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3921 CHURCH STREET ♦ CLARKSTON, GEORGIA 30021

(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

Mayor Beverly H. Burks

Councilmembers:

Debra Johnson-Vice Mayor

Jamie Carroll

Yterenickia Bell

Susan Hood

Mark Perkins

Tammi Saddler Jones, Interim City Manager

CITY COUNCIL MEETING AGENDA

June 4, 2024 - 7:00PM

IN-PERSON/ HYBRID

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATION/ ADMINISTRATIVE BUSINESS

To approve the following meeting minutes:

- A. 04/30/2024 – City Council Work Session Meeting Minutes
- B. 05/07/2024 – City Council Meeting Minutes
- C. 05/16/2024 – Special Called Meeting Minutes

4. REPORTS

- A. Planning/Economic and Development Report
- B. City Manager's Report
- C. City Attorney's Report
- D. Council Remarks
- E. Mayor's Report

5. PUBLIC COMMENTS

Any member of the public may address the Council during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes, and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the City Clerk in writing. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the city must proceed in an orderly, timely manner.

6. OLD BUSINESS

- A. To consider overriding the Mayor's veto of the approval of the Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.
- B. To consider overriding the Mayor's veto of the approval of the Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months in an amount not to exceed to \$108,000.
- C. To consider overriding the Mayor's veto of the approval of the Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.



7. CONSENT AGENDA

- A. To consider for approval Ordinance No.494 to amend the City Charter to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.
- B. To consider for approval Ordinance No.495 to amend the Chapter 2 of the city code, regarding administration, to delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city, subject to certain conditions and limitations.
- C. To consider for approval a resolution Authorizing Staff and Professionals to Proceed with the Issuance of General Obligation Sales Tax Bonds.
- D. To consider for approval of an agreement with the Atlanta United Football Club to utilize Milam Park's upper fields to hold eight free soccer clinics for the youth community of Clarkston at no cost to the city.
- E. To consider for approval of an Agreement for Services between the City of Clarkston and BidNet Direct as the online bid solicitation host website at no cost to the city.
- F. To consider for approval the projects list for the Georgia Department of Transportation Local Roads Assistance (LRA) Grant funding application submittal in the amount of \$137,335.85.

8. NEW BUSINESS

- A. To consider for approval the selection of the contractor, Construction 57, Inc., to reconstruct the existing asphalt driveway apron located at 1056 Vaughan Street in the amount of \$9,850 to be funded out of SPLOST I.
- B. To consider adopting an ordinance to amend Chapter 10 of the City Code to establish hours for construction, demolition, and excavation activities.
- C. To consider for approval the appointment of a new Director for the Downtown Development Authority to fill the vacancy created by former director Krista Durant removing her residency.
- D. Hearing to receive evidence and consider Brockett Pointe, LLC's appeal of the denial of its application for a license to operate a "park-for-hire/valet parking" business at 1353-J Brockett Road.

9. ADJOURNMENT

PUBLIC PARTICIPATION BY VIDEO CONFERENCE

The City of Clarkston, Georgia will conduct the City Council Meeting at 7:00 p.m. on Tuesday, June 4, 2024. The public may participate in the meeting in-person or by using the following information below:

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_eLHUr-Y3ROeSuDfyNhFHkg

After registering, you will receive a confirmation email containing information about joining the webinar.

MINUTES OF A WORK SESSION
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, APRIL 30, 2024

On the 30th day of April 2024 at 7:00 p.m., the City Council of Clarkston, Georgia met in a work session in-person and by teleconference Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Councilmembers Jamie Carroll, Susan Hood, and Mark Perkins. Present virtually: Councilmember Yterenickia Bell. Absent: Vice Mayor Debra Johnson. The following City staff were present: Tammi Saddler Jones (Interim City Manager), Dan Defnall (Finance Director), Christine Hudson (Police Chief), Rodney Beck (Public Works Director), Melissa L. Peñate (Interim City Clerk), and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

The meeting was called to order at 7:01 p.m. by Mayor Beverly Burks.

2. ROLL CALL

Present: Mayor Beverly H. Burks, Councilmembers Jamie Carroll, Susan Hood, and Mark Perkins.

Virtual: Councilmember Yterenickia Bell

Absent: Vice Mayor Debra Johnson

3. PUBLIC COMMENTS

Members of the public were invited to address the Council regarding agenda items after the Mayor and Council had discussed the item. Each attendee was allowed 3 minutes for comments.

4. PRESENTATION/ ADMINISTRATIVE BUSINESS

A. Presentation by the Clarkston Development Foundation (CDF): Roberta presented about the Early Learning Task Force and the Tell Me A Story Programs.

5. OLD BUSINESS

A. To discuss an ordinance amending Chapter 3 of the Code, regarding alcoholic beverages, to allow “late night sales” for consumption on the premises subject to certain conditions.

Discussion on allowing “late night sales” for consumption on the premises subject to certain conditions. Council requested additional information. Item was moved to regular business.

- B. To discuss an ordinance to amend the City Charter to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.

To authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City. Item was moved to the May consent agenda.

- C. To discuss an ordinance to amend the Chapter 2 of the city code, regarding administration, to delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city, subject to certain conditions and limitations.

To delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city subject to certain conditions and limitations. Item was moved to the May consent agenda with an addition for a one-year contract.

- D. To discuss an ordinance amending Chapter 2 of the city code, regarding administration, to establish a new procurement policy, and for other purposes.

To establish a new procurement policy and for other purposes. Item was moved to the May work session meeting.

6. NEW BUSINESS

- A. To discuss a proclamation designating May 10th as Mayor's Book Club Day.

Mayor explained that GMA has a Mayor's book club and encourages all Mayors in the state to have a literacy program. Item was moved to the May consent agenda.

- B. To discuss a proclamation designating May 10th as Kids' Day.

Mayor mentioned Tots Town Hall, where kids wrote the proclamation and motioned to approve it. Item was moved to the May consent agenda.

- C. To discuss a resolution authorizing an agreement with Bowman Moody Enterprise, LLC for professional procurement services in the amount of \$3,500 monthly for 3 to 6 months.

For professional procurement services in the amount of \$3500 monthly for 3 to 6 months. Item was moved to the May consent agenda.

- D. To discuss a resolution to renew GIRMA Property & Liability Coverage for the policy period 5/1/2024 - 04/30/2025 through the GMA Property & Liability Self Insurance Program funded through the General Fund Budget.

For the policy period 5/1/2024 - 04/30/2025 through the GMA Property & Liability Self-Insurance Program funded through the General Fund Budget. Item was moved to the May

consent agenda.

- E. To discuss the uses of the National Opioid Settlement Distributions in the amount of \$7,757.76 received by the city.

In the amount of \$7757.76 received by the city. Item moved to the May consent agenda with additional information.

- F. To discuss a resolution to Implement an Increase of FY2024 Sanitation Assessment fee to \$317 that was approved at the February 6, 2024, City Council meeting to cover cost of residential garbage and recycling services for FY2024.

This was approved at the February 6, 2024 City Council meeting to cover the cost of residential garbage and recycling services for FY2024. Item was moved to the May consent agenda.

- G. To discuss a contract with Integrated Science & Engineering (ISE) Scope of Work for MS4 Permitting; in the amount of \$10,500 to be funded from the Storm Water Enterprise Program.

In the amount of \$10500 to be funded from the Storm Water Enterprise Program. Item was moved to the May consent agenda.

- H. To discuss SPLOST II projects list and changes recommended by the Housing & Infrastructure and Transportation and Environment committees.

To discuss the SPLOST II projects list and changes recommended by the Housing & Infrastructure and Transportation and Environment committees. Item was moved to the May regular agenda item.

- I. To discuss a contract with Volkert for the Public Meeting Display Proposals for the Mell Ave Intersection Safety and Operational Improvements Project (SPLOST 09); in an amount not to exceed \$17,500 (renderings) or \$35,000 (3D animation) to be funded from SPLOST I.

For the Mell Ave Intersection Safety and Operational Improvements Project (SPLOST 09); in an amount not to exceed \$17500 (renderings) or \$35000 (3D animation) to be funded from SPLOST I. Item was removed from the May City Council agenda.

- J. To discuss a Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.

For the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months. Item was

moved to the May regular agenda.

- K. To discuss a Contract with Paryani Construction, Inc., a Statewide Contractor, for the redesign and renovations of some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months.

A Statewide Contractor for the redesign and renovations of some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months. Item was moved to the May regular agenda.

- L. To discuss a Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Statewide Contractor, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a Term of six months in an amount not to exceed \$126,000.

A Statewide Contractor to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126000. Item was moved to the May regular agenda item.

7. EXECUTIVE SESSION

None.

8. ADJOURNMENT

Motion to adjourn was made by Councilmember Perkins, seconded by Councilmember Hood. The meeting adjourned at 10:10 p.m.

ATTEST:

Melissa Peñate, CMC
Interim City Clerk

Beverly H. Burks
Mayor

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD IN-PERSON AND BY TELECONFERENCE, ZOOM AUDIO/VIDEO
IN SAID CITY ON TUESDAY, MAY 7, 2024

On the 7th day of May 2024 at 7:00 p.m., the City Council of Clarkston, Georgia met in regular session in-person and by teleconference Zoom Audio/Video in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Councilmembers Jamie Carroll, Yterenickia Bell, Susan Hood, and Mark Perkins. Absent: Vice Mayor Debra Johnson. The following City staff were present: Tammi Saddler Jones (Interim City Manager), Dan Defnall (Finance Director), Christine Hudson (Police Chief), Marcus ____ (Public Works Assistant Director), Melissa L. Peñate (Interim City Clerk), and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL

Present: Mayor Burks, Councilmembers Carroll, Bell, Hood, and Perkins.

Absent: Vice Mayor Johnson

Councilmember Carroll motioned to add item 8E. To consider for approval a proclamation recognizing Public Works Week and change 7B. to “To defer for consideration at the May work session and the June regular city Council meeting Ordinance No. 495 to amend the Chapter 2 of the city code, regarding administration, to delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city, subject to certain conditions and limitations.” Seconded by Councilmember Perkins. Motion passed 4-0.

3. ADMINISTRATIVE BUSINESS/ PRESENTATION

A. To approve minutes the following meetings:

- 04/02/2024 – City Council Meeting

Councilmember Hood made a motion to approve the meeting minutes with changes: on page 2, the discussion of 13 recommendations, spelling of Brocket Triangle Park, and the name of the committee is Community Development and Civic Innovation. Seconded by Councilmember Carroll. The motion passed unanimously.

4. REPORTS

A. Planning/Economic and Development Report.

- Lisa Cameron, Planning & Economic Development Director, provided an update from the Planning & Economic Development department on the following.

- Status of Smith & Lincoln Street name change to Davis Drive.
- Update on Business License renewals.
- Update on multi-family report.
- It is Economic Development Week and the staff updated them on upcoming events.

B. City Manager's Report

- Interim City Manager, Tammi Saddler Jones gave an update on the following:
 - Three new employees were introduced: Communications Manager, Retonjah Burdette; Parks & Recreation Manager, Michael Duncan; and Chief Court Clerk, Lillian Triplet.
 - Update on events:
 - Milam Park Pool will be opening on May 23rd and the City will be hosting a community pool opening event.
 - Coffee with a Copp will be on May 17th at 9 a.m. at Refuge Coffee.
 - June 15th the City will have a food giveaway at 8 a.m. at the Police/Court house parking lot.
 - June 15th at 11 a.m. the city will host the Juneteenth celebration at Market Street in downtown Clarkston.

C. City Attorney's Report

- No report.

D. Council Remarks

- The Councilmembers briefly gave an overview of meetings and events they attended, and projects they are currently working on.

E. Mayor's Report

- Mayor Burks gave a brief overview of meetings and events she attended and other news of the city.

5. PUBLIC COMMENTS

The following citizens presented comments to the Mayor and Council: Former Councilmember Awet Eyasu provided comments.

6. OLD BUSINESS

- To consider for approval Ordinance No.493 amending Chapter 3 of the Code regarding alcoholic beverages, to allow "late night sales" for consumption on the premises subject to certain conditions.

Councilmember Bell motioned to refer the item to the Public Safety & Legal Committee to be reported back to the City Council in 60 days. Seconded by Councilmember Carroll. There was a discussion. Motion carried unanimously.

- B. To consider for approval Ordinance No.496 amending Chapter 2 of the city code, regarding administration, to establish a new procurement policy, and for other purposes.

Councilmember Carroll motioned to approve Ordinance No. 496 amending Chapter 2 of the city code regarding administration to establish a new procurement policy and for other purposes, seconded by Councilmember Bell. Councilmember Carroll discussed. Councilmember Hood mentioned Item 7B is similar to this item but different. The City Attorney explained the difference between both ordinances. Motion carried unanimously.

7. CONSENT AGENDA

- A. To consider for approval Ordinance No.494 to amend the City Charter to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.
- B. To defer for consideration at the May work session and the June regular city Council meeting Ordinance No. 495 to amend the Chapter 2 of the city code, regarding administration, to delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city, subject to certain conditions and limitations.
- C. To consider for approval a proclamation designating May 10th as Mayor's Book Club Day.
- D. To consider for approval a proclamation designating May 10th as Kids' Day.
- E. To consider for approval a resolution authorizing an agreement with Bowman moody Enterprise, LLC for professional procurement services in the amount of \$3,500 monthly for 3 to 6 months.
- F. To consider for approval a resolution to renew GIRMA Property & Liability Coverage for the policy period 5/1/2024-4/30/2025 through the GMA Property & Liability Self Insurance Program funded through the General Fund Budget.
- G. To consider for approval the uses of the National Opioid Settlement Distributions in the amount of \$7,757.76 received by the city.
- H. To consider for approval a resolution to Implement an Increase of FY2024 Sanitation Assessment fee to \$317 that was approved at the February 6, 2024, City Council meeting to cover cost of residential garbage and recycling services for FY2024.
- I. To consider for approval a contract with Integrated Science & Engineering (ISE) Scope of Work for MS4 Permitting; in the amount of \$10,500 to be funded from the Storm Water Enterprise Program.

Motion to approve the consent agenda to include items 7A to 7I was made by Councilmember Carroll, seconded by Councilmember Hood. Motion carried unanimously.

8. NEW BUSINESS

- A. To consider for approval the SPLOST II projects list and changes recommended by the Housing & Infrastructure and Transportation and Environment committees.

Councilmember Carroll discussed, and they reviewed all the SPLOST programs recommended by staff. Councilmember Perkins moved to approve the SPLOST II projects. Seconded by Councilmember Bell. Motion carried unanimously.

- B. To consider for approval a Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.

Interim City Manager Jones spoke, and City Attorney Quinn discussed the lease. There was further discussion. Councilmember Bell moved to approve the Lease Agreement with G&I X Industrial GA LLC. Seconded by Councilmember Carroll. Motion carried unanimously.

- C. To consider for approval a Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months in an amount not to exceed to \$108,000.

Interim City Manager Jones spoke, and Keisha also spoke. Councilmember Perkins motioned to approve the contract with Paryani Construction Inc. Seconded by Councilmember Hood. Councilmember Carroll made a statement. Motion carried 3-1, with Councilmember Carroll abstaining.

- D. To consider for approval a Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.

Interim City Manager Jones spoke. Councilmember Carroll made a motion to approve the contract with Southern Computer Warehouse Inc. Seconded by Councilmember Perkins. Motion carried unanimously.

- E. To consider for approval a proclamation recognizing Public Works Week.

Mayor Burks spoke. Councilmember Hood made a motion to adopt a proclamation recognizing May 19-25 as National Public Works Week. Seconded by Councilmember Perkins. Motion passed unanimously.

9. ADJOURNMENT

Councilmember Carroll made a motion to adjourn. Councilmember Perkins seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned at 8:46 p.m. with a 4-0 vote.

ATTEST:

Melissa L. Peñate
Interim City Clerk

Beverly H. Burks
Mayor

MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF CLARKSTON, GEORGIA
HELD IN-PERSON IN SAID CITY ON THURSDAY, MAY 16, 2024

On the 16th day of May 2024 at 6:30 p.m., the City Council of Clarkston, Georgia met in special session in-person in said City. Mayor Beverly Burks called the meeting to order. The following members of the City Council were present: Vice Mayor Debra Johnson, Councilmembers Jamie Carroll, Yterenickia Bell, Susan Hood, and Mark Perkins. Absent: None. The following City staff were present: Tammi Saddler Jones (Interim City Manager), Dan Defnall (Finance Director), Christine Hudson (Police Chief), Rodney Beck (Public Works Director), Melissa L. Peñate (Interim City Clerk), and Stephen Quinn (City Attorney).

NOTE: Items appearing in these minutes are in the order they were discussed, not necessarily in the order they appeared on the agenda.

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Beverly Burks.

2. ROLL CALL

Present: Mayor Burks, Vice Mayor Johnson, Councilmembers Carroll, Bell, Hood, and Perkins.

3. EXECUTIVE SESSION

- A. Councilmember Carroll motioned to move to executive session at 7:00 p.m. to discuss real estate matters. The motion was seconded by Councilmember Hood. The motion passed unanimously.

Motion to exit executive session at 8:00 p.m. was made by Councilmember Carroll, seconded by Councilmember Bell. The motion passed unanimously.

4. NEW BUSINESS

- A. To consider overriding the Mayor's veto of the approval of the Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.

Councilmember Perkins moved to defer this item to the May work session. Seconded by Councilmember Hood. Motion carried with three yes votes and two no votes.

- B. To consider overriding the Mayor's veto of the approval of the Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months in an amount not to exceed to \$108,000.

Councilmember Bell moved to defer this item to the May work session. Seconded by Councilmember Carroll. Motion carried with three yes votes and two no votes.

- C. To consider overriding the Mayor's veto of the approval of the Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.

Councilmember Hood moved to defer this item to the May work session. Seconded by Councilmember Perkins. Motion carried with three yes votes and two no votes.

4. ADJOURNMENT

Councilmember Carroll made a motion to adjourn. Councilmember Perkins duly seconded the motion. Mayor Burks called for the vote and declared the meeting adjourned at 8:46 p.m. with a 5-0 vote.

ATTEST:

Melissa L. Peñate
Interim City Clerk

Beverly H. Burks
Mayor



CITY OF CLARKSTON

ITEM NO: 6A

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider overriding the Mayor's veto of the approval of the Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☐ YES ☐ NO
Pages:

INFORMATION CONTACT:
Tammi Saddler Jones, Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To discuss overriding the Mayor's veto of the approval of the Lease Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property Known as 736 Park North for Use as City Administrative Space for a Term of 62 Months.

NEED/ IMPACT: N/A

RECOMMENDATION: N/A

VETO STATEMENT BY CLARKSTON MAYOR BEVERLY H. BURKS

I hereby exercise my authority pursuant to City Charter Section 2.03(b) to veto official acts of the Clarkston City Council, to wit:

City Council Action Disapproved: Agreement with G&I X Industrial GA LLC for the Lease of Approximately 27,510 sq/ft of Office Space at the Property 736 Park North for Use as City Administrative Space for a Term of 62 Months.

Rationale: As Mayor of Clarkston, it is my responsibility to ensure that our City's decisions are financially sound and strategically planned. After careful consideration, I am vetoing the City Council's decision to enter into a 5-year lease agreement for a new city hall. While I recognize and sympathize with our staff's need for adequate workspace, the proposed lease agreement presents significant financial and logistical concerns that warrant this action.

Financial Implications:

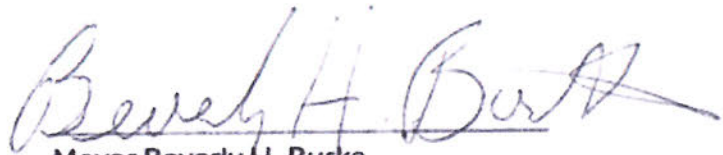
The estimated expenses associated with the lease are considerably high and pose an unnecessary burden on our City's finances. Entering into this agreement would significantly reduce our City's financial reserves, which are critical for both expected needs and unforeseen emergencies. We must prioritize maintaining a robust financial safety net over costly temporary solutions.

Lack of Long-Term Planning:

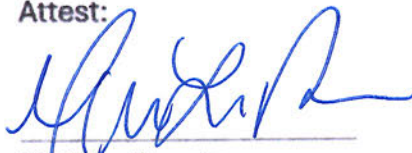
Given the large amount of expenses, the decision to move forward without a clear and solid plan for the new city hall is concerning. It is essential that any transition not only considers immediate needs but also aligns with a well-defined, long-term strategy. Additionally, there is no established plan for the use of the current City Hall Annex building once we vacate. This oversight could lead to inefficient use of assets and increased costs in the future.

In conclusion, while the need for additional space is clear, the proposed lease agreement does not align with our city's financial or strategic criteria. We must seek alternatives that are cost-effective and that support the long-term vision and stability of Clarkston.

This 11 day of May, 2024.


Mayor Beverly H. Burks

Attest:


Melissa Penate



CITY OF CLARKSTON

ITEM NO: 6B

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider overriding the Mayor's veto of the approval of the Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months in an amount not to exceed to \$108,000.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☐ YES ☐ NO
Pages:

INFORMATION CONTACT:
Tammi Saddler Jones, Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To discuss overriding the Mayor's veto of the approval of the Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space for a term of six months in an amount not to exceed to \$108,000.

NEED/ IMPACT: N/A

RECOMMENDATION: N/A

VETO STATEMENT BY CLARKSTON MAYOR BEVERLY H. BURKS

I hereby exercise my authority pursuant to City Charter Section 2.03(b) to veto official acts of the Clarkston City Council, to wit:

City Council Action Disapproved: Contract with Paryani Construction, Inc., a Georgia Statewide Contract Number 99999-SPD-520200901-0020 and the Gordian Construction Contract Number GA-A07-040820-PAR under the Sourcewell Contract Number, for the design work to renovate some areas within the building located at 736 Park North for Use as City Administrative Space in an amount not to exceed \$108,000.

Rationale: As Mayor of Clarkston, I have decided to veto the City Council's decision to approve the design contract for the proposed new city hall, concurrent with my veto of the 5-year lease agreement for the building. This decision aligns with our need to maintain fiscal responsibility and strategic foresight in city planning and asset management.

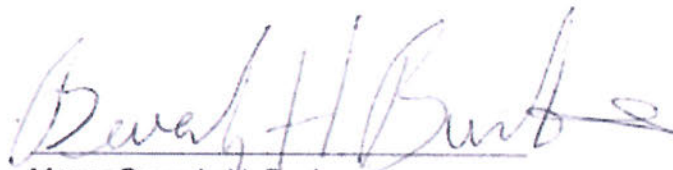
Given the veto of the lease agreement due to its significant financial burden and lack of a comprehensive long-term plan, it follows logically to also veto all associated contracts, including this design contract. Proceeding with design services in the absence of an approved lease would result in unnecessary expenditures and resource allocation that could be better utilized elsewhere.

Need for Coordinated Planning:

Approving this design contract without a confirmed and solidified location for city hall poses substantial risks, including misaligned project goals and wasted public funds. It is imperative that any contracts related to the new city hall only be considered once a thorough, sustainable plan is firmly in place, ensuring that all investments are coordinated and justifiable.

In conclusion, vetoing this design contract is a necessary step to prevent premature commitments and to encourage a more holistic approach to our city's development needs.

This 11 day of May, 2024.


Mayor Beverly H. Burks

Attest:


Melissa Penate



CITY OF CLARKSTON

ITEM NO: 6C

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider overriding the Mayor's veto of the approval of the Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☐ YES ☐ NO
Pages:

INFORMATION CONTACT:
Tammi Saddler Jones, Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To discuss overriding the Mayor's veto of the approval of the Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.

NEED/ IMPACT: N/A

RECOMMENDATION: N/A

VETO STATEMENT BY CLARKSTON MAYOR BEVERLY H. BURKS

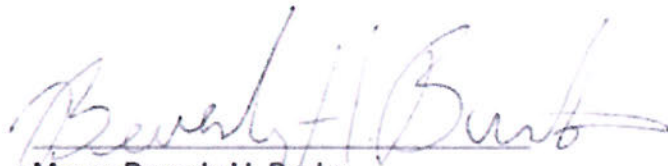
I hereby exercise my authority pursuant to City Charter Section 2.03(b) to veto official acts of the Clarkston City Council, to wit:

City Council Action Disapproved: Contract with Southern Computer Warehouse, Inc. (SCW, Inc), a Georgia Statewide Contract Number 99999-SD-0000172-014, to provide a security system for the new proposed City Administrative Space located at 736 Park North for a term of six months in an amount not to exceed \$126,000.

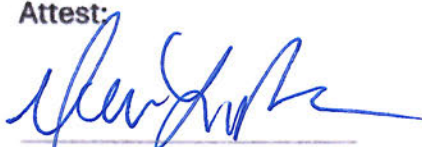
Rationale: As Mayor of Clarkston, I have decided to veto the City Council's decision to approve the lease of property at 736 Park North for the proposed new city hall. This decision aligns with our need to maintain fiscal responsibility and strategic foresight in city planning and asset management.

Given the veto of the lease agreement due to its significant financial burden and lack of a comprehensive long-term plan, it follows logically to also veto all associated contracts, including this security systems contract.

This 11 day of May, 2024.


Mayor Beverly H. Burks

Attest:


Melissa Penate

CITY OF CLARKSTON

ITEM NO: 7A

CITY COUNCIL MEETING

AGENDA ITEM

HEARING TYPE:
City Council Meeting

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval Ordinance No.494 to amend the City Charter to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.

DEPARTMENT: ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: Tammi Saddler Jones,
Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To discuss approval an Ordinance by the City of Clarkston to amend the City Charter to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.

NEED/ IMPACT:

Currently, the city manager has zero contracting authority. Our City Charter says that the Council approves and the Mayor signs contracts. The proposed ordinance would amend the City Charter to allow the City Council to enact an ordinance to allow city manager to enter into contracts on the City's behalf. The details of and limits on this authority are contained in a separate ordinance that will amend the City Code. The ordinance to amend the City Charter will need to be adopted at two consecutive regular meetings to become effective.

RECOMMENDATION:

Staff recommends approval of an Ordinance to amend the City Charter to allow the City Council to adopt an ordinance to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City.

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY OF CLARKSTON TO AMEND THE CITY CHARTER TO AUTHORIZE THE CITY MANAGER TO PURCHASE CERTAIN GOODS AND SERVICES AND TO ENTER INTO CERTAIN CONTRACTS ON BEHALF OF THE CITY.

WHEREAS, the City Council hereby finds that it would benefit the efficiency and effectiveness of city operations to empower the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City; and

WHEREAS, the City Council will establish by ordinance appropriate guidelines, limits and procedural controls to govern the city manager's spending and contracting authority authorized by this Charter amendment; and

WHEREAS, the City is authorized to amend its Charter pursuant to its home rule powers as set forth in O.C.G.A. § 36-35-3; and

WHEREAS, the City has complied with the notice requirements of O.C.G.A. § 36-35-3(b)(1).

NOW THEREFORE, BE IT ORDAINED by the City of Clarkston as follows:

SECTION 1. City Charter Section 3.02 is hereby amended to re-designate existing subsection 3.02(d)(10) as new subsection 3.02(d)(11) and to adopt new subsection 3.02(d)(10), which shall read as follows:

“(10) Purchase goods and services, and enter into contracts on behalf of the City, pursuant to the authority delegated and limitations imposed by ordinance duly adopted by the City Council.”

SECTION 2. This Ordinance shall become effective immediately upon its final adoption by the City Council at the second of two consecutive regular meetings.

SO ORDAINED, this ____ day of _____, 2024.

SO ORDAINED, this ____ day of _____, 2024.

ATTEST:

**CITY COUNCIL,
CITY OF CLARKSTON, GEORGIA**

City Clerk

Beverly H. Burks, Mayor

Approved as to Form:

Stephen Quinn
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

ITEM NO: 7B

CITY COUNCIL MEETING

AGENDA ITEM

HEARING TYPE:
City Council Meeting

ACTION TYPE:
Approval

MEETING DATE: MAY 28, 2024

SUBJECT: To consider for approval Ordinance No.495 to amend the Chapter 2 of the city code, regarding administration, to delegate to the city manager the authority to purchase goods and services and to enter into contracts on behalf of the city, subject to certain conditions and limitations.

DEPARTMENT: ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: Tammi Saddler Jones,
Interim City Manager
PHONE NUMBER: 404-296-6489

PURPOSE: To discuss approval of an Ordinance to amend the City Code to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City and to establish limits on this authority.

NEED/ IMPACT:

The proposed ordinance would allow the city manager to make purchases and enter into contracts in an amount not to exceed \$25,000. The ordinance provides several checks and balances for fiscal responsibility and public transparency.

RECOMMENDATION:

Staff recommends approval of the Ordinance to authorize the city manager to purchase certain goods and services and to enter into certain contracts on behalf of the City, subject to limitations established by the Ordinance.

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY OF CLARKSTON TO AMEND CHAPTER 2 OF THE CITY CODE, REGARDING ADMINISTRATION, TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO PURCHASE GOODS AND SERVICES AND TO ENTER INTO CONTRACTS ON BEHALF OF THE CITY, SUBJECT TO CERTAIN CONDITIONS AND LIMITATIONS.

WHEREAS, City Charter Section 3.02(d)(11) provides that the City Council, by ordinance, may delegate to the city manager the authority to purchase goods and services, and enter into contracts on behalf of the City; and

WHEREAS, the City Council hereby finds that it will benefit the efficiency and effectiveness of city operations to empower the city manager to do so; and

WHEREAS, the City Council desires to establish appropriate guidelines, limits and procedural controls to govern the city manager's spending and contracting authority.

NOW THEREFORE, BE IT ORDAINED by the City of Clarkston as follows:

SECTION 1. New City Code Section 2-8 is hereby adopted and shall read as follows:

“Section 2-8. City Manager Spending and Contracting Authority.

- (a) Whenever the city manager determines that it is necessary to acquire goods and/or services which will involve an expenditure of not more than Twenty-Five Thousand Dollars (\$25,000.00), the city manager may purchase, or enter into a contract on behalf of the city to obtain, such goods and/or services. When the city manager enters into a contract on behalf of the City in accordance with this section, it shall have the same binding effect as if it had been approved by the City Council.
- (b) *Quotes to be obtained.* The city manager may, but need not, use the competitive procurement process set forth in Section 2-5 when acquiring goods and/or services pursuant to this section. It shall be a sufficient procurement process for the city manager to make a good-faith effort to obtain quotes from three potential vendors offering the goods and/or services to be acquired. Such quotes shall be obtained in writing where practicable, or the city manager shall make detailed contemporaneous notes of quotes obtained verbally. All quotes obtained shall be documented in a file associated with the transaction and, if less than three quotes are obtained, the city manager shall document in said file the reason that obtaining three quotes was not practicable.
- (c) *Stringing prohibited.* The city manager shall not divide a purchase or contract with a vendor into multiple parts that, if combined into a single purchase or contract, would exceed the \$25,000 limitation on the city manager's authority under this section. This subsection is violated if multiple purchases or contracts with a single

vendor for the same, similar, or related goods and/or services are purchased or contracted for by the city manager at an aggregate expense exceeding \$25,000 during a budget year.

(d) *City attorney to approve contracts.* As required by City Charter § 3.03, the city attorney shall approve as to form all contracts entered into by the city manager pursuant to this section prior to the city manager committing the City to the contract. An unconditional order of goods shall not be considered a contract under this subsection.

(e) *Reporting to City Council.* In order to ensure that the City Council is properly informed and that the City's expenditures are transparent to the public, the city manager shall report all purchases and contracts that have a cost of Ten Thousand Dollars (\$10,000.00) or greater to the City Council. Such reports shall be made in writing no later than the last day of the month following the month in which the city manager made the purchase or entered into the contract. The city manager's report shall be included in the agenda packet for the next regular meeting of the City Council so that Councilmembers may inquire about the reported expenditure if desired and members of the public may review the information. Such reports shall include, at a minimum:

- 1) a brief description of the good and/or service purchased or contracted for,
- 2) the vendor's legal name,
- 3) the amount spent, and
- 4) a brief description of the procurement process followed by the city manager."

SECTION 2. This Ordinance shall become effective immediately upon its final adoption by the City Council.

SO ORDAINED, this ____ day of _____, 2024.

ATTEST:

**CITY COUNCIL,
CITY OF CLARKSTON, GEORGIA**

City Clerk

Beverly H. Burks, Mayor

Approved as to Form:

Stephen Quinn
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

ITEM NO: 7C

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

BUSINESS AGENDA / MINUTES

MEETING DATE: JUNE 4, 2024

ACTION TYPE:
Approval

SUBJECT: To consider for approval a resolution Authorizing Staff and Professionals to Proceed with the Issuance of General Obligation Sales Tax Bonds.

DEPARTMENT: Administration

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages: 4

INFORMATION CONTACT: Dan Defnall, Finance
Director
PHONE NUMBER: 770-367-4580

PURPOSE: To consider adopting the attached Resolution authorizing the staff and professionals to proceed with the issuance of General Obligation Sales Tax Bonds against future SPLOST Tax Revenues

NEED/ IMPACT: The City of Clarkston included the option to issue General Obligation debt in an aggregate principal amount of up to \$12,000,000 to finance all or a portion of the cost of certain capital outlay projects. The attached resolution is authorizing City Staff, staff members or Davenport and Company, LLC as our financial advisors, staff of Murray Barnes Finister LLP as our Bond Counsel, and Wilson, Morton, & Downs, LLC as our City Counsel to carry out the Plan of Finance and proceed with the issuance of Bonds.

The Plan for Finance will be brought before the Mayor and City Council for final approval.

RECOMMENDATION: The staff recommends approval of this resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, GEORGIA AUTHORIZING, INTERALIA, THE STAFF AND PROFESSIONALS TO PROCEED WITH THE ISSUANCE OF GENERAL OBLIGATION SALES TAX BONDS; AND FOR OTHER PURPOSES.

WHEREAS, at an election duly called and held in DeKalb County on the 7th day of November, 2023, a majority of the registered voters of the City of Clarkston, Georgia (the “City”) voting in said election (the “Election”) voted in favor of the issuance by the City of its general obligation debt in an aggregate principal amount of up to \$12,000,000 (the “Debt”) to finance all or a portion of the cost of certain capital outlay projects (the “Projects”); and

WHEREAS, the City Council of the City of Clarkston, Georgia (the “Governing Body”) has determined that it is in the City’s best interest for the City to issue all or a portion of such Debt in the form of general obligation sales tax bonds (the “Bonds”) to finance the Projects approved by the voters in the Election; and

WHEREAS, the Governing Body desires to authorize (a) its staff members (the “Staff”) and Davenport and Company, LLC (“Davenport”), in its capacity as financial advisor, to develop a plan of finance for the issuance of the Bonds (the “Plan of Finance”) and (b) the Staff, Davenport, Murray Barnes Finister LLP (“MBF”) and City’s Counsel, Wilson, Morton & Downs, LLC (“WMD”), to carry out the Plan of Finance and proceed with the issuance of the Bonds; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, and it is hereby resolved by authority of the same, as follows:

Section 1. Authorization to Proceed. The Staff, Davenport, MBF and WMD are hereby authorized, empowered and directed to do all such acts and things as may be necessary or desirable in connection with the issuance of the Bonds for the purpose of financing the Projects.

Section 2. Authorization to Execute Necessary Documents. The Mayor is hereby authorized and empowered to execute all such documents (the “Documents”) as may be necessary or desirable in connection with the issuance of the Bonds. In the event that the Mayor is unable or unwilling to execute the Documents, the Documents shall be executed by the Vice Mayor. The City Clerk is hereby authorized to execute the Documents and/or attest to the execution of the Documents if necessary or desirable.

Section 3. Actions Ratified, Approved and Confirmed. All acts and doings of the officers, employees and agents of the City which are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bonds are in all respects ratified, approved and confirmed.

Section 4. Repealing Clause. All resolutions or parts thereof in conflict with the provisions contained in this Resolution are, to the extent of such conflict, hereby superseded and repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this 4th day of June, 2024.

CITY OF CLARKSTON, GEORGIA

(SEAL)

By: _____
Mayor

Attest:

City Clerk

Approved as to Form:

Stephen Quinn
Stephen G. Quinn, City Attorney

CLERK'S CERTIFICATE

The undersigned City Clerk of the City of Clarkston, Georgia (the "City") DOES HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to issuance of general obligation sales tax bonds constitutes a true and correct copy of the Resolution adopted by the Mayor and Council of the City on June 4, 2024 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 City, which is in the undersigned's custody and control.

WITNESS my hand and the official seal of the City, this 4th day of June 2024.

City Clerk

(SEAL)

SUPPLEMENTAL FINANCIAL ADVISORY SERVICES AGREEMENT

This Supplemental Financial Advisory Services Agreement (the “Agreement”) is entered into as of _____, 2024 between **City of Clarkston, Georgia** (the “City”) and **Davenport & Company LLC** (“Davenport”). The Agreement will serve as a supplemental agreement to the Financial Advisory Agreement dated March 6, 2017.

This Agreement is specific to the financial advisory services related to the City’s Series 2024 General Obligation Sales Tax Bonds (the “Series 2024 Bonds”). Davenport proposes the following Scope of Services and Compensation as outlined herein.

Scope of Services for Series 2024 Bonds:

In connection with the Series 2024 Bonds, Davenport may perform the following services, among others, as requested by the City:

1. Assist the City in the execution of the Comprehensive Plan of Finance include provided recommendations related to the following:
 - a) Timing and structure of the debt issuance.
 - b) Recommendation on Method of Sale (i.e. Direct Bank Loan vs. Public Sale).
 - c) Recommendation on type of Public Sale (i.e. Competitive vs. Negotiated).
 - d) Consult with the City Staff, City Council, Bond Counsel, Disclosure Counsel and City Attorney as required and attend City Council and Staff meetings to discuss the financing as requested.
2. Prepare a detailed financing calendar to ensure the transaction is priced and closed in time to meet the City’s financing needs, maximize cost savings and take advantage of interest rates. The financing calendar will include required notices, City Council or other governing body actions, public hearings (if necessary), Rating Agency timing (if necessary), and other financing milestones.
3. In cooperation with City Staff and the City’s Bond/Disclosure Counsel, assist in reviewing the necessary documentation including the following:
 - a) Bond Resolution.
 - b) Issuance / Sale Resolutions.
 - c) Preliminary / Final Official Statement (Public Offering only).
 - d) Notice of Sale.
 - e) Other related financial documentation.

[Remainder of Page Intentionally Left Blank]

4. For a **Direct Bank Loan transactions only**: Conduct a Request for Proposal (“RFP”) process to obtain financing proposals from local, regional and national financial institutions:
 - a) Establish terms and conditions for the RFP that are consistent with the needs of the City.
 - b) Prepare the RFP and distribute to the active local, regional, and national banks.
 - c) Contact potential bidders to discuss the RFP requirements and assist potential bidders with the due diligence process, as applicable, to maximize the number of bidders.
 - d) Prepare a summary analysis of each proposal such that issuance costs, interest rates, terms, and conditions of each proposal can be easily compared to support the City in making their selection of the winning proposal.
 - e) Negotiate final terms and conditions of the proposals as necessary, potentially including:
 - i. Call provisions (Prepayment Terms)
 - ii. Closing requirements
 - iii. Other terms and conditions, as applicable
 - f) Review documentation related to financial terms of the bank loan.
 - g) Model the proposed financing and produce schedules outlining sources and uses of funds, debt service, yield calculations and other schedules necessary for bond counsel.
 - h) Coordinate with Bond Counsel/City Attorney on all aspects of the closing process including the validation proceedings.

5. For a **Public Bond Issue only**: Assist in preparing for and conducting the public sale of securities, including:
 - a) Advise the City on the most advantageous financial structuring plan for the bonds, on bonding provisions of the issue, debt service structure, and on the sale of bonds.
 - b) Assist in the selection of the paying agent, bond registrar, construction fund custodian, and other financial intermediaries, as necessary.
 - c) Coordinate aspects of the rating agency interactions, including:
 - i. Schedule the rating agency meetings / calls.
 - ii. Prepare a comprehensive rating agency presentation on behalf of the City to be used as the basis for discussion with the rating agencies. This presentation will incorporate financial, economic, demographic and economic development-related information specifically coordinated to help position the City to receive favorable rating agency feedback.
 - iii. Assist with the preparation for the rating agency meetings / calls, including working to prepare those individuals directly and indirectly involved with the ratings process to help ensure a positive interaction that maximizes the City’s opportunity to benefit from the rating agency interaction.
 - iv. Coordinate any required follow-up correspondence between the rating agencies and the City to help ensure a complete ratings process.
 - v. Interface with the rating agencies on the City’s behalf to coordinate the drafting and publication of the City’s official rating reports.

- d) Review bond related documentation and pricing parameters.
- e) Identify key bond resolution features and advise on provisions to be included in bond resolutions regarding security, creation of reserve funds, flow of funds, redemption provisions, and additional parity debt test, as necessary.
- f) Model the proposed bond issue and produce schedules outlining sources and uses of funds, debt service, yield calculations and other schedules necessary for bond counsel.
- g) Provide market related insights as to issuance timing and debt service structure.
- h) Consult with Bond Counsel and the City on proposed and actual changes in applicable tax laws and financial market changes that could affect the bond issue, including, but not limited to, arbitrage/rebate regulations.
- i) Coordinate with Bond Counsel/City Attorney on all aspects of the closing process including the validation proceedings.
- j) Provide Pricing Oversight - **Negotiated Transactions only (if market conditions warrant):**
 - i. Develop an Underwriting RFP and distribute to the underwriting firms.
 - ii. Draft a matrix comparing the proposals for review by the Financing Staff.
 - iii. Prepare a recommendation via the matrix for selection of the best underwriting proposal that serves the needs of the City.
 - iv. Develop a Pre-Pricing Book that includes key market trends, preliminary pricing indications from the Underwriter, and comparative pricings from similar transactions.
 - v. Monitor the Underwriter's orders received on the day of pricing and negotiate pricing adjustments with the Underwriter as necessary.
 - vi. Assist and advise the City in negotiations with the underwriting firm(s) regarding fees, pricing of the bonds and final terms of any security offering. Provide insight that the pricing of the bonds is fair and reasonable based on existing market conditions.

[Remainder of Page Intentionally Left Blank]

Compensation

Davenport's proposed financial advisory fee is inclusive of all services requested as outlined in Scope of Services. **In addition, Davenport's fee may be paid from the bond proceeds.**

1. For direct bank loan notes, bonds or any other types of debt instruments, the financial advisory fee is \$40,000.
2. For a public bond issue of notes, bonds or any other types of debt instruments, the financial advisory fee is \$65,000.

There will also be an additional fee equal to 4% of the financial advisory fee amount described above. Davenport will be reimbursed for all direct out of pocket expenses (e.g. mileage, lodging, meals, etc.) at cost.

Term and Termination:

This Agreement shall remain in effect until such time that it is terminated by either party. Either party may terminate this Agreement with 30-day written notice. If any party terminates this Agreement as set forth above, it is understood and agreed that the only amount due to Davenport will be for services provided and expenses incurred through the date of termination.

City of Clarkston, GA

Davenport & Company LLC



Name_____

Ricardo Cornejo

Title_____

First President

Date_____

May 21, 2024



CITY OF CLARKSTON

ITEM NO: 7D

CITY COUNCIL MEETING

MEETING TYPE:

City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:

Discussion

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval of an agreement with the Atlanta United Football Club to utilize Milam Park's upper fields to hold eight free soccer clinics for the youth community of Clarkston at no cost to the city.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO

PAGES:

PRESENTER CONTACT INFO: Michael N. Duncan

PHONE NUMBER: 404-725-8466

PURPOSE: To discuss the Atlanta United Football Club utilizing Milam Park upper fields to hold eight free soccer clinics for the youth community of Clarkston. The purpose for the clinics is to introduce soccer to the youth by starting a youth soccer league in the spring, 2025. Atlanta United

NEED/ IMPACT: This soccer clinic will have a major impact on the community who are looking for more athletic programs. The clinic will be offered on 9/21, 9/28, 10/5, 10/12, 10/19, 10/26, 11/2, and 11/9.

RECOMMENDATION: Staff recommend approval for the free youth soccer clinics offered by Atlanta United Football Club.



VENUE AGREEMENT

This VENUE AGREEMENT (the “Agreement”) is entered into as of **5/13/2024**, between Atlanta United Football Club, LLC (“AUFC”) and **City of Clarkston** (the “Owner”) relating to the AUFC event entitled **Innovate to Grow Clinics** (the “Event”) to be held at **Milam Park** (the “Venue”) on the dates and times listed in Exhibit A attached hereto and incorporated in its entirety herein (each such date and time period is referred to herein as an “Event Period”).

1. Owner Obligations. Owner hereby grants permission to AUFC to use the Venue to host and conduct the Event during the Event Period, it being understood and agreed that: (a) Owner shall provide AUFC and its employees, contractors and agents with reasonable access to the Venue prior to and after the Event Period to perform all activities related to the setup and breakdown of any equipment and materials; and (b) Owner shall perform all services that are reasonably necessary (including the provision of adequate security) for AUFC to host and conduct the Event at the Venue during the Event Period in accordance with general industry standards for events of similar attendance and all applicable laws, statutes, ordinances, rules, regulations and requirements.

2. Fee. AUFC shall pay Owner **\$1,500** (the “Fee”) for use of the Venue utilizing the following payment schedule:

Event Period	Invoice Date	Payment Amount
9/21/24 – 11/9/24	11/16/24	\$1500
TOTAL PAYMENT		\$1500

Owner shall invoice AUFC for all Event Periods at the rate set forth herein and AUFC will pay such invoices within thirty (30) days after AUFC’s receipt thereof. AUFC may, in its sole and absolute discretion, make all payments to Owner due under the Agreement via wire transfer to the following bank account (or such other bank account in Owner’s name identified from time to time by Owner to AUFC in writing):

Name of Beneficiary: _____

Bank Name: _____

Bank Address: _____

Account No./IBAN: _____

BIC/Swift Code: _____

3. Recordings; Ownership. Owner hereby irrevocably grants to AUFC the right to film, photograph, videotape or otherwise make audio, visual and/or audio-visual recordings (“Recordings”) of and at the Venue during the Event, to bring equipment on or about the Venue in order to do the same and to prominently post a crowd release notice at all access points and entrances to the Event. Owner further grants to AUFC and its affiliates a non-exclusive, royalty-free, worldwide and perpetual right to use the Venue’s name, logo, and all other various trademarks service marks, real and personal property and/or other legally protected items depicted in any Recordings of the Event. For the avoidance of doubt, Owner hereby grants AUFC the irrevocable, worldwide, perpetual, exclusive, transferable, assignable, sublicensable and unlimited (in territory, time or scope) right to exploit the Recordings in any and all media now known or hereafter devised and/or any known or yet unknown kind of use; *provided*, that AUFC has no obligation to use the Recordings or to make any reference to the Event or the Venue. Furthermore, AUFC acquires the right to make any alterations, intermissions, deletions, combinations, cuts or other modifications with, in and to the Recordings and the exclusive right to exploit such altered versions to the same extent as set forth herein. Owner acknowledges and agrees that AUFC and its affiliates shall solely and exclusively own and control all right, title and interest in and to the Event and all elements and components thereof, including the Recordings and all exploitation thereof, in all media worldwide, in perpetuity.

4. Insurance. Owner shall maintain in full force and effect, at its expense, the following insurance coverage:

- (a) Commercial General Liability insurance with limits not less than \$2,000,000 each occurrence and \$2,000,000 in the aggregate for any bodily injury and/or property damage claims arising from or in connection with any act or omission of Owner, its employees, contractors or agents. The policy must be on an occurrence form ISO CG 00 01 or equivalent. This insurance is to name Atlanta United Football Club, LLC, its parent, affiliates, and related companies as additional insureds on a primary non-contributory basis.
- (b) Worker's compensation insurance in compliance with Georgia state law including Employers Liability Coverage with limits of not less than \$1,000,000 for Bodily Injury by Accident each Accident, \$1,000,000 for Bodily Injury by Disease Policy Limit and \$1,000,000 Bodily Injury by Disease each Employee.

AUFC shall maintain Commercial General Liability Insurance with limits of no less than \$1,000,000 per occurrence protecting AUFC from bodily injury and/or property damage claims arising directly from any Event participant's negligent act or omission at the Venue during the Event Period.

5. Termination. AUFC may terminate this Agreement immediately upon written notice to Owner. In the event of any termination of this Agreement, Owner shall immediately refund to AUFC any payment advanced by AUFC.

6. Representations and Warranties; Indemnification. Owner represents, warrants and covenants that: (a) the Venue shall be in good order and repair and in safe and clean condition upon the commencement of the Event Period; (b) Owner is the owner of all rights granted hereunder or fully authorized to grant such rights to AUFC; (c) Owner has all necessary permits, licenses and consents necessary for AUFC to host and conduct the Event at the Venue during the Event Period as contemplated herein and to exploit the Recordings; (d) AUFC's exercise of the rights assigned and/or granted concerning the Recordings does not and will not infringe any copyright or similar property right of any person or entity; and (e) Owner shall not serve (nor permit the serving of) alcohol at the Venue during the Event. The parties hereby agree to protect, defend, indemnify and hold each other, and their respective affiliates, officers, directors, shareholders, members, agents and employees (collectively, the "Indemnitees") harmless from and against any and all claims, demands, damages, losses or expenses, of any nature whatsoever, including court costs and reasonable attorneys' fees (collectively, "Losses"), arising directly or indirectly from or out of any breach by that party (or its employees, contractors or agents) of any of its representations, warranties, covenants or obligations hereunder or its negligence or willful misconduct, except to the extent attributable to the negligence or willful misconduct of the other party or such other party's employees, contractors or agents; provided, that the indemnified party shall be entitled to control the defense of any Losses. Further, Owner agrees to indemnify and hold harmless AUFC from any Losses arising from any allegation, accusation or other claim that a third party was exposed to or otherwise contracted any communicable disease, virus, bacteria or other illness in connection with the Event.

7. Miscellaneous. This Agreement may not be amended or modified except by a writing executed by both parties. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and facsimile copies or photocopies of signatures shall be as valid as originals. This Agreement shall be governed by Georgia law, without regard to its choice of law rules.

ATLANTA UNITED FOOTBALL CLUB, LLC

By: _____
Name/Title: _____

CITY OF CLARKSTON

By: _____
Mayor Beverly H. Burks _____

Approved as to form:

Stephen Quinn
Stephen G. Quinn
City Attorney

[illegible]



CITY OF CLARKSTON

ITEM NO: 7E

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval an Agreement for Services between the City of Clarkston and BidNet Direct as the online bid solicitation host website at no cost to the city.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: Willis Moody
PHONE NUMBER: 470-952-1824

PURPOSE: To discuss the approval of the Agreement for Services to host and store all bid solicitation documents at no cost to the City of Clarkston, since our city population is less than 15,000. BidNet will start our account with our free platform, which will include us as part of the Georgia Purchasing Group.

There are no fees for the city at this point. If the city decides to purchase one of their other products, then BidNet will issue the City a new agreement based on that product. The mailing fees mentioned in the agreement are if BidNet mails out vendor letters. Typically, this is done through email now, so the City does not need for mailing fees. Programming fees are if you want some customization work for our account. The City should not need any of this done. Surplus Auction Fees will not apply to the City. Also, the future enhancement fees will be discussed according to what type of enhancement you need but we may not need this either.

Once our account is activated, they would ask that you add a link to our website to direct vendors to your webpage on the Georgia Purchasing Group to see solicitations and to register.

NEED/ IMPACT: This online system will streamline the Purchasing Department to manage bid solicitations, bid award information and more throughout each step of the bid process. Registered vendors receive bid notifications, access to documents & real-time addendum directly from any buying agency.

BidNet currently has registered over 1,100 local government agencies, including 33 in Georgia, as a bid and vendor management solution, that include the cities of East Point, Forest Park, Morrow, Riverdale and Tucker.

RECOMMENDATION: Staff recommends approval of the agreement.

AGREEMENT FOR SERVICES

Parties to this Agreement: The parties to this Services Agreement (hereinafter referred to as “the Agreement”) are City of Clarkston GA (hereinafter referred as the “Participating Organization”) and International Data Base Corp., doing business under the trade name BidNet, a legally incorporated body having its principal place of business at 15 British American Boulevard, Latham, New York, 12110 (hereinafter referred to as “BidNet”).

RECITALS:

WHEREAS the Participating Organization is in need of web-based solicitation and bidding services, including maintenance and support services;

WHEREAS under the Agreement, BidNet has developed a web-based solicitation system, providing on-line bidding services, including maintenance and support services (hereinafter referred to as “The Network”)

WHEREAS the Participating Organization wishes to join The Network and benefit from the services provided by BidNet;

THE PARTIES AGREE:

- 1. Description of Services:** System Membership: The Participating Organization has agreed to join The Network. It is understood that BidNet will provide the Participating Organization with access to The Network.
- 2. Term of Agreement:** This Agreement shall become effective on the date of the execution for an initial term of twelve (12) months (the “Initial term”). The Initial Term of this Agreement may be extended in one-year increments, without notice unless terminated by either party.
- 3. Payment for Services:**

3.1 Participating Organization Fees:

- 3.1.1.** Subscription Fees: There will be no subscription fees incurred by the Participating Organization under this Agreement.
- 3.1.2.** Mailing Fees: Should the Participating Organization choose to use BidNet for mailing to suppliers, BidNet will send an invoice to the Participating Organization for reimbursement of postage fees incurred to produce the mailing to suppliers.
- 3.1.3.** Programming Fees: The Participating Organization agrees to use The Network on an “as is” basis. Any customized work requested by the Participating Organization shall be made available at One Hundred and Twenty-five dollars (\$125) per hour.

- 3.1.4. Surplus Auction Fees: Should the Participating Organization choose to use the Surplus Auctions program to sell unwanted goods and equipment, a 5% commission will be paid to BidNet for items sold.
- 3.1.5. Future Enhancements: BidNet reserves the right to offer future services to the Participating Organization which may or may not include service fees.

3.2 Supplier Registration Fees:

- 3.2.1. Basic Service: This option gives suppliers access to search for documents of interest for all Participating Organizations actively using The Network at no charge, but requires them to remember to login frequently to ensure they are able to view opportunities before they close. This includes bids, addendums and awards.
- 3.2.2. Optional Value Added Service: Suppliers that choose to register for the value added service option will be charged a nominal annual subscription fee. This includes notification from all Participating Organizations when bids, addendums and awards are posted on The Network that matches their profile.
- 3.2.3. Future Enhancements: BidNet reserves the right to offer future services to all registered suppliers which may or may not include separate service fees.

4. Participation Requirements:

- 4.1 **Press Release:** BidNet will draft and distribute a Press Release via national and regional channels, to be approved by the Participating Organization. There is no fee for this service.
 - 4.2 **Link:** Participating Organization agrees to add a link from their website to their branded webpage on The Network.
- 5. **Termination:** This Agreement may be terminated by either party upon sixty (60) days notice. Notice shall be in writing, sent by certified mail, return receipt requested.
 - 6. **Entire Agreement:** This Agreement constitutes the entire understanding of the parties and the parties agree that there are no other understandings, representations or warranties, either expressed or implied, whether written or oral, made by either party, except as stated within this Agreement.
 - 7. **Amendments:** No alteration of this Agreement shall be valid unless made in writing and signed by the parties and no oral understanding or agreements not incorporated herein shall be binding on the parties.
 - 8. **Governing Law:** This Agreement shall be governed by the laws of the State of Georgia.
 - 9. **Severability:** If any provision of this Agreement will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable.

- 10. Work Product Ownership:** Any copyrightable works, ideas, discoveries, inventions, patents, products, or other proprietary information developed in whole or in part by BidNet in connection of this Agreement, will be the exclusive property of BidNet.
- 11. Unauthorized Use:** The Participating Organization agrees to require each user obtain a username and password to gain access to The Network. Sharing of usernames and passwords is strictly prohibited. The Participating Organization also agrees to obtain written consent from BidNet prior to showing demonstrations of The Network to any third party.
- 12. Warranty:** BidNet shall provide its services and meet its obligations under this Agreement in a timely manner, using knowledge for performing the services which meet a standard of care equal to service providers similar to BidNet on similar projects.
- 13. Signatures:** The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

The parties hereto, by their duly authorized representatives, have executed this Agreement effective the day and year written under the Participating Organization below.

City of Clarkston
1055 Rowland Street
Clarkston, GA 30021

Name: Beverly H. Burks

Title: Mayor

Date: _____

Signature: _____

Approved as to form:

Stephen Quinn
Stephen G. Quinn, City Attorney

BidNet[®], a division of **International Data Base Corp.**

Name: Dan Ansell

Title: Vice President

Date: _____

Signature: _____



CITY OF CLARKSTON

ITEM NO: 7F

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval the projects list for the Georgia Department of Transportation Local Roads Assistance (LRA) Grant funding application submittal in the amount of \$137,335.85.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages: 9

INFORMATION CONTACT: Larry Kaiser, P.E.
PHONE NUMBER: 404-909-5619

PURPOSE: To select the GDOT Local Road Assistance (LRA) streets to be milled and resurfaced utilizing the state's funding allocation of \$137,335.85.

NEED/ IMPACT: The January 2024 council approved LMIG 23/24 project list included roads that had a condition rating of "2" or "3". Refer to the attached LRA application that includes these LMIG 2023/2024 streets.

The LRA project list, also attached as part of the LRA application submittal, includes most of the remaining condition rated "2" and "3" streets. These streets are as follows:

- ✓ Lincoln St.
- ✓ Lester St.
- ✓ Jolly Ave (north)

Please note that the 2024 LRA state funding requires no local match funding. The deadline for submittal of the LRA grant application is June 15, 2024.

For informational purposes, refer to Exhibit D; provided to Council at the retreat, that identifies all city streets that have condition ratings of "2" thru "5".

Please note that LRA and 23/24 LMIG state funding will be insufficient to cover the cost for all these projects. As noted in the SPLOST II program list, SPLOST II funding will be applied to the local required 30% match on the LMIG projects, all costs that exceed the estimates on the LRA list and will include many, if not all of the citywide streets with condition ratings of "3" thru "5" as noted in Exhibit D.

RECOMMENDATION: Staff recommends applying the LRA GDOT funding to Lincoln St, Lester St. and Jolly St., as noted in the attached LRA grant submittal



Mayor
Beverly Burks

City Council
Debra Johnson
Jamie Carroll
Susan Hood
Yterenickia Bell
Mark Perkins

May 28, 2024

Bill Wright
Local Grants Administrator
Georgia Department of Transportation
One Georgia Center
600 West Peachtree Street NW, 17th Floor
Atlanta, Georgia 30308

RE: City of Clarkston – LRA 2024 Funding

Dear Mr. Wright:

On behalf of the City Council, please find the attached FY 24 LRA application.

We have also included the list of projects to be funded with the LRA allocation of \$137,335.85.

Additionally, to support this request, the city has also attached the following required documentation:

- A status update of the prior 5 years of LMIG funding
- FY 22 LMIG Statement of Final Expenditures and FY23/24 LMIG submittal
- 2024 LRA funded project list.

We appreciate the state's support of infrastructure improvements in the City of Clarkston.

Sincerely,

Tammi Saddler Jones

Tammi Saddler Jones
Interim City Manager

Attachment (s)

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LRA)**

APPLICATION FOR FISCAL YEAR 24

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT INFORMATION

Date of Application: 5/28/2024

Name of local government: City of Clarkston

Address: 1055 Rowland Street

Contact Person and Title: Tammi Saddler Jones

Contact Person's Phone Number: (404) 296- 6489 Ext. 421

Contact Person's Fax Number: NA

Contact Person's Email: tsjones@cityofclarkston.com

Is the Priority List attached? YES

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Tammi Saddler Jones (Name), the Interim City Manager (Title), on behalf of City of Clarkston (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 24**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

E-Verify Number

_____(Signature)

Sworn to and subscribed before me,

_____(Print)

This ____ day of ____, 20__.

Mayor / Commission Chairperson

In the presence of:

_____(Date)

NOTARY PUBLIC

LOCAL GOVERNMENT SEAL:

My Commission Expires:

NOTARY SEAL:

FOR GDOT USE ONLY

The local government's Application is hereby granted and the amount allocated to the local government is _____. Such allocation must be spent on any or all of those projects listed in the Project List.

This ____ day of ____, 20__.

GDOT Office of Local Grants

2024 LRA PROJECT REPORT

COUNTY / CITY Clarkston

ROAD NAME	BEGINNING	ENDING	LENGTH (feet)	DESCRIPTION OF WORK	PROJECT COST (est.)	PROJECT LET DATE
Lincoln Street	Smith Street	Clark Street	370	Variable milling and 1.5 inches 9.5 mm resurfacing	\$19,000	Summer 2024
Lester Street	Clark Street	Smith Street	290	Variable milling and 1.5 inches 9.5 mm resurfacing	\$15,000	Summer 2024
JollyAve (north)	East Ponce de Leon	Mell Ave	1970	Variable milling & 1.5 inches 9.5 mm resurfacing; excavate unsuitable subgrade and deep patching	\$151,000	Summer 2024
Pecan Street	East Ponce de Leon	Jolly Ave	1730	Variable milling & 1.5 inches 9.5 mm resurfacing	\$79,000	



1/25/2024

CLARKSTON

LMIG PROJECT HISTORY

FY18-24

LMIG FY	PROJECT NAME	PROJECT LIMITS/DESCRIPTION	STATUS
18/19/20	Rowland Street Road Diet	• Market St to North Indian Creek; Rogers St from Market to NIC • Resurfacing, drainage, stormwater enhancements, new granite curb, signage and striping	• Completed August 2022 • Exceeded 30% local match
21	Resurfacing 2 City Streets	• Vaughan St, Clarkston Industrial Blvd and Carroll Park Drive • Milling and Resurfacing	• Completed August 2022 • Exceeded 30% local match
22	Church St and Lovejoy St. Sidewalks	• New sidewalk at Mell Ave pocket park to Lovejoy and Lovejoy from Church St. to PATH Trail • Reconstruct existing driveways, ADA ramps, 5 ft. sidewalks, pervious sidewalks at trees, retaining wall, one bench	• Advertised to-bid October 2022 • City council selection of low bidder on February 7, 2023 • Low bid exceeded local match • NTP to be issued 3/1/2023
23/24	Church St sidewalk; Brockett Rd ADA ramps; Tribble/Clark/Smith St resurfacing	Refer to the attached list of projects selected by council on January 9 th , 2024	• FY 23 funds rolled over into FY 24 for 2 years of LMIG funding

FY 22**LOCAL MAINTENANCE & IMPROVEMENT GRANT Program (LMIG)****STATEMENT OF FINAL PROJECT EXPENDITURES**

DATE: 1.25/2024
COUNTY: - DeKalb
CITY: Clarkston

SUBMITTED BY: Tammi Saddler Jones; Interim City Manager
(Local Government Representative- Person's Printed Name)

1. LMIG EXPENDITURES: \$91,600.45
(LMIG Funding Received from GDOT)
2. REQUIRED 10% or 30% MATCH: \$27,480.14
(10% or 30% of LMIG Funding Received in #1)
3. TOTAL PROJECT EXPENDITURES: \$ 160,710.00
(The Total Amount Spent on Project)
4. TOTAL LOCAL GOVERNMENT EXPENDITURES: \$ 69,109.55
[Total Project Expenditures above minus LMIG Expenditures at the Top (#3 minus #1)]

By signature below, I hereby certify that the above expenditures are for the work completed on the attached final Project List for the FY 2022 LMIG Program.

Authorized Local Government Official Signature: _____

[Include financial documents to verify expenditures, including but not limited to invoices, contracts, checks, etc.]

For GDOT use only

PI Number: _____

Record Audit Performed: Yes No (Circle One)

Field Inspection Completion Date: _____

APPROVED: _____ Date: _____
(DISTRICT ENGINEER SIGNATURE)



2

**Application For Payment
Change Order Summary**

9. BALANCE TO FINISH, PLUS RETAINAGE
(Column I total on Progress Estimates + Line 5.c above)..... \$ \$10,846.69 ✓

The undersigned Contractor certifies, to the best of its knowledge, the following:

Payment of: \$ **65,386.34**

(Engineer) (Date)

(Line 8 or other - attach explanation of the other amount)

(Owner) _____ (Date)

Approved by: _____

EXHIBIT D

PAVEMENT CONDITIONS AND ESTIMATED REPAIR COSTS

Name	From	To	Length (feet)	Road Rating	Est. Cost	Comments
Jolly St. (north)	East Ponce de Leon	Mell Ave	1970	2- East Ponce to Bacon 1 – Bacon to Pecan 3- Pecan to Mell	151,000	Recommend pavement base repair in the “1” section and mill and resurface all of Jolly Ave; additional cost for pavement base repair in the roadway curve
Pecan St	East Ponce de Leon	Jolly Ave	1730	2	89,000	Mill and Resurface
Lester St	Clark St	Smith St	290	2	15,000	Mill and Resurface
Clark St	Smith St	Dead End	870	2	45,000	Mill and Resurface; included in 2024 LMIG submittal
Lincoln St	Smith St	Clark St	370	2	19,000	Mill and Resurface
Smith St	Lincoln St	Montreal Rd	730	2	38,000	Mill and Resurface; included in 2024 LMIG submittal
				Subtotal	357,000	
Tribble St	Clark St	Dead End	250	3	13,000	Mill and Resurface; included in 2024 LMIG submittal
Cleavemark Dr	Norman Road	Dead End	1450	3	74,000	Mill and Resurface
Hill St	N. Indian Cr.	West Hill St.	765	3	39,000	Mill and Resurface
West Hill Street	Hill St	Sams Road	758	3	39,000	Mill and Resurface
Sams Crossing	Montreal Rd	West Hill St	711	3	37,000	Mill and Resurface
				Subtotal	202,000	
Maclaren St	Market St	Dead End	1650	4	84,375	Mill and Resurface
Clydedale Dr	Cranford Dr	Rogers St	1260	4	65,000	Mill and Resurface
Cranford Dr	Rogers St	Cleavemark Dr	890	4	46,000	Mill and Resurface
Jamieson Pl.	Market St	North Indian Cr.	580	4	30,000	Mill and Resurface
				Subtotal	225,375	
Jolly Ave (S)	Rowland St	City Limits	950	5	49,000	Mill and Resurface
College Ave	Market St	Rogers St	1075	5	55,000	Mill and Resurface; complaints regarding street runoff in front yards and speeding – recommend resurfacing after curb is reset and traffic calming is installed
Casa Dr	Mell Ave	Bridge	1450	5	74,000	Mill and Resurface
Mauck St	Church St	Dead End	700	5	36,000	Mill and Resurface; do not recommend work due to potential for development near Church St
				Subtotal	214,000	
TOTAL					998,375	

Note: Road Condition Rating (modified PASER System); 10 = very good; 5 = fair; 1 = very poor

Approx. cost per mile to mill 2 inch, resurface 2 inches and traffic control = \$270,000



CITY OF CLARKSTON

ITEM NO: 8A

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval the selection of the contractor, Construction 57, Inc., to reconstruct the existing asphalt driveway apron located at 1056 Vaughan Street in the amount of \$9,850 to be funded out of SPLOST I.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages: 7

INFORMATION CONTACT: Larry Kaiser, PE
PHONE NUMBER: 404-909-5619

PURPOSE: To discuss to selection of the low bidder to perform the demolition and reconstruction of an existing asphalt driveway located at 1056 Vaughan Street (Christ Community A.M.E. Church) that was damaged by the weekly loading/unloading of two trash dumpsters that serve the Clarkston Plaza Shopping Center

NEED/ IMPACT: During streetscape right-of-way acquisition negotiations in 2018 with the owner of Clarkston Plaza; Ms. Helen Tran, the city agreed to relocate the existing trash dumpsters located at the intersection of Market Street and North Indian Creek. The purpose of the relocation was to limit the visibility of the dumpsters from Market Street and the streetscape improvements.

The city, in cooperation with Ms. Tran, assessed various options to relocate the dumpsters on or near the Clarkston Plaza site. The site considerations were the following: (a) rear alleyway, (b) corner the building at North Indian Creek, (c) small parking lot to the north/west of the building at driveway entrance from North Indian Creek, (d) the city owned parcel to the rear of the building, (e) the east wall of the Clarkston Plaza building on Vaughan Street. After numerous meetings between City Manager Gomez, city project engineer, Ms. Tran and DeKalb Fire Department, it was determined that relocation of the dumpsters against the Clarkston Plaza building on Vaughan Street site would be less intrusive and more compatible for all parties.

The city constructed the concrete pad and installed the bollards. Ms. Tran obtained the dumpster enclosure permit and funded the enclosure.

For a period of approximately 3 years, DeKalb County Sanitation utilized their side-loading sanitation trucks to unload the dumpsters on Vaughan Street. At some point in time in 2023, the sanitation department began to utilize front-loading trucks. When this occurred, the sanitation trucks began to back into the driveway located at 1056 Vaughan Street; resulting in damage to the asphalt driveway within the city right-of-way.

City administration received complaints from Pastor Adams and met with the Pastor to discuss the potential remedies. The resolution to the driveway damage was determined to be removal of the existing driveway at

1056 Vaughan Street and to reconstruct with concrete. City staff prepared a scope of work and solicited bids from 4 contractors to perform the demolition of the existing driveway at 1056 Vaughan Street and to reconstruct the driveway within the same footprint using concrete. Two contractors submitted bids: Construction 57, Inc. - \$9,850 and SOL Construction - \$19,000.

Both contractors have successfully performed work for the city in the past.

Ms. Tran will relocate the two dumpsters to the grass area at the northeast corner of the building. The footprint of the pad will be located off city right-of-way. Ms. Tran has been notified that she will be required to obtain all permits and fund 100% of all construction costs associated with the dumpster pad and fence enclosure, including a gate. Ms. Tran is in the process of procuring a firm to design and permit this work scope.

RECOMMENDATION: Staff recommend Construction 57, Inc. at the cost of \$9,850 for the work described in the attached bid package. The Opinion of Construction Cost by the city is \$9,010. Refer to the attached.

1056 Vaughan Street
DRIVEWAY DEMO & RECONSTRUCTION
5/10/2024
OPCC

ITEM NO.	DESCRIPTION	UNIT	QNTY	UNIT COST	EXTENDED COST
ROADWAY					
150-1000	TRAFFIC CONTROL	LS	LS	1,000	500
210-0100	GRADING COMPLETE (all demo/excavation)	LS	LS	2,000	2,000
310-5040	GR AGGR BASE CRS, INCL MATL (6 inches)	SY	21	100	2,100
500-3900	DRIVEWAY CONCRETE, Class B; 6 IN TK with #4 rebar	CY	21	210	4,410

TOTAL \$9,010

REQUEST FOR QUOTES DRIVEWAY APRON REPLACEMENT

Release Date of Quote Request: May 14, 2024

Project Name: Vaughan Street Driveway Apron Replacement

Project Location: 1056 Vaughan Street

Project Scope: Remove existing asphalt driveway within city right-of-way; approximate dimensions 21 ft. x 18 ft. Approximate SY of asphalt to be removed is 50 SY. Remove all asphalt and underlying base materials including soil subgrade to the necessary depth to construct a new concrete driveway apron to the following specifications:

- Six inches GDOT Class B concrete with fiber mesh
- 6 inches GAB; compacted to a minimum of 98% of the standard proctor
- #4 reinforcement bars 18 inches on-center in a grid pattern. The distance from the top of the #4 rebar to the concrete surface shall be 2 inches. Total length of #4 bars is 470 feet
- Rebar chairs shall be used to maintain the same distance from the ground. Rebar tied at every 4th intersection is adequate

The materials shall be in accordance with GDOT specifications.

The cost for all work described herein shall include all labor and materials for traffic control, demolition and removal of existing driveway materials and construction of new driveway. Traffic control includes the use of barrels at the driveway and edge of city roadway pavement and the church side of the driveway apron when work is not occurring. Construction Ahead signage per the MUTCD shall also be used on Vaughan Street on both approaches to the work site. Barrels shall remain in-place for a period of 2 weeks to allow the concrete to cure and obtain its full strength.

Work shall commence within 5 days of the city issuance of a "Notice to Proceed". Contractor shall provide a Everify affidavit including a Everify for all subcontractors and a Certificate of Insurance" that includes \$1M Workman's Compensation Insurance coverage and \$3M of General Liability Insurance with the City identified as "Additional Insured".

Once work commences, the city will expect work to continue without interruption. The exception is for quantifiable weather delays. Contractor may use the city owned parcel on Vaughan Street to store equipment and materials.

Refer to the attached Exhibit A of the project driveway to be replaced. Bid Bond and Performance/Payment Bonds will not be required.

Bid Due Date: Friday; May 17, 2024; 12:00 PM (EST). Bid to be submitted via email to;

Tammi Sadler Jones – City Manager

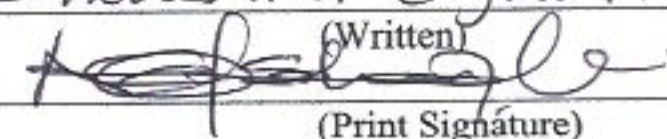
tsjones@cityofclarkston.com

Request for Quotes Questions: Lawrence Kaiser, PE, shall be contacted for questions. All questions shall be via email: kaiser@co-infra-services.com

The Lump Sum Cost for the work described herein is as follows:

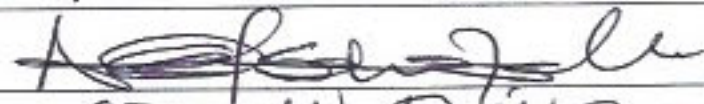
Bid Amount: \$ 9850.00

Bid Amount: Nine thousand Eight Hundred and Fifty Dollars.

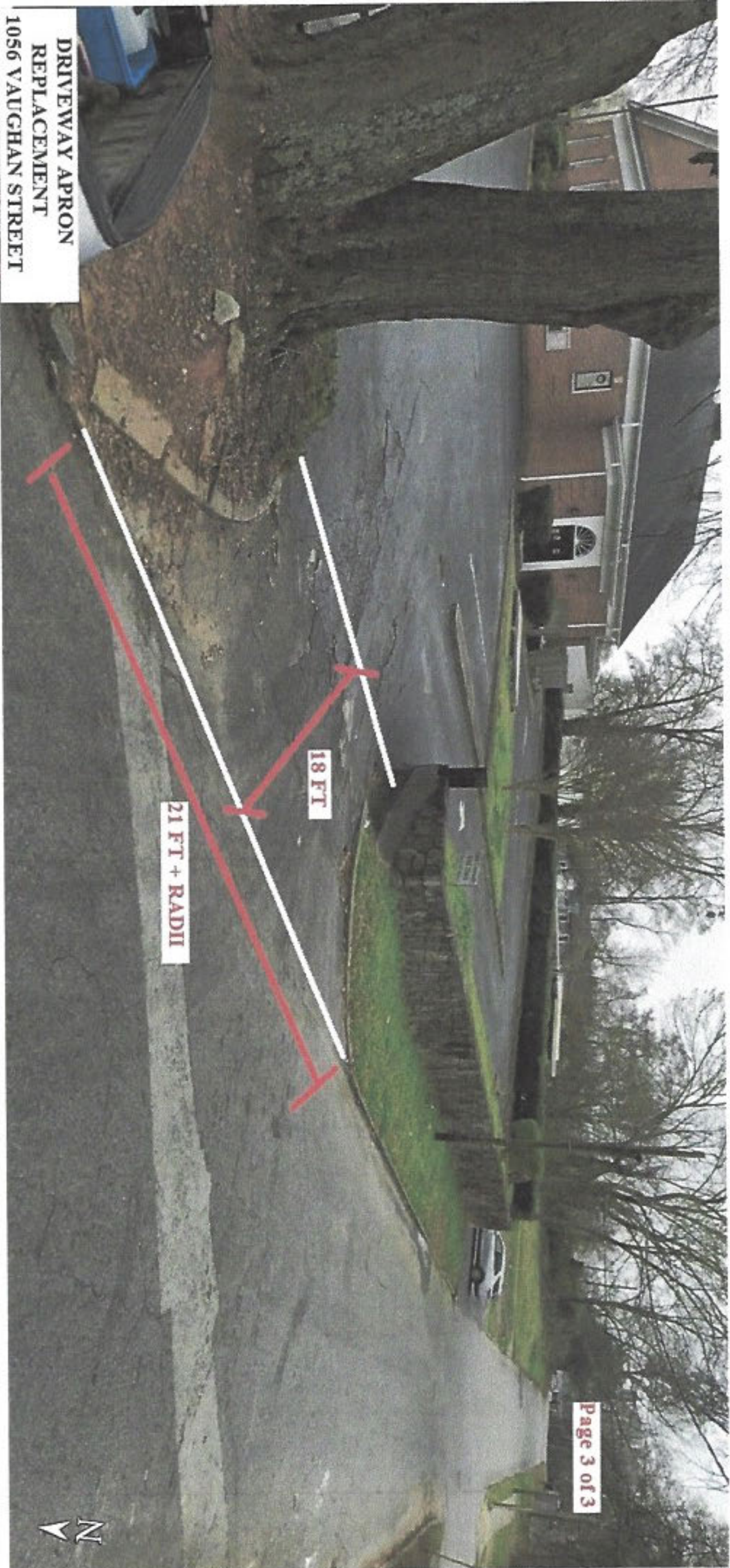
Bid Prepared By:  (Print Signature)

Date: 05/15/2024

In compliance with the Project Specifications prepared by Collaborative Infrastructure Services, the undersigned offers and agrees that if this Bid is accepted by the CITY, that he/she will furnish any or all of the Items upon which the Lump Sum Price is quoted and that the submitted bid will be valid from the date of the contract signature by both parties to the date of the city's NTP issuance (duration not to exceed 60 days) and said submitted bid price shall remain valid during the entire duration of the construction.

COMPANY CONSTRUCTION 57 INCORPORATED
ADDRESS 809 PARK NORTH BOULEVARD CLARKSTON GA. 30021
AUTHORIZED SIGNATURE 
PRINT / TYPE NAME OLUSEGUN OSHO
TITLE PRESIDENT
PERCENTAGE OF CONTRACT WORK TO BE PERFORMED BY THE PRIME: 100%

**PAGES 1 & 2 MUST BE COMPLETED AND SUBMITTED AS A PART
OF YOUR BID**



DRIVEWAY APRON
REPLACEMENT
1056 VAUGHAN STREET



REQUEST FOR QUOTES DRIVEWAY APRON REPLACEMENT

Release Date of Quote Request: May 14, 2024

Project Name: Vaughan Street Driveway Apron Replacement

Project Location: 1056 Vaughan Street

Project Scope: Remove existing asphalt driveway within city right-of-way; approximate dimensions 21 ft. x 18 ft. Approximate SY of asphalt to be removed is 50 SY. Remove all asphalt and underlying base materials including soil subgrade to the necessary depth to construct a new concrete driveway apron to the following specifications:

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- Rebar chairs shall be used to maintain the same distance from the ground. Rebar tied at every 4th intersection is adequate

The materials shall be in accordance with GDOT specifications.

The cost for all work described herein shall include all labor and materials for traffic control, demolition and removal of existing driveway materials and construction of new driveway. Traffic control includes the use of barrels at the driveway and edge of city roadway pavement and the church side of the driveway apron when work is not occurring. Construction Ahead signage per the MUTCD shall also be used on Vaughan Street on both approaches to the work site. Barrels shall remain in-place for a period of 2 weeks to allow the concrete to cure and obtain its full strength.

Work shall commence within 5 days of the city issuance of a "Notice to Proceed". Contractor shall provide a Everify affidavit including a Everify for all subcontractors and a Certificate of Insurance" that includes \$1M Workman's Compensation Insurance coverage and \$3M of General Liability Insurance with the City identified as "Additional Insured".

Once work commences, the city will expect work to continue without interruption. The exception is for quantifiable weather delays. Contractor may use the city owned parcel on Vaughan Street to store equipment and materials.

Refer to the attached Exhibit A of the project driveway to be replaced. Bid Bond and Performance/Payment Bonds will not be required.

Bid Due Date: Friday; May 17, 2024; 12:00 PM (EST). Bid to be submitted via email to;

Tammi Sadler Jones – City Manager
tsjones@cityofclarkston.com

Request for Quotes Questions: Lawrence Kaiser, PE, shall be contacted for questions. All questions shall be via email: kaiser@co-infra-services.com

The Lump Sum Cost for the work described herein is as follows:

Bid Amount: \$ 19,000.00

Bid Amount: Nineteen thousand dollars

Bid Prepared By: Carolina Angel (Written)
(Print Signature) Date: 05/16/2024

In compliance with the Project Specifications prepared by Collaborative Infrastructure Services, the undersigned offers and agrees that if this Bid is accepted by the CITY, that he/she will furnish any or all of the Items upon which the Lump Sum Price is quoted and that the submitted bid will be valid from the date of the contract signature by both parties to the date of the city's NTP issuance (duration not to exceed 60 days) and said submitted bid price shall remain valid during the entire duration of the construction.

COMPANY Sol Construction LLC

ADDRESS 4120 Presidential Pkwy, Atlanta, GA 30340

AUTHORIZED SIGNATURE Carolina Angel

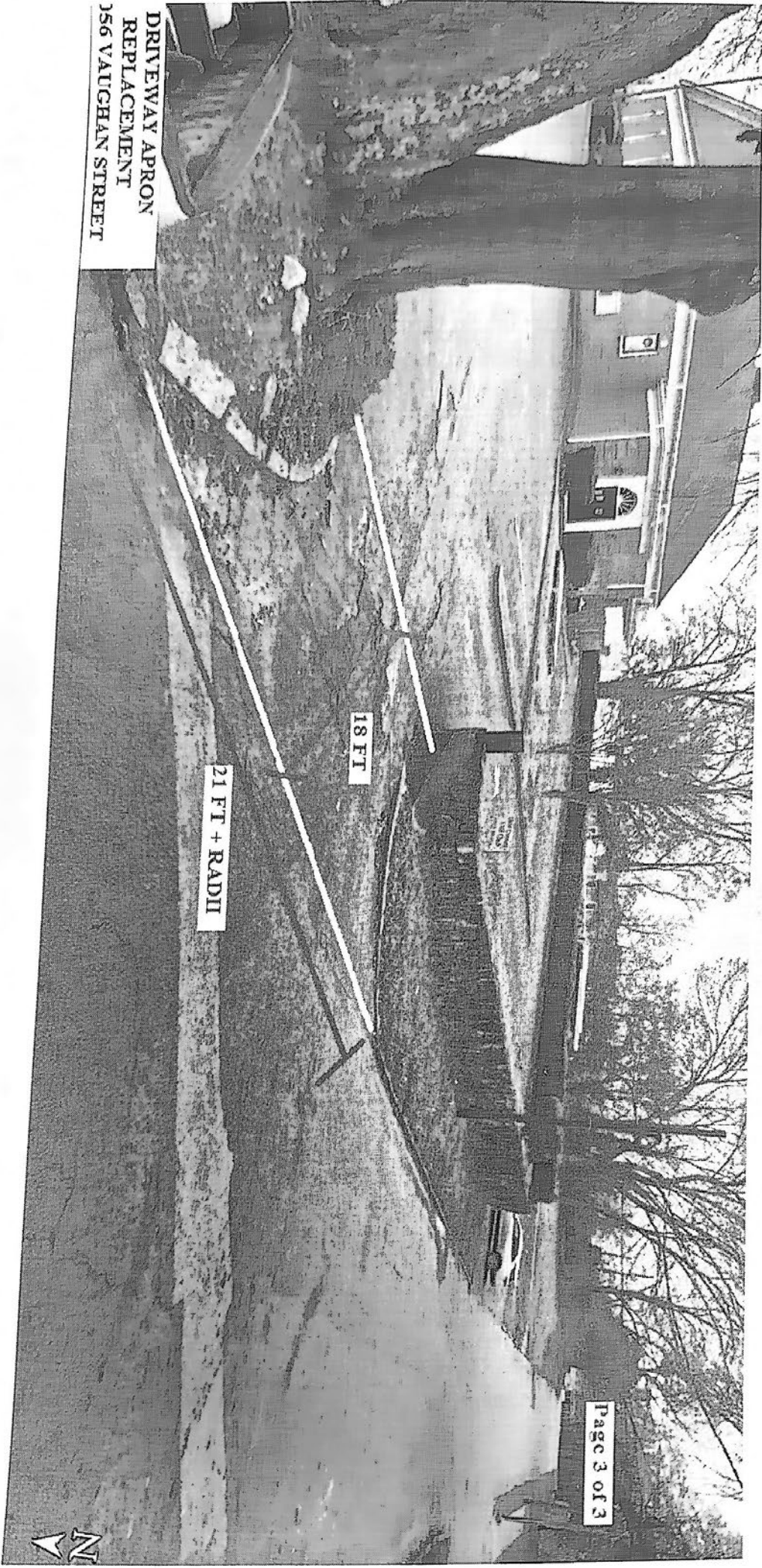
PRINT / TYPE NAME Carolina Angel

TITLE Estimator

PERCENTAGE OF CONTRACT WORK TO BE PERFORMED BY THE PRIME: 100%

**PAGES 1 & 2 MUST BE COMPLETED AND SUBMITTED AS A PART
OF YOUR BID**

DRIVEWAY APRON
REPLACEMENT
356 VAUGHAN STREET





CITY OF CLARKSTON

ITEM NO: 8B

CITY COUNCIL MEETING

MEETING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider adopting an ordinance to amend Chapter 10 of the City Code to establish hours for construction, demolition, and excavation activities.

DEPARTMENT: Planning & Economic Development

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: X YES ☐ NO
PAGES: 2

PRESENTER CONTACT INFO: Lisa Cameron
PHONE NUMBER: 404-296-6489

PURPOSE: The intent is to establish standard permitted construction, demolition, and excavation hours for construction projects.

NEED/ IMPACT: To correct the current code which permits construction between PM and AM hours. This amendment will provide effective management to construction projects in a systematic manner and will increase building quality and protection to public health and safety.

RECOMMENDATION: Approval

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 10 OF THE CITY CODE REGARDING NOISE; TO ESTABLISH HOURS DURING WHICH CONSTRUCTION, DEMOLITION AND EXCAVATION ACTIVITIES ARE ALLOWED AND HOURS DURING WHICH SUCH ACTIVITIES ARE NOT ALLOWED IN ORDER TO PROTECT THE PUBLIC WELLBEING AND PEACEFUL REPOSE FROM LOUD ACTIVITIES DURING NIGHT HOURS.

WHEREAS, construction, demolition and excavation activities are necessary and appropriate to improve the City; and

WHEREAS, these activities nonetheless present a high level of noise that can disturb the peaceful repose of residents; and

WHEREAS, the Clarkston City Council desires to establish a reasonable policy by enacting this ordinance that will balance the needs of those undertaking construction, demolition or excavation with the needs of residents for quiet hours.

NOW, THEREFORE, BE IT ORDAINED BY the Clarkston City Council as follows:

SECTION 1. Existing subsection (8) of Code section 10-20 is hereby repealed and the following language is hereby adopted in its place:

“(8) Building construction, demolition and excavation.

- (a) The erection (including excavation), demolition, construction, alteration or repair of any building, and the excavation of streets and highways, within the city is prohibited during the following times and on the following holidays, unless special permission is obtained per subsection (b):
 - i.) before 7:00 a.m. or after 7:00 p.m. on weekdays,
 - ii.) before 8:00 a.m. or after 5:00 p.m. on Saturdays,
 - iii.) at any time on Sunday,
 - iv.) on New Years Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day.
- (b) The city manager or designee may issue in writing permission to perform the activities specified in part (a) of this subsection during some or all of the otherwise prohibited hours and days if the city manager determines that an emergency condition is presented and the work is necessary to prevent potential imminent harm to persons or property. When the city manager issues such permission, the writing granting special permission shall specify the emergency work allowed and the hours during which it will be allowed. No special permission under this subsection shall extend for more than ten (10) days.

- (c) The city manager or designee may authorize any contractor or agent working for the city to perform work during otherwise prohibited hours or days, without limitation, if the city manager or designee determines that such authorization would be in the best interest of the city.”

SECTION 2. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council.

SO ORDAINED this _____ day of _____, 2024.

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

Melissa Penate, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen Quinn
Stephen G. Quinn, City Attorney



CITY OF CLARKSTON

ITEM NO: 8C

CITY COUNCIL MEETING

HEARING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Approval

MEETING DATE: JUNE 4, 2024

SUBJECT: To consider for approval the appointment of a new Director for the Downtown Development Authority to fill the vacancy created by former director Krista Durant removing her residency.

DEPARTMENT: PLANNING & ECONOMIC DEVELOPMENT

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: X ☐ YES ☐ NO
Pages: 16

INFORMATION CONTACT: Lisa Cameron
PHONE NUMBER: (404) 296-6489

PURPOSE: To satisfy the statutory requirements of a fixed board of seven members for the City of Clarkston Downtown Development Authority, by acting on Director Durant's resignation and appoint a taxpayer residing in the city, from the pool of applications, to serve the end of an unexpired term.

NEED/ IMPACT: Director Durant's appointment met the statutory requirement for a DDA Director, as a taxpayer residing in the city. However, she no longer resides in the city, as indicated in her resignation. To stay in compliance with Georgia law requirement that Downtown Development Authorities shall consist of a board of seven directors.

RECOMMENDATION: That Mayor and City Council appoint a successor from the pool of qualified applicants to fill the vacancy to serve the end of the unexpired term.

NEBIYU ERMIYAS

BALAGRU FOOD MART MANAGEMENT EXECUTIVE

CONTACT

Phone: (404)-348-3103

Email: nebermiyas@gmail.com

PROFILE

Dedicated community leader with over 6 years of proven management experience in diverse settings. Proficient in English and Amharic, adept at fostering community engagement and driving strategic initiatives. Successful in overseeing operations, leading teams, and implementing impactful projects. Passionate about urban development and committed to leveraging skills and cultural insight to contribute effectively to initiatives aimed at enhancing our community's vibrancy and growth.

SKILLS

Leadership and Team

Management

Strategic Planning and Budget

Management

Customer Service and

Community Engagement

Project Management and

Problem-Solving

Data Analysis and Decision

Making

EXPERIENCE

Balagru Food Mart Manager

2017-Current

Led and managed a diverse team to foster a collaborative work environment, ensuring operational excellence and exceptional customer service. Over a 6-year tenure, orchestrated daily operations with a focus on inventory control, budgeting, and strategic planning to optimize efficiency and drive profitability. Spearheaded community outreach initiatives, engaging with local stakeholders to support neighborhood development and cultivate strong community relations. Developed strong leadership skills and demonstrated a commitment to operational excellence and community engagement, aligning with objectives integral to urban development initiatives.

EDUCATION

Cross Keys High School

Atlanta, Georgia

1992-1996

High School Diploma

Saeed Café & Catering Associate

2013-2017

Contributed to the operational success of a bustling cafe and catering business, fostering a welcoming atmosphere, and ensuring customer satisfaction. Collaborated closely with colleagues to maintain high-quality standards in food preparation and service delivery, optimizing workflow and enhancing service efficiency. Demonstrated reliability and dedication in a dynamic environment, contributing to a cohesive team and supporting the local community through proactive engagement initiatives.



APPLICATION FOR NOMINATION CITY OF CLARKSTON DOWNTOWN DEVELOPMENT AUTHORITY

Name Loren Norman Email lorennorman@gmail.com

Home Address 3821 Market St City/Zip Clarkston, 30021

Phone (Day) 404 358-5175 (Evening) same

I am: (Check all that apply)

- ☒ A Resident of the City of Clarkston
- ☒ A Resident of Dekalb County
- ☒ Available for Board meetings on the anytime, prefer mornings of each month
 - ☐ An Elected Member of Government: Elected Position _____
 - ☐ A Downtown Property Owner: Property Address _____
- ☒ A Downtown Business Owner: Business Name Edwin Jarvis: print shop, shipping center,
- ☒ A Downtown Business Operator: Business Name and coworking club. (grand opening Q1 '24)

My Downtown involvement over the past two years includes:

Serving on Committee (s) _____

Assisting with Projects _____

Participation in Events _____

A Financial Contribution _____

Other city council meetings, celebrations (xmas tree lighting), Saturday markets at Refuge, frequenting area restaurants & businesses

Organizations to which I belong an volunteer service include:

Volunteered for years sharing my technology skills with the students and operating the school we founded here. Recently stepped away and haven't filled that time yet.

Interest/Hobbies/Talents/Skills:

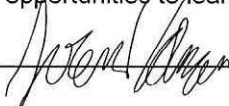
Technologist and web developer, facilitator of great meetings and workshops, serial entrepreneur, education reformer, educator, good with kids.

I'm interested in serving on the Authority because ...

We've gradually invested in Clarkston, starting 8 years ago when we opened a school here and fell in love with the city. We now own our home on Market St and will soon open a new retail business downtown. We know growth is upon us, and that we'll need to be intentional about how we accept and adapt to it as a community. The DDA seems like a great way to do that.

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to:

- ☒ Attend all possible regular monthly Board meetings, committee meetings and any special meetings.
- ☒ Attend eight hours of training within my first year of services as required by law.
- ☒ Attend the Annual Planning Session and participate in a Board Orientation.
- ☒ Enter into full discussion and participation in policy decisions affecting the DDA and its purpose.
- ☒ Accept responsibility for assignments and offer suggestions on programming or operations
- ☒ Maintain matters of confidence.
- ☒ Serve the Authority, working of its overall well-being and that of the historic business district.
- ☒ Seek opportunities to learn more about downtown revitalization efforts and best practices.

Signature  Date December 19th, 2023



Edwin Jarvis



We make it look easy.

Edwin Jarvis Concierge brings essential office services to coworking spaces with our fully staffed on-site business center, mailroom, and print shop.

COWORK CLUB

Become a member at the world's most productive coworking spaces.

[Show me more](#)

MAILBOX SERVICE

Get a prestigious business address for your home-based business.

[Select Location](#)

Edwin Jarvis

0

perfect for coworking?

Edwin Jarvis CoWork Club is a turn-key coworking solution that will transform your empty space into a haven of productivity and community. Find out if your space qualifies for Edwin Jarvis CoWork Club.

Requirements

Already own or operate a coworking space?

Edwin Jarvis Concierge adds new products and services that can greatly increase your sales, foot traffic, new memberships, and member retention. Find out if your space qualifies to host Edwin Jarvis Concierge.

Requirements



**APPLICATION FOR NOMINATION
CLARKSTON DOWNTOWN DEVELOPMENT AUTHORITY**

Name William Johnston email wnj@mac.com
Home Address 1182 Vaughn St City/Zip Clarkston 30021
Phone (Day) 404 502 2125 (Evening) same

I am: (Check all that apply)

- ☒ A Resident of the City of Clarkston
- ☐ An Owner or Operator of a business located in the downtown development area that resides in DeKalb County
- ☐ Available for Board meetings on the any time of each month
- ☐ An Elected Member of Government: Elected Position _____
- ☐ A Downtown Property Owner: Property Address _____
- ☐ A Downtown Business Owner: Business Name _____
- ☐ A Downtown Employee: Business & Position _____

My Downtown involvement over the past two years includes:

Serving on Committee (s) _____
Assisting with Projects _____
Participation in Events _____
A Financial Contribution _____
Other _____

Organizations to which I belong an volunteer service include: Downtown Development Auth. &

Interest/Hobbies/Talents/Skills: Gym, Walk Dogs, Exercise

I m interested in serving on the Authority because Helping Community grow

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to:

- ☒ Attend all possible regular monthly Board meetings, committee meetings and any special
 - ☒ meetings
 - ☒ Attend eight hours of training within my first year of services as required by law
 - ☒ Attend the Annual Planning Session and participate in a Board Orientation
 - ☒ Enter into full discussion and participation in policy decisions affecting the DDA and its purpose
 - ☒ Accept responsibility for assignments and offer suggestions on programming or operations
 - ☒ Maintain matters of confidence
- Serve the Authority, working of its overall well being and that of the historic business district
Seek opportunities to learn more about downtown revitalization efforts and best practices

Signature William Johnston Date 12/15/23



Dear Mayor and Members of the City Council of Clarkston,

I am writing to express my sincere interest in the open position on the Planning and Zoning Committee for the City of Clarkston, GA. With a strong background in urban planning and community development, coupled with my experience at MicroLife Institute, I am confident in my ability to contribute effectively to the committee's goals and objectives.

During my tenure at MicroLife Institute, I have had the opportunity to work on various projects focused on sustainable development, community engagement, and environmental planning. These experiences have equipped me with a comprehensive understanding of the intricate balance between fostering growth and preserving the unique character of a community.

I am particularly drawn to the City of Clarkston due to its rich cultural diversity and commitment to fostering an inclusive community. I am enthusiastic about contributing to the city's continued growth in a manner that respects its cultural heritage, supports economic development, and ensures a high quality of life for all residents.

As a dedicated advocate for sustainable and equitable urban development, I am eager to bring my skills and passion to the Planning and Zoning Committee. I am confident that my experiences and commitment to community-driven planning align with the goals of the committee, and I am excited about the opportunity to contribute to the future success of the City of Clarkston.

Thank you for considering my application. I look forward to the possibility of discussing my qualifications further in an interview.

Sincerely,

A handwritten signature in black ink, appearing to read "William Johnston", with a long horizontal flourish extending to the right.

William Johnston

William N. Johnston
1182 Vaughan St
Clarkston GA, 30021
(C) 404-502-2195 • will@microlifeinstitute.org

EXPERIENCE

MicroLife Institute *Founder & Executive Director*

Atlanta GA
2014-Present

- Developed "The Cottages on Vaughan" and won ARC Innovative Development Award
- Construction and on-site management
- Educates government and public on benefit of better housing policy and zoning
- Initiates housing strategies for municipalities by creating community engagement and events to discuss housing and how it can be applied to their area
- Works constantly with communities, government employees and elected leaders to expand housing policy and choice through education and programming
- Advises Commissioner Terry of DeKalb County on housing policy and creates community education on policy updates
- Collaborates with multiples stakeholders to drive development projects forward
- Board Member management on strategic fundraising and organizational strategy
- Advocates for housing choice through constant lectures and educational programing
- Developed a national online course for Developing Pocket Neighborhoods and other zoning related topics to drive individual education
- Consults with local governments to implement change for housing options through summits, consulting and leadership management
- Develops on site engagement to educate and advocate for better policy through events and programming
- Manages MicroLife Institute's staff to run events and projects throughout the year
- Create and execute a Tiny House Festival for 40,000 attendees over the past 6 years
- Created and executed Innovative Housing Summit for over 2500 in the last 5 years
- Created and executed in person tour for over 1500 people to the Cottages on Vaughan for Policy change and education over the last year
- Works and manages organizational budgets and forecasting
- Appliance Installation

Random Acts of Will *Marketing and Strategy Consultant* *Year to Year*

Atlanta, GA
2014-present

- Drives strategy and marketing plans to enforce branding and engagement with consumers
- Project management of client campaigns
- Builds business relationships within Atlanta community resulting in cross promotional efforts and new client accounts
- Creates event management plans and marketing strategies for clients that seek to increase consumer engagement
- Develops and collaborates digital marketing strategies with client to drive engagement
- Designs and creates the marketing experience for each client allowing for a unique touch point and brand loyalty
- Manages relationship and partnerships with clients such as Middle Housing Company, National Black Arts Festival and Grant Park Summer Shade Festival, Cox Media Group, The Atlanta Journal Constitution and BeBella Skincare

The Atlanta Journal-Constitution

Manager of Community and Customer Engagement
2011-2013

Atlanta, GA
2005-2013

- Facilitated the CSS Marketing Strategy, brainstorming and innovation for advertising clients like ALDI, Comcast and Southwest airlines resulting in multi-million dollar media campaigns across all CMG Atlanta properties
- Conducted all event management responsibilities including creation of marketing initiatives, on-site management, and post-event analysis for over 75 events including AJC Peachtree Road Race and AJC Decatur Book Festival
- Created and implemented experiential marketing activations for AJC products and resulting in subscriber growth and brand loyalty
- Managed brand guidelines for AJC and all outdoor signage and event activations.
- Communicated and collaborated with all divisions at the AJC resulting in stronger, well implemented campaigns
- Built rapport with clients and created event marketing plans for added value with client contracts of an increased spend year over year

ADDITIONAL INFORMATION

- ULI Jack Kemp Excellence in Affordable and Workforce Housing Award 2022
- Innovative Development Award by Atlanta Region Commission 2021
- Atlanta Regional Commission- Regional Leadership Institute 2022
- National Board Member of Tiny House Industry Alliance -2023
- Board Member - Center for Housing and Community Research – UGA 2019-Present
- Urban Land Institute- Center For Leadership Graduate Class of 2019
- AIA Atlanta Chapter “Kwanza Hall” Award 2017
- LEAD Atlanta class of 2012
- Cox Media Group Leadership participant 2010, CMG Innovation Summit 2012, CSS Marketing Strategy 2012
- Microsoft Office, Salesforce, PowerPoint, Videography, Final Cut Pro X
- Storyteller, Improv and Sketch Comedy

EDUCATION

The University of Georgia
Masters in Community Development

Athens, GA
Spring 2023

Coe College
B.A., Sociology
B.A., Theatre

Cedar Rapids, IA

2002

APPLICATION FOR NOMINATION CITY OF CLARKSTON DOWNTOWN DEVELOPMENT AUTHORITY

Name Debbie Gathmann Email wishcrafter29@gmail.com

Home Address 928 Mell Ave. City/Zip Clarkston 30021

Phone (Day) 404-667-6951 (Evening) same

I am: (Check all that apply)

- ☒ A Resident of the City of Clarkston
- ☒ A Resident of Dekalb County
- ☒ Available for Board meetings on the _____ of each month — any day but Wednesday
- ☐ An Elected Member of Government: Elected Position _____
- ☐ A Downtown Property Owner: Property Address _____
- ☐ A Downtown Business Owner: Business Name _____
- ☐ A Downtown Business Operator: Business Name _____

My Downtown involvement over the past two years includes:

Serving on Committee (s) Environment (rarely meets)
 Assisting with Projects trees along tracks; Friendship Forest work
 Participation in Events organizing a citizens group to support solutions for the city
 A Financial Contribution _____
 Other _____

Organizations to which I belong or volunteer service include:

Work with Trees Atlanta and Audubon; also food bank
tutor for reading volunteer

Interest/Hobbies/Talents/Skills:

I've taken "placemaking" courses and city planning classes
I raise chickens, am a member the non-profit resource center

I'm interested in serving on the Authority because...

I want my city to work for everyone; and I think we've
stayed on the sidelines, and let opportunities pass us by.

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to:

- ☒ Attend all possible regular monthly Board meetings, committee meetings and any special meetings.
- ☒ Attend eight hours of training within my first year of services as required by law.
- ☒ Attend the Annual Planning Session and participate in a Board Orientation.
- ☒ Enter into full discussion and participation in policy decisions affecting the DDA and its purpose.
- ☒ Accept responsibility for assignments and offer suggestions on programming or operations
- ☒ Maintain matters of confidence.
- ☒ Serve the Authority, working of its overall well-being and that of the historic business district.
- ☒ Seek opportunities to learn more about downtown revitalization efforts and best practices.

Signature Debbie Gathmann Date 12/1/23



Debra Gathmann
928 Mell Avenue
Clarkston, GA 30021

404-667-6951 Cell

wishcrafter29@gmail.com

Skills:

I am an excellent, experienced **teacher and principal** and have worked with infants through 8th graders for 40 years. I have managed a complex school budget, supervised other teachers, trained teachers in CDA requirements, and future teachers at the junior college level. I have set policy at two different small private schools and I have developed long range plans at three different small schools. I have worked in the public sector as well as private in education-related fields. I am also a **natural history teacher** and have worked as a volunteer naturalist with parks, nature centers, adopt-a-stream, scouting organizations, citizen science programs, etc. I am pretty good with a **computer** and know how to use Publisher's Gold, Microsoft Office (including Excel), Quickbooks, and Turbo Managers, such as Childcare Manager. I'm a **community-builder** and have worked on political campaigns and have helped build several community organizations, such as the Glenwood Pedestrian Safety Initiative, East Lake Commons Co-housing Project, the East Atlanta Community Association, and the East Atlanta Business Association. When I relocated to Clarkston, I served on several city committees, including the Clarkston Health Collaborative. I'm also an **artist and writer**, have written, and designed, a six-page school-related monthly newsletter for over 18 years. I have taught art classes to children for many summer programs. I also wrote the childcare curriculum for the YWCA that is still in use in YW centers. I helped work on the National Science Curriculum for students in conjunction with Zoo Atlanta. I operated and managed summer camps and afterschool programs for years.

Education:

- B.A. in Psychology/Folklore/Sociology from Georgia State University
- M.Ed. from Georgia State University with an emphasis in British Infant Schooling—I have taken hundreds of hours of natural science classes since my degree
- Current T-5 Teaching Certificate from the State of Georgia
- Finished a series of non-profit leadership classes at The Non-Profit Resource Center
- Completed my naturalist certificate from UGA's school of Forestry.
- Completed a TreeKeeper Course at Trees Atlanta
- Completed a Project Wet and Project Wild Course at Charlie Elliot Wildlife Center
- Have earned a naturalist certificate from UGA Warnell School of Forestry

Experience:

Present--Director of **Kingfisher Academy** since 1999. I was the co-founder of this small, private, non-profit, secular school located in Tucker, Georgia. I taught science there in the middle school, I have taught the Kindergarten and 2nd/3rd Grades cooked lunch on Fridays, managed a \$165,000 to \$374,750 budget, hired, trained, and fired staff. I have negotiated

grants for the school, and organized and carried out several building changes as the school outgrew its space. During 2011-2013, I was the director and was entirely out of the classroom as we engaged in some long-range planning. In 2015-to the present, I was the head of school and taught math and science in the afternoons in the upper elementary room..

Kingfisher Academy, Inc.
5073 LaVista Road/Tucker GA 30084

404-667-6951 (cell)
Email: wishcrafter29@gmail.com

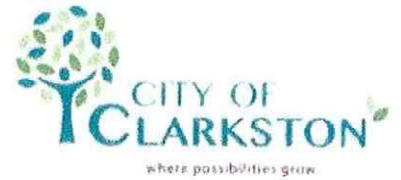
August 1995 to June 1999: I taught elementary school classes at **Canterbury School** in Northeast Atlanta for 3 years and managed enrichment programs at **New Century School** in Downtown Atlanta for 1 year. Both experiences included setting up long-range plans for small schools and both involved some work in setting up their non-profit status. At Canterbury, I taught a multi-age class of 2nd and 3rd graders for three-years, while also working with the school owner to develop a plan for the transition to another owner upon her retirement. At New Century, I helped with a transition to a new building and set up a money-making after school enrichment program that included tutoring and enrichment classes for up to 50 kids each week. I also did some development work with New Century as they were seeking grants to increase their capacity. My boss at Canterbury has since died (Olline Bush) and New Century was sold and has all new management. Cole Walker was my boss at New Century School.

August 1992 through August 1995: I was the curriculum coordinator for the **YWCA of Metro Atlanta**. This involved writing curriculum for five schools, training teachers on the curriculum, getting courses certified by DHR to offer teacher credit, networking with five school directors in various centers ranging from Riverdale, Georgia to Northeast Atlanta. This also involved some budgeting for our program and quite a significant amount of educational writing. My boss at the YW was Barbara Saffold, who has retired and moved to Chicago. The YWCA went through a series of very deep budget cuts from the National YW in the late 90's and is now much different than when I worked there.

January 1983 to August 1992: I was the owner and operator of a small non-profit childcare center in Bremen, Georgia. **Westwind Day School** was the name of the school and we operated for 9 years on a budget of about \$200,000/year.

Other Job Experiences—I worked for Georgia State as a Grad Student translating book titles from Russian to English and in the Psych Department with the Rat Project. I also worked for West Georgia while they were going through the process of becoming a University. I worked for the city of Decatur in the city manager's office for a year. I also was the District Chair for Girl Scouts in the Carroll County District. I served on numerous committees at Eastlake Co-Housing and with the city of Clarkston.

The area that I am well-qualified for is in committee work for neighborhood and small city planning. I served on numerous committees for several NPU's in North and East Atlanta. I have worked with the Pedestrian Safety initiative for Atlanta and have also served on the Beltline Advisory Group for several years. For a time, I worked at DeKalb Tech and Carroll Tech training teachers that worked in childcare centers in all of the required courses from DHR (now called Bright from the Start). I've created and worked in several different resource and curriculum libraries and enjoy setting up objectives and carrying out activities that meet the objectives. I also worked in membership development at the YW and have a great deal of experience in marketing programs. I kept a 6 to 10 page newsletter going for private elementary schools for over 15 years and set up marketing plans for several small businesses.



APPLICATION FOR NOMINATION CITY OF CLARKSTON DOWNTOWN DEVELOPMENT AUTHORITY

Name DEAN S. MOORE Email deanmoore64@gmail.com

Home Address 3786 RAYFORD TRAIL City/Zip CLARKSTON, GA 30021-2641

Phone (Day) Cell - 404.290.1492 (Evening) FAX - 404.299.9994

I am: (Check all that apply)

- SEE ATTACHED*
- ☒ A Resident of the City of Clarkston
 - ☒ A Resident of Dekalb County
 - ☒ Available for Board meetings on the Various times each month
 - ☐ An Elected Member of Government: Elected Position _____
 - ☐ A Downtown Property Owner: Property Address _____
 - ☐ A Downtown Business Owner: Business Name _____
 - ☐ A Downtown Business Operator: Business Name _____

My Downtown involvement over the past two years includes:

Serving on Committee (s) _____
Assisting with Projects _____
Participation in Events _____
A Financial Contribution _____
Other _____

Organizations to which I belong an volunteer service include:

Interest/Hobbies/Talents/Skills:

I'm interested in serving on the Authority because ...

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to:

- ☒ Attend all possible regular monthly Board meetings, committee meetings and any special meetings.
- ☒ Attend eight hours of training within my first year of services as required by law.
- ☒ Attend the Annual Planning Session and participate in a Board Orientation.
- ☒ Enter into full discussion and participation in policy decisions affecting the DDA and its purpose.
- ☒ Accept responsibility for assignments and offer suggestions on programming or operations
- ☒ Maintain matters of confidence.
- ☒ Serve the Authority, working of its overall well-being and that of the historic business district.
- ☒ Seek opportunities to learn more about downtown revitalization efforts and best practices.

Signature Dean S. Moore Date 12/11/2023

DDA Application for Nomination

Dean S. Moore

deanmoore64@gmail.com

3786 Rayford Trail, Clarkston, GA 30021-2641

Cell- 404.290.1492 FAX- 404.299.5994

I am: A resident of the City of Clarkston

A resident of DeKalb, County

Available for board meetings at various times of each month

My Downtown involvement over the past two years includes:

Serving on Committees: Clarkston Historic Preservation Commission, Clarkston Greenway Project
Advisory Committee

Assisting with Projects: Clarkston Greenway Project Advisory Committee

Organizations to which I belong in volunteer service include: Trees Atlanta, Clarkston Greenway
Project Advisory Committee

Interest/Hobbies/Talents/Skills: Interests include history, building dynamics, architecture,
pedestrian safety, music

Skills include commercial construction projects superintendent, commercial & residential
building inspections, land surveying, residential multi-family project superintendent,
medical renovation projects superintendent.

Projects include new ground up buildings for churches, restaurants, townhomes, and
private multi-family and single-family homes. Interior renovations for operating rooms,
CT Scan rooms, gorilla X-ray room, various medical labs, restaurants, office space, and
private homes.

I'm interested in serving on the Authority because of my involvement nurturing the future direction of Clarkston over the past 17 years. Participation in future planning include 3 years on the Clarkston Zoning & Review Committee, 8 years on City Council, 8 years with United Way of Atlanta Opportunity Zone, 4 years on Clarkston Active Living Initiative, 2 years on Georgia Municipal Association (GMA) Board of Directors, certificate participation award for The Harold F. Holtz Municipal Training Institute for Elected Officials, completion of The Robert E. Knox, Jr. Municipal Leadership Institute, numerous GMA and Atlanta Regional Commission community development seminars including DDA, Clarkston Charter Review Committee, and currently the Clarkston Historic Preservation Commission and Clarkston Greenway Project Advisory Committee.

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to: Attend all possible regular monthly Board meetings, committee meetings and any special meetings; Attend eight hours of training within my first year of services as required by law; Attend the Annual Planning Session and participate in a Board Orientation; Enter into full discussion and participation in policy decisions affecting the DDA and its purpose; Accept responsibility for assignments and offer suggestions on programming or operations; Maintain matters of confidence; Serve the Authority, working for its overall well-being and that of the historic business district; Seek opportunities to learn more about downtown revitalization efforts and best practices.

 12/11/2023



APPLICATION FOR NOMINATION CITY OF CLARKSTON DOWNTOWN DEVELOPMENT AUTHORITY

Name EMANUEL RANSOM Email emanuelransom@earthlink.net
Home 3543 CLARKSTON INDUSTRIAL BLVD City/Zip CLARKSTON, GA 30021
Address _____
Phone (Day) 404-493-4331 (Evening) 470-231-3691

I am: (Check all that apply)

- ☐ A Resident of the City of Clarkston
- ☐ A Resident of DeKalb County
- ☐ Available for Board meetings on the ANY of each month
- ☐ An Elected Member of Government: Elected Position _____
- ☐ A Downtown Property Owner: Property Address _____
- ☐ A Downtown Business Owner: Business Name _____
- ☐ A Downtown Business Operator: Business Name _____

My Downtown involvement over the past two years includes: Serving on Committee (s) _____

Assisting with Projects NOMINATED TO THE DDA

Participation in Events _____

A Financial Contribution _____

Other ACCUMULATED TRAINING MATERIALS PLUS TRAVELS TO FIVE CITIES TO ENGAGE INFORMATION ON THEIR DD'S, MYSELF AND ONE OTHER PERSON HAD BEEN NOMINATED TO THE BOARD BY THE CITY COUNCIL.

Organizations to which I belong an volunteer service include SENIORS CONCEPT'S IN ACTION, LLC:

Interest/Hobbies/Talents/Skills:

COMMUNITY SERVICE

I'm interested in serving on the Authority because ...

DDA

I will allow my name to be submitted for consideration in service to the Authority; and if appointed to serve as a member of the Board of Directors, I agree to:

- ✓ Attend all possible regular monthly Board meetings, committee meetings and any special meetings.
- ✓ Attend eight hours of training within my first year of services as required by law.
- ✓ Attend the Annual Planning Session and participate in a Board Orientation.
- ✓ Enter into full discussion and participation in policy decisions affecting the DDA and its purpose.
- ✓ Accept responsibility for assignments and offer suggestions on programming or operations
- ✓ Maintain matters of confidence.
- ✓ Serve the Authority, working of its overall well-being and that of the historic business district.
- ✓ Seek opportunities to learn more about downtown revitalization efforts and best practices.

Signature _____

Date 11-27-2023 NOMINATED TO THE DDA



CITY OF CLARKSTON

ITEM NO: 8D

CITY COUNCIL MEETING

MEETING TYPE:
City Council Meeting

AGENDA ITEM SUMMARY SHEET

ACTION TYPE:
Hearing

MEETING DATE: JUNE 4, 2024

SUBJECT: Hearing to receive evidence and consider Brockett Pointe, LLC's appeal of the denial of its application for a license to operate a "park-for-hire/valet parking" business at 1353-J Brockett Road.

DEPARTMENT: CITY ADMINISTRATION

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☐ YES ☐ NO
PAGES: 22

PRESENTER CONTACT INFO:
Stephen Quinn, City Attorney
PHONE NUMBER: 404-377-3638

PURPOSE: Section 11-7 of our City Code allows applicants that are denied a business license by City Staff to appeal that decision to the City Council. In this case, the Appellant is Brockett Pointe, LLC. Appellant has appealed the denial of its application for a license to operate a "park-for-hire/valet parking" business at 1353-J Brockett Road.

NEED/ IMPACT: The City Council may sustain, overrule or modify the business license denial.

RECOMMENDATION: Staff recommends that the City Council sustain its decision based on applicable provisions of the Zoning Ordinance.

BUSINESS REGISTRATION/OCCUPATIONAL TAX CERTIFICATE APPLICATION

5748 (SA)

For Calendar Year 2024

Check One: ☒ New ☐ Amended ☐ Final (Date business sold or closed: _____)
Check One: ☒ Sole Owner ☐ Partnership ☐ Corporation ☐ LLC
Check One: ☐ Home-Based ☒ Commercial Space
Days of Operations: Monday - Sunday Business Hours of Operation: 8PM - 4AM

Business Name: BROCKETT POINTE LLC
Business Address: 1353 J BROCKETT RD, CLARKSTON, GA 30021
Business Phone: _____
Mailing Address: 2435 OLD ALABAMA RD, ROSWELL, GA 30076
Email Address: Brockettpointeplaza@gmail.com
Business Manager Social Security Number: N/A
Federal ID Number: [REDACTED] Georgia Sales Tax Number: _____
Business Owner Name: CARMEN POPOVITCH
Owner's Home Address: 1586 PEACHTREE BATTLE AVE. ATLANTA, GA 30327
Home Phone: [REDACTED]
Owner's Social Security Number: [REDACTED] D.O.B.: [REDACTED] 1/956
Property Owner(s) Name: CARMEN POPOVITCH
Property Owner(s) Home Address: [REDACTED] ATLANTA, GA
Property Owner(s) Contact Information: [REDACTED] 30327
Description and Nature of Business: VALET / PARKING

In accordance with the business ordinance of the City of Clarkston, Georgia, I (print name) CARMEN POPOVITCH being the (insert title) _____ of the business, do certify that I am the person duly authorized by the business herein named to file this application. I understand that this application does not authorize me to conduct business and that the license cannot be issued without the approval of the Fire Marshall.

Applicant Signature

C Popovitch

Date

3/25/24

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. 16-10-20.

Executed in Atlanta (City), Georgia (State).

Signature of Applicant

CARMEN POPOVITCH

Date

3/25/24

Printed Name

Subscribed to and sworn before me on this the

25 Day of March 2024
Genell Tate
Notary Public



MAR 27 2024

CITY OF CLARKSTON

FOR OFFICIAL USE ONLY

SIC Code: _____ Business Type: _____ Business Class: _____

App Fee Pd: _____

Compliance Code: _____ Approved by: _____ Date Approved: _____

Comments Attached: _____

Zoning: _____ Parcel #: _____

Approved by: _____

Comments: _____ Date: _____

Occ Tax Billed: _____ Occ Tax Paid: _____ Check # _____ Amount Paid: _____ Rec'd by: _____

****REQUIRED****

****FORM REQUIRED**** This form must be completed and returned with a copy of your secure and verifiable document, your Clarkston Occupational Tax Renewal, and payment. Failure to return the completed Affidavit with your renewal and payment will delay the issuance of your occupational certificate.

Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

****REQUIRED FORM****

By executing this affidavit under oath, the undersigned private employer verifies one of the following with respect to its application for a business license, occupational tax certificate, or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d):

Section 1. Please check only one:

(A) _____ On January 1st of the below-signed year, the individual, firm, or corporation employed more than ten (10) employees 1.

*** If you select Section 1(A), please fill out Section 2 and then execute below.

(B) ☒ On January 1st of the below-signed year, the individual, firm, or corporation employed ten (10) or fewer employees.

*** If you select Section 1(B), please skip Section 2, and execute below.

Section 2.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as follows:

Name of Private Employer

Federal Work Authorization User Identification Number

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on March, 2024 in Atlanta (City) Georgia (State)

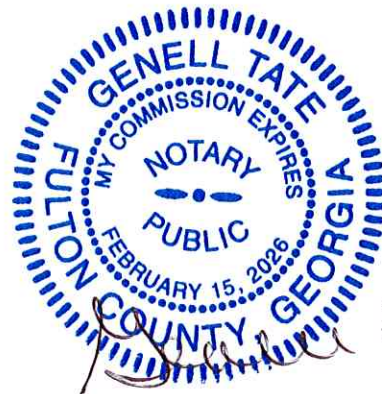
Signature of Authorized Officer or Agent

CARMEN POPOVITCH / OWNER
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 25 DAY OF March, 2024

Genell Tate
NOTARY PUBLIC

My Commission Expires: 2-16-2026



****FORM REQUIRED**** This form must be completed and returned with your Clarkston Occupational Tax Renewal and payment. Failure to return this completed Private Employer Affidavit with your renewal and payment will delay the issuance of your occupational certificate.

**BUSINESS OCCUPATIONAL TAX CALCULATION WORKSHEET
2024**

BUSINESS NAME:	<u>BROCKETT POINTE, LLC</u>	INDUSTRY DESCRIPTION:	<u>PARKING</u>
PHYSICAL ADDRESS:	<u>1353 J BROCKETT RD. CLARKSTON, GA 30021</u>		
MAILING ADDRESS:	<u>1586 PEACHTREE BATTLE AVE. ATLANTA, GA 30327</u>		
EMAIL ADDRESS:	<u>Brockettpointeplaza@gmail.com</u>		
SIC CODE:	_____	FEE CLASS:	_____
		FEE RATE:	<u>\$100</u>

Notice: If your business has discontinued in Clarkston, ENTER THE DISCONTINUED DATE, SIGN AND RETURN THIS FORM.

Date Business Moved, Closed, or Sold: _____ Signature: _____

For Professional Practitioners (OCGA §48-13-9(c) **Check one:** ☐ \$400 Flat Fee ☐ Gross Receipts
(If electing Professional Flat Tax - Enter \$400 on line 4 below and complete calculations.)
When electing to pay a flat fee, please submit a copy of your state license with this return.

Submit Gross Receipt Totals ONLY. The Finance Department will calculate any Occupational Tax Owed and you will be emailed an invoice.

Gross Receipts for Current Year

1. Estimated Annual Gross Receipts for 2024 \$ - \$20,000 =
(First \$20,000 in Gross Receipts is Exempt) (Cannot be less than \$0.00)

4. Professional Flat Tax (ONLY) (4) _____

5. Administrative Fee (ALL BUSINESSES PAY) (5) \$ 100.00

6. Total Amount Due (Add Lines 4 – 5) (6) _____

Return Application & Completed Calculation Worksheet

(with Check or Money Order, if Mailing) Made Payable To: City of Clarkston • Attn: Occupational License Office •
1055 Rowland St • Clarkston, GA 30021.)
For assistance call (404)296-6489. You can also email us at tLewis@cityofclarkston.com or
levans@cityofclarkston.com

I hereby swear under penalty of perjury that the information reported on this worksheet is to the best of my knowledge true, correct, and complete. I understand that the issuance of the Occupational Tax Certificate does not permit the business to operate unless the business is properly zoned and in compliance with all applicable City of Clarkston and State of Georgia ordinances and regulations.

I understand that if it is determined that my occupational license requires board certification; I must submit a copy of that board certification along with my renewal. I understand that failure to supply this documentation could result in a delay in the issuance of my Occupational Tax Certificate. I also understand that if I do not complete and return the "Affidavit Verifying Status of the Applicant" and the "Private Employer Affidavit" this will result in a delay of the issuance of my Occupational Tax Certificate.

Printed Name: CARTEN POPOVITCH Title: OWNER Email: Brockettpointeplaza@gmail.com



CITY ROUTING SHEET OF CLARKSTON
CITY NAME

CITY TEMPORARY PERMIT # _____ DEKALB AP# _____

BUSINESS NAME: BROCKETT POINTE, LLC

BUSINESS ADDRESS 1353 J BROCKETT RD, CLARKSTON 30021
CITY ZIP

APPLICANT NAME: CARMEN POPOVITCH

PHONE # _____ EXT/ _____

EMAIL: Brockettpointeplaza@gmail.com

***TO BE COMPLETED BY CITY REPRESENTATIVE ONLY**

MANDATORY DETAILS

SQ FT:

(IF SQFT IS OVER 5,000, MUST SUBMIT STAMPED PLANS)

ANY RENOVATION

☐ YES: requires architecture stamped plans ☒ NO

WAREHOUSE

☐ YES ☒ NO

COMMODITY LIST

☐ YES ☒ NO

***UNDER 5000 SF(no work) MUST SUBMIT A SKETCH OF TENANT SPACE**

★ SKETCHES

- * Total SF & dimensions
- * Label ea. Rm
- * location of emergency signs & extinguishers
- * ALL walls, entrances, Doors, stairs

PLEASE CHECK (All check marks require supporting documents)

FIRE

- ☐ MOVE-IN-AS-IS (only for under 5000 sf same use of space and no Renovation)
- ☐ MOVE-IN-AS-IS (different use of space)

choose only one below:

- ☐ LIFE SAFETY
- ☐ FIRE SPRINKLER
- ☐ FIRE ALARM
- ☐ SUPPRESSION (All Forms of FIRE)

☐ **BLASTING**

WATERSHED

- ☐ F.O.G.
- ☐ BACKFLOW
- ☐ WATER & SEWAGE

OTHER

- ☐ SPECIAL EVENTS / TENTS

**WRITE-
IN**

MANDATORY An affix City Stamp is required on all plans that are submitted to DeKalb County

SCOPE OF WORK

VALET / PARKING

(Please describe business)

CITY REPRESENTATIVE

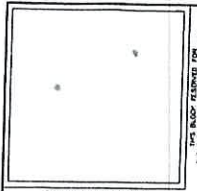
DATE

I hereby certify that I understand that it is my responsibility to submit the required documents for the reviews listed above

APPLICANT SIGNATURE

DATE

DEKALB COUNTY PLANNING & SUSTAINABILITY 178 SAM STREET, DECATUR, GA 30030

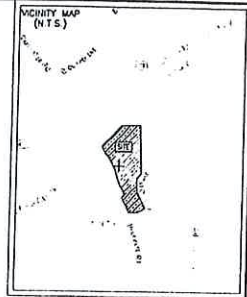


THIS BLOCK RESERVED FOR THE VIEW OF THE SUPERIOR COURT

SCALE: 1" = 40'

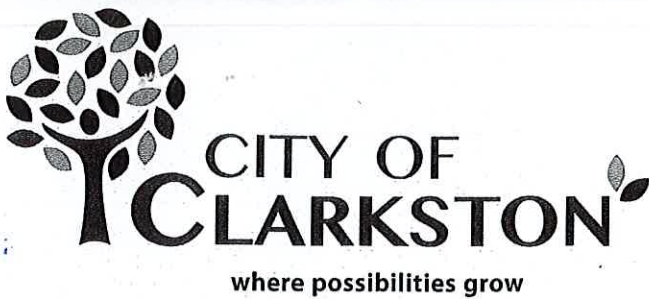
AREA
6.135 ACRES
267,242 SQ. FT.

PARKING
STANDARD PARKING SPACES - 235
HANDICAP SPACES - 1
TOTAL SPACES - 236



LEGEND

1/2"	1/2" = 1' = 40'
1/4"	1/4" = 1' = 40'
1/8"	1/8" = 1' = 40'
1/16"	1/16" = 1' = 40'
1/32"	1/32" = 1' = 40'
1/64"	1/64" = 1' = 40'
1/128"	1/128" = 1' = 40'
1/256"	1/256" = 1' = 40'
1/512"	1/512" = 1' = 40'
1/1024"	1/1024" = 1' = 40'
1/2048"	1/2048" = 1' = 40'
1/4096"	1/4096" = 1' = 40'
1/8192"	1/8192" = 1' = 40'
1/16384"	1/16384" = 1' = 40'
1/32768"	1/32768" = 1' = 40'
1/65536"	1/65536" = 1' = 40'
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Mayor
Beverly H. Burks

City Council
Debra Johnson, Vice Mayor
Yterenickia Bell
Jamie Carroll
Susan Hood
Mark Perkins

April 16, 2024

Brockett Pointe, LLC
Attn: Carmen Popovitch
2435 Old Alabama Rd.
Roswell, GA 30076

Re: Brockett Pointe LLC – 1353J Brockett Road, Clarkston, GA 30021

Dear Mrs. Popovitch,

Pursuant to the City of Clarkston Code of Ordinances, Section 11.5 – **Grounds for rejection of an application, for suspension or revocation of an existing license, or for non-renewal of an application for a business license**, the application associated with your establishment is hereby denied. The license shall not be issued on the following grounds:

1. **Section 11.5 (7).** *The business or establishment is not authorized to operate within the city, or within the zoning district within which it is located or is otherwise not in conformity with locational requirements of any of the city's ordinances.*
2. *Your application has been denied because the subject property is zoned NC-2, Commercial and the Moderate-Density Neighborhood Commercial District does not allow valet/parking as a permitted use.*

All businesses are subject to regulations under the City of Clarkston Code of Ordinances and conduct itself in accordance with the regulations. You may appeal this decision by written notice filed with the City Clerk within fifteen (15) calendar days after receipt of this notice.

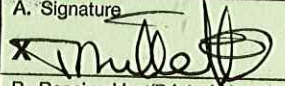
If you need clarification of this matter, please contact the Interim City Clerk, Melissa L. Peñate at 404-296-6489 or mpenate@cityofclarkston.com.

Sincerely,

Melissa L. Peñate
Interim City Clerk

9589 0710 5270 0632 2450 67

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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature  ☐ Agent ☐ Addressee
1. Article Addressed to: Brackett Pointe LLC Attn: Carmen Popovich 2435 Old Alabama Rd. Roswell, GA 30076	B. Received by (Printed Name) M. Little C. Date of Delivery
2. Article Number (Transfer from service label) 9589 0710 5270 0632 2450 67	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☒ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☒ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt



1834 Independence Square
Atlanta, Georgia 30338
T 404-233-4171 F 404-261-2842

Direct dial 404-797-5525
hhilliard@cglawfirm.com

May 1, 2024

BY ELECTRONIC MAIL at mpenate@cityofclarkston.com

Melissa L. Penate, Interim City Clerk
City of Clarkston
1055 Rowland Street
Clarkston, Georgia 30021

RE: Appeal of Denial of Business License of Brockett Pointe, LLC
Located at 1353J Brockett Road, Clarkston, GA 30021

Ms. Penate:

Our firm represents Brockett Pointe, LLC and Ms. Carmen Popovitch (collectively referred to hereafter as the "Appellants") related to the above-referenced decision by the City of Clarkston to deny the business license application of associated with the property located at 1353J Brockett Road in the City of Clarkston (the "Subject Property"). Within the time provided in Section 11.7(a) of the City of Clarkston Code of Ordinances, this communication is intended to serve as the Notice of Appeal of the City's decision to deny the subject application.

The objections to the City of Clarkston's decision to deny the subject application include, but are not limited to, the following:

The City of Clarkston erred in concluding that the business or establishment is not authorized because the Moderate-Density Neighborhood Commercial Zoning District ("NC-2") does not permit valet or park-for-hire parking.

On the contrary, Section 707(b)(12) of the City of Clarkston Code of Ordinances expressly allows "accessory uses" that are incidental to a main use on property located in the NC-2 Zoning District. Article IV of the Clarkston Code of Ordinances defines an "accessory use" as "[a] land use that is incidental and subordinate to the principal use." In the present circumstance, the Subject Property is a commercial shopping Center with separate businesses licensed separately to business thereon. The parking associated with the subject businesses is required by the City of Clarkston for the businesses to operate and the ability to request a fee from patrons visiting the Subject Property to help subsidize the maintenance and upkeep and maintenance required by the impact of vehicular ingress and egress of patron vehicles is clearly incidental and subordinate to the primary use of the Subject Property. The City certainly has a right to regulate how this accessory use is managed, but the Appellant understands that, to date, it has chosen not to.

Based upon the Appellant's right to operate its accessory use in accordance with the allowance provided for in Section 707(b)(12), the City has erred in denying the subject business license for the Appellant's alleged failure to meet the locational requirements outlined in Section 11.5(7) of the City of Clarkston Code of Ordinances.

The locational requirements are, in fact, satisfied.

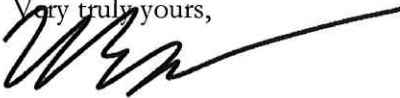
Finally, the Appellant submits that the denial of the subject business license application based upon the grounds asserted in your April 16, 2024, letter constitutes a violation certain state and federal constitutional rights afforded applicants for business licenses in the City of Clarkston.

We respectfully request that any hearing to consider this matter be scheduled for a date certain after the Appellant's receipt of public records requested contemporaneously herewith, which is attached hereto for your convenience.

As required by Section 11-7(a), please direct all future notices regarding this request and related matters to M. Hakim Hilliard at Chilivis Grubman, LLP located 1834 Independence Square, Atlanta, Georgia 30338.

Thank you for your immediate attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be 'M. Hilliard', written over the typed name.

M. Hakim Hilliard

Cc: Maiysha Rashad, Esquire