-4 and otherwise complying with Section 9-30-8.
2) The Special Use Permit shall expire 12 months after approval by the Mayor and Commission, at which time the fraternity shall cease operations on the subject property.

III. CURRENT STATUS

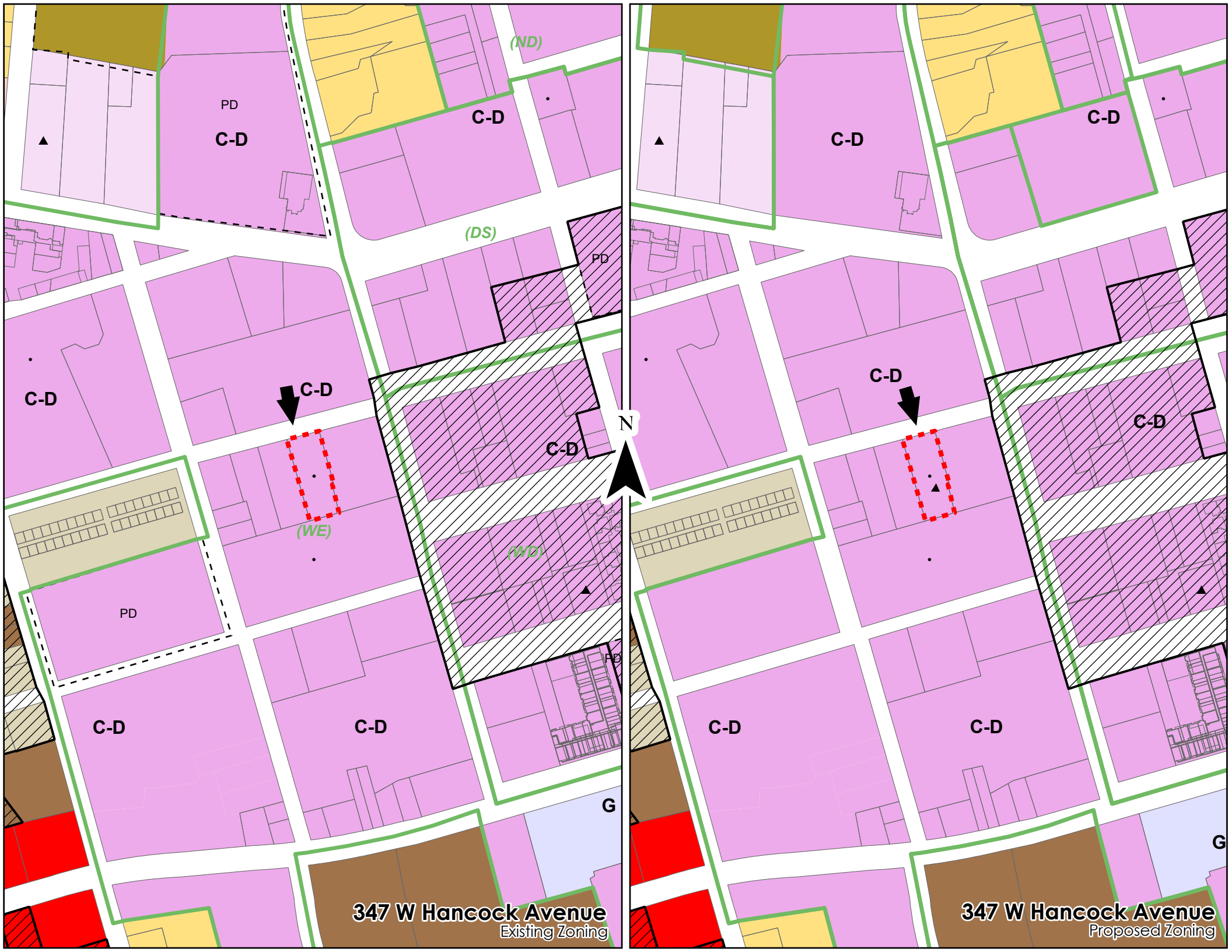
The request and the Planning Commission recommendation are scheduled for presentation to the Mayor and Commission at their agenda setting on July 19, 2022. The Mayor and Commission are scheduled to take action on this request on August 2, 2022.

REPORT FOR: 347 W. Hancock Avenue

Reviewed	Not Applicable	Zoning Criteria for Type II Special Use Request
	X	1. The proposed rezoning conforms to the future development map.
X		2. The proposed special use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
X		3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning or special use.
X		4. Existing land use pattern surrounding the property in issue
	X	5. Possible creation of an isolated district unrelated to adjacent and nearby districts
X		6. Population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities and streets
X		7. The cost of the unified government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures
X		8. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity
X		9. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations
	X	10. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment
X		11. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

Public Notice

In accordance with Section 9-4-9(E), public notice of this zoning request was posted on or near the subject property(s) on June 22, 2022.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Report to Support the Special Use Application Phi Kappa Tau Fraternity

347 W. Hancock Avenue Athens, Georgia

Parcel #: 171A2 E001A

June 2, 2022

amt ENGINEERS ARCHITECTS PLANNERS

Armentrout Matheny Thurmond, P.C.
330 Research Drive, Suite A-240
Athens, GA 30605
Phone: 706-548-8211
www.amtathens.com
AMT pc Project #14102

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Report to Support the
Special Use Application
Phi Kappa Tau Fraternity

347 W. Hancock Avenue
Athens, Georgia

Parcel #: 171A2 E001A

June 2, 2022

Armentrout Matheny Thurmond, P.C. Project #22192

- Report
- Water & Sewer Evaluation Request
- Phi Kappa Tau Parking Policy

Plan Sheets:

- House Elevations Approved by Historical Preservation Commission
- Special Use Site Plan
- L100 Existing Tree Survey
- A100 As-Built Floor Plan

Report to Support the Special Use Application Pi Kappa Phi Fraternity

Introduction:

The Beta Xi Chapter of Phi Kappa Tau Fraternity was located at 558 West Broad Street but the chapter house was sold for a new development. As a result, the chapter is seeking a permanent location. In the interim, the fraternity has leased the house at 347 W. Hancock Avenue and desires to obtain a Special Use approval to occupy the house. The site which contains 0.6 acres of land is identified as tax parcel 171A2 E001A in the Athens-Clarke County Land Records. A Special Use Application is required. The current zoning is C-D (Commercial-Downtown) and the future development map is *Downtown;* both of which allow for a fraternity house. Information below reflects the intent and timing of the planned move and how the requirements for the Special Use Application are satisfied.

Site Characteristics:

The subject property is comprised of an existing historic two story 5,444 sf house and an asphalt parking lot with approximately 24 spaces. Paved walkways exist on the property. The site is accessed by a driveway from West Hancock Avenue. The remainder of the site contains lawn and ornamental landscaping along with scattered mature trees throughout the site. The property is surrounded by C-D zoned properties. There is a RM-1 zoned property that does not abut the property to the west at the corner of W. Hancock and North Newton Street.

Topography for the site is gently sloped from the front and falls off to the rear of the property. The slope has an average fall of 4%. Stormwater runoff for the site drains along the slope over land. All stormwater enters the Athens-Clarke County storm drainage system on West Hancock Avenue, Pulaski Street and Reese Street.

The owner wishes to occupy and operate as a fraternity at this location for the period of the lease: 1 year. The fraternity will utilize the existing 4 bedrooms on the second floor. The 4 double occupancy bedrooms limits the residency to 8 fraternity members. The required number of parking spaces is at least 8. Nine leased parking spaces will be provided for members living in the house plus the resident director. The majority of fraternities at UGA have houses with occupancies ranging between 20 and 40 members.

Zoning Request and Future Land Use:

There is no change to the current zoning or future land use as it exists. The future land use is *Downtown* of which the fraternity and C-D zoning is compatible.

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Buffers:

No environmentally sensitive features or state water buffers are located on or within 200 feet of the subject property. Screening buffers are not required for the site adjacent since it is to C-D zoned properties. No improvements are proposed on the property.

Site Access, Traffic, Parking and Pedestrian Safety:

Access to the site is from an existing driveway on West Hancock Avenue. No vehicle traffic will be allowed onsite. The fraternity does not have permission to use the parking lot on the property and intends to lease the required parking spaces for those that live in the house. The fraternity will not operate a kitchen as there is no kitchen in the house, therefore; no food deliveries are needed. Chapter meetings and other events may take place at the house. The first floor continues approximately 2,243 square feet of assembly space. This does not include restrooms. Based upon the assembly calculation in the Athens-Clarke County Ordinances, this results in 50 parking spaces required for assembly purposes. In C-D zone however, only residential occupancies have a requirement for parking. This is no requirement for parking for assembly purposes in the C-D zone. The fraternity transportation policy fully describes the leased parking arrangements. All other members, alumni and guests must park elsewhere in the downtown area. There is ample paid parking in a number of parking decks, on streets and other private paid lots.

Since the fraternity has approximately 70 members, average daily traffic to the fraternity house will be significantly less than the 1000 vehicle trips which would require a traffic analysis. The majority of members traveling to the site will use the UGA transportation system which provides regular service to the downtown area. The site can support the fraternity without parking on-site or additional parking for alumni events because it is in the downtown area.

No on-site parking is provided. The downtown area has sufficient parking to meet Athens-Clarke County Code requirements for events. There are 2 public parking garages within 1,500 feet of the house. The parking garage on Thomas Street is 2,300 feet. Members will ride the UGA transportation system to class, share rides amongst members that have a leased parking space as well as walk and ride bikes. Pedestrian access is provided by the existing sidewalk along West Hancock Avenue. See the attached Phi Kappa Tau Transportation Policy.

Tree Management Plan and Planting:

The C-D zone does not require tree conservation nor any minimum canopy coverage. The property fronts West Hancock Street and several very large oak trees on the property. No existing trees will be impacted by this Special Use. No new trees will be planted. See the attached plan identifying the existing trees on-site.

Public Utilities and Services:

There is no change in the number or design of the utilities for the site. The site is served by Athens-Clarke County public water and sewer located in the right-of-way on West Hancock Street. There is no sprinkler system in the house. A 13R System will be installed per Athens-Clarke County requirements for the fraternity use. Athens-Clarke County should have sufficient

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capacity for water and sewer demands. Solid waste will be collected in roll carts as well as recycling. Roll carts will be stored at the rear of the house in an enclosure meeting Athens-Clarke County Ordinance.

Stormwater Management:

All improvements on the site were constructed prior to the adoption of the stormwater ordinance. For this reason, there is no on-site stormwater management facility. There are no planned improvements and therefore, no stormwater management plan is required. All stormwater flows overland to adjacent properties and West Hancock Street. Adjacent property stormwater flows to Pulaski Street and Reese Street.

Lighting:

Existing site lighting consists of building mounted lights. No change is proposed to the current outside lighting.

Special Use Considerations:

1. Conformance with the Future Development Map

   The site is located in an area designated as *Downtown* in the Future Development map of Athens-Clarke County. The *Downtown* designation anticipates a broad variety of uses, including commercial retail, services, and housing. The existing C-D zoning is compatible with the future land use plan and a fraternity is allowed following a Special Use Process. The UGA transportation system provides service along West Broad Street. There is an Athens-Clarke County bus stop at Newton Street and West Broad approximately 1,300 feet from the house by sidewalk. The UGA bus also uses this bus stop. Fraternity members and guest will typically use these as their main means of transportation during the day. Weekly chapter meetings will result in some members driving to the area. Meetings are Monday evenings and sufficient parking is available for Monday nights in the downtown area. Special events such as game day do provide a challenge for parking. Fraternity members will share rides, park downtown and walk to the event or take alternate transportation to the property.

2. Conformance with the Zoning Ordinance and purpose and intent of Comprehensive Plan

   The house is existing. All area and dimensional requirements for the site comply with the current zoning requirement and a fraternity house is allowed within the C-D zone subject to Special Use Approval. Fraternity use of the house in the current location is in congruence with the intent and guiding principles of the comprehensive plan.

3. Public Services are sufficient to service the proposed Special Use.

   The existing site is currently served by public water and sewer, electricity, gas and communication lines. The fraternity use of the house will not have any adverse affect on these utilities. A water and sewer service analysis has been requested from

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Athens-Clarke County Public Utilities for verification that the needs of the project can be accommodated by existing water and sewer. The public transportation system can adequately support this use. Leased parking for all residents in the house will be obtained.

4. The proposed Special use will not adversely affect the balances of Land Use in Athens-Clarke County.

   This Special Use Application requests fraternity use on an existing property. This will not result in any change to or affect the balance of land use in Athens-Clarke County.

5. The Proposed use is in conformance with the zoning district, all comprehensive plan policies and state and federal laws

   The proposed use meets all the requirements of the zoning district.

6. Adequate Capacity of water, sewer, paved access, electricity, storm drainage and storm drainage.

   As previously indicated in this report, the existing site is adequately served by public facilities. Furthermore, Athens-Clarke County Public Utilities will verify that water and sewer services are adequate for use.

7. The Special Use will not have an adverse impact on the surrounding area

   a. Similarity in scale, bulk and coverage:

      The house is located within the Downtown Character Area West End. The current house was constructed in 1849. An approved plan of expansion to be implemented after the fraternity lease expires has passed the Historic Preservation Commission review. The use by the fraternity will not alter the house.

   b. Character of volume of traffic and vehicular parking generated by proposed use and effects on surrounding streets:

      As previously indicated, the majority of members traveling to Phi Kappa Tau will use public transportation by riding UGA transportation. Ride sharing is common as well as alternatives such as biking. On-site parking is not allowed. The traffic associated with the proposed conditions is not out of scale with the downtown area nor with the previous use by owners of the house as an office. Therefore, the proposed use will not cause any adverse impacts to the traffic on West Hancock Avenue.

   c. Architectural compatibility with surrounding area:

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The existing house was constructed in 1849. It is located on the West End Downtown Character area. It is a historic structure. No alterations are proposed for this use.

d. Possible environmental impacts including but not limited to, drainage, soil erosion and sedimentation, flooding, air and water quality

There is no environmental impact from the proposed use of this house because no changes are planned to the structure or the grounds.

e. Generation of noise, light and glare:

The proposed use will not result in additional generation of noise by the fraternity or additional light and glare impacts on adjacent properties. Existing site lighting is to remain. No new lighting for the site is proposed.

As typical with most fraternities, Phi Kappa Tau hosts member events. Current conditions limit the location of events to the first-floor common area of the house. No residences abut the property except for another fraternity property. There should be no impact of noise, light or glare on these adjoining properties.

f. Impacts on development of adjacent properties compatible with the future development maps:

All properties immediately surrounding the site are zoned and developed for commercial and downtown uses. The proposed us of the existing house and structure will not infringe on any future development rights for the adjacent properties.

g. Impacts on future transportation corridors:

Approval of the Special Use for the house will result in a minimal traffic increase for West Hancock Avenue because no parking is allowed on site. Leased spaces will be maintained for residents and is not expected to generate significant traffic volume that would impact the commercial downtown zone. There will be no impact on future transportation corridors throughout the county.

Conclusion:

The proposed use of the existing house for the Phi Kappa Tau Fraternity will not adversely impact the surrounding properties and adjacent downtown zoned uses. This project meets the requirements of the Athens-Clarke County Code of Ordinances.

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ENGINEERS
ARCHITECTS
PLANNERS
amt
ARMENTROUT • MATHENY • THURMOND

June 1, 2022

Mr. John Halley
Athens Clarke County Public Utilities Department
124 E. Hancock Avenue
Athens, GA 30601

Re: Water and Sewer Usage-Phi Kappa Tau-347 W. Hancock Avenue, Athens, Georgia
Armentrout Matheny Thurmond, P.C., Project No. 22192

Dear Mr. Halley:

A Special Use Application is being filed with the Athens-Clarke County Planning Department to allow Phi Kappa Tau Fraternity to locate to 347 W. Hancock Avenue, Athens, Georgia. This property is zoned C-D and further identified as tax parcel 171A2 E001A containing 0.6 acres. Pursuant to the Special Use Application requirements, I am requesting a water and sanitary sewer capacity evaluation for the subject property.

The fraternity will move into the house at this location with no significant changes. The fraternity house will have a total of 4 bedrooms with 8 beds. The site is served by private water & sewer service lines which connect to the public water & sewer lines in West Hancock Avenue.

Total water usage for this project is projected as follows:

4 bedrooms x 100 gpd/bedroom	400 gpd
peak	5 gpm

Wastewater for this project is anticipated to be approximately 85% the water usage or 340 gpd.

If you have any questions or require further information about this project, please feel free to contact me.

Sincerely,

Armentrout Matheny Thurmond, PC

Michael B. Thurmond, P.E.
President

MBT/ls/22192/doc/ltr/J. Halley 06012022

330 Research Drive, Suite A240 • Athens, GA 30605
Tel 706.548.8211 • Fax 706.548.1814 • www.amtathens.com

Phi Kappa Tau at University of Georgia
Parking Policy

This policy and procedure is adopted by the house corporation: Georgia of Phi Kappa Tau, Inc. and will be followed by all members, initiated and uninitiated, who will be informed of this procedure at the time of recruitment and at the beginning of each semester thereafter. The purpose of this policy and procedure is to ensure the appropriate use and occupancy of the leased parking facility. There is no parking permitted on site. Parking spaces are leased by Phi Kappa Tau for the sole use of members that live in the house.

If the number of members that live in the house fall below the number of leased parking spaces, officers of the fraternity will be chosen for open leased spaces based on the chapter point system. In the event of a tie for points, as a determining factor, members will be chosen on basis of GPA (highest to lowest).

Priority for issuing parking permits for Phi Kappa Tau parking is established as follows:

1. One parking space will be reserved for the graduate resident.
2. All members who live in the chapter facility will have a leased parking space.

Members without Permits:

All members without permits are encouraged to use the University transit system. Other alternatives are ride-share, Athens-Clarke County transit or other alternate means such as motorcycle, scooters or bikes. No motorcycles or scooters will be allowed to be parked on-site. They must be parked in legal parking spaces. Parking on neighborhood streets is STRONGLY DISCOURAGED. Members who drive to the house are required to park at any downtown parking deck, privately run parking lots or paid on-street parking.

Plat Doc: PLAT
Recorded 03/23/2022 09:47AM

Beverly Logan, Clerk Superior Court
Athens-Clarke County, Ga.
Bk 0000J Pg 0272
Penalty: $0.00
Interest: $0.00
Participants: 6925354841

THIS BLOCK RESERVED FOR RECORDING INFORMATION

SURVEYOR CERTIFICATIONS

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

MATTHEW D. ULMER, GA. RLS#3069

NO PORTION OF THIS PROPERTY LIES WITHIN A 100 YEAR FLOOD PLAIN.

FLOOD INSURANCE RATE MAP #
13059C0025E 09/30/2016

MATTHEW D. ULMER,
REGISTERED LAND SURVEYOR #3069

MATTHEW D. ULMER
GEORGIA REGISTERED
LAND SURVEYOR #3069

P.O. BOX 269
WATKINSVILLE, GA 30677
706-769-6610

THIS PLAT IS NOT VALID OR RECORDABLE UNLESS SAID SURVEYOR'S SIGNATURE APPEARS IN ORIGINAL BLUE INK OVER THE STAMP.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW.

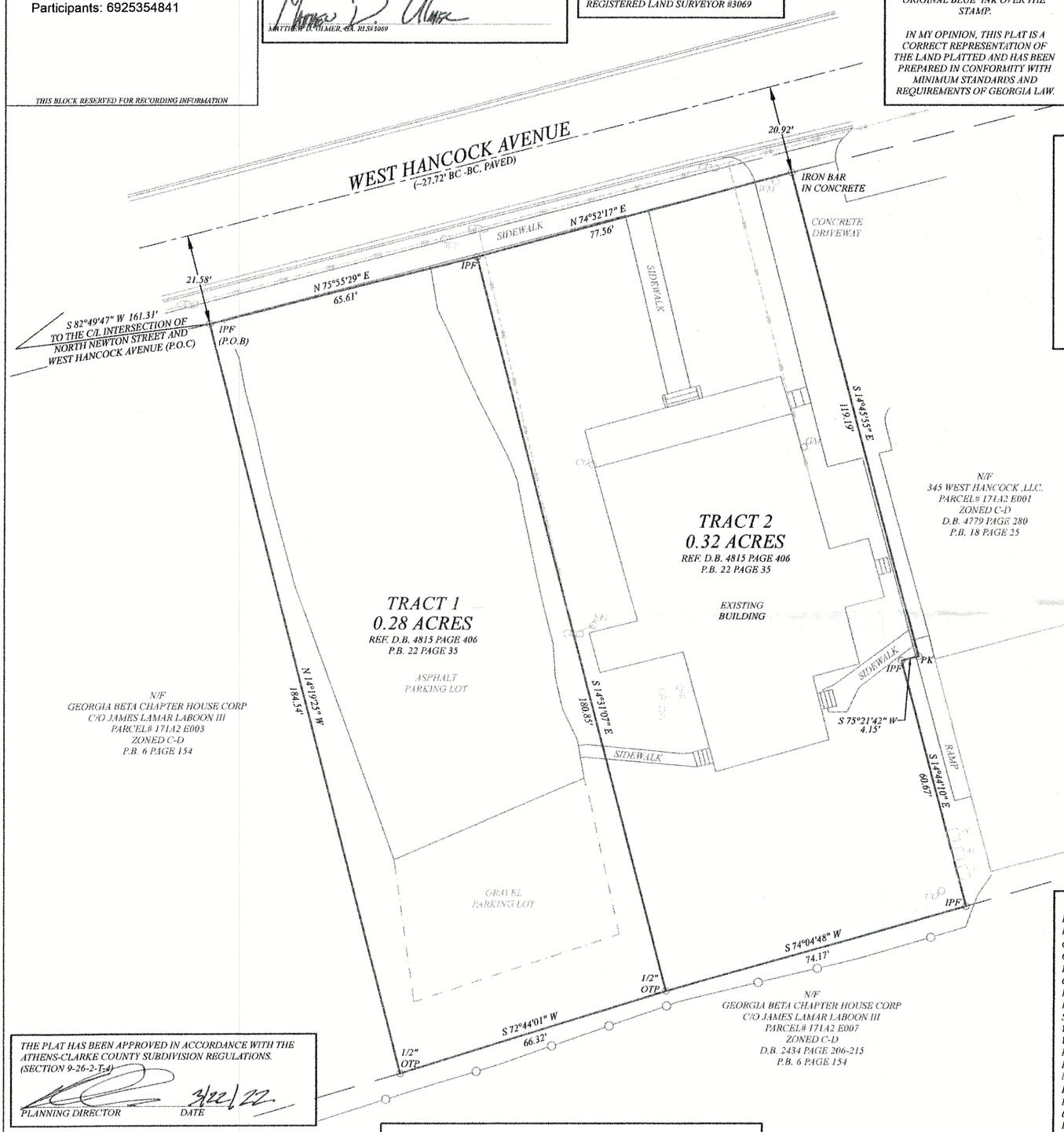
FIELD SURVEY CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 59,100 FEET, AND AN ANGULAR ERROR OF 5" PER ANGLE POINT, AND WAS NOT ADJUSTED. ALL LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TOPCON TOTAL STATION, MODEL GPT 3002.

THE FIELD WORK WAS COMPLETED ON FEBRUARY 10 ,2022.

PLAT CLOSURE STATEMENT

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 49,700 FEET.



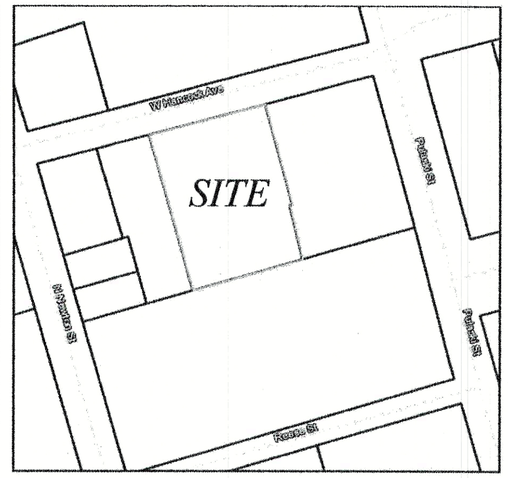
THE OWNER OF THE LAND ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID.

(OWNER OR AGENT)

DATE 2-28-22

OWNER INFORMATION

CR ATHENS HOLDINGS, LLC.
C/O CHASE LAWRENCE
428 NORTH MILLEDGE AVENUE
ATHENS, GA 30601
706-200-7082



VICINITY MAP

NOT TO SCALE

PROJECT DATA

PROFESSIONAL CONTACT: BASELINE SURVEYING & ENGINEERING
MATTHEW D. ULMER, GA. RLS#3069
P.O. BOX 269 WATKINSVILLE, GA 30677
MATT@BASELINEGA.COM
706-769-6610

1. TOTAL PROJECT ACREAGE: 0.60 ACRES

2. TAX PARCEL #: 171A2 E001A

3. NO ATTEMPT WAS MADE TO LOCATE UTILITIES OR IMPROVEMENTS ON OR ADJACENT TO THE SUBJECT PROPERTY EXCEPT AS SHOWN HEREON.

4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A COMPLETE TITLE SEARCH.

5. ZONED C-D(COMMERCIAL DOWNTOWN)
ALL GENERAL REGULATIONS SHOULD BE FOLLOWED PER TABLE (9-10-3) IN THE ATHENS- CLARKE COUNTY MUNICIPAL CODE .

6. SETBACK REQUIREMENTS
C-D (WEST END)
MAXIMUM SETBACK- 30'
MAXIMUM WALL COVERAGE- 50%
MINIMUM STREET SETBACK- 10'
SETBACKS STEM FROM REQUIREMENTS STEM FROM SITE DESIGN STANDARDS, RATHER THAN GENERAL REGULATIONS.

7. TRANSPARENCY, A MINIMUM PERCENTAGE OF ANY WALL FACING A PUBLIC STREET SHALL HAVE OPENINGS ACCOUNTING FOR THE PERCENTAGES PROVIDED IN SECTION 9-10-6(D4).

8. NO ACC TREES EXIST WITHIN THE RIGHT OF WAY AS SHOWN HEREON

9. ATHENS-CLARKE COUNTY WATER IS AVAILABLE

10. ATHENS-CLARKE COUNTY SANITARY SEWER IS NOT AVAILABLE.

11. TO THE BEST OF THIS FIRMS KNOWLEDGE, NO UTILITIES OR UTILITY EASEMENTS EXIST ON THIS SITE EXCEPT SHOWN HEREON.

11.TO THE BEST OF THIS FIRMS KNOWLEDGE, NO ENVIRONMENTAL AREAS EXIST ON THE SUBJECT PROPERTY.

14.FUTURE DEVELOPMENT OF ANY OF THESE TRACTS SHALL BE IN COMPLIANCE WITH ATHENS-CLARKE COUNTY STORMWATER MANAGEMENT REGULATIONS AND MAY REQUIRE PERMITTING AND CONSTRUCTION OF STORM WATER MANAGEMENT FACILITIES IN ACCORDANCE WITH APPROVED PLANS

15.THE STRUCTURE SHOWN HEREON IS OF NATIONAL LANDMARK STATUS KNOWN AS, STEVEN THOMAS HOUSE, THE STRUCTURES HISTORICAL USE WAS SINGLE DWELLING AND CURRENT USE PROFESSIONAL (LAW OFFICE). THE STRUCTURE HOLDS A "NATIONAL HISTORIC REGISTER" STATUS AND A "LOCAL HISTORIC LANDMARK" STATUS.

16. THE STRUCTURE SHOWN HEREON CONSISTS OF ONE NON RESIDENTIAL UNIT. NO BEDROOMS OR GUEST BEDROOMS SHOWN HEREON.

17.TRACT 1 PER THE ATHENS-CLARKE COUNTY MUNICODE FOR THE C-D ZONE IS NOT PERMITTED TO BE A STAND ALONE PARKING LOT. APPROVED CONSTRUCTION PLANS SHOWING FUTURE PARKING IS TO BE SUMBITTED TO ATHENS-CLARKE COUNTY PLANNING AND ZONING.

PLAT ABBREVIATIONS

IPF -	IRON PIN FOUND
IPS -	IRON PIN SET
GM -	GAS METER
CR -	CABLE RISER
R/W -	RIGHT OF WAY
C/L -	CENTERLINE
P.O.C. -	POINT OF COMMENCEMENT
P.O.B. -	POINT OF BEGINNING
SSMH -	SANITARY SEWER MANHOLE
WV -	WATER VALVE
WM -	WATER METER
FH -	FIRE HYDRANT
PP -	POWER POLE
N/F -	NOW OR FORMERLY
DB. -	DEED BOOK
PG -	PAGE
OHE -	OVERHEAD ELECTRIC
PB. -	PLAT BOOK
L.L. -	LAND LOT
GCB -	GATE CONTROL BOX
TR -	TELEPHONE RISER
DWCB -	DOUBLE WING CATCH BASIN
HW -	HEAD WALL
FES -	FLARED END SECTION
JB -	JUNCTION BOX
DI -	DROP INLET
TRAN -	TRANSFORMER
OTP -	OPEN TOP PIPE
EMH -	ELECTRIC MANHOLE
GEN -	GENERATOR
OCS -	OUTLET CONTROL STRUCTURE
P/L -	PROPERTY LINE
SS -	SANITARY SEWER
BSL -	BUILDING SETBACK LINE
FIRM -	FEDERAL INSURANCE RATE MAP
CO -	CLEAN OUT

SYMBOL LEGEND

- CALCULATED POINT
- IRON MARKER FOUND
- 1/2 " IRON PIN SET
- CONCRETE MONUMENT
- FENCE
- PP

THE PLAT HAS BEEN APPROVED IN ACCORDANCE WITH THE ATHENS-CLARKE COUNTY SUBDIVISION REGULATIONS. (SECTION 9-26-2-T-4)

PLANNING DIRECTOR 3/22/22 DATE

I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS NECESSARY TO PROVIDE ALL STREETS AND OTHER REQUIRED PUBLIC IMPROVEMENTS IN ACCORDANCE WITH PLANS SUBMITTED TO ATHENS-CLARKE COUNTY BY THE SUBDIVIDER'S PROFESSIONAL REPRESENTATIVES HAVE BEEN SATISFACTORILY COMPLETED OR HAVE BEEN ADEQUATELY GUARANTEED IN AN AMOUNT SUFFICIENT TO SECURE SATISFACTORY INSTALLATION.

ALL DRAINAGE AND ACCESS EASEMENTS SHOWN ARE THE MAINTENANCE RESPONSIBILITY OF THE PROPERTY OWNER PER ACC POLICY.(9-26-2-T-6)

Todd Stevenson 3/22/22
PUBLIC WORKS DIRECTOR DATE

I HEREBY CERTIFY THAT ALL REQUIRED IMPROVEMENTS NECESSARY TO PROVIDE WATER AND/OR SANITARY SEWER SERVICE FROM THE ATHENS-CLARKE COUNTY WATER DISTRIBUTION AND/OR SANITARY SEWER COLLECTION SYSTEM(S), AS NOTED, HAVE BEEN SATISFACTORILY INSTALLED AND HAVE BEEN ACCEPTED BY ATHENS-CLARKE COUNTY FOR OWNERSHIP, OPERATION, AND MAINTENANCE, OR IMPROVEMENT GUARANTEES, IN AN AMOUNT SUFFICIENT TO SECURE THE SATISFACTORY INSTALLATION AND DEDICATION OF THE NECESSARY IMPROVEMENTS, HAVE BEEN PROVIDED.

Malisa Jennings 3/22/22
PUBLIC UTILITIES DIRECTOR DATE

Binding
R Gie 7-12-22

GRID NORTH

BEARINGS ARE BASED ON NORTH AMERICAN DATUM OF 1983 GEORGIA STATE PLANE COORDINATE SYSTEM (WESTERN ZONE)

GRAPHIC SCALE

0' 10' 20' 40' 60'

1 INCH = 20 FEET

BASELINE
SURVEYING & ENGINEERING, INC.

P.O. BOX 269
WATKINSVILLE, GA 30677

WWW.BASELINEGA.COM

PHONE: 706-769-6610

MATT@BASELINEGA.COM

PLAT FOR:

CR ATHENS HOLDINGS, LLC.

216th GEORGIA MILITIA DISTRICT

CLARKE COUNTY

PHYSICAL ADDRESS:

347 WEST HANCOCK AVENUE
ATHENS, GA

REVISIONS	DATE
REVISIONS PER ACC COMMENTS	2-28-22
REVISIONS PER ACC COMMENTS	3-21-22

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DATE
02/09/22

PROJECT
22-2639S

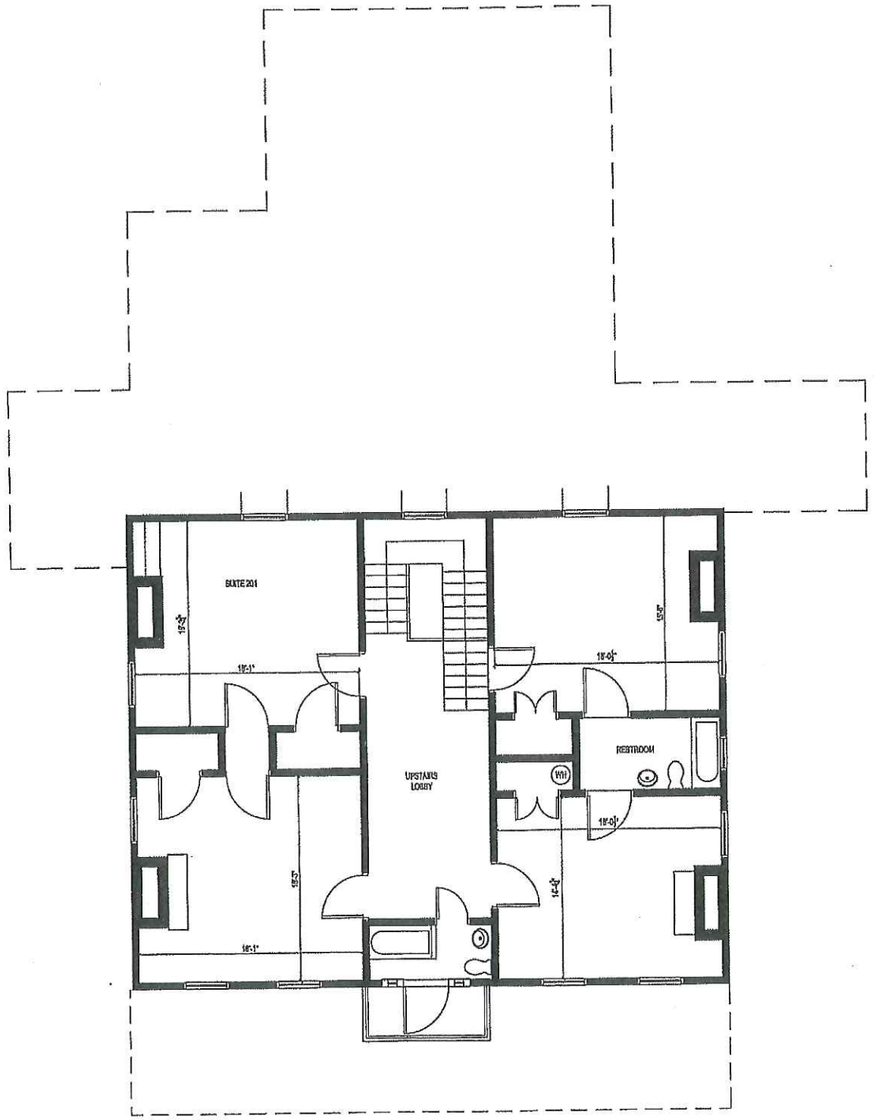
ADMINISTRATIVE SUBDIVISION PLAT

SHEET
1 OF 1

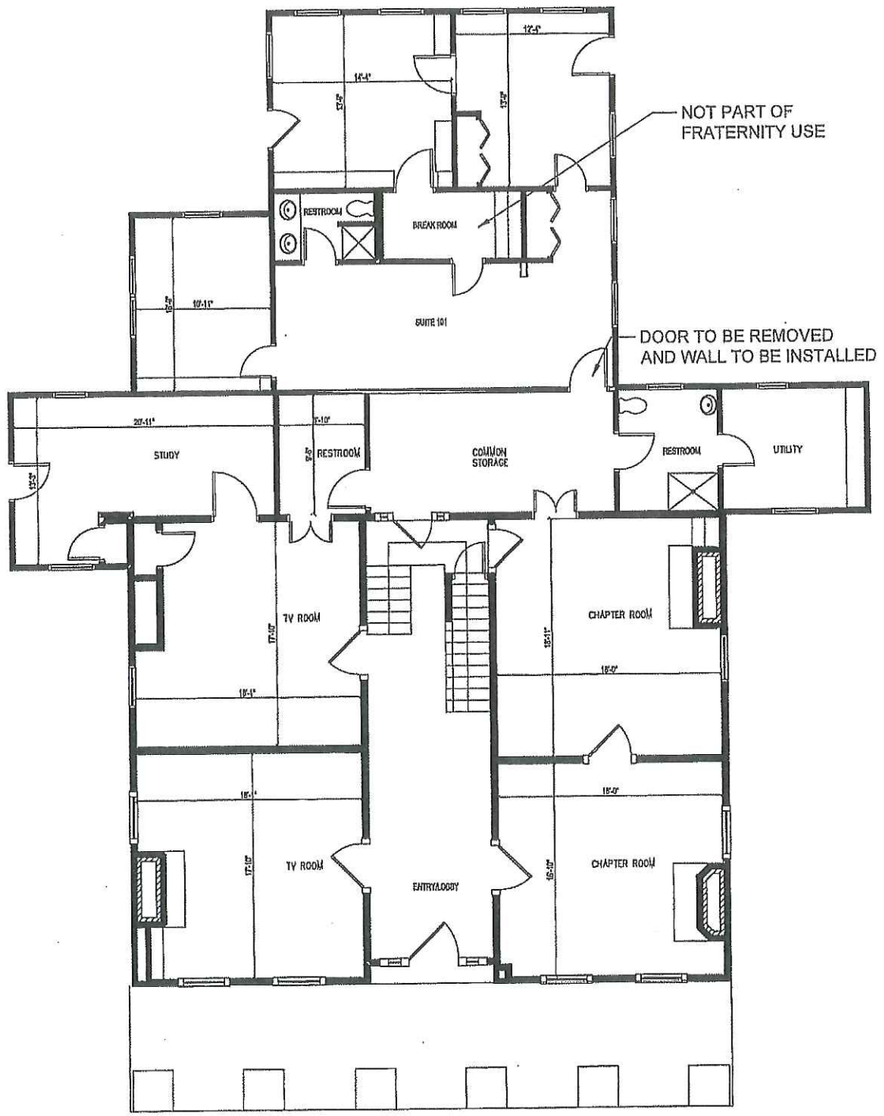
GEORGIA REGISTERED No. 3069 PROFESSIONAL LAND SURVEYOR MATTHEW D. ULMER

LSF#001108
EXPIRES 12-31-2022

Binding
R Cmo 7-12-22



AS BUILT SECOND FLOOR (2 / A100)
SCALE: 3/16" = 1'-0"



AS BUILT- FIRST FLOOR (1 / A100)
SCALE: 3/16" = 1'-0"

REVISIONS

NO.	BY	DESCRIPTION

DESIGNED:
DRAWN:
CHECKED:
APPROVED:

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GUERRARD CORPORATE CENTER
3330 CUMBERLAND BLVD, SUITE 500
ATHENS, GEORGIA 30339-5995
PHONE: (770) 434-2311
FAX: (770) 434-8141
WWW.AMTGROUP.COM

amt
ENGINEERS
ARCHITECTS
PLANNERS
Armentrout • Matheny • Thurmond

22078
STEVENS-THOMAS HOUSE
ca-1849
347 W HANCOCK AVE,
ATHENS, GA 30601

A100

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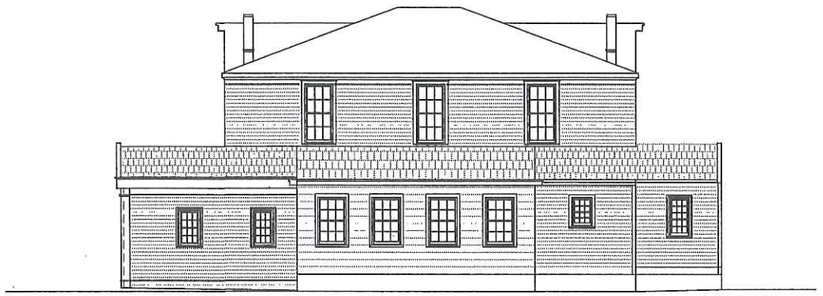
Binding
R Cone 7-12-22



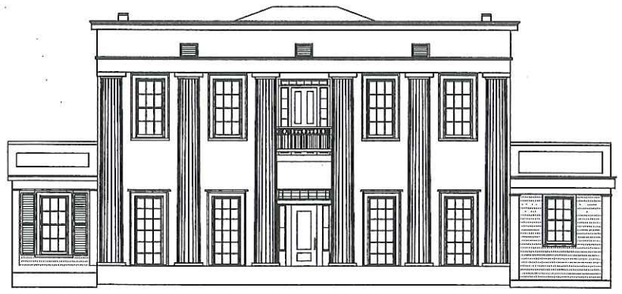
EXISTING REAR ELEVATION (4 / A200)
SCALE: 1/8" = 1'-0"



EXISTING LEFT SIDE ELEVATION (3 / A200)
SCALE: 1/8" = 1'-0"



EXISTING RIGHT SIDE ELEVATION (2 / A200)
SCALE: 1/8" = 1'-0"



EXISTING FRONT ELEVATION (1 / A200)
SCALE: 1/8" = 1'-0"

REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED:
DRAWN:
CHECKED:
APPROVED:

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amt ENGINEERS ARCHITECTS PLANNERS
Armentrout • Matheny • Thurmond
DAVIDSON CORPORATE CAMPUS
330 RESEARCH DRIVE, SUITE A-100
ATHENS, GEORGIA, USA 30605-2700
PHONE: (706) 548.
8211
FAX: (706) 548.
1814
www.amtathens.com

22078

347 W HANCOCK AVE,
ATHENS, GA 30601

A200

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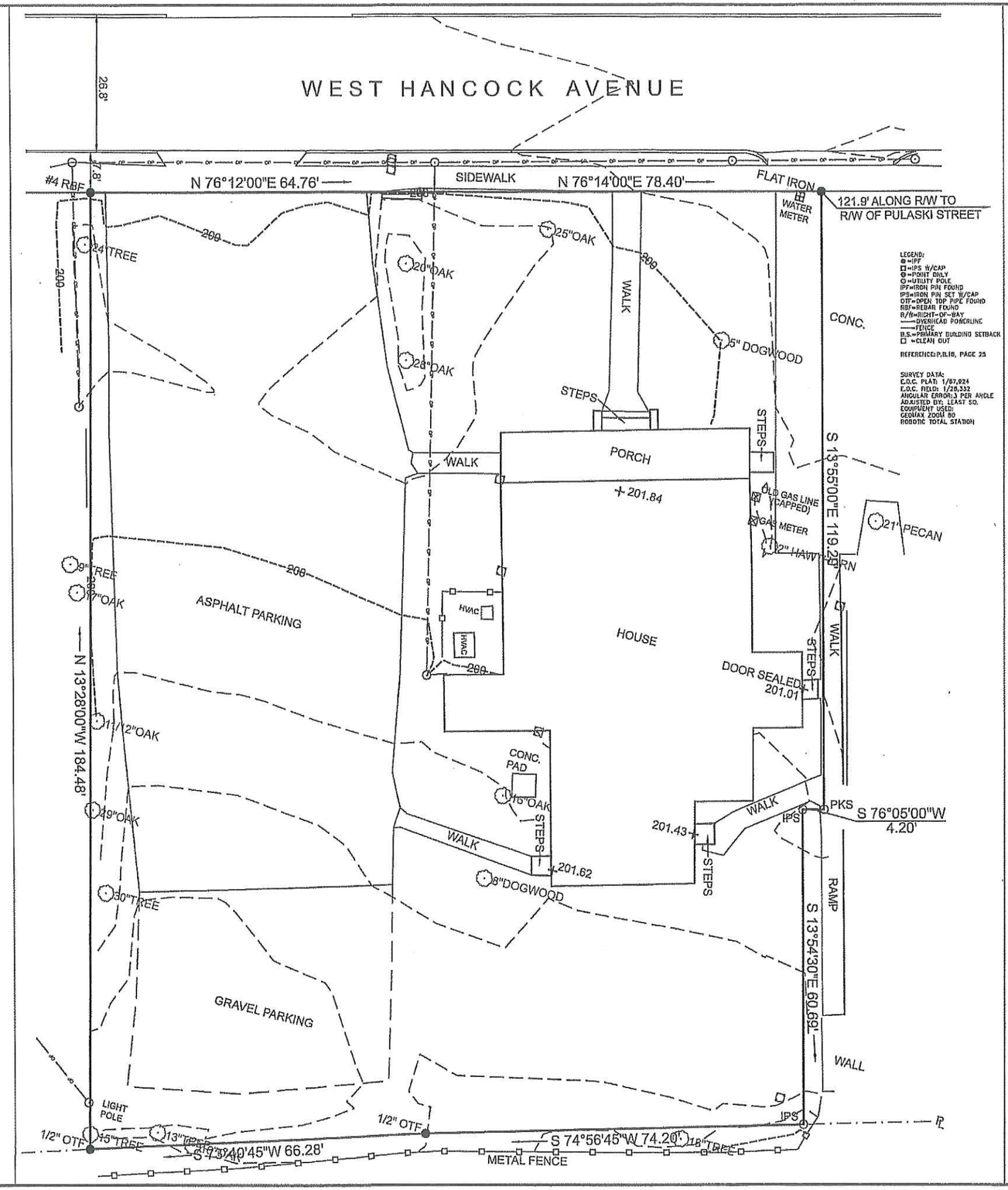
Binding
RCie 7-12-22



REVISIONS

DATE	PROJ. BY	DESCRIPTION

DESIGNED: AMT
DRAWN: AMT
CHECKED: MBT
APPROVED: MBT

EXPIRES: 12/31/2023

GEORGIA REGISTERED LANDSCAPE ARCHITECT KENNETH GRETTHOMPSON 06/02/2022

GA LANDSCAPE CORPORATE CERTIFICATE #000
320 RESEARCH DRIVE, ATHENS, GEORGIA 30605
PHONE (706) 548-1401
FAX (706) 548-1464
www.amtharris.com

ENGINEERS ARCHITECTS PLANNERS
amt
Armentrout • Matheny • Thurmond

22078

STEVENS-THOMAS HOUSE
CD-1849
347 W HANCOCK AVE,
ATHENS, GA 30601

N

SCALE 1"=10'

EXISTING TREE SURVEY
L100

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Richard Cowick

From: Liz DeMarco <[redacted]>
Sent: Wednesday, July 6, 2022 11:33 AM
To: Planning Internet Email; Stephen Jaques; Richard Cowick
Subject: [EXT] 347 West Hancock Avenue - SUP -2022-06-1480

EXTERNAL SENDER: This email originated from outside of the organization.
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Please include the following for submission to all Planning Commissioners for the July 7th meeting.

Re: 347 West Hancock Avenue - SUP -2022-06-1480

Type II – Special Use Permit

Petitioner: David W. Matheny / AMT, PC.

Owner: 347 Downtowner, LLC & The Hancock House, LLC

Dear Planning Commission and ACC Planning Department,

Only today did I realize that this Special Use Permit request is on the agenda for July 7th. A fraternity at this location does not make sense for enhancing downtown Athens. It puts significant parking, noise, and trash stress that is completely inappropriate for this location.

As I have stated for other developments in this area, for the past twenty-two years, I have lived and raised my family in a neighborhood adjacent to Downtown Athens and loved it!! Athens will benefit if we start to value the quality of living for non-students in and around Downtown.

I strongly oppose permitting this Special Use, and if I had time to organize others in the community, I feel confident that there would be overwhelming opposition.

Respectfully,

Liz DeMarco

327 Hill Street, Athens, GA 30601

[redacted]

[redacted]

Richard Cowick

From: Max Doty
Sent: Wednesday, July 06, 2022 12:10 PM
To: Richard Cowick
Subject: FW: [EXT] Special Use Permit for Phi Kappa Tau Fraternity at 347 W. Hancock. Ave.

From: JUNE BALL <[redacted]>
Sent: Wednesday, July 6, 2022 11:32 AM
To: Planning Internet Email <planning@accgov.com>; Melissa Link <Melissa.Link@accgov.com>; Allison Wright <Allison.Wright@accgov.com>
Subject: [EXT] Special Use Permit for Phi Kappa Tau Fraternity at 347 W. Hancock. Ave.

EXTERNAL SENDER: This email originated from outside of the organization.
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There is an increasing parking problem in Lower Cobbham, which would be made worse by approval of the Phi Kappa Tau fraternity. I live at 445 N. Pope Street and presently my block of North Pope Street is filled with cars every day. The employees from Model Citizen and clients for Silver and Archibald park on N. Pope every day, including on the yellow line directly across from my driveway, which is already a difficult exit. I repeatedly call the non-emergency police number to complain about the big SUVs and pickup trucks that park on the sidewalk along Hancock just east of Pope Street and block visibility when exiting from N. Pope without pulling out into Hancock. Those calls don't seem to solve a dangerous problem. We residents already have a big problem with people who don't live in the neighborhood using the available parking spaces, and allowing the Phi Kappa Tau Fraternity to move to 347 W. Hancock would make a bad problem worse. Please do not add to our parking and driving problems by allowing a fraternity to occupy 347 West Hancock.

Thank you for your consideration.

June Ball

445 N. Pope Street

ADOPT ATHENS PROCLAMATIONS

August 2, 2022

Adopting Organization	Location
The Backpack Project of Athens	Willow Street between College Avenue and East Broad Street
Terrapin Beer Company	Fourth Street between Strickland Avenue and Old Hull Road Gaines School Road between Barnett Shoals and Lexington Roads Prince Avenue between Pulaski Street and Park Avenue Hawthorne Avenue between Broad Street and Prince Avenue

TO: Mayor Kelly Girtz
Commission

FROM: Blaine Williams
ACCGov Manager

DATE: July 13, 2022

SUBJECT: Manager Acceptance of Grant Funding and Budget Amendment
- Social Science Research Council (SSRC) Arnold Ventures Grant

Under the provisions of Section 10 of the FY23 Budget Ordinance (see below), I have directed the Finance Department to amend the District Attorney's Office FY23 Budget for $25,000 in acceptance of the Social Science Research Council (SSRC) Arnold Ventures Grant. The grant award is to support staff in the District Attorney's Office working with the Prosecution Research Initiative.

A copy of this letter will be included under the Manager's report at the next regular Mayor & Commission meeting.

> SECTION 10. The Manager is further authorized to approve the application for grants and accept grants on behalf of the government up to $50,000 and to amend the Operating or Capital Budget for the grants as needed. This authority is permitted if the grant meets all of the following conditions: (1) matching funds are appropriated or the grant does not require matching funds; (2) the government will not be required to otherwise commit resources or maintain any services after the end of the grant period; (3) no positions will be added with the grant; and (4) no vehicles will be added to the government's Fleet Replacement Program as a result of acceptance of the grant.
>
> The Manager is required to notify the Mayor and Commission of approval or acceptance of each grant at the next scheduled regular meeting under the provisions of Section 7-400 of the Charter of the Unified Government of Athens-Clarke County, Georgia. The Manager and appropriate staff are authorized to execute all required documents associated with grants accepted under this provision.

Please don't hesitate to contact me if I can provide additional information or answer any questions.

cc: Josh Edwards, Assistant Manager
Niki Jones, Assistant Manager
Deborah Gonzalez, District Attorney
Jean Spratlin, Clerk of Commission
David Boyd, Finance Director
Tim Taylor, Budget Administrator

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF MAY 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
PURCHASING AWARDED CONTRACTS:					
05/02/2022	GREEN ACRES SUPPLIES INC 7940 MACON HWY WATKINSVILLE, GA 30677	PLAYGROUND MULCH	10,440.00	LEISURE SERVICES	GENERAL CAP PROJ FUND
05/04/2022	GARRETSON'S SPORT CENTER 3817 W 10TH ST GREELEY, CO 80634	2022 SUMMER CAMP T-SHIRTS	12,731.51	LEISURE SERVICES	GENERAL FUND
05/04/2022	VERDONCK KORY 108 WOODY LANE ATHENS, GA 30605	JUVENILE STAFF ATTORNEY - ARPA	25,000.00	JUVENILE COURT	GRANT SPEC REV FUND
05/04/2022	ATHENS REGIONAL LIBRARY 2025 BAXTER ST ATHENS, GA 30606	BOOKS/AV REIMBURSEMENT REQUEST	25,304.82	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
05/04/2022	FOLEY PRODUCTS COMPANY P O BOX 2447 COLUMBUS, GA 31902	STRUCTURES FOR CAMELOT LANE PIPE REPAIR	10,421.64	TRANSPORTATION & PUBLIC WORKS	STORM WATER UTILITY ENT FUND
05/04/2022	POWERDMS INC 101 SOUTH GARLAND AVE STE 300 ORLANDO, FL 32801	SOFTWARE RENEWAL - POWERDMS	11,757.71	POLICE	GENERAL FUND
05/04/2022	STANTEC CONSULTING SVCS INC 13980 COLLECTIONS CENTER DR CHICAGO, IL 60693	IMPACT ANALYSIS AND STUDY FOR WATER REUSE RATE	43,200.00	PUBLIC UTILITIES	WATER & SEWER CONSTRUCTION ENT FUND
05/06/2022	SOUTHERN ALUMINUM MFG ACQUISITION 5 HWY 82 WEST MAGNOLIA, AR 71753	ALUMINUM TABLES	11,085.00	LEISURE SERVICES	GENERAL FUND
05/09/2022	U S FOODSERVICE INC P O BOX 281945 ATLANTA, GA 30384	FOOD FOR CORRECTIONS	16,041.39	CORRECTIONS	GENERAL FUND
05/11/2022	VIRGINIA NELL MORRIS LAW LLC DBA MORRIS LAW ATHENS, GA 30604	ATTORNEY FOR JUVENILE COURT	10,000.00	SUPERIOR COURT	GRANT SPEC REV FUND
05/12/2022	INNOVYZE INC 6720 SW MACADAM AVE PORTLAND, OR 97219	SOFTWARE RENEWAL OF INFOSWMM & INFOWATER 7/15/2022-7/14/2023	10,620.00	PUBLIC UTILITIES	WATER & SEWER ENT FUND
05/12/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	SPLOST 2011 PROJECT MANAGEMENT FEES	14,956.90	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
05/12/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	TSPLOST 2018 PROJECT MANAGEMENT FEES	77,343.51	MANAGER'S OFFICE	TSPLOST 2018 CAP PROJ FUND
05/12/2022	JDA OF THE UGACC & CITY OF WINTERVILLE ATHENS, GA 30601	FY22 Q4 JOINT DEVELOPMENT AUTHORITY MANAGEMENT EXPENSE	12,500.00	ECONOMIC DEVELOPMENT	GENERAL FUND
05/12/2022	STORM WATER SYSTEMS INC 196 INDUSTRIAL BLVD CLEVELAND, GA 30528	FURNISH AND INSTALL TRASH TRAP	23,845.00	MANAGER'S OFFICE	GENERAL FUND GRANT SPEC REV FUND
05/13/2022	TRAILSIDE STRUCTURES LLC 88 AIRSTRIP DR MILL HALL, PA 17751	NEW DOG KENNEL FOR SPECIAL PROGRAMS	99,912.00	CORRECTIONS	GENERAL FUND
05/16/2022	D-PARKS TREE SERVICE 233 SEGARS RD WINDER, GA 30680	TREE REMOVAL	20,500.00	CENTRAL SERVICES	GENERAL FUND HOTEL/MOTEL SPEC REV FUND

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF MAY 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
05/16/2022	BENNETT FIRE PRODUCTS CO INC P O BOX 2458 WOODSTOCK, GA 30188	TURN OUT GEAR FOR NEW RECRUITS	22,790.16	FIRE	GENERAL FUND
05/16/2022	MULTI BAG INC 5653 PARE STE 200 MONTREAL QUEBEC CANADA H4P 1S1	GREEN POLYPROPYLENE WOVEN TOTE BAGS	20,090.00	SOLID WASTE	LANDFILL ENT FUND
05/16/2022	SAFEWARE INC PO BOX 716320 PHILADELPHIA, PA 19171	HAZMAT TEST KIT	11,318.09	FIRE	GENERAL FUND
05/16/2022	TARGETSOLUTIONS LEARNING LLC P O BOX 736510 DALLAS, TX 75373	SOFTWARE ANNUAL FEE FOR TARGET SOLUTIONS/VECTOR SCHEDULING	14,476.07	FIRE	GENERAL FUND
05/16/2022	GEORGIA DEPT OF NATURAL RESOURCES SOLID WASTE FEES ATLANTA, GA 30392	2021 SOLID WASTE HAZARDOUS WASTE FEE	69,430.50	SOLID WASTE	LANDFILL ENT FUND
05/17/2022	GALLAGHER BASSETT SVCS INC DBA: MOUNTAINVIEW SOFTWARE CHICAGO, IL 60693	CLAIM PAYMENTS	28,196.00	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
05/17/2022	ORIGAMI RISK LLC PO BOX 74751 CHICAGO, IL 60694	SOFTWARE RENEWAL - ORIGAMI	78,744.00	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
05/17/2022	H L DALIS INC 35-35 24TH ST LONG ISLAND CITY, NY 11106	DUTY GEAR FOR OUTER VEST CARRIERS	22,838.40	POLICE	GENERAL FUND
05/17/2022	WADE FORD INC P O BOX 1587 SMYRNA, GA 30081	REPLACEMENT VEHICLE FOR ANIMAL SERVICES	26,446.00	MANAGER'S OFFICE	SPLOST 2020 CAP PROJ FUND FLEET REPLACEMENT INTR SERV FUND
05/20/2022	ALFRED BENESCH & COMPANY 35 W WACKER DR STE 3300 CHICAGO, IL 60601	ENGINEERING AND SURVEY SERVICES FOR LEXINGTON ROAD CORRIDOR SIDEWALK PROJECTS (JOHN DRIVE TO GAINES SCHOOL ROAD)	33,565.00	MANAGER'S OFFICE	TSPLOST 2018 CAP PROJ FUND
05/20/2022	JONES MECHANICAL CONTRACTORS PO BOX 509 DANIELSVILLE, GA 30633	HVAC REPLACEMENT - ELECTRICAL ROOM	10,800.00	PUBLIC UTILITIES	WATER & SEWER ENT FUND
05/23/2022	PERFORMANCE FOOD GROUP INC PFG MILTONS ATLANTA, GA 31193	FOOD FOR CORRECTIONS	12,822.00	CORRECTIONS	GENERAL FUND
05/24/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	SPLOST 2011 PROJECT MANAGEMENT FEES	13,046.75	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
05/24/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	TSPLOST 2018 PROJECT MANAGEMENT FEES	59,392.26	MANAGER'S OFFICE	TSPLOST 2018 CAP PROJ FUND
05/24/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	SPLOST 2020 PROJECT MANAGEMENT FEES	94,899.33	MANAGER'S OFFICE	SPLOST 2020 CAP PROJ FUND SPLOST 2020 CPF - CLASSIC CENTER ARENA SPLOST 2020 CPF - AFFORDABLE HOUSING
05/25/2022	FIRELINE INC 725 PATRICK INDUSTRIAL LN WINDER, GA 30680	FIRE TRAINING EQUIPMENT	12,230.00	FIRE	GENERAL FUND

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF MAY 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
05/26/2022	MUNICIPAL AUDIT PROFESSIONAL 34 ELM STREET COHASSET, MA 02025	SERVICES TO COMPLETE 2022 PERSONAL PROPERTY AUDITS	22,000.00	TAX ASSESSOR'S OFFICE	GENERAL FUND
05/27/2022	TYNERS TRUCK AND AUTO REPAIR 130 HANCOCK RD ATHENS, GA 30605	ENGINE 21 REPAIR	12,778.20	FIRE	GENERAL FUND
		TOTAL PURCHASING AWARDED CONTRACTS:	$1,001,522.24		

TOTAL CONTRACTS AWARDED MAY 2022 $1,001,522.24

GRAND TOTAL CONTRACTS 35

Submitted by: Jessica Beri
Purchasing Administrator
Date: June 06, 2022

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF JUNE 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
MANAGER AWARDED CONTRACTS:					
06/24/2022	RDJE INC 679 HWY 29 SOUTH STE A NEWNAN, GA 30263	ALEXANDER ST GEORGIA RAILROAD STORM WATER IMPROVEMENTS PROJECT	132,555.00	PUBLIC UTILITIES	WATER & SEWER CONSTRUCTION ENT FUND
	TOTAL MANAGER AWARDED CONTRACTS:		$132,555.00		
PURCHASING AWARDED CONTRACTS:					
06/01/2022	UNIFORMS UNLIMITED 850 PRINCE AVE ATHENS, GA 30606	UNIFORMS - MAY AND JUNE	10,500.00	POLICE	GENERAL FUND
06/03/2022	AVOCETTE TECHNOLOGIES INC 2ND FLOOR 422 SIXTH ST NEW WESTMINSTER, BC	SOFTWARE - CLARITY IMPLEMENTATION	19,354.69	BUILDING INSPECTION	BUILDING INSPECTION SPEC REV FUND
06/03/2022	CANNON COCHRAN MGMT SERVICE 2 E MAIN ST, TOWNE CENTRE BLD DANVILLE, IL 61832	FUNDING REIMBURSEMENT - INSURANCE CLAIMS	12,990.00	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
06/03/2022	GEORGIA INTERLOCAL RISK MANAGEMENT PO BOX 105377 ATLANTA, GA 30348	INVOICE FOR CLAIMS - MARCH	63,558.48	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
06/03/2022	GEORGIA INTERLOCAL RISK MANAGEMENT PO BOX 105377 ATLANTA, GA 30348	CANCER PROGRAM PREMIUMS	14,462.94	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
06/06/2022	GEORGIA INTERLOCAL RISK MANAGEMENT PO BOX 105377 ATLANTA, GA 30348	INVOICE FOR CLAIMS - APRIL	24,984.24	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
06/07/2022	VERMEER SOUTHEAST SALES 1320 GRESHAM RD MARIETTA, GA 30062	TRENCHER	20,315.06	CENTRAL SERVICES	GENERAL FUND
06/09/2022	TLC TRI STATE LAUNDRY CO P O BOX 69 VALDOSTA, GA 31603	GEAR WASHER	12,983.00	FIRE	GENERAL FUND
06/09/2022	UNIFORMS UNLIMITED 850 PRINCE AVE ATHENS, GA 30606	PERSONNEL UNIFORMS	33,913.75	FIRE	GENERAL FUND
06/09/2022	MASTER MOWER SALES & SERVICE 787 S MARIETTA PKWY MARIETTA, GA 30060	MOWER	17,500.00	CENTRAL SERVICES	GENERAL FUND
06/10/2022	DOUBLE D INTERNATIONAL FOOD 1306 NORWOOD DR BEDFORD, TX 76022	FOOD FOR CORRECTIONS	29,668.97	CORRECTIONS	GENERAL FUND
06/10/2022	GEORGIA CORRECTIONAL INDUSTRIES 2984 CLIFTON SPRINGS ROAD DECATUR, GA 30034	FOOD FOR CORRECTIONS	10,581.42	CORRECTIONS	GENERAL FUND
06/10/2022	PERFORMANCE FOOD GROUP INC PFG MILTONS ATLANTA, GA 31193	FOOD FOR CORRECTIONS	11,631.98	CORRECTIONS	GENERAL FUND
06/10/2022	SUTHERLANDS FOODSERVICE INC BLD K - P O BOX 786 FOREST PARK, GA 30298	FOOD FOR CORRECTIONS	12,534.88	CORRECTIONS	GENERAL FUND

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF JUNE 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
06/10/2022	U S FOODSERVICE INC P O BOX 281945 ATLANTA, GA 30384	FOOD FOR CORRECTIONS	10,903.61	CORRECTIONS	GENERAL FUND
06/10/2022	FLINT EQUIPMENT COMPANY/ POWERPLAN CAROL STREAM, IL 60197	PARTS & LABOR TO REPLACE TRANSMISSION & EQUIPMENT	48,295.62	CENTRAL SERVICES	FLEET MANAGEMENT INTR SERV FUND
06/10/2022	SOUTHERN COMPUTER WAREHOUSE P O BOX 745102 ATLANTA, GA 30374	LAPTOPS	19,433.85	FINANCE	GENERAL CAP PROJ FUND
06/10/2022	TRIANGLE CHEMICAL COMPANY PO BOX 745783 ATLANTA, GA 30374	SPRAYER	16,775.00	CENTRAL SERVICES	GENERAL FUND
06/10/2022	USPS-HASLER P O BOX 7247-0217 PHILADELPHIA, PA 19170	MAIL METER POSTAGE REFILL	60,000.00	CENTRAL SERVICES	INTERNAL SUPPORT INTR SERV FUND
06/10/2022	CORUS GROUP LLC PO BOX 117019 ATLANTA, GA 30368	SERVER RENTAL	23,401.57	INFORMATION TECHNOLOGY	GENERAL FUND
06/10/2022	GEORGIA DEPT COMMUNITY AFFAIRS 60 EXECUTIVE PARK SOUTH ATLANTA, GA 30329	CONTINUUM OF CARE HOMELESS MANAGEMENT INFORMATION SYSTEM	19,180.40	HOUSING & COMMUNITY DEV	GENERAL FUND
06/10/2022	HACH COMPANY 2207 COLLECTIONS CENTER DRIVE CHICAGO, IL 60693	NORTH OCONEE WATER RECLAMATION FACILITY ANNUAL SERVICE PARTNERSHIP CONTRACT	12,059.00	PUBLIC UTILITIES	WATER & SEWER ENT FUND
06/10/2022	JOHNSON & SON SANITATION 1346 KIMBERLY CIRCLE HULL, GA 30646	ATLANTA HWY ENCAMPMENT CLEANUP	19,000.00	SOLID WASTE	GENERAL FUND
06/10/2022	LEADS ONLINE LLC 6900 DALLAS PARKWAY PLANO, TX 75024	SOFTWARE - LEADSONLINE RENEWAL	11,695.00	POLICE	GENERAL FUND
06/14/2022	CLASSIC CITY CAFE CATERING P O BOX 574 ATHENS, GA 30603	CATERING - 2022 STAFF APPRECIATION DAY	13,900.00	LEISURE SERVICES	GENERAL FUND
06/14/2022	COLLEGE FACTORY INC PO BOX 7652 ATHENS, GA 30604	2022 ARPA GRANT YOUTH DEVELOPMENT FUNDS	52,925.00	LEISURE SERVICES	AMERICAN RESCUE PLAN - CSLFRF
06/14/2022	FIRST AME CHURCH 521 NORTH HULL STREET ATHENS, GA 30601	2022 ARPA GRANT YOUTH DEVELOPMENT FUNDS	30,000.00	LEISURE SERVICES	AMERICAN RESCUE PLAN - CSLFRF
06/14/2022	TIMOTHY BAPTIST CHURCH INC CAMP TIMOTHY ATHENS, GA 30606	2022 ARPA GRANT YOUTH DEVELOPMENT FUNDS	33,159.00	LEISURE SERVICES	AMERICAN RESCUE PLAN - CSLFRF
06/16/2022	FARNSWORTH GROUP INC PO BOX 843219 KANSAS CITY, MO 64105	COMMISSIONING SERVICES	52,950.00	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
06/16/2022	FIRELINE INC 725 PATRICK INDUSTRIAL LN WINDER, GA 30680	LADDER 7 REPAIR	85,700.00	FIRE	GENERAL FUND

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF JUNE 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
06/18/2022	CORRECT HEALTH 1720 WINDWARD CONCOURSE ALPHARETTA, GA 30005	INMATE MEDICAL SERVICES	29,439.74	CORRECTIONS	GENERAL FUND
06/18/2022	PIEDMONT ATHENS REGIONAL FIRSTCARE LLC ATLANTA, GA 30368	EMPLOYEE MEDICAL TESTING 05/03/22 - 05/31/22	10,053.00	HUMAN RESOURCES	SELF FUNDED INSURANCE & CLAIMS INTR SERV
06/21/2022	ATHENS AREA ASPHALT MAINTENANCE 657 AYCOCK RD LEXINGTON, GA 30648	INSTALLATION OF FOUR SPEED TABLES ON BOULEVARD	48,395.00	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
06/21/2022	ATHENS CLARKE COUNTY 4H EXTENSION BOGART, GA 30622	ANNUAL 4-H SCRAP METAL DONATION	10,000.00	SOLID WASTE	LANDFILL ENT FUND
06/21/2022	SOUTHERN COMPUTER WAREHOUSE P O BOX 745102 ATLANTA, GA 30374	VIDEO CONFERENCING BUNDLES QUANTITY OF 3	10,885.14	MANAGER'S OFFICE	GENERAL FUND
06/21/2022	WWF INC P O BOX 80435 ATHENS, GA 30608	INSTALL OVERHEAD DOORS ON FIBER BUNKER	13,345.00	SOLID WASTE	LANDFILL ENT FUND
06/23/2022	AON CONSULTING INC 29695 NETWORK PLACE CHICAGO, IL 60673	PENSION, OPEB, & DC CONSULTING & VALUATION	38,841.00	HUMAN RESOURCES	GENERAL FUND EMPLOYEE RETIREMENT PROGRAM
06/23/2022	MERCER P O BOX 730182 DALLAS, TX 75373	COMPENSATION CONSULTING SERVICES FEES DECEMBER 2021 - FEBRUARY 2022	39,500.00	HUMAN RESOURCES	GENERAL FUND
06/24/2022	TATTNALL JOURNAL P O BOX 278 REIDSVILLE, GA 30453	BALLOT SETUP - MAY 2022	10,623.00	BOARD OF ELECTIONS	GENERAL FUND
06/27/2022	U S FOODSERVICE INC P O BOX 281945 ATLANTA, GA 30384	FOOD FOR CORRECTIONS	10,704.22	CORRECTIONS	GENERAL FUND
06/27/2022	U S FOODSERVICE INC P O BOX 281945 ATLANTA, GA 30384	FOOD FOR CORRECTIONS	18,208.34	CORRECTIONS	GENERAL FUND
06/27/2022	JONES MECHANICAL CONTRACTOR PO BOX 509 DANIELSVILLE, GA 30633	REPLACE 4 EXISTING HVAC SPLIT SYSTEMS LOCATION: MENTAL HEALTH	44,650.00	CENTRAL SERVICES	GENERAL FUND
06/29/2022	DOUBLE D INTERNATIONAL FOOD 1306 NORWOOD DR BEDFORD, TX 76022	FOOD FOR CORRECTIONS	21,467.79	CORRECTIONS	GENERAL FUND
06/29/2022	ACC FAMILY CONNECTION COMMUNITIES IN SCHOOLS OF ATHENS ATHENS, GA 30603	NEIGHBORHOOD LEADERS CONTRACT SUPPLEMENT - FY22	79,000.00	HOUSING & COMMUNITY DEV	GENERAL FUND
06/29/2022	ALFRED BENESCH & COMPANY 35 W WACKER DR STE 3300 CHICAGO, IL 60601	TRAFFIC COUNTS FOR NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM	18,000.00	TRANSPORTATION & PUBLIC WORKS	SPLOST 2011 CAP PROJ FUND
06/29/2022	ASCENDANT STRATEGY MAMAGEMENT GROUP LLC BOSTON, MA 02116	SOFTWARE RENEWAL - CLEARPOINT STRATEGY	37,140.00	MANAGER'S OFFICE	GENERAL FUND

ATHENS-CLARKE COUNTY
CONTRACT AWARDS IN EXCESS OF $10,000 FOR THE MONTH OF JUNE 2022

CONTRACT AWARD DATE	VENDOR NAME AND ADDRESS	COMMODITY OR SERVICE	CONTRACT AMOUNT	DEPARTMENT	FUNDING SOURCE
06/29/2022	ATHENS COMMERCIAL PRINTERS 7980 MACON HWY WATKINSVILLE, GA 30677	PRECINCT CARD MAIL OUT	14,168.08	BOARD OF ELECTIONS	GENERAL FUND
06/29/2022	ATHENS HOUSING AUTHORITY CO J RICHARD PARKER II EXC DIR ATHENS, GA 30606	MISSING MIDDLE HOUSING SURVEY	20,000.00	MANAGER'S OFFICE	AFFORDABLE HOUSING SPEC REV FUND
06/29/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	SPLOST 2011 PROJECT MANAGEMENT FEES	11,274.73	MANAGER'S OFFICE	SPLOST 2011 CAP PROJ FUND
06/29/2022	JACOBS ENGINEERING GROUP INC P O BOX 18713F ST LOUIS, MO 63150	TSPLOST 2018 PROJECT MANAGEMENT FEES	55,841.17	MANAGER'S OFFICE	TSPLOST 2018 CAP PROJ FUND
06/30/2022	THE SEGAL COMPANY INC PO BOX 4059 NEW YORK, NY 10261	MINIMUM WAGE ANALYSIS CONSULTING SERVICES	28,000.00	HUMAN RESOURCES	GENERAL FUND
06/30/2022	CHMURA ECONOMICS & ANALTYICS 1309 E CARY ST STE 200 RICHMOND, VA 23219	SOFTWARE RENEWAL	13,815.00	ECONOMIC DEVELOPMENT	GENERAL FUND
06/30/2022	PROLOGIC ITS LLC 106 NORTHPOINTE PKWY BLDG 2 ACWORTH, GA 30102	MOBILE DATA TERMINAL (IN-CAR COMPUTERS)	99,159.26	POLICE	GENERAL CAP PROJ FUND
06/30/2022	CORUS GROUP LLC PO BOX 117019 ATLANTA, GA 30368	SOFTWARE UPGRADE - JABBER & CALL MANAGER	12,250.00	CENTRAL SERVICES	INTERNAL SUPPORT INTR SERV FUND
06/30/2022	ELECTRICAL COMMUNICATIONS INC 188 COLONIAL DR WOODSTOCK, GA 30189	GROUNDING REPAIRS DUE TO LIGHTNING STRIKE LOCATION: POLICE	33,300.00	CENTRAL SERVICES	INTERNAL SUPPORT INTR SERV FUND
06/30/2022	WOLTERS KLUWER FINANCIAL SERVICES INC CHICAGO, IL 60693	SOFTWARE	10,350.00	OPERATIONAL ANALYSIS	GENERAL FUND
06/30/2022	EAST ATHENS DEV CORP P O BOX 80472 ATHENS, GA 30608	2022 ARPA GRANT YOUTH DEVELOPMENT FUNDS	69,603.00	LEISURE SERVICES	AMERICAN RESCUE PLAN - CSLFRF
06/30/2022	ACC PROBATION DEPT 110 BRAY ST ATHENS, GA 30605	SAMPLE PROCESSING - DUI COURT	16,500.00	STATE COURT	GENERAL FUND
06/30/2022	MEAD AND HUNT INC 2440 DEMING WAY MIDDLETON, WI 53562	AIR SERVICE CONSULTING SERVICES	20,520.00	AIRPORT	AIRPORT ENT FUND
06/30/2022	AUTRY HALL & COOK LLP ATTORNEYS AT LAW TUCKER, GA 30084	LEGAL SERVICES	17,457.50	MANAGER'S OFFICE	SPLOST 2020 CAP PROJ FUND TSPLOST 2018 CAP PROJ FUND SPLOST 2011 CAP PROJ FUND SPLOST 2020 CPF - CLASSIC CENTER ARENA
		TOTAL PURCHASING AWARDED CONTRACTS:	$1,666,848.43		

TOTAL CONTRACTS AWARDED JUNE 2022 $1,799,403.43
GRAND TOTAL CONTRACTS 61

Submitted by: Jessica Beri
Purchasing Administrator
Date: July 11, 2022

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Third Storage Agreement at the Taylor-Grady House

DATE: ~~August 1, 2022~~ August 2, 2022

BUDGET INFORMATION:
REVENUES:

~~$100/mo.~~ $360 Storage Agreement Fee

EXPENSES:

N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: August 2, 2022 Under Suspension of Rules

PURPOSE:
To request that the Mayor and Commission:

a. Approve a Third Storage Agreement at the Taylor-Grady House by the Junior League of Athens beginning August 4, 2022, until such time a formal selection and recommendation for award is made by the Property Committee, or, November 18, 2022, whichever comes first.; and,

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. Since 1968, it is believed that the Junior League of Athens has been occupying the Taylor-Grady House in some manner of capacity.

2. Since Unification in 1991, the Unified Government of Athens-Clarke County (ACCGov) has leased space within its facilities to non-profit entities serving the community.

3. On June 2, 2020, the Mayor & Commission (M&C) adopted the Unified Leasing Policy.

4. On March 2, 2021, the M&C approved lease renewals for $1/year in FY22 and moved to end utility subsidies for the Junior League effective July 1, 2021.

5. On August 31, 2021, the Junior League of Athens notified staff that they did not intend to renew their lease in FY23.

6. January 4, 2022, M&C approved all non-profit leases to be $1/year for FY23.

7. On June 30, 2022, the existing lease between ACCGov and the Junior League of Athens for occupation of the Taylor-Grady House ceased.

8. On July 1, 2022, a Storage Agreement commenced between ACCGov and the Junior League of Athens per their request in order to allow existing personal property to be kept on-site for a specific period of time (July 26, 2022) while movers assisted with vacating the facility.

9. On July 25, 2022, ACCGov released RFP#01092, "Defined Use and Lease of the Taylor-Grady House", which solicits proposals from prospective tenants for future occupation and operation of the facility.

10. On July 27, 2022, a Second Storage Agreement between ACCGov and the Junior League of Athens was enacted per their request to allow additional storage of personal property while movers continued to clear the contents of the structure.

11. On July 27, 2022, the Junior League of Athens sent a letter to Mayor Girtz and staff requesting consideration of a plan that allows the present furniture within the Taylor-Grady House to remain until such time as the RFP concludes and a potential tenant has an opportunity to determine whether or not to retain the furniture based on their use.

12. On August 3, 2022, the Second Storage Agreement is set to expire.

13. On September 13, 2022, RFP#01092 is stated to close and review of all submittals will begin thereafter.

FACTS & ISSUES:

1. If approved, a Third Storage Agreement would begin August 4, 2022, and continue until such time a formal selection and recommendation for award is made by the Property Committee, or, cease upon November 18, 2022, whichever comes first.

2. Similar to the previous two storage agreements, the Junior League of Athens is no longer considered an active tenant entitled to use the space for business or events, but rather this converts the Taylor-Grady House into a temporary storage facility in which to keep the existing personal property.

3. The RFP includes a request to list any furnished equipment to be used by the lessee as part of the defined use of the space and is a graded component of the overall score criteria. The scope does not preclude preservation of the existing furniture for continued use within the house, but it also does not require it; instead, allowing for flexibility/creativity in proposals that may have other sources of furniture and choose not to maintain the present collection.

4. The advertised RFP states a mandatory site visit to answer inquiries and tour the facility by all potential offerors will take place in August 2022.

5. As owner of the facility, ACCGov must inspect the property upon termination of the current lease, and perform any necessary maintenance and/or repairs prior to occupation of a new tenant.

6. Staff has already requested that most, if not all, utilities serving the facility be transferred back into the name of ACCGov.

7. Funding for the maintenance, repair, and/or replacement of associated services and projects performed by ACCGov to the property is traditionally derived from annual operations or capital improvement contributions from the General Fund, or through Special Purpose Local Option Sales Tax (SPLOST) collection specifically allocated for these initiatives.

8. This recommendation is consistent with the ACCGov Strategic Plan Goals, Strategies and Initiatives – FY23-25

   Goal Area 1: Good Neighbors

   D. Drive community transformation with a focus on creating spaces that are respectful and welcoming

   4. Develop a culture of place-making through applicable projects

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OPTIONS:

1. Mayor and Commission:

   a. Approve a Third Storage Agreement at the Taylor-Grady House by the Junior League of Athens beginning August 4, 2022, until such time a formal selection and recommendation for award is made by the Property Committee, or, November 18, 2022, whichever comes first.; and,

   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission do not approve a Third Storage Agreement at the Taylor-Grady House and the Junior League of Athens will be expected to adhere to the August 3, 2022 deadline for vacating the property.

3. Mayor and Commission defined option.

DEPARTMENT(S) RECOMMENDED ACTION:
Option #1: a & b

DEPARTMENT(S): Central Services
Prepared by: Gavin Hassemer



8/1/2022

Gavin Hassemer
Interim Director of
Central Services

Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1: a & b



8/1/2022

Manager

Date

ATTACHMENTS:
Attachment #1: Taylor-Grady House Letter
Attachment #2: Third Storage Agreement

JUNIOR LEAGUE OF ATHENS

Attachment #1

DATE: July 27, 2022

TO: Mayor Kelly Girtz
Blaine Williams

FROM: Active & Sustaining Membership
Junior League of Athens

RE: Taylor-Grady House

The Junior League of Athens has been working for several weeks to pack and remove the contents from the Taylor-Grady House. Last week, we were contacted by Lee Epting. As you know, Lee is a very strong supporter of historical preservation in our community. He is interested in the House for historic as well as business reasons. He plans to participate in the RFP process on behalf of Epting Events.

In addition, Lee has been canvasing the community to rally support for the House and its collection. He is doing his best to secure a win-win for the ACC government, Junior League, and Taylor-Grady House. He has expressed concerns that things are moving faster than necessary. We agree that an unnecessary move of the furnishings from the House will cost the Junior League a substantial amount of money and result in our community losing a valuable asset and collection.

Lee proposed the following suggestions to us. We are very supportive of his ideas as listed below:

1. The RFP states that Tuesday September 13, 2022 is the deadline to submit proposals. This means that no action will take place in the House for approximately 6 weeks and will provide the Junior League with ample time to remove the contents.

2. The main reason to move out the furnishings is to be in compliance with the request "to have the property *empty prior to the mandatory tour for all applicants. As owners of the property, ACCGov is obligated to assess the current condition…and conduct necessary maintenance before any new tenants move in."*

Instead of removing the large furnishings from the House, would it be possible to move the items into the middle of the ballroom? The House could then be cleaned and inspected. It would also allow prospective tenants to view the collection when they tour the House on August 9th. They could then decide if they would like to purchase items for their use. If none of the furnishings are wanted by the prospective tenants, the Junior League would move the collection offsite and stage an auction.

3. The smaller items of the collection (books, porcelains, etc,) are packed and ready for removal from the House. Epting Events has offered to store these items in their catering trailers until an auction can be arranged.

In 1999, the citizens of Athens-Clarke County voted to approve SPLOST dollars to refurbish the Taylor-Grady House. It would be a shame to separate the House from a collection that has been accumulated over the past 50 years.

We respectfully request your consideration of the plan of action as proposed by Lee Epting in order to serve the best interests of ACCGov, the Taylor-Grady House, the Junior League of Athens, and the Athens community.

THIRD STORAGE AGREEMENT

THIS THIRD STORAGE AGREEMENT (herein referred to as the "Agreement") is made and entered into this _____ day of August, 2022, by and between the Unified Government of Athens-Clarke County, Georgia (herein referred to as the "ACCGov") and the Junior League of Athens, Inc. (herein referred to as the "Junior League").

WITNESSETH:

WHEREAS, the Junior League had a Lease Agreement with ACCGov for the Taylor-Grady House that terminated on June 30, 2022; and

WHEREAS, on or about June 23, 2022, the Junior League entered into a Storage Agreement with ACCGov for the Taylor-Grady House that terminated on July 26, 2022 to allow time for removal of the first and second floor furnishings that are owned by the Junior League, (the "Property"); and

WHEREAS, on or about July 25, 2022, ACCGov entered into a Second Storage Agreement with the Junior League to allow additional time until August 3, 2022, for removal of the Property; and

WHEREAS, to facilitate the possible use of the Property by a future tenant, ACCGov agrees to allow the Junior League a third extension of time to continue to store the Property in the Taylor-Grady house until November 18, 2022, in accordance with the terms and conditions outlined herein;

NOW, THEREFORE, in consideration of the respective covenants, conditions, and agreements set forth herein, ACCGov and the Junior League agree as follows:

1.

During the term of this Agreement, ACCGov agrees to allow the Junior League to store the Property at the Taylor-Grady House. The Junior League shall not be authorized to conduct any further activities at the Taylor-Grady House.

2.

This Agreement shall commence on August 4, 2022, and continue until formal selection and recommendation by ACCGov's Property Committee or November 18, 2022, whichever event first occurs, provided, however, that this Agreement shall terminate in the event the Junior League removes the Property earlier.

3.

Junior League shall pay an additional $360.00 as the storage fee. Payment is due in four (4) installments of $90.00 each on or before the following dates: August 4, 2022; September 1, 2022; and October 3, 2022; and November 1, 2022. In the event the Junior League removes the Property earlier, the storage fee shall be non-refundable.

4.

Title to the Property shall at all times remain with the Junior League. Nothing contained in this Agreement shall be construed or interpreted as conveying title to, or any interest in, the Property to ACCGov.

5.

The Junior League understands that ACCGov does not take custody and control of the Property while it is stored in the Taylor-Grady House. Storage of the Property does not create a duty of care under Georgia Law. The Junior League assumes all risk of loss that may occur as a result of theft, vandalism, fire, flood, or other risks of storage of the Property. To the extent that damage occurs, the Junior League understands that ACCGov does not provide insurance coverage and that all losses due to risks of storage are not to be covered. The Junior League agrees that it will maintain adequate insurance on the Property to cover potential loss. The Junior League further agrees that it will continue to maintain that liability insurance coverage required under its Lease Agreement with ACCGov until the Property is removed.

6.

ACCGov maintains the right to enter, inspect, or use the property at its discretion while the Property is in storage.

7.

The Junior League hereby waives, releases, relinquishes, discharges and agrees to indemnify, protect and save harmless ACCGov, its officers and employees, (collectively, Releasees), from any and all claims, demands, liabilities, losses, costs or expenses, including attorneys' fees, for any loss or damage for bodily injury, property damages and attorneys' fees related thereto caused by, growing out of, or otherwise happening in connection with this Agreement, due to any act or omission on the part of the Junior League, its agents, employees, subcontractors, or others working at the direction or on behalf of the Junior League. The Junior League's obligation to indemnify any Releasees shall survive the expiration or termination of this Agreement by either Party for any reason.

8.

This Agreement represents the entire understanding between the parties hereto. It replaces and supersedes any and all oral agreements between the parties, as well as any prior writings. This agreement binds and benefits the heirs, successors, and assignees of the parties. This agreement may be modified only by a written agreement signed by all the parties. If one party waives any term or provision of this agreement at any time, that waiver will only be effective for the specific instance and specific purpose for which the waiver was given. If either party fails to exercise or delays exercising any of its rights or remedies under this agreement, that party retains the right to enforce that term or provision at a later time. If any court determines that any provision of this agreement is invalid or unenforceable, any invalidity or unenforceability will affect only that provision and will not make any other provision of this agreement invalid or unenforceable and shall be modified, amended, or limited only to the extent necessary to render it valid and enforceable.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement subject to the terms and condition herein set forth.

ACCGov
THE UNIFIED GOVERNMENT OF
ATHENS-CLARKE COUNTY, GEORGIA

By: _____
Mayor

Attest: _____

Junior League
JUNIOR LEAGUE OF ATHENS, INC.

By: _____
Signature

Title: _____

Printed Name: _____

Clerk of Commission (SEAL)