



CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

CITY COUNCIL VIRTUAL WORK SESSION *AGENDA*

July 12, 2021, at 6:00 P.M.

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

- I. CALL TO ORDER:** Mayor Pro Tem, George Turner
- II. ROLL CALL:** Sonya Isom, Deputy City Clerk
- III. AGENDA DISCUSSION ITEMS:**
 - a. **Discussion** - of the Establishment of Parks & Recreation Department Advisory Committee - *Brandon Riley*
 - b. **Update** – from Parks and Recreation – *Brandon Riley*
 - c. **Update** - to Zoning Ordinance / TMOD-21-002 – *Jim Summerbell*
 - d. **Review** - of Stonecrest Housing Authority Financial – *Gia Scruggs*
 - e. **Update** - on Community Improvement Districts (CIDs) in the City of Stonecrest, *Jonathan Bartlett*
 - f. **Discussion** – of Re-Opening Plan for City of Stonecrest – *Janice Allen Jackson*
- IV. EXECUTIVE SESSION**

(when an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)
- V. ADJOURNMENT**

Americans with Disabilities Act

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

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

CITY COUNCIL VIRTUAL WORK SESSION *AGENDA*

July 12, 2021, at 6:00 P.M.



CITY COUNCIL AGENDA ITEM

**SUBJECT: Establishment of Parks & Recreation Department
Advisory Committee**

ORDINANCE POLICY STATUS REPORT

DISCUSSION ONLY RESOLUTION OTHER

Date Submitted: 06/04/21 Work Session: 07/12/21 Council Meeting: 07/26/21

SUBMITTED BY: Janice Allen Jackson, Acting City Manager

Brandon Riley, Parks and Recreation Director

PRESENTER: Janice Allen Jackson and Brandon Riley

PURPOSE: The City Manager's Office and the Parks and Recreation Department are seeking input from the Mayor Pro Tem and Council regarding the establishment of a Parks and Recreation Advisory Committee.

FACTS AND ISSUES: In response to Stonecrest's community values and changing needs of the City's population, a Parks and Recreation Advisory Committee is under consideration. This committee could serve in a variety of roles, as demonstrated by the 2 attached resolutions. The primary differences in the documents are found in Section II, Mission and Duties.

The first document calls for the advisory body to advise the City's management team and elected officials. They would advise with relationship to park and recreation facility conditions, ensure that projects are equitably distributed throughout the city, and advocate for improved facilities.

In the second draft resolution, the committee would focus more on an advocacy role, serving as stewards and supporters of the City's Parks and Recreation facilities and programs. They would also serve as a voice for Stonecrest residents and others with an interest in Parks and Recreation, assist the department by researching innovative ideas, and advise the Parks and Recreation Director relative to equity concerns as opposed to management and elected officials.

The first resolution provides for seven members, two of whom are Council members. The second calls for nine members, two of who are Council members. Under either



CITY COUNCIL AGENDA ITEM

scenario, the members would be nominated and approved by the City Council and serve one-year terms. The Committee would meet regularly as determined by the Committee and all meetings would be open to the public. Staff recommends that under any scenario, the Committee appointments be for no less than 3 years to ensure the members will maintain continuity that will facilitate forward progress by the group.

The Committee members' roles as advocates of parks are vital and necessary to the City's success and the quality of life of its citizens. We look forward to your ideas as to whom the proposed group would advise and in what manner.

OPTIONS: For discussion only

RECOMMENDED ACTION: Council feedback is being sought on this item.

ATTACHMENTS:

1. Original Parks and Recreation Citizen Advisory Board Resolution
2. Revised Parks and Recreation Advisory Committee Resolution

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

RESOLUTION NO. 2021-____

1 A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE PARKS AND
2 RECREATION CITIZEN ADVISORY BOARD OF THE CITY OF STONECREST, GEORGIA
3 AND APPOINTING THE INITIAL MEMBERS.

4
5 **WHEREAS**, the City of Stonecrest was created by Senate Bill 208, passed in the Georgia
6 General Assembly during the 2016 Session and subsequently confirmed by referendum; and

7 **WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City
8 Charter”); and

9 **WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021
10 Session and subsequently signed into law on April 2, 2021; and

11 **WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise
12 and enjoy all other powers, functions and rights necessary or desirable to promote the general
13 welfare of the City and its inhabitants; and

14 **WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows: *(c)(1)
15 The city council shall have the power by ordinance or resolution to establish oversight, policy, and
16 standing committees of the council; and

17 **WHEREAS**, the City Council of the City of Stonecrest has determined that it is in the best
18 interest of the City and its citizens to establish an advisory board known as the Parks and
19 Recreation Citizen Advisory Board of the City of Stonecrest, Georgia, for the purpose of
20 identifying and improving the City’s parks and recreational facilities.

66 Parks and Recreation Advisory Board members will serve without compensation.
67 Reasonable expenses for travel may be reimbursed and Board members may be compensated
68 pursuant to a policy to be established by the City Manager and approved by the City Council.

69 **SECTION VI**

70 QUORUM

71 A majority of the actual number of Parks and Recreation Advisory Board members
72 establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum
73 present.

74 **SECTION VII**

75 GOVERNANCE

76 The Parks and Recreation Advisory Board shall adopt its rules of procedure, which shall
77 be substantially similar to the rules of procedure of the City Council. The Parks and Recreation
78 Advisory Board shall set its own meeting schedule and establish the meeting agendas. The date
79 and time of each meeting as well as agenda items to be considered shall be publicized in the
80 same manner as meetings of the City Council.

81 All meetings shall be open to the public and all records maintained by the Parks and
82 Recreation Advisory Board shall be public records unless expressly exempted by a provision
83 of the Georgia Open Records Act. The Parks and Recreation Advisory Board shall keep minutes
84 of its proceedings, showing the vote of each member upon each question, and shall maintain
85 records of its examinations and other official actions all of which shall be filed in the office of
86 the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City
87 Council. At each meeting, the public shall be granted time for public comment.

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

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

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

130 **SECTION X**

131 REPEAL OF CONFLICTING RESOLUTIONS

132 All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

133 **SECTION XI**

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EFFECTIVE DATE OF RESOLUTION

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

SO RESOLVED, this _____ day of _____, 2021.

CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tempore

ATTEST:

Patricia Wheeler, City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2021-____

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE PARKS AND RECREATION ADVISORY COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINTING THE INITIAL MEMBERS; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER LAWFUL PURPOSES.

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

WHEREAS, Mayor and Council for the City of Stonecrest is the governing authority of the City; and

WHEREAS, Mayor and City Council are authorized by the City Charter, as amended by Senate Bill 21, adopted April 1, 2021, to adopt ordinances and resolutions for the administration of the City and to create and appoint members to Committees, commissions, and committees concerning the affairs of the City; and

WHEREAS, the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

WHEREAS, the city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

WHEREAS, the governing authority of the City has determined that it is in the best interest of the City and its citizens to establish an advisory committee known as the Parks and Recreation Advisory Committee of the City of Stonecrest, Georgia; and

WHEREAS, it is the governing authority's desire that the Parks and Recreation Advisory Committee provide a forum for discussing best practices and to advise the Parks and Recreation Director regarding best practices with respect to strategies for sustainable development, environmental conservation, planning, and community longevity as it relates to the City's parks and recreational facilities.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:

SECTION I

ESTABLISHMENT OF THE PARKS AND RECREATION ADVISORY COMMITTEE AND AUTHORIZATION

In response to the City of Stonecrest's community values and changing needs of the City's population, Mayor and Council hereby create a Parks and Recreation Advisory Committee to advise and engage with the City's Parks and Recreation Department for such duration as Mayor and Council may desire (hereinafter referred to as the "Parks Advisory Committee"). Creating this Committee is an opportunity for the City to affect substantive improvements to the City's recreation facilities and to transform our City into one defined by the collective pursuit of a high quality of life for all residents.

SECTION II

MISSION AND DUTIES

- (a) The mission of the Parks and Recreation Advisory Committee is to include the citizens of the City of Stonecrest to address the need of improving and sustaining the City's parks. The purpose of the Parks and Recreation Advisory Committee is to ensure:
- (b) The Parks Advisory Committee is a recommending body whose purpose is to meet on a regular basis to investigate, listen, and contribute ideas from City residents, business owners, conservation groups, youth engagement groups, and others with an interest in the parks and recreation facilities within the City.
- (c) It is intended that the meetings of the Parks Advisory Committee shall provide a forum for the discussion of the subjects that are pertinent for the time and result in ideas to maintain a well rounded and established park and recreation system within the City. The Parks Advisory Committee members, individually and collectively, are expected to:

1. Express the ideas, concerns, and interests of the residents and other entities with an interest in the City's parks and recreation facility system regularly to the Director of the City's Parks Department.
2. Enhance discussion by researching innovative ideas applicable to revitalization, community longevity and sustainable principals.
3. Promote an atmosphere of respect and fairness.
4. Strive to reach consensus within the Committee.
5. To provide as necessary and appropriate advice, reviews, reports and recommendations to the Director of the City's Parks and Recreation Department on park and recreation facility conditions and areas of concern;
6. That lists of projects are equitable, appropriately prioritized, and well distributed throughout the City;
7. That each district of the City is represented and has the opportunity to advocate for cleaner and improved facilities.

(d) Further, these appointees will support the department's efforts to:

1. Maintain and improve quality of life for the community, the family, and the individual through active engagement in with City parks.
2. Determine project and program priorities based on the Parks Master Plan and additional community input.
3. Integrate into a cohesive community identity and brand.
4. Foster economic development and revenue generation potential by attracting residents, tourists or visitors.
5. Foster educational growth and development through adult enrichment and interactions with schools, churches, and youth groups.

SECTION III

MEMBERSHIP

The Parks and Recreation Advisory Committee shall be composed of seven (9) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as ex-officio, non-voting members of the Committee. The City Council shall establish qualifications for members of the Parks and Recreation Advisory Committee except that each Parks and Recreation Advisory Committee member must be either a resident of the City or an owner or officer of a business domiciled in the City. Each Committee person shall be nominated and approved by the City Council. Should the Committee member move out of the City or no longer be an owner or an officer of a business domiciled in the City, he/she may remain active until the City Council appoint his/her replacement. Members must attend two-thirds (2/3) of the Parks and Recreation Advisory Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

SECTION IV

TERMS

Each member shall serve for a term of one (1) year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

SECTION V

COMPENSATION

Parks and Recreation Advisory Committee members will serve without compensation. Reasonable expenses for travel and Committee related expenses may be reimbursed pursuant to a policy to be established by the City Manager and approved by the City Council.

SECTION VI

QUORUM

A majority of the actual number of Parks and Recreation Advisory Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

SECTION VII

GOVERNANCE

The Parks and Recreation Advisory Committee may bylaws for the governance of the Committee. The Parks and Recreation Advisory Committee shall set its own meeting schedule and

establish the meeting agendas. Meetings shall be governed in accordance with the Open Meetings Act found within the Official Code of Georgia Annotated. The Parks and Recreation Advisory Committee shall meet at least four times annually, having one meeting in each quarter of a calendar year.

All meetings shall be open to the public and all records maintained by the Parks and Recreation Advisory Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Parks and Recreation Advisory Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment.

The Parks and Recreation Advisory Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to be the secretary.

The Parks and Recreation Advisory Committee will report either in person or in writing to the Director of the Parks and Recreation Department once per quarter of each calendar year.

SECTION VIII

INITIAL MEMBERS

The initial members of the Parks and Recreation Advisory Committee shall be as follows:

1. _____ (District 1)
2. _____ (District 2)
3. _____ (District 3)
4. _____ (District 4)
5. _____ (District 5)
6. _____ (At-large)
7. _____ (At-large)
8. Councilman _____ (District 1)
9. Councilman _____ (District 4)

SECTION IX

ENFORCEMENT AND SEVERABILITY

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

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

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

SECTION X

REPEAL OF CONFLICTING RESOLUTIONS

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

SECTION XI

EFFECTIVE DATE OF RESOLUTION

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

SO RESOLVED, this _____ day of _____, 2021.

CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tempore

ATTEST:

Patricia Wheeler, Acting City Clerk

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL AGENDA ITEM

SUBJECT: Parks and Recreation Park Update

ORDINANCE POLICY STATUS REPORT

DISCUSSION ONLY RESOLUTION OTHER

Date Submitted: 07/06/21 Work Session: 07/12/21 Council Meeting:

SUBMITTED BY: Brandon Riley, Parks and Recreation Director

PRESENTER: Brandon Riley

PURPOSE: The Parks and Recreation Department is providing an update to Mayor Pro Tem and Council regarding the status of parks equipment removed last year.

FACTS AND ISSUES: A year ago, the Department removed 2 sets of playground equipment from Salem Park and 1 set from Gregory Moseley for safety reasons. The Department is preparing to release an RFP with our Finance Director, to reconstruct and reinstall the playgrounds (including equipment and surfacing) at the parks where they were previously removed. The Department will ensure that all playground components meet code and safety standards.

Since the Council's approval of the park reopening plan, the Department has made strides to finalize the park furniture upgrades at Salem, Gregory Moseley, Browns Mill Aquatic, and Southeast Athletic Complex. In addition, we are preparing to release an RFP with our Finance Director for the installation of beautification elements at Fairington, Browns Mill, and Salem Parks.

- **Proposed Future Parks Projects**

- (Salem)

- Resurfacing and modernization of the basketball court, Parking area expansion to included 8-10 additional parking spaces, adding four 4'x20' granite stone retaining walls for beautification, improvement of walking path, installation of outdoor equipment along the walking path, upgrade to the pavilion.



CITY COUNCIL AGENDA ITEM

(Fairington Park)

- Fencing improvements and/or replacement. Playground apparatus installation including new surfacing. Light poles for parking lot. Resurfacing of 2 parking lots, improvement to walking trail path surface.

(Gregory Moseley)

- Parking area expansion to include an additional 8-10 natural surface parking spaces, drainage, fencing and markings. Resurfacing and modernization of basketball court to a multiuse area and addition of outdoor exercise equipment.

(Everett Park)

- Canoe/Kayak take-out apparatus, renovation of natural surface parking area and additional signage.

(Panola Shoals)

- Installation of a prefabricated public restroom including infrastructure. Parking lot resurfacing and repairs to portions of walking trail. Modernization throughout including 2-4 picnic tables, 4-6 benches, light pole upgrades for parking lot.

OPTIONS: Discussion only

RECOMMENDED ACTION: Provided for information only.

ATTACHMENTS: N/A



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD-21-002

ORDINANCE **POLICY** **STATUS REPORT**

DISCUSSION ONLY **RESOLUTION** **OTHER**

Date Submitted: 06/17/21 Work Session: 07/12/21 Council Meeting: 6/28/21

SUBMITTED BY: Jim Summerbell, AICP – Planning and Zoning Director

PRESENTER: Jim Summerbell

PURPOSE: To receive further Council comment on the proposed update to the provisions of the Zoning Ordinance related to Child and Personal Care Home definitions and regulations.

FACTS AND ISSUES: A text amendment approved by Mayor and City Council in 2018 modified the Child Care Home and Personal Care Home definitions and regulations in the City’s Zoning Ordinance. Since that amendment, Council and staff have identified other necessary changes for these uses. These changes include:

- An updated definition of Child Care Home that includes 24-hour care;
- Updated supplemental regulations that require the business owner to reside at the home where the childcare home or personal care home is being operated;
- Distance separation requirement for Child Care Homes; and
- Updated Use Table to reflect 2018 language, supplemental regulations and requiring a SLUP in more zoning districts.

The definitions and regulations related to these state-permitted uses can often be confusing. Following is a table that helps summarize the capacity, hours of operation and permitted districts for these uses in an attempt to explain and clarify the differences.

SUBJECT: TMOD-21-002

Differences between Personal Care and Child Care Facilities in the proposed changes

	Number of residents	Hours of Care	State Licensure Required	Permitted with a SLUP		Permitted by right	
				Residential*	Non-residential	Residential*	Non-residential
Personal Care Facilities							
Personal Care Home	7 or more	24-hour	✓	RSM, MR-1, MR-2, HR-1,2,3	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2
Personal Care Home, Group	6 or less	24-hour	✓	RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, MR-2, HR-1,2,3, RNC	NS	--	OI, OIT, C-1, C-2
Child Care Facilities							
Child Care Home	5 or less	24-hour	✓	RE, RLG, R-100, R-85, R-75, R-60, RSM, RNC	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2,
Child Care Facility	6 or more	24-hour	✓	--	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2
Child Day Care Center	7 or more	Less than 24-hours	✓	--		--	OI, OIT NS, C-1, C-2, MU-1,2,3,4,5

*Considered a home-based business



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD-21-002

There has been public concern expressed about the number and quality of Child Care Homes and Personal Care Homes in the City and their impact on the neighborhoods they are located in. These updated regulations allow Planning Commission, and City Council more opportunities to review Special Land Use Permits on a case-by-case basis for these uses. The updates also ensure that every part of the Zoning Ordinance referencing these uses is cohesive and are in line with state regulations regarding these state permitted uses.

OPTIONS: For discussion only

RECOMMENDED ACTION: Seeking Council feedback on this item.

ATTACHMENTS:

- (1) Ordinance TMOD-21-002
- (2) Staff report related to actions taken by the Planning Commission on June 22, 2021

TMOD-21-002 ATTACHMENT 1:

DRAFT Ordinance TMOD-21-002

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

ORDINANCE NO. TMOD 21-002

1 **AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST,**
2 **GEORGIA, BY AMENDING ARTICLE 4 (USE REGULATIONS) AND 9**
3 **(DEFINITIONS), WITHIN CHAPTER 27 (ZONING ORDINANCE); TO PROVIDE**
4 **SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF**
5 **CONFLICTING ORDINANCES AND RESOLUTIONS; TO PROVIDE AN ADOPTION**
6 **AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

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

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

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

13 **WHEREAS,** the Mayor and Council desire to amend Article 4 (Use Regulations) and 9
14 (Definitions) of Chapter 27 (Zoning Ordinance) of the City’s Code related to Child and Personal
15 Care Home definitions and use regulations; and

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

18 **WHEREAS,** the Director of Planning and Planning Commission recommend approval based
19 on the City Staff Report and said report is hereby incorporated by reference herein; and

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22 **WHEREAS**, a public hearing pursuant to the provisions of the Zoning Procedures Act has
23 been properly held prior to the adoption of this Ordinance; and

24 **WHEREAS**, the health, safety, morals and general welfare of the citizens of the City will be
25 positively impacted by the adoption of this Ordinance.

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

28 **Section 1.** The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by
29 amending the following sections of Chapter 27 (Zoning): Section 4.1.3 (Table of Uses), Section
30 4.2.31 (Home Occupations and Private Education Uses), Article 9 (Definitions), and Section 4.2.41
31 (Personal Care Homes and Child Caring Institutions), and inserting the provisions set forth in Exhibit
32 A attached hereto and made a part by reference.

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

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

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

45 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for
46 any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid
47 judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and

48 Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent
49 allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining
50 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent
51 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance
52 shall remain valid, constitutional, enforceable, and of full force and effect.

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

55 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the
56 State of Georgia and the City of Stonecrest.

Section 6. It is the intention of the governing body, and it is hereby ordained that the
provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
Stonecrest, Georgia.

ORDAINED this ___ day of _____, 2021.

CITY OF STONECREST, GEORGIA

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George Turner, Mayor Pro Tempore

ATTEST:

Patricia Wheeler, City Clerk

APPROVED AS TO FORM:

City Attorney

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EXHIBIT A
(SEE ATTACHED)

Excerpt from Table 4.1 Use Table

Use	KEY: P - Permitted use Pa - Permitted as an accessory use															SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)					See Section 4.2				
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2		MU-1	MU-2	MU-3	MU-4.5
Personal care home, community , 7 or more							P	P	P	P			P	P	P	P	P				P	P	P	P	✓
Personal care home, group, upto 6 or less	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P					P	P	P	P	✓
Child caring home, up to 5 or less	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P					P	P	P	P	✓
Child caring facility, 6 or more								P	P	P			P	P	P	P	P				P	P	P	P	✓
Child day care center							P	P				P	P	P	P	P					P	P	P	P	

106 **Sec. 4.2.31. - Home occupations and private educational uses.**

107
108 The following provisions apply to home occupations:

109 A. A home occupation where no customer contact occurs shall be considered a Type I home
110 occupation and may be conducted with administrative approval by the director of
111 planning and zoning.

112 1. The owner/operator of the business must reside on the premise.

113 2. Up to two (2) full-time residents of the premises are allowed to conduct separate
114 home occupations in the same dwelling. In reviewing such a request, the local
115 government may consider the reason, potential residential impact, parking
116 needs, hours of operation and other relevant factors.

117 B. All home occupations other than Type I home occupations shall be considered a Type II
118 home occupation and shall require a special land use permit (SLUP). Additional
119 conditions may be placed on the approval of a Type II home occupation in order to ensure
120 the home occupation will not be a detriment to the character of the residential
121 neighborhood.

122 1. Customer contact is allowed for Type II home occupations.

123 2. Up to two (2) full-time residents of the premises are allowed to conduct separate
124 home occupations in the same dwelling. In reviewing such a request, the local
125 government may consider the reason, potential residential impact, parking
126 needs, hours of operation and other relevant factors.

127 C. All home occupations shall meet the following standards:

128 1. There shall be no exterior evidence of the home occupation.

129 2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical
130 interference that would be detectable beyond the dwelling unit.

131 3. The use shall be conducted entirely within the dwelling unit, and only persons
132 living in the dwelling unit shall be employed at the location of the home
133 occupation.

134 4. No more than twenty-five (25) percent of the dwelling unit and/or five hundred
135 (500)square feet, whichever is less, may be used for the operation of the home
136 occupation.

137 5. No more than one (1) business vehicle per home occupation is allowed.

138 6. No home occupation shall be operated so as to create or cause a nuisance.

139 7. Home occupation shall not include the use of a dwelling unit for the purpose of
140 operating any automobile repair establishment, or car wash.

141 8. Occupations that are mobile or dispatch-only may be allowed, provided that
142 any business vehicle used for the home occupation complies with section 6.1.3,
143 and is limited to one (1) business vehicle per occupation.

144 D. Private educational services shall comply with home occupation standards and no more
145 than three (3) students shall be served at a time. Family members residing in the
146 home are not counted towards the three (3) students allowed.

- E. Child Care Homes and Personal Care Homes are considered Home Occupations and must adhere to these provisions in addition to Section 4.2.41.

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

A. *Personal care homes, general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
- ~~1.2.~~ Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning ~~in order to~~ operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
- ~~2.3.~~ No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.
- ~~3.5.~~ No city permit for the operation of the personal care home shall be transferable.

B. *Personal care home, group (up to six (6) persons).*

1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.
3. The home must be at least 1800 sq. ft in size.
4. ~~3.~~ In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 a residential zoning district may be operated within one thousand (1,000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the group personal care homes are located.

C. *Personal care home, ~~community~~ (seven (7) or more persons).*

1. Two (2) copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community personal care home must provide at least one-half (0.50) parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

D. *Child Care ~~home~~ Home, and Child Care ~~facility~~ Facility general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
2. No child ~~day~~ care home, or child care facility shall be located within ~~1,000~~ 1,500 feet of another child care home or child care facility. The one-thousand-five-hundred-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the child care homes, or child care facilities are located.
3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
4. ~~Child care~~ Care homes and Child Care facilities are not permitted in Multi-family dwellings.
5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
- 4.6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing. ~~with 3 or more children over the age of 3 under the age of 15 must provide a fenced outdoor play area the equivalent of 50 sq. ft per child in the rear of the property.~~

E. *Child Care Homes, ~~group~~ (up to five (5) children).*

1. Each group child care home must provide at least four (4) parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.

F. *Child Care Facility (six (6) or more children).*

1. Two (2) copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community child caring institution must provide at least one-half (0.50) parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

Article 9: Definitions

Child Care Facility: A building(s) in which housing, meals, and twenty-four-hour continuous watchful oversight of six (6) or more children under the age of eighteen (18) are provided and which facility is licensed or permitted as a child caring institution by the State of Georgia. The term "child caring institution" shall not include a "child day care center or child care facility."

Child Care Home: A building(s) in which housing, meals, and twenty-four-hour continuous watchful oversight for up to five (5) children under the age of eighteen (18) are provided. The term "child caring institution" shall not include a "child day care center or facility."

Child Day Care Center: An establishment operated by any person with or without compensation providing for the care, supervision, and protection of seven (7) or more children who are under the age of eighteen (18) years for less than twenty-four (24) hours per day, without transfer of legal custody. The term "child caring institution" shall not include a "child day care center or child care facility."

Personal care home, group: A personal care home that offers care to up to six (6) persons.

Personal Care Home: A building(s) in which housing, meals, personal assistance services, and twenty-four-hour continuous watchful oversight to seven (7) or more persons are provided and which facility is licensed or permitted as a personal care home by the State of Georgia. The term "personal care home" shall not include a "child care institution," "transitional housing," a "rehabilitation housing facility," a "rooming house," or a "boarding house." "Personal care home" includes a "community living arrangement," which is an establishment licensed by the State of Georgia and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases

TMOD-21-002 ATTACHMENT 2:

**Staff report related to actions taken by the
Planning Commission on June 22, 2021**



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2021

Report on Planning Commission Action Regarding

- Petition Number:** TMOD 21-002
- Applicant:** Stonecrest Planning & Zoning Department
- Project Location:** City-Wide
- Proposed Amendment:** Text amendment to modify Articles 4 and 9 of the Zoning Ordinance to address Child and Personal Care Home definitions and use regulations.

Planning Commission Recommendation:

The Stonecrest Planning Commission met on June 22, 2021 at a Special Called Meeting to take action on four text amendments to the City Code of Ordinances, including TMOD-21-002. After presentation by staff, the Planning Commission took action to **recommend approval of TMOD-21-002** to the City Council as presented by staff with one modification. Planning Commission increased the recommended distance requirement between a child day care home, or child care facility, from the staff recommended 1,250 feet to 1,500 feet of another child care home or child care facility as stated in Sub-Section 4.2.41.D.2. The current distance requirement is 1,000 feet.

The staff report presented to the Planning Commission is attached for reference.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 22, 2021

GENERAL INFORMATION

- Petition Number:** TMOD 21-002
- Applicant:** Stonecrest Planning & Zoning Department
- Project Location:** City-Wide
- Proposed Amendment:** Text amendment to modify Articles 4 and 9 of the Zoning Ordinance to address Child and Personal Care Home definitions and use regulations.

FACTS AND ISSUES: A text amendment approved by Mayor and City Council in 2018 modified the Child Care Home and Personal Care Home definitions and regulations in the City’s Zoning Ordinance. Since that amendment, Council and staff have identified other necessary changes for these uses. These changes include:

- An updated definition of Child Care Home that includes 24-hour care
- Updated supplemental regulations that require the business owner to reside at the home where the child care home or personal care home is being operated.
- Distance separation requirement for Child Care Homes.
- Updated Use Table to reflect 2018 language, supplemental regulations, and to require a SLUP in more zoning districts.

The definitions and regulations related to these state permitted uses is can often be confusing. Following is a table that helps summarizes the capacity, hours of operation and permitted districts of these uses in an attempt to explain and clarify the differences.



PLANNING COMMISSION STAFF REPORT

Differences between Personal Care and Child Care Facilities in the proposed changes

	Number of residents	Hours of Care	State Licensure Required	Permitted with a SLUP		Permitted by right	
				Residential*	Non-residential	Residential*	Non-residential
Personal Care Facilities							
Personal Care Home	7 or more	24-hour	✓	RSM, MR-1, MR-2, HR-1,2,3	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2
Personal Care Home, Group	6 or less	24-hour	✓	RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, MR-2, HR-1,2,3, RNC	NS	--	OI, OIT, C-1, C-2
Child Care Facilities							
Child Care Home	5 or less	24-hour	✓	RE, RLG, R-100, R-85, R-75, R-60, RSM, RNC	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2,
Child Care Facility	6 or more	24-hour	✓	--	NS, MU-1,2,3,4,5	--	OI, OIT, C-1, C-2
Child Day Care Center	7 or more	Less than 24-hours	✓	--	--	--	OI, OIT NS, C-1, C-2, MU-1,2,3,4,5

*Considered a home-based business



PLANNING COMMISSION STAFF REPORT

There has been public concern expressed about the number and quality of Child Care Homes and Personal Care Homes in the City and their impact on the neighborhoods they are located in. These updated regulations allow Planning Commission, and City Council more opportunities to review Special Land Use Permits on a case-by-case basis for these uses. The updates also ensure that every part of the Zoning Ordinance referencing these uses is cohesive and are in line with state regulations regarding these state permitted uses.

OPTIONS: Table, Deny, Approve, Approve with modifications

RECOMMENDED ACTION: Approve

ATTACHMENTS:

- (1) Track Changes version of the City Code Ordinances as they relate to TMOD-21-002 with summarizing tables, and a map showing known locations of existing personal care homes.

Track Changes summary of Proposed Amendments to the Zoning Ordinance related to TMOD-21-002 and personal care home map

Article	Section	Change
4	Table 4.1 Use Table	Removed 'community' from personal care home line item to reflect the use title in the text of the Zoning Ordinance
4	Table 4.1 Use Table	Required a SP in all residential districts for personal care homes and child care homes; removed allowance of personal care homes in mixed use districts
4	Table 4.1 Use Table	Removed allowance of child care homes in multi family districts to reflect supplemental regulations
4	4.2.31	Clarification of Director title, and owner of the business requirement for Home Occupation
4	4.2.41.A	Added requirement regarding the business owner residing at the personal care home
4	4.2.41.A	Edited wording of provision #2
4	4.2.41.A	Added provision that permits for personal care homes are nontransferable
4	4.2.41.B	Edited wording of provision #4
4	4.2.41.C	Removed 'community' from title of this section. It was removed in the previous text amendment, so that is now reflected
4	4.2.41.D	Added requirement regarding the business owner residing at the personal care home
4	4.2.41.D	Added 1,250 foot distance separation requirement for child care homes
4	4.2.41.D	Edited wording of provision #3
4	4.2.41.D	Edited wording of provision #6
4	4.2.41.D	Removed 'group' from title of this section. It was removed in the previous text amendment, so that is now reflected
9	9.1.3	Edited definition of Child Care Home to include 24-hour care provision

Excerpt from Table 4.1 Use Table

Use	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)										See Section 4.2					
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2		MU-1	MU-2	MU-3	MU-4,5	
Personal care home, community , 7 or more							SP	SP	SP	SP			P	P	SP	P	P	P				SP	SP	SP	SP	✓
Personal care home, group, up to 6 or less	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	SP	P	P	SP	P	P				P	P	P	P	✓	
Child caring home, up to 5 or less	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P	SP	P	P	P	P	P				SP	SP	SP	SP	✓	
Child caring facility, 6 or more								SP	SP	SP			P	P	SP	P	P	P				SP	SP	SP	SP	✓
Child day care center							SP	SP					SP	P	P	P	P				P	P	P	P		

Sec. 4.2.31. - Home occupations and private educational uses.

The following provisions apply to home occupations:

- A. A home occupation where no customer contact occurs shall be considered a Type I home occupation and may be conducted with administrative approval by the director of planning and zoning.
 1. The owner/operator of the business must reside on the premise.
 2. Up to two (2) full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- C. All home occupations other than Type I home occupations shall be considered a Type II home occupation and shall require a special land use permit (SLUP). Additional conditions may be placed on the approval of a Type II home occupation in order to ensure the home occupation will not be a detriment to the character of the residential neighborhood.
 1. Customer contact is allowed for Type II home occupations.
 2. Up to two (2) full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- D. All home occupations shall meet the following standards:
 1. There shall be no exterior evidence of the home occupation.
 2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
 3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
 4. No more than twenty-five (25) percent of the dwelling unit and or five hundred (500) square feet, whichever is less, may be used for the operation of the home occupation.
 5. No more than one (1) business vehicle per home occupation is allowed.
 6. No home occupation shall be operated so as to create or cause a nuisance.
 7. Home occupation shall not include the use of a dwelling unit for the purpose of operating any automobile repair establishment, or car wash.
 8. Occupations that are mobile or dispatch-only may be allowed, provided that any business vehicle used for the home occupation complies with section 6.1.3, and is limited to one (1) business vehicle per occupation.
- E. Private educational services shall comply with home occupation standards and no more than three (3) students shall be served at a time. Family members residing in the home are not counted towards the three (3) students allowed.

- F. Child Care Homes and Personal Care Homes are considered Home Occupations and must adhere to these provisions in addition to Section 4.2.41.

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

A. *Personal care homes, general requirements.*

1. ~~If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.~~

~~1.2.~~ Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia ~~before beginning in order~~ to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued ~~and city-issued~~ license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.

~~2.3.~~ No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.

4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.

~~3.5.~~ No city permit for the operation of the personal care home shall be transferable.

B. *Personal care home, group (up to six (6) persons).*

1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.

2. Each group personal care home must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.

3. The home must be at least 1800 sq. ft in size.

4. ~~3.~~—In order to prevent institutionalizing residential neighborhoods, no group personal care home located in ~~the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1~~ a residential zoning district may be operated within one thousand (1,000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., “as the crow flies”) between the property lines of the two (2) tracts of land on which the group personal care homes are located.

C. *Personal care home, ~~community~~ (seven (7) or more persons).*

1. Two (2) copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.

2. Each community personal care home must provide at least one-half (0.50) parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

D. *Child Care ~~home~~Home, and Child Care ~~facility~~Facility general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
2. No child ~~day-care home,~~ or child care facility shall be located within ~~1,000~~1,250 feet of another child care home or child care, facility. The one-thousand ~~two hundred and fifty-~~foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the child care homes, or child care facilities are located.
3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
4. Child ~~care~~Care homes and Child Care facilities are not permitted in Multi-family dwellings.
5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
- 4.6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing. with 3 or more children over the age of 3 under the age off 15 must provide a fenced outdoor play area the equivalent of 50 sq. ft per child in the rear of the property.

E. *Child Care Homes, ~~group~~(up to five (5) children).*

1. Each group child care home must provide at least four (4) parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.

F. *Child Care Facility (six (6) or more children).*

1. Two (2) copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community child caring institution must provide at least one-half (0.50) parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

Article 9: Definitions

Child Care Facility: A building(s) in which housing, meals, and twenty-four-hour continuous watchful oversight of six (6) or more children under the age of eighteen (18) are provided and which facility is licensed or permitted as a child caring institution by the State of Georgia. The term "child caring institution" shall not include a "child day care center or [child care](#) facility."

Child Care Home: A building(s) in which housing, meals, and twenty-four-hour continuous watchful oversight for up to five (5) children under the age of eighteen (18) are provided. The term "child caring institution" shall not include a "child day care center or facility."

Child day care center: An establishment operated by any person with or without compensation providing for the care, supervision, and protection of seven (7) or more children who are under the age of eighteen (18) years for less than twenty-four (24) hours per day, without transfer of legal custody. The term "child caring institution" shall not include a "child day care center or child care facility."

Personal care home, group: A personal care home that offers care to up to six (6) persons.

Personal care home: A building(s) in which housing, meals, personal assistance services, and twenty-four-hour continuous watchful oversight to seven (7) or more persons are provided and which facility is licensed or permitted as a personal care home by the State of Georgia. The term "personal care home" shall not include a "child care institution," "transitional housing," a "rehabilitation housing facility," a "rooming house," or a "boarding house." "Personal care home" includes a "community living arrangement," which is an establishment licensed by the State of Georgia and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases.



CITY COUNCIL AGENDA ITEM

SUBJECT: Stonecrest Housing Authority Financial Review

- ORDINANCE POLICY STATUS REPORT
 DISCUSSION ONLY RESOLUTION OTHER

Date Submitted: July 1, 2021 Work Session: July 12, 2021

SUBMITTED BY: Gia Scruggs, Finance Director

PRESENTER: Gia Scruggs

PURPOSE: The City of Stonecrest activated the Housing Authority on March 25, 2019. At that time, the Mayor and City Council were to make an estimate of the money necessary for the administrative expenses and overhead costs of the Stonecrest Housing Authority during its first year of operation. There were no transactions in 2019 and no funds were given to the Housing Authority. At the recommendation of the City Attorney and City Manager, a review of all financial transactions made by and on behalf of the Stonecrest Housing Authority was performed by the Finance Department.

FACTS AND ISSUES: The Finance Department performed a detailed reconciliation of all transactions in the bank account. Prior to this review of transactions, it was not clear who was responsible for and had access to the funds in this City of Stonecrest account. These transactions were reviewed with Housing Authority Commissioners on June 30, 2021. The Housing Authority received revenue in the amount of \$100,000 for the Stonecrest Pointe Senior Living project that was used as the initial deposit for the Stonecrest Housing Authority in May 2020. From May 2020 to February 2021, there were only statement fees and no other transactions until February 2021. \$150,000 was included in the 2021 budget for the Housing Authority and transferred to the City of Stonecrest Housing Authority bank account in two transactions in February 2021. The Housing Authority indicated this money was to be designated for marketing (\$100,000) and legal services (\$50,000).

The intergovernmental agreement indicates that the Housing Authority shall pay the City 1) a fixed fee of \$15, 000 per year or 2) forty percent (40%) of the issuer fees collected by the housing authority in the calendar year.

The Stonecrest Housing Authority has requested \$1000 from the aforementioned account to open a non-City of Stonecrest account. The Finance Department has



CITY COUNCIL AGENDA ITEM

concluded that the Housing Authority has a balance of \$66,126.08 including payment to the City in the amount of \$15,000 and the \$150,000 is still questioned. The Finance Director is asking

Council to allow the City to provide the balance of \$66,126.08 to the Housing Authority and to provide direction on what the Council would like to do with the \$150,000.

OPTIONS:

1. Provide balance of \$66,126.08 to the Stonecrest Housing Authority, keep the remaining \$150,000 within the City of Stonecrest Housing Authority Account, and pay any administrative fees (marketing or legal services) from the account as the Housing Authority presents invoices.
2. Provide \$216,126.08 to the Stonecrest Housing Authority, this includes the \$66,126.08 and the \$150,000 included in the 2021 Budget.
3. Any combination of the above or any agreed upon options as recommended by Council.

RECOMMENDED ACTION: Seeking Council feedback on this item.

ATTACHMENTS: Stonecrest Housing Authority Financial Review Report



CITY COUNCIL AGENDA ITEM

SUBJECT: Update on Community Improvement Districts (CIDs) in the City of Stonecrest

ORDINANCE **POLICY** **STATUS REPORT**
 DISCUSSION ONLY **RESOLUTION** **OTHER**

Date Submitted: 7/1/21 Work Session: 7/12/21 Council Meeting:

SUBMITTED BY: Jonathan Bartlett, Economic Development Director

PRESENTER: Jonathan Bartlett

PURPOSE: To update the Council on the status of CID activities and opportunities within the City

FACTS AND ISSUES: The Metro East DeKalb CID is currently the only CID operating within the City of Stonecrest. The City has an opportunity to engage more closely with the CID by appointing a representative to its board.

In addition, there is interest among some property owners within to the City to form a new CID, which would require support from Council.

Staff would like to inform Council about these issues/opportunities and discuss options for further research and engagement.

OPTIONS: Discussion only

RECOMMENDED ACTION: Seeking Council feedback on this item.

ATTACHMENTS: Charter Excerpt
 CID Presentation

267

SECTION 1.05.

268

Tourism, conventions, and trade shows.

269 The Stonecrest Convention and Visitors Bureau is hereby created.

270

SECTION 1.06.

271

Stonecrest/Lithonia Industrial Park Community Improvement District.

272 (a) The purpose of this section is to provide for the creation of a community improvement
 273 district within the City of Stonecrest subject to the conditions prescribed in Article IX,
 274 Section VII, Paragraph III of the Constitution of the State of Georgia. Such district shall be
 275 created for the provision of such of the following governmental services and facilities as may
 276 be provided for in the resolution activating such district, or as may be adopted by resolutions
 277 of the majority of the electors and the majority of the equity electors as defined in this
 278 section:

279 (1) Street and road construction and maintenance, including curbs, sidewalks, street
 280 lights, and devices to control the flow of traffic on streets and roads;

281 (2) Parks and recreational areas and facilities;

282 (3) Stormwater and sewage collection and disposal systems;

283 (4) Development, storage, treatment, purification, and distribution of water;

284 (5) Public transportation;

285 (6) Terminal and dock facilities and parking facilities; and

286 (7) Such other services and facilities as may be provided for by general law.

287 (b) Definitions. As used in this section, the term:

288 (1) "Agricultural" means the growing of crops for sale or the raising of animals for sale
 289 or use, including the growing of field crops and fruit or nut trees, the raising of livestock
 290 or poultry, and the operation of dairies, horse boarding facilities, and riding stables.

291 (2) "Board" means the governing body created for the governance of the community
 292 improvement district authorized by this section.

293 (3) "Caucus of electors" means the meeting of electors as provided in this section at
 294 which the elected board members of the district are elected or at which the governmental
 295 services and facilities to be provided by the district are determined. A quorum at such
 296 caucus shall consist of no less than 25 percent of electors and no less than 25 percent of
 297 equity electors present in person or proxy, and a majority of those present and voting
 298 shall be necessary to take any action. Notice of such meeting shall be given to such
 299 electors and equity electors by publishing notice thereof in the legal organ of the City of
 300 Stonecrest at least once each week for four weeks prior to such meeting.

- 301 (4) "Cost of the project" or "cost" of any project means and includes:
- 302 (A) All costs of acquisition by purchase or otherwise, construction, assembly,
303 installation, modification, renovation, or rehabilitation incurred in connection with any
304 project or any part of any project;
- 305 (B) All costs of real property, fixtures, or personal property used in or in connection
306 with or necessary for any project or for any facilities related thereto, including, but not
307 limited to, the cost of all land, estates for years, easements, rights, improvements, water
308 rights, connections for utility services, fees, franchises, permits, approvals, licenses, and
309 certificates; the cost of securing any such franchises, permits, approvals, licenses, or
310 certificates; the cost of preparation of any application therefor; and the cost of all
311 fixtures, machinery, equipment including all transportation equipment and rolling stock,
312 furniture, and other property used in or in connection with or necessary for any project;
- 313 (C) All financing charges and loan fees and all interest on bonds, notes, or other
314 obligations of a district which accrue or are paid prior to and during the period of
315 construction of a project and during such additional period as the board may reasonably
316 determine to be necessary to place such project in operation;
- 317 (D) All costs of engineering, surveying, architectural, and legal services and all
318 expenses incurred by engineers, surveyors, architects, and attorneys in connection with
319 any project;
- 320 (E) All expenses for inspection of any project;
- 321 (F) All fees of fiscal agents, paying agents, and trustees for bondholders under any trust
322 agreement, indenture of trust, or similar instrument or agreement all expenses incurred
323 by any such fiscal agents, paying agents, and trustees; and all other costs and expenses
324 incurred relative to the issuances of any bonds, notes, or other obligations for any
325 project;
- 326 (G) All expenses of or incidental to determining the feasibility or practicability of any
327 project;
- 328 (H) All costs of plans and specifications for any project;
- 329 (I) All costs of title insurance and examinations of title with respect to any project;
- 330 (J) Repayment of any loans made for the advance payment of any part of the foregoing
331 costs, including interest thereon and any other expenses of such loans;
- 332 (K) Administrative expenses of the board and such other expenses as may be necessary
333 for or incidental to any project or the financing thereof or the placing of any project in
334 operation; and
- 335 (L) The establishment of a fund or funds for the creation of a debt service reserve, a
336 renewal and replacement reserve, or such other funds or reserves as the board may
337 approve with respect to the financing and operation of any project and as may be

338 authorized by any bond resolution, trust agreement, indenture of trust, or similar
339 instrument or agreement pursuant to the provisions of which the issuance of any bonds,
340 notes, or other obligations of the district may be authorized.

341 Any cost, obligation, or expense incurred for any of the foregoing purposes shall be a part
342 of the cost of the project and may be paid or reimbursed as such out of the proceeds of
343 bonds, notes, or other obligations issued by the district.

344 (5) "District" means the geographical area designated as such by the resolution of the city
345 council consenting to the creation of the community improvement district or as thereafter
346 modified by any subsequent resolution of the city council within which the district is or
347 is to be located, or a body corporate and politic being a community improvement district
348 created and activated pursuant hereto, as the context requires or permits.

349 (6) "Electors" means the owners of real property used nonresidentially within the district
350 which is subject to taxes, fees, and assessments levied by the board, as they appear on the
351 most recent ad valorem real property tax return records of DeKalb County, or one officer
352 or director of a corporate elector, one trustee of a trust which is an elector, one partner of
353 a partnership elector, or one designated representative of an elector whose designation
354 is made in writing. An owner of property that is subject to taxes, fees, or assessments
355 levied by the board shall have one vote for an election based on numerical majority. An
356 owner of multiple parcels has one vote, not one vote per parcel, for an election based on
357 numerical majority. Multiple owners of one parcel have one vote for an election based
358 on numerical majority which must be cast by one of their number who is designated in
359 writing.

360 (7) "Equitably apportioned among the properties subject to such taxes, fees, and
361 assessments according to the need for governmental services and facilities created by the
362 degree of density of development of each such property", with reference to taxes, fees,
363 and assessments levied by the board, means that the burden of the taxes, fees, and
364 assessments shall be apportioned among the properties subject thereto based upon the
365 values established in the most recent ad valorem tax reassessment of such properties
366 certified by the chairperson of the DeKalb County Board of Tax Assessors, or with
367 respect to fees and assessments may be apportioned among the properties subject thereto
368 in direct or approximate proportion to the receipt of services or benefits derived from the
369 improvements or other activities for which the taxes, fees, or assessments are to be
370 expended, or with respect to fees and assessments may be apportioned in any other
371 manner or combination of manners deemed equitable by the board, including, but not
372 limited to, the recognition of differential benefits which may reasonably be expected to
373 accrue to new land development in contrast to lands and improvements already in
374 existence at the time of creation of the community improvement district.

375 (8) "Equity electors" means electors who cast votes equal to each \$1,000.00 in value of
376 all owned real property within the district which is then subject to taxes, fees, and
377 assessments levied by the board. The value of real property shall be the assessed value.
378 In the event the owner shall have multiple owners or be a corporation, trust, partnership,
379 limited liability company, or any other entity, one person shall be designated as elector
380 and such designation shall be made in writing.

381 (9) "Forestry" means the planting and growing of trees for sale in a program which
382 includes reforestation of harvested trees, regular underbrush and undesirable growth
383 clearing, fertilizing, pruning, thinning, cruising, and marking which indicate an active
384 tree-farming operation. It does not include the casual growing of trees on land otherwise
385 idle or held for investment, even though some harvesting of trees may occur thereon.

386 (10) "Project" means the acquisition, construction, installation, modification, renovation,
387 or rehabilitation of land, interests in land, buildings, structures, facilities, or other
388 improvements, including operation of facilities or other improvements, located or to be
389 located within or otherwise providing service to the district and the acquisition,
390 installation, modification, renovation, rehabilitation, or furnishing of fixtures, machinery,
391 equipment, furniture, or other property of any nature whatsoever used on, in, or in
392 connection with any such land, interest in land, building, structure, facility, or other
393 improvement; the creation, provision, enhancement, or supplementing of public services
394 such as fire, police, and other services, provided that same do not conflict with or
395 duplicate existing public services; and all for the essential public purposes set forth in
396 subsection (a) of this section.

397 (11) "Property owner" or "owner of real property" means any entity or person shown as
398 a taxpayer for one or more parcels of real estate on the most recent ad valorem tax
399 records of DeKalb County within the district. Ownership as shown by the most recent
400 ad valorem real property tax records of DeKalb County shall be prima-facie proof of
401 ownership. Multiple owners of one parcel shall constitute one property owner and shall
402 designate in writing one of their number to represent the whole.

403 (12) "Property used nonresidentially" means property or any portion thereof used for
404 neighborhood shopping, planned shopping center, general commercial, transient lodging
405 facilities, tourist services, office or institutional, office services, light industry, heavy
406 industry, central business district, parking, or other commercial or business use or vacant
407 land zoned or approved for any of the aforementioned uses which do not include
408 residential.

409 (13) "Residential" means a specific work or improvement undertaken primarily to
410 provide single-family or multifamily dwelling accommodations for persons and families
411 and such community facilities as may be incidental or appurtenant thereto.

412 (14) "Taxpayer" means an entity or person paying ad valorem taxes on real property
 413 whether on one or more parcels of property within the district. Multiple owners of one
 414 parcel shall constitute one taxpayer and shall designate in writing one of their number to
 415 represent the whole.

416 (c) Creation. Pursuant to Article IX, Section VII of the Constitution of the State of Georgia,
 417 there is created an administrative body being one community improvement district to be
 418 located wholly within the City of Stonecrest, to be known as the Stonecrest/Lithonia
 419 Industrial Park Community Improvement District, provided that the creation of the
 420 community improvement district shall be conditioned upon:

421 (1) The adoption of a resolution consenting to the creation of the community
 422 improvement district by the City of Stonecrest city council; and

423 (2) The written consent to the creation of the community improvement district by:

424 (A) A majority of the owners of real property within the district which will be subject
 425 to taxes, fees, and assessments levied by the administrative body of the community
 426 improvement district; and

427 (B) The owners of real property within the district which constitutes at least 75 percent
 428 by value of all real property within the district which will be subject to taxes, fees, and
 429 assessments levied by the administrative body of the community improvement district.

430 For this purpose, value shall be determined by the most recent approved DeKalb
 431 County ad valorem tax digest.

432 The written consent provided for in this paragraph shall be submitted to the tax
 433 commissioner of DeKalb County, who shall certify whether subparagraphs (A) and (B)
 434 of this paragraph have been satisfied with respect to each such proposed district.

435 Neither the community improvement district nor the administrative body created pursuant
 436 to this section shall transact any business or exercise any powers under this section until the
 437 foregoing conditions are met. A copy of such resolutions shall be filed with the Secretary
 438 of State, who shall maintain a record of the district activated under this section, and filed with
 439 the Department of Community Affairs.

440 (d) Administration, appointment, and election of the members of the administrative body.

441 (1) The district created pursuant to this section shall be administered by a board
 442 composed of seven board members to be appointed and elected as provided in this
 443 section. Two board members shall be appointed by the city council. Two board
 444 members shall be elected by the vote of electors, and three members shall be elected by
 445 the vote of equity electors. The members representing the electors and equity electors
 446 shall be elected to serve in post positions 1 through 5, respectively. Each elected board
 447 member shall receive a majority of the votes cast for the post for which he or she is a
 448 candidate. Votes for Posts 1 and 2 shall be cast by electors and votes for Posts 3, 4, and

449 5 shall be cast by equity electors. The initial term of office for the members representing
 450 Posts 1 and 4 shall be one year. The initial term of office for the members representing
 451 Posts 2 and 5 shall be two years, and the initial term of office of the members
 452 representing Post 3 shall be three years. Thereafter, all terms of office for the elected
 453 board members shall be for three years. The appointed board members shall serve at the
 454 pleasure of the city council.

455 (2) The initial board members to be elected as provided in subsection (a) of this section
 456 shall be elected in a caucus of electors which shall be held within 90 days after the
 457 adoption of the resolutions and obtaining the written consents herein provided at such
 458 time and place within the district as the city council shall designate after notice thereof
 459 shall have been given to said electors by publishing same in the legal organ of the City
 460 of Stonecrest. Thereafter, there shall be conducted biennially, not later than 60 days
 461 following the last day for filing ad valorem real property tax returns in DeKalb County,
 462 a caucus of electors at such time and place within the district as the board shall designate
 463 in such notice for the purpose of electing board members to those board member
 464 positions whose terms expire or are vacant. If a vacancy occurs in an elected position on
 465 the board the board shall, within 60 days thereof, call a special election to fill the same
 466 to be held within 60 days of the call unless such vacancy occurs within 180 days of the
 467 next regularly scheduled election, in which case a special election may, but need not, be
 468 called.

469 (3) Board members shall be subject to recall as any other elected public official by the
 470 electors defined by this section.

471 (4) Board members shall receive no compensation for their services, but shall be
 472 reimbursed for reasonable expenses actually incurred in the performance of their duties.
 473 They shall elect one of their number as chairperson and another of their number as vice
 474 chairperson. They shall also elect a secretary and a treasurer, or a secretary-treasurer,
 475 either of whom may, but need not, be a member of the board or an elector.

476 (5) Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," shall not apply
 477 to the election of district board members. The district board may adopt such bylaws not
 478 inconsistent herewith to provide for any matter concerning such elections.

479 (e) Taxes, fees, and assessments.

480 (1) The board may levy taxes, fees, and assessments within the district only on real
 481 property used nonresidentially, specifically excluding all property exempt from ad
 482 valorem taxation under the Constitution or laws of the State of Georgia; all property used
 483 for residential, agricultural, or forestry purposes; and all tangible personal property and
 484 intangible property. Any tax, fee, or assessment so levied shall not exceed 0.5 percent
 485 of the aggregate assessed value of all such real property. The taxes, fees, and assessments

486 levied by the board shall be equitably apportioned among the properties subject to such
487 taxes, fees, and assessments according to the need for governmental services and facilities
488 created by the degree of density of development of each such property. The proceeds of
489 taxes, fees, and assessments levied by the board shall be used only for the purpose of
490 providing governmental services and facilities which are specially required by the degree
491 of density of development within the district and not for the purpose of providing those
492 governmental services and facilities provided to the county or municipality as a whole.
493 Any tax, fee, or assessment so levied shall be collected by DeKalb County in the same
494 manner as taxes, fees, and assessments are levied by DeKalb County. Delinquent taxes
495 shall bear the same interest and penalties as DeKalb County taxes and may be enforced
496 and collected in the same manner. The proceeds of taxes, fees, and assessments so
497 levied, less a fee to cover the costs of collection of 1 percent of such proceeds, but not
498 more than \$25,000.00 at any one calendar year, shall be transmitted by DeKalb County
499 to the board and shall be expended by the board only for the purposes authorized by this
500 section.

501 (2) The board shall levy the taxes, fees, and assessments in subsection (a) of this section
502 subsequent to the report of the assessed taxable values for the current calendar year and
503 notify in writing DeKalb County so it may include the levy on its regular ad valorem tax
504 bills. All taxes, fees, and assessments levied by the board and collected by DeKalb
505 County shall be segregated, and neither the City of Stonecrest nor the DeKalb County
506 Tax Commissioner shall expend such funds for any purpose not authorized by the board
507 except as authorized in subsection (a) of this section.

508 (3) If, but for this provision, a parcel of real property is removed from the district or
509 otherwise would become not subject to taxation, it shall continue to bear its tax millage
510 then extant upon such event for bonded indebtedness of the district then outstanding until
511 said bonded indebtedness then outstanding is paid or refunded.

512 (4) Each property owner paying taxes, fees, or assessments levied by the board for any
513 public facility as set forth in subsection (a) of this section may, upon application to the
514 city council, receive a credit equal to the present value of all such taxes, fees, and
515 assessments toward any impact fee as may be levied by the City of Stonecrest against
516 such property for system improvements which are in the same category as said public
517 facility in accordance with Chapter 71 of Title 36 of the O.C.G.A., the "Georgia
518 Development Impact Fee Act." Application for such development impact fee credit may
519 be granted by legislative action of the city council in its discretion.

520 (f) Boundaries of the district.

521 (1) The boundaries of the district shall be as designated as such by the city council as set
522 forth in the resolution required in subsection (c) of this section, or as may thereafter be
523 added as provided in this section.

524 (2) The boundaries of the district may be increased after the initial creation of the district
525 pursuant to the following:

526 (A) Written consent of a majority of the owners of real property within the area sought
527 to be annexed into the district and which will be subject to taxes, fees, and assessments
528 levied by the board of the district;

529 (B) Written consent of owners of real property within the area sought to be annexed
530 into the district which constitutes at least 75 percent by value of the property which will
531 be subject to taxes, fees, and assessments levied by the board. For this purpose, value
532 shall be determined by the most recent approved county ad valorem tax digest;

533 (C) The adoption of a resolution consenting to the annexation into the district by the
534 board of the district; and

535 (D) The adoption of a resolution consenting to the annexation into the district by the
536 city council.

537 (g) Debt. Except as otherwise provided in this section, each district may incur debt without
538 regard to the requirements of Article IX, Section V of the Constitution of Georgia, or any
539 other provision of law, prohibiting or restricting the borrowing of money or the creation of
540 debt by political subdivisions of the State of Georgia, which debt shall be backed by the full
541 faith and credit and taxing power of the district but shall not be an obligation of the State of
542 Georgia, DeKalb County, the City of Stonecrest, or any other unit of government of the State
543 of Georgia other than the district.

544 (h) Cooperation with the City of Stonecrest. The services and facilities provided pursuant
545 to this section shall be provided for in a cooperation agreement executed jointly by the board
546 and by the City of Stonecrest. The provisions of this section shall in no way limit the
547 authority of the City of Stonecrest to provide services or facilities within the district; and the
548 City of Stonecrest shall retain full and complete authority and control over any of its facilities
549 located within its respective areas of any district. Such control shall include, but not be
550 limited to, the modification of, access to, and degree and type of services provided through
551 or by facilities of the county. Nothing contained in this section shall be construed to limit
552 or preempt the application of any governmental laws, ordinances, resolutions, or regulations
553 to the district or the services or facilities provided therein.

554 (i) Powers.

555 (1) The district and its board created pursuant hereto shall have all of the powers
556 necessary or convenient to carry out and effectuate the purposes and provisions of this
557 section, including, without limiting the generality of the foregoing, the power:

558 (A) To bring and defend actions;

559 (B) To adopt and amend a corporate seal;

560 (C) To make and execute contracts, agreements, and other instruments necessary or
561 convenient to exercise the powers of the board or to further the public purposes for
562 which the district is created, including, but not limited to, contracts for construction of
563 projects, leases of projects, contracts for sale of projects, agreements for loans to
564 finance projects contracts with respect to the use of projects, and agreements with other
565 jurisdictions of community improvement districts regarding multi-jurisdictional projects
566 or services or for other cooperative endeavors to further the public purposes of the
567 district;

568 (D) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real
569 and personal property of every kind and character, or any interest therein, in furtherance
570 of the public purposes of the district;

571 (E) To finance by loan, grant, lease, or otherwise; to construct, erect, assemble,
572 purchase, acquire, own, repair, remodel, renovate, rehabilitate, modify, maintain,
573 extend, improve, install, sell, equip, expand, add to, operate, or manage projects; and
574 to pay the cost of any project from the proceeds of the district or any other funds of the
575 district, or from any contributions or loans by persons, corporations, partnerships,
576 whether limited or general, or other entities, all of which the board is authorized to
577 receive, accept, and use;

578 (F) To borrow money to further or carry out its public purposes and to execute bonds,
579 notes, other obligations, leases, trust indentures, trust agreements, agreements for the
580 sale of its bonds, notes or other obligations, loan agreements, security agreements,
581 assignments, and such other agreements or instruments as may be necessary or
582 desirable, in the judgment of the board, to evidence and to provide security for such
583 borrowing;

584 (G) To issue bonds, notes, or other obligations of the district and use the proceeds for
585 the purpose of paying all or any part of the cost of any project and otherwise to further
586 or carry out the public purposes of the district and to pay all costs of the board
587 incidental to, or necessary and appropriate to, furthering or carrying out such purposes;

588 (H) To make application directly or indirectly to any federal or county government or
589 agency or to any other source, whether public or private, for loans, grants, guarantees,
590 or other financial assistance in furtherance of the district's public purposes and to accept

591 and use the same upon such terms and conditions as are prescribed by such federal,
592 state, or county government or agency or other source;

593 (I) To enter into agreements with the federal government or any agency thereof to use
594 the facilities or services of the federal government or any agency thereof in order to
595 further or carry out the public purposes of the district;

596 (J) To contract for any period, not exceeding 50 years, with the State of Georgia, any
597 institution or instrumentality of the State of Georgia, or any municipal corporation,
598 county, or political subdivision of this state for the use by the district of any facilities
599 or services of the state or any such institution or instrumentality of this state or any
600 municipal corporation, county, or political subdivision of this state, or for the use by
601 any institution or instrumentality of this state, any municipal corporation, county, or
602 political subdivision of this state of any facilities or services of the district, provided
603 that such contracts shall deal with such activities and transactions as the district and any
604 such political subdivision with which the district contracts are authorized by law to
605 undertake;

606 (K) To receive and use the proceeds of any tax levied by the county to pay the costs
607 of any project or for any other purpose for which the board may use its own funds
608 pursuant hereto;

609 (L) To receive and administer gifts, grants, and devises of money and property of any
610 kind and to administer trusts;

611 (M) To use any real property, personal property, or fixtures or any interest therein or
612 to rent or lease such property to or from others or make contracts with respect to the use
613 thereof or to sell, lease, exchange, transfer, assign, pledge, or otherwise dispose of or
614 grant options for any such property in any manner as it deems to be the best advantage
615 of the district and the public purposes thereof;

616 (N) To appoint, select, and employ engineers, surveyors, architects, urban or city
617 planners, fiscal agents, attorneys, and others and to fix their compensation and pay their
618 expenses;

619 (O) To encourage and promote the improvement and development of the district and
620 to make, contracts for, or otherwise cause to be made long-range plans or proposals for
621 the district in cooperation with DeKalb County and the City of Stonecrest;

622 (P) To adopt bylaws governing the conduct of business by the board, the election and
623 duties of officers of the board, and other matters which the board determines to deal
624 with in its bylaws;

625 (Q) To exercise any power granted by the laws of this state to public or private
626 corporations which is not in conflict with the public purposes of the district;

627 (R) To invest its funds, whether derived from the issuance of bonds or otherwise, in
628 such manner as it may deem prudent and appropriate, without further restriction;

629 (S) To create, provide, enhance, or supplement public services such as fire, police, and
630 other such services as may be deemed necessary, provided that said public services do
631 not conflict with or duplicate existing DeKalb County or municipal services; and

632 (T) To do all things necessary or convenient to carry out the powers conferred by this
633 section.

634 (2) The powers enumerated in each subparagraph of paragraph (1) of this subsection are
635 cumulative of and in addition to those powers enumerated in this subsection and
636 elsewhere in this section; and no such power limits or restricts any other power of the
637 board.

638 (3) The powers enumerated in each subparagraph of paragraph (1) of this subsection are
639 conferred for an essential governmental function for a public purpose, and the revenues
640 and debt of any district shall not be subject to taxation.

641 (j) Bonds-Generally.

642 (1) Notes or other obligations issued by a district other than general obligation bonds
643 shall be paid solely from the property pledged to pay such notes or other obligations.
644 General obligation bonds issued by any district shall constitute a general obligation of the
645 district to the repayment of which the full faith and credit and taxing power of the district
646 shall be pledged.

647 (2) All bonds, notes, and other obligations of any district shall be authorized by
648 resolution of the board, adopted by a majority vote of the board members at a regular or
649 special meeting.

650 (3) Bonds, notes, or other obligations shall bear such date or dates, shall mature at such
651 time or times not more than 40 years from their respective dates, shall bear interest at
652 such rate or rates which may be fixed or may fluctuate or otherwise change from time to
653 time, shall be subject to redemption on such terms, and shall contain such other terms,
654 provisions, covenants, assignments, and conditions as the resolution authorizing the
655 issuance of such bonds, notes, or other obligations may permit or provide. The terms,
656 provisions, covenants, assignments, and conditions contained in or provided or permitted
657 by any resolution of the board authorizing the issuance of such bonds, notes, or other
658 obligations shall bind the board members of the district then in office and their
659 successors.

660 (4) The board shall have power from time to time and whenever it deems it expedient to
661 refund any bonds by the issuance of new bonds, whether or not the bonds to be refunded
662 have matured, and may issue bonds partly to refund bonds then outstanding and partly
663 for any other purpose permitted by this section. The refunding bonds may be exchanged

664 for the bonds to be refunded, with such cash adjustments as may be agreed upon, or may
665 be sold and the proceeds applied to the purchase or redemption of the bonds to be
666 refunded.

667 (5) There shall be no limitation upon the interest rates or any maximum interest rate or
668 rates on any bonds, notes, or other obligations of any district, and the usury laws of this
669 state shall not apply to bonds, notes, or other obligations of any district.

670 (6) Bonds issued by a district may be in such form, either coupon or fully registered, or
671 both coupon and fully registered, and may be subject to such exchangeability and
672 transferability provisions as the bond resolution authorizing the issuance of such bonds
673 or any indenture or trust agreement may provide.

674 (7) All bonds issued by a district pursuant to this section shall be issued and validated
675 under and in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the
676 "Georgia Revenue Bond Law." The signature of the clerk of the Superior Court of
677 DeKalb County may be made on the certificate of validation of such bonds by facsimile
678 or by manual execution, stating the date on which such bonds were validated; and such
679 entry shall be original evidence of the judgment of validation and shall be received as
680 original evidence in any court in this state.

681 (8) In lieu of specifying the actual rate or rates of interest, the principal amount, and the
682 maturities of such bonds, the notice to the district attorney or the Attorney General; the
683 notice to the public of the time, place, and date of the validation hearing; and the petition
684 and complaint for validation may state that the bonds when issued will bear interest at a
685 rate not exceeding a maximum per annum rate of interest which may be fixed or may
686 fluctuate or otherwise change from time to time so specified and that the principal amount
687 will not exceed a specified amount and the final maturity date will not be later a date
688 specified in such notices and petition and complaint or may state that, in the event the
689 bonds are to bear different rates of interest for different maturity dates, none of such rates
690 will exceed the maximum rate which may be fixed or may fluctuate or otherwise change
691 from time to time so specified; provided, however, that nothing in this subsection shall
692 be construed as prohibiting or restricting the right of a board to sell such bonds at a
693 discount, even if in doing so the effective interest cost resulting would exceed the
694 maximum per annum interest rate specified in such notices and in the petition and
695 complaint.

696 (9) The terms "cost of the project" and "cost of any project" shall have the meaning
697 prescribed in this section whenever those terms are referred to in bond resolutions of a
698 board; in bonds, notes, or other obligations of the district; or in notices or proceedings to
699 validate such bonds, notes, or other obligations of a district.

700 (k) Authorized contents of agreements and instruments; use of proceeds of sale bonds,
701 notes, and other obligations; subsequent issues of obligations.

702 (1) Subject to the limitations and procedures provided by this section and by
703 subsection (j) of this section, the agreements or instruments executed by a board may
704 contain such provisions not inconsistent with law as shall be determined by the board.

705 (2) The proceeds derived from the sale of all bonds, notes, and other obligations issued
706 by a district shall be held and used for the ultimate purpose of paying, directly or
707 indirectly as permitted by this section, all or part of the cost of any project, or for the
708 purpose of refunding any bonds, notes, or other obligations issued in accordance with this
709 section.

710 (3) Issuance by a board of one or more series of bonds, notes, or other obligations for one
711 or more purposes shall not preclude it from issuing other bonds, notes, or other
712 obligations in connection with the same project or with any other projects; but the
713 proceeding wherein any subsequent bonds, notes, or other obligations are issued shall
714 recognize and protect any prior loan agreement, security agreement, or other agreement
715 or instrument made for any prior issue of bonds, notes, or other obligations, unless in the
716 resolution authorizing such prior issue the right is expressly reserved to the board to issue
717 subsequent bonds, notes, or other obligations on a parity with such prior issue.

718 (4) In the event that the district shall be terminated in accordance with this section, the
719 board shall serve until December 31 of the year in which termination shall be approved
720 for the purpose of concluding any ongoing matters and projects, but, if such cannot be
721 concluded by December 31, then the city council shall assume the duties of the
722 administrative board and shall be expressly authorized to exercise the authority of the
723 administrative board. In the alternative, the city council may, by resolution, assume all
724 rights and obligations of the district, either bonds or otherwise, and the district shall cease
725 to exist upon the adoption of such resolution.

726 (l) Construction; applicability of Chapter 5 of Title 10 of the O.C.G.A., the "Georgia
727 Uniform Securities Act of 2008"; notice, proceeding, publication, referendum. This section
728 shall be liberally construed to effect the purposes hereof. The offer, sale, or issuance of
729 bonds, notes, or other obligations by a district shall not be subject to regulation under
730 Chapter 5 of Title 10 of the O.C.G.A., the "Georgia Uniform Securities Act of 2008." No
731 notice, proceeding, or publication except those required in this section shall be necessary to
732 the performance of any action authorized hereby, nor shall any such action be subject to
733 referendum.

734 (m) Dissolution.

735 (1) Any district activated under the provisions of this section may be dissolved. The
736 conditions for such dissolution shall be:

737 (A) The adoption of a resolution approving of the dissolution of the community
738 improvement district by the city council; and

739 (B) The written consent to the dissolution of the community improvement district by:

740 (i) Two-thirds of the owners of real property within the district which are subject to
741 taxes, fees, and assessments levied by the board of the district; and

742 (ii) The owners of real property constituting at least 75 percent by value of all real
743 property within the district which are subject to taxes, fees, and assessments levied
744 by the board. For this purpose, value shall be determined by the most recent approved
745 county ad valorem tax digest.

746 The written consent provided for in this subparagraph shall be submitted to the DeKalb
747 County Tax Commissioner, who shall certify whether divisions (i) and (ii) of this
748 subparagraph have been satisfied with respect to each proposed district dissolution.

749 (2) In the event that successful action is taken pursuant to this subsection to dissolve the
750 district, the dissolution shall become effective at such time as all debt obligations of the
751 district have been satisfied. Following a successful dissolution action and until the
752 dissolution becomes effective, no new projects may be undertaken, obligations or debts
753 incurred, or property acquired.

754 (3) Upon a successful dissolution action, all noncash assets of the district other than
755 public facilities or land or easements to be used for such public facilities, as described in
756 subsection (a) of this section, shall be reduced to cash and, along with all other cash on
757 hand, shall be applied to the repayment of any debt obligation of the district. Any cash
758 remaining after all outstanding obligations are satisfied shall be refunded to DeKalb
759 County.

760 (4) When a dissolution becomes effective, the City of Stonecrest shall take title to all
761 property previously in the ownership of the district and all taxes, fees, and assessments
762 of the district shall cease to be levied and collected.

763 **ARTICLE II**

764 **GOVERNMENT STRUCTURE, ELECTIONS, AND LEGISLATIVE BRANCH**

765 **SECTION 2.01.**

766 City council creation; number; election.

767 (a) The legislative authority of the government of the City of Stonecrest, except as otherwise
768 specifically provided in this charter, shall be vested in a city council of which the mayor shall
769 be a voting member.

770 (b)(1) The city council of Stonecrest, Georgia, shall consist of five members plus the
771 mayor.



City Council Work Session

July 12, 2021



CID Status Update

Contents

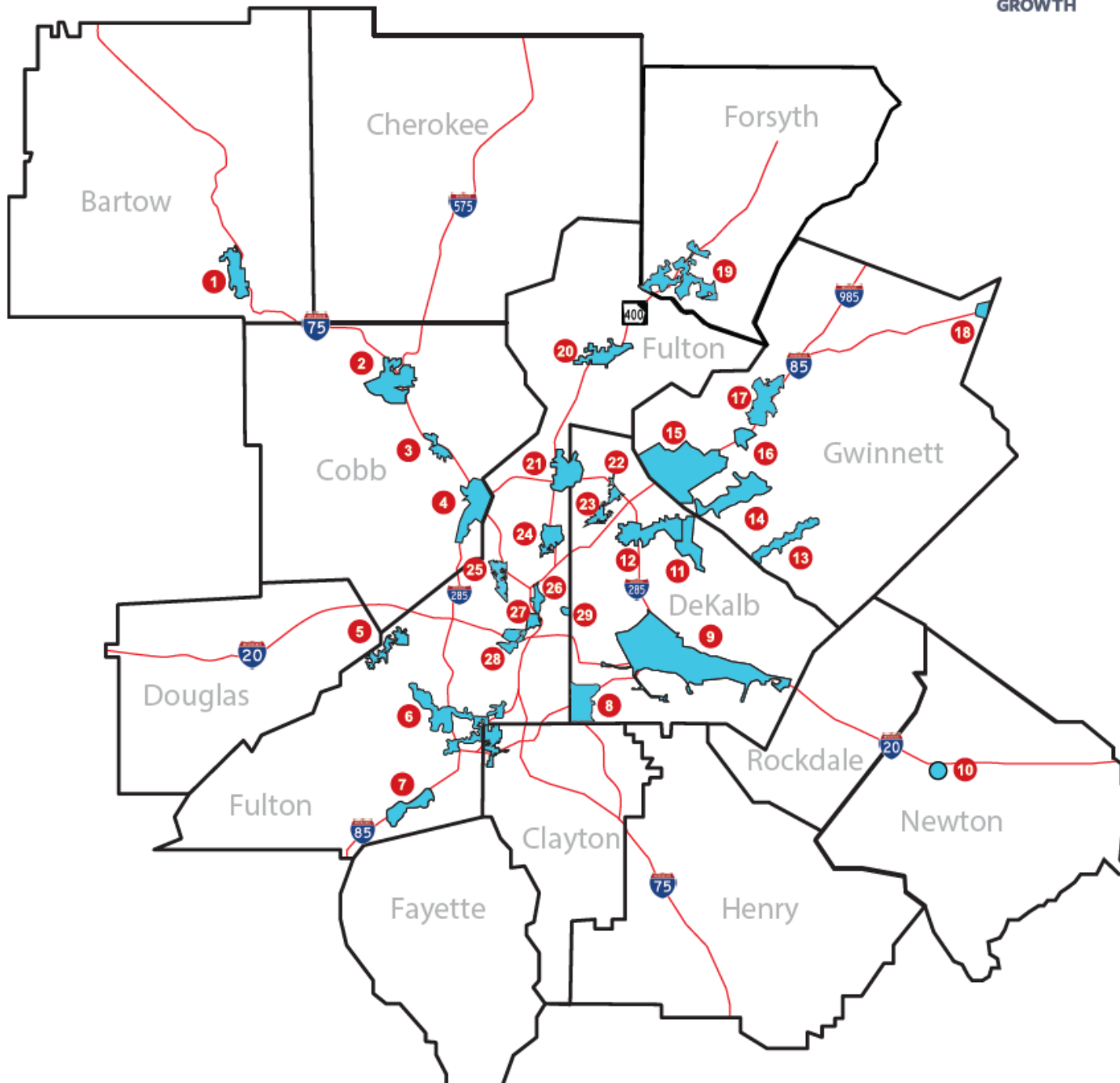
- **CID Background and Enablers**
- **Existing CID**
- **Prospects for Additional CIDs**
- **Council Actions/Opportunities**

CID Background and Enablers

Community Improvement Districts (CIDs)

- Self-taxing, quasi-governmental authority enabled by the GA Constitution
- Fairly common in Metro Atlanta (34+ statewide)
- Distinct from a Business Improvement District (BID)
 - Focus on providing certain govt services vs promotion and attraction of business
 - CIDs have evolved to take on many BID functions along with capital intensive facilities and transportation projects
- Not an Overlay or Special Service District

Metro Atlanta CIDs



CID Background and Enablers

GA Constitution Article IX, Section VII (partial)

- Paragraph I. **Creation.** The General Assembly may by local law create one or more community improvement districts for any county or municipality or provide for the creation of one or more community improvement districts by any county or municipality.
- Paragraph II. **Purposes.** The purpose of a community improvement district shall be the provision of any one or more of the following governmental services and facilities:
 - (1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads.
 - (2) Parks and recreational areas and facilities.
 - (3) Storm water and sewage collection and disposal systems.
 - (4) Development, storage, treatment, purification, and distribution of water.
 - (5) Public transportation.
 - (6) Terminal and dock facilities and parking facilities.
 - (7) Such other services and facilities as may be provided for by general law.

CID Background and Enablers

Requirements to Form a CID:

- Provision by General Assembly in the form of a local law
- The adoption of a resolution consenting to the creation of the CID by relevant jurisdiction(s)
- Written consent of property owners (majority of all, 75% of taxable value)

In Return:

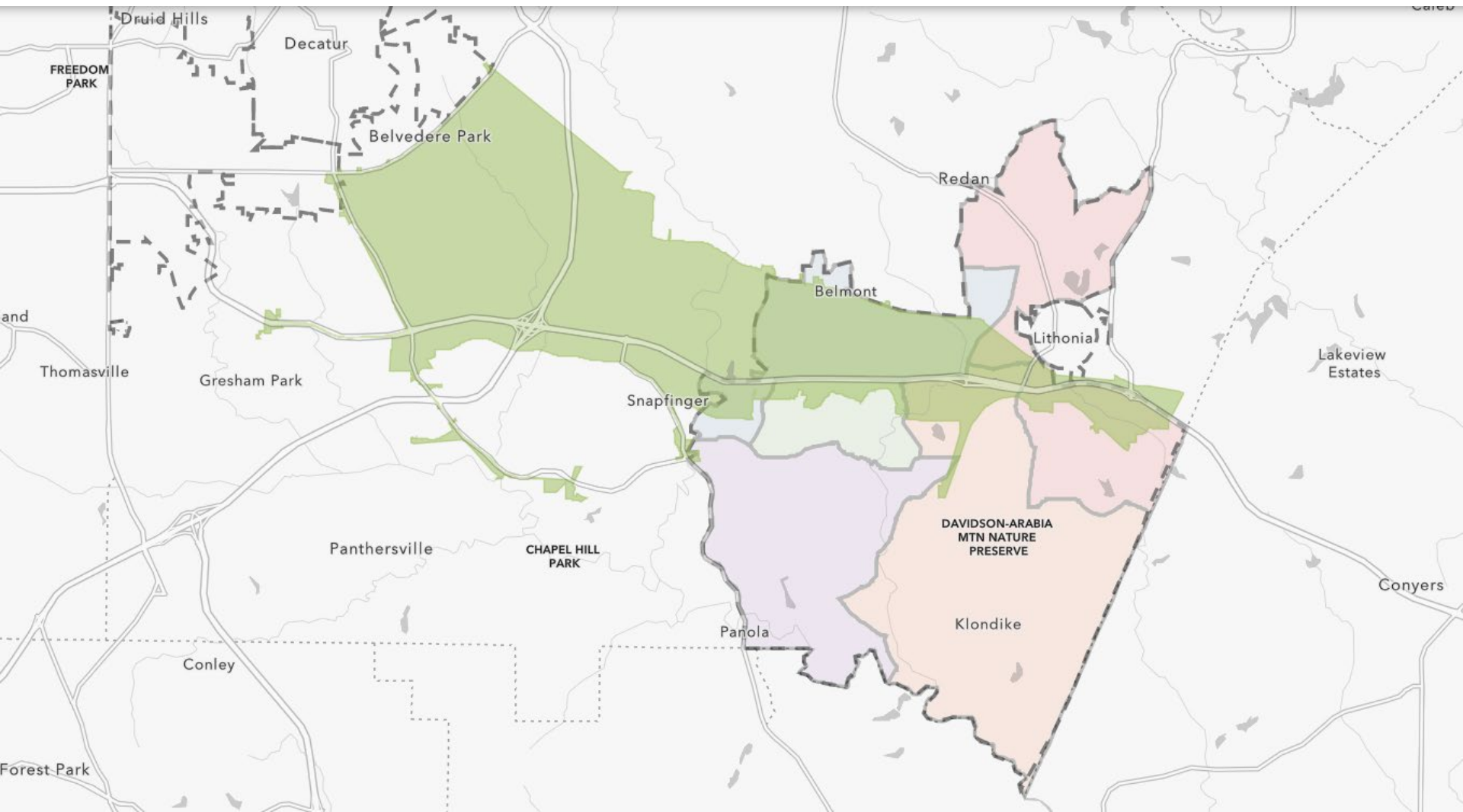
- CIDs can levy taxes on non-residential real property (limited), incur debt (not a City liability), utilize State and Fed funding
- CIDs must cooperate with local government and cannot prevent City from providing facilities or services (IGA)
- City entitled to participate in the CID governance

Existing CID

East Metro Dekalb CID

- Formed in 2014
- 30 square miles, 1,600+ eligible property owners (2016 ULI Report)
- Full time Executive Director
- City of Stonecrest has unfilled Board position available
- Stonecrest projects include Flock cameras and Turner Hill Rd. median improvements





Prospects for Additional CIDs

Stonecrest Charter Section 1.06

- Provides for the creation of a Stonecrest/Lithonia Industrial Park CID
- Describes the powers and administration of the CID
- Outlines restrictions on collection and use of funds
- Clearly limits taxation to non-residential property only
- Aligns with the requirements of the GA Constitution re: formation of a CID
- Provides for the City Council to appoint two Board Members
- Empowers the City Council to set the CID boundaries
- Describes how the CID can be dissolved
- DOES NOT speak to the creation of additional CIDs beyond this one

Council Actions/Opportunities

- **Engagement with East Metro CID**
 - Consider reestablishing East Metro CID Cooperation Agreement Steering Committee
 - Appoint Board Member as permitted
 - Develop IGA to document roles/responsibilities

- **Consideration of Additional CID**
 - Consider reconstituting ad hoc CID Organizing Committee
 - Delineate roles of City and Property Owners
 - Develop enabling ordinance and Boundaries if appropriate

Council Actions/Opportunities

- **General Considerations***

- CIDs provide “intensely localized services in order to address specific service needs”
- Businesses are “more likely to support increased taxes for services that are of direct benefit”
- Some charge that CIDs “divert resources and political attention from issues that affect the jurisdiction as a whole”

**Georgia’s Community Improvement Districts (CIDs) Lindsay Kuhn Sarah Larson Carolyn Bourdeaux, GSU, 2019*



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

**STATE OF EMERGENCY
FOR CONTINUED COVID-19 ECONOMIC RECOVERY
REGULATORY SUSPENSIONS**

- WHEREAS:** On June 30, 2021, due to the ongoing negative impacts of COVID-19 on the State of Georgia, I issued Executive Order No. 06.30.21.01, declaring a State of Emergency in Georgia for Continued COVID-19 Economic Recovery; and
- WHEREAS:** The State is experiencing such state of emergency due to the impacts of COVID-19 on the economy, supply chain, and healthcare infrastructure; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and
- WHEREAS:** Code Section 38-3-28 provides that “[a]ll orders, rules, and regulations promulgated by the Governor” have the force and effect of law; and
- WHEREAS:** As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and
- WHEREAS:** Code Section 38-3-51(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the state; and
- WHEREAS:** Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and
- WHEREAS:** Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any

state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: Code Section 38-3-51(d)(2) vests the Governor with the power to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the emergency or disaster, therefore providing the Governor with emergency authority over all resources of every local government of the State; and

WHEREAS: Code Section 38-3-51(d)(3) establishes the Governor's emergency authority over the operation of state departments and agencies by vesting the Governor with the power to transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services; and

WHEREAS: Code Section 38-3-28(a) prohibits political subdivisions of the state from making, amending, or rescinding any orders, rules, and regulations as may be necessary for emergency management that are inconsistent with any orders, rules, or regulations promulgated by the Governor; and

WHEREAS: Local rules, ordinances, orders, or mandates that provide for any action more or less permissive than the recommendations and requirements of this Order will result in an incompatible outcome for the uniform response to this state of emergency, therefore constituting inconsistency as Black's Law Dictionary defines "inconsistent" as lacking agreement among parts or otherwise not compatible with another fact or claim; and

WHEREAS: In accordance with Georgia law, the Governor has ultimate authority over the State's emergency management procedures because, while other agencies and political subdivisions of the State may be directed or authorized to develop and implement emergency management plans, rules, regulations, and emergency rules and regulations, Code Section 38-3-28(a) clearly provides that no such rule, regulation, or order may be inconsistent with the Governor's own emergency management directives; and

WHEREAS: Various regulatory statute, rule, and regulation suspensions regarding the operations of state entities are critical in assisting the State and its residents and visitors in coping with and responding to the continued negative impacts of COVID-19 on Georgia's economy, supply chain, and healthcare infrastructure; and

WHEREAS: In consultation with state economic, healthcare, and emergency preparedness officials, I have determined that the following actions

are necessary and appropriate to protect the continued strength of Georgia's economy and provide for the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO CODE SECTION 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That unless otherwise noted herein, all provisions of this Order shall remain effective until the State of Emergency for Continued COVID-19 Economic Recovery declared by Executive Order 06.30.21.01 is terminated or ceases to be renewed by the Governor, the provision expires by the nature of its terms, or the provision is otherwise terminated via subsequent Executive Order.

IT IS FURTHER

ORDERED: That the Georgia Composite Medical Board is authorized to grant temporary licenses to physicians who apply for a temporary medical license and are currently licensed as a physician in good standing by equivalent boards in other states to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Georgia Board of Nursing is authorized to grant temporary licenses to nurses who apply for a temporary license and are currently licensed in good standing as an Advanced Practice Registered Nurse, Licensed Practical Nurse, or Registered Professional Nurse by an equivalent board in another state to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Georgia Board of Pharmacy is authorized to grant temporary licenses to pharmacists who apply for a temporary license and are currently licensed in good standing as a pharmacist by an equivalent board in another state to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the regulatory provisions of Code Section 43-1-4 and Ga. Comp. R. & Regs. r. 360-2-.05(2), Ga. Comp. R. & Regs. r. 360-2-.05(4), Ga. Comp. R. & Regs. r. 360-2-.06, and all other implementing administrative rules which prohibit the practice of medicine, surgery, osteopathic medicine, and osteopathic surgery, by a licensee whose license is inactive or lapsed shall not be enforced. Suspension of these provisions is limited to licenses which have lapsed or expired

within the five (5) years prior to this Executive Order, to licenses that were not subject to pending investigation by a respective licensing board, and to those licenses that have no history of administrative action adverse to the licensee. Suspension of these provisions is further limited to medical treatment of victims of COVID-19 or patients affected by the negative impact of COVID-19 on the healthcare infrastructure.

IT IS FURTHER

ORDERED: That the Georgia Board of Nursing is authorized to grant temporary licenses to practice under Code Sections 43-26-8 and 43-26-38 to graduate registered nurses and graduate practical nurses who have yet to take their respective licensing exam. Temporary licenses shall allow the graduate registered nurse or graduate practical nurse to work under a licensed registered nurse or licensed practical nurse respectively during the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Commissioner of Labor is authorized to implement the suspension of Code Section 34-8-193(d)(1) requiring the maximum unemployment benefits payable to an individual in a benefit year to be limited to the lesser of one-fourth of base period wages or fourteen (14) to twenty (26) times the individual's weekly benefit amount.

IT IS FURTHER

ORDERED: That the Commissioner of Labor or his designee is authorized to implement waivers of those rules and regulations necessary to implement the suspension of Code Section 34-8-193(d)(1).

IT IS FURTHER

ORDERED: That the Commissioner of Labor is authorized to adopt emergency rules establishing the maximum unemployment benefits payable to an individual in a benefit year with the suspension of Code Section 34-8-193(d)(1) becoming effective upon the adoption of such emergency rules.

IT IS FURTHER

ORDERED: That the Georgia State Board of Pharmacy (the "Board") is authorized and directed to implement the suspension of O.C.G.A. § 26-4-82(c)(2) and Ga. Comp. R. & Regs. r. 480-15-.03(d)(2), to the extent necessary to allow pharmacy technicians and pharmacists to complete computer-based processing of prescriptions at alternative

locations, including from the residence of the pharmacy technician or pharmacist.

IT IS FURTHER

ORDERED:

That any purported requirement under the laws of this state that a notarial act performed pursuant to Chapter 17 of Title 45 or Chapter 2 of Title 45 of the Official Code of the of Georgia must occur in the physical presence of the notary public is hereby suspended, and any such act may be performed remotely if all following requirements are met:

1. The notary public uses real-time audio-video communication technology or any similar real-time means of electronic video conferencing that allows the parties to communicate with each other simultaneously by sight and sound in order to notarize signatures.
2. The notary public is an attorney licensed to practice law in the State of Georgia or is operating under the supervision of an attorney licensed to practice law in the State of Georgia. As used here, the term “supervision” shall mean that the notary public is an employee, independent contractor, agent, or other representative of an attorney or an attorney observes the execution of documents either in-person or via the real-time audio-video communication technology.
3. The signer requiring the notarial act from the notary public presents satisfactory evidence of identity as required in Code Section 45-17-8, while connected to the real-time audio-video communication technology.
4. The notary public is physically located in the state of Georgia.
5. The signer transmits a copy of the signed document to the notary public on the same date it was executed for execution by the notary.

IT IS FURTHER

ORDERED:

That any requirement under Georgia law, including, but not limited to, Code Sections 10-6B-5, 15-9-86, 19-3-62, 19-8-4, 19-8-5, 19-8-6, 19-8-7, 29-2-11, 29-4-3, 29-5-3, 31-32-5, 44-2-1 *et seq.*, 44-5-128, 44-5-143, 44-5-144, 44-5-145, or 53-4-20, including a power of attorney, verified petition filed in probate court, antenuptial agreement, surrender of rights for adoption, return filed in probate court, standby guardian designation, nomination of guardian, nomination of conservator, advance directive for health care, deed, recordable instrument, designation of successor custodian, will, codicil, or other document be signed, subscribed, executed, witnessed, attested, acknowledged, or affirmed in the physical presence of another individual or other individuals may be satisfied by the use of audio-

video communication technology or any similar real-time means of electronic video conferencing that allows all of the parties to communicate with each other simultaneously by sight and sound.

IT IS FURTHER

ORDERED: That employees, staff, and contractors of health care institutions and medical facilities shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery. This provision shall only apply to employees, staff, and contractors of health care institutions and medical facilities defined by Code Sections 31-7-1(4)(A), 31-7-1(4)(C)-(G), and 31-7-1(5).

IT IS FURTHER

ORDERED: That services provided or performed by health care institutions and medical facilities as defined by Code Sections 31-7-1(4)(A), 31-7-1(4)(C)-(G), and 31-7-1(5) to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That cardiac technicians, emergency medical technicians, paramedics, and paramedic clinical preceptors as defined by Code Section 31-11-2 shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That officers, directors, employees, staff, and contractors of air ambulance services, ambulance providers, emergency medical services systems, EMSC programs, and local coordinating entities as defined by Code Section 31-11-2 shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That services provided or performed by air ambulance services, ambulance providers, emergency medical services systems, EMSC programs, and local coordinating entities as defined by Code Section 31-11-2 to assist with the needs of the State of Emergency for

Continued COVID-19 Economic Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That the requirements of Code Sections 36-70-27 and 50-8-8 are hereby suspended to the extent that they would prevent local governments from being eligible to receive state funding for expenditures made during the Public Health State of Emergency declared by Executive Order 03.14.20.01 or the State of Emergency for Continued COVID-19 Economic Recovery related to the prevention, treatment, or mitigation of COVID-19.

IT IS FURTHER

ORDERED: That on-the-road driving tests conducted by the Department of Drivers Services may be administered by the Department by examiners riding in the vehicle with drivers' license applicants during the test or by remote means.

IT IS FURTHER

ORDERED: That the employees, staff, and contractors of healthcare facilities as defined by Code Sections 31-6-2(17) and 31-44-1(6), where services are provided or performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery, specifically including those employees, staff, and contractors defined by Code Section 31-44-1(4), shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That persons who are licensed, certified or otherwise authorized under Code Section 31-44-1(4) and those under Title 43, Chapter 26 and Chapter 34 to provide healthcare services in the ordinary course of business or practice of a profession or in an approved education or training program, whose practices are affected by the spread of COVID-19, shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35. However, in no case shall employees, staff, or contractors providing or performing services in or in conjunction with healthcare facilities as defined by Code Section 31-7-1(4)(B) be considered auxiliary emergency management workers pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That services provided or performed by healthcare facilities as defined by Code Section 31-6-2(17) or 31-44-1(6) to assist with the needs of the State of Emergency for Continued COVID-19 Economic

Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35. In no case shall services provided or performed by healthcare facilities as defined by Code Section 31-7-1(4)(B) be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED:

That any purported requirement under the laws of this state requiring original signatures and raised corporate seals related to construction surety bonds required under Code Sections 13-10-40-65, 32-2-70, 36-91-1, 36-91-2, 36-91-50 and 36-91-70-93 and commercial surety bonds required or permitted under numerous other statutes are suspended for the limited purpose of providing that public procurement officers shall accept electronic signatures and electronic corporate seals as provided by the provisions of Code Sections 10-12-2 et seq. and 33-24-14 and any construction surety bond or commercial surety bond may be executed electronically if all the following requirements are met:

1. The document is notarized pursuant to the requirements of Executive Order 04.09.20.01; and
2. If requested by the procurement officer, the original shall be provided within seven (7) business days.

IT IS FURTHER

ORDERED:

That for the purposes of Code Section 48-5-311(e)(6A), "in-person" appearances before county boards of equalization may occur via remote communications, including, but not limited to, video teleconference. This provision shall be implemented consistent with Ga. Comp. R. & Regs. r. 560-11-12-.02, which requires hearings before county boards of equalization to "only be as formal as is necessary to preserve order and be compatible with the principles of justice." Further, this provision does not abrogate the requirement that county boards of equalization comply with the Georgia Open Meetings Act. Further, decisions of county boards of equalization may be transmitted electronically if all parties consent at the time of the hearing.

IT IS FURTHER

ORDERED:

That the Georgia Board of Dentistry shall be authorized to issue temporary licenses to dental hygienist applicants who graduated in 2020 from an accredited dental hygiene school and have yet to take their licensing exam due to said exam being postponed or cancelled as a result of COVID-19. Such temporary licenses shall allow a graduate dental hygienist applicant to work under the direct supervision of a licensed supervising dentist during the period of

temporary licensure. Guidelines for the requirements and procedure for the application of the temporary license shall be issued by the Georgia Board of Dentistry. Code Section 43-11-70.1 and Ga. Comp R. & Regs. R. 150-5-.02(2) shall be suspended to the extent that they would prohibit the issuance of such temporary licenses.

IT IS FURTHER

ORDERED: That the Georgia Board of Dentistry shall be authorized to issue temporary licenses to dental applicants who graduated in 2020 from an accredited dental college and have yet to take their licensing exam due to said exam being postponed or cancelled as a result of COVID-19. Such temporary licenses shall allow a graduate dental applicant to work under the direct supervision of a licensed supervising dentist during the period of temporary licensure. Guidelines for the requirements and procedure for the application of the temporary license shall be issued by the Georgia Board of Dentistry. Code Section 43-11-42 and Ga. Comp R. & Regs. R. 150-3-.04(1)(a) shall be suspended to the extent that they would prohibit the issuance of such temporary licenses.

IT IS FURTHER

ORDERED: That any purported requirement of the laws of this state, including but not limited to certain provisions of Code Sections 15-12-67 and 15-12-68, that prohibits remote administration of oaths for grand jury purposes is hereby suspended.

IT IS FURTHER

ORDERED: That any purported requirement of the laws of this state, including but not limited to certain provisions of Code Section 15-12-66.1, that prohibits remote attendance of grand jurors and prospective grand jurors is hereby suspended.

IT IS FURTHER

ORDERED: That the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists shall be authorized to issue temporary authorization to practice within the State of Georgia to practitioners who apply for temporary authorization and are currently licensed in good standing as a professional counselor, social worker, or marriage and family therapist by an equivalent board in another state for the purpose of providing telemental health service to said practitioner's existing patient(s) that have relocated to Georgia as a result of COVID-19. Guidelines for the requirements and procedure for the application of the temporary authorization shall be issued by the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists.

Code Section 43-10A-7, Ga. Comp R. & Regs. R. 135-3-.01 *et seq.*, Ga. Comp R. & Regs. R. 135-5-.01 *et seq.*, and Ga. Comp R. & Regs. R. 135-11-.01 shall be suspended only to the extent that they would prohibit the issuance of such temporary authorization.

IT IS FURTHER

ORDERED:

That for any weapons carry license or renewal license that expires during the State of Emergency for Continued COVID-19 Economic Recovery, the application for renewal of such weapons carry license or renewal license made pursuant to Code Section 16-11-129 shall be considered to be for a renewal license if the holder of such weapons carry license or renewal license applies within 120 days after the expiration date on the face of license.

IT IS FURTHER

ORDERED:

That any provision of the laws or regulations of this state, including but not limited to Code Section 40-5-21.1, that limits the time period for which a noncitizen who holds a Georgia driver's license or identification card may be issued a temporary driving permit or identification card to 120 days from the date of expiration of his or her valid driver's license or identification card is hereby suspended to the extent necessary to allow noncitizen holders of a Georgia driver's license or identification card, whose driver's license or identification card expired on or after March 14, 2020, who have already been issued the 120 day temporary driving permit or identification card permitted under Code Section 40-5-21.1, and have filed, or on whose behalf has been filed, a request for an extension with the United States Department of Homeland Security, or similar such federal issuing agency, for time to remain lawfully within the United States and said request is still pending, to apply to the Georgia Department of Driver Services for one or more additional 120 day temporary driving permits or identification cards. Any such temporary driving permit or identification card shall be issued in accordance with existing procedures established by the Georgia Department of Driver Services and in the sole discretion of the Commissioner of the Georgia Department of Driver Services. The Georgia Department of Driver Services shall be authorized to issue additional guidelines and procedures for the application and issuance of said temporary driving permits and identification cards as needed. Nothing in this Order shall be construed to suspend or otherwise alter any existing identity or lawful status verification requirements established by the Georgia Department of Driver Services to comply with federal REAL ID requirements.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519(27), that graduates of eligible high schools, as defined by Code Section 20-3-519(6), receive a qualifying standardized college admission test score prior to high school graduation in order to qualify as a Zell Miller Scholarship Student is hereby suspended for all such students that have graduated or will graduate high school in the year 2020 or between January 1, 2021 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of Zell Miller Scholarship eligibility to June 30, 2021 for 2020 graduates and to June 30, 2022 for students that graduate between January 1, 2021 and June 30, 2021; (b) to establish rules and procedures for retroactively awarding Zell Miller Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable Zell Miller Scholarship checkpoint requirements; and (c) to establish rules and procedures whereunder HOPE scholarship funds issued to incoming freshman students that later qualify for the Zell Miller Scholarship in accordance with the extended deadline provided for herein shall be returned.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519(27), that graduates of ineligible high schools, meaning ones that do not meet the definition of Code Section 20-3-519(6), or graduates of home study programs meeting the requirements of Code Section 20-2-690(c) must receive a qualifying standardized college admission test score prior to high school graduation or home study completion in order to qualify as Zell Miller Scholarship Students is hereby suspended for all such students that graduate or complete home study between March 14, 2020 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of Zell Miller Scholarship eligibility to June 30, 2021 for those students that graduate or complete home study between March 14, 2020 and December 31, 2020 and to June 30, 2022 for such students that graduate or complete home study between January 1, 2021 and June 30, 2021; and (b) to establish rules and procedures for retroactively awarding Zell Miller Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable Zell Miller Scholarship checkpoint requirements.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519.2, that graduates of ineligible high schools, meaning those that do not meet the definition of Code Section 20-3-519(6), students that completed home study programs meeting the requirements of Code Section 20-2-690(c), or recipients of general education development (GED) diplomas receive a score in the seventy-fifth percentile or higher nationally on a standardized college admission test prior to graduation, home study completion, or earning the GED in order to qualify for a HOPE Scholarship is hereby suspended for all such students that graduate, complete home study, or earn a GED between March 14, 2020 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of HOPE Scholarship eligibility to June 30, 2021 for those students that graduate, complete home study, or earn a GED between March 14, 2020 and December 31, 2020 and to June 30, 2022 for such students that graduate, complete home study, or earn a GED between January 1, 2021 and June 30, 2021; and (b) to establish rules and procedures for retroactively awarding HOPE Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable HOPE Scholarship checkpoint requirements.

IT IS FURTHER

ORDERED:

That strict compliance with Code Section 45-20-16 and Ga. Comp. R. & Regs. r. 478-1-.16(12) shall be suspended for the limited purposes of (1) allowing all employees, as defined by Ga. Comp. R. & Regs. r. 478-1-.02(14), but not including temporary employees as defined by Ga. Comp. R. & Regs. r. 478-1-.02(34), to use up to eight (8) hours of emergency office closure leave for the purpose of receiving a COVID-19 vaccine, provided that any employee who uses emergency office closure leave for the purpose of receiving a COVID-19 vaccine shall provide proof of said vaccination to his or her supervisor, and (2) allowing employees who receive a COVID-19 vaccine and experience negative side effects from said vaccine, the severity of which prohibit him or her from being able to perform his or her duties of employment, to use up to sixteen (16) hours of emergency office closure leave for recovery from said side effects, provided that any employee who uses emergency office closure leave for the purpose of recovering from negative side effects of a COVID-19 vaccine shall provide documentation of such negative side effects from a medical provider to his or her supervisor, if so requested.

IT IS FURTHER

ORDERED: That, pursuant to U.S. Department of Health and Human Services guidance, any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-26.1, which limits the types of vaccines pharmacists or nurses may administer is hereby suspended to the extent necessary to allow pharmacists and nurses to administer a COVID-19 vaccination, with or without a vaccine protocol agreement. Such administration shall be in accordance with the Advisory Committee on Immunization Practices (ACIP) guidelines.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Section 26-4-82(e) and Ga. Comp R. & Regs. R. 480-15-.03(f), which limits the number of pharmacy interns, as defined by Code Section 26-4-5(19), that a pharmacist may be assisted by and directly supervise is hereby suspended to the extent necessary to allow a pharmacist to be assisted by and directly supervise more than one (1) pharmacy intern at a time for the limited purpose of supporting COVID-19 vaccination efforts.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Sections 43-11-1 and 43-11-17, which prohibits licensed dentists, as defined by Code Section 43-11-1(10), from administering vaccinations is hereby suspended to the extent necessary to allow licensed dentists to administer a COVID-19 vaccination for the limited purpose of providing COVID-19 vaccine administration in partnership with the Georgia Department of Public Health. Any such vaccine administration shall be in accordance with the Georgia Department of Public Health guidelines.

IT IS FURTHER

ORDERED: That any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-44 and Ga. Comp. R. & Regs. R. 360-3-.05, that a medical assistant, as defined by Ga. Comp. R. & Regs. R. 360-3-.05(A)(1), must be supervised by an on-site physician, a physician assistant, or an advanced practice nurse in order to administer injections is hereby suspended to the extent necessary to allow medical assistants to administer the COVID-19 vaccine without direct on-site supervision of a physician, a physician assistant, or an advanced practice nurse. A medical assistant administering the COVID-19 vaccine without direct on-site supervision must be remotely supervised by a physician, as defined by Code Section 43-34-1(2), a physician assistant, as defined by Code Section 43-34-102(7), an advanced practice registered nurse, as defined by Code Section 43-26-3(1.1), or a registered professional

nurse, as defined by Code Section 43-26-3(9), who is available to the medical assistant by telephone or other electronic means as needed and must complete training regarding the handling and administration requirements for the COVID-19 vaccine as recommended by the Georgia Department of Public Health.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-26.1(f), that a licensed practical nurse, as defined by Code Section 43-26-32(5), must be directly supervised on-site by a registered professional nurse, as defined by Code Section 43-26-3(9), who is party to a vaccine protocol agreement in order to administer vaccinations is hereby suspended to the extent necessary to allow licensed practical nurses to administer the COVID-19 vaccine without direct on-site supervision of a registered professional nurse, and with or without a vaccine protocol agreement. A licensed practical nurse administering the COVID-19 vaccine without direct on-site supervision must be remotely supervised by a physician, as defined by Code Section 43-34-1(2), a physician assistant, as defined by Code Section 43-34-102(7), an advanced practice registered nurse, as defined by Code Section 43-26-3(1.1), or a registered professional nurse, as defined by Code Section 43-26-3(9), who is available to the licensed practical nurse by telephone or other electronic means as needed and must complete training regarding the handling and administration requirements for the COVID-19 vaccine as recommended by the Georgia Department of Public Health.

IT IS FURTHER

ORDERED:

That the Georgia Board of Nursing (hereinafter, "Board") shall be authorized, in its sole discretion, to issue temporary permits to practice nursing, for the sole purpose of administering the COVID-19 vaccine and monitoring the patient for any adverse reactions in the subsequent observation period, to practitioners who hold a license, as such term is defined by Code Section 43-26-3, that has become lapsed or inactive within the five (5) years prior to the date of this Executive Order, provided that the licensee was not the subject of a pending investigation or any public or private disciplinary action at the time his or her license became lapsed or inactive. Rules for the requirements and procedure for the temporary permit application process shall be issued by the Board, which shall not charge any fee for the issuance of such temporary permit. Any provision of the laws or regulations of this state that would prohibit the issuance of such temporary permits, including but not limited to Code Sections 43-26-2, 43-26-3, and 43-26-10, Ga. Comp R. & Regs. R. 410-1-.01, and Ga. Comp R. & Regs. R. 410-6-

.01, shall be suspended only to the extent necessary to allow such temporary permits.

IT IS FURTHER

ORDERED: That any requirement of the laws or regulations of this state, including but not limited to Code Sections 43-34-23, 43-34-102, and 43-34-103 and Ga. Comp. R. & Regs. R. 360-5-.05, that a physician assistant, as defined by Code Section 43-34-102(7), may only perform medical acts approved for utilization by a physician, as defined by Code Section 43-34-1(2), in a job description approved by the Georgia Composite Medical Board is hereby suspended to the extent necessary to allow a physician assistant to administer the COVID-19 vaccine regardless of whether such medical act is described in the physician assistant's job description approved by the Georgia Composite Medical Board.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Section 43-34-103 and Ga. Comp. R. & Regs. R. 360-5-.05, that prohibits a physician, as defined by Code Section 43-34-1(2), employed by the Georgia Department of Public Health or any institution thereof, the Georgia Department of Community Health or any institution thereof, or a local health department, whose duties are administrative and do not normally include providing health care to patients from supervising a physician assistant, as defined by Code Section 43-34-102(7), who is employed by any of said entities is hereby suspended to the extent necessary to allow a physician employed by any of said entities to supervise an employee physician assistant for the purpose of administering the COVID-19 vaccine and providing other medical acts in support of COVID-19 response efforts.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Ga. Comp. R. & Regs. R. 150-3-.01 and Ga. Comp. R. & Regs. R. 150-3-0.2-.11, that requires regional dental examinations for the assessment of clinical competencies to be performed on human subjects or on manikin-based typodonts using dental virtual-haptic machine simulation is hereby suspended to the extent necessary to allow dental license applicants to submit results from either the Central Regional Dental Testing Service (CRDTS) or American Board of Dental Examiners (ADEX) manikin-based typodont examinations, conducted with or without the use of virtual haptic machine simulation, taken on or after January 1, 2021 to the Georgia State Board of Dentistry with an application for licensure. The Board of Dentistry shall accept satisfactory results from any such

exam as meeting the assessment of clinical competencies regional dental examinations requirement for licensure and, provided all other requirements of licensure are met, shall issue an unrestricted dental license to any such applicant. Licenses issued pursuant to this Order shall not be issued as temporary, provisional, or conditional licenses unless requested by the applicant or otherwise permitted by law or regulation.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this Order shall control. Further, in the event of any conflict, the provisions of any Quarantine or Isolation Order issued to a specific person by the Georgia Department of Public Health shall control.

IT IS FURTHER

ORDERED: That nothing in this Order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not effect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

IT IS FURTHER

ORDERED: This Order does not attempt, nor shall it be construed, to imply that the Governor, in any instance, has the unilateral authority to overturn any judicial order, judgment, or decree.

IT IS FURTHER

ORDERED:

The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

This 30th day of June 2021, at 1:23 P.M.



GOVERNOR

SURVEY OF CITIES REGARDING REOPENING AND IN PERSON MEETINGS

City	In Person Council Mtg	Public Allowed In Meetings	Virtual Meetings	City Hall Open	Comments
Avondale Estates	Yes, Began 6/9	Yes, No Restrictions	Yes, But No Remote Public Comments	Since Early May with Controls	404-294-5400
Brookhaven	Yes, Starting 8/19	Yes, Starting 8/19	Yes, In Person	Yes	exploring Alt Work Schedules
Chamblee	Yes, Began in April	Yes, 6-ft Distancing	No, In Person Only	Yes	facebook & youtube
Clarkston	Yes, Starting in August	Yes	Yes, Continuing With Zoom	Yes, Tues & Thurs Only From 10-2	
Decatur	Yes, Starting 7/19	Yes	Yes, Using Hybrid System	Yes, Sign In, Temperature Check & Mask Required	
Doraville	Yes, Started in June	Yes	Yes, Zoom	Yes, (May)	
Dunwoody	No	N/A	Yes, Meeting Via Zoom Public Can Participate	Yes, Beginning July 6, City Hall returned to its original opening hours 8:00 am - 5:00 pm M-F	Courts Returned to normal business hours M-F 8:00 - 5:00. Masks required for non-vaccinated citizens but not required for vaccinated citizens.
Lithonia	Yes	No	Yes, Thru Online Platform	Yes, But With Controlled Access	
Pine Lake	Starting 7/13	Yes, (Assuming masks & social distancing is required)	No. Doesn't Have The Capability. In Person Only	Yes	
Stone Mountain					
Tucker	Starting 7/12	Yes, 6-ft Social Distancing	In person or email (Comments Only)	Yes	
Forest Park	Yes	Yes, social distancing, temperature checks; no mask required, no limit on # of people allowed within the room	Live Streaming Via YouTube	Yes	
City of Atlanta	No	No	Virtual Meetings Only	No	Making decisions based off Emory because Covid #s are rising - Telecommuting
City of South Fulton	No	No	Virtual Meetings Only	Yes - July 7, 2021 8:30 am until 12:00 noon	
City of Stonecrest	No	N/A	Virtual Meetings via Zoom	No	Under Review