



# CITY COUNCIL WORK SESSION/ SPECIAL CALL

*Beverly H. Burks –Mayor*

*Awet Eyasu*

*Ahmed Hassan*

*Jamie Carroll*

*Laura Hopkins*

*Debra Johnson*

*Robin Gomez – City Manager*

---

## AGENDA

**Tuesday, March 30 2021 7:00PM**

---

### **A. ROLL CALL**

### **B. WORK SESSION - RESIDENT COMMENT POLICY**

Any member of the public may address questions or comments to the Council referencing only agenda items after the Mayor and Council have had the opportunity to discuss the agenda item. Each Attendee will be allowed 3 minutes for comments.

### **C. PRESENTATION/ ADMINISTRATIVE BUSINESS NEW BUSINESS**

C1) Swear In Elected Council Member

C2) Presentation by Catharine Tipton regarding cat colonies in Clarkston

### **D. OLD BUSINESS**

### **E. NEW BUSINESS**

E1) Request to amend Section 3-58. New licenses permitted for certain designated businesses to define and permit a retail delivery shop to sell and deliver packaged beer, malt beverages and/or wine as a qualified business in the City of Clarkston.

E2) Discuss SPLOST 04 B & C – Rowland Street Pedestrian Enhancements & Trailhead Project, Proposed Changes in Project Scope

E3) Amend the City Charter to modernize certain provisions; to Amend Article IV of the Charter Regarding Budgeting, Appropriations and Auditing; to Repeal Conflicting Provisions

E4) Proclamation Recognizing Pet Month for April

E5) Review/Discuss the recently adopted American Rescue Plan Act of 2021 (ARPA) – COVID-19 Funding Assistance, and its Potential Uses

E6) Consider Adopting a resolution by the Clarkston Mayor and City Council in response to hate crimes against Asian Americans

### **F. EXECUTIVE SESSION**

Executive Session to Discuss a Legal Matter

### **G. ADJOURNMENT**

CITY OF CLARKSTON

ITEM NO: E1

CLARKSTON CITY COUNCIL WORK SESSION

HEARING TYPE:  
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
DISCUSS /REVIEW  
ORDINANCECHANGE

MEETING DATE: March 30<sup>th</sup>, 2021  
Regular City Council Meeting- April 6<sup>th</sup>, 2021

**SUBJECT:** Discuss/review a request to amend *Section 3-58* of the Clarkston City Code of Ordinances, *New licenses permitted for certain designated businesses*, to define and permit a retail delivery shop to sell packaged beer, malt beverages, and/or wine as a qualified business in the City of Clarkston.

DEPARTMENT:  
**Planning/Economic and Development**

PUBLIC HEARING:  YES  NO

ATTACHMENTS:  YES  NO  
Pages:

INFORMATION CONTACT:  
**Shawanna Qawiy, MSCM, MPA**  
**Planning/Economic and Development Director**  
PHONE NUMBER: 404-296-6489

**PURPOSE:** Mayor and City Council shall discuss a request from go Puff to amend *Section 3-58. New licenses permitted for certain designated businesses* to define and permit the business, a retail delivery shop, to sell packaged beer, malt beverages, and/or wine in the City of Clarkston.

**BACKGROUND:**

The purpose of this request is to create an option for retail businesses who do not allow walk-in sales to receive a license for the retail sale, as a retail delivery shop, by the package of beer, malt beverages, and/or wine. The Georgia General Assembly adopted House Bill 879 last year allowing for the home delivery of beer, wine, and liquor. Go Puff- Clarkston is requesting the ordinance amendment to venture into the delivery of beer and wine as a retail delivery shop. Per Section 3-58, of the City Code of Ordinance, goPuff is ineligible to obtain a new alcohol license in Clarkston as they currently do not meet the code requirement to sell as a growler shop, a specialty wine shop, or a grocery store.

Effective July 3, 2016, the City no longer issues new licenses for the package sale of beer, malt beverages, and/or wine by package stores, convenience stores, other similar businesses, or any businesses other than those specifically identified in City Code of Ordinances Section 3-58.

GoPuff requests the following code change:

**Sec. 3-58. - New licenses permitted for certain designated businesses.**

After July 3, 2016, new licenses for the retail sale by the package of beer, malt beverages and/or wine may be obtained only for businesses that qualify as a "growler shop," "specialty wine shop," ~~or a~~ "grocery store" or a "retail delivery shop" as defined in this section and meet the other criteria for a license set forth in this Chapter. As used in this section, the following terms shall have the following meanings:

(a) Growler means a reusable glass jug, sized 32—64 ounces, used to transport beer for off-premises consumption. The container shall be sealed, on-premises, with a tamper-proof plastic cap.

(b) Growler shop means a business engaged primarily in the sale of growlers of beer. A growler shop must offer at least twelve (12) varieties of beer from at least six (6) beer manufacturers for sale by the growler. A growler shop may dedicate up to forty-nine (49) percent of its sales floor space to beer sold by the bottle or can.

(c) Specialty wine shop means a business engaged primarily in the sale of wine by the bottle. A specialty wine shop shall offer at least fifty (50) varieties of wine from at least twenty-five (25) wine manufacturers. A specialty wine shop may dedicate up to twenty-five (25) percent of its sales floor space to beer for sale by the bottle or can.

(d) Grocery store means a retail establishment which is primarily engaged in the sale of uncooked food, has a total retail floor space of at least ten thousand (10,000) square feet of which at least eighty-five (85) percent is reserved for the sale of food and other nonalcoholic items and conducts all of its sales inside the building containing its retail floor space.

*(e) Retail Delivery Shop means a retail establishment, which is engaged in the retail sale of food products, household goods and other sundry items for delivery only, that has a total interior floor area of not more than 10,000 square feet.*

**Recommendation:**

NA

**Attachments:**

**House Bill 879.**

**go Puff commodity list.**

House Bill 879 (AS PASSED HOUSE AND SENATE)

By: Representatives Harrell of the 106<sup>th</sup>, Carpenter of the 4<sup>th</sup>, Powell of the 32<sup>nd</sup>, Stephens of the 164<sup>th</sup>, Frye of the 118<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,  
2 so as to provide for and change certain regulations as to the sale and consumption of  
3 alcoholic beverages; to provide for the Department of Revenue to develop and implement  
4 a state-wide, centralized application process for retailers for initial applications and renewals  
5 for licenses and permits; to provide for uniform procedures and forms for such online  
6 process; to provide for remittance and reporting of application fees; to provide methods by  
7 which the governing authority of a municipality or county may extend the hours of Sunday  
8 sales of alcoholic beverages for consumption on the premises and for consumption off the  
9 premises if Sunday sales of such alcoholic beverages are already lawful as a result of a  
10 passage of a referendum; to provide the requirements and procedures of referendums,  
11 ordinances, and resolutions to extend the hours on Sundays during which certain alcoholic  
12 beverages may be sold; to provide for referendums; to provide for the legislative intent of the  
13 General Assembly to exercise strict regulatory control over the three-tier system; to permit  
14 certain retailers to make deliveries of alcoholic beverages pursuant to specific terms and  
15 conditions; to provide for definitions; to allow certain retailers to market, receive, and  
16 process orders for alcoholic beverages using electronic means owned, operated, or  
17 maintained by third parties; to provide for the relationship between such retailers and third  
18 parties; to provide certain requirements for individuals making deliveries; to provide for  
19 warrantless searches and seizures by certain agents and officers of the Department of  
20 Revenue; to provide for training on sales and delivery of alcoholic beverages; to provide for  
21 the commissioner of revenue to promulgate certain rules and regulations; to provide for  
22 penalties; to provide that licenses for retail sale packages of alcoholic beverages for  
23 consumption off the premises shall be subject to regulation as to distances from college  
24 campuses as determined by the local governing authority; to provide an exception; to provide  
25 that retail package liquor stores may conduct tasting events at which samples of alcoholic  
26 beverages may be served; to provide for terms and conditions of tasting events; to specify  
27 that manufacturers and wholesalers may provide samples of alcoholic beverages to retail  
28 dealers under certain conditions; to provide for the promulgation of rules and regulations by

29 the state revenue commissioner; to revise certain provisions for purposes of conformity; to  
30 provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
31 other purposes.

32 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

33 **SECTION 1.**

34 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
35 amended by adding a new Code section to read as follows:

36 "3-2-7.1.

37 (a) On or before January 1, 2021, the department shall develop and implement a  
38 state-wide, centralized application process for initial applications and renewals for licenses  
39 and permits for retailers in order to provide for uniform and streamlined practices with  
40 respect to such application and renewal process that both the department and any local  
41 governing authority of any county or municipality that issues licenses or permits to retailers  
42 shall be required to use. Such process shall provide for such licenses and permits for  
43 retailers that may be issued by the department and by the governing authority of any county  
44 or municipality to be applied for and renewed online. The department in developing and  
45 implementing such process shall consider input from retailers, local governments, and the  
46 associations that represent them.

47 (b) The department shall prescribe uniform procedures and forms for the initial application  
48 and renewal for licenses and permits for retailers to be used in the state-wide, centralized  
49 application process and shall provide for the local governing authority of any county or  
50 municipality to provide electronic forms to be added to such process for any additional  
51 information that is necessary in order to determine if a local license or local permit may be  
52 issued or renewed that such local governing authority demonstrates substantially differs  
53 from that requested through the procedures and forms developed by the department, such  
54 as, but not limited to, any distance requirements.

55 (c) The state-wide, centralized application process shall ensure that any initial application  
56 or renewal is sent simultaneously upon completion to the department and the appropriate  
57 local governing authority; provided, however, that the department may require that a valid  
58 local license or permit be issued prior to granting a license or permit.

59 (d) The state-wide, centralized application process shall provide for the remittance and  
60 reporting of all fees for initial applications and renewals for licenses and permits for  
61 retailers and may do so by requiring the applicant to pay the department and the local  
62 governing authorities of the county or municipality separately at the time the initial  
63 application or renewal is submitted.

- 64 (e) The department shall administer the state-wide, centralized application process and  
 65 shall provide access to the necessary authorized users.  
 66 (f) The commissioner shall adopt rules and regulations necessary to implement and  
 67 administer the provisions this Code section."

68 **SECTION 1A.**

69 Said title is further amended by adding a new Code section to read as follows:

70 "3-3-1.1.

71 (a) This title has been enacted pursuant to the authority granted to the state under the  
 72 Twenty-first Amendment to the United States Constitution, the powers reserved to the state  
 73 under the Tenth Amendment to the United States Constitution, and the inherent powers of  
 74 the state under the Constitution of the State of Georgia of 1983. It is the intent of the  
 75 General Assembly that this title do all of the following:

- 76 (1) Further regulate and control alcoholic beverage transactions in this state under the  
 77 control and supervision of the commissioner;  
 78 (2) Promote and assure the public's interest in fair and efficient distribution and quality  
 79 control of alcoholic beverages in this state;  
 80 (3) Promote orderly marketing of alcoholic beverages;  
 81 (4) Prevent unfair business practices, discrimination, and undue control of one segment  
 82 of the alcoholic beverage industry by any other segment;  
 83 (5) Foster vigorous and healthy competition in the alcoholic beverage industry;  
 84 (6) Preserve and promote a robust, stable system of distribution of alcoholic beverages  
 85 to the public;  
 86 (7) Provide for an orderly system of public revenues by facilitating the collection and  
 87 accountability of this state and local excise taxes;  
 88 (8) Facilitate the collection of state and local revenue;  
 89 (9) Promote the health, safety, and welfare of residents of this state by, among other  
 90 purposes, ensuring that the commissioner shall be able to inspect and seize any alcoholic  
 91 beverage shipped into, distributed, and sold throughout this state and ensuring that any  
 92 such alcoholic beverage:  
 93 (A) Has been registered for sale in this state with the commissioner;  
 94 (B) Is not subject to a government mandated or supplier initiated recall;  
 95 (C) Is not counterfeit;  
 96 (D) Is labeled in conformance with applicable laws, rules, and regulations;  
 97 (E) Can be tested by the commissioner or an agent assigned by the commissioner; and  
 98 (F) Is not prohibited by this state; and

99 (10) Promote and maintain a sound, stable, and viable three-tier system of distribution  
 100 of alcoholic beverages to the public.  
 101 (b) If any provision of this title or its application to any person or circumstance is  
 102 determined by a court or other authority of competent jurisdiction to be invalid or  
 103 unconstitutional, such provision shall be stricken and the remaining provisions shall be  
 104 construed in accordance with the intent of the General Assembly to further limit rather than  
 105 expand commerce in alcoholic beverages, and with respect to alcoholic beverages, the  
 106 remaining provisions shall be construed to enhance strict regulatory control over the  
 107 taxation, manufacture, distribution, and sale of alcoholic beverages through the three-tier  
 108 regulatory system and the licensing laws imposed by this title."

## 109 SECTION 2.

110 Said title is further amended in Code Section 3-3-7, relating to local authorization and  
 111 regulation of sales of alcoholic beverages on Sunday, by adding new subsections to read as  
 112 follows:

113 "(j.2)(1) Notwithstanding any other provisions of law, on and after the effective date of  
 114 this Code section, in all counties or municipalities in which governing authority has been  
 115 authorized pursuant to a referendum held under this Code section to permit the sale of  
 116 alcoholic beverages for consumption on the premises on Sundays from 12:30 P.M. until  
 117 12:00 Midnight and has been authorized pursuant to a referendum held pursuant to  
 118 subsection (p) of this Code section to permit package sales of malt beverages and wine,  
 119 but not distilled spirits, on Sundays from 12:30 P.M. to 11:30 P.M., the governing  
 120 authority of the county or municipality may, by resolution or ordinance conditioned on  
 121 approval in a referendum, authorize on Sundays from 11:00 A.M. until 12:00 Midnight  
 122 the sale of:

123 (A) Alcoholic beverages for consumption on the premises in any licensed  
 124 establishment which derives at least 50 percent of its total annual gross sales from the  
 125 sale of prepared meals or food in all of the combined retail outlets of the individual  
 126 establishment where food is served and in any licensed establishment which derives at  
 127 least 50 percent of its total annual gross income from the rental of rooms for overnight  
 128 lodging; and

129 (B) Packages sales of malt beverages and wine.

130 (2) Any governing authority desiring to permit and regulate such Sunday sales pursuant  
 131 to this subsection, but only after a referendum election, shall so provide by proper  
 132 resolution or ordinance conditioned on a referendum. Not less than ten nor more than  
 133 60 days after the date of approval of such resolution or ordinance, it shall be the duty of  
 134 the election superintendent of the county or municipality to issue the call for an election

135 for the purpose of submitting the question of such Sunday sales to the electors of the  
 136 county or municipality for approval or rejection. The superintendent shall set the date of  
 137 the election for a day not less than 30 nor more than 60 days after the date of the issuance  
 138 of the call. The superintendent shall cause the date and purpose of the election to be  
 139 published in the official organ of the county once a week for two weeks immediately  
 140 preceding the date thereof. The ballot shall have written or printed thereon the words:

141 ' ( ) YES      Shall the governing authority of (name of municipality or county) be  
 142 authorized to permit and regulate Sunday sales of malt beverages and  
 143 ( ) NO      wine by the drink from 11:00 A.M. to 12:00 Midnight and Sunday  
 144 sales of malt beverages and wine by the package from 11:00 A.M. to  
 145 12:00 Midnight?'

146 All persons desiring to vote for approval of such Sunday sales shall vote 'Yes,' and those  
 147 persons desiring to vote for rejection of such Sunday sales shall vote 'No.' If more than  
 148 one-half of the votes cast on the question are for approval of such Sunday sales, the  
 149 governing authority may by appropriate resolution or ordinance permit and regulate such  
 150 Sunday sales by licensees. Otherwise, such Sunday sales shall not be permitted. The  
 151 expense of the election shall be borne by the county or municipality in which the election  
 152 is held. It shall be the duty of the superintendent to hold and conduct the election. It  
 153 shall be his or her further duty to certify the result thereof to the Secretary of State.

154 (3) Notwithstanding this subsection or any other provision of law, all county or  
 155 municipal resolutions or ordinances enacted prior to the effective date of this Code  
 156 section pursuant to the authorizations granted by any other provision of this Code section  
 157 are declared to be valid and shall remain in full force and effect unless affirmatively  
 158 repealed by the governing authority of the county or municipality.

159 (j.3)(1) Notwithstanding any other provisions of law, on and after the effective date of  
 160 this Code section, in all counties or municipalities in which governing authority has been  
 161 authorized pursuant to a referendum held under this Code section to permit the sale of  
 162 alcoholic beverages for consumption on the premises on Sundays from 12:30 P.M. until  
 163 12:00 Midnight and has been authorized pursuant to a referendum held under  
 164 subsection (q) of this Code section to permit package sales of malt beverages, wine, and  
 165 distilled spirits on Sundays from 12:30 P.M. to 11:30 P.M., the governing authority of the  
 166 county or municipality may, by resolution or ordinance conditioned on approval in a  
 167 referendum, authorize on Sundays from 11:00 A.M. until 12:00 Midnight the sale of:

168 (A) Alcoholic beverages for consumption on the premises in any licensed  
 169 establishment which derives at least 50 percent of its total annual gross sales from the  
 170 sale of prepared meals or food in all of the combined retail outlets of the individual  
 171 establishment where food is served and in any licensed establishment which derives at



172 least 50 percent of its total annual gross income from the rental of rooms for overnight  
 173 lodging; and

174 (B) Packages sales of malt beverages, wine, and distilled spirits.

175 (2) Any governing authority desiring to permit and regulate such Sunday sales pursuant  
 176 to this subsection, but only after a referendum election, shall so provide by proper  
 177 resolution or ordinance conditioned on a referendum. Not less than ten nor more than  
 178 60 days after the date of approval of such resolution or ordinance, it shall be the duty of  
 179 the election superintendent of the county or municipality to issue the call for an election  
 180 for the purpose of submitting the question of such Sunday sales to the electors of the  
 181 county or municipality for approval or rejection. The superintendent shall set the date of  
 182 the election for a day not less than 30 nor more than 60 days after the date of the issuance  
 183 of the call. The superintendent shall cause the date and purpose of the election to be  
 184 published in the official organ of the county once a week for two weeks immediately  
 185 preceding the date thereof. The ballot shall have written or printed thereon the words:

186 ' ( ) YES      Shall the governing authority of (name of municipality or county) be  
 187 authorized to permit and regulate Sunday sales of malt beverages,  
 188 ( ) NO      wine, and distilled spirits by the drink from 11:00 A.M. to  
 189 12:00 Midnight and by the package from 11:00 A.M. to  
 190 12:00 Midnight?'

191 All persons desiring to vote for approval of such Sunday sales shall vote 'Yes,' and those  
 192 persons desiring to vote for rejection of such Sunday sales shall vote 'No.' If more than  
 193 one-half of the votes cast on the question are for approval of such Sunday sales, the  
 194 governing authority may by appropriate resolution or ordinance permit and regulate such  
 195 Sunday sales by licensees. Otherwise, such Sunday sales shall not be permitted. The  
 196 expense of the election shall be borne by the county or municipality in which the election  
 197 is held. It shall be the duty of the superintendent to hold and conduct the election. It  
 198 shall be his or her further duty to certify the result thereof to the Secretary of State.

199 (3) Notwithstanding this subsection or any other provision of law, all county or  
 200 municipal resolutions or ordinances enacted prior to the effective date of this Code  
 201 section pursuant to the authorizations granted by any other provision of this Code section  
 202 are declared to be valid and shall remain in full force and effect unless affirmatively  
 203 repealed by the governing authority of the county or municipality."

204 "(p.1) Notwithstanding other laws, in all counties or municipalities in which package sales  
 205 by retailers of malt beverages and wine, but not distilled spirits, have been authorized on  
 206 Sunday from 12:30 P.M. to 11: 30 P.M. pursuant to a referendum held under subsection (p)  
 207 of this Code section and sales of alcoholic beverages for consumption on the premises on  
 208 Sundays from 11:00 A.M. to 12:00 Midnight, including for an additional hour and a half

209 from 11:00 A.M. to 12:30 P.M., have been authorized pursuant to a referendum held under  
 210 subsection (j) or (j.1) of this Code section, the governing authority of the county or  
 211 municipality, as appropriate, may by adoption of a resolution or ordinance allow package  
 212 sales by retailers of malt beverages and wine for consumption off the premises on Sundays  
 213 from 11:00 A.M. until 12:00 Midnight. The provisions of this subsection are in addition  
 214 to or cumulative of and not in lieu of any other provisions of this title relative to the sale  
 215 of alcoholic beverages by retailers."

216 "(q.1) Notwithstanding other laws, in all counties or municipalities in which package sales  
 217 by retailers of malt beverages, wine, and distilled spirits have been authorized on Sundays  
 218 beginning from 12:30 P.M. to 11:30 P.M. pursuant to a referendum held under (q) of this  
 219 Code section and sales of alcoholic beverages for consumption on the premises on Sundays  
 220 from 11:00 A.M. to 12:00 Midnight have been authorized pursuant to a referendum held  
 221 under subsection (j) or (j.1) of this Code section, the governing authority of the county or  
 222 municipality, as appropriate, may by adoption of a resolution or ordinance allow package  
 223 sales by retailers of malt beverages, wine, and distilled spirits for consumption off the  
 224 premises on Sundays from 11:00 A.M. until 12:00 Midnight. The provisions of this  
 225 subsection are in addition to or cumulative of and not in lieu of any other provisions of this  
 226 title relative to the sale of alcoholic beverages by retailers."

227 **SECTION 3.**

228 Said title is further amended by adding a new Code section to read as follows:

229 "3-3-10.

230 (a) For purposes of this Code section, the term:

231 (1) 'Air carrier' means a person that undertakes by any means, directly or indirectly, to  
 232 provide air transportation.

233 (2) 'Carrier' means any person, including without limitation any motor carrier, freight  
 234 forwarder, or air carrier, whose business is to transport goods or people while acting in  
 235 the capacity as common, private, or contract transporter of a product or service using its  
 236 facilities or those of other carriers.

237 (3) 'Electronic means' means internet enabled technology and digital media, including,  
 238 but not limited to, websites and consumer applications accessible through computers,  
 239 smartphones, or other electronic devices.

240 (4) 'Employee' means an individual who is:

241 (A) A full-time or part-time employee of a packaged goods retailer; and

242 (B) Authorized to act as an agent of such packaged goods retailer.

243 (5) 'Freight forwarder' means a person holding itself out to the general public to provide  
 244 transportation of property for compensation and in the ordinary course of its business:

- 245 (A) Assembles and consolidates, or provides for the assembly and consolidation of,  
 246 shipments and performs or provides for break bulk and distribution operations of the  
 247 shipments;
- 248 (B) Assumes responsibility for such transportation from the place of receipt to the  
 249 place of destination; and
- 250 (C) Uses for any part of such transportation another freight forwarder, an air carrier,  
 251 a motor carrier, or any other carrier.
- 252 (6) 'Motor carrier' means a person that provides motor vehicle transportation for  
 253 compensation.
- 254 (7) 'Packaged goods retailer' means a person licensed under this title as a retailer to sell  
 255 alcoholic beverages in unbroken packages for consumption off the premises that is not:
- 256 (A) A manufacturer or any other person licensed to manufacture alcoholic beverages;  
 257 (B) A carrier;  
 258 (C) A shipper; or  
 259 (D) A person that takes delivery of alcoholic beverages directly from a:
- 260 (i) Retailer; or  
 261 (ii) Manufacturer or any other person licensed to manufacture alcoholic beverages.
- 262 (8) 'Proper identification' shall have the same meaning as provided in Code  
 263 Section 3-3-23.
- 264 (9) 'Third party' means:
- 265 (A) Any person that:
- 266 (i) Is registered to do business in this state;  
 267 (ii) Has a contractual relationship with a packaged goods retailer;  
 268 (iii) Is authorized to act as an agent of such packaged goods retailer; and  
 269 (iv) Is not a manufacturer, any other person licensed to manufacture alcoholic  
 270 beverages, or an affiliate of such manufacturer or such other person; or
- 271 (B) Any full-time or part-time employee or independent contractor of any person that:
- 272 (i) Is registered to do business in this state;  
 273 (ii) Has a contractual relationship with such third party as defined in subparagraph  
 274 (A) of this paragraph;  
 275 (iii) Is authorized to act as an agent of such third party as defined in subparagraph (A)  
 276 of this paragraph; and  
 277 (iv) Is not a manufacturer, any other person licensed to manufacture alcoholic  
 278 beverages, or an affiliate of such manufacturer or such other person.
- 279 (b) Notwithstanding any other provision of law, and except where prohibited by local  
 280 ordinance or resolution, a packaged goods retailer may deliver malt beverages and wine in  
 281 unbroken packages lawfully sold to and purchased by an individual for personal use and

282 not for resale to an address designated by such individual, subject to the following terms  
 283 and conditions:

284 (1) The individual making the purchase shall, prior to ordering and purchasing malt  
 285 beverages and wine for delivery, establish an account maintained by the packaged goods  
 286 retailer that shall be available for inspection by the department;

287 (2) The packaged goods retailer or employee shall process all payments made by the  
 288 individual who is transacting the purchase with the packaged goods retailer prior to the  
 289 malt beverages and wine leaving such packaged goods retailer's licensed premises for  
 290 delivery;

291 (3) The packaged goods retailer, employee, or third party shall assemble, package, and  
 292 fulfill each order at the licensed premises of the packaged goods retailer from inventory  
 293 located at such licensed premises and shall not pull from the inventory of any other  
 294 person, including another retailer or licensed premises;

295 (4) All malt beverages and wine that leave the licensed premises of the packaged goods  
 296 retailer for delivery shall:

297 (A) Remain in the possession of the individual, either the packaged goods retailer, the  
 298 employee, or the third party, that removed it from the licensed premises for delivery  
 299 and shall not be transferred to any other person until the time of delivery in compliance  
 300 with the requirements of this subsection or until the time of the return to the packaged  
 301 goods retailer if delivery is not made;

302 (B) Only be transported in a vehicle or other transportation device containing products  
 303 or goods traveling in intrastate commerce for delivery in the local licensing jurisdiction  
 304 of the licensed premises of such packaged goods retailer; and

305 (C) Not be carried, commingled, or stored with, or transported in any vehicle or other  
 306 transportation device containing, products or goods traveling in interstate commerce for  
 307 delivery;

308 (5) Delivery shall be made by the packaged goods retailer, employee, or third party who:

309 (A) Is at least 21 years of age;

310 (B) Has a valid Georgia driver's license;

311 (C) Has undergone within the last 12 months a background check that includes a local  
 312 and national criminal history and driving records and:

313 (i) Has not had more than three moving violations in the prior three-year period;

314 (ii) Has not had a major traffic violation, as such term is defined in Code  
 315 Section 40-5-142, in the prior three-year period;

316 (iii) Has not been convicted within the past seven years of driving under the influence  
 317 of drugs or alcohol;

- 318 (iv) Has not been convicted at any time of fraud, a sexual offense, the use of a motor  
319 vehicle to commit a felony, a crime involving property damage, a crime involving  
320 theft, a crime involving an act of violence, or a crime involving an act of terror; and  
321 (v) Does not have a match on the National Sex Offender Registry data base;  
322 (D) Has undergone training approved by the department on sales and delivery of malt  
323 beverages and wine in this state;  
324 (E) Shall not possess or handle as part of or during the delivery forms of compensation  
325 that are used to purchase or transact the sale of malt beverages and wine;  
326 (F) Does not receive compensation based upon whether an attempted delivery results  
327 in a completed transaction; and  
328 (G) At all times during which the malt beverages and wine to be delivered are in the  
329 vehicle, transportation device, possession, or care of such packaged goods retailer,  
330 employee, or third party, shall not also have in his or her vehicle, transportation device,  
331 possession, or care any products or goods traveling in interstate commerce;  
332 (6) Delivery shall be made by the packaged goods retailer, employee, or third party to  
333 an individual who is at least 21 years of age and presents proper identification verifying  
334 the age of such individual;  
335 (7) At the time of delivery, the packaged goods retailer, employee, or third party shall  
336 verify the identity and age of the individual accepting delivery by validating the proper  
337 identification of the individual accepting delivery in person and obtaining his or her  
338 signature on a written or electronic acknowledgment of receipt of the order and  
339 certification of legal age to purchase malt beverages and wine. The packaged goods  
340 retailer, employee, or third party shall scan or otherwise verify the proper identification  
341 of the individual accepting delivery at the time of delivery and shall retain a record of  
342 such individual's name and date of birth that shall be available for inspection upon request  
343 for a minimum of three years;  
344 (8) The packaged goods retailer, employee, or third party conducting the delivery shall  
345 refuse to make the delivery if:  
346 (A) No individual is visibly present and available at the address to accept delivery; or  
347 (B) The individual visibly present and available attempting to accept the delivery:  
348 (i) Is less than 21 years of age;  
349 (ii) Fails to produce proper identification verifying his or her age;  
350 (iii) Fails to provide a signature that matches such proper identification; or  
351 (iv) Is noticeably intoxicated;  
352 (9) All deliveries shall be inspected at the time of delivery by the individual accepting  
353 such delivery. The transaction shall be deemed complete upon acceptance of delivery of  
354 the malt beverages and wine, and all sales shall be final;

355 (10) The delivery address shall be located within the local licensing jurisdiction of the  
 356 packaged goods retailer;

357 (11) The delivery shall take place only during the lawful times when malt beverages and  
 358 wine can be sold by the packaged goods retailer for consumption off the premises;

359 (12) The delivery shall be made only within the same calendar day on which the malt  
 360 beverages and wine leave the licensed premises of the packaged goods retailer for  
 361 delivery; and

362 (13) No delivery shall knowingly be made to any address or to any property that is part  
 363 of:

364 (A) Any public or private elementary or secondary educational school, including  
 365 without limitation any dormitory, housing, or common space located on the campus of  
 366 any elementary or secondary educational school;

367 (B) Any prison, reformatory, and other correctional facilities;

368 (C) Any addiction or substance abuse facilities;

369 (D) Any locker, mailbox, package shipping location, or similar service or storage  
 370 facility business; or

371 (E) Any retailer.

372 (c) A packaged goods retailer may use electronic means to market, receive, and process  
 373 orders for malt beverages and wine it is licensed to sell placed by individuals who are at  
 374 least 21 years of age, provided that any such orders shall be delivered in accordance with  
 375 subsection (b) of this Code section.

376 (d) A packaged goods retailer may market, receive, and process orders for malt beverages  
 377 and wine it is licensed to sell placed by individuals who are at least 21 years of age using  
 378 electronic means owned, operated, or maintained by a third party, provided that any such  
 379 orders shall be delivered in accordance with subsection (b) of this Code section and:

380 (1) The packaged goods retailer maintains control and responsibility over the sales  
 381 transaction and the transfer of the physical possession of the malt beverages and wine  
 382 from the inventory of such packaged goods retailer to the individual conducting the  
 383 delivery in accordance with subsection (b) of this Code section;

384 (2) The packaged goods retailer shall retain sole discretion to determine whether to  
 385 accept and complete an order or to reject an order;

386 (3) The purchase transaction takes place between the individual placing the order and the  
 387 packaged goods retailer and the packaged goods retailer appears as the merchant of  
 388 record at all times, including at the time of purchase and at the time of receipt of the  
 389 delivery;

390 (4) Any credit or debit card information provided by the individual placing the order to  
391 a third party for the purpose of transacting the purchase with the packaged goods retailer  
392 is automatically directed to the packaged goods retailer;

393 (5) The packaged goods retailer that accepts the order receives the payment that is made  
394 by the individual who is transacting the purchase with such packaged goods retailer; and

395 (6) The delivery of malt beverages and wine to the individual who placed the order is  
396 made by the packaged goods retailer, employee, or third party in compliance with the  
397 requirements of subsection (b) of this Code section.

398 (d.1) Notwithstanding any other provision of law, and except where prohibited by local  
399 ordinance or resolution, a licensed retail package liquor store that is also a packaged goods  
400 retailer may deliver distilled spirits in unbroken packages lawfully sold to and purchased  
401 by an individual for personal use and not for resale in the same manner and under the same  
402 terms and conditions as provided in this Code section for the delivery of malt beverages  
403 and wine.

404 (e) The department shall develop a curriculum for or list of required elements of the sales  
405 and delivery training required under subparagraph (b)(4)(D) of this Code section and shall  
406 determine the providers approved to conduct such training. A packaged goods retailer or  
407 third party may submit to the department a proposed program for such required training,  
408 upon receipt of which the department shall have 15 days to approve, deny, or indicate what  
409 modifications are necessary to such program.

410 (f) Persons appointed by the commissioner as special agents or enforcement officers of the  
411 department shall, in addition to the powers and duties provided for in Code Section 3-2-30,  
412 have the power to inspect, without a warrant, in a lawful manner any premises of the  
413 packaged goods retailer or any vehicle or other transportation device being used by the  
414 packaged goods retailer, employee, or third party to make a delivery under this Code  
415 section for the purpose of:

416 (1) Determining if any of the provisions of this Code section or any rule or regulation  
417 promulgated under its authority is being violated; or

418 (2) Securing evidence as may be needed for an administrative proceedings action, as  
419 provided in this Code section or any other provisions of this title.

420 (g) The commissioner shall be authorized to promulgate and enforce such rules and  
421 regulations as it may deem necessary to carry out or make effective the provisions of this  
422 Code section, including, but not limited to, rules and regulations governing the training of  
423 individuals making deliveries.

424 (h)(1) In addition to the commissioner's power to suspend, revoke, or cancel licenses,  
425 permits, or registrations issued pursuant to this title, upon a violation of any provision of  
426 this Code section or any rule or regulation promulgated thereunder, the commissioner

427 shall have the power to impose a fine not to exceed \$500.00 for each violation and may  
 428 suspend for up to 30 days for each violation the authorization provided by this Code  
 429 section for the packaged goods retailer to deliver malt beverages and wine or to use an  
 430 employee or third party to deliver malt beverages and wine. Any violation committed by  
 431 an employee or a third party shall be attributed to and deemed to be an act taken by a  
 432 packaged goods retailer for purposes of this Code section. A packaged goods retailer,  
 433 employee, and third party may each be fined for the same violation. Nothing in this  
 434 paragraph shall be construed to allow the commissioner to suspend or terminate the  
 435 authorization of a packaged goods retailer to sell malt beverages and wine on the licensed  
 436 premises as a result of a violation of this Code section by a third party.

437 (2) Any local governing authority of a municipality or county that issues a license to a  
 438 packaged goods retailer and allows for delivery of malt beverages and wine by a  
 439 packaged goods retailer, an employee, or a third party may impose penalties upon a  
 440 packaged goods retailer, employee, or third party, and may fine more than one person for  
 441 the same violation, provided that such penalties do not exceed the amount of the fine or  
 442 the number of delivery suspension days provided for in this paragraph. Nothing in this  
 443 paragraph shall be construed to allow any local governing authority of a municipality or  
 444 county to suspend or terminate the authorization of a packaged goods retailer to sell malt  
 445 beverages and wine on the licensed premises as a result of a violation of this Code  
 446 section.

447 (3) The penalties provided for in this Code section shall be in addition to any criminal  
 448 penalties that may otherwise be provided by law."

449 **SECTION 4.**

450 Said title is further amended by revising subsection (b) of Code Section 3-3-21, relating to  
 451 sales of alcoholic beverages near churches, school buildings, or other sites, as follows:

452 "(b) Nothing contained in this Code section shall prohibit the licensing of the sale or  
 453 distribution of alcoholic beverages by:

454 (1) Hotels of 50 rooms or more which have been in continuous operation for a period of  
 455 at least five years preceding July 1, 1981;

456 (2) Bona fide private clubs, owning their own homes, subject to licensing under  
 457 Chapter 7 of this title; and

458 (3) Licensees for the retail sale of alcoholic beverages for consumption on the premises  
 459 only who shall be subject to regulation as to distances from churches, schools, and  
 460 ~~colleges~~ college campuses by counties and municipalities; and

461 (4) Licensees for retail sale packages of alcoholic beverages for consumption off the  
 462 premises who shall be subject to regulation as to distances from college campuses by



463 counties and municipalities; provided, however, that such distances may be less  
 464 restrictive than those provided in this Code section but shall not be more restrictive; and  
 465 provided, further, that if such licensees are not regulated as to distances from college  
 466 campuses by a county or municipality, then the distances set forth in this Code section  
 467 shall govern such licensees.

468 For purposes of this subsection, the term 'college campus' shall include, but shall not be  
 469 limited to, all buildings and grounds of any public or private technical school, vocational  
 470 school, college, university, or other institution of postsecondary education."

471 **SECTION 5.**

472 Said title is further amended by revising Code Section 3-3-26, relating to allowing or  
 473 permitting the breaking of packages or drinking of contents thereof on premises, as follows:  
 474 "3-3-26.

475 (a) Except as provided in this Code section or Chapter 15 of this title, no retail package  
 476 liquor store ~~No retail dealer~~ shall knowingly and intentionally allow or permit the breaking  
 477 of any package or packages containing alcoholic beverages on the premises where sold or  
 478 allow or permit the drinking of the contents of such package or packages on the premises  
 479 where sold. ~~This Code section shall not apply with respect to sales pursuant to a license~~  
 480 for consumption on the premises.

481 (b) Nothing in this title shall be construed to prohibit a representative or salesperson of a  
 482 manufacturer or wholesaler from opening a package of alcoholic beverages on the premises  
 483 of a retail package liquor store or other retail dealer for the purpose of providing samples  
 484 of such alcoholic beverage product to a retail dealer or its employees for consumption on  
 485 the licensed premises, provided that:

486 (1) All samples are provided and consumed in the presence of a representative or  
 487 salesperson of the manufacturer or wholesaler in an office, storage room, or other area  
 488 of the licensed premises of the retail dealer that is closed to the public; and

489 (2) Such representative or salesperson of the manufacturer or wholesaler removes from  
 490 the licensed premises any packages he or she brought onto such licensed premises in  
 491 order to provide samples of alcoholic beverage products.

492 For purposes of this subsection, the term 'sample' means a small amount of any malt  
 493 beverage, wine, or distilled spirits.

494 (c) The commissioner shall promulgate and enforce such rules and regulations as he or she  
 495 may deem reasonable and necessary to effectuate the provisions of this Code section."

496 **SECTION 6.**

497 Said title is further amended by revising Code Section 3-4-25, relating to holder of retail  
 498 dealer's license authorized to sell only unbroken packages and prohibition against the  
 499 breaking of packages or drinking of the contents thereof on the premises, as follows:

500 "3-4-25.

501 (a) Except as provided in Code Section 3-3-26 or Chapter 15 of this title, a ~~A~~ retail dealer's  
 502 license shall authorize the holder to sell distilled spirits only in the original and unbroken  
 503 package or packages, which ~~package or packages~~ shall contain not less than 50 milliliters  
 504 each.

505 (b) Except as provided in Code Section 3-3-26 or Chapter 15 of this title, a retail dealer's  
 506 ~~The~~ license shall not permit the breaking of the package or packages on the premises where  
 507 sold and shall not permit the drinking of the contents of the package or packages on the  
 508 premises where sold."

509 **SECTION 7.**

510 Said title is further amended by adding a new chapter to read as follows:

511 "CHAPTER 15

512 3-15-1.

513 As used in this chapter, the term:

514 (1) 'Licensed premises' means any premises in which any alcoholic beverages are sold  
 515 in unbroken packages and shall include any premises which are required by law to be  
 516 licensed to sell any alcoholic beverages in unbroken packages.

517 (2) 'Licensee' means the holder of a retail package liquor store license.

518 (3) 'Operator' means an owner, licensee, operator, manager, or person in charge of any  
 519 licensed premises.

520 (4) 'Sample' means a small amount of any malt beverage, wine, or distilled spirits.

521 (5) 'Tasting event' means a scheduled event hosted by a licensee at which free samples  
 522 may be provided and that may be open to the general public or limited by invitation.

523 3-15-2.

524 Notwithstanding any other provision of this title, in all counties and municipalities in which  
 525 the sale of alcoholic beverages is lawful, retail package liquor stores shall be authorized to  
 526 conduct up to 52 tasting events per calendar year, subject to the following terms and  
 527 conditions:

- 528 (1) A tasting event shall only take place on the licensed premises and only at times at  
529 which such alcoholic beverages may be lawfully sold on such licensed premises;
- 530 (2) Only one tasting event per day may be held on the licensed premises and such tasting  
531 event shall not exceed four hours;
- 532 (3) Only one type of alcoholic beverage may be served at a tasting event, either malt  
533 beverages, wine, or distilled spirits; provided, however, that more than one brand of such  
534 type of alcoholic beverage may be offered so long as not more than four packages are  
535 open at any one time;
- 536 (4) If the tasting event is for malt beverages, a consumer shall not be served more than  
537 eight ounces of malt beverages during such tasting event. If the tasting event is for wine,  
538 a consumer shall not be served more than five ounces of wine during such tasting event.  
539 If the tasting event is for distilled spirits, a consumer shall not be served more than one  
540 and one-half ounces of distilled spirits during such tasting event;
- 541 (5) Only alcoholic beverages that the licensee is licensed to sell on the licensed premises  
542 may be offered as part of a tasting event, and such alcoholic beverages shall be part of the  
543 licensee's inventory;
- 544 (6) Only food that is lawful to sell on the licensed premises, under this title or under any  
545 rules or regulations of the commissioner, may be served as part of a tasting event. Such  
546 food shall be offered at no cost to the consumer;
- 547 (7) Any operator or employee of the licensee may refuse to provide any brand, type, or  
548 quantity of alcoholic beverage to any consumer;
- 549 (8) The licensee shall notify the governing authority of the county or municipality in  
550 which the licensed premises is located prior to holding a tasting event;
- 551 (9) Any broken package containing alcoholic beverages on the licensed premises that is  
552 not licensed for retail sales for consumption on the premises shall be kept locked in a  
553 secure room or cabinet by the operator of the licensed premises except when in use  
554 during a tasting event;
- 555 (10) Representatives and salespersons of manufacturers or wholesalers may attend a  
556 tasting event; provided, however, that such representatives and salespersons shall not host  
557 the tasting event, pour any alcoholic beverage, or provide anything of value to any  
558 consumer or to the licensee or an employee of a licensee; and
- 559 (11) Any other terms, conditions, and limitations as may be required or imposed by the  
560 governing authority of the county or municipality in which the licensed premises is  
561 located.

562 3-15-3.

563 The commissioner shall promulgate and enforce such rules and regulations as he or she  
564 may deem reasonable and necessary to effectuate the provisions of this chapter.

565 3-15-4.

566 Upon a violation by a retail dealer of any provision of this chapter or any rule or regulation  
567 promulgated thereunder, the commissioner shall have the power to place conditions or  
568 limitations on such retail dealer's license and to modify or amend such conditions or  
569 limitations."

570 **SECTION 8.**

571 This Act shall become effective upon its approval by the Governor or upon its becoming law  
572 without such approval.

573 **SECTION 9.**

574 All laws and parts of laws in conflict with this Act are repealed.

## **PROPOSED MENU\***

### **GoBrands, Inc. dba goPuff**

\*If any item on the proposed menu presents an issue for the Health Department, please let us know and the company can revise its menu to meet Health Department Requirements.

#### **Snacks (all pre-packaged items)**

- Chips
- Pretzels
- Nuts
- Granola
- Health bars
- Popcorn
- Candy
- Gum
- Cookies

#### **Refrigerated drinks (all pre-packaged items)**

- Soda
- Water
- Ice coffee
- Sports drinks
- Tea drinks
- Health drinks
- Soy drinks

#### **Canned goods (all pre-packaged items)**

- Soup
- Beans
- Pasta
- Olives
- Tuna

#### **Condiments (all pre-packaged items)**

- Spices
- Ketchup
- Mayonnaise
- Salsa
- Mustard

- Soy sauce
- Hot sauce
- Syrup
- Pasta sauce
- Bbq sauce
- Peanut butter
- Jelly/Jam

**Dried food (all pre-packaged items)**

- Pasta
- Rice
- Beans
- Grains
- Fruit
- Pancake/waffle mix
- Brownie/cake mix
- Cereal

## Products

Sabra Guacamole with Tostitos Rolls
Cafe Valet Starter Kit
Cafe Valet Starbucks Dark Roast Decaf 10 Pack
Cafe Valet Starbucks Dark Roast 10 Pack
Cafe Valet Caribou Mahogany 12 Pack
Cafe Valet Caribou French Roast 12 Pack
Cafe Valet Dark Roast Decaf 12 Pack
Cafe Valet French Vanilla 12 Pack
Cafe Valet Regular Dark Roast 12 Pack
Hershey's Cookie Layer Crunch Mint
Hershey's Cookie Layer Crunch Caramel
Coffee Filters 100 Pack
Moondance Classic Cheesecake
Unreal Dark Chocolate Peanut Gems
Unreal Dark Chocolate Peanut Butter Cups
Gluten Free Oatmeal Chocolate Chip Cookie Dough 16 oz
Monster Cookie Dough 16 oz
Chocolate Chip Cookie Dough 16 oz
Rhythm Superfoods Beet Chips
Rhythm Superfoods Kale Chips
On The Border Mild Salsa
On The Border Medium Salsa
Nasoya Extra Firm Tofu
Himalayan Pink Salt
De Cecco Farfalle
De Cecco Spaghetti
Biena Chickpea Honey Roasted Snacks
Paqui Chips Nacho Cheese
Paqui Chips Haunted Ghost Pepper
Dole Sliced Peaches Fruit Bowl
Munchies Snack Mix 1.75 oz
Twizzlers Bites 7 Oz
Oberto Peppered Beef Jerky
Laffy Taffy Ropes Banana
Pressels Original Pretzel Chips
Heinz Ketchup 20 oz
Jack Link's Original Beef Jerky
Jack Link's Teriyaki Beef Jerky
Junior Mints
Oreo Cookies King Size
Milk Duds 5 oz
Reese's Pieces 4 oz
Jolly Rancher Gummies
M&M's Milk Chocolate Movie Box
Milka Oreo Chocolate Bar
Hostess Crunch Mini Donuts

Reese's Stuffed with Reese's Pieces
Take 5 Snack Mix
Reese's Snack Mix
Hershey's Snack Bites
Snickers Almond
Pringles Tortillas Southwestern Ranch
Pringles Jalapeno
Hershey's 5th Avenue
Trolli Very Berry Crawlers
Oreo Thins
Kraft Jet-Puffed Marshmallows
Boom Chicka Pop Sweet&Salty Kettle Corn
Funyuns
Boom Chicka Pop Seasalt Popcorn
A-1 Steak Sauce
Hostess White Bread
Jolly Rancher Lollipops
Keebler Vanilla Wafers
Keebler Strawberry Wafers
Snack Pack Vanilla Pudding 4pk
Snack Pack Chocolate Pudding 4pk
Hershey's Drops Milk Chocolate King Size
Hershey's Drops Cookies & Creme King Size
Mounds
RealLemon Lemon Juice
York Peppermint Patty
Skittles Tropical
Slim Jim Habenero
Slim Jim Taco Seasoned
Pirate's Booty Aged White Cheddar
Nerds Rope Very Berry
M&M's Peanut Butter
Dove Milk Chocolate
Dove Dark Chocolate
Babybel Original Cheese Singles
Betty Crocker Brownie Fudge Mix
Almond Joy
Oberto Spicy Sweet Beef Jerky
Oberto Teriyaki Beef Jerky
Mike & Ike Berry Blast Large
Beef Ravioli Chef Boyardee
Life Savers Gummies Wild Berries
Silk Unsweetened Vanilla Almond Milk
The Complete Cookie Peanut Butter
The Complete Cookie Double Chocolate
The Complete Cookie Snickerdoodle
LaffyTaffy Strawberry



LaffyTaffy Cherry
LaffyTaffy Banana
Sour Patch Watermelon Large
The Complete Cookie Original
The Complete Cookie Oatmeal Raisin
Jelly Belly Beans
Whatchamacallit
Air Heads Fruit Bites
Sriracha Beef Jerky Jack Link's
Hickory Smoked Beef Jerky Jack Link's
Jalapeno Beef Jerky Jack Link's
Chocolate Cupcake Luna Bar
Zoo Animal Crackers
Cheez-it White Cheddar
Baby Bottle Pop
Push Pop Candy
Hershey's Cookies 'n Creme
Mrs. Fields Dark Chocolate Oatmeal Cookie
Trident Tropical Twist
Mentos Rainbow
Trident Cinnamon
Tomato Basil Lentil Pea Crisps
7 Days Soft Vanilla Croissant
7 Days Soft Chocolate Croissant
Vanilla Crisp Power Bar
Welch's Mixed Fruit Snack
Berries 'N Cherries Fruit Snack Welch's
Organic Chocolate Brownie Clif Bar
Organic Chocolate Chip Clif Bar
Ice Breakers Mints Wintergreen
Ice Breakers Mints Coolmint
Teddy Grahams Honey Maid
Take 5 Bar
Whole Grain Mini Pretzels Snyder's
Tic Tac Fruit Adventure
Kellogg's Froot Loops Cereal Cup
Special K Original Cereal Cup
Kellogg's Apple Jacks Cereal Cup
Cinnamon Toast Crunch Cereal Cup
Cheerios Honey Nut Cereal Cup
Cheerios Cereal Cup
Caesar Green Pea Crisps
Wasabi Ranch Green Pea Crisps
Mini Stroopwafels Caramel
Mini Stroopwafels Honey
Organic Sour Berry Bears Surf Sweets
Vegan Gluten Free White Cheddar Popcorn

HOT Fries Andy's 1.5 Oz
Coffee Mate French Vanilla
Cookie Dough Bites
Vegan Cheddar Cheese
Hot Fudge Sundae Pop-Tarts
Beanitos Lime Bean Chips
Organic Dark Chocolate Almonds
All Natural Crunch Time Peanut Butter
Organic Sharp Cheddar Rumiano Cheese
Lay's Sour Cream & Onion
Quaker Medley Apple Oatmeal
Strawberry Pop-Tarts
Starburst Tropical
Oreo Golden Double Stuffed
JUMBO Buncha Crunch
Ritz Sour Cream and Onion Chips
Rice Krispies M&M's
Milk Duds 3 oz
Ramen Chili Flavor
Barnum's Animal Crackers
Air Heads X-Treme Bites
Snyder's Olde Tyme Pretzels
Haribo Sour Gummi-Bears
Twizzlers Nibs
Veggie Chips Large
Veggie Stix Large
Honey Roasted Cashews
Ranch Pringles
Flipz White Fudge Pretzels Large
Flipz Milk Chocolate Pretzels Large
Lay's Oven Baked Chips
Grandma's Mini Vanilla Sandwich Cremes
Grandma's Oatmeal Raisin Cookies
Grandma's Chocolate Chip Cookies
Campbells Classic Chicken Noodle Soup
Organic Mac N' Cheese Puffs
Trolli Big Bears
Trolli Peach O's
Tomato Soup Campbell's
Chicken Noodle Soup Campbell's
Organic Crispy Cocoa Rice Cereal
Newman's Chocolate Chip Cookies
Organic Amy's No Chicken Noodle Soup
Organic Medium Salsa
Organic Mild Salsa
Fritos Original 2 oz
Roasted & Salted Pistachios With Shell

Vanilla Soymilk
Natural Vodka Pasta Sauce
Gold Fish Cheddar
Kettle Cooked Chips
Pretzel Crisps Garlic Parmesan
Chocolate Chip Cookie Dough Quest Bar
Roasted & Salted Pistachios No Shells
Air Heads Blue Raspberry
Rold Gold Thin Pretzels
Milano Cookies Dark Chocolate
Crispy M&M's
Chips Ahoy Chunky King Size
Nissin Beef Cup Ramen Noodles
Tostitos Bite Size
Kraft Mac & Cheese
Fritos Honey BBQ
Mentos Gum Pure Fresh
Cheetos 2 oz
Chocolove Hazelnut & Chocolate Organic
Lunchables Ham & American
Cheddar Jalapeno Cheetos
Lunchables Extra Cheesy Pizza 10.6 oz
Sour Punch Blue Raspberry
PopChips Sour Cream & Onion
Garden of Eatin' Blue Corn Chips
Natural Peanut Butter Cookies
Pepperoni and Mozzarella Lunchables
Natural Cheddar Crackers
Natural Chocolate Chunk Cookies
Cheddar Fries Andy's
HOT Fries Andy's
Sour Beans YumEarth Organic
Gummy Worms YumEarth Organic
Chocolove Orange Peel Dark Chocolate
Organic Sea Salt Seaweed
Organic Sesame Seaweed
Organic Teriyaki Seaweed
Garden of Eatin' Everything
Silk Vanilla Almond Milk
Lunchables Extra Cheesy Pizza
Lunchables Pizza Pepperoni
Lunchables Nacho Cheese & Salsa
Hummus Original & Pretzel
Hummus Roasted Pepper & Pretzel
Jalapeno Chex Mix
Twinkies
Nutella & Go Pretzels

Kettle Brand Sea Salt
Kettle Brand Salt N' Pepper
Sour Punch Strawberry
Cinnamon Toast Crunch
Bluest Raspberry Xtremes
Sun Chips Harvest Cheddar
Butterfinger Cups
Twizzlers Bites Cherry 5 oz
Hostess Hoho's Pack of 3
Cheez-It XL
Chips Ahoy Small Pack
Hostess Powdered Mini Donettes
Mac & Cheese Kraft
Hi-Chew Mango
Hi-Chew Strawberry
Hi-Chew Green Apple
BBQ Pringles
Cheddar Cheese Pringles
BBQ Fries Andy's
Cheez-It
String Cheese
Trolli Sour Crawlers 5 oz
Oreo King Size
Mike & Ike
Lucky Charms
Frosted Blueberry Pop-Tarts
Organic 2% Reduced Fat Milk
Dozen Eggs
Organic Whole Milk
Caramel Bugles
Mentos Gum Fruity
Reese's Pieces
Froot Loops
Nestle Crunch
Chocolate Chip Pop-Tarts
Oriental Ramen Noodles
Shrimp Ramen Noodles
Butter Toffee King Rice Krispies
Sweet N' Hot Jack Link's
Jalapeno Jack Link's
Peppered Jack Link's
Buffalo Chicken Bites Jack Link's
Ritz Crackers
Tootsie Roll
Nerds Rope
Stacy's Simply Naked Pita Chips
Stacy's Cinnamon Sugar Pita Chips

Cheddar Chex Mix
Jumbo Sunflower Seeds
Flipz Milk Chocolate
Nacho Cheese Bugles
Ferrero Raffaello Coconut
Starbucks Coffee Frap
Starbucks Vanilla Frap
Chips Ahoy Brownie Filled King Size
Apple Ocean Spray
Peanut Butter Muddy Buddies Chex Mix
Chocolate Peanut Butter Chex Mix
Kind Almond & Coconut
Kettle Brand Maple Bacon
Kettle Brand Sriracha
White Reese's
Campbell's Chicken Noodle Soup
Campbell's Tomato Soup
Trolli Apple O's
Brisk Fruit Punch
Sour Skittles
Chocolate Chip King Size Rice Krispies
Toblerone
Trolli Evil Twins
Stacy's Parmesan & Herb
Ring Pop Fruit Festival
Mrs. Fields Chocolate Chip
Mrs. Fields White Chocolate Macadamia Cookie
Aged White Cheddar Popcorn
Chips Ahoy Original Large
Twizzlers Original
Kit Kat White
Chocolate Peanut Butter Bugles
Chex Mix Trail Mix
Cookies N' Cream Muddy Buddies Chex Mix
Oreo Double Stuff King Size
Swedish Fish
Raisinets
Nerds
Kit Kat
Mamba Sour
Mamba
Jolly Rancher Hard Candy
Jolly Rancher Fruit Chews
Trolli Gummi-Bears
Trolli Squiggles
Haribo Peach Gummi's
Haribo Sour S'ghetti

Haribo Happy Cola
Haribo Gummi-Bears
Dots Original
Original Jack Link's Jerky
Brown Cinnamon Pop-Tarts
S'mores Pop-Tarts
Cup Noodles Chicken
Butterfinger
Reese's
Sweet Tea Pure Leaf
Fritos Original 4 oz
Hot & Spicy Chex Mix
Bold Chex Mix
Cinnamon Toast Crunch XL
Original King Size Rice Krispies
Sourdough Nibblers Snyder's
Flamin' Hot Cheetos
Fruity Pebbles
Ragu Traditional
Cocoa Puffs
Ketchup Heinz
Yellow Mustard Heinz
Mountain Dew 2 Liter
Pepsi
Ricola Cherry Honey
Caramel Chex Mix
Kettle Brand BBQ
Kettle Brand Buffalo Bleu
Kettle Brand N.Y. Cheddar
Hot Buffalo Bugles
Original Bugles
Chicken Ramen Noodles
Beef Ramen Noodles
Baby Ruth
Twix Peanut Butter
Mentos Strawberry
Mentos Fruit
Mentos Mint
Rolo
3 Musketeers
Whoppers
Kettle Brand Jalapeno
Kettle Brand Sea Salt & Vinegar
Kettle Brand Honey Dijon
Cheetos
Slim Jim Giant
Hubba Bubba

Tic Tac Orange
Lay's Classic
Lay's BBQ
Starburst Fave Reds
Milky Way
Hershey's Almond Bar
Hershey's Milk Chocolate Bar
Minis M&M's
Spree
Sour Patch Watermelon
Sour Patch Kids
Act II Butter Popcorn
Pizza Combos
Cheddar Cheese Combos
Original Chex Mix
Skittles
Doritos Nacho Cheese 2.85 oz
Doritos Cool Ranch 2.85 oz
Honey Mustard & Onion Snyder's
Mini Pretzels Snyder's
Hot Buffalo Snyder's
Sour Cream & Onion Pringles
Pringles Original
Pizza Pringles
Twix
Starburst
5 Gum Cobalt
Snickers
Milk Chocolate M&M's
Peanut M&M's
Pretzel Crisps Original
Pretzel Crisps Buffalo
Kettlecorn Large
Nutella & Go
Ferrero Rocher
Nutella

CITY OF CLARKSTON

ITEM NO: E2

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Discussion -  
Change Orders

MEETING DATE: MARCH 30, 2021

SUBJECT: Discuss SPLOST 04 B & C – Rowland Street Pedestrian Enhancements & Trailhead Project  
Proposed Changes in Project Scope

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: ROBIN I. GOMEZ  
PHONE NUMBER: 404-296-6489

PURPOSE:

Review/Discuss the Rowland Street Pedestrian Enhancements & Trailhead Project Scope changes as listed below, mainly:

1. Addition of a sidewalk on Rowland St from N Indian Creek to Lovejoy
2. Addition of a sidewalk on Rogers Street from Market to North Indian Creek
3. Mill/Pave and construct two driveways in the Methodist Parking Lot, including drainage improvements on city right-of-way along Rogers Street
4. Remove the Hill St raised landscape median and new granite curb

NEED/IMPACT:

On January 12, 2021, the Clarkston City Council approved/awarded the Trailhead & Rowland St Pedestrian Improvements Project (as listed below) to the low bid presented by Sol Construction in the amount of \$1,081,011.10. The agenda item discussion focused on various possible adjustments and additions to the project scope including adding sidewalks and parking and retaining on-street parking (on Hill St). The below represents the changes reviewed and provided by the City's Engineering firm, Collaborative infrastructure Services:

At the request of City Council, staff prepared three (3) change orders, including removal of a section of the subject existing project scope, including project construction drawings. The scope changes, including associated costs totaling \$760,004, are described as follows:

➤ **Addition of a sidewalk on Rowland Street from North Indian Creek to Lovejoy**

1. Reset existing granite curb to allow for a 5 ft. sidewalk, with an 18 inch grass beauty strip, to be placed on the north side of Rowland. Sidewalk to be placed between the poles and the granite reset location. No power pole relocations are anticipated
2. Reduce width of Rowland Street from 24 to 20 feet. No centerline striping planned
3. Reset existing granite curb on the south side to reduce flooding problems on several properties
4. All driveways to have new concrete aprons within right-of-way
5. Lengthen easabout to discourage vehicles exiting Wagoner to make a U-turn at the easabout
6. Replace various drainage structures
7. Relocate mailboxes
8. Add 2 benches and 2 trash containers



9. Temporary construction easements will be required at various parcels with one driveway relocation (house across from Wagoner Street)

**COST INCREASE - \$385,247**

➤ **Addition of a sidewalk on Rogers Street from Market to North Indian Creek**

1. Reset existing granite curb on north side of road
2. Place sidewalk behind poles with 18 inch grass beauty strip
3. No pole relocations proposed. Several AT&T facilities will need to be relocated. This will require a 4-6 month time period
4. No reduction in width of Rogers Street
5. Retaining wall required adjacent to the fence on the Market St/Rogers St parcel – south side of property. Wall required to place sidewalk on city right-of-way
6. All landscape vegetation will be removed from the fence to the edge of the road to accommodate the wall and 5 ft. sidewalk
7. Add 2 benches and 2 trash containers along roadway
8. Mill & resurface road (State LMIG funding to be used)
9. Remove stop signs on Rogers St at Hill Street
10. Add 2 additional chicanes (Hill St to NIC) to the existing contract scope. Four chicanes are currently in the contract.

**COST INCREASE - \$262,255**

➤ **Mill/Pave and construct two driveways in the Methodist Parking Lot, including drainage improvements on city right-of-way along Rogers Street**

1. Mill existing asphalt and re-compact millings in-place
2. Resurface with 3 inches of asphalt
3. Restripe parking lot after paving; existing parking stalls - 59; new parking stalls – 60
4. Remove asphalt between Friends of Refugee house and NAMB parking lot and grass
5. Add dumpster pad and wooden enclosure with gate. Dumpster pad to be placed behind house
6. Add 2 defined driveways onto Rogers Street – 30 feet wide each
7. Add concrete curb along south end of parking lot to direct water to new drainage structures
8. Add water quality device in church parking lot to address stormwater runoff quality issues
9. Reconstruct existing storm lines on city ROW to address long history of flooding at houses on south side of Rogers Street
10. Replace one existing dirt driveway with a concrete apron

**COST INCREASE - \$146,702**

➤ **Remove the Hill Street raised landscape median and new granite curb**

1. Removal of the raised concrete landscape median, new granite curb & landscaping
2. Remove bench in the middle of the landscape median
3. Add angled parking east side of Hill St
4. Add double-yellow striping for a 2 lane road

**COST DECREASE - \$34,200**

Staff will recommend extending the existing 12 month project duration an additional 2 to 4 months depending on the number of scope changes approved by council.

If council approves of one or all of the changes, staff will assist the city manager with holding a resident meeting either on-site or in a city facility to discuss the project changes.

It should be noted that staff prepared construction plans and prepared Bid Schedule of Items for the above scope changes and forwarded to SOL Construction for pricing. The city saved approximately \$15,000 by preparing construction plans in-house as opposed to hiring a design firm to perform these tasks.

### **INFORMATION ON THE ORIGINAL PROJECT SCOPE:**

The referenced project was included in the City SPLOST program. Staff prepared a budget for all the SPLOST projects in 2017 including the referenced project. The engineering & construction budget for this project is \$1,255,000.

In the summer of 2018, the City staff prepared a project scope and advertised for design services. Five (5) design firms proposed on the work and the City Council selected POND to provide design and construction plans. The SPLOST 04 D project is identified as 5 segments:

- Mell Ave @ Church Street Trailhead and Park
- Rowland Street from Lovejoy Street from North Indian Creek
- Rowland Street from North Indian Creek to Market Street including Hill Street from Rowland St. to Rogers Street
- Hill Street from Rowland Street to Rogers Street
- Rogers Street from Market Street to North Indian Creek
- Rowland Street from Market Street to Norman Road

Refer to the attached scope of work for additional segment details.

It should be noted that the genesis of this project began in 2012 when Council approved a “Green Street” policy that stated the City should encourage the application of “green infrastructure” (use of vegetation within public infrastructure to improve water quality) and converting existing city streets to shared bicyclist/pedestrian/vehicular infrastructure where feasible and practical. When the Rowland Street project was presented to council in early 2017 as a potential SPLOST project, City staff re-introduced this idea of “Green Streets” and upon Council approval, proceeded to prepare a scope of work that satisfied the 2012 City adopted policy.

In 2018, the City held two public information meetings on the referenced project. The City received comments from the public and included a number of scope changes to the concept plans as a result of the public input. Also of note is the coordination with the NAMB-Send Relief development project that occurred when the city permit was issued in the summer of 2019. As a result of this coordination, NAMB agreed to install granite curbing on Rowland Street in those areas that would not be impacted by the City construction project. This coordination will now result in a cost savings to the City of several thousand dollars.

Staff prepared an “Invitation-To-Bid” package and advertised per state and local bidding requirements for the construction of Public Transportation Infrastructure. The City posted the legal ad in the Champion Newspaper, Georgia Procurement Registry and the City web site. The advertisement was for a period of 30 days to procure the services of a contractor. The bid opening occurred on November 27<sup>th</sup>, 2020.

### **BID RESULTS**

The city received 7 bids. All bidders were deemed qualified to submit a bid, with the results as follows:

- The city budget for construction is \$1,055,000
- The engineers estimate of \$1,596,000 was prepared before the bids were opened

Given the significant difference between the engineers estimate and the low bid amount, staff reached out to the low bidder, SOL Construction, to ensure they understood the project scope and were willing to move forward with the work. The President of the company acknowledged their understanding of the project scope and bid submitted and is willing to move forward with an Agreement with the City.

It should be noted that SOL Construction was awarded the City's 2<sup>nd</sup> SPLOST project in 2018 with the Phase IV East Ponce de Leon sidewalk and new granite curb installation project. They exceeded the City's expectations on this project and staff believes they have the knowledge and skill-set to perform this work.

**Funding**

Funding sources for this project is as follows:

- ✓ GDOT LMIG (3 years)                      2017 SPLOST

## ORIGINAL SCOPE OF WORK

### SCOPE OF WORK

**Contract Duration:** 365 calendar days

**Project Description:**

The Trailhead & Rowland Street Pedestrian Enhancements Project has six (6) distinct segments. The descriptions of each segment are as follows:

The “PATH Trailhead” project, located at the intersection of Mell Ave and Northern Avenue, is currently undeveloped with a PATH Trail that extends through the south end of the property. The work will generally consist of a passive park (PATH Trailhead) that will consist of trees, benches, bike air pump station, granite monument sign, an Information Kiosk and Exhibit that depicts the history of the Clarkston Trolley system.

Improvements to Rowland Street from Lovejoy Street to North Indian Creek will consist of milling, asphalt resurfacing, placement of bicyclist path symbol signs on the pavement, removing the three-way stop sign at Wagoner Street and installation of a traffic calming device known as an easabout.

Rowland Street, from North Indian Creek to Norman Street, will be converted into a multi-use facility that can safely accommodate a wide range of transportation uses from bikes to pedestrians and vehicles. The project plans provide details to reconstruct the curb line to provide a curvilinear road footprint with application of traffic calming devices (elongated raised speed table) to be utilized as a crosswalk. New granite curb will be installed with existing granite curb to be salvaged and re-used at the pedestrian crossings. Sidewalks will also be constructed along most of the roadway section. The traffic calming device will be combined with a reduction in posted speed limit to 15 MPH that will improve the safety for bicyclist and pedestrians. Driveway pruning (elimination of curb cuts), resurfacing, restriping and addition of street trees are included in the project plans. The project will tie-into the existing “HAWK Pedestrian Crossing Improvements & Right-In & Right-Out” channelization project at North Indian Creek and Rowland Street.

Hill Street, from Rogers Street to Rowland Street, will be converted to a 2 lane roadway with a raised landscaped median.

The section of Rowland Street from Market Street to Norman Street will consist of a 100% pedestrian walkway with bollards placed on both ends of the Rowland Street to remove all vehicular traffic. The City is currently in negotiations with effected property owners to remove two existing driveways onto Rowland Street while providing an alternate access into the existing office complex.

At the Norman Road/Rowland Street intersection, brick pavers will be utilized in combination with “green” stained asphalt pavement, to signify the crosswalk. A raised landscaped center island on Norman Road will also be constructed to improve the safe passage of pedestrians and bicyclist crossing Norman Road onto the existing PATH Trail.

Rogers Street improvements will include construction of traffic calming known as “chokers”, milling and resurfacing.

CITY OF CLARKSTON

ITEM NO: E3

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
COUNCIL DISCUSSION

MEETING DATE: March 30, 2021

**SUBJECT:** Amend the City Charter to Modernize Certain Provisions; to Amend Article IV of the Charter Regarding Budgeting, Appropriations and Auditing; to Repeal Conflicting Provisions

DEPARTMENT: City Administration

PUBLIC HEARING: YES  NO

ATTACHMENT: YES  NO   
Pages:

INFORMATION CONTACT: Debra Johnson  
PHONE NUMBER: 404-296-6489

**PURPOSE:** Council to consider approving the accompanying Charter Amendment Ordinances that captures recommended changes provided by the Charter Review Committee.

Proposed changes include expanding the city manager's duties to add proposing personnel rules (302 (d)(9)); specifying that municipal court has the authority to enforce the city's nuisance abatement ordinance (3.06 (h)); amending the oath of office to delete "So help me God." (3.11); enhancing fiscal administration through the requirement for a city manager's budget message and procedures for amending appropriations (4.02); and enhancing the audit function by specifying the use of a certified public accounting firm, expanding the review of the audit report and making the report available to the public (4.05).

**RECOMMENDATION:**

Staff has no recommendation.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE BY THE CITY OF CLARKSTON TO AMEND THE CITY CHARTER TO MODERNIZE CERTAIN PROVISIONS; TO AMEND ARTICLE IV OF THE CHARTER REGARDING BUDGETING, APPROPRIATIONS AND AUDITING; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Council empowered a Charter Review Committee to review the Charter for any provisions that might be confusing or out of date, as well as to recommend changes to the document that could strengthen the administration of City business; and

**WHEREAS**, the Charter Review Committee has recommended amending certain provisions of the Charter, particularly concerning financial administration, and the City Council desires to enact these changes; and

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

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

SECTION 1. City Charter Section 3.02 is hereby amended to re-designate existing subsection 3.02(d)(9) as new subsection 3.02(d)(10) and to adopt new subsection 3.02(d)(9), which shall read as follows:

“(9) Establish personnel rules, ensure that all employees are aware of such rules and enforce such rules, all pursuant to Chapter 14 of the City Code.”

SECTION 2. City Charter Section 3.06 is hereby amended to add new subsection (h), which shall read as follows:

“(h) The Municipal Court shall have the authority to hear nuisance abatement actions and enforce Clarkston’s nuisance abatement ordinance.”

SECTION 3. City Charter Section 3.11 is hereby deleted and replaced with the following language:

**“Sec. 3.11. - Oath of office.**

Before a person takes any office in the city government, he or she shall take before an officer of this state authorized to administer oaths the following oath or affirmation:

“I solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Georgia; that I will in all respects observe the provisions of the charter and ordinances of the City of Clarkston, and that I will faithfully discharge the duties of the office of\_\_\_\_\_.””

SECTION 4. The existing text of Charter Section 4.02 is hereby deleted and replaced with the following text:

**“Sec. 4.02. - City manager to submit annual budget, including a budget message; procedures for appropriation amendments.**

(1) On or before a date fixed by the city council, but not later than forty-five (45) days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed budget for the next fiscal year, showing separately for the general fund, each utility, and each other fund the following: (i) revenues and expenditures during the preceding fiscal year, (ii) appropriations and estimated revenues and expenditures for the current fiscal year, (iii) estimated revenues and recommended expenditures for the next fiscal year, (iv) a comparative statement of the assets, liabilities, reserves, and surplus at the end of the preceding year and estimated assets, liabilities, reserves, and surplus at the end of the current fiscal year, and (v) such other information and data as may be considered necessary by the city manager or requested by the city council.

(2) ***Budget Message***

The City Manager’s message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in fiscal policies, expenditures, and revenues together with the reasons for such changes, summarize the city’s debt position and include such other material as the City Manager deems desirable.

(3) ***Amendments After Adoption***

- (a) *Supplemental Appropriations.* If during the fiscal year the City Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the city council by ordinance may make supplemental appropriations for the year up to the amount of such excess.
- (b) *Emergency Appropriations.* To meet a public emergency affecting life, health, property or the public peace, the city council may make emergency appropriations. Such appropriations may be made by emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the city council may by such emergency ordinance authorize the issuance of emergency notes which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

- (c) *Reduction of Appropriations.* If at any time during the fiscal year it appears probable to the city manager that the revenues available will be insufficient to meet the amount appropriated, the city manager shall report to city council without delay, indicating the estimated amount of the deficit, any remedial action taken by the city manager and recommendations as to any other steps to be taken. The city council shall then take such further action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by ordinance reduce one or more appropriations.
- (d) *Transfer of Appropriations.* At any time during the fiscal year the city manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the city manager the city council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.
- (e) *Limitations; Effective Date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated, or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations, and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

SECTION 5. City Charter Section 4.05 is hereby deleted and replaced with the following language:

**“Sec. 4.05. - Annual audit.**

The city council shall engage, pursuant to an annual contract, a certified public accountant or accounting firm to make an annual audit of all financial books and records of the city in compliance with the requirements of State general law. A report setting forth the findings of such annual audit shall be filed with the city clerk and presented to the mayor, council members and city manager at a time established by the contract by which the auditor is engaged. The audit shall be made available to the public.”

SECTION 6. This Ordinance is intended to be severable. If any section, subsection, paragraph, sentence or word of this Ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence or word of this Ordinance irrespective of the invalidity of any other section, subsection, paragraph, sentence or word.



SECTION 7. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. This Ordinance shall become effective immediately upon its final adoption by the City Council at the second of two consecutive regular meetings.

SO ORDAINED, this \_\_\_\_ day of \_\_\_\_\_, 2021.

SO ORDAINED, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

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

By \_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
Beverly Burks, Mayor

Approved as to Form:

Stephen Quinn  
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: E4

HEARING TYPE:  
Council Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Proclamation

MEETING DATE: March 30, 2021

SUBJECT: Discussion –Proclamation Recognizing Pet Month for April

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 1

INFORMATION CONTACT: Beverly Burks,  
PHONE NUMBER: 404-296-6489

PURPOSE:

Council to discuss adopting a Proclamation Recognizing Pet Month for April

RECOMMENDATION:

Staff has no recommendations.

## PROCLAMATION

### BY THE CLARKSTON CITY COUNCIL TO CELEBRATE NATIONAL PET MONTH, NATIONAL PET FIRST AID AWARENESS MONTH AND TO HOST PET WELLNESS DAY FOR CLARKSTON RESIDENTS

**WHEREAS**, according to the American Pet Products Association (APPA), sixty-seven percent of U.S. households, or about 84.9 million families, own a pet; and

**WHEREAS**, owning and caring for a pet can be expensive. DeKalb County requires all pet owners to register their dogs and cats. Many residents are unaware that the DeKalb County provides subsidized veterinary services for eligible pet parents; and

**WHEREAS**, it is estimated 4.5 million dog bites are reported every year in the United States. Approximately 334,000 people are admitted to US emergency departments annually with dog bite-associated injuries, and another 466,000 are seen in other medical settings. Half of the people bitten are children younger than 12 years old. Adults more than 70 years old comprise 10% of those bitten and 20% of those killed; and

**WHEREAS**, according to the American Animal Hospital Association, 60% of all vet visits are emergencies. Statistics show that preventable accidents are the leading cause of death among pre-senior dogs and cats. It is critical for pet owners to know their pet's health status to possibly prevent serious issues.

**NOW, THEREFORE**, I, Beverly H. Burks, Mayor of the City of Clarkston, Georgia and on behalf of the Clarkston City Council, hereby proclaim the month of April 2021 as:

#### **National Pet Month**

and remind pet owners to care for their four-legged companions that give them unconditional love. April is also National Pet First Aid Awareness Month and owners can learn more about animal health and safety.

**BE IT FURTHER PROCLAIMED** by the Clarkston City Council that April 25, 2021, is designated Clarkston Pet Wellness Day. An event is scheduled to be held to provide Clarkston residents with low cost pet vaccinations; and

**SO ORDAINED**, this 6th day of April, 2021.

**ATTEST:**

**CITY COUNCIL  
CITY OF CLARKSTON, GEORGIA**

\_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
BEVERLY H. BURKS, Mayor

CITY OF CLARKSTON

ITEM NO: E5

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Discussion

MEETING DATE: MARCH 30, 2021

**SUBJECT:** Review/Discuss the recently adopted American Rescue Plan Act of 2021 (ARPA) – COVID-19 Funding Assistance, and its Potential Uses

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 15

INFORMATION CONTACT: ROBIN I. GOMEZ  
PHONE NUMBER: 404-296-6489

**PURPOSE:**

Review/discuss the recently adopted American Rescue Plan Act of 2021 (ARPA) Funding including areas of expenditures by the City of Clarkston.

**NEED/IMPACT:**

On March 11, 2021, President Biden signed H.R. 1319, the American Rescue Plan Act of 2021 (ARPA), that includes comprehensive COVID-19 related relief totaling \$1.9 trillion, with \$65.1 billion for cities throughout the U.S. For the first time all 19,000 cities, towns, and villages of all sizes will be eligible to receive a direct allocation from the federal government to help address the pandemic-related needs of cities, residents, and the business community. We have received information from the Georgia Municipal Association (GMA) that they continue working closely with the National League of Cities, the White House Office of Intergovernmental Affairs, and the U.S. Treasury Department to finalize the development of detailed guidance as to how cities may use funds and the mechanism that will be used for cities to draw down funds. We will follow the prescribed directions and processes to receive (draw-down) the funds when available.

The following represents known ARPA information as of last Wednesday, March 24, 2021, obtained from GMA and the NLC:

- Clarkston's allocation as determined by the U.S. House Oversight and Reform Committee on March 8 is estimated at: **\$3,981,473**, which we are slated to receive from the state as a pass-through entity only. Each city will be eligible to receive its own allocation; amount is subject to change.
- Clarkston is considered a "non-entitlement city," i.e., cities under 50,000 population, and are only eligible to receive **up to 75% of their annual general fund operating budget amount**. If the amount on the spreadsheet exceeds 75% of their most recent GF annual budget, excess funds will be returned to Treasury. 75% of our current \$6,790,423 GF budget is \$5,092,817.25, consequently Clarkston is under that %.

- **Two-Year Disbursement:** Funds will be provided to cities over two years, with 50% in 2021 and 50% in 2022. **All funds must be spent by December 31, 2024.**
- **When Funds Pass Through the State:** Non entitlement city funds will pass through the state and states have 30 days to get the first tranche of funds (50%) to non-entitlement cities. States can apply for an extension under certain circumstances. **The final 50% will be available 12 months later.**
  - The U.S. Department of Treasury is in the process of developing detailed guidelines for uses of funds and the mechanism for how funds will get to non-entitlement cities and GMA will share those as soon as possible after these are released.
  - States may not impose additional restrictions or guidelines on the use of these federal funds for any jurisdiction.
- **Eligible Use of Funds:**
  1. Respond to the public health emergency with respect to the COVID-19 or its negative economic impacts, including assistance to households, small businesses, and non-profits, or aid to impacted industries such as tourism, travel, and hospitality
  2. Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the city that are performing such essential work, or by providing grants to eligible employers that have eligible workers that perform essential work
  3. For the provisions of government services to the extent of the reduction in revenue (i.e. online, property or income tax) due to the public health emergency relative to revenues collected in the most recent full fiscal year of the city prior to the emergency (i.e. January 20, 2020) or
  4. Make necessary investments in water, sewer, and broadband infrastructure.

The below represents the City’s portion of the CARES Act Funds, the 2020 version of the ARPA:

The City Council approved at a Special Call meeting on August 21, an intergovernmental agreement (IGA) with DeKalb County for the City to receive its share of the Federal CARES Act funding in the amount of \$1,433,288. The last column represents the actual expenditures at the end on Dec 20, 2020:

	<u>ACTUAL 8-20-20</u>	<u>12-1-2020</u>	<u>12-20-2020</u>
Translation Services	\$ 249.80	\$ 1,000	\$ 249.80
Legal Services	\$ 11,205.00	\$ 17,500	\$ 16,605.00
Tech Equip/Services	\$ 3,290.12	\$ 5,000	\$ 73,826.90
Police Equipment	\$ 9,005.00	\$ 12,000	\$ 12,235.43
Outdoor Equipment	\$ 2,727.09	\$ 7,500	\$ 8,653.29
Cleaning/PPE Equip/Supp	\$ 7,631.91	\$ 15,000	\$ 25,993.38
Food – 1 <sup>st</sup> responders	\$ 509.42	\$ 1,000	\$ 526.66
Payroll (10% hazard pay)	\$ 24,574.84	\$ 50,000	\$ 122,815.43
Rental/Mortgage Housing	\$ 118,698.90	\$450,000	\$ 900,517.91
Payroll – other	\$ 154,139.06	\$260,000	\$ 0.00
Workforce Dev/Job Placement	\$ 0.00	\$100,000	\$ 5,426.25
Utility Payment Assistance	\$ 0.00	\$100,000	\$ 28,564.69
Contingency-test, education	<u>\$ 0.00</u>	<u>\$399,288</u>	<u>\$ 238,896.10</u>
Food distribution			
	\$ 332,031.14	\$1,433,288	\$1,434,310.84

Actions at several subsequent Council meetings more specifically identified CARES Act Funds to be spent on categories such as early learning, wife-connectivity, and COVID-19 testing. In October 2020, we even received a private \$1,000.00, bringing the available total to \$1,434,288.

Some specifics on the expenses:

1. RENTAL ASSISTANCE: 410 residents, received 753 payments averaging \$1,180.34 per payment at 19 apartment complexes and 14 additional properties
2. UTILITY ASSISTANCE: 72 residents, received 110 payments averaging \$259.68 per payment
3. MORTGAGE ASSISTANCE: 4 residents, 9 payments, \$886.57 per payment
4. FOOD DISTRIBUTION: \$39,008.61
  - a. Burmese Rohingya Community of GA, \$11,008.61– 3 Food Distribution Events: Nov 22, 2020 door-to-door distribution to families, 45 households received \$50 gift cards, masks, and hand sanitizers; Nov 29, 2020 door-to-door distribution to families, 40 households, 245 individuals received 200 Thanksgiving hot meals; Dec 16, door-to-door distribution to 70 households (351 individuals), received \$50 gift cards; and administrative expenses.
  - b. Envision Atlanta, Inc, \$13,000 – Refrigerators, freezers, shelves, equipment, and food purchases for food storage, distribution, and related activities at their location/warehouse at 4392 E Ponce de Leon – provided direct food deliveries and collection location for other agencies to distribute food as well. Provided over 10,000 lbs of food every week throughout Clarkston area.
  - c. Positive Peering, Inc, \$15,000 – food and equipment purchases, various administrative costs for weekly 50-60 food boxes distribution to Clarkston residents from April to early December at various complexes including Avalon on Montreal, Springdale Glen, Clarkston Station, 1500 Oak, Tree Creek Condominiums.
5. EDUCATION: - \$96,530.49
  - a. Family Heritage Foundation, \$7,704.39 – after-school tutoring/learning programs and assistance - Nov 2020, provided 24 hours of extended learning time to 16 Clarkston students, Dec 2020, provided 48 hours of extended learning to 20 Clarkston students After-school learning materials and supplies, stipends for after-school students, personal protective equipment, cleaning supplies, after-school snacks
  - b. Clarkston First Baptist Academy, \$29,505.42 – personal protective equipment, cleaning equipment/supplies, 5 kids pre-school scholarships for 19 weeks, administrative costs
  - c. Amani Women Center, \$30,000 – consultant fees, 8 kids pre-school scholarships ranging from 12 to 20 weeks, administrative costs
  - d. Early Learning Scholars, \$29,320.68 – personal protective equipment, cleaning equipment/supplies, 7 kids pre-school scholarships for 17, 20, 21, and 23 weeks, administrative costs
- 6 WIFI-CONNECTIVITY - \$26,735.97

- a. CDF Action, \$23,515.05 – Coordination and information survey/dissemination in various languages (Arabic, Amharic, Nepali, Swahili, Burmese, etc), wifi connectivity and related equipment including 15 laptops (with virus security) for English Oaks and Clarkston Townhomes
- b. City – \$860.62 to Comcast, wifi internet (public use) for 1 full year (pre-pay) at Clarkston Woman’s Club



# The American Rescue Plan Act

Georgia Municipal Assn.

March 16, 2021

Irma Esparza Diggs  
National League of Cities

**NLC** NATIONAL  
LEAGUE  
OF CITIES  
CITIES STRONG TOGETHER



## **\$65.1 Billion in Funding For All Cities, Towns and Villages**

- Historic. First time in history the federal government will provide funding to all 19,000 cities, towns and villages
- The CARES Act, Coronavirus Relief Fund went directly to cities with a population greater than 500,000
- Tell Your “Respond, Rebuild, Recover” Story: Economic Recovery, Stabilizing Government, and Uplifting Our Communities

## COVID-19 Impact on Georgia

- Since the pandemic began, more than 1,023,487 people in GA have been infected with COVID-19 and more than 17,906 people have died.
- The unemployment rate is 5.3%, up from 3.5% before the pandemic including Municipal Government Job Loss
- Since February 2020, more than 192,477 fewer people are employed.
- 960,000 adults – 14% of all adults in the state – report not having enough food to eat. This includes 421,000 adults living with children, or 15% of all adults living with children, who report that the children in their household do not have enough to eat.
- An estimated 548,000 renters or 23% of renters are not caught up on rent.
- An estimated 2,779,000 adults or 37% of all adults statewide report having difficulty covering normal household expenses.
- ARP State and Local Relief Funds (Estimated): \$5.073 billion in state fiscal relief; \$3.559 billion in local fiscal relief; More than \$4.345 billion in relief for K-12 schools
- Economic impact payments of up to \$1,400 per person (above the \$600 per person provided in December) for more than 6,255,700 adults and 2,919,400 children. This is 88% of all adults in the state and 88% of all children in the state.
- Additional relief of up to \$1,600 per child through the Child Tax Credit to the families of 2,274,000 children
- Additional relief of up to nearly \$1,000 through the Earned Income Tax

## State and Local Emergency Relief Funds

The \$350 billion in funding in the bill is broken down as follows:

- States: Providing \$195.3 billion for the states.
  - Localities: Providing \$130.2 billion for local governments.
  - Tribal Governments: Providing \$20 billion to federally recognized tribal governments.
- 
- \$10 Billion Capital Project Fund: “to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency.”
  - An additional \$1.5 billion is provided for eligible revenue share counties (notably public land counties that receive Payment-in-Lieu-of- Taxes (PILT) and Secure Rural School (SRS) payments), with \$750 million allotted each year for federal Fiscal Years 2022 and 2023
    - Treasury will be responsible for determining the funding formula, taking into account the economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates as well as other economic indicators, over the 20-year period ending with Sept. 30, 2021
    - Eligible counties may use these funds for any governmental purpose *other than a lobbying activity*
    - Counties shall be required to provide periodic reports with a detailed accounting of the use of funds
    - Failure to submit required reports or misuse of funds will result in the recoup of funds by the federal government

## Use of Funds

- Respond to the COVID-19 emergency and address its economic effects, including through aid to households, small businesses, nonprofits, and industries such as tourism and hospitality.
  - Provide premium pay to essential employees or grants to their employers. Premium pay couldn't exceed \$13 per hour or \$25,000 per worker.
  - Provide government services affected by a revenue reduction resulting from COVID-19.
  - Make investments in water, sewer and broadband infrastructure.
- State and local governments cannot use the funds towards pensions or to offset revenue resulting from a tax cut enacted since March 3, 2021.
  - State and local governments could transfer funds to private nonprofit groups, public benefit corporations involved in passenger or cargo transportation, and special-purpose units of state or local governments.



## Process

- Upon Certification (Must Apply): Disbursement comes in Two Tranches (12 months apart)
- Use funds through December 31, 2024
- Funds distributed by Treasury within 60 days to Metropolitan Cities – generally 50,000 in population and above (CDBG Entitlement as defined by HUD)
- All other will receive theirs through the State
  - Non-entitlement cities (CDBG – generally 50,000 population and below)
  - Census area allocation to cities – distribution based upon population
  - State has 30 days to distribute, can request waiver but penalty otherwise
- Counties will receive their allocation per capita
- In the final version, ALL recipients of money will have to provide periodic reports to Treasury.
  - Recipients of “payment made under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section.”

### State Aid

- Treasury could withhold up to half of State’s allocation based on unemployment rate, and require updated certification of need
- Base of \$500 million; Rest based on unemployment rate over 3-month period (Oct-Dec 20)

## Allowable Uses

- (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
  - This allows a municipality to provide up to \$13 per hour above regular wages.
- (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
  - Key here: **prior to the emergency**. The base year against which you will measure lost revenue happens not the most recent full fiscal year but the most recent full fiscal year prior to the emergency.
- (D) to make necessary investments in water, sewer, or broadband infrastructure.

## ARP Funding for Your Residents and Your Local Businesses

- Direct Payments - \$1,400 per person, reduced eligibility (\$80,000) – already being distributed
  - Local governments may want to ramp up “Buy Local” campaigns, send reminders about utility or tax payments
- Tax Credits - Increase to and extension of Earned Income, Dependent Care, and Child Tax Credit
- Tax Credits - Employee Retention Credit and Paid Leave Credit
- Tax Credits - Makes states and local governments eligible for FFCRA paid leave reimbursable tax credit, beginning March 31, 2021
- Extension to additional Unemployment benefits, federal component – applies at State level (unless an employer provides unemployment benefits on a reimbursement basis, with 75% subsidy for that)
- Limited PPP funding increase (March 31 closes) – includes nonprofit eligibility
- Restaurant Revitalization Fund – grants equal to pandemic-related revenue loss
- Funding for shuttered venue operators
- Extends SNAP and WIC increases

## Health and Human Services

- Health - Supplemental vaccination and testing grants for state and local distribution
- Health - Funding available to state and local government public health departments to support workforce
- Health - Funding available for community health centers
- Health - Block grants under the Substance Abuse and Mental Health Services Administration
- Human Services - Child Care and Development Block Grant – these go to the State then to providers
- Human Services - Child Care Stabilization grants; Child Care Entitlement to States
- Human Services - Emergency Funding to states for low-income families with children
- Human Services - Mental Health Services Block grant, Substance Abuse Block grants, grants to Community Behavioral Health Clinics, funds for Head Start, home visiting programs, child abuse prevention and treatment grants, family violence grants
- Human Services - Older American Act funding, including nutrition programs
- Human Services - HHS – LIHEAP for energy assistance, plus water/sewer assistance
- Medicaid and Medicare provisions that will apply at the state level, ACA provisions
- 100% COBRA subsidy



## FEMA, Transportation and Education

- Maintain 100% FEMA reimbursement to states and local governments
- FEMA firefighter, SAFER, and emergency management performance grants (suggest joint grant)
- Food supply chain – USDA purchases of food and seafood, seafood processors
- Operating assistance formula grants to states to support rural transit programs/agencies
- Airport funding – costs related to operations and COVID response; non-primary airports aid
- Education (ESSERF)– school districts ventilation systems, support staff, reduced class sizes, PPE, learning loss remediation - -  
Must have plan to return to in-person operations
- Education – funds to IDEA, non-public schools through governor; School and library internet funding through FCC E-rate program
- Education - States must maintain spending on both K-12 and higher education in FY 2022 and FY 2023 at least at the proportional levels relative to a state's overall spending, averaged over FY 2018, FY 2019 and FY 2020.
  - States cannot cut per-pupil spending for high-need districts more than other districts; cannot fund highest-poverty districts below FY19 funding

## Utility, Consumer, and Housing

- University funding for lost revenue; restrictions on use, including to use for financial aid
- Emergency rent relief and utility assistance; extra for rural housing
- Emergency housing vouchers to address homelessness
- Homeowner Assistance Fund – mortgage payments, property taxes, utilities, insurance
- Housing – not more than 15% of funds can be used for admin by states and local governments
- Low-Income Household Drinking Water and Wastewater Emergency Assistance Program created under the FY 2021 Omnibus to assist with payments for drinking water and wastewater expenses
- VA construction funds to upgrade homes; support for state-operated facilities
- Emergency assistance through TANF
- EDA Economic adjustment assistance competitive grants for planning and projects
  - 25% reserved for states and communities to address losses in the travel, tourism or outdoor recreation sectors
- Corporation for Public Broadcasting – stabilization grants to small and rural stations

## Other Allowances

- Recipient governments can transfer funds to a:
  - Private nonprofit organization; a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.
- Non-entitlement cities may not receive more than 75 percent of the city's most recent budget
- Money may not be used for pension funds - No metropolitan city, nonentitlement unit of local government, or county may use funds made available under this section for deposit into any pension fund.
- Money remains available until December 31, 2024
- In the final version, ALL recipients of money will have to provide periodic reports to Treasury.
  - Recipients of “payment made under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section.”

## Georgia's Allocations (Estimated)

- [State and Local Fiscal Relief](#)  
State Government: \$4.655 billion; Metro Cities: \$551 million; Non-Entitlement: \$856.5 million;  
Counties: \$2.071 Billion; State/Capital Projects: \$261 Million; Total \$8.396 Billion
- [Additional Round of Direct Payments](#): Georgia Households: 4,629,178 Total Amount of Payments: \$12,413,266
- [Education Relief Funding](#): Georgia State Share (SEA) \$4,249,371 Estimated Min to LEA \$3,824,434 \$764,887
- [Emergency Rental Assistance](#): \$561 million for Georgia
- [LIHEAP](#) \$122 Million for FY2020; \$78 Million for FY2021
- [Rural Transit](#): \$1,557,800 for Formula Grants for Rural Areas
- [FEMA Disaster Relief Fund Estimates](#)
- [Child Care and CCDBG](#)
- [Head Start](#): \$26.7 million for Georgia (no including previous funding)
- [Transit Relief for Urbanized Areas](#) for Metropolitan Cities
- [Paratransit](#) for Populations of 200,000 or More
- [Enhanced and Expanded ACA subsidies, Additional Resources](#)
- Incentives for Non-Expansion States to Expand Medicaid

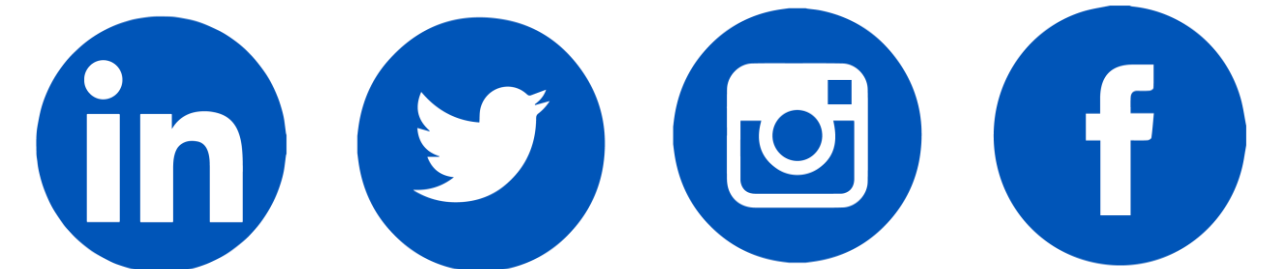


## Next Steps

- NLC will begin working with the Treasury Department and White House on the implementation of this section of the American Rescue Plan Act, as well as work to make suggestions on guidance.
- Weekly Calls with NLC Membership
- Funding Summaries
- Release Guidance Updates
  
- If you have any input or questions, you can email:
  - [advocacy@nlc.org](mailto:advocacy@nlc.org)



@LEAGUEOFCITIES



CITY OF CLARKSTON

ITEM NO: E6

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Proclamation

MEETING DATE: March 30, 2021

SUBJECT: Consider Adopting a resolution by the Clarkston Mayor and City Council in response to hate crimes against Asian Americans

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 1

INFORMATION CONTACT: Beverly Burks,  
PHONE NUMBER: 404-296-6489

PURPOSE:

Council to discuss adopting a resolution by the Clarkston Mayor and City Council in response to hate crimes against Asian Americans.

RECOMMENDATION:

Staff has no recommendations.

**A RESOLUTION BY THE CLARKSTON MAYOR AND CITY COUNCIL IN RESPONSE TO  
HATE CRIMES AGAINST ASIAN AMERICANS**

WHEREAS, the City of Clarkston is known as the most diverse city per square mile in the United States. According to the US Census, the City of Clarkston has an Asian Population of 24.6%.

WHEREAS, since the start of the coronavirus pandemic, Asian American and Pacific Islanders (AAPI) face a surge of physical and verbal assaults, harassment, and discrimination.

WHEREAS, according to the Stop AAPI Hate National Report, the group said it received reports of 3,795 incidents between March 19, 2020 and Feb. 28, 2021. The number of cases could be higher because not all incidents are reported.

WHEREAS, the report cited that verbal harassment (68.1%) and shunning (20.5%) (i.e., the deliberate avoidance of Asian Americans) made up the two largest proportions of the total incidents reported.

WHEREAS, a recent report from the Center for the Study of Hate and Extremism at California State University, San Bernardino discovered hate crimes against Asian Americans in 16 cities rose by 150 percent in 2020.

WHEREAS, on March 16, 2021, the shootings at three massage parlors in the Atlanta area left eight dead, six of them were women of Asian descent.

WHEREAS, Clarkston has been known as a Welcoming City since 2014; furthermore, Clarkston remains committed to building a welcoming and neighborly community, where all individuals, regardless of race, color, creed, place of origin, ethnicity, religion, gender, sexual orientation, gender identity, age, disability, political affiliation, marital/parental status or military service are welcome, accepted and integrated and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of the City of Clarkston, Georgia, that this governing body forcefully condemns violence and harassment of members of the Asian American and Pacific Islander community and will work to ensure that AAPI people feel safe and welcome in our city – both during this COVID-19 pandemic and beyond

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of the City of Clarkston, Georgia, condemns harmful rhetoric and racist acts due to the fears of the COVID-19 pandemic and beyond; and

BE IT FURTHER RESOLVED, the Clarkston City Council encourages partnerships with community-based organizations, advocacy groups, as well as other appropriate officials and agencies across the county, to protect Asian American and Pacific Islander residents and victims of discrimination and to curb hate acts related to COVID-19 for other groups, including, but not limited to, Black, Latinx, Indigenous, Muslim, Jewish, and LGBTQIA communities, and people with disabilities; and

BE IT FURTHER RESOLVED, the Clarkston City Council encourages the City to partner with the County of DeKalb, healthcare providers and community-based organizations to educate the public on mental health services for those who have been traumatized or otherwise stigmatized by anti-AAPI hate; and



BE IT FURTHER RESOLVED, the Clarkston City Council encourages City Departments to ensure that all information, such as public health information and emergency and disaster relief resources, is disseminated effectively to Limited English Proficient (LEP) communities; and

BE IT FURTHER RESOLVED, the City of Clarkston calls upon all counties, cities, and local governments across the United States to adopt similar commitments to reaffirm their solidarity with AAPI communities and commit to combating hate and improving health equity.

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

CITY COUNCIL  
CITY OF CLARKSTON, GEORGIA

By \_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
Beverly H. Burks, Mayor

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney