

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, August 21, 2023

6:30 PM

2nd Floor Conference Room

Policy Work Session

Mayor Craig Newton

Mayor Pro Tem Bruce Gaynor

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Dr. Arlene Beckles

- A. Roll Call (recorded)
- B. Citizen Input
- C. Board Updates
- D. General Updates
- E. Council- General Discussion
- F. Board Appointments

Mayor and Council will consider appointments to the following boards, authorities or commissions:

Norcross Development Authority (2 Applicants | 1 Vacancy)

Norcross Public Arts Commission (2 Applicants | 1 Vacancy)

- G. City Manager's Report
- H. Items for Discussion

- 1. [23-6733](#) **RZ2023-002 - 510 & 520 West Peachtree Street**

A request to rezone the property located at 510 & 520 West Peachtree Street, from R-75 (Single-family Residence) to R-TH (Townhouse Residence) for the construction of four single-family detached residential units for the construction of 4 single-family homes.

[Agenda Report - RZ2023-002 510 & 520 West Peachtree Street](#)

[Staff Report - RZ2023-002 Packet](#)

[West Peachtree Street GPR Report](#)
- 2. [23-6793](#) **Grass Pave Parking at Pad 2 (57 College Street)**

A recommendation for the Downtown Development Authority to enter into a five-year Intergovernmental Agreement (IGA) with the City of Norcross to install 26 grass surface pervious parking spaces on Pad 2 at Lillian Webb Park (57 College Street).

[Agenda Report - Grass Pave Parking at Pad 2 \(57 College Street\)](#)

[1\) Schematic Site Plans](#)

[2\) Example Photos](#)

3. [23-6794](#) **Potential Tax Allocation District Projects**

Review and discuss the various ideas for the expenditure of Tax Allocation District (TAD) proceeds.

[Agenda Report - Potential TAD Projects](#)

[TAD Intergovernmental Agreement between the City of Norcross and Gwinnett County](#)

[TAD Intergovernmental Agreement Modification Document](#)

[Norcross TAD Resolution and Exhibit](#)
4. [23-6742](#) **City of Tucker Franchise Agreement**

A recommendation to approve the Mayor's execution of the attached Electrical Facilities Franchise Agreement with the City of Tucker, with any modifications as to form as may be appropriate on the advice of counsel, and to approve the payment of fees pertaining to prior use of the City of Tucker's Right of Way, the same being \$31,444.52 on or before October 31, 2023.

[Agenda Report - Tucker Franchise Agreement](#)

[1\) Electrical Facilities Franchise Agreement](#)

[2\) Fees Collected from End User](#)
5. [23-6795](#) **Personal Transportation Vehicle (PTV/Golf Cart) UPDATE**

A recommendation to adopt a Personal Transportation Vehicle (PTV) ordinance similar to many other metro-Atlanta cities, including Roswell and Flowery Branch (attachments 2 and 3). Staff requests direction from the Mayor and Council on the level of street interconnectivity they desire for Norcross based on the results of QK4's study.

[Agenda Report - Personal Transportation Vehicle \(PTV\) Street Feasibility and Connectivity Study UPDATE](#)

[1\) QK4 PTV Study Report](#)

[2\) Roswell PTV Ordinance](#)

[3\) City of Flowery Branch PTV Ordinance](#)

[4\) OCGA Laws for PTV](#)
6. [23-6796](#) **Proposed Fiscal Year 2023 Budget Amendments**

A recommendation to approve amendments to the fiscal 2023 budgets for the General and Special Revenue funds.

[Agenda Report - Proposed Fiscal Year 2023 Budget Amendments](#)

[Budget Adjustments by Fund](#)

[Budget Resolution](#)

7. [23-6797](#) **Annual Seasonal Color Container Services**
A recommendation to review and approve the Request for Proposals (RFP) for the Annual Seasonal Color Container Services.
[Agenda Report - Annual Seasonal Color Container Services](#)
[RFP PWUP 23-15](#)
8. [23-6798](#) **RFP for Pest Control Services**
A recommendation to approve the issuance of a Request for Proposals (RFP) for Pest Control Services.
[Agenda Report - RFP for Pest Control Services](#)
[RFP PWUP 23-16](#)
9. [23-6799](#) **Commercial Solid Waste Services Fees**
A recommendation to approve commercial solid waste services fees effective September 1, based on a ten percent markup over the fees charged to the City of Norcross by Waste Management except for a five percent markup of disposal fees, and amend the total Solid Waste Fund budget to \$5.4 million in sources and uses.
[Agenda Report - Commercial Solid Waste Services Fees](#)
[Sixth Addendum to the Exclusive Contract for Solid Waste, Recycling, and Yard Waste Services](#)
10. [23-6759](#) **Request to Amend Code Section 202-2(D) Supplemental Use Standards**
A request to consider an amendment to Code Sec. 202-2(d), with an adjustment to the number of chickens allowed, determined by land lot size.
[Agenda Report - Request to amend Code Sec. 202-2\(d\) Supplemental use Standards](#)
[Code Sec. 202-2\(d\) Supplemental Use Standards](#)
11. [23-6800](#) **HRD Cultural Assessment Update**
Update on implementing the recommendations as HRD and Mayor and Council prescribed. As agreed by Council, the following items were to be addressed immediately:
- Elevate HR presence and engage HR Leader with Executive Leadership Team.
 - Engage external resources to assist the HR Team.
 - Identify opportunities within Departments to improve interpersonal relationships.
- [Agenda Report - HRD Cultural Assessment Update](#)
[1\) City of Norcross Cultural Assessment Report 05162023](#)

[2\) Message to Employees of the City of Norcross from The Mayor](#)

[3\) HRD Assessment Update from Mayor and Council](#)

12. [23-6801](#)

Gwinnett United in Drug Education (GUIDE) Contribution

A recommendation to approve a \$500 contribution to Gwinnett United in Drug Education (GUIDE) to cover costs associated with the use of Lillian Webb Park for a currently non-sponsored event.

[Agenda Report - Gwinnett United in Drug Education \(GUIDE\) Contribution](#)

[GUIDE Community Request for Funding Form](#)

13. [23-6802](#)

RFP – Smart Parking Downtown Norcross

A recommendation to approve the issuance of a Request for Proposals (RFP) soliciting the services of a qualified vendor to provide smart parking in the Downtown Norcross area.

[Agenda Report - RFP for Smart Parking Downtown Norcross](#)

[Smart Parking - RFP Proposal](#)

[Scope for Downtown Parking](#)

I. **Adjourn to Executive Session for Personnel, Real Estate, or Legal**

J. **Signed by:** _____ **Mayor Craig Newton**

K. **Attest:** _____ **Monique Philip, City Clerk**



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6733	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work
Title:	RZ2023-002 - 510 & 520 West Peachtree Street	Session	

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - RZ2023-002 510 & 520 West Peachtree Street](#)
2. [Staff Report - RZ2023-002 Packet](#)
3. [West Peachtree Street GPR Report](#)

Title

RZ2023-002 - 510 & 520 West Peachtree Street

Drafter

Antonio Harris

Motion

A motion to Approve/Deny a request to rezone the property located at 510 & 520 West Peachtree Street, from R-75 (Single-family Residence) to R-TH (Townhouse Residence) for the construction of four single family detached residential units for the construction of 4 single-family homes, with the following conditions:

1. To restrict the use of the property as follows: a. Four (4) Single-Family detached dwellings and accessory uses and structures.
2. The development shall abide by all applicable standards of the United Development Code, unless otherwise specified in these conditions or through the approval of an administrative variance or by the Zoning Board of Appeals, as appropriate.
3. All shared areas, but not limited to streets and storm water systems, shall be maintained by the property manager/owner.

4. Compliance with streetscape improvements such as lighting, sidewalks, and planting strips are subject to approval of the Community Development Department.
5. The applicant shall submit architectural drawings and details to the Architectural Review Board for a regular ARB meeting prior to applying for any permits.
6. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks.
7. The location of all crosswalks and traffic calming measures within the development are subject to the approval of the City Engineer.
8. Plant material use on site in landscape strips and buffers are subject to final approval of the City's landscape review professional.
9. Location of stormwater detention is subject to the approval of the City Engineer.
10. All utilities shall be buried.
11. The development shall comply with the Architectural Review Board's conditions of approval.
12. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report.
13. The developer shall deposit \$5,000 to the HOA escrow account for the maintenance of the road.
14. The developer shall coordinate with the neighboring Church and Archaeologist to ensure no graves are on the development property.
15. The developer shall provide a survey and survey markings for the property, along with a site triangle report for the proposed driveway.
16. The applicant must install a 3-foot construction fence in addition to the silt fence along the entire length of the west property line abutting the cemetery property before and during all Land Disturbance Activities.
17. The applicant must install a permanent wooden 6-foot privacy fence along and for the entire length of the west property line abutting the cemetery.
18. A 2-foot landscape strip, 5-foot sidewalk and 10-foot landscape strip shall be installed along West Peachtree Street as specified in the Streetscape Standards on Section 205-04.F. of the Unified Development Code.
19. A 10-foot undisturbed setback shall be provided along the property line abutting the cemetery.
20. The construction of Modular homes is permitted on the site provided that the houses are built on a permanent foundation.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
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Agenda Report

To: Mayor and Council

From: Antonio Harris
Community Development and Planning Director

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6733

Title: RZ2023-002 510 & 520 West Peachtree Street

CC: Eric Johnson, City Manager

Update: from June 5th and June 20th background Policy Work Sessions

The Mayor and Council asked for additional information to be reassessed during the June 5th and 20th meetings. Conditions 15, 16, and 17 were added during the June 5th meeting. The Mayor & Council asked the developer to coordinate with the neighboring church and hire an archaeologist to ensure no graves are on the development property or property line. In addition, the developer shall provide a survey with a site triangle report for the proposed driveway and provide a save a tree detail on the LDP.

During the June 20th Policy work session, Mayor & Council asked for additional conditions for the developer. There were some concerns for the graveyard's property line. Therefore, M&C asked for a construction fence to be installed along the entire length of the west property line. Post construction, a permanent wooden 6-foot fence will be installed for the entire length of the west property line abutting the cemetery. In addition, M&C asked for sidewalks to be added to the development. This will allow future connections of sidewalks. Lastly, 10-foot setbacks are required for the graveyard property line.

The following are zoning conditions proposed by Council based on the discussion from the previous two policy work sessions.

15. The developer shall coordinate with the neighboring Church and Archaeologist to ensure no graves are on the development property.
16. The developer shall provide a survey and survey markings for the property, along with a site triangle report for the proposed driveway.
17. ~~Before the land disturbance permit is issued, the developer should provide a tree save detail for the development.~~
18. The applicant must install a 3-foot construction fence in addition to the silt fence along the entire length of the west property line abutting the cemetery property before and during all Land Disturbance Activities.

19. The applicant must install a permanent wooden 6-foot privacy fence along and for the entire length of the west property line abutting the cemetery.
20. A 2-foot landscape strip, 5-foot sidewalk and 10-foot landscape strip shall be installed along West Peachtree Street as specified in the Streetscape Standards on Section 205-04. F. of the Unified Development Code.
21. A 10-foot undisturbed setback shall be provided along the property line abutting the cemetery.
22. The construction of Modular homes is permitted on the site provided that the houses are built on a permanent foundation.

Planning & Zoning Recommendation

Recommendation to approve RZ2023-002 subject to the following conditions as recommended by Staff and adding new zoning condition #14:

1. To restrict the use of the property as follows:
 - a. Four (4) Single-Family detached dwellings and accessory uses and structures.
2. The development shall abide by all applicable standards of the United Development Code, unless otherwise specified in these conditions or through the approval of an administrative variance or by the Zoning Board of Appeals, as appropriate.
3. All shared areas, but not limited to streets and storm water systems, shall be maintained by the property manager/owner.
4. Compliance with streetscape improvements such as lighting, sidewalks, and planting strips are subject to approval of the Community Development Department.
5. The applicant shall submit architectural drawings and details to the Architectural Review Board for a regular ARB meeting prior to applying for any permits.
6. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks.
7. The location of all crosswalks and traffic calming measures within the development are subject to the approval of the City Engineer.
- ~~8. Required right-of-way dedication and sidewalk dedication/or fee in lieu payment is subject to the approval of the City Engineer.~~
9. Plant material use on site in landscape strips and buffers are subject to final approval of the City's landscape review professional.
10. Location of stormwater detention is subject to the approval of the City Engineer.
11. All utilities shall be buried.
12. The development shall comply with the Architectural Review Board's conditions of approval.
13. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report.
14. The developer shall deposit \$5,000 to the HOA escrow account for the maintenance of the road.

Background

The applicant, William McClure, seeks to combine and redevelop the existing two lots located at 510 & 520 West Peachtree Street, which total 23,094 sq. ft., to build four single-family cottage homes on four separate lots at a density of 7.54 units per acre. The newly created lots will have a minimum lot area of 5,445 sq. ft. per the required RTH (Townhouse Residence) Zoning District, and each house will have access through a shared private drive that intersects in the middle of the site. The proposed square footage of the home will range from 1,100 sq. ft. to 1,500 sq. ft. of heated space.

Financial Impact

The direct monetary impact of this project has yet to be quantified, however, increasing the density on site will provide an additional tax base and revenue. Also anticipated is that the project will continue a positive trend of development in the area and provide additional housing at a variety of income levels.



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Consistent with Comprehensive Plan?

Under the policy goals the proposed rezoning meets the following criteria:

- Policy 1-3: Support opportunities for infill development that reflects the neighborhood character.
- Policy 4-4: Accommodate new development while enhancing existing local assets.
- Policy 5-1: Accommodate the housing needs of a diverse population by supporting the development of a variety of residential types and densities based on land use patterns.
- Policy 5-2 Support the construction of work force housing to help ensure that all those who work in the community have a viable option to live in the community without spending more than a third of their net income on housing costs.

The Hopewell Woods Character Area contains four points that support the area's vision of which the following applies:

- Residential areas have a traditional neighborhood design.
- A mix of housing types accommodate varied incomes and life stages (young singles, families, empty nesters, etc.)
- High-end infill development provides housing options for working professionals.
- Townhomes and other medium-density housing types create a transition from single-family neighborhoods.

Next Steps

Mayor and Council Voting Meeting July 10th, 2023
Architectural Review Board Date To Be Determined

Attachments

Staff Report - RZ2023-002 Packet

West Peachtree Street GPR Report

Update



Meeting Date: 5/15/2023 at 6:30 PM	Petition Number: REZ2023-002
Project Type:	Residential
Property Location:	510 & 520 West Peachtree Street
Tax Parcel ID:	6254 576 & 6254 001
Petitioner:	McClure McClure and Millwick LLC
Petitioner's Request:	Rezoning from R-75 to R-TH for the construction of four single family detached residential units
Recommendation:	Approval with Conditions

Summary

The applicant requests to rezone the properties located at 510 and 520 West Peachtree Street from R-75 (Single-family Residence) to R-TH (Townhouse Residence) to build four single-family detached units on the combined 0.53-acre lot.

Timeline

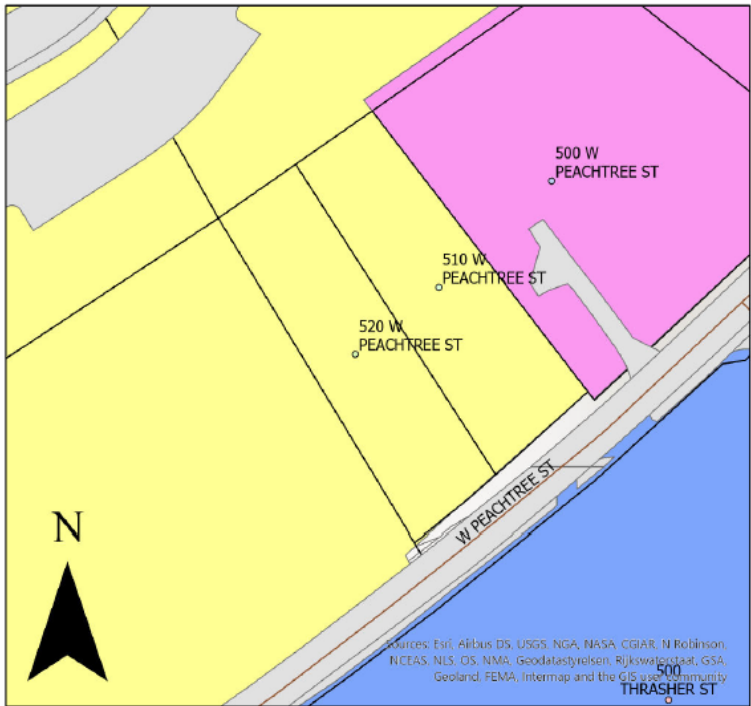
Under the UDO Section 104-3.B rezoning applications require the first review to be by the Planning and Zoning Board, followed by Mayor and Council's policy meeting and the Mayor and Council's regular meeting for final action. Below is the proposed schedule of dates.

Board	Meeting Type	Meeting	Meeting Time	Room
P&Z	Hearing	Wednesday, May 3 rd , 2023	6:30 PM	Community Room 2 nd Floor
M&C Policy	Meeting	Monday, May 15 th , 2023	6:30 PM	Conference Room 2 nd Floor
M&C Regular	Hearing	Monday, June 5 th , 2023	6:30 PM	Council Chambers 1 st Floor

Aerial View



Zoning Map



Legend

Norcross Zoning

- M1-Light Industrial
- NX_Neighborhood Mixed-use
- R75-Single Family Residence

PROPERTY INFORMATION	
Property Location	510 & 520 West Peachtree Street
Acreage:	0.53 acres (23,094 sq. ft.) combined
Existing Zoning / Land Use	R-75 / Single-family Residence
Proposed Zoning / Land Use	RTH / Townhouse Residence
Character Area	5 – Hopewell Woods
Existing Lot Dimensions:	Frontage: Approximately 140' on West Peachtree Street Depth: Approximately 200'
Existing Building Dimensions:	Undeveloped vacant lot
Topography:	High Point: Southeast corner Low Point: Northwest corner
Elevation:	High Point: 1042 feet Low Point: 1032 feet
Encumbrances:	N/A

EXISTING ZONING AND LAND USE OF PROPERTIES WITHIN 500 FEET			
Location relative to subject property	Zoning/Land use	Address(es)	Land Area (acres) (approximate)
North / Northwest	R-75 (Single-Family Residential)/ Place of Worship	182 Hunter Street	10 acres
East	M-1 (Light Industrial) / Office	500 West Peachtree Street	0.78 acres
South	NX (Neighborhood Mixed Use) / Residential Multi-family	500 Thrasher Street	10 acres
West	R-75 (Single-family residential)/ Cemetery	182 Hunter Street	2.45 acres

Applicant's Request

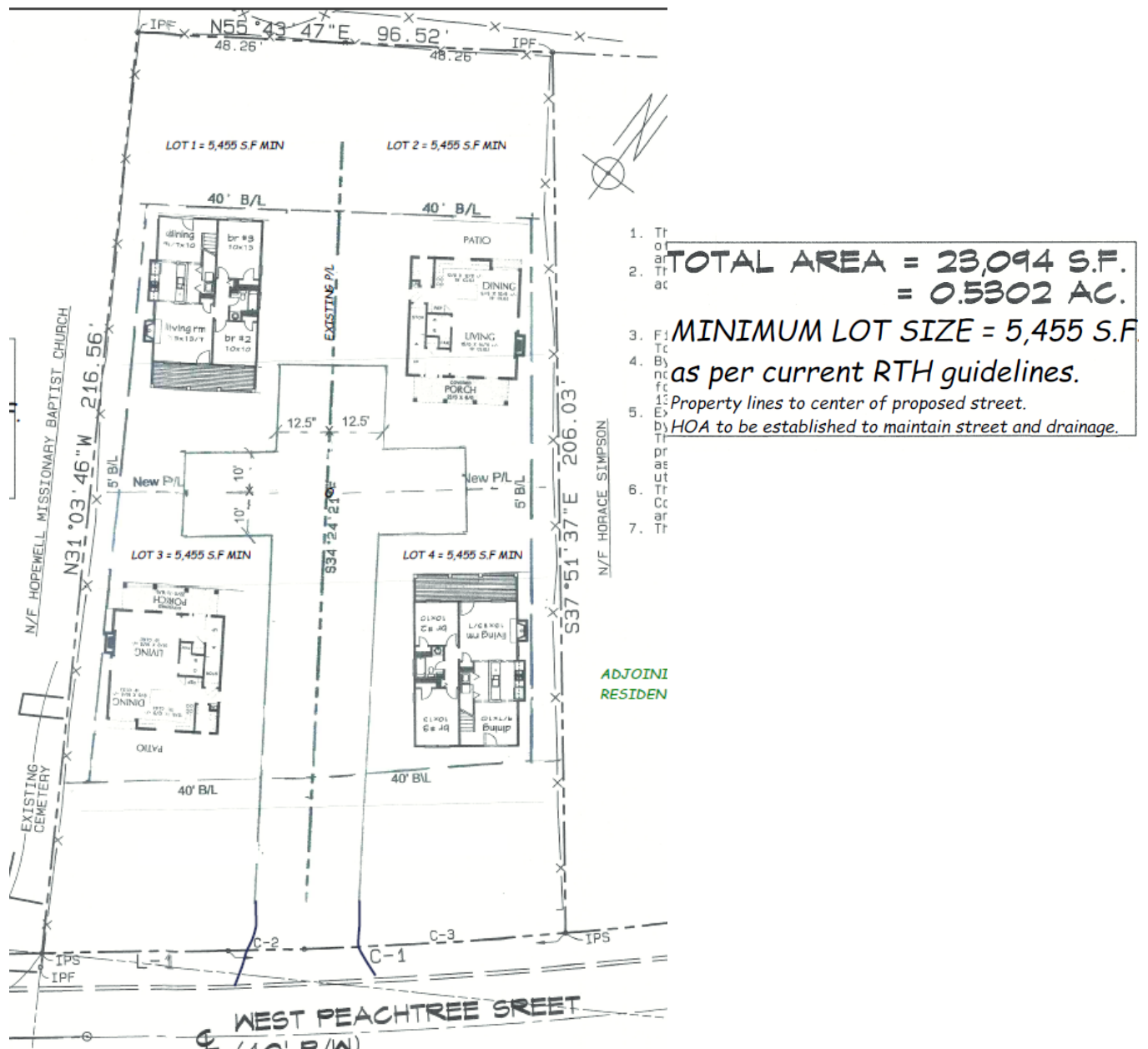
The applicant, William McClure, seeks to combine and redevelop the existing two lots located at 510 & 520 West Peachtree Street, which total 23,094 sq. ft., to build four single-family cottage homes on four separate lots at a density of 7.54 units per acre. The newly created lots will have a minimum lot area of 5,445 sq. ft. per the required RTH (Townhouse Residence) Zoning District, and each house will have access through a shared private drive that intersects in the middle of the site. The proposed square footage of the home will range from 1,100 sq. ft. to 1,500 sq. ft. of heated space.

Existing Conditions

The subject property is zoned R-75 (Single-family Residence) and it is currently a wooded undeveloped lot. Adjacent uses include a cemetery to the west, office to the east, a place of worship to the north, and a multi-unit development to the south.

Project Description

The applicant seeks to rezone the property to allow the construction of four single-family units on the two existing undeveloped lots. See below the conceptual site plan provided as part of the application. This drawing is conceptual in nature and the applicant will be required to meet all applicable site development and zoning requirements during the permitting process.



ZONING ANALYSIS

Current Zoning

The subject property is zoned R-75. Adjacent uses include a cemetery to the west, office to the east, a place of worship to the north, and a multi-unit residential development to the south. The adjacent zoning district consists of R-75 to the north and west, M-1 to the east and NX to the south. Across the street the Towns at Junction development is located, which has a variety of housing types such as apartments and townhomes.

Zoning Request

The RTH Zoning District is intended primarily for attached, single-family residences (townhomes) and related uses at a higher density than the other single-family residential zoning districts. The R-TH district also allows for the construction of detached single-family residences based on the following requirements: the lots would have to meet the minimum lot size of 5,445 sq. ft. and would have to meet the setback requirements of 10' adjacent to any street, 5' side, and 40' rear. The applicant is requesting to construct single family detached residences as shown on the attached conceptual site plan. The site plan currently shows a 40-foot setback along West Peachtree Street, however this setback would need to be 10 feet instead. Each unit will require 3 parking spaces per dwelling unit, however it is not clear from the site plan where the parking spaces will be located as the site plan does not illustrate garage and driveway location for each unit. No zoning buffers will be required on this project.

2040 Comprehensive Plan Analysis

The 2040 Comprehensive Plan, the "Comp Plan", is a document that reflects the wishes of the community as acknowledged and adopted by the Mayor and Council. The Comp Plan contains four sections to determine the appropriateness of a zoning action. Those sections are: 1) Table 2.4 a matrix that depicts land uses by character area, 2) specific visions for each of the thirteen-character areas, 3) the overarching policy goals for the city, and 4) Land Use Definitions. The subject parcels fall within Character Area 5, Hopewell Woods.

A. Land Uses by Character Area

Taken from the matrix, the following uses are either specifically detailed in the character area description or considered appropriate according to the matrix:

Character Area 5 – Hopewell Woods	
Low Density Residential	Mixed-use (vertical)
Medium Density Residential	Places of assembly
Planned Residential Community (mixed housing types allowed)	Transportation and communication utilities
Skilled nursing facilities (no rehab)	Parks and recreation
Neighborhood level commercial, studio, or office (<5,000 sf)	

B. Policy Goals

Under the policy goals the proposed rezoning meets the following criteria:

- *Policy 1-3: Support opportunities for infill development that reflects the neighborhood character*
- *Policy 4-4: Accommodate new development while enhancing existing local assets.*
- *Policy 5-1: Accommodate the housing needs of a diverse population by supporting the development of a variety of residential types and densities based on land use patterns.*
- *Policy 5-2 Support the construction of work force housing to help ensure that all those who work in the community have a viable option to live in the community without spending more than a third of their net income on housing costs*

C. Character Area Vision

The Hopewell Woods Character Area contains three points that support the area's vision of which the following applies:

- *Residential areas have a traditional neighborhood design*
- *A mix of housing types accommodate varied incomes and life stages (young singles, families, empty-nesters, etc.)*
- *High-end infill development provides housing options for working professionals*
- *Townhomes and other medium-density housing types create a transition from single-family neighborhoods*

D. Land Use Definition

Medium Density Residential - land occupied by residential uses and customary accessory uses at a density up to and including 8 dwelling units per acre.

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a zoning action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties?

Staff is of the opinion that the request to rezone the two parcels to RTH for single-family homes is suitable based on the existing uses of adjacent and nearby properties, which consist of multi-family residential units across the street, commercial and institutional to the sides and rear of the property.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

The proposed project of four single-family units does not anticipate adverse effects on existing uses or usability of nearby properties. The site would have to meet any land development requirements such as meeting the stormwater ordinance regarding runoff reduction/water quality, street scape improvements, right of way dedication, etc.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The subject property has reasonable economic use under the current R-75. The owner could build two single-family homes (one on each lot).

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

Staff does not foresee any excessive or burdensome use of existing streets, transportation, utilities, and schools.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan?

The subject site is located within the Hopewell Woods Character Area, which is intended for diversity of housing types to accommodate varied incomes and life stages (young singles, families, empty-nesters, etc.). Therefore, it meets the intent of the Comprehensive Plan.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

There are no known existing or changing conditions affecting the use of the property.

Gwinnett County External Comments and City of Norcross Internal Comments:

1. Transportation/Public Works Utilities and Parks:

- 5-foot Right-of-Way dedication on West Peachtree Street.
- 2-foot sidewalk landscape strip, 5-foot sidewalk, and 10-foot landscape strip with street lights would be required on West Peachtree Street. A fee in lieu for the installation is an option, as there are no other sidewalks on that side of the street.

2. Water & Sewer:

- No comments at this time

3. Fire Marshall:

- Applicant must comply with the minimum size for water mains and spacing, visibility, and location for fire hydrants for new construction per Section 42-29-31.
- The hydrant across West Peachtree properly covers the property, so no additional hydrant would be required. Each building is also within the accessibility range from the access road. The access road length is also not long enough to require one of the standard turn-arounds from the International Fire Code.

4. Engineering:

- Utility extensions (water and sewer) as well as shared driveways for access must be contained within easements.
- To meet the stormwater ordinance, if the total impervious area created on all lots combined exceeds 5,000 sf, the owner must comply with the stormwater ordinance, which means Runoff Reduction/Water Quality, Channel Protection and full detention requirement, the owner can either do that all-in-one system, or he'll have to provide a system for each lot separately. (This will be required during the LDP process, all specifications must meet the requirements of the Gwinnett County Stormwater Management Manual.
- Sight distance should be addressed during the LDP since there are speeding concerns along that segment of the road.

5. Arborist:

- No comments at this time.

Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Section C; the proposed development appears to it meet the presented policy goals in Section B and it meets the density residential definition in Section D.

Recommendation

Staff recommends **approval** of the zoning component of RZ2023-00, the adoption of zoning standards under the existing RTH for the properties located at 510 & 520 West Peachtree Street, with the following conditions:

1. To restrict the use of the property as follows:
 - A. Four (4) Single-Family detached dwellings and accessory uses and structures.
2. The development shall abide by all applicable standards of the United Development Code, unless otherwise specified in these conditions or through the approval of an administrative variance or by the Zoning Board of Appeals, as appropriate;
3. All common areas, including but not limited to streets and storm water systems, shall be maintained by the property manager/owner;
4. Compliance with streetscape improvements such as lighting, sidewalks, and planting strips are subject to approval of the Community Development Department.
5. The applicant shall submit architectural drawings and details to the Architectural Review Board for a regular ARB meeting prior to applying for any permits;
6. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks;
7. The location of any and all crosswalks and traffic calming measures within the development are subject to the approval of the City Engineer;

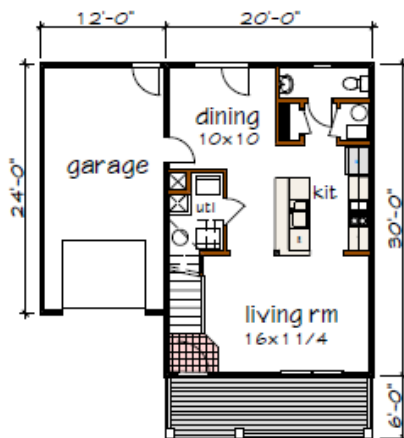
8. Required right-of-way dedication and sidewalk dedication/or fee-in-lieu payment is subject to the approval of the City Engineer;
9. Plant material use on site in landscape strips and buffers are subject to final approval of the City's landscape review professional;
10. Location of stormwater detention is subject to the approval of the City Engineer;
11. All utilities shall be buried;
12. The development shall comply with the Architectural Review Board's conditions of approval;
13. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report;

Conceptual Elevations and Floor Plan

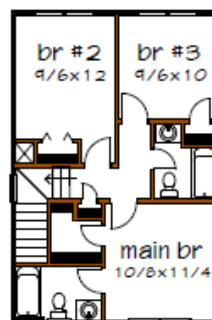
These drawings are conceptual in nature for visual purposes for this rezoning request only. These elevations and floors plans are subject to final approval by the Architectural Review Board.



plan #
1115A



Floor 1 plan



Floor 2 plan

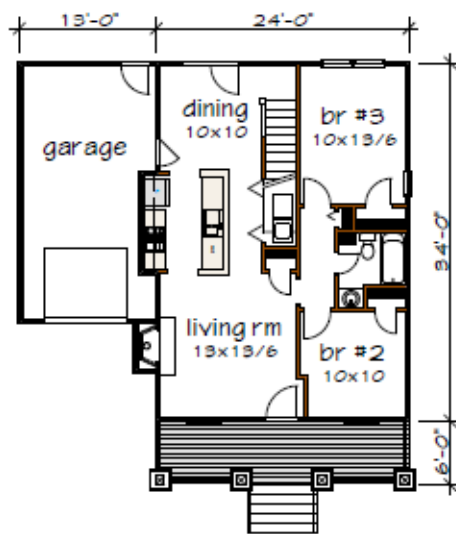
Size fl 1 600
Size fl 2 567
Size Total 1167

Width 32'-0"
Depth 30'-0"
Porch 6'-0"

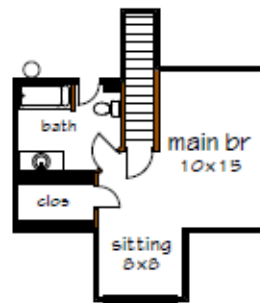
Fl 1 ceiling 8'
Fl 2 ceiling 8'
Roof pitch 9/12
Height 25'-6"



plan #
1203B



Floor 1 plan



Floor 2 plan

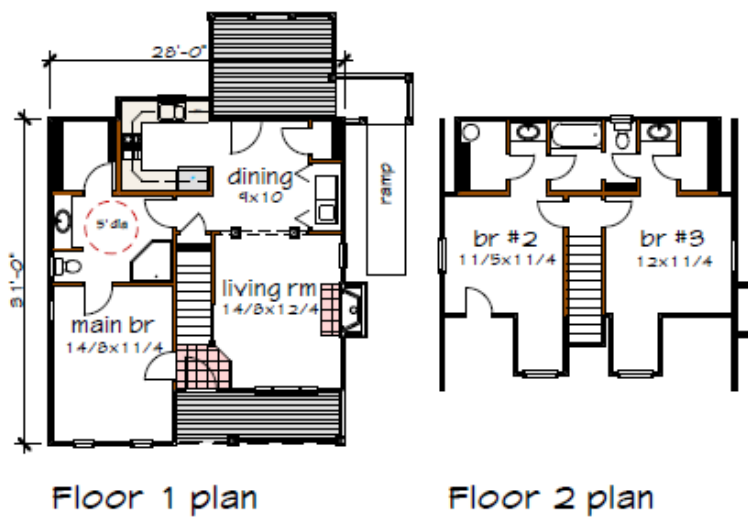
Size fl 1 830
Size fl 2 402
Size Total 1232

Width 37'-0"
Depth 34'-0"
Forch 6'-0"

Fl 1 ceiling 9"
Fl 2 ceiling Vaulted
Roof pitch 9/12
Height 23'-0"



plan #
UD 1204A



Size fl 1 806
Size fl 2 492
Size Total 1298

Width 28'-0"
Depth 33'-0"
Porch 5'

Fl 1 ceiling 8'
Fl 2 ceiling 8'
Roof pitch 11/12
Height 22'

Cozy Two-story Home with Second-level Bedrooms



1,394 SF 3BR 2.5 BA

1 of 3



REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name: McClure McClure and Milkwick, LLC

Owner's Address: 4192 McClatchey Cir. NE

City: Atlanta State: GA Zip Code: 30342

Phone: 404-456-3888 Cell Phone: 404-456-3888 Email: wtMcClure@yahoo.com

APPLICANT'S CONTACT INFORMATION

Applicant's Name: William T McClure

Applicant's Address: 4192 McClatchey Cir. NE

Suite: _____ City: Atlanta State: GA Zip Code: 30342

Phone: 404-456-3888 Cell Phone: 404-456-3888 Email: wtMcClure@yahoo.com

PROPERTY LOCATION

Tax Parcel Number(s): R6254 001 and R6254 576 Size in acres: .5302 Ac.

Address(es): 510 and 520 West Peachtree St.

Number of existing structures: 0 Number of parking spaces: 0

PROPOSED USE

Current Zoning: R75 Requested Zoning: RTH *Single-Family Detached*

Date of Pre-Application Mtg: 03-20-2023

Is the request in conformity with the Current Land Use Plan? X Yes No

Comp Plan Designation: Hopewell Woods If No, Comp Plan Amendment is required

Is this site located in the National/Local Historic District? Yes X No

If yes, what are the plans for the historic resources, if any, onsite _____

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)

Proposed Use Details:

The proposed use will enhance the area with "A mix of housing types to accommodate varied incomes and life stages (young singles, families, empty-nesters, etc.)" as stated in Hopewell Woods in Character Area 5 of the 2040 NORCROSS COMPREHENSIVE PLAN. It will also offer an opportunity for Affordable traditional Home Ownership that would not otherwise exist. Homes and lots will be smaller in size to accomplish this goal.

Our belief is this proposal not only dovetails with the 2040 Plan as well as the fabric of the type of Community desired in the 2040 Plan and the Residents of Norcross.

ITEMS THAT MUST ACCOMPANY APPLICATION

- A. **Owner's Signature or Affidavit** - If the owner and applicant are not the same, the owner must sign the application or complete the attached affidavit.
- B. **Plat/Survey** – Submit one (1) full size, one (1) 11 x 17 and one (1) digital copy of a plat in JPG or PDF format, drawn by an engineer or land surveyor, describing in detail the tract, parcel or lot of land proposed to be rezoned. The plat must include the following information:
 1. A current boundary survey and plot plan, dimensioned and to scale, prepared by a registered surveyor, architect or engineer showing the seal of such surveyor, architect, or engineer.
 2. This survey shall be a plat of the land in question, or a description by metes and bounds, bearings and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the City of Norcross, then, the lot, block, and subdivision designations with appropriate plat reference.
 3. A description of existing land uses on adjacent and surrounding property.
- C. **Concept Plan** – Submit one (1) full size copy, one (1) 11x17 copy and one (1) digital copy in JPG or PDF format of a concept plan, including but not limited to all items listed on the attached checklist for such plan.
- D. **Impact Analysis** –
 1. If the zoning change has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration attached to this application.
 2. A traffic study, a hydrology study, market study and other studies of the impact of the proposed development prepared by a duly licensed engineer or qualified professional may be required by the Community Development Department, Planning & Zoning Board or the Mayor & City Council as deemed necessary for adequate consideration and a fully-informed decision on the proposed request. The studies shall be prepared under the direction of the City at the applicant's expense.
- E. **Warranty Deed** – A copy of the recorded warranty deed to the property must accompany each application. The owner on the deed must be the same as the owner listed on the application.

- F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Fees are non-refundable.
- I. **Development of Regional Impact** – If your application meets the Atlanta Regional Commission's (ARC) alternative rules for a Development of Regional Impact, additional review will be required by ARC and the State. More information can be found here, <https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/>
- J. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- K. Any other information required by the Community Development Department or any other City department which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.

WT McElure

Signature of Applicant

4-3-23

Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Application Number: _____ Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE APPLICANT OR APPLICANT'S AGENT MUST ATTEND ALL HEARINGS REGARDING THE APPLICATION)

REVISED APRIL 2019

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Criteria and Standards for Considering a Rezoning

The Mayor and City Council find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power. Please address these criteria to the best of your ability. You may use a separate sheet if necessary.

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposal is consistent with surrounding property as well as the 2040 Norcross Comprehensive Plan for Area 5 Hopewell Woods that includes the need for Affordable Housing.

- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposal is consistent with surrounding property and the 2040 Norcross Comprehensive Plan for Area 5 Hopewell Woods.

- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The proposal is consistent with the 2040 Norcross Comprehensive Plans desire for "A mix of housing types to accommodate varied incomes and life stages. The current Zoning is unreasonable to achieve the desired goal of the Plan as stated

- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The proposal is consistent with surrounding property and the 2040 Norcross Comprehensive Plan for Area 5 Hopewell Woods.

- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan; and

The proposal is consistent with surrounding property and the 2040 Norcross Comprehensive Plan for Area 5 Hopewell Woods.

- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The proposal is consistent with surrounding property and the 2040 Norcross Comprehensive Plan for Area 5 Hopewell Woods. Our belief is this proposal not only dovetails with the 2040 Plan as well as the fabric of the type of Community desired in the 2040 Plan and the Residents of Norcross.

REVISED APRIL 2019

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

WT McClure 4-3-23

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO (YES or NO)

William T. McClure

YOUR NAME

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.

DATE RECEIVED: _____

CASE#: _____

ACCEPTED BY: _____

H.1.1.b

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)



Ownership Affidavit & Designation of Agent

I. Ownership.

I, William T McClure, Mgr. for MMM, LLC*, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) _____

Location address: _____

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of:
McClure, McClure & Milkwick, LLC (AKA MMM, LLC*)

Please complete the appropriate section below:

NOTE: The person signing under section IV Acknowledgement, must be listed below as an officer or partner.

☐ Individual

☒ Corporation/Limited Liability Company (LLC)

☐ Partnership

☐ Government Entity

Provide Names of Officers/Members:

William T McClure

Donald E McClure Family Trust

Annita L. Milkwick

Provide Names of General Partners:

Secretary of State Registration Number: 09076681

Name/Address of Registered Agent: Annita Milkwick 5110 Thousand Oaks PL, Kennesaw, GA 30152

II. Designation of Owner's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief. (Note: Prior to the issuance of a building permit, the owner's agent must be the contractor listed on the permit application.)

Owner's Agent: William T McClure

Address: 4192 McClatchey Cir NE, Atlanta, GA 30342

Contact Person: Tom McClure

Telephone No.: 404-456-3888

III. Notice to Owner.

- A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
- B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027

IV. Acknowledgement.

• Individual

Signature _____

Print Name: _____

Address: _____

Phone #: _____

• Corporation/LLC

McClure, McClure, Milkwick, LLC

Print Corporation/LLC Name

By: WT McClure

Signature

Print Name: William T. McClure

Its: Manager

Address: 4192 McClatchey Cir.

Atlanta GA 30342

Phone #: 404-456-3888

• Partnership

Print Partnership Name

By: _____

Signature

Print Name: _____

Its: _____

Address: _____

Phone #: _____

• Government Entity

Print Government Name

By: _____

Signature

Print Name: _____

Title: _____

Department: _____

NOTARY INFORMATION (Please use appropriate block.)

STATE OF GEORGIA

COUNTY OF _____

• Individual

Before me, this _____ day of _____, 20____, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Government Entity

Before me, this _____ day of _____, 20____, personally appeared _____ as _____ and on behalf of _____, who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Corporation/LLC

Before me, this 3rd day of MARCH, 2023, personally appeared William T. McClure of McClure McClure Milkwick, LLC a Georgia corporation/LLC, on behalf of the corporation/LLC, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

• Partnership

Before me, this _____ day of _____, 20____, personally appeared _____ partner/agent on behalf of _____ a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Vinod K. Sagar
Signature of Notary

VINOD K. SAGAR
Print Notary Name

NOTARY STAMP:

My commission expires: 11/11/2023

Identification Method:

Personally known.

☒ Produced I.D. - Type: GADL# 055720244

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027



DENISE R. MITCHELL, MPA
GWINNETT COUNTY TAX COMMISSIONER

Payment Receipt

Your transaction has been successfully completed!!

Transaction ID: 230403144815371E0492123040314481
04/03/2023 15:51:25 [EST]

Property Taxes: R6254 001	\$812.93
Property Taxes: R6254 576	\$812.93

Account Information

Payment Type: Property Taxes

Bill Payer Details

Annita Milkwick
5110 Thousand Oaks PI NW
Kennesaw, GA 30152

Payment Details

Payment Amount: \$1625.86
Total Amount: \$1625.86

Payment Method:



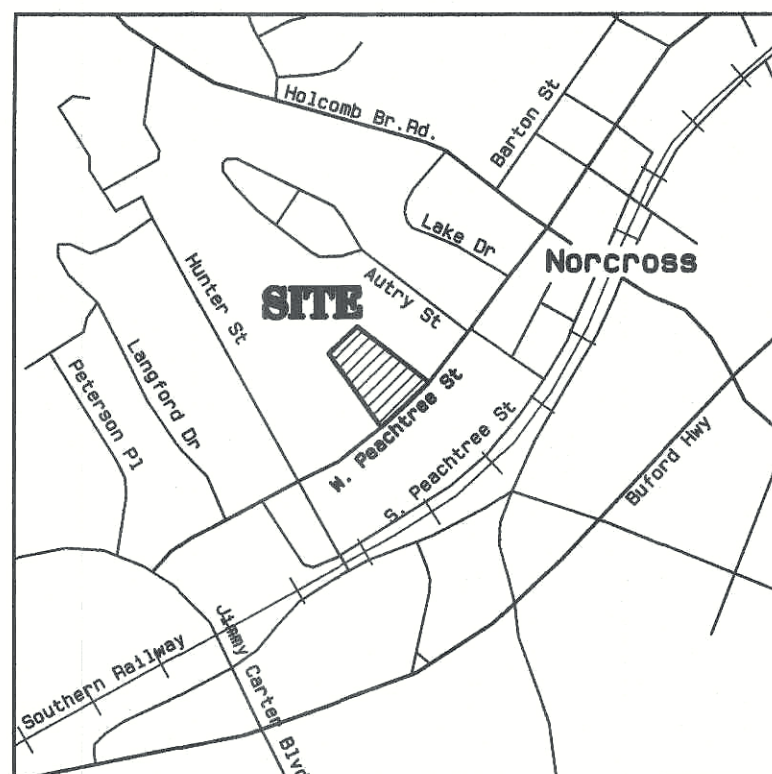
Account Number: XXXXXXXXXXXXXX3723

Routing Number: 061112843

Check Type: Business Checking

© 2023 Value Payment Systems, LLC. |

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)



VICINITY MAP

TOTAL AREA = 23,094 S.F.
= 0.5302 AC.

MINIMUM LOT SIZE = 5,455 S.F.
as per current RTH guidelines.

Property lines to center of proposed street.

HOA to be established to maintain street and drainage.

ADJOINING PROPERTY USE:
CEMETERY

VARIANCES

ADJOINING PROPERTY USE:
CHURCH PARKING

CURVE

RADIUS

LENGTH

CHORD BEARING AND DISTANCE

C-1

1, 125.92'

78.88'

S50°02'14"W 78.86'

LINE TABLE

LINE

BEARING AND DISTANCE

L-1

S52°02'39"W 43.16'

LOT CURVE TABLE

CURVE

RADIUS

LENGTH

CHORD BEARING AND DISTANCE

C-2

1, 125.92'

17.86'

S51°35'23"W 17.86'

C-3

1, 125.92'

61.02'

S49°34'58"W 61.01'

GENERAL NOTES

- The field data upon which this plat is based has a closure precision of one foot in 26,368 feet and an angular error of 9.0 seconds per angle point and was adjusted using the Compass Rule.
- This plat has been calculated for closure and is found to be accurate as follows:
 TOTAL: within one foot in 79,705 feet;
 Lot 1: within one foot in 97,245 feet;
 Lot 2: within one foot in 181,720 feet;
- Field information for this survey was obtained with a NIKON DTM-522 Total Station and an electronic data collector.
- By graphical plotting only, this property lies in Zone X, which is not a Special Flood Hazard Area per the FLOOD INSURANCE RATE MAP for Gwinnett County, Georgia and Incorporated Areas Map No. 13135C0082F, bearing an effective date of September 29, 2006.
- Existing utilities shown are based on visual observations by the survey crew only. There may be others not shown hereon. The "BEFORE YOU DIG" utility search company should be contacted prior to any construction done on this site. The Engineer assumes no responsibility for the locations of any underground utilities not visible.
- This survey was made without the benefit of a current Title Commitment, Easements, and Encumbrances may exist which benefit and/or burden this property.
- The IPF on R/W is on side line but projects 3.24' onto R/W.

PROPOSED ZONING CHANGE
EXISTING ZONING: R-75
PROPOSED ZONING: RTH

ADJOINING PROPERTY USE:
RESIDENTIAL BUT ZONED COMMERCIAL

SURVEYOR'S CERTIFICATE

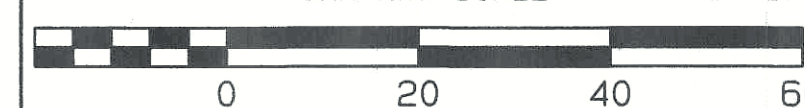
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

GILBERT E. QUINONES, R.L.S.
 GA. R.L.S. Number 2810



GRAPHIC SCALE

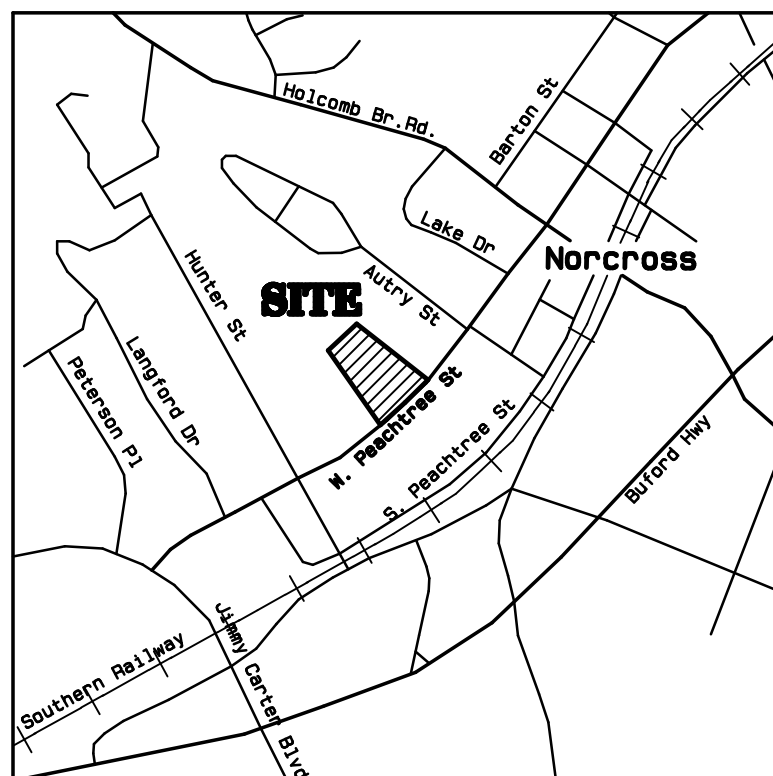
1"=20'



Q-B ENGINEERING, INC.
 517 Cemetery Street
 P.O. Box 1508
 Norcross, Georgia 30091-1508
 (770) 449-8623
 (770) 449-1088 [FAX]

REZONING PLAN
 510 WEST PEACHTREE ST.

DATE	05-14-2007	NO.	DESCRIPTION	DATE
SCALE: 1" = 20'		1	CITY COMMENTS	10-15-07
DRAWN: G.E.Q.				
DESIGNED: G.E.Q.				
CHECKED: G.E.Q.				
LAND LOT: 254				
6TH LAND DISTRICT				
GWINNETT COUNTY, GA.				
SHEET	1			
DRAWING NO.	07-045-RZ-1			
NO.	1			



VICINITY MAP

TOTAL AREA = 23,094 S.F.
= 0.5302 AC.
LOT 1 AREA = 11,679 S.F.
= 0.2681 AC.
LOT 2 AREA = 11,414 S.F.
= 0.2620 AC.

GENERAL NOTES

- The field data upon which this plat is based has a closure precision of one foot in 26,368 feet and an angular error of 9.0 seconds per angle point and was adjusted using the Compass Rule.
- This plat has been calculated for closure and is found to be accurate as follows:
TOTAL: within one foot in 79,705 feet;
Lot 1: within one foot in 97,245 feet;
Lot 2: within one foot in 181,720 feet;
- Field information for this survey was obtained with a NIKON DTM-522 Total Station and an electronic data collector.
- This property contains 0.5302 Acres.
- This property is zoned R-75 as per rezoning case no. 07-1053 approved on 12/03/2007 with the following conditions:
 - 75' of linear fencing must be installed along the southwest property line of lot # 1.
 - A landscape buffer of 10' wide must be maintained along the west and north property lines.
 - Fence design must be approved by the DDA.During the same case the following variances were also approved:
 - Minimum lot size is 11,400 SF
 - Minimum lot frontage is 61'
- By graphical plotting only, this property lies in Zone X, which is not a Special Flood Hazard Area per the FLOOD INSURANCE RATE MAP for Gwinnett County, Georgia and Incorporated Areas Map No. 13135C0082F, bearing an effective date of September 29, 2006.
- Existing utilities shown are based on visual observations by the survey crew only. There may be others not shown hereon. The "BEFORE YOU DIG" utility search company should be contacted prior to any construction done on this site. The Engineer assumes no responsibility for the locations of any underground utilities not visible.
- This survey was made without the benefit of a current Title Commitment, Easements, and Encumbrances may exist which benefit and/or burden this property.

N/F HOPEWELL MISSIONARY BAPTIST CHURCH

EXISTING CEMETERY

N/F HORACE SIMPSON

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING AND DISTANCE
C-1	1,125.92'	78.88'	S50°02'14"W 78.86'

LINE TABLE

LINE	BEARING AND DISTANCE
L-1	S52°02'39"W 43.16'

LOT CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING AND DISTANCE
C-2	1,125.92'	17.86'	S51°35'23"W 17.86'
C-3	1,125.92'	61.02'	S49°34'58"W 61.01'

FINAL SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon, and was prepared from an actual survey of the property made by me and under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material are correctly shown. The field data upon which this plat is based has a closure precision of one foot in 26,368 feet and an angular error of 9.0 seconds per angle point, and was adjusted using the compass rule. This plat has been calculated for closure and is found to be accurate as follows: TOTAL: within one foot in 79,705 feet;
Lot 1: within one foot in 97,245 feet;
Lot 2: within one foot in 181,720 feet;

This plat contains a total of 0.5302 Acres and the equipment used to obtain the linear and angular measurements herein was a NIKON DTM-522 Total Station and an electronic data collector.

By: Gilbert E. Quinones
Registered Land Surveyor
Reg No: 2810 Date of Expiration: 12-31-2009

OWNER'S ACKNOWLEDGMENT AND DECLARATION

(STATE OF GEORGIA)
(COUNTY OF GWINNETT)

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and accurately depicts the land owned by the undersigned and dedicated by this Acknowledgment and Declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown.

SIGNATURE OF SUBDIVIDER _____ DATE SIGNED _____ SIGNATURE OF OWNER _____ DATE SIGNED _____

PRINTED OR TYPED NAME OF SUBDIVIDER _____ PRINTED OR TYPED NAME OF OWNER _____

FINAL PLAT APPROVAL

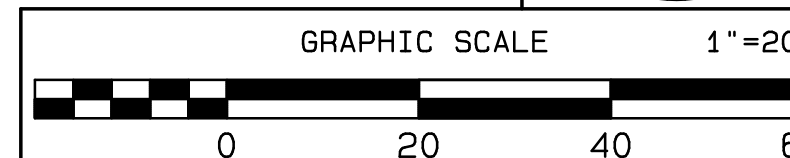
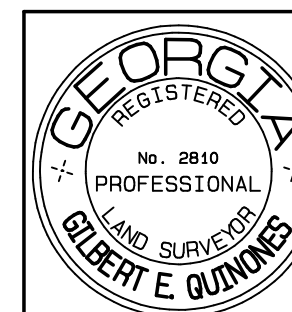
The Planning Commission Chairman and the Director of Community Development of the City of Norcross, Georgia, or his/her designees certifies that this plat complies with the City of Norcross Zoning Ordinance, and the City of Norcross Development Regulations as amended, and that it has been approved by all other operational City and county departments, as appropriate. This plat is approved subject to the provisions and requirements of the Development Performance and Maintenance Agreement executed for this project between the Owner and the City of Norcross.

DATED THIS _____ DAY OF _____

DIRECTOR, DEPARTMENT OF PLANNING AND DEVELOPMENT

PUBLIC NOTICE - DRAINAGE NOTES:

- The City of Norcross assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat.
- Stream Buffer Easements are to remain in a natural and undisturbed condition.
- Structures are not allowed in drainage easements.
- The City of Norcross assumes no responsibility for the maintenance of pipes in drainage easements beyond the City right-of-way.



EXEMPTION PLAT
510 WEST PEACHTREE ST.

PAUL LOWRY

2368 Peeler Road
Dunwoody, Georgia 30338
(770) 458-5778

DATE	REVISIONS	NO.	DESCRIPTION	DATE
01-28-2008				
SCALE: 1" = 20'				
DRAWN: L.J.M.				
DESIGNED: G.E.Q.				
CHECKED: G.E.Q.				
LAND LOT: 254				
6TH LAND DISTRICT				
SHEET				
1				
DRAWING NO.				
07-045-EP-1				

Q-B ENGINEERING, INC.

517 Cemetery Street
P.O. Box 1508
Norcross, Georgia 30091-1508
(770) 449-8623
(770) 449-1088 [FAX]



Prepared by, record and return to:
 Mazley, Finlayson & Loggins LLP
 1050 Crown Pointe Parkway, Suite 1500
 Atlanta, GA 30338
 (404)256-0700
 File No.: 22-003061ATL
 Parcel ID # R6254 001 and R6254 576

DEED B: 59710 P: 00220

02/22/2022 08:30 AM Pgs: 2 Fees: \$25.00

TTax: \$180.00

Tiana P Garner, Clerk of Superior Court

Gwinnett County, GA

PT-61 #: 0672022005166

ERECORDED

eFile Participant IDs: 9273387672,7067927936

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, made this 18th day of February, 2022, by and between Paul M Lowry, as party or parties of the first part, hereinafter called Grantor, and McClure, McClure and Milkwick, LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to-wit:

See Exhibit A attached hereto and made a part hereof.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said described property.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever IN FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantees against the claims of all persons by, through, or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the date and year above written.

Signed, sealed and delivered
 in the presence of:

Unofficial Witness

Notary Public

GRANTOR:

Paul M Lowry

(SEAL)



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 254 of the 6th Land District of Gwinnett County, Georgia, being Lots 1 and 2, as shown on Exemption Plat, 510 West Peachtree St. prepared by Q-B Engineering, Inc. dated January 28, 2008 and recorded in Plat Book 123, Page 66, Gwinnett County, Georgia Records, to which referenced is hereby made for a more complete and accurate description of the within described property.

Parcel ID: R6254 001 & R6254 576



Norcross, GA - Treasurer
 65 Lawrenceville St
 Norcross, GA 30071
 (770) 448-2122

Tax Charge Information Sheet

Interest Date: 04/04/2023

MCCLURE MCLURE AND MILKWICK LLC

Parcel Number: [R6254 001](#) Situs: 0 W PEACHTREE ST
 Owner: MCCLURE MCLURE AND MILKWICK LLC Legal: LOT 1 W PTREE ST

Taxes Due

Year	Type	Bill Number	Tax	Interest	Penalty	Additional Costs	Total Due
2022	Tax	003312	\$130.23	\$4.78	\$6.51	\$64.00	\$205.52
Total Taxes Due for Parcel Number R6254 001:			\$130.23	\$4.78	\$6.51	\$64.00	\$205.52

Tax Charge Summary for 1 Parcel

Total Unpaid Charges:

Total Due: \$205.52

Grand Total Unpaid: \$205.52

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)



Norcross, GA - Treasurer
 65 Lawrenceville St
 Norcross, GA 30071
 (770) 448-2122

Tax Charge Information Sheet

Interest Date: 04/04/2023

MCCLURE MCLURE AND MILKWICK LLC

Parcel Number: [R6254 576](#) Situs: 0 W PEACHTREE ST
 Owner: MCCLURE MCLURE AND MILKWICK LLC Legal: LOT 2 W PTREE ST

Taxes Due

Year	Type	Bill Number	Tax	Interest	Penalty	Additional Costs	Total Due
2022	Tax	002937	\$130.23	\$4.78	\$6.51	\$64.00	\$205.52
Total Taxes Due for Parcel Number R6254 576:			\$130.23	\$4.78	\$6.51	\$64.00	\$205.52

Tax Charge Summary for 1 Parcel

Total Unpaid Charges:

Total Due: **\$205.52**

Grand Total Unpaid: **\$205.52**

Attachment: Staff Report - RZ2023-002 Packet (23-6733 : RZ2023-002 - 510 & 520 West Peachtree Street)



July 31, 2023

Mr. Tom McClure, LEED AP
 McClure Construction Company, Inc.
 4192 McClatchey Circle NE
 Atlanta, Georgia 30342

Subject: Results of Ground Penetrating Radar/ Seismic Refraction Investigation
 West Peachtree Street
 Norcross, Georgia

Mr. McClure:

As requested, GeoWave Solutions, Inc. has completed the survey for the West Peachtree Street project using a combination of ground penetrating radar and seismic refraction. The investigations were performed to identify subsurface anomalies along the western edge of the tract as well as to determine the geologic conditions throughout the entire site. This report describes the area of investigation at the time of our fieldwork, addresses the methods utilized for this study, and presents the results of our investigations.

Site Description and Scope

The half-acre parcel is located at 510 West Peachtree Street in Norcross, Georgia. The site consists of immature woods with moderate brush. A 138-foot x 18-foot section along the southwestern edge of the site was cleared of brush prior to our ground penetrating radar investigation. The vegetation on the rest of the site was left untouched for the seismic refraction survey. Other than a small metal fence marking the southwestern property line, no other structures were observed at the site. Directly southwest of the site is an established cemetery associated with Hopewell Missionary Baptist Church that extends right up to the edge of the project site.

This parcel has been mapped by Lawton, D.E, and others (1976) in the Geologic Map of Georgia for the Georgia Geological Survey as being Precambrian to Paleozoic-aged granitic gneiss. Small boulders of granitic rock were observed in the northern portion of the site.

GPR:

Instrumentation and Field/Analysis Techniques

Ground penetrating radar (GPR) uses high-frequency radar pulses that are directed into the ground to image subsurface structures. The signal consists of electromagnetic radiation in the microwave band (UHF/VHF frequencies) of the radio spectrum. When the directed waves encounter subsurface objects or boundaries with different dielectric constants, the receiving antenna records variations in the reflected return signal. Subsurface features both natural and man-made may be detected and identified.

For this project, we utilized a MALA EasyLocator Pro HDR GPR cart system equipped with a dual antenna bandwidth range of 80-950 MHz. These antennas provide a good balance between depth and resolution when surveying for buried objects. Transects spaced 2 feet apart in the northwest-southeast directions were conducted along the southwestern edge of the property which adjoins the neighboring cemetery. The corners of the area of investigation were marked with blue and white survey flagging. Following data collection, raw data were filtered and analyzed using MALA Vision post-acquisition software. Sample radargrams from individual GPR transects are included along with a 3-D block model of the GPR results and interpreted anomaly locations.

Results

The attached 3-D model and radargrams show two areas of interpreted anomalies. These areas appear to contain metallic features inconsistent with the material surrounding them. One anomaly is present on the western y-axis from 12-22 feet, at 4 feet in width and 4 feet in depth. The second anomaly is present 10 feet east of the western y-axis and extends from 10-14 feet on the y-axis. It is 5 feet in width and 3.5 feet in depth. Surfactically these anomalies don't exhibit soil disturbance typically associated with graves which is indicated by a loose, less consolidated, back filled soil directly above the anomalous area. A change in soil composition is generally observable with GPR as well, but there does not appear to be a change in composition indicative of a grave in the areas we have defined as anomalous. No other anomalous areas were observed in the GPR results.

Seismic Refraction:

Field Technique

Seismic refraction is a non-invasive technique used to determine the depth and layer velocity, or density/hardness, of soil, partially weathered rock (PWR), and rock. Layer velocities are particularly useful in determining excavation equipment and techniques required for earthwork activities. For this project, our seismic profile lengths were 110 feet with geophones spaced at ten-foot intervals. The array and energy source configuration for this investigation provided an effective depth of investigation of approximately 35 feet. During the sampling process, the geophones measure the compression waves that are generated from a sledgehammer striking an aluminum plate and send the information to a

Geometrics Geode 24-channel seismograph for timing, storage, stacking, and enhancement. As the compression waves refract through harder/denser layers in the subsurface, the wave velocities increase. By varying the source to receiver location throughout the receiver array, a graph of time versus distance is developed which is used to calculate velocities (densities) and depths of the underlying materials. Changes in surface elevation along each array were measured and recorded using a survey level rod and hand level and were incorporated into the analysis process. The ends of each array were marked with blue and white survey flagging.

Results

The raw data collected from the field were reduced into velocity models, which were the basis for the seismic profiles we have included in this report. We conducted tomographic processing on each data set. This method provides a subsurface velocity model that shows subtle vertical and horizontal changes in the underlying soil and rock. The tomographic results on the attached models consist of the color contour data representing measured compression wave velocity. These data were used to annotate a geologic interpretation on each model by delineating subsurface layers where compression wave velocities change. Each layer contains labels that identify its geologic interpretation as well as any possible lateral velocity changes that occur within the layers. By using the annotated layer interpretation together with the tomographic contouring, the nature of the layer interface can be determined. A narrow, tight tomographic contouring at a layer interface would be indicative of a sharp transition between adjacent layers. An area with wide, consistent contours, on the other hand, would suggest that the layer interface is more gradational making a rock/weathered rock/PWR depth interface interpretation more ambiguous.

The following defines our layer-based interpretation of the profile geology by categorizing the velocities into three general groups. Because the difficulty in excavating increases as compression wave velocity increases, we have added soil/saprolite and dense PWR subcategories to soil and PWR to indicate material that may be more difficult to excavate using stated techniques. Also, site-specific variables such as the degree of fracturing or weathering, local stratigraphy, the relative orientation of the equipment, and the experience of the equipment operator will influence excavation.

0-2500 ft/sec	Soil (<1750 ft/sec)– Material that is relatively easy to excavate using dozers, backhoes, and pans. Soil/Saprolite (~1750-2500 ft/sec) - Soil and highly weathered rock near the consistency of soil that may be more difficult to excavate near 2500 ft/sec.
2500-5000 ft/sec	Partially Weathered Rock (PWR) (2500-3500 ft/sec)– Material that can usually be ripped using a single-tooth ripper mounted on a Caterpillar D-8 or equivalent crawler tractor. Trench excavation using a Caterpillar Model 322 or equivalent trackhoe may require blasting.

Dense PWR and/or Fractured Rock (~3500-5000 ft/sec) – Higher velocity PWR that is more difficult to rip or excavate and has characteristics similar to rock near 5000 ft/sec.

>5000 ft/sec

Rock – Competent material normally requiring blasting in trench and mass excavations.

Overall, the models exhibit a thick layer of soil overlaying a moderately thick layer of PWR and ultimately competent rock. Rock is the shallowest in the northern region of the site beginning at 13 feet in depth in the center of array S-1. The southern area of the site contains rock at varying depths, with the most shallow being in the center of array S-3 at 16 feet in depth. Array S-2 contains dense PWR and rock at depths greater than 20 feet. Based on the interpretations from our investigation, the northern third of the site appears to be the area of most concern for excavation in areas greater than 10 feet in depth. The central and southern portions of the site should be easily managed with standard excavation equipment.

Excavation in soil and soil/saprolite should be easily accomplished using standard excavation equipment. Mass excavations in areas interpreted as PWR may be accomplished using a single-tooth ripper attached to an approximately-sized bulldozer. Trench excavations in PWR will likely require blasting due to confinement and equipment limitations. Both mass and trench excavations in areas interpreted as rock will require blasting.

Limitations

Good correlation has been proven to exist in site investigations that use geotechnical methods, such as borings or test pits, and seismic refraction. However, with any geotechnical or geophysical subsurface investigation, limitations exist. The following are two limitations that are occasionally encountered given specific geologic and geographic conditions for a particular site:

- The seismic refraction method is only capable of interpreting layers of increasing velocity (density or hardness) with depth. Lower velocity zones underlying higher velocity layers will be masked by the denser, shallower material.
- The presence of a well-established groundwater table can produce a shallow, flat layer with a characteristic seismic velocity of approximately 5000 ft/sec. If present, this groundwater zone can be mistaken for competent rock and can also create a masking effect on lower velocity layers that are below it. Typically, this influence is only encountered when test locations are in or very near the proximity and elevation of a floodplain.

The interpretations made in this report are based on the results of the GPR and seismic refraction investigations. We are only able to define subsurface structures when a sufficient

Ground Penetrating Radar/ Seismic Refraction Investigation
West Peachtree Street
July 31, 2023
Page 5

gradient change between dielectric surfaces for the GPR or seismic velocity changes for the seismic refraction exists. Gradation transitions in objects or geologic material in the subsurface are more difficult to define. It may be prudent to substantiate these interpretations with test pits or boreholes.

If you have any questions about the findings of this study or the data contained in this report, or if you require any further services, please feel free to call us.

Sincerely,
GeoWave Solutions, Inc.



Jessica Anderson, G.I.T
Geologist



Steven A. Hurd, P.G.
Principal



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6793	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Grass Pave Parking at Pad 2 (57 College Street)		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Grass Pave Parking at Pad 2 \(57 College Street\)](#)
2. [1\) Schematic Site Plans](#)
3. [2\) Example Photos](#)

Title

Grass Pave Parking at Pad 2 (57 College Street)

Drafter

Jim Eyre



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Downtown Development Authority of the City of Norcross (“DDA”)

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6793

Title: Grass Pave Parking at Pad 2 (57 College Street)

CC: Eric Johnson, City Manager

Recommendation – The DDA would propose entering into a five year IGA with the City to install 26 grass surface pervious parking spaces on Pad 2 at Lillian Webb Park (57 College Street).

Background - These parking spaces would help with the activation of Skin Alley and provide overflow parking during peak hours for businesses in Downtown Norcross. . The DDA would manage the parking if there is a need for paid parking during certain hours. The structured grass paver area would also be available for any number of City sponsored events in Lillian Webb Park that need a more stable surface not available with grass alone.

Financial Impact - The estimated total cost of the Project is \$130,000 (\$5,000/space). The DDA will contribute design and permit costs and manage the implementation of the Project. The DDA is requesting the City fund the remaining cost of the Project.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

Goal 4: Maintains a Vibrant Economy and Continue to Facilitate Job Growth

Next Steps: City and DDA execute a mutually acceptable IGA to document the terms of the Agreement. DDA complete permit drawings and bid documents for pricing by qualified contractors to establish final pricing for the Project.

Attachments: 1. Schematic Site Plans
2. Example Photos

Update



<u>SITE DATA</u>	
PROPOSED PARKING (OVERFLOW)	26 SPACES
DISTURBED AREA	0.4 ACRES
PROPOSED NEW IMPERVIOUS	N/A

BARCLIFT CONSULTING
Civil Engineering | Site Planning

404.771.0920
robert@barcliftconsulting.com
barcliftconsulting.com

Prepared By

DOWNTOWN
DEVELOPMENT AUTHORITY
CITY OF NORCROSS

Project

SITE PLAN

COLLEGE STREET OVERFLOW PARKING

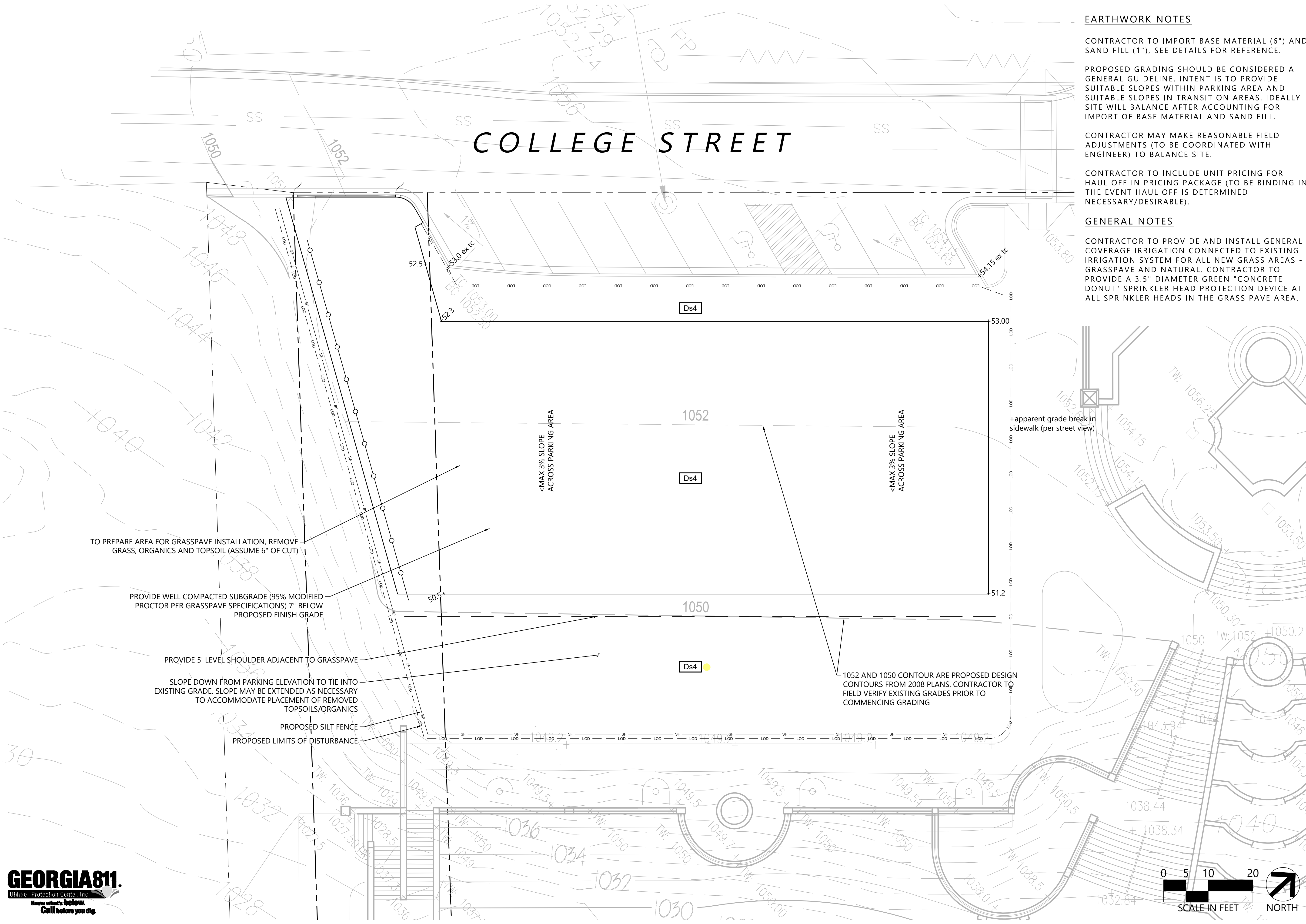
57 COLLEGE STREET NORTHWEST
CITY OF NORCROSS, GEORGIA 30071 | GWINNETT COUNTY

PRELIMINARY
NOT FOR CONSTRUCTION

GSWCC LEVEL II #: 89269
June 7, 2023

C1

Sheet Number



EARTHWORK NOTES

CONTRACTOR TO IMPORT BASE MATERIAL (6") AND SAND FILL (1"), SEE DETAILS FOR REFERENCE.

PROPOSED GRADING SHOULD BE CONSIDERED A GENERAL GUIDELINE. INTENT IS TO PROVIDE SUITABLE SLOPES WITHIN PARKING AREA AND SUITABLE SLOPES IN TRANSITION AREAS. IDEALLY SITE WILL BALANCE AFTER ACCOUNTING FOR IMPORT OF BASE MATERIAL AND SAND FILL.

CONTRACTOR MAY MAKE REASONABLE FIELD ADJUSTMENTS (TO BE COORDINATED WITH ENGINEER) TO BALANCE SITE.

CONTRACTOR TO INCLUDE UNIT PRICING FOR HAUL OFF IN PRICING PACKAGE (TO BE BINDING IN THE EVENT HAUL OFF IS DETERMINED NECESSARY/DESIRABLE).

GENERAL NOTES

CONTRACTOR TO PROVIDE AND INSTALL GENERAL COVERAGE IRRIGATION CONNECTED TO EXISTING IRRIGATION SYSTEM FOR ALL NEW GRASS AREAS - GRASSPAVE AND NATURAL. CONTRACTOR TO PROVIDE A 3.5" DIAMETER GREEN "CONCRETE DONUT" SPRINKLER HEAD PROTECTION DEVICE AT ALL SPRINKLER HEADS IN THE GRASS PAVE AREA.

TO PREPARE AREA FOR GRASSPAVE INSTALLATION, REMOVE GRASS, ORGANICS AND TOPSOIL (ASSUME 6" OF CUT)

PROVIDE WELL COMPACTED SUBGRADE (95% MODIFIED PROCTOR PER GRASSPAVE SPECIFICATIONS) 7" BELOW PROPOSED FINISH GRADE

PROVIDE 5' LEVEL SHOULDER ADJACENT TO GRASSPAVE

SLOPE DOWN FROM PARKING ELEVATION TO TIE INTO EXISTING GRADE. SLOPE MAY BE EXTENDED AS NECESSARY TO ACCOMMODATE PLACEMENT OF REMOVED TOPSOILS/ORGANICS

PROPOSED SILT FENCE
PROPOSED LIMITS OF DISTURBANCE

<MAX 3% SLOPE
ACROSS PARKING AREA

<MAX 3% SLOPE
ACROSS PARKING AREA

apparent grade break in
sidewalk (per street view)

1052 AND 1050 CONTOUR ARE PROPOSED DESIGN
CONTOURS FROM 2008 PLANS. CONTRACTOR TO
FIELD VERIFY EXISTING GRADES PRIOR TO
COMMENCING GRADING



BARCLIFT CONSULTING
Civil Engineering | Site Planning
404.771.0920
robert@barcliftconsulting.com
barcliftconsulting.com

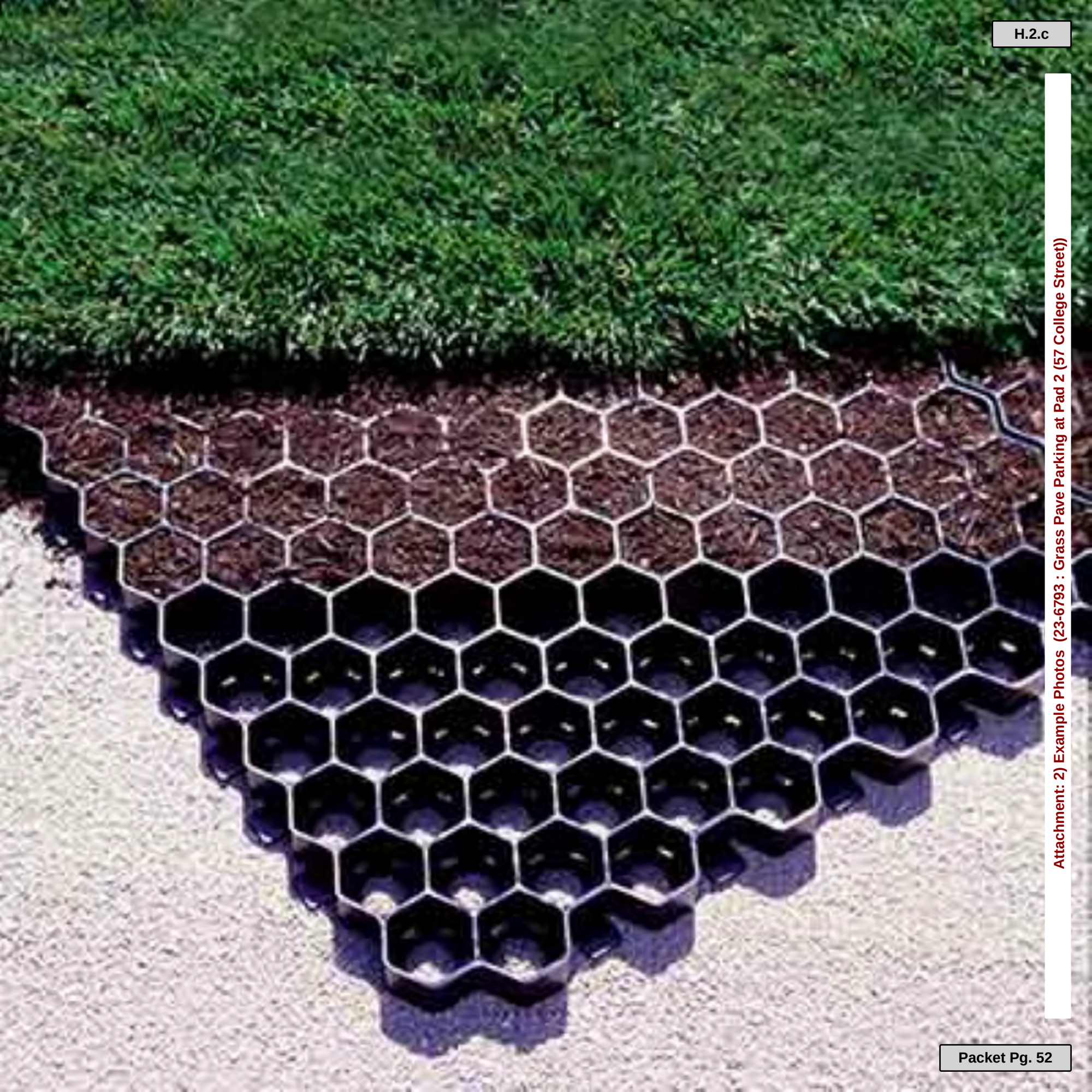
DOWNTOWN
DEVELOPMENT AUTHORITY
CITY OF NORCROSS

GRADING PLAN
COLLEGE STREET OVERFLOW PARKING
57 COLLEGE STREET NORTHWEST
CITY OF NORCROSS, GEORGIA 30071 | GWINNETT COUNTY

REVISION

GSWCC LEVEL II #: 89269
June 7, 2023

C2
Sheet Number





**EXAMPLE OF GRID AND DOTS FOR
PARKING DELINEATION ONLY;
PARKING SURFACE TO BE GRASS**



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6794	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Potential Tax Allocation District Projects		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Potential TAD Projects](#)
2. [TAD Intergovernmental Agreement between City of Norcross and Gwinnett County](#)
3. [TAD Intergovernmental Agreement Modification Document](#)
4. [Norcross TAD Resolution and Exhibit](#)

Title

Potential Tax Allocation District Projects

Drafter

William Corbin



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council
From: William Corbin, Economic Development Director
Meeting Date: August 21, 2023 – Policy Work Session
Item No.: 23-6794
Title: Potential Tax Allocation District Projects
CC: Eric Johnson, City Manager

Recommendation

Review and discuss the various ideas for expenditure of Tax Allocation District (TAD) proceeds.

Background

The City of Norcross is currently engaged in an Intergovernmental Agreement with Gwinnett County to utilize and take advantage of a 27.65-acre Tax Allocation District in the downtown area, roughly bounded on the east side by Mitchell Road, Buford Highway on the south, Carlyle Street at the west, and South Peachtree Street/College Street/Lawrenceville Street to the north.

According to the IGA, the City of Norcross must commence construction on a TAD project by December 31, 2024 or else the IGA automatically expires and all TAD monies must be returned to the County.

Economic Development staff has identified several potential projects within the TAD boundary where incremental TAD dollars could potentially be spent. These projects are listed below.

As a reminder, a TAD, also known as tax increment financing, is an economic development tool to spur additional economic activity. In short, a TAD is a defined geographic area where real estate property tax monies gathered above a certain threshold for a certain period of time can be used for a specified improvements.

TADs can be used to finance costs related to a development such as public infrastructure, land acquisition, relocation, demolition, parking structures, utilities, debt service and planning costs. Other allows uses of “TAD proceeds” include:

- Sewer expansion and repair
- Storm drainage
- Street construction and expansion
- Water supply improvements
- Park improvements
- Bridge construction and repair
- Curb and sidewalk work
- Grading and earthwork
- Traffic control

Potential TAD Projects

- Skin Alley Pedestrian Extension
- Surface Parking Lot at top of Lillian Webb Park
- Pedestrian Railroad Crossing Improvements
- Adding grease trap capacity to facilitate recruitment of food & beverage establishments
- Strategic Property Acquisition (M&C may discuss in private Executive Session)

Financial Impact

The City of Norcross TAD fund currently contains approximately \$370,000 in revenue.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

- ✓ Goal 1: Continues to define Norcross' sense of place
- ✓ Goal 2: Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
- ✓ Goal 6: Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps

Identify the project of highest priority and direct staff, through City Manager, to proceed with presenting that project to the 5-person TAD Advisory Committee for official approval by vote.

According to the Intergovernmental Agreement, the TAD Advisory Committee shall include three members representing Gwinnett County to include the Chair of the Board of Commissioners or that official's designee, the County Administrator or that official's designee, and the Director of Planning & Development or that official's designee as voting members.

The Intergovernmental Agreement does not elaborate on the remaining two members of the TAD Advisory Committee. They would presumably be individuals representing the City of Norcross who are most familiar with – and can advocate for – the proposed TAD project (e.g. city staff; appointed directors of city boards, commissions & authorities; or elected officials).

Attachments

TAD Intergovernmental Agreement between City of Norcross and Gwinnett County
TAD Intergovernmental Agreement Modification Document
Norcross TAD Resolution and Exhibit

Update

N/A

INTERGOVERNMENTAL AGREEMENT

This INTERGOVERNMENTAL AGREEMENT ("Agreement"), is made and entered into as of this 1st day of April, 2016 (the "Effective Date") by and between the CITY OF NORCROSS, GEORGIA, a municipal corporation of the State of Georgia (the "City") and the GWINNETT COUNTY BOARD OF COMMISSIONERS, the duly elected governing authority of a political subdivision of the State of Georgia (the "County").

W I T N E S S E T H:

In consideration of the respective representations and agreements hereinafter contained and in furtherance of the mutual public purposes hereby sought to be achieved, the City and the County do hereby agree as follows:

ARTICLE 1

DEFINITIONS

In addition to the words and terms defined elsewhere herein, the following words and terms shall have the meanings specified below, unless the context or use indicates another or different meaning or intent:

1.1 "Agreement" or "Intergovernmental Agreement" means this Intergovernmental Agreement, dated as of the Effective Date, between the City and the County.

1.2 "Approved Projects" means, collectively, the Projects recommended to the City for TAD financing by the City's Redevelopment Agency to be undertaken within the City of Norcross Tax Allocation District Number One – City Center East, by the City and/or by the owners or developers of the subject property to achieve the goals and objectives of the Redevelopment Plan.

1.3 "Bond Indenture" means, collectively and each respectively, each Trust Indenture, Bond Resolution, Bond Ordinance, Loan Agreement, Financing Agreement or other document pursuant to which one or more series of TAD financing is issued.

1.4 "City" means the City of Norcross, Georgia, a municipal corporation of the State of Georgia.

1.5 "City Resolution" means that specific Resolution adopted by the Norcross City Council on April 6, 2015 adopting City of Norcross Downtown Norcross Redevelopment Plan and establishing the Tax Allocation Increment Base for the City of Norcross Tax Allocation District Number One – City Center East.

1.6 "Commencement of Construction of Significant Projects" means that one or more building permits shall have been issued for and construction or renovation shall have commenced on, one or more significant structural components of one or more of the Approved Projects in the Redevelopment Plan, which construction constitutes at least 5% of the total project cost and which are anticipated to generate Tax Allocation Increments as estimated in the Redevelopment Plan.

1.7 **"County"** means Gwinnett County, Georgia, a political subdivision of the State of Georgia.

1.8 **"County Resolution"** means that certain resolution adopted by the Board of Commissioners of the County on March 22, 2016, inter alia, consenting to the inclusion of certain County ad valorem taxes in computation of the Tax Allocation Increment with respect to the TAD subject to the terms and conditions set forth therein and herein, authorizing the execution, delivery and performance of this Agreement, and other related matters.

1.9 **"County Tax Allocation Increment"** means that portion of the Tax Allocation Increment, computed in accordance with O.C.G.A. §36-44-3(14) in each calendar year, attributable to the County's portion of the ad valorem taxes for such calendar year. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross.

1.10 **"Initial Financing Period"** means up to a 25-year period from the Effective Date.

1.11 **"Norcross City Center East TAD" or "TAD"** means that certain tax allocation district (as defined in O.C.G.A. §36-44-3(13)) created by the City pursuant to the City Resolution, and designated as the "City of Norcross Tax Allocation District – City Center East," as more fully identified in the applicable Redevelopment Plan with respect thereto approved by the City.

1.12 **"Projects"** means those capital improvements (including related professional services costs) undertaken to achieve the goals and objectives of the Redevelopment Plan, as may be presented to the City's TAD Advisory Committee for consideration for TAD Financing, as required by Section 3.8.

1.13 **"Redevelopment Agency"** means the City Council which is the redevelopment agency for the TAD designated by the City of Norcross in accordance with the Redevelopment Powers Law.

1.14 **"Redevelopment Area"** means that certain area located within the geographic limits of the City and within the County created and established as a redevelopment area (as defined in O.C.G.A. §36-44-3(7)) by the City in the City Resolution and designated as the "City of Norcross Tax Allocation District Number One – City Center East," as more fully described in the City Resolution and the Redevelopment Plan.

1.15 **"Redevelopment Plan"** means the written plan of redevelopment for the Redevelopment Area (as defined in O.C.G.A. §36-44-3(9)) approved by the City in the City Resolution, designated as the "Downtown Norcross Redevelopment Plan," and containing the Norcross City Center East TAD.

1.16 **"Redevelopment Powers Law"** means Chapter 44 of Title 36 of the Official Code of Georgia Annotated, as amended from time to time.

1.17 **"Special Fund"** means the special fund with respect to the Norcross City Center East TAD created pursuant to O.C.G.A. §36-44-11(c).

1.18 **"Tax Allocation Increment"** means the amount of positive tax allocation increment with respect to real property accrued in each calendar year within the Norcross City Center East TAD as defined in O.C.G.A. §36-44-3(14).

1.19 **"TAD Financing"** means TAD Bonds issued by the City in accordance with O.C.G.A. §36-44-3(12), funds borrowed from financial institutions in accordance with O.C.G.A. §36-44-16 or revenue bonds issued by the City pursuant to O.C.G.A. §36-44-13(3) with respect to the Norcross City Center East TAD, that the City may issue or borrow as necessary to implement the provisions of the Redevelopment Plan, as provided in the City Resolution, which may include one or more series of bonds, notes or other obligations and which may be issued at one or more times.

1.20 **"Term"** means the term of this Agreement as prescribed in Section 3.1 hereof.

1.21 **"TAD Advisory Committee"** means a committee established by the City of Norcross and Gwinnett County to review and make recommendations to the Norcross City Council regarding future applications of Tax Allocation Increments and/or TAD Financing for Norcross City Center East TAD.

ARTICLE 2

REPRESENTATIONS

2.1 **Representations of the City.** The City makes the following representations as the basis for the undertakings on its part herein contained:

2.1.1 The City created the Urban Redevelopment Plan on April 6, 2009 and the City of Norcross Tax Allocation District Number One – City Center East effective as of April 6, 2015, pursuant to its redevelopment powers as authorized by the Redevelopment Powers Law and the City Resolution. The City duly adopted the Redevelopment Plan pursuant to the Redevelopment Powers Law and the City Resolution.

2.1.2 The City has made certain findings with respect to the Redevelopment Plan in accordance with the Redevelopment Powers Law, including, without limitation, that: (i) the Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan, and (ii) the improvement of the Redevelopment Area is likely to enhance the value of a substantial portion of the real property in the Norcross City Center East TAD.

2.1.3 The City intends to authorize the issuance of TAD Bonds or other means of TAD financing as may be necessary to implement provisions of the Redevelopment Plan.

2.1.4 The City is permitted by ARTICLE IX, SECTION III, PARAGRAPH I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the County for joint services, for the provision of services, or for the joint or separate use

of facilities or equipment, provided such contracts deal with activities, services or facilities the contracting parties are authorized by law to undertake or provide.

2.1.5 The City has the power to enter into this Agreement and perform all obligations contained herein, and by proper action has duly authorized the execution, delivery and performance of this Agreement. This Agreement is a valid and binding legal obligation of the City, enforceable against the City in accordance with its terms.

2.1.6 The City agrees to adopt Tax Allocation District Policies and Guidelines consistent with Gwinnett County's Tax Allocation District general policies, guidelines, methods of financing, and maximum term as well as Gwinnett County's Debt Management Policy related to TAD bonds. The City of Norcross further agrees to utilize an application for TAD financing that is consistent and contains the same information as the "Gwinnett County Application for TAD Financing."

2.2 **Representations of the County.** The County makes the following representations as the basis for the undertakings on its part herein contained:

2.2.1 The County is permitted by ARTICLE IX, SECTION III, PARAGRAPH I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the City for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, provided such contracts deal with activities, services or facilities the contracting parties are authorized by law to undertake or provide.

2.2.2 The County has the power to enter into this Agreement and perform all obligations contained in this Agreement, and by proper action has duly authorized the execution, delivery and performance of this Agreement, including, the pledge of certain ad valorem property taxes levied by the County on taxable real property within the Norcross City Center East TAD in the computation of the Tax Allocation Increments for the purposes set forth in the Redevelopment Plan, pursuant to O.C.G.A. §36-44-9(c).

2.2.3 The County has established certain objectives and promulgated relevant policies for establishing Tax Allocation Districts within unincorporated areas of the County.

2.2.4 The County has determined that the judicious consent to the use of certain Tax Allocation Increment within the Norcross City Center East TAD in furtherance of the Redevelopment Plan is an effective means of assisting with the redevelopment of an economically-challenged area. Such redevelopment will benefit the residents and businesses of Gwinnett County through ameliorating deteriorating areas, expanding the local tax base, and restoring targeted and sustainable growth within the Redevelopment Area.

2.2.5 This Agreement is a valid and binding legal obligation of the County, enforceable against the County in accordance with its terms.

ARTICLE 3

COUNTY TAX ALLOCATION INCREMENT

3.1 **Term of the Agreement.** The term of this Agreement (the "Term") shall commence on the Effective Date, and this Agreement shall remain in full force and effect until: (i) all TAD Financing and eligible Redevelopment Costs have been paid in full; (ii) the Norcross City Center East TAD: has been terminated by Resolution for other reasons; or (iii) twenty-five years have elapsed from the Effective Date, whichever first occurs.

3.2 **Certification of Tax Allocation Increment Base.** The City and the County hereby agree that the Tax Allocation Increment Base for the Norcross City Center East TAD, which will be certified by the State Revenue Commissioner as of December 31, 2015, is the taxable value of all real property subject to ad valorem property taxation located within the TAD, net of all exemptions and exclusions provided by law, in accordance with O.C.G.A 36-44-10.

3.3 **Inclusion of Ad Valorem Property Taxes in Computation of Tax Allocation Increment for Norcross City Center East TAD.**

3.3.1 Pursuant to the County Resolution, the County hereby consents and agrees to the inclusion of County ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD in accordance with the Redevelopment Powers Law, effective as of December 31, 2015. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross.

3.3.2 Commencing in 2016, the County authorizes the Gwinnett County Tax Commissioner to remit to the City each year during the term of this Agreement, in accordance with the Redevelopment Powers Law, the County Tax Allocation Increment for the TAD for such year within sixty (60) days after the due date for all ad valorem taxes paid by the due date and within sixty (60) days after the end of the year adjustment of the Annual Tax Allocation District Certification as to all such taxes paid after the due date therefore.

3.3.3 During the Initial Financing Period, the County Tax Allocation Increment may be included in TAD Financing of Approved Projects, subject to the terms of this Agreement.

3.3.4 After the Initial Financing Period, a resolution of the County shall be required to authorize the pledge of the County Tax Allocation Increment for additional TAD Financing. Notwithstanding any decision by the County not to pledge the County Tax Allocation Increment beyond the Initial Financing Period, nothing in this Agreement shall obviate or diminish the pledge of the County Tax Allocation Increment toward the repayment of any TAD Financing then outstanding; any pledge of the County Tax Allocation Increment therefore shall remain pledged until such TAD Financing is completely satisfied.

3.3.5 The term of any or each TAD Financing for which the County Tax Allocation Increment is to be pledged shall mature at such time or times not more than 25 years from their respective issuance dates.

3.3.6 Upon the retirement of all outstanding TAD Financing, any funds derived from the County Tax Allocation Increment remaining in the TAD Special Fund after all redevelopment costs have been paid or otherwise satisfied shall be paid to the County within 60 days after the end of the calendar year in the same manner and in the same proportion as the most recent distribution by the County, in accordance with the Redevelopment Powers Law.

3.4 **Issuance of TAD Bonds or other TAD Financing.**

3.4.1 The aggregate principal amount of any and all TAD Financing issued by the City with respect to the TAD shall be determined on the basis of the judgment of qualified professionals as to the projected estimate of the Tax Allocation Increment.

3.4.2 The Commencement of Construction of Significant Projects shall have occurred by no later than December 31, 2022.

3.4.3 In the event the deadline set forth in subsection 3.4.2 is not met, the consent of the County to the inclusion of its ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD shall automatically terminate as of December 31, 2022, unless the County waives this deadline by Resolution. If the County's consent so terminates, the County's portion of Tax Allocation Increment accumulated and remaining in the Special Fund through such termination date shall be returned to the County by the City within forty-five (45) days after the termination date.

3.5 **Reporting.** Commencing at the beginning of calendar year 2017 and each of the City's fiscal year thereafter, the City will provide to the County, within sixty (60) days after the end of each such fiscal year, a comprehensive annual report and audit regarding the amount of positive Tax Allocation Increment deposited in the TAD Special Fund, the uses of such funds, and the status of all development undertaken within the TAD.

3.6 **Use of County Tax Allocation Increment.** The County Tax Allocation Increment may be used for the following purposes:

3.6.1 Capital costs, including costs incurred for land clearing and grading, real property acquisition (provided said property is acquired for public use), demolition of existing structures, environmental remediation, construction of parking structures and water, sewer, storm water, or communications infrastructure; intersection, transit, transportation and roadway improvements and conference or civic meeting facilities. Capital costs for which the County's increment may be used include infrastructure improvements that are interior to the project site and assist the overall development area. Any additional categories of expenditures for capital costs must be approved by Resolution of the Board of Commissioners.

3.6.2 TAD Financing costs, as authorized by O.C.G.A. §36-44-3(8); and

3.6.3 Professional service costs, imputed administrative costs and organizational costs, as authorized by O.C.G.A. §36-44-3(8).

3.6.4 The County Tax Allocation Increment may not be used or pledged to pay for or reimburse the costs of real property assembly associated with private development on private property.

3.7 **Periodic Review.** Commencing on January 1, 2023, and continuing every three (3) years thereafter, the City and the County agree to cooperatively review the report to determine whether the goals and incremental milestones of the Norcross City Center East TAD as stated in the Redevelopment Plan have been achieved during the previous 3-year period and whether there has been sufficient Tax Allocation Increments generated and deposited into the Special Fund to pay all debt service payments when due on TAD financing, to satisfy all other terms of the Bond Indenture, and meet any other obligations related to TAD financing.

3.8 **TAD Project Approval Process.**

3.8.1 The City agrees to jointly create with Gwinnett County a five-member TAD Advisory Committee, which will review all Projects involving the expenditure of Tax Allocation Increments, and/or all issuances of TAD financing, prior to their consideration for approval by the City Council. Such TAD Advisory Committee shall include three members representing Gwinnett County to include the Chair of the Gwinnett County Board of Commissioners or that official's designee, the County Administrator or that official's designee, and the Gwinnett County Director of Planning & Development or that official's designee as voting members of such Committee, with the same powers and voting rights as all other members of said Committee. In the event that such Advisory Committee contains more than five members, Gwinnett County shall have the right to appoint representatives in the same proportion of representation as it has on the five member advisory committee.

3.8.2 Prior to the issuance of TAD financing for any Project, in whole or in part, with County Tax Allocation Increment, such Project will be reviewed by the TAD Advisory Committee for feasibility and consistency with the objectives of the Redevelopment Plan. Information to be evaluated by the Redevelopment Agency for each proposed Project shall include but is not limited to, experience of the development team, proposed capital improvements to the site, analysis of non-TAD financing commitments or equity in the Project, and Tax Allocation Increment projected to be generated by such Project. Any Project recommended for TAD financing to the City Council first must receive a favorable vote by a simple majority of the TAD Advisory Committee, at which time it will become an Approved Project.

3.8.3 Any proposed amendments to the Redevelopment Plan to materially increase redevelopment costs or materially amend the nature and scope of redevelopment for Norcross City Center East TAD shall be recommended to the City only by majority vote of the TAD Advisory Committee, and by approval of the County Administrator.

Any proposed amendments to the Redevelopment Plan to expand the boundaries of the Redevelopment Area for which the County Tax Allocation Increment is requested to be pledged must be approved by Resolution of the City Council and by Resolution of the Board of Commissioners.

3.9 **TAD Project Financing Limit.** Unless otherwise authorized by the County in writing, no privately developed Project shall receive benefit of the County Tax Allocation Increment from either the TAD Special Fund or from the proceeds of TAD Financing in an amount which exceeds 15% of the total project value. Public facilities in support of the redevelopment plan which are linked to a major private investment are excluded from this limitation.

3.10 **Payment in Lieu of Taxes.** Commencing with remittance of the 2016 County Tax Allocation Increment, if any, the City agrees to make an annual payment in lieu of taxes ("PILOT") to the County, as authorized by O.C.G.A. §36-44-3(8)(G), in an amount which equals the incremental portion of the County Tax Allocation Increment, if any, which accrues from the tax levy for Parks and Recreation collected within the TAD. This payment shall be made by the City to the County within 60 days after the end of the calendar year.

3.11 **Future Request to Include School Increment.** The parties specifically acknowledge that that the City may request the consent of the Gwinnett County Board of Education for the inclusion of certain ad valorem taxes levied for educational purposes on real property within the boundaries of the TAD in the computation of the Tax Allocation Increment for the purposes of paying redevelopment costs. If such request is made, the City shall provide the Gwinnett County Tax Commissioner with the appropriate information.

3.12 **Special Conditions, Stipulations or Requirements.** The City shall promptly notify the County in writing of any special conditions, stipulations or requirements imposed at any time or from time to time hereafter by any other taxing authority with respect to the Tax Allocation Increment and the TAD. If so elected by the County, the County shall be entitled to the benefit of any special conditions, stipulations or requirements imposed with respect to the Tax Allocation Increment and the TAD. The parties hereto hereby agree that this Agreement shall be amended or supplemented to provide for such special financial conditions, stipulations or requirements imposed hereafter if so elected by the County, and the City hereby agrees to enter into any such amendment or supplement to this Agreement required as aforesaid.

3.13 **City's Indemnification of County.** The City hereby agrees to defend and hold harmless the County and its Commissioners, officials, employees, agents and representatives from and against any and all claims, losses, damages, costs or expenses arising from or in connection with any actions, claims, suits or challenges of any kind by reason of or as a result of the sole negligent or willful act or omission of the City or its Redevelopment Agency in the exercise, use, implementation or performance of the City's rights, powers or authority under the Redevelopment Powers Law or the actions of the City or its Redevelopment Agency under this Agreement.

3.14 **Limitation of Obligations.** The County shall have no financial obligation as a result of the redevelopment and improvement of the TAD or the Redevelopment Area other than the inclusion of certain County ad valorem taxes in the computation of the Tax Allocation Increment of the TAD as provided herein. TAD Bonds shall not constitute an indebtedness of or a charge against the general taxing power of the County.

ARTICLE 4

4.1 **Governing Law.** This Agreement and the rights and obligations of the parties hereto shall be governed, construed, and interpreted according to the laws of the State of Georgia.

4.2 **Entire Agreement.** This Agreement expresses the entire understanding and all agreements between the parties hereto with respect to the matters set forth herein.

4.3 **Survival of Warranties.** All agreements, covenants, certifications, representations, and warranties of the parties hereunder, or made in writing by or on behalf of them in connection with the transactions contemplated hereby shall survive the execution and delivery hereof, regardless of any investigation or other action taken by any person relying thereon.

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

4.5 **Amendments in Writing.** This Agreement may be amended, supplemented or otherwise modified solely by a document in writing duly executed and delivered by the County and the City. No waiver, release, or similar modification of this Agreement shall be established by conduct, custom, or course of dealing, but solely by a document in writing duly executed and delivered by a duly authorized official of the County.

4.6 **Notices.** Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests, and other communications hereunder shall be in writing and shall be deemed given when the writing is delivered in person, or one business day after being sent by reputable overnight registered delivery service, charges prepaid, or three business days after being mailed, if mailed, by certified mail, return receipt requested, postage prepaid, to the City and the County at the addresses shown below or at such other addresses as may be furnished by the City and the County in writing from time to time:

CITY:

Rudolf Smith
City Manager
 65 Lawrenceville Street
 Norcross, Georgia 30071
 (678) 421-2027

With A Copy to:

Pat O'Brien
City Attorney
 Thompson O'Brien Kemp & Nasuti, P.C.
 40 Technology Parkway South
 Suite 300
 Norcross, Georgia 30092
 (770) 925-0111 telephone
 (770) 925-8597 facsimile

COUNTY:

Glenn Stephens
County Administrator
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30046
(770) 822-7000

With A Copy to:

William J. Linkous, III
County Attorney
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30046
(770) 822-8707

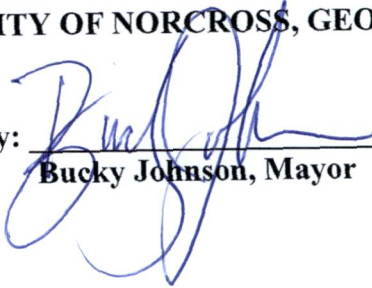
4.7 **Severability.** If any provision of this Agreement shall be held or deemed to be inoperative or unenforceable by a court of competent jurisdiction under any particular circumstances, because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or sections contained in this Agreement shall not affect the remaining portions of this Agreement or any part thereof.

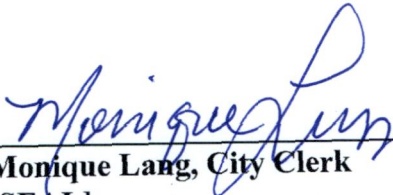
4.8 **Limitation of Rights.** Nothing in this Agreement, express or implied, shall give to any person, other than the parties hereto and their successors and assigns hereunder, any benefit or any legal or equitable right, remedy, or claim under this Agreement.

SIGNATURES APPEAR ON SUBSEQUENT PAGES

IN WITNESS WHEREOF, the City and the County have caused this Intergovernmental Agreement to be executed in their respective official names and have caused their respective official seals to be hereunto affixed and attested by their duly authorized officers, all as of the Effective Date set forth hereinabove.

CITY OF NORCROSS, GEORGIA

By: 
Bucky Johnson, Mayor

Attest: 

Monique Lang, City Clerk

[SEAL]



Approved as to Form: 

Pat O'Brien, City Attorney

**GWINNETT COUNTY BOARD OF
COMMISSIONERS**

By: Charlotte J. Nash
Charlotte J. Nash, Commission
Chairman

Attest:



Approved as to Form:

M. Van Stephens
M. Van Stephens, Chief Assistant County Attorney

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: **A RESOLUTION CONSENTING TO THE INCLUSION OF GWINNETT COUNTY TAX INCREMENTS IN THE COMPUTATION OF TAX ALLOCATION INCREMENTS FOR THE CITY OF NORCROSS TAX ALLOCATION DISTRICT NUMBER ONE – CITY CENTER EAST**

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Gwinnett Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of **Commissioner Howard**, which carried **5-0**, the Gwinnett County Board of Commissioners hereby adopts the following resolution:

**A RESOLUTION OF THE GWINNETT COUNTY BOARD OF COMMISSIONERS
 CONSENTING TO THE INCLUSION OF GWINNETT COUNTY TAX
 INCREMENTS IN THE COMPUTATION OF TAX ALLOCATION INCREMENTS
 FOR THE CITY OF NORCROSS TAX ALLOCATION DISTRICT NUMBER ONE
 – CITY CENTER EAST**

WHEREAS, on April 6, 2015, the City of Norcross adopted the City of Norcross Downtown Norcross Redevelopment Plan and created the City of Norcross Tax Allocation District Number One – City Center East (hereinafter referred to as Norcross City Center East TAD); and

WHEREAS, the City of Norcross created the Norcross City Center East TAD in order to revitalize the downtown area of the City of Norcross; and

WHEREAS, the Mayor and City Council of Norcross have requested that Gwinnett County participate in the funding of certain infrastructure and improvements within the Norcross City Center East TAD; and

WHEREAS, the Gwinnett County Board of Commissioners has reviewed the provisions of the Norcross City Center East TAD and has found that Gwinnett County's consent, in accordance with the provisions of this Resolution, to include certain County ad valorem taxes in the computation of tax allocation increments is in the best interest of Gwinnett County residents; and

WHEREAS, the Gwinnett County Board of Commissioners has determined that it is in the public interest that the area within the Norcross City Center East TAD be redeveloped to the extent practical in order to improve economic and social conditions therein; and

WHEREAS, the Georgia Redevelopment Powers Law authorizes counties to work with the cities to form a more effective partnership with private enterprise to overcome economic limitations that have previously impeded or prohibited redevelopment of certain economically and socially depressed areas; and

WHEREAS, the Gwinnett County Board of Commissioners believes that a more effective partnership involves not only consenting to the inclusion of certain county ad valorem taxes in any tax allocation increments but also consistent TAD policies and active meaningful participation by both the City and the County in a TAD advisory committee.

NOW, THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners does hereby consent to the inclusion of certain County ad valorem property taxes in the computation of tax allocation increments of the Norcross City Center East TAD to the extent that the property generating such taxes lies within the boundaries of such Tax Allocation District. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross. A complete description of such tax allocation district boundaries and the purposes for which the district has been created are attached hereto as Exhibit "A" and by this reference made a part hereof.

IT IS FURTHER RESOLVED that this consent to the inclusion of certain Gwinnett County ad valorem property taxes in the computation of tax allocation increments of the Norcross City Center East TAD is expressly conditioned upon the City of Norcross' execution of an Intergovernmental Agreement with Gwinnett County prior to the inclusion of any Gwinnett County ad valorem property taxes in the computation of the tax allocation increments for the Norcross City Center East TAD.

IT IS FURTHER RESOLVED that Gwinnett County's consent to the inclusion of certain Gwinnett County ad valorem property taxes is conditioned upon such Intergovernmental Agreement containing the following provisions:

- Gwinnett County shall have the ability to participate in decisions concerning the expenditure of Gwinnett County ad valorem taxes which are included in the computation of tax allocation increments of the Norcross Tax Allocation District Number One – City Center East.
- The City of Norcross shall agree to adopt and implement general TAD policies and guidelines consistent with those of Gwinnett County and shall agree to utilize a TAD Project Application consistent with Gwinnett County's Application.
- The City of Norcross and Gwinnett County shall jointly create a TAD Advisory Committee which shall review all Projects involving the expenditure of any tax allocation increments and/or all issuances of TAD financing. The TAD Advisory Committee shall have five members, which shall include the Chairman of the Gwinnett County Board of Commissioners or designee, the County Administrator or designee, and the Gwinnett County Director of Planning and Development or designee as three of the five voting members. In the event that such Advisory Committee contains more than five members, Gwinnett County shall have the right to appoint representatives in the same proportion of representation as it has in the five member advisory committee.
- The Tax Allocation District shall provide a financial accounting of the types of projects funded and the amount of funds allocated for each project from Gwinnett County ad valorem property taxes included in the computation of tax allocation increments.
- A description of the duration of Gwinnett County's participation in the provision of tax allocation increments to such Tax Allocation District.

IT IS FURTHER RESOLVED that the County Administrator and staff are hereby authorized to take any and all actions necessary to create the Intergovernmental Agreement referenced herein and prepare for the inclusion of certain Gwinnett County ad valorem property taxes in the computation of tax allocation increments for the Norcross City Center East TAD. The approval and execution of the Intergovernmental Agreement referenced herein shall be placed on an agenda for consideration and approval by the Board of Commissioners.

THIS RESOLUTION IS ADOPTED this the 2nd day of March, 2016.

BOARD OF COMMISSIONERS
GWINNETT COUNTY, GEORGIA

BY: Charlotte J. Nash
CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

Diane Kemp
DIANE KEMP, COUNTY CLERK



APPROVED AS TO FORM:

Van Stephens
VAN STEPHENS
CHIEF ASSISTANT COUNTY ATTORNEY

**MODIFICATION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF NORCROSS, GEORGIA AND THE GWINNETT COUNTY BOARD OF
COMMISSIONERS DATED APRIL 1, 2016**

This Modification (the “Modification”) is made and entered into between the CITY OF NORCROSS, GEORGIA a municipal corporation duly formed by the State of Georgia (the “City”) and the GWINNETT COUNTY BOARD OF COMMISSIONERS, the duly elected governing authority of Gwinnett County, a political subdivision of the State of Georgia (the “County”) (the City and the County being collectively described herein as the “Parties”). The Parties have entered into this Modification for the purpose of modifying certain deadlines set forth in the Intergovernmental Agreement between the City and the County, the same being dated April 1, 2016 (the “IGA”). Those modifications are explicitly provided below.

W I T N E S S E T H

In consideration of the respective representations and agreements hereinafter contained and in furtherance of the mutual public purposes hereby sought to be achieved, the City and the County do hereby agree as follows:

ARTICLE I

INCORPORATION AND RESTATEMENT OF IGA

This Modification of the IGA shall not be interpreted as a repudiation of any of the mutual obligations, covenants, representations, or agreements contained in the IGA, except that the Parties agree to the modifications and extensions of certain deadlines set forth in the IGA as explicitly provided in the following subsections. All modifications below are intended to replace and restate those paragraph numbers as explicitly identified herein. Those Paragraphs and Sections of the IGA not explicitly modified, amended or restated in this Modification shall remain in full force and effect and are further incorporated and restated in this Modification.

All capitalized and defined terms used in the Modification shall be given the same meaning as prescribed in the IGA. References in this Modification to articles or paragraphs without reference to a particular agreement, either by parenthetical or otherwise, shall be interpreted as references to the articles and paragraphs of the IGA.

ARTICLE II

MODIFICATIONS

2.1 **Modifications of Paragraph 3.4.2 of the IGA.** Paragraph 3.4.2 of the IGA shall be modified to provide the following:

3.4.2 The Commencement of Construction of Significant Projects shall have occurred by no later than December 31, 2024.

2.2 **Modifications of Paragraph 3.4.3 of the IGA.** Paragraph 3.4.3 of the IGA shall be modified to provide the following:

3.4.3 In the event the deadline set forth in subsection 3.4.2 [of the IGA] is not met, the consent of the County to the inclusion of its ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD shall automatically terminate as of January 1, 2025, unless the County waives this deadline by Resolution. If the County's consent so terminates, the County's portion of Tax Allocation Increment accumulated and remaining in the Special Fund through such termination date shall be returned to the County by the City within forty-five (45) days after the termination date.

2.3 **Modifications of Paragraph 3.7 of the IGA.** Paragraph 3.7 of the IGA shall be modified to provide the following:

3.7 Commencing on January 1, 2025 and continuing every three (3) years thereafter, the City and the County agree to cooperatively review the report generated in accordance with Section 3.5 [of the IGA] to determine whether the goals and incremental milestones of the Norcross City Center East TAD as stated in the Redevelopment Plan have been achieved during the previous 3-year period and whether there has been sufficient Tax Allocation Increments generated and deposited into the Special Fund to pay all debt service payments when due on TAD financing, to satisfy all other terms of the Bond Indenture, and meet any other obligations related to TAD financing.

2.4 **Modifications of Paragraph 4.6 of the IGA.** Paragraph 4.6 of the IGA shall be modified to read accordingly:

4.6 **Notices.** Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests, and other communications hereunder shall be in writing and shall be deemed given when the writing is delivered in person, or one business day after being sent by reputable overnight registered delivery service, charges prepaid, or three business days after being mailed, if mailed, by certified mail, return receipt requested, postage prepaid, to the City and the County at the addresses shown below or at such other addresses as may be furnished by the City and the County in writing from time to time:

CITY:

Eric Johnson
City Manager
 65 Lawrenceville Street
 Norcross, Georgia 30071
 (678) 421-2027

With A Copy to:

J. Patrick O'Brien**City Attorney**

Thompson O'Brien Kappler & Nasuti, P.C.

2 Sun Court

Suite 400

Peachtree Corners, Georgia 30092

(770) 925-0111 telephone

(770) 925-8597 facsimile

COUNTY:**Glenn Stephens****County Administrator**

Gwinnett Justice and Administration Center

75 Langley Drive

Lawrenceville, GA 30046

(770) 822-7000

With A Copy to:**Michael Ludwiczak****County Attorney**

Gwinnett Justice and Administration Center

75 Langley Drive

Lawrenceville, GA 30046

(770) 822-8707

ARTICLE III**MISCELLANEOUS PROVISIONS**

3.1 **Governing Law.** This Modification and the rights and obligations of the parties hereto shall be governed, construed, and interpreted according to the laws of the State of Georgia.

3.2 **Entire Modification.** This Modification expresses the entire understanding and all agreements between the parties hereto with respect to the matters set forth herein.

3.3 **Survival of Warranties.** All agreements, covenants, certifications, representations, and warranties of the parties hereunder, or made in writing by or on behalf of them in connection with the transactions contemplated hereby shall survive the execution and delivery hereof, regardless of any investigation or other action taken by any person relying thereon.

3.4 **Counterparts.** This Modification may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

3.5 **Amendments in Writing.** This Modification may be amended, supplemented or otherwise modified solely by a document in writing duly executed and delivered by the County and the City. No waiver, release, or similar modification of this Agreement shall be established by conduct, custom, or course of dealing, but solely by a document in writing duly executed and delivered by a duly authorized official of the County.

SIGNATURES APPEAR ON SUBSEQUENT PAGES

IN WITNESS WHEREOF, the City and the County have caused this Intergovernmental Agreement to be executed in their respective official names and have caused their respective official seals to be hereunto affixed and attested by their duly authorized officers, all as of the Effective Date set forth hereinabove.

CITY OF NORCROSS, GEORGIA

By: _____

Craig Newton, Mayor

Attest: _____

Monique Lang, City Clerk

[SEAL]

Approved as to Form:

J. Patrick O'Brien, City Attorney

**GWINNETT COUNTY BOARD OF
COMMISSIONERS**

By: _____

**Nichole Love Hendrickson,
COMMISSION CHAIRMAN**

Attest: _____

Diane Kemp, Clerk

[SEAL]

Approved as to Form:

Michael Ludwiczak, County Attorney

CITY OF NORCROSS, GEORGIA

A RESOLUTION

A RESOLUTION CREATING THE DOWNTOWN NORCROSS REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT NUMBER ONE—CITY CENTER EAST; TO DESIGNATE THE BOUNDARIES OF THE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT; TO ESTABLISH THE TAX ALLOCATION INCREMENT BASE FOR THE TAX ALLOCATION DISTRICT; TO ADOPT A REDEVELOPMENT PLAN FOR THE AREA; TO ESTABLISH THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS OR OBTAIN OTHER FINANCING NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE AREA; TO AUTHORIZE THE CITY OF NORCROSS, GEORGIA CITY COUNCIL TO ACT AS THE REDEVELOPMENT AGENCY TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW; TO AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENT RELATED THERETO, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR ALL OTHER PURPOSES.

WHEREAS, O.C.G.A. §36-44-1, *et seq.*, is known and may be cited as the Redevelopment Powers Law; and

WHEREAS, the Redevelopment Powers Law (O.C.G.A. §36-44-1, *et seq.*) provides for the exercise of redevelopment powers, the adoption of redevelopment plans, and the creation tax allocation districts by counties and municipalities in the State of Georgia; and

WHEREAS, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within substantially underutilized urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for governmental services, have a deleterious effect upon the public health, safety, morals and welfare, and impair or arrest the sound growth of the community; and

WHEREAS, pursuant to House Bill 371 (2007 GA. LAWS. p. 4123, *et seq.*) as approved by a majority of the voters in a referendum held on September 10, 2007, the City of Norcross (the “City”) is authorized to exercise the redevelopment powers as delineated by the Redevelopment Powers Law; and

WHEREAS, it is in the public interest of the City that the Redevelopment Powers Law be exercised to improve economic and social conditions of the Downtown Norcross Redevelopment

Area in order to change its current and underutilized state and to achieve the community's vision for the area as articulated in the City of Norcross Town Center Plan: 2011 Livable Centers Initiative Update (the Town Center Plan); and

WHEREAS, the City Council finds that the Downtown Norcross Redevelopment Area suffers from underdeveloped land characteristics that contribute to or cause unemployment, limit the tax resources of the City and Gwinnett County while creating a greater demand for government services, and in general have a deleterious effect on the public health, safety, and welfare; and

WHEREAS, the Council finds that the Downtown Norcross Redevelopment Area is substantially underutilized by containing a substantial number of open or vacant parcels and structures and buildings of relatively low value compared to the value of other structures and buildings in the vicinity and that the current condition of the area is less desirable than the redevelopment of the area for new commercial, residential, governmental and other uses; and

WHEREAS, adoption of the Downtown Norcross Redevelopment Plan and creation of Tax Allocation District Number One—City Center East (“the TAD”) is necessary to redevelop and revitalize this area; and

WHEREAS, the City recognizes that new public infrastructure, structured parking and centralized stormwater detention facilities and related improvements are needed to create a commercially viable and residentially diverse historic town center and commercial corridor in Norcross; and

WHEREAS, the Norcross TAD #1 – City Center East can provide incentives and funding to catalyze redevelopment of the area; and

WHEREAS, it is in the public interest of the City that the Redevelopment Powers Law be exercised to improve the economic and social conditions of the Downtown Norcross Redevelopment Area in order to remedy the detrimental effects of its current depressed and underutilized state; and

WHEREAS, a Redevelopment Plan has been prepared for the Downtown Norcross Redevelopment Area in accordance with O.C.G.A. §36-44-3(9); and

WHEREAS, the Council has held public hearings at the meeting of March 5, 2015 and April 6, 2015, duly noticed as prescribed by law and published in the Gwinnett Daily Post and as set forth in the minutes of said meetings. The purpose of the public hearings was to receive suggestions and comments on the proposed Redevelopment Plan and TAD as required by the Redevelopment Powers Law; and

WHEREAS, the City of Norcross now desires to adopt the Downtown Norcross Redevelopment Plan and create Tax Allocation District Number One, known as City Center East.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF NORCROSS, GEORGIA HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Norcross finds and declares that the Downtown Norcross Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan.

Section 2. The City of Norcross finds and declares that improvement of that portion of the Redevelopment Area identified as “City Center East”, the boundaries of which are defined in the Redevelopment Plan, is likely to enhance the value of a substantial portion of other real property in the district.

Section 3. The City of Norcross adopts the Redevelopment Plan, attached as Exhibit “A”, as the Redevelopment Plan for the aforesaid area pursuant to the Redevelopment Powers Law, and incorporates the same by reference as though it were set forth in its entirety herein.

Section 4. The City of Norcross creates Tax Allocation District Number One—City Center East pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

Section 5. Norcross Tax Allocation District Number One—City Center East is hereby created and will take effect as of December 31, 2015, and shall continue in existence until all redevelopment costs, including financing costs and debt service on tax allocation bonds, are paid in full.

Section 6. The City of Norcross hereby establishes the estimated Tax Allocation Increment Base of \$3,014,800, subject to verification and possible adjustment by the Gwinnett County Assessor when certified on December 31, 2015. The real property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.

Section 7. The Norcross City Council will act as the redevelopment agency and will exercise redevelopment powers as necessary to implement the provisions of the Redevelopment Plan and effectuate the redevelopment of the Downtown Norcross Redevelopment Area and Tax Allocation District.

Section 8. The Council intends to authorize issuance of tax allocation bonds and/or obtain commercial bank financing and to use the proceeds of any tax allocation bonds or financing for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds or commercial financing; capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers, stormwater detention facilities, sidewalks and streetscapes, parking facilities and parks; professional services costs, including fees for architectural, engineering and environmental services; real estate assembly; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law, as it has been and may hereafter be amended.

Section 9. The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments from ad

valorem taxes levied on all taxable real property within the boundaries of Tax Allocation District Number One—City Center East.

Section 10. All resolutions and parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Adopted and approved by the City Council of the City of Norcross, Georgia this 6th day of April, 2015.

Approved:

BY: _____
Mayor Bucky Johnson

ATTEST:

Monique Lang, City Clerk

Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

EXHIBIT “A”

Norcross TAD Redevelopment Plan Final

CITY OF NORCROSS
DOWNTOWN NORCROSS REDEVELOPMENT PLAN
TAX ALLOCATION DISTRICT #1 – CITY CENTER EAST



APRIL, 2015

PREPARED FOR:
THE CITY OF NORCROSS, GA



PREPARED BY:



Bleakly Advisory Group

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



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Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



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* Headings followed by a letter in parenthesis [e.g. (A)] denote information required per Georgia Code Chapter 36, Title 44.

EXECUTIVE SUMMARY

This Redevelopment Plan (the Plan) has been prepared for the City of Norcross for the purpose of creating Tax Allocation District #1 – City Center East. This report presents the justification, rationale, boundaries, fiscal data and proposed projects which could result from the establishment of TAD #1. This Redevelopment Plan was prepared in conformance with the provisions of the Georgia Redevelopment Powers Law (O.C.G.A. Title 36 Chapter 44) which governs the creation of the Tax Allocation Districts (TADs) in the state. Leadership in the preparation of this plan was provided by the City of Norcross.

The general boundaries, goals, development opportunities and proposed public improvements, as well as the broad economic/market forces impacting the Redevelopment Area as a whole, were reported in the City of Norcross Town Center Plan: 2011 Livable Centers Initiative Update (the Town Center Plan), prepared by Pond & Company and completed in August of 2012. (That Plan was also an update of a 2001 study of the same area.) The goals of the 2011 Town Center Plan focused on transforming a 560-acre area (the LCI Study Area), “encompassing the historic downtown, surrounding neighborhoods, and commercial centers on Buford Highway” extending from Jimmy Carter Boulevard to Langford Road. This same study area, or portions of the study area have also been the subject of several other prior studies and redevelopment initiatives, including the creation of a “Redevelopment Overlay District” and designation of Buford Highway parcels as an “Opportunity Zone.” The Town Center Plan, as well as earlier studies referenced in that Plan, have been extensively relied upon to provide the economic justification, rationale and related background data that is necessary to designate this Redevelopment Area and TAD.

Although Norcross is committed to improving the entire study area identified in the Town Center Plan, economic realities dictate that early phase priorities and actions should be concentrated on a much smaller geographic area which offers realistic, near-term opportunities for redevelopment. Therefore, this Redevelopment Plan focuses on certifying a Tax Allocation District which covers only a small, 27.7-acre portion of the Redevelopment Area and leaves open the option to create one or more additional TAD's if warranted in the future. This Plan also identifies a list of redevelopment projects with nearer term potential and defines desired uses of TAD proceeds that would result from implementing those projects. The Redevelopment Plan concludes with a “School District Impact Analysis,” which is a statutory requirement of the Redevelopment Powers Law.

THE OPPORTUNITY AND VISION

The 2011 Norcross Town Center Plan proposed a strategy to direct new mixed-use development to the Study Area by implementing a series of transportation and pedestrian amenity improvements, investments in public parks and open space, catalyst projects, zoning/regulatory changes and related strategies. The City of

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Norcross has invested substantial funds and effort to create a shared vision for its future, committing significant planning and other resources toward the revitalization of its historic downtown. That effort has included construction of Lillian Webb Park, building a new municipal complex and assembling multiple parcels for eventual redevelopment. The City's future challenge is to leverage those already completed improvements to attract new private investment and create a density of population and economic activity that is necessary to support a commercially successful downtown.

The City's vision for the LCI Study Area calls for the introduction of a mix of land uses and development densities which do not exist in the area today. TAD #1 will help to leverage higher property tax collections within an area that is substantially under-performing in terms of current value and generation of tax revenues. The housing, retail and commercial redevelopment proposed for the tax allocation district will substantially increase the existing property tax digest. This revenue increase will be captured through the TAD mechanism to incentivize redevelopment and help finance parking decks, stormwater detention and possibly other needed infrastructure improvements, at no additional cost to Norcross taxpayers.

The Norcross Town Center Plan promotes mixed use development, which combines various components of housing (including mixed income housing), office, and retail, to enhance the study area and offer a clear guide for redevelopment. Development of several key catalyst projects in the Employment Center and in the Historic Downtown will stimulate growth and drive investment in the area.

The plan recommendations offer flexibility and long-term economic viability. Combined with alternative transportation solutions, including an expanded bicycle and pedestrian network and traffic calming measures, and urban design recommendations, this plan supports economic diversity and creates a place in Norcross's Town Center where individuals can live, work, and socialize. Section 5: Recommendations consists of redevelopment guides for each focus area and specific recommended projects and policies.

Exhibit 1: Recommendations Summary – Norcross Town Center Plan

KEY CHALLENGES



Exhibit 2: Lillian Webb Park and partial view of adjacent redevelopment sites.

Historic areas like Downtown Norcross, often suffer from surrounding development patterns, inadequate transportation facilities and antiquated infrastructure which do not support new development of a quality or character desired by the City and its residents. Several challenges facing the City were outlined in the Town Center Plan. Among the most important were: (1) a relatively small population and existing housing inventory surrounding the downtown; (2)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



the presence of aging, lower-valued commercial and light industrial space located along the Buford Highway Corridor; (3) above-average office and industrial vacancy rates, reflecting in part the age and condition of those facilities; and (4) the need to implement parking management, streetscape, traffic calming and pedestrian improvements in the downtown area.

THE GOAL



Exhibit 3: Norcross Town Center Plan concept drawing showing redevelopment opportunities surrounding Lillian Webb Park

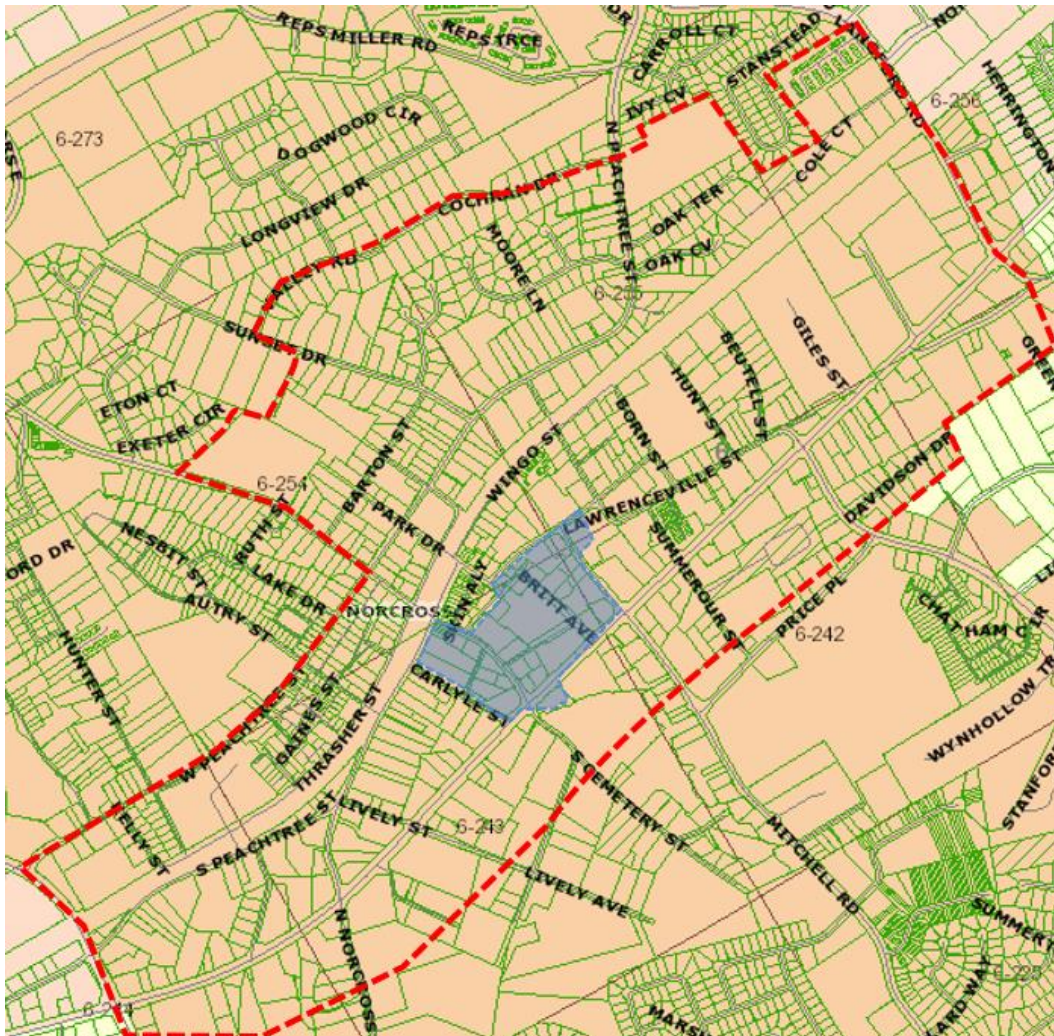
The creation of Norcross TAD Number 1, to be known as City Center East, will allow the City to encourage private investment on key City/DDA owned parcels. This new development will further enhance and expand the City's established, historic commercial district. In addition, the TAD will leverage private investment to provide public funds needed to further improve downtown infrastructure. In particular, TAD funds will be used to offset the cost of building parking structures and expand stormwater detention capacity to service the higher density,

higher valued development advocated in the Town Center Plan.

DOWNTOWN NORCROSS TAD BOUNDARY

The boundaries of the proposed Redevelopment Area and the approximate boundaries of Tax Allocation District #1 are shown on Map 1. The boundaries of the Redevelopment Area are consistent with the 2011 Town Center Plan LCI Study Area, except for the addition of a small area that crosses Buford Highway to the Southeast of downtown. That added geography is part of the City's "Tier 3" Redevelopment Overlay District and was included for that reason. As shown, the proposed City Center East TAD covers only a small portion of the Redevelopment Area. The TAD is primarily located along the Northeasterly side of Buford Highway and is generally bounded by Carlyle Street, Holcomb Bridge Road, Lawrenceville Street and Mitchell Road. The one TAD parcel located on the Southeast side of Buford Highway is undeveloped and has been proposed as a possible stormwater detention site to service new development that would surround Lillian Webb Park. The balance of the TAD is generally identified within the City as "downtown" Norcross and includes the Park, most of the downtown area's existing commercial buildings and several parcels that have been acquired by the City and its Downtown Development Authority (DDA) for redevelopment purposes.

**Map 1: Approximate Boundaries of the Proposed Downtown Norcross
Redevelopment Area and Proposed TAD #1 – City Center East (Shaded)**



An enlarged view of the proposed TAD, which identifies individual parcels within the district, is shown on Map 2 on the next page. The proposed TAD#1 contains only 38 tax parcels covering 27.65 acres. Of that number, 18 parcels and 13.1 acres are either owned by the City of Norcross, its DDA or by other tax exempt entities. The remaining 20 privately owned, taxable parcels cover 14.5 acres and contain 110,700 SF of existing buildings. These private properties have a total current value of roughly \$7.5 million according to Gwinnett County Assessment Department records. This taxable real estate value averages to just under \$520,000 per acre and only \$68/SF of developed building space. Neither of these averages would be considered indicative of a thriving central business district. These low existing average values also explain the City's desire to attract new, higher-density development to its historic downtown.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



POTENTIAL REDEVELOPMENT PROJECTS

The City has initially identified five potential redevelopment projects within TAD #1. These projects include major investments on assembled City/DDA parcels, private projects on privately owned redevelopment sites and smaller-scale infill projects in existing under-valued areas. These projects collectively represent the vision for the future of Downtown Norcross as a mixed-use, mid-density center that will provide new residential units in the heart of downtown, plus new development opportunities for retail, office, lodging, dining and entertainment uses. These project areas are identified on Map 3.

Map 3: Potential Redevelopment Project Locations



- Project 1: Parkside Norcross
- Project 2: Lawrenceville Street & Mitchell Road Hotel Site
- Project 3: Conversion of Existing Extended Stay Hotel Site
- Project 4: Holcomb Bridge Road Retail Infill
- Project 5: Holcomb Bridge Road and Carlyle Street Mixed Use

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



TOTAL DEVELOPMENT POTENTIAL

If these 5 project areas are developed as forecast, BAG estimates that they could support a total of approximately 450 residential apartments plus potential senior housing. These sites could also support roughly 205,000 SF of retail, commercial and lodging space, plus 15,000 SF of office space at build out. These project areas currently have a total market value of \$5.6 million but a taxable digest (40%) value of less than \$1.7 million, due to the fact that most of the properties are currently owned by the City or its DDA. At build-out, these same areas could have a realistic market value of nearly \$91.8 million and add more than \$35.0 million (net) to the City's taxable digest. This represents a near 21-fold increase in the taxable value of the existing properties and a 15-fold increase in the value of the entire TAD #1. BAG forecasts that these development projects would take approximately 7 years to construct and become fully taxable by 2022. This information is outlined in Table 2.

**Table 2: Norcross TAD #1 – City Center East
Potential Redevelopment Sites**

Acreage (of identified Redevelopment sites)	14.09
Current Full Market Value	\$5,642,700
Potential Redevelopment	
Residential Units (Rental Housing)	450
Average Full Market Value/Unit	\$125,600
Commercial S.F.	220,000
Average Full Market Value/SF	\$160.30
Total Full Market Value at Completion	\$91,791,296
Total Taxable Digest at Completion	\$36,716,519
Net New Taxable Value	\$35,033,679

Source: Developers, City of Norcross and BAG

POTENTIAL TAD FUNDING

As noted above, completion of the above projects would increase the City of Norcross's tax digest by more than \$35.0 million over current levels. Should all three taxing jurisdictions commit their M&O millage to the TAD, the above forecast could produce more than \$1.38 million in annual property tax increments from taxes on real estate by 2022. (The balance of real estate tax collections would continue to be used for general fund purposes.)

This growth in tax increments could support potential bond revenues of \$9.8 million (net after issuance costs and reserves) for investment in redevelopment projects and additional public improvements. (This estimate assumes that the City will offer to rebate a portion County and School District increments, totaling \$12.4 million over 30 years.) Should the Gwinnett County Public Schools refuse consent to the TAD, the amount of net TAD bond proceeds the City could invest in redevelopment projects, is reduced to roughly \$6.0 million.

POTENTIAL INVESTMENTS OF TAD PROCEEDS

There are several public improvements, infrastructure projects and development incentives which TAD funds could be used to support. However, the City's intent is to use the vast majority of TAD proceeds to construct parking decks and a shared stormwater detention facility for new downtown development projects. These investments of TAD proceeds are necessary to facilitate higher density redevelopment within the TAD. Table 3 provides a list of potential uses for TAD proceeds as defined by the City of Norcross:

**Table 3: Potential Uses of Estimated Future Proceeds
TAD #1 - City Center East**

Potential Expenditure	Estimated Allocation	Total Funds	
		Without School District	With School District
1 Stormwater Detention Improvements	20%	\$ 1,210,000	\$ 1,960,000
2 Parking Decks	75%	\$ 4,537,500	\$ 7,350,000
3 Site Demolition and Misc. Investments	5%	\$ 302,500	\$ 490,000
TOTAL Estimated TAD Funding:	100%	\$ 6,050,000	\$ 9,800,000

SCHOOL DISTRICT IMPACTS

Potential gains to the Gwinnett County Public Schools from participating in the proposed TAD should be marginally positive due to the future growth in its tax digest and ESPLOST revenues, with minimal impact on the demand for school services. The fiscal and economic impacts to Gwinnett County Public Schools from participating in the City's TAD#1 – Downtown Norcross are summarized as follows:

- The proposed TAD will affect the future appreciation of 0.012% (one one-hundredth of one percent) of the School's taxable digest. All current property taxes (\$59,700/year) will continue to go to the school system—only increases above the current amount are pledged to the TAD.
- The redevelopment area will potentially attract 1,000 new residents and 120 school children at build out, achieved after several years of construction. This represents an addition of 0.069% to the total 2014 enrollment of the Gwinnett County Public Schools.
- There are no existing or planned Gwinnett County Public School facilities located inside the TAD boundary.
- Proposed redevelopment projects could generate an additional \$142,000 in annual ESPLOST funds from new residents and businesses during years in which the E-SPLOST is in effect, an amount approaching current property taxes collected within the TAD boundary.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



- The School District could also receive \$244,400 per year in incremental revenue from increased business personal property taxes associated with new retail, commercial and office development within the proposed TAD.

More detailed findings are provided in the full report.

INTRODUCTION

This Redevelopment Plan (the Plan) has been prepared for the City of Norcross for the purpose of creating Tax Allocation District #1 – City Center East. This report presents the justification, rationale, boundaries, fiscal data and proposed projects which could result from the establishment of TAD #1. This Redevelopment Plan was prepared in conformance with the provisions of the Georgia Redevelopment Powers Law (O.C.G.A. Title 36 Chapter 44) which governs the creation of the Tax Allocation Districts (TADs) in the state, including a “School District Impact Analysis,” which is a statutory requirement. Leadership in the preparation of this plan was provided by the City of Norcross.

THE VISION

The Norcross Town Center Downtown Plan envisions a unique, compelling destination that dynamically ties to greater Norcross, connects Norcross to the region, and embraces its history while providing a forward-thinking, socially engaging, inclusive, economically and environmentally sustainable place to live, work and visit.

Exhibit 4: Vision Statement, Norcross Town Center LCI Plan 10-Year Update, p. 57.

“Downtown” Norcross and the Buford Highway Corridor have been the subjects of extensive prior planning which was instrumental in justifying the boundaries, goals, strategies and specific projects contained in this Redevelopment Plan. The community’s vision for Downtown began to take shape in 2001 when the Atlanta Regional Commission awarded the City a planning grant through its Livable Centers Initiative (LCI) program. The original 2001 LCI Plan was later updated in 2011. The City of Norcross

Town Center Plan: 2011 Livable Centers Initiative Update (the Town Center Plan) was prepared by Pond & Company and completed in August of 2012.

The 2011 Town Center Plan focused on transforming a 560-acre area (the LCI Study Area), “encompassing the historic downtown, surrounding neighborhoods, and commercial centers on Buford Highway” extending from Jimmy Carter Boulevard to Langford Road. This same study area, or portions of the study area, have also been the subject of other prior studies and economic development initiatives, including the creation of a “Redevelopment Overlay District” and designating the length of Buford Highway and other nearby industrial parcels as an “Opportunity Zone.” The Town Center Plan, as well as six earlier studies referenced in that Plan, are relied upon to provide the economic justification, rationale and related background data that is necessary to designate this Redevelopment Area and TAD.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



*Exhibit 5: Norcross Opportunity Zone Boundaries (shaded in green)
The approximate TAD #1 boundaries are shown in blue.*

The Town Center Plan identified three primary goals related to land use, transportation connections and community identity. These goals generally called for making the Study Area a “destination” for higher-quality and higher-density development, more diverse employment opportunities and a broader mix of housing options. This was supported by a related goal to improve transportation, circulation and amenities for pedestrians. The third core goal centered upon creating an “expanded identity” for downtown by pursuing quality architectural design, public spaces, cultural amenities and related improvements.

“areas” where specific investments and policies were proposed to achieve the Plan’s overall goals. These focus areas included in-town residential neighborhoods, industrial and commercial employment nodes located along Buford Highway and “Historic Downtown Norcross” itself. Specific Plan goals related to the downtown area included (1) creating opportunities for mixed-use environments, (2) strengthening Norcross’ identity, (3) connecting downtown to Buford Highway and (4) pursuing “critical mass” with retail and residential development. Since 2011 the City has successfully implemented several recommendations for the downtown focus area, including completing improvements to “Skin Alley” and College Street, making pedestrian, streetscape and signage improvements throughout downtown and acquiring potential redevelopment sites around Lillian Webb Park

Including Lillian Webb Park, the City and its DDA have assembled and currently own more than 11.3 acres within the proposed TAD #1. Excluding park land and existing public buildings, the City retains several parcels totaling in excess of 7 acres, which could be offered to the private sector for redevelopment purposes. After making substantial progress toward implementing the public components of the Town Center Plan, the City’s remaining challenge is to leverage these successes to accomplish the redevelopment of assembled sites and remaining under-utilized buildings that are privately owned. The City also needs additional financial

The Town Center Plan also addressed seven “focus

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



resources to help remove financial barriers and achieve the high-density, mixed-use development needed to make downtown a true destination. The primary financial challenges to accommodating new mixed-use development relate to providing adequate parking facilities and stormwater infrastructure to service higher density living.

Although Norcross remains committed to improving the entire study area identified in the Town Center Plan, economic realities dictate that early phase priorities and actions should concentrate on a much smaller geographic area which offers realistic, near-term opportunities for redevelopment. Therefore, the Redevelopment Plan focuses on certifying a Tax Allocation District which covers only 27.7-acres of the Redevelopment Area, leaving open the option to create one or more additional TAD's under this same Plan if warranted in the future. This Redevelopment Plan also limits the list of redevelopment projects to those with nearer term potential, and confines uses of TAD proceeds to purposes that would help to implement those specific projects. If additional TADs are proposed in the future, other projects and uses of TAD proceeds will be added to this Plan.

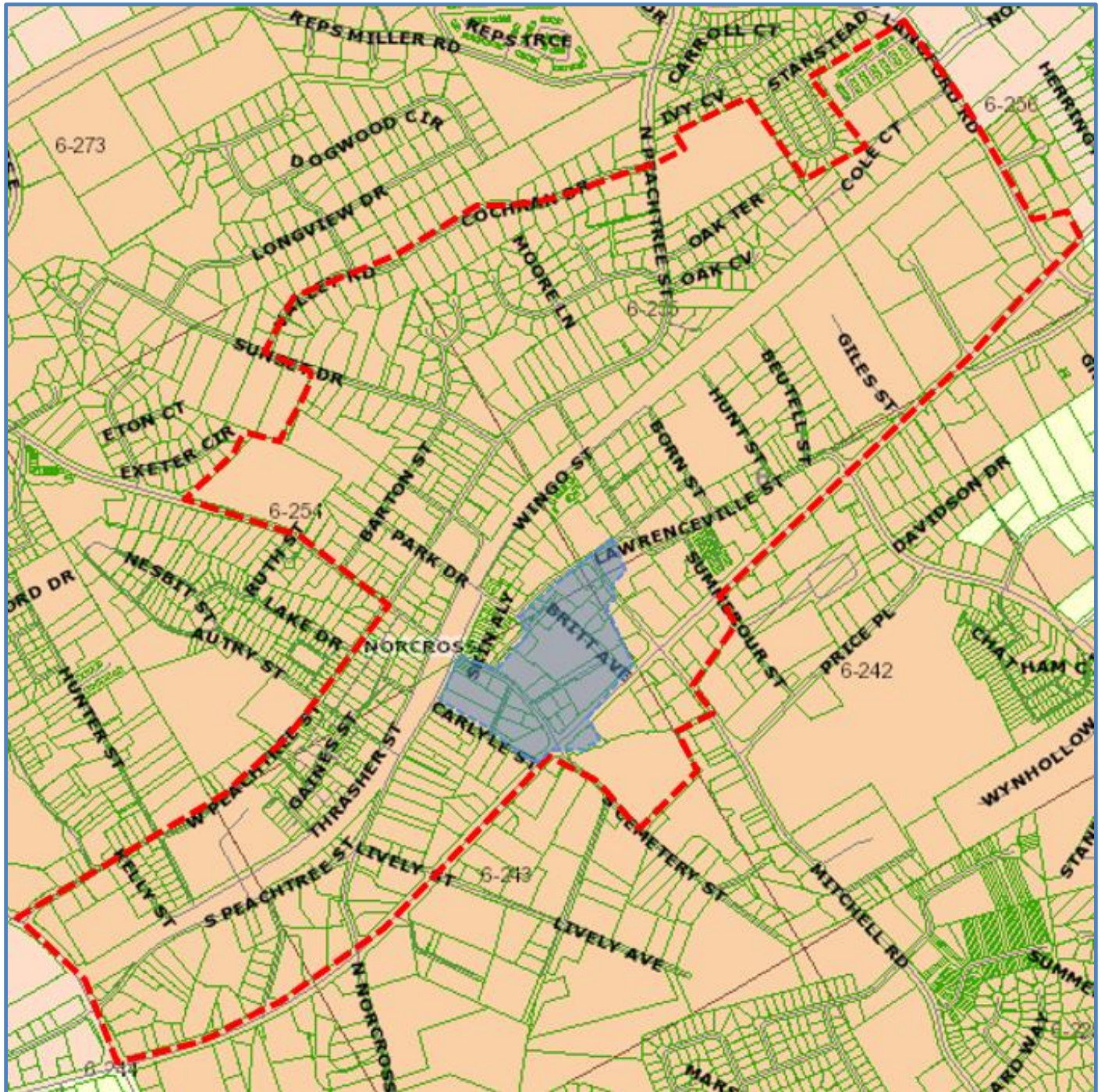
GEOGRAPHIC BOUNDARIES (A)

The Redevelopment Area and boundaries of Norcross Tax Allocation District Number 1: City Center East are illustrated in Map 4 shown on the next page. (This is followed by an enlarged Map 5, which shows the TAD boundaries only.) The boundaries of the Redevelopment Area are consistent with the 2011 Town Center Plan LCI Study Area, except for the addition of 9 tax parcels located on the Southeast side of Buford Highway, adjacent to downtown. That added geography is part of the City's "Tier 3" Redevelopment Overlay District and was included for that reason. The proposed City Center East TAD covers less than 5% of the total Redevelopment Area. The TAD is primarily located along the Northeasterly side of Buford Highway and is generally bounded by Carlyle Street, Holcomb Bridge Road, Lawrenceville Street and Mitchell Road. The one TAD parcel located on the Southeast side of Buford Highway is undeveloped and has been proposed as a possible stormwater detention site to service new development that would surround Lillian Webb Park. The balance of the TAD is generally identified within the City as "downtown" Norcross and includes the Park, most of the downtown area's existing commercial buildings and several parcels that have been acquired by the City and its Downtown Development Authority for redevelopment purposes.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Map 4: Downtown Norcross Redevelopment Area and TAD #1 Boundary Map (L)
(TAD #1 Parcels are shaded in Blue)



Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



HOW RESIDENTS IN NORCROSS AND GWINNETT COUNTY WILL BENEFIT

Benefits to the City and County from completing projects within TAD #1 include:

- Achieving the "destination development" character for downtown desired by City residents, by increasing shopping, dining, arts, entertainment and cultural activities;
- Strengthening the area's future economic viability by introducing greater diversity and density of housing, commercial space and employment;
- Providing adequate parking to support increased density;
- Increasing resident demand for retail goods and services, creating opportunities for existing and new local businesses;
- Attracting nearly \$91.8 million in new private capital investment in currently under-utilized and under-valued property; and
- Generating substantial new annual revenues from property taxes on real estate and commercial personal property, sales taxes and business licenses.

OVERVIEW OF TAX ALLOCATION DISTRICTS

Tax allocation districts are Georgia's version of tax increment financing. Tax increment financing is a redevelopment funding mechanism that reinvests the future taxes from real estate development back into a project either (a) directly, as an incentive to attract new private investment into an area or (b) indirectly by paying for public improvements that could not be absorbed as a private development cost. As described by the Council of Development Finance Agencies. (www.cdfa.net), TIF was created and first used in California in 1952. Hundreds of TIF districts have helped spur urban redevelopment in cities across the country. Today, all 50 states and the District of Columbia use tax increment financing in some form.

In 1985, the Georgia General Assembly authorized formation of Georgia's form of tax increment financing called Tax Allocation Districts (TADs). The purpose of a Georgia tax allocation district is similar to tax increment financing in any other state. A TAD allows increased property taxes generated by new development within the designated district to be used to finance costs related to the development, such as public infrastructure, land acquisition, relocation, demolition, parking structures, utilities, debt service and planning costs. Other allows uses of "TAD proceeds" include:

- Sewer expansion and repair
- Storm drainage
- Street construction and expansion
- Water supply improvements
- Park improvements
- Bridge construction and repair

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



- Curb and sidewalk work
- Grading and earthwork
- Traffic control

Cities and counties throughout Georgia have created TADs to stimulate major new construction and renovation or rehabilitation in underdeveloped or blighted areas. Nearly 80 Georgia cities and counties have either created or are considering establishing TADs in their communities. There were also 10 existing TAD's in Gwinnett County as of the end 2014. A TAD offers local governments the opportunity to promote worthwhile redevelopment projects that would otherwise not be financially viable, or are located in areas which would otherwise be unattractive to private investment.

Prior to the last Recession in 2008 and 2009, other Georgia tax allocation districts such as Atlantic Station (Midtown Atlanta) and Camp Creek Marketplace (East Point), demonstrated the economic benefits which TADs can generate. These benefits include:

- **A stronger economic base**—Private development that would not have occurred without the TAD designation is attracted by this incentive.
- **The halo effect**—Several Georgia TADs have generated significant new investment in areas surrounding the TAD as well as within the tax allocation districts, further expanding the positive economic impact.
- **No impact on current tax revenues**—Redevelopment is effectively promoted without tapping into existing general governmental revenues or levying special assessments on property owners.
- **Expanded local tax base**—By stimulating economic activity TAD's expand the local tax digest, additional retail sales, and as a result, SPLOST revenues.
- **It is self-financing**—TADs are self-financing, since they are funded by the increased tax revenues from new development within the district.
- **High leverage**—Typically TAD funds represent between 5-15% of project costs, leveraging 7-20 times their value in private investment.

In summary, a tax allocation district is a financing mechanism that can be used to pay for public infrastructure or reduce private development costs, to make an underutilized area attractive to private investment and development, at no additional cost to local taxpayers. Establishing a TAD does not create a tax increase for either the community or property owners within the District. Nor does a TAD reduce tax revenues to the community, below levels which existed at the time the District was certified. In many cases, TADs can increase general fund revenues from new business personal property taxes, sales taxes, hotel/motel taxes, business license fees and other revenues which are not pledged for redevelopment purposes and would not otherwise occur.

BENEFITS OF TAD #1 - DOWNTOWN NORCROSS

Norcross was among several Metro-Atlanta cities which considered creating Tax Allocation Districts near the peak of the last real estate cycle, only to see those

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



efforts stall due to employment losses during the Great Recession, the credit crisis which followed, the resulting decline in housing demand and falling regional real estate values. A Redevelopment Plan for Downtown Norcross was prepared by McKenna Long & Aldridge, LLP in August of 2008. That Redevelopment Plan proposed creating a downtown TAD involving 101 parcels covering more than 97 acres. That proposed TAD had a 2008 base digest value of more than \$20.2 million and envisioned a development potential of more than 1,700 new housing units and 1.1 million SF of commercial space at build out, increasing the City's taxable digest by more than \$169 million.

But as real estate market conditions rapidly deteriorated over the latter half of 2008 and legal challenges temporarily stalled the Georgia Redevelopment Powers Law, the City abandoned its effort to secure County and School District consent. No redevelopment costs were ever incurred and the City dissolved the original TAD shortly after its creation. However, the City did not abandon its efforts to enhance Downtown Norcross, continuing to make property acquisitions, adopt more supportive land use regulations, create economic development incentives, complete construction of supportive public amenities and generally improve the area's attractiveness for private investment.

As real estate values have stabilized and the region now appears to be in a real estate recovery, creation of TAD #1 is designed to provide added financial incentives to realize the City's vision for its historic downtown, as expressed in the 2011 Town Center Plan. At the same time, this proposed TAD will impact a much smaller geography and is based upon much more modest expectations than the original 2008 effort. If successful, TAD #1 will help to defray the cost of building parking structures and stormwater detention facilities. These financial resources will help to make the types of higher-density, mixed-use redevelopment called for in City's vision statement financially feasible. Therefore, this TAD is a highly appropriate and consistent use of tax increment financing authorized in Georgia's Redevelopment Powers Law.

PROPOSAL

Through the creation of Norcross TAD #1 – City Center East, Norcross is supporting new opportunities for revitalization by implementing the Town Center Plan.

GROUNDINGS FOR EXERCISE OF REDEVELOPMENT POWERS (B)

Tax Allocation Districts are authorized in Georgia under the Redevelopment Powers Law, O.C.G.A. Title 36, Chapter 44. In 2009, the Redevelopment Powers Law was amended again, with the following definition of a "redevelopment area".

'Redevelopment area' means an urbanized area as determined by current data from the US Bureau of the Census or an area presently served by sewer that qualifies as a 'blighted or distressed area, a 'deteriorating area,' or an 'area with inadequate infrastructure' as follows:

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



(A) A 'blighted or distressed area' is an area that is experiencing one of more conditions of blight as evidenced by:

- (i) The presence of structures, buildings, or improvements that by reason of dilapidation; deterioration; age; obsolescence; inadequate provision for ventilation, light, air, sanitation, or open space; overcrowding; conditions which endanger life or property by fire or other causes; or any combination of such factors, are conducive to ill health, transmission of disease, infant mortality, high unemployment, juvenile delinquency, or crime and are detrimental to the public health, safety, morals, or welfare;
- (ii) The presence of a predominant number of substandard, vacant, deteriorated, or deteriorating structures, the predominance of a defective or inadequate street layout, or transportation facilities; or faulty lot layout in relation to size, accessibility, or usefulness;
- (iii) Evidence of pervasive poverty, defined as being greater than 10 percent of the population in the area as determined by current data from the U.S. Bureau of the Census, and an unemployment rate that is 10 percent higher than the state average;
- (iv) Adverse effects of airport or transportation related noise or environmental contamination or degradation or other adverse environmental factors that the political subdivision has determined to be impairing the redevelopment of the area; or
- (v) The existence of conditions through any combination of the foregoing that substantially impair the sound growth of the community and retard the provision of housing accommodations or employment opportunities;

(B) A 'deteriorating area' is an area that is experiencing physical or economic decline or stagnation as evidenced by two or more of the following:

- (i) The presence of a substantial number of structures or buildings that are 40 years old or older and have no historic significance;
- (ii) High commercial or residential vacancies compared to the political subdivision as a whole;
- (iii) The predominance of structures or buildings of relatively low value compared to the value of structures or buildings in the surrounding vicinity or significantly slower growth in the property tax digest than is occurring in the political subdivision as a whole;
- (iv) Declining or stagnant rents or sales prices compared to the political subdivision as a whole;
- (v) In areas where housing exists at present or is determined by the political subdivision to be appropriate after redevelopment, there exists a shortage of safe, decent housing that is not substandard and that is affordable for persons of low and moderate income;
- (vi) Deteriorating or inadequate utility, transportation, or transit infrastructure; and

(C) An 'area with inadequate infrastructure' means an area characterized by:

- (i) Deteriorating or inadequate parking, roadways, bridges, pedestrian access, or public transportation or transit facilities incapable of handling the volume of traffic into or through the area, either at present or following redevelopment; or
- (ii) Deteriorating or inadequate utility infrastructure either at present or following redevelopment.

-Georgia Redevelopment Powers Law

WHY THE DOWNTOWN NORCROSS REDEVELOPMENT AREA QUALIFIES AS A REDEVELOPMENT AREA

The City of Norcross has the authority to exercise all redevelopment and other powers authorized or granted municipalities pursuant to the Redevelopment Powers Law, as now or hereafter amended by virtue of a successful City voter referendum. The following section addresses how the proposed redevelopment area qualifies as meeting the conditions described in O.C.G.A. Section 36-44-3

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



subsections A, B and C presented above. It should be noted that these conditions are not necessarily present in the smaller TAD #1, due in large part to City actions already taken and public investments already completed over the past several years. TAD#1 is envisioned as a catalyst to start the first phase of new economic activity that will eventually spread to other portions of the redevelopment area where the following conditions are more prevalent:

- A (i, ii); B (i, ii, iii, iv) – Much of Buford Highway extending through the redevelopment area was developed in the 1970's and 1980's as first generation commercial and light industrial development, with large amounts of surface parking. The Town Center Plans calls for transforming several nodes within the redevelopment area into revitalized mixed-use, commercial or employment nodes, anchored by the City's historic downtown. Much of the existing developed commercial and industrial property along Buford Highway is economically underutilized, as evidenced by high vacancy rates at the time the 2011 plan was prepared. The value of existing development per acre or per SF of building area is also comparatively low. Even within the TAD, which includes the bulk of the City's historic downtown building stock, the taxable full market value of existing buildings averages only \$68/SF (including land), which is likely to be well below replacement cost. Therefore, current conditions within much of the redevelopment area are less desirable than its potential as defined in the City's vision statement.
- B (v) – Although most existing housing in the redevelopment area is in good condition and average household incomes are higher than the surrounding region, more than 70% of existing housing is single-family and owner occupied. The Town Center Plan noted the need for more rental housing, a greater variety of "life cycle" housing options to attract people in different stages of life, and higher density housing to support commercial demand. TAD #1 is the most viable location to meet these housing objectives in the short term.
- C (i) – The proposed redevelopment area has inadequate roadways to handle current and future traffic flow which will result from the redevelopment of the area as a mixed-use activity center. The City has been working to address those deficiencies over the past several years. The primary transportation infrastructure deficiency within TAD #1 is insufficient parking to service mixed-use development.
- C (ii) – Portions of the proposed redevelopment area have inadequate sewer and water infrastructure to support higher-density redevelopment. Within TAD #1 there is a need to construct a centralized stormwater detention facility with the capacity to service multiple developments. Absent of a centralized facility, the cost of collecting stormwater runoff on site would make the redevelopment of several downtown parcels cost prohibitive.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Exhibit 7: Identified Focus Areas/Development Nodes – Norcross Town Center LCI Plan. Approximate TAD #1 boundaries are shaded in blue.

In summary, Norcross envisions its downtown as a higher-density, mixed-use node which combines residential, retail, office and public uses. Creation of TAD #1 represents an essential building block to support the ongoing revitalization of this historic business district, consistent with the community's vision. If successful, the growth catalyst represented by a revitalized and growing downtown is expected to make nearby commercial corridors more viable economically and create opportunities to form additional TADs and make comparable improvements to other sections of the redevelopment area. Absent the TAD, the City of Norcross lacks alternative financial resources to finance structured parking and build stormwater infrastructure, which are essential to drawing private investment to the City's core.

When the Town Center LCI Plan was prepared in 2011 and adopted in 2012, several trends and demographic characteristics existed at that time, which provided evidence to conclude that the Study Area also qualifies as a Redevelopment Area under criteria established by the Redevelopment Powers Law. These conditions have not significantly improved since that time and remain valid today. Relevant sections from the Town Center Plan, as well as additional demographic analysis prepared by BAG, appear in the following section.

MARKET CONDITIONS

As previously noted, the boundaries of the Redevelopment Area emulate those of the "LCI Study Area," which was addressed in the Town Center Plan. According to that report, the 560-acre LCI Study Area contained at that time, 52% of the City's retail space inventory, 24% of its office space and 32% of its existing industrial space. City-wide vacancy rates in each of those markets in 2011 were 12% (retail), 23% (office) and 14% (industrial) respectively. From information presented in the report, BAG estimated that the LCI Study Area contained 3.75 million SF of retail, commercial, office and industrial space of which 472,000 SF was vacant in 2011. The Study Area also contained 37% of the City's total non-residential space inventory of 10.24 million SF and 30% of City-wide vacancy. Prevailing rents in the area were also lower than the larger surrounding market, due primarily to the age and condition of properties located along Buford Highway.

In terms of population and housing, the LCI Study Area was found to have a slightly older, better educated and more affluent population than both the City and County as a whole. The existing housing stock was also higher valued on average, due in large part to the concentration of owner occupied and single-family detached units located in those residential neighborhoods which bordered Downtown Norcross. Those neighborhoods were included in the Study Area not because of poverty or blight, but because of their historic character and the City's desire to protect and better connect them to Downtown Norcross.

Identified demographic issues within the Study Area were related to the lack of housing diversity to serve a broader mix of households across all life cycles, as well as inadequate population density to support trade and service businesses. With an estimated 2010 Study Area population of only 1,300, increasing that population was proposed as a necessary redevelopment strategy to help create additional consumer demand, address nonresidential vacancy and achieve the City's goals for a commercially successful town center. Because nearly all of the Study Area's residential land inventory is already developed, expanding the local population requires the assembly and redevelopment of sites to higher density and mixed-use. The boundaries of Historic Downtown Norcross, consistent with proposed TAD #1, was identified as the logical catalyst location to implement that strategy.

Relevant characteristics of the Redevelopment Area are summarized in the following paragraphs.

- **Norcross has experienced significantly slower population growth than Gwinnett County as a whole over the past decade.¹** From 2000 to 2010, the population of the City of Norcross actually declined by 1%, while Gwinnett County's population expanded by nearly 217,000 (37%). The population of the Redevelopment Area grew faster than the City as a whole (25%), but was still below the County average. While the percentage change was larger than the

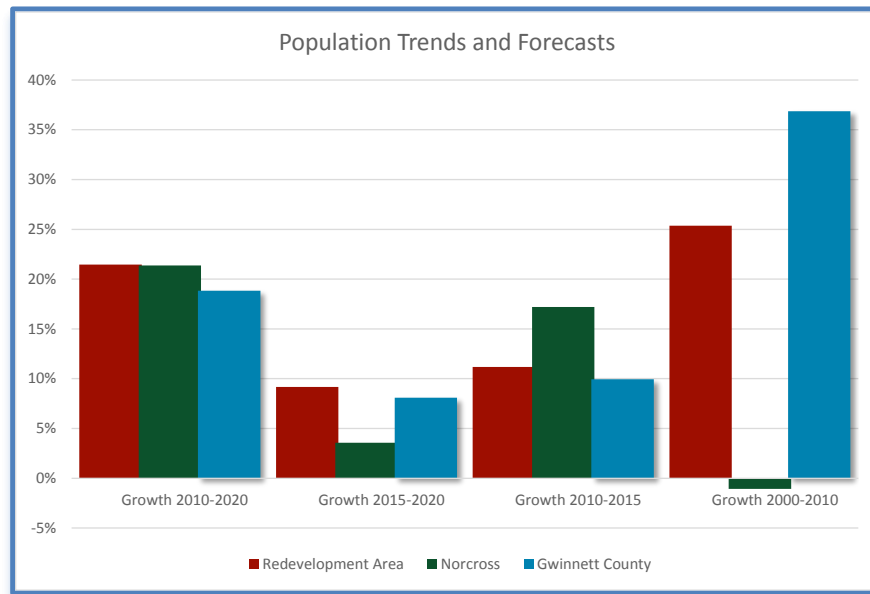
¹ Data reported in this section was obtained from the Nielson Company (Pop-Facts Demographic Snapshot 2015 Report) and CoStar.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



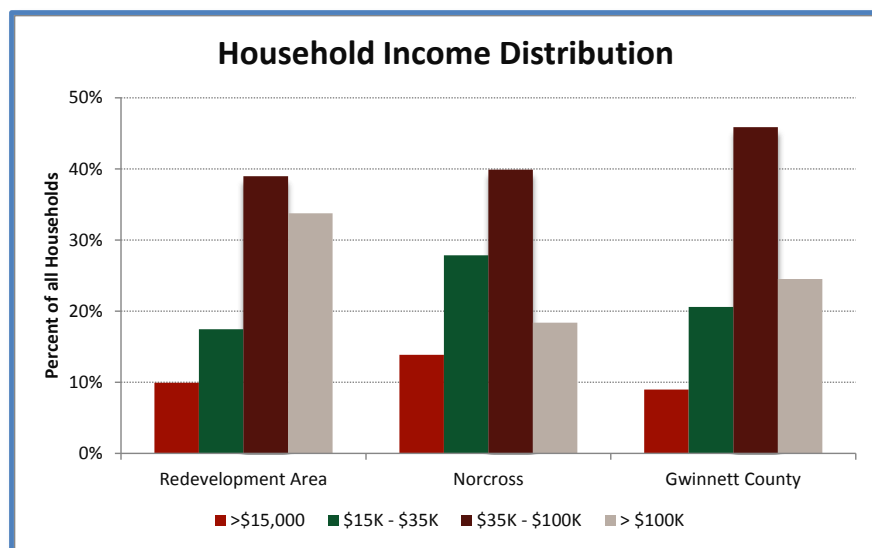
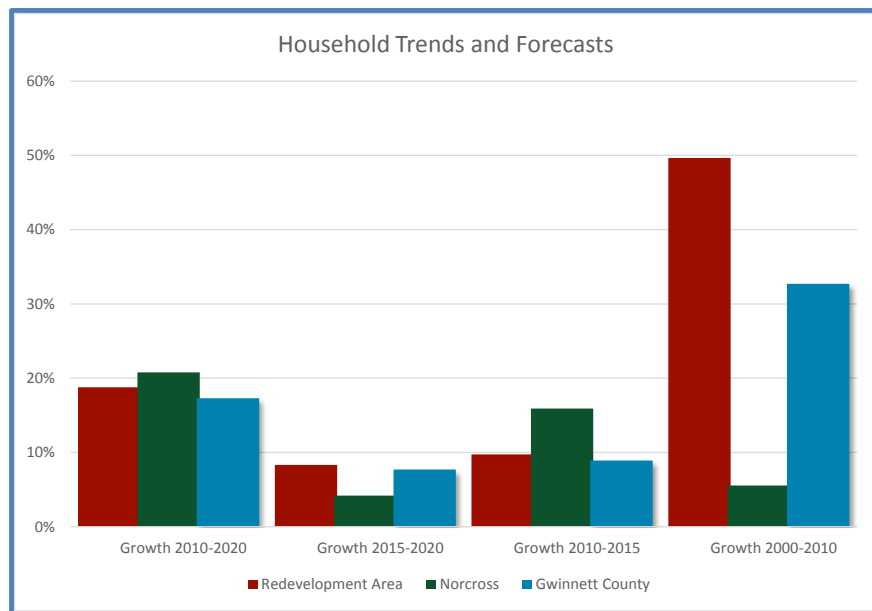
City average, the Redevelopment Area population remained small, totaling only 1,338 in 2010. Despite encompassing the economic and historical center of Norcross, the Redevelopment Area contained only 15% of the City's population in 2010, far below the community's objectives as articulated in the Town Center Plan.

Since 2010, the City's population is estimated to have rebounded and grown by 17%, while population growth in the County and Redevelopment Area have slowed in comparison to the previous decade. Population growth over the next five years is forecast to increase significantly, with the Redevelopment Area, City and County all growing at similar rates. However, given that the Redevelopment Area is nearly built out, achieving forecasted growth rates will require the types of mixed-use redevelopment projects recommended in the Town Center Plan.



- Household change has been similar to population.** From 2000 to 2010, Norcross added a net of only 160 households. All of that growth appeared to concentrate in the Redevelopment Area and the addition of households was not sufficient to offset City-wide population losses caused by shrinking average household sizes. The very small number of household formations in Norcross is striking, given that the number of households in Gwinnett County increased by more than 66,000 over the same period. Since 2010 the Redevelopment Area has captured only 11% of the new households added to the City. Absent of a successful redevelopment effort, household formations are projected to slow even further in percentage terms over the next five-years.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

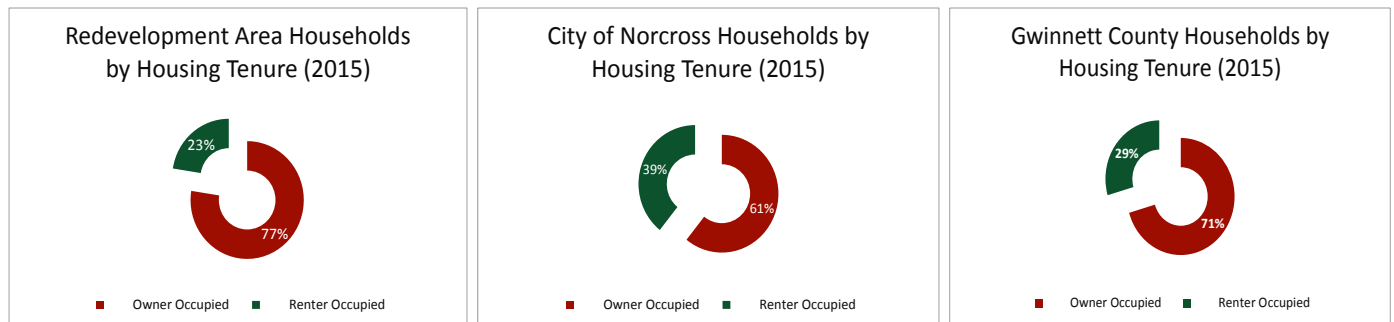


- Household Incomes – Norcross household incomes are comparatively low.** As was noted in the Town Center Plan, the Redevelopment Area's population is older, better educated and modestly more affluent than Gwinnett County as a whole. However, the estimated median household income within the City of Norcross (\$43,264) is well below Gwinnett County (\$58,652) and the Redevelopment Area (\$65,737). At the same time, it is estimated that only 18% of all Norcross households currently earn incomes above \$100,000 per year, compared to 34% for the Redevelopment Area and 25.0% of households in Gwinnett County. Part of the reason for this skewed income distribution is the fact that only 23% of Redevelopment Area households are renters compared to 39% for the entire City. The Town Center Study Area also intentionally included certain higher-valued historic neighborhoods for their architectural significance, in order to preserve those neighborhoods from negative encroachment. One

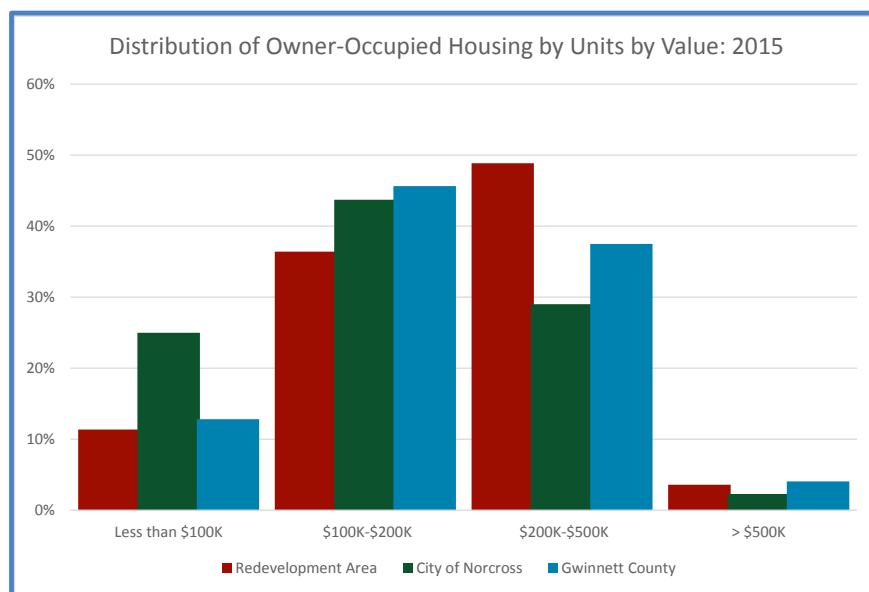
Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



of the City's major goals articulated in this Redevelopment Plan is to broaden the range of future housing options to accommodate renters and attract a wider age and income distribution of households living in Downtown Norcross.



- Housing Value – Owner-Occupied housing in the City of Norcross is lower valued than Gwinnett County.** Within the City of Norcross, the current (2015) median value of owner-occupied housing was estimated at \$147,727, or 81% of the median value of for-sale housing in Gwinnett County (\$183,334). For reasons noted above, the value of owner occupied housing in the Redevelopment Area is significantly higher at \$207,264. Residential property values with the Redevelopment Area, City and County have not yet fully recovered from recessionary losses which began in 2008. Another of the City's major goals articulated supported by this Redevelopment Plan, is to introduce higher-density housing options to Downtown Norcross, which are affordable to a broader segment of the population.

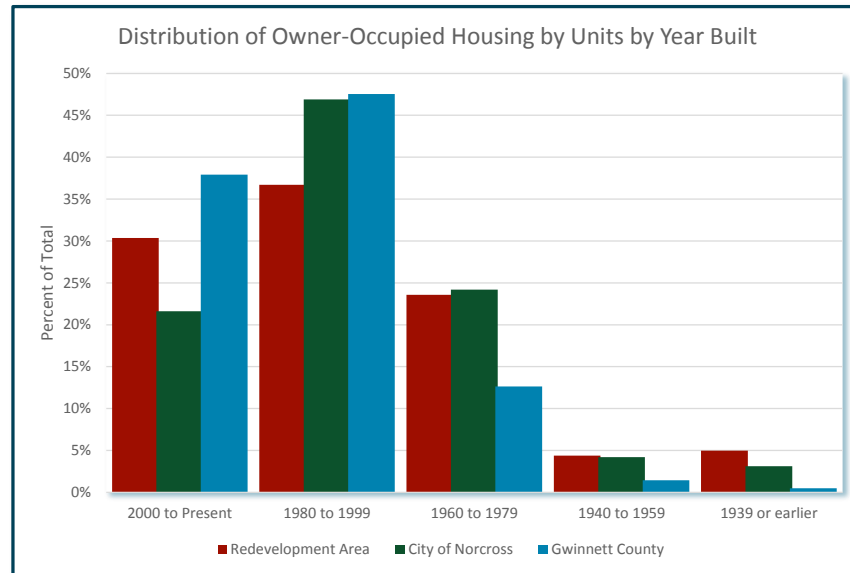


- Housing Age – The City's housing stock is significantly older than Gwinnett County.** The median age or year built of all housing in Norcross is 1986, a full 10 years older than the median for Gwinnett County (1996). The median age of housing in the Redevelopment Area (1990) is also older than the County as a

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



whole. The Redevelopment Area also has a slightly larger concentration of units built prior to 1960 (9%) than the City (7%) or the County (less than 1%). The objective of the Redevelopment Plan is not to address the age or condition of existing housing, which is generally well maintained and high-valued, but to increase the amount, variety and affordability of new housing units available in Downtown Norcross.



- Existing Commercial Inventory – Retail, industrial and office space in the Redevelopment Area and Norcross Sub-Market are not performing as well as Gwinnett County as a whole.** BAG compared the inventory of retail, industrial and office space located along that section of the Buford Highway corridor which lies within the Redevelopment Area, against similar data for the Norcross market and the County as a whole. This comparison relies on the use of CoStar data, which only covers space that is available for lease or sublease. (Owner occupied buildings are excluded.) Comparative data for Norcross is also a Sub-market definition provided by Co-Star and is not confined to property located within the City limits.

The data are presented in Table 4 and show that both retail and industrial space inventories within the Redevelopment Area have higher vacancy rates and lower rents than the nearby City- and County-wide markets. The Redevelopment Area also has a comparatively smaller office space inventory and much lower office vacancy, yet local office rents are still lower than the comparative markets. This is likely to be due to the fact that the local space inventory is significantly older and less functional than the larger surrounding market.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Table 4: Non-Residential Market Inventory

	Buford Highway Corridor	Norcross Sub- Market [1]	Gwinnett County
Retail Space			
Total S.F.	651,000	6,165,070	59,326,927
Vacant S.F.	63,093	563,702	5,057,615
% Vacant	9.70%	9.10%	8.50%
Average Rent (nnn)	\$12.11	\$12.73	\$12.52
Maximum Vacancy[2]	15.9%(Q2 2009)	10.8%(Q1 2009)	11.4%(Q4 2009)
Industrial/Warehousing/Flex Space			
Total S.F.	1,033,748	44,072,608	128,755,948
Vacant S.F.	14,670	4,434,592	11,156,421
% Vacant	14.20%	10.10%	8.70%
Average Rent (nnn)	\$2.50	\$4.80	\$4.42
Maximum Vacancy[2]	21.5%(Q2 2011)	16.6%(Q3 2010)	14.1%(Q3 2010)
Office Space			
Total S.F.	304,146	10,635,634	5,974,834
Vacant S.F.	28,738	2,674,635	6,155,772
% Vacant	9.50%	25.10%	18.30%
Average Rent (fs)	\$12.90	\$14.89	\$15.72
Maximum Vacancy[2]	13.3%(Q4 2013)	25.1%(Q4 2014)	19.6%(Q2 2011)

Notes:

[1] The Norcross Sub-Market is geography identified by CoStar and is not contiguous to the City Limits.

[2] Maximum recorded vacancy rate over the past 10 years and the Quarter in which that vacancy occurred.

Source: Co/Star

- Development Density and Tax Revenues – The proposed TAD #1 is substantially under-performing in terms of its economic value and contribution of property tax revenues to the City, County and School District.** Because of the large number of parcels involved, BAG did not pull property tax records for all properties in the 560-acre Redevelopment Area. We concentrated instead on the acreage and tax parcels located within the proposed TAD #1. Even though it encompasses the historic center of Norcross and is one of the most densely developed sections of the City, the taxable digest within TAD #1 averages only \$109,000 per acre. The TAD as a whole is estimated to generate less than \$112,700 per year in combined City, County and School District property taxes on real estate, generating average tax revenues of only \$4,075 per acre. This area is clearly under-performing its economic/fiscal potential as defined in Section (D) above, including: (ix) *the predominance buildings of relatively low value and slower growth in the property tax digest than is occurring in the political subdivision as a whole and (x) stagnant rents or sales prices.*

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



SUMMARY OF MARKET CONDITIONS RELATING TO THE QUALIFICATION AS A REDEVELOPMENT AREA

In summary, designation of the Redevelopment Area is justified based on the following conditions. The boundaries of the proposed TAD #1 are sufficient to accommodate near-term development opportunities in the immediate vicinity of Lillian Webb Park, but are not intended to correct all identified economic issues in the Town Center Plan. Successful implementation of projects identified within TAD #1, which impacts less than 5% of the area, is expected to have a positive impact on nearby development nodes. Future opportunities to correct the following deficiencies which impact the Redevelopment Area as a whole, will be addressed by implementing other projects and perhaps creating one or more future TADs as needed.

- The Redevelopment Area has a comparatively small housing inventory and an estimated household population of only 1,300 in 2010. Although there is a population of more than 327,000 living within 6 miles of Downtown Norcross, commercial uses suffer from the lack of close-in population to support demand. The Redevelopment Area has substantially under-performed the County as a whole in terms of population and household growth.
- The Redevelopment Area lacks a diversity of housing types and price ranges to attract households across a spectrum of ages and life cycles.
- Retail and light industrial space in the Redevelopment Area is comparatively older and is characterized by above-market vacancy rates and below-market rents.
- Existing infrastructure, particularly parking, is inadequate to support new, higher-density development envisioned for properties located in TAD #1.
- Existing properties located within TAD #1 generate average tax revenues of only \$4,075 per acre in combined City, County and School District property taxes on real estate. The area is substantially under-valued and under-performing compared to what would be considered typical of an economically "healthy" downtown, and falls far short of the City's vision for the area.

PLAN VISION AND GOAL

The vision of the Norcross Town Center Plan is to revitalize the City core and aging commercial corridors into "a compelling destination" that "embraces its history while providing a forward-thinking, socially engaging, inclusive, economically and environmentally sustainable place to live, work and visit." From the Vision statement, three primary goals were outlined to guide the development of the concept plan and establish a framework for policies, programs, recommendations, and priorities. The goals and selected relevant recommendations related to land use, transportation and identity and are summarized as follows:

LAND USE

"Facilitate destination development, create opportunities for employment diversity and provide a variety of housing choices (type and price point) throughout all stages of life to promote redevelopment and economic growth throughout the study area. Development

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



will be high quality, with attractive architectural styles and integrity of building materials. The new plan will put into place the “critical mass” necessary to support a diverse retail environment.”

Relevant Land Use Objectives, Policies and Recommendations which are supported by this Redevelopment Plan include:

- Utilize land within the Historic Downtown for higher density, mixed-use development.
- Encourage a wide variety of housing types within the study area, including high quality rentals, senior housing and workforce living options.
- Encourage mixed use development downtown surrounding Lillian Webb Park, to provide a variety of retail and office services to meet daily needs.
- Examine parking requirements for all uses and develop a downtown parking management strategy to promote compact infill while providing adequate, but not excessive, parking.
- Modify the Comprehensive Plan to allow for structures greater than two stories in downtown Norcross.
- Modify zoning ordinance on parcels within the Historic Downtown and Employment Center Focus Areas to be required to incorporate a percentage of plaza/greenspace with new development. It is recommended that this space be deeded to the city as public space.
- The Plan proposed seven (7) catalyst projects within the Historic Downtown, which included an area similar to TAD #1, “in order to spur additional development downtown and throughout the rest of the study area.” The Plan recommended that “the initial catalyst project should be the completion of Skin Alley including the rehabilitation of the Alley itself, acquisition of parcels for the creation of public parking and Plaza.” This recommendation has been implemented.



Exhibit 6: Conceptual Downtown “Key Catalyst Projects” identified in the 2011 Town Center LCI Plan.

CIRCULATION / CONNECTIONS

“Expand safe, efficient, and continuous networks of bicycle and pedestrian facilities both within the study area and connected to the rest of Norcross and to destinations

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



within the region for improved health of the community... Provide adequate and convenient parking throughout the study area.”

Transportation Objectives, Policies and Recommendations contained in the Town Center Plan are largely being funded by other sources and should not require allocations of TAD proceeds. Those recommendations which are relevant and will support this Redevelopment Plan include:

- Expand walkability in Downtown with connections to surrounding residential neighborhoods.
- Extend the bicycle network from downtown to surrounding neighborhoods and make connections to the regional bicycle network.
- Enhance pedestrian and bicycle connections to and across Buford Highway.
- Introduce traffic calming measures at identified key locations.
- Make automobile and pedestrian enhancements to identified rail crossings.

IDENTITY

“Expand the identity of the “downtown” throughout the study area through quality architecture and design cohesiveness of streetscapes; continue enhancements of the study area aesthetically through strategies that promote consistency, beautification, and safety; and provide enhanced signage throughout the study area to identify cultural amenities and destinations (i.e. shopping, parks, etc.), identify parking, and display relative distances to destinations.”

Relevant Objectives, Policies and Recommendations which are supported by this Redevelopment Plan include:

- Continue to expand and improve the downtown streetscape by combining brick paver crosswalks and hardscape features with small planted areas and planter boxes.
 - Connect nearby schools with pedestrian and bicycle facilities to enable travel to and from schools via pedestrian and bicycle modes.
 - Identified the boundaries of downtown through construction of additional gateway monuments.
 - Strengthen identity and wayfinding within the study area, include branding, signage, street light banners, maps and directional signage for a more cohesive aesthetic.
 - Promote public art throughout the public realm of the study area
- Continue to upkeep and maintain existing community facilities and attract new programming to strengthen the livability and convenience of Norcross Town Center.

The leadership and citizens of Norcross have embraced the Town Center Plan. The City has since invested substantial time and effort to create a shared vision, has committed significant planning and other resources to create that vision, and made substantial progress toward implementing the Plan. The City of Norcross has over the past several years:

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



- Implemented zoning changes to enable development of multi-story buildings and promote mixed use as recommended;
- Invested in new public improvements to Lillian Webb Park and Skin Alley;
- Continued expanding downtown streetscape improvements; and
- Assembled multiple parcels for eventual disposition to the private sector and began marketing those sites to qualified developers.

By adopting this Redevelopment Plan and creating a TAD, the City is now seeking to capitalize on ongoing and completed public investments. The City intends to leverage TAD financing to attract a density and value of private development which is greater than what normal market forces could produce. In so doing, the Redevelopment Plan and TAD will benefit the residents of Norcross, business owners and Gwinnett County as a whole.

PROPOSED LAND USES AFTER REDEVELOPMENT (C)

The City of Norcross has adopted a 2034 Future Development Map as part of its Comprehensive Plan. The Comprehensive Plan indicates that the Redevelopment Area will remain a mix of commercial, industrial and residential uses. The majority of the Redevelopment Area is designated to be the City's "Town Center", with other areas located along Buford Highway designated as employment nodes and the balance of the Redevelopment Area designated for preservation of existing and largely built out residential neighborhoods. Projects proposed for TAD #1 in this plan are entirely consistent with land uses shown on Map 6.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Map 6: Future Development Map City of Norcross 2034 Comprehensive Development Plan

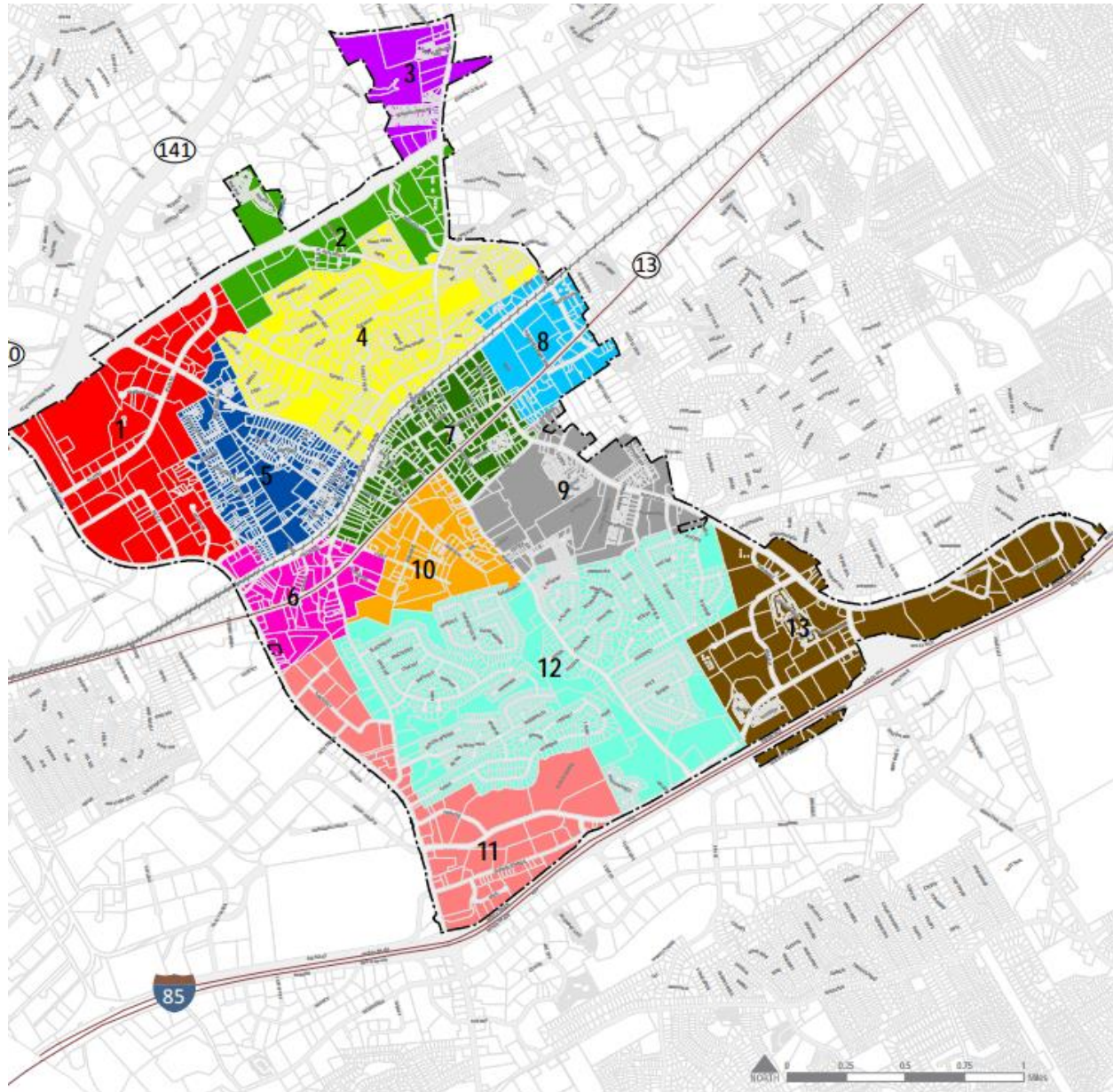


FIGURE 2-1: The Future Development Map

Source: City of Norcross GIS Dept. January 2014

- | | | |
|---|---|---|
| 1-Atlantic/Peachtree Industrial Blvd | 8-Langford Rd Industrial Center | City Boundary
Parcel Boundaries
Major Roads
Railroads
ROW |
| 2-Medlock/Peachtree Industrial Blvd | 9-Summerour Middle School | |
| 3-Norcross High School | 10-South Cemetery Street | |
| 4-North Peachtree St Neighborhoods | 11-Jimmy Carter Blvd/Brook Hollow Activity Center | |
| 5-Hopewell Woods | 12-Mitchell Road Neighborhoods | |
| 6-Bulford Hwy/Jimmy Carter Blvd Activity Center | 13-Beaver Run/Indian Trail Activity Center | |
| 7-Town Center | | |

Source: Jacobs Engineering, March, 2014

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

PROPOSED REDEVELOPMENT PROJECTS (D)

Working with City staff, BAG has identified a total of five redevelopment projects within the proposed TAD #1 which are in various stages of consideration, planning or execution and could be started or completed within the next 5 to 7 years. The following project summaries are based on either current plans or best estimates of future development potential based on the actions of property owners and other interested parties. In some cases redevelopment sites are already controlled by the City and/or DDA, so the disposition of those parcels for redevelopment is somewhat under the City's control and end uses could be enhanced with additional financial resources secured through the TAD. These project locations are shown on the following map and described in more detail in this section.

**Map 7: Proposed City of Norcross TAD #1
Potential Redevelopment Projects**



Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Project Area 1 – Parkside Norcross: This area totals roughly 3.5 acres consisting of 7 parcels with a total taxable digest of less than \$191,000. Six parcels are owned by the City and the seventh 1.05 acre parcel is owned by Parkside Norcross, LLC, which is in process of constructing townhomes overlooking the park. The City is currently negotiating with Parkside to acquire the City's parcels to construct an estimated 250 apartments and 25,000 SF of commercial/retail space on the site. Achieving this level of density requires the construction of a parking deck and the developer is seeking TAD financing to support the construction cost of the parking deck. Because much of the land assembly is currently tax exempt, additional tax digest will be created by both the new construction and the transition of properties from tax exempt to private ownership.



Project Area 1: Proposed Norcross Town Center Parcels

Project Area 2 – Lawrenceville Street and Mitchell Road Hotel Site: This area contains five City-owned parcels totaling 2.51 acres with frontage on Mitchell Road, Lawrenceville Street and Britt Avenue. This area is also located near City Hall and Lillian Webb Park. The site is largely vacant, containing two single family dwellings

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

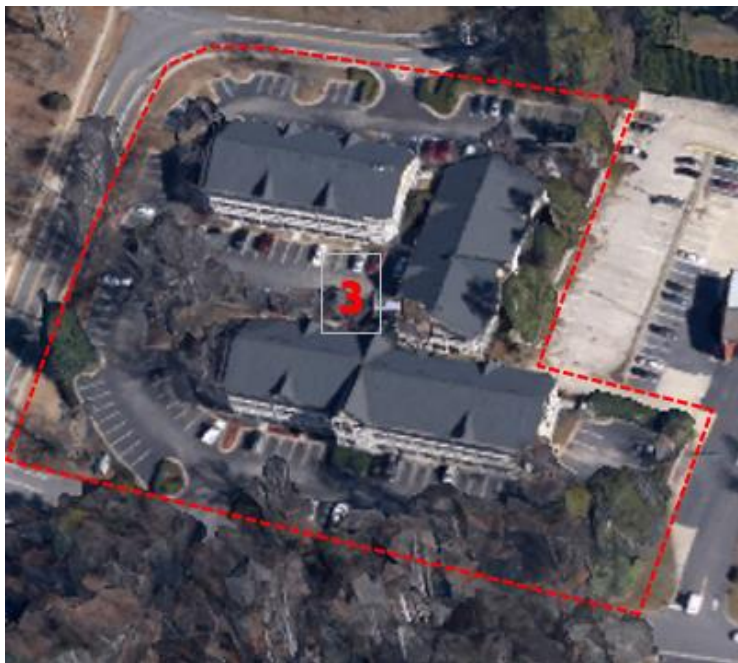


totaling less than 2,400 SF. BAG estimates that this site would be suitable for a variety of uses, including townhomes, apartments, office or commercial development. The City's first objective would be to market the site for development of a boutique hotel, supported by a conference center. BAG estimates that this area could at minimum, support the development of a 65,000 SF, 100 to 125 room limited service hotel with attached meeting space.



Project Area 2: Proposed Downtown Hotel Site.

Project Area 3 – Redevelopment of an existing Hotel:



Project Areas 3: Conversion of Existing Hotel Site

This area consists of a single 2.5 acre parcel which contains an operating extended stay motel. This motel consists of 3, wood-framed buildings containing a total of 41,000 SF. Despite the existing density, this parcel is relatively under-valued at \$1.6 million or only \$39.00 per SF of existing buildings. Consistent with the Town Center Plan's objective to attract a broader range of life-cycle housing to its downtown, the City believes that Area 3 would be a very attractive location for senior housing. As a senior community BAG estimates that area 3 could support up

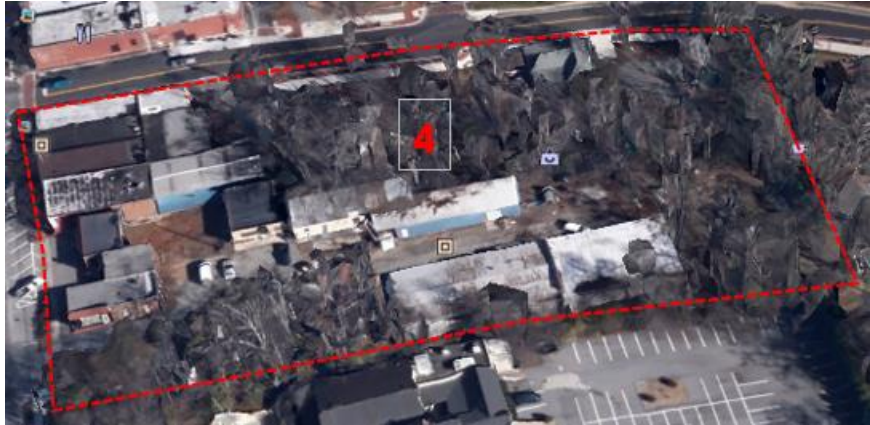
to 75,000 SF of buildings, with the number of living units determined by the nature of the project and level of amenities and services offered.

Project Area 4 – Holcomb Bridge Road Retail Infill: This area contains 7 parcels totaling 2.66 acres and 24,000 SF of existing buildings located on the southwesterly side of Holcomb Bridge Road, adjacent to the City's redeveloped downtown commercial blocks. Three of the parcels are held by a single owner and City

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



officials believe that all property owners in the area could be interested in either selling or redeveloping those sites, particularly if the proposed Parkside Development moves forward. These properties and buildings are also comparatively low-valued, averaging only \$47 per SF of



Project Area 4: Holcomb Bridge Road Retail Infill

existing building space. Depending on how other parts of the TAD develop in the future this area could support owner or renter occupied residential, commercial or office uses. For valuation purposes BAG estimates that the area could support the development of 40,000 SF of retail and office space in 1 to 3-story buildings.

Project Area 5 – Holcomb Bridge Road/Carlyle Street Mixed-Use: This area contains



Project Area 5: Holcomb Bridge Road/Carlyle St. Mixed-Use

six parcels totaling 2.92 acres, developed with less than 11,500 SF of existing buildings. This block is bounded by Holcomb Bridge Road, Buford Highway, Carlyle and Magnolia Streets. Despite their prime location, these properties are valued at only \$85/SF of existing buildings. BAG estimates that this site could, at minimum, accommodate the future development of 200 multi-family units

and 15,000 SF of retail and office space.

Remainder of the TAD – the balance of the proposed TAD #1 not addressed above includes 12 parcels containing 13.56 acres and 102,700 SF of buildings with an estimated market value of just under \$7.0 million. This total includes the US Postal Service facility, two church-owned properties, Lillian Webb Park and the City's 14,000 SF community center located on College Street. Excluding those parcels, which are unlikely to change use for the foreseeable future, the balance of the TAD contains 7.1 acres and 38,000 SF of buildings. The full market value within this remaining area also averages less than \$88/building SF. Existing building density in the balance of the TAD calculates to a relatively low 0.12 FAR, which suggests that additional infill development can be accommodated on those parcels. The

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



redevelopment plan makes no assumptions or calculations concerning specific future investments for these sites. However, it can be assumed that future incremental value growth is likely to occur at a faster rate if the proposed residential and commercial investments identified for redevelopment sites 1 through 5 are implemented as proposed.

TOTAL POTENTIAL REDEVELOPMENT

The table on the following page estimates the total impact of implementing all of the redevelopment projects summarized above. At build out, the combination of forecasted new construction, rising land value and the increased average value of improvements per square foot are estimated to raise the total market value (FMV) of TAD#1 from \$12.64 million currently to \$98.79 million. The resulting \$86.15 million (681%) increase in FMV includes both taxable and tax exempt parcels.

The resulting increase in the TAD's total taxable digest (40%) value is influenced by forecasted new development and the transition of several existing parcels from tax exempt to taxable status. The projected redevelopment of sites owned by the City and DDA to private use are important contributors to this estimated change. BAG estimates that the TAD's overall taxable digest would increase from \$3.01 million in 2014 to more than \$38.0 million at build-out, an 11-fold increase.

Based on 2014 values and millage rates, taxes levied on existing properties within the proposed TAD #1 raised an estimated \$112,700 in total real estate taxes to the City, County and School District, combined. Total levied taxes on real estate averaged only \$4,075 per acre averaged over the entire TAD. If the forecasted build out and resulting valuations estimated in the above-described projects existed today, this same area would have generated more than \$1.4 million in combined City, County and School District general fund real estate taxes. This total averages roughly \$51,400 per acre. This estimate excludes additional taxes on business personal property, which could conservatively add another 30% to 35% to estimated ad valorem revenues from new commercial development within the TAD.

SUMMARY

Combined, the above projects include 450 apartments and 220,000 SF of new commercial, retail, office and lodging space. These projects could increase the total market value of the TAD by nearly \$91.8 million and increase the TAD's taxable digest by \$35 million including new construction, rehabilitation of existing buildings and the transition of properties from tax exempt to taxable status.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

TABLE 5: Norcross TAD #1 - Redevelopment Project Areas
Calculation of Existing and Future Development and Tax Digest by Redevelopment Project Area

Summary	Project Area 1	Project Area 2	Project Area 3	Project Area 4	Project Area 5	Balance of TAD	Project Area TOTALS	TAD TOTALS
Existing Conditions								
Tax Parcels	7	5	1	7	6	12	26	38
Acres	3.50	2.51	2.50	2.66	2.92	13.56	14.09	27.65
Building SF	8,112	2,356	41,203	23,963	11,470	102,705	87,104	189,809
FMV/Land	\$ 1,184,600	\$ 356,900	\$ 653,400	\$ 828,200	\$ 495,900	\$ 4,166,600	\$ 3,519,000	\$ 7,685,600
FMV/Land/AC	\$ 338,457	\$ 142,191	\$ 261,360	\$ 311,353	\$ 169,829	\$ 307,271	\$ 249,752	\$ 277,960
FMV Buildings	\$ 324,400	\$ 46,400	\$ 969,100	\$ 300,300	\$ 483,500	\$ 2,832,400	\$ 2,123,700	\$ 4,956,100
Buildings FMV/SF	\$ 39.99	\$ 19.69	\$ 23.52	\$ 12.53	\$ 42.15	\$ 27.58	\$ 24.38	\$ 26.11
FMV/T total	\$ 1,509,000	\$ 403,300	\$ 1,622,500	\$ 1,128,500	\$ 979,400	\$ 6,999,000	\$ 5,642,700	\$ 12,641,700
FMV/ AC:	\$ 431,143	\$ 160,677	\$ 649,000	\$ 424,248	\$ 335,411	\$ 516,150	\$ 400,476	\$ 457,204
FMV/ Bldg SF	\$ 186.02	\$ 171.18	\$ 39.38	\$ 47.09	\$ 85.39	\$ 68.15	\$ 24.38	\$ 26.11
Taxable Digest	\$ 190,680	\$ -	\$ 649,000	\$ 451,400	\$ 391,760	\$ 1,331,960	\$ 1,682,840	\$ 3,014,800
Taxable Digest/ AC:	\$ 54,480	\$ -	\$ 259,600	\$ 169,699	\$ 134,164	\$ 98,227	\$ 119,435	\$ 109,034
FAR	0.05	0.02	0.38	0.21	0.09	0.17	0.14	0.16
Future Conditions								
Acres	3.50	2.51	2.50	2.66	2.92	13.56	14.09	27.6500
Building SF	275,000	65,000	75,000	40,000	205,000	102,705	660,000	762,705
FMV/Land	\$ 1,554,322	\$ 1,119,706	\$ 771,350	\$ 1,181,818	\$ 1,339,101	\$ 4,166,600	\$ 5,966,296	\$ 10,132,896
FMV/Land/AC	\$ 450,000	\$ 450,000	\$ 400,000	\$ 450,000	\$ 450,000	\$ 307,271	\$ 423,442	\$ 366,470
FMV Buildings	\$ 35,750,000	\$ 6,500,000	\$ 15,750,000	\$ 3,600,000	\$ 24,225,000	\$ 2,832,400	\$ 85,825,000	\$ 88,657,400
Buildings FMV/SF	\$ 130.00	\$ 100.00	\$ 210.00	\$ 90.00	\$ 118.17	\$ 27.58	\$ 130.04	\$ 116.24
FMV/T total	\$ 37,304,322	\$ 7,619,706	\$ 16,521,350	\$ 4,781,818	\$ 25,564,101	\$ 6,999,000	\$ 91,791,296	\$ 98,790,296
FMV/ AC:	\$ 10,658,378	\$ 3,035,739	\$ 6,608,540	\$ 1,797,676	\$ 8,754,829	\$ 516,150	\$ 6,514,641	\$ 3,572,886
FMV/ Bldg SF:	\$ 135.65	\$ 117.23	\$ 220.28	\$ 119.55	\$ 124.70	\$ 68.15	\$ 130.04	\$ 129.53
Taxable Digest	\$ 14,921,729	\$ 3,047,882	\$ 6,608,540	\$ 1,912,727	\$ 10,225,640	\$ 1,331,960	\$ 36,716,519	\$ 38,048,479
Taxable Digest/ AC:	\$ 4,263,351	\$ 1,214,296	\$ 2,643,416	\$ 719,070	\$ 3,501,932	\$ 98,227	\$ 2,605,857	\$ 1,376,075
Incremental Digest Growth	\$ 14,731,049	\$ 3,047,882	\$ 5,959,540	\$ 1,461,327	\$ 9,833,880	\$ -	\$ 35,033,679	\$ 35,033,679
Percent Change	7726%	NA	918%	324%	2510%		2082%	1162%
Future FAR	1.80	0.59	0.69	0.35	1.61	0.17	1.08	0.63
2015 Existing Conditions: Digest/Revenue Calculations								
City Millage	6.03 \$	1,150 \$	- \$	3,913 \$	2,722 \$	2,362 \$	8,032 \$	18,179 \$
County Millage	11.55 \$	2,202 \$	- \$	7,496 \$	5,214 \$	4,525 \$	15,384 \$	34,821 \$
School Millage	19.8 \$	3,775 \$	- \$	12,850 \$	8,938 \$	7,757 \$	26,373 \$	59,693 \$
	37.38 \$	7,128 \$	- \$	24,260 \$	16,873 \$	14,644 \$	49,789 \$	112,693 \$
Forecasted Build Out Conditions: Digest/Revenue Calculations								
City Millage	6.03 \$	89,978 \$	18,379 \$	39,849 \$	11,534 \$	61,661 \$	8,032 \$	229,432 \$
County Millage	11.55 \$	172,346 \$	35,203 \$	76,329 \$	22,092 \$	118,106 \$	15,384 \$	439,460 \$
School Millage	19.8 \$	295,450 \$	60,348 \$	130,849 \$	37,872 \$	202,468 \$	26,373 \$	753,360 \$
	37.38 \$	557,774 \$	113,930 \$	247,027 \$	71,498 \$	382,234 \$	49,789 \$	1,422,252 \$

City of Norcross and Bleakly Advisory Group, Inc.

Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

CONTRACTUAL RELATIONSHIPS (E)

Pursuant to O.C.G.A. §34-44-3(a), the Norcross City Council will act as the redevelopment agent and will exercise redevelopment powers as needed to implement this plan. In doing so, the Council, acting directly or through a designee such as the Downtown Development Authority, may conduct the following activities and enter into the following contracts:

1. Coordinate implementation activities with other major participants in the redevelopment plan and their respective development and planning entities, including Gwinnett County and other stakeholders, as well as with various City of Norcross departments involved in implementing this redevelopment plan.
2. Enter into development agreements with private developers to construct infrastructure and vertical developments to implement the redevelopment plan.
3. Negotiate and enter into commercial financing agreements and intergovernmental agreements as needed.
4. Coordinate public improvement planning, design and construction among City, County and State agencies and departments.
5. Prepare (either directly or through subcontract to other appropriate entities) economic and financial analyses, project-specific feasibility studies and assessments of tax base increments in support of the issuance of tax allocation bonds or other forms of financing by the City.
6. The City will enter into contractual relationships with qualified vendors for the provision of professional and other services required in qualifying and issuing the bonds or other forms of financing, including, but not limited to, legal, underwriting, financial analysis and other related services.
7. The City will perform other duties as necessary to implement the redevelopment plan.

RELOCATION PLANS (F)

As is currently foreseen, no relocation of tenants or residents from private homes is anticipated within the Redevelopment Area or TAD #1. In the future should the relocation of existing homes or businesses be required, such relocation expenses may be provided for under all applicable federal, state and local guidelines if public funds are used for property acquisition. Such funding sources of require relocation benefits to be offered to tenants and users for relocation.

ZONING & LAND USE COMPATIBILITY (G)

The Redevelopment Area and Norcross TAD #1 include the historic commercial center of the City, plus first-generation highway commercial development located primarily along Buford Highway and its major intersections. The majority of the area's zoning is commercial, with some industrial zoning and significant residential areas located to the north of Downtown. In addition, Norcross has adopted a Redevelopment Area Overlay District, which is designed to facilitate the permitting of higher-density redevelopment projects as discussed in this plan. An overview of the permissible zoning categories and overlay districts are summarized below. The following Maps 8 through 11 identify the City's applicable zoning and overlay districts, as well as current and proposed future land uses within the Redevelopment Area and TAD.

C2 General Business District

"The C2, General business district is intended to provide adequate space in appropriate locations along major streets, thoroughfares and at intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a larger area than in the C1, Neighborhood business district because it is intended to serve a greater population and to offer a wider range of services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare." The C2 General Business District allows most types of retail, commercial services and office uses. Major sections of the Buford Highway Corridor, but only a handful of parcels in TAD#1 are zoned C2.

C3 Central Business District

The C3 Central Business District allows similar general and medical office uses, retail uses and commercial services as C2, as well as public buildings, religious and other institutional and civic uses. The majority of the proposed TAD#1 is zoned C3. Much of the area within C3 also lies within the City's National Register Historic District. Proposed development and rehabilitation projects located within the National Register Historic District are subject to additional architectural, design and site plan review requirements.

DCD Design Concept Development District

"The purpose of the design concept development district is to encourage the best possible site plans and building arrangements under a unified plan of development, rather than under lot-by-lot regulation. The developer benefits from better land utilization, economy in the provision of roads and utilities and flexibility in design. Approval of an overall concept plan will be in accordance with the 2030 Comprehensive Plan and the character of the neighborhood in which the development is located...A design concept development district is intended to promote mixed-use infill developments within the downtown business district." A small number of parcels located adjacent to Lillian Webb Park are zoned DCD.

RAOD – Redevelopment Area Overlay District

"The purpose of the RAOD, Redevelopment area overlay district is as follows:

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



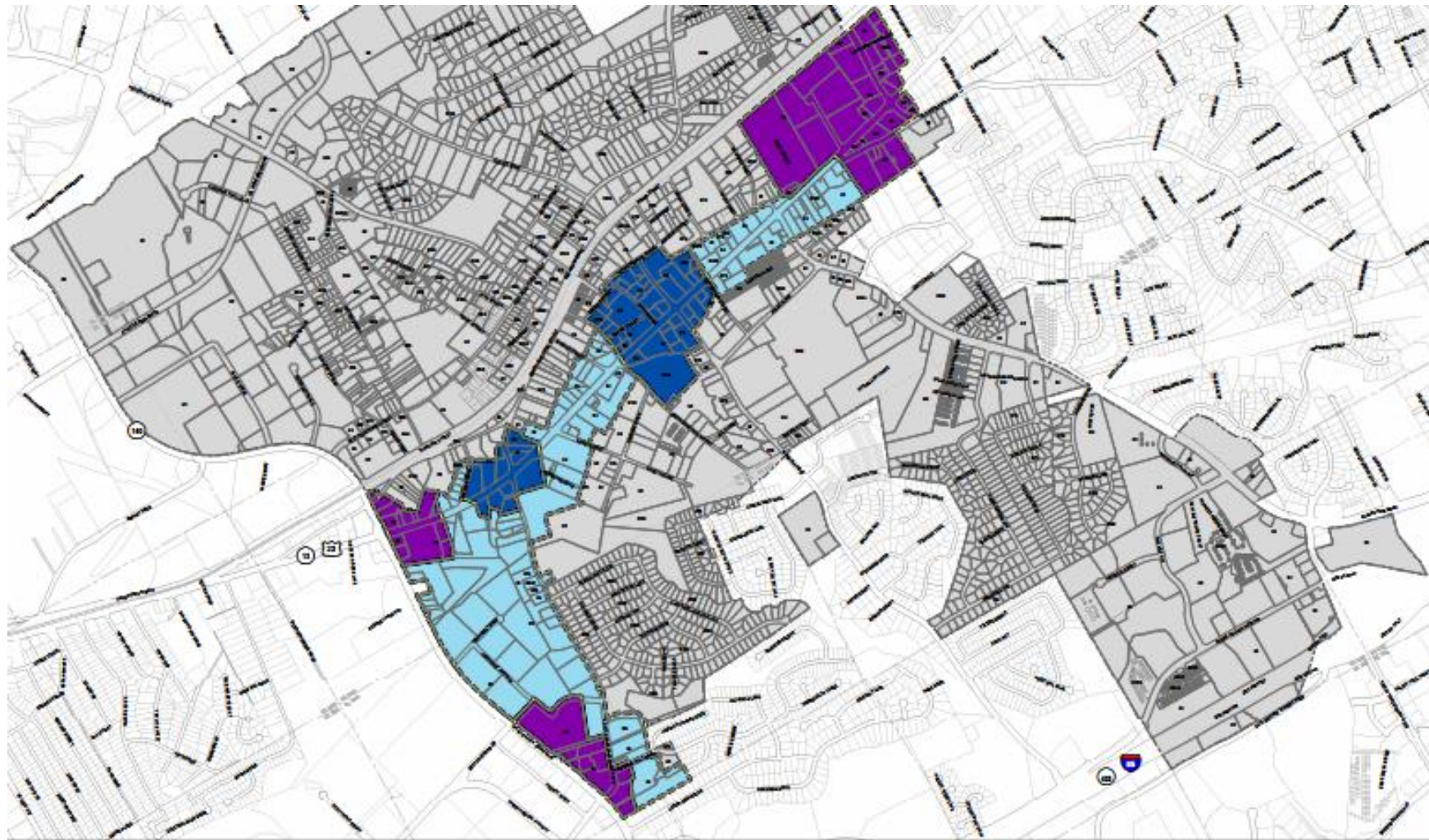
1. To encourage the revitalization of underused commercial and residential areas into pedestrian-oriented developments that provide a complementary mix of uses, including a variety of residential options, within convenient walking distance.
2. To encourage efficient land use and redevelopment plans forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles.
3. To allow and encourage development densities and land use intensities that will allow for making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling, and walking.
4. To encourage formation of a well-designed, pedestrian-friendly activity center with high-density commercial and residential development that increases choices for safe living environments for the citizens of the city.
5. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities.
6. To promote a distinct, unified theme that will reinforce the branding process and improve the market attractiveness of the area for investments by the private and public sectors.
7. To provide for the appropriate incentives to encourage reinvestment and renewal necessary to realize the potential of the city's Buford Highway/Jimmy Carter Boulevard character area, consistent with the city comprehensive plan.
8. To provide for connectivity of streets and sidewalks for improved vehicular and pedestrian circulation and reduce the dependence on automobile uses by increasing the ease of movement and opportunities for alternative modes of travel.
9. To encourage design measures that improve public safety and security.

The RAOD is subject to district design guidelines. "These guidelines provide acceptable architectural design controls, landscaping, detail drawings, signage, fencing, lighting, and street and site furniture. These guidelines shall be used to promote proper design criteria for the RAOD. In the case that any provision of this section conflicts with those of the city redevelopment area district design guidelines, the provisions of this section shall govern."

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



Map 9: Redevelopment Area Overlay District



REDEVELOPMENT AREA OVERLAY DISTRICT MAP CITY OF NORCROSS

WINNETT COUNTY | GEORGIA

6TH LAND DISTRICT

4.5 +/- SQUARE MILES

ADOPTED JULY 7, 2008

LEGEND

- PARCEL
- RIGHT OF WAY
- RAILROAD RIGHT OF WAY
- CITY LIMIT
- LAND LOT
- RAILROAD

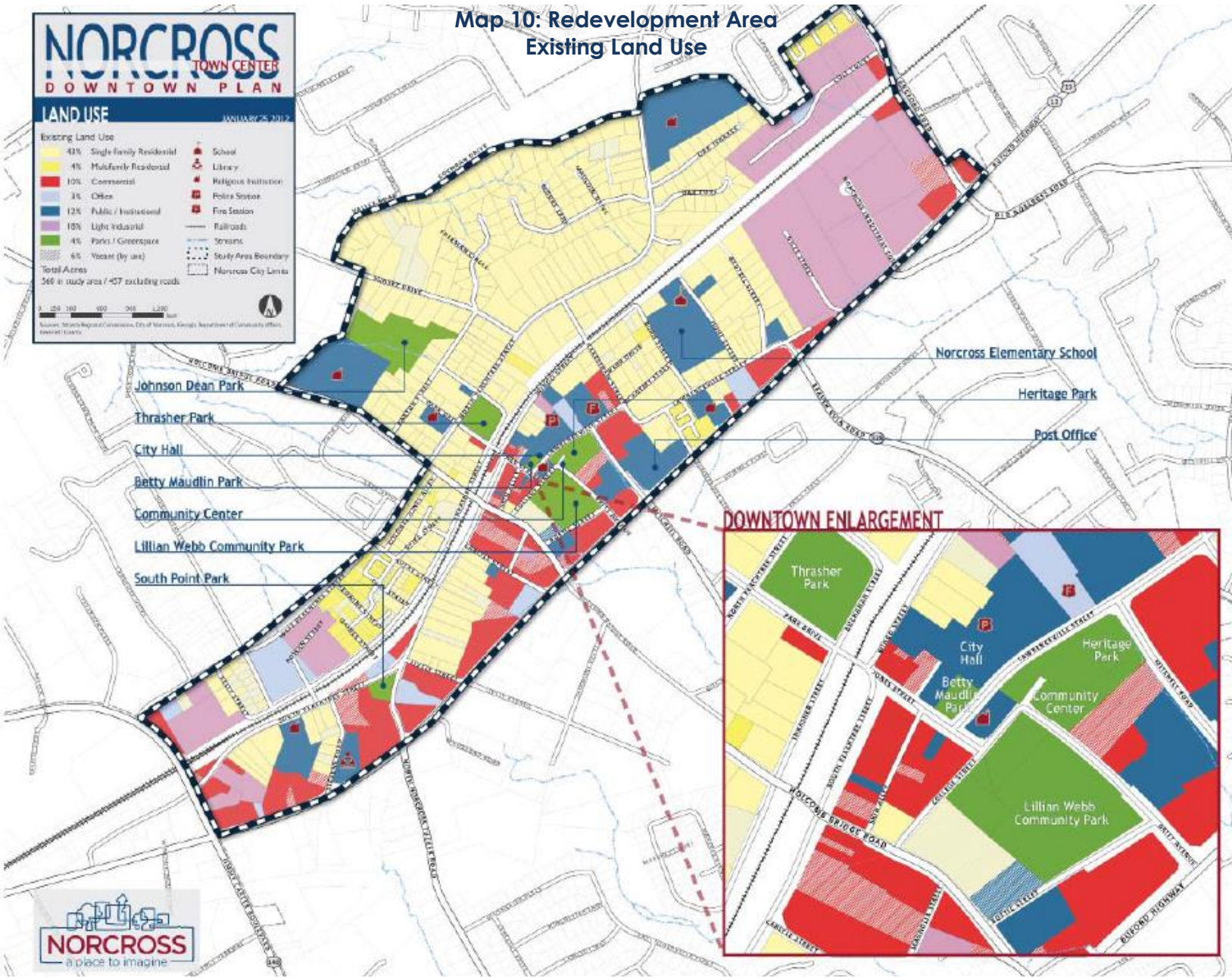
Overlay Boundary



POND
Architects • Engineers • Planners

3000 Peachtree Lakes, Suite 100 | Norcross, GA 30092
www.pondinc.com | p 404.284.7700 | f 404.284.7701

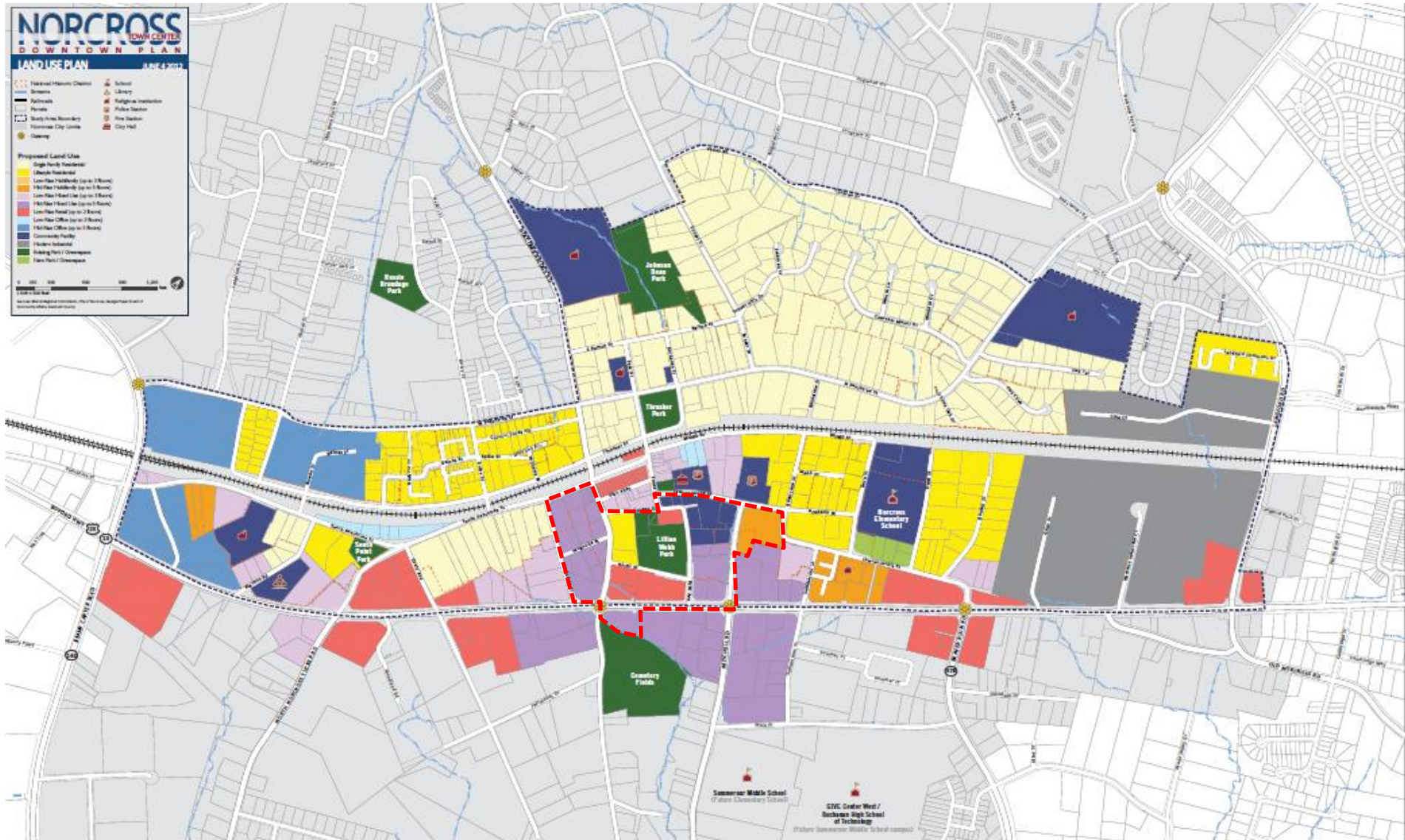
Downtown Norcross Redevelopment Plan and
Tax Allocation District #1 - City Center East



Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



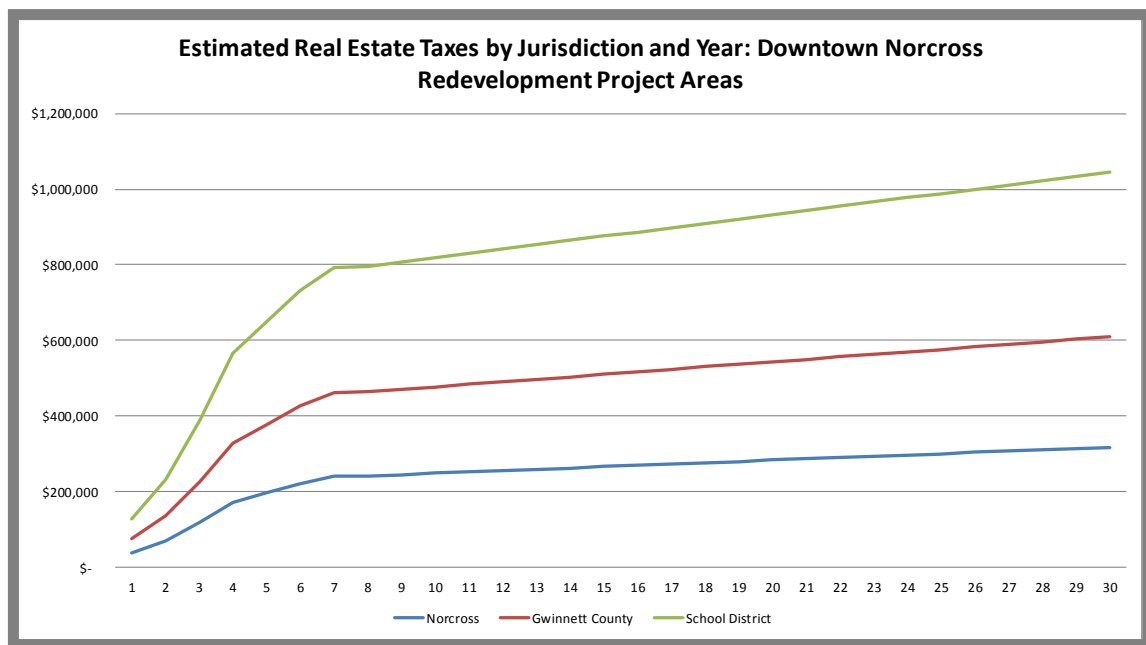
**Map 11: Redevelopment Area
Proposed Land Use Plan
(Approximate TAD Boundaries Shown in Red)**



METHOD OF FINANCING / PROPOSED PUBLIC INVESTMENTS (H)

TAD POTENTIAL OF DOWNTOWN NORCROSS PROJECTS

The following section estimates potential bond revenues from redevelopment projects in TAD #1, assuming that both Gwinnett County and the Gwinnett School District pledge their respective M&O millage to the TAD redevelopment effort.² Assuming an approximate 5-7 year phasing schedule and providing a reasonable allowance for "background growth", BAG estimates that the TAD could generate nearly \$46.6 million in **total real property taxes** over the 30-year life of the TAD, assuming that millage rates do not change over the forecast period. Of this amount, it is estimated that \$43.2 million would be tax allocation increments accruing to the TAD Special fund and the balance of \$3.4 million would continue to flow to the respective taxing jurisdictions' general funds. Tax increments grow slowly initially and approach \$1.4 million annually when projects are forecast to reach build out in 2022. Estimated annual tax increments generated over the 30-year life of the TAD are illustrated in the following graph.



From the \$43.2 million in projected tax allocation increments, the following estimates assume that the City would rebate a total of \$12.4 million in TAD increments back to the County and School District as payments in lieu of taxes (PILOT payments). After deducting PILOT payments, the City is left with a balance of just under \$30.8 million available for redevelopment purposes.

² Revenue estimates in this section assume that Gwinnett County will pledge a net of 10.6 mills to the TAD, based on a recent agreement reached with the City of Duluth. This net estimate assumes that the County will request and the City of Norcross will agree to rebate of the recreational component of the County millage rate as a payment in lieu of taxes, reducing the effective county millage rate pledged to the TAD from 11.55 to 10.6 mills. Similarly, this section assumes that the City will ask the School District to contribute a net of only 10.0 mills to the TAD and offer to rebate the balance of School District Tax Increments as a payment in lieu of taxes.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East



BAG estimated the amount of proceeds this revenue stream could leverage using the following financing assumptions:

- The first bond is assumed to be issued in early to mid-2016, in order to provide funding to construct a parking garage for the Parkside Norcross project, as well as provide additional public parking downtown. This bond is assumed to have a 25 year term, a 1.25 debt coverage ratio and a 4.75% interest rate. Calculations assume that the first two years of interest payments and a one year debt service reserve would be capitalized into the bond. Given the investments already made by the City and the fact that it controls much of the real estate, BAG estimates that the City would be willing to offer further credit enhancements as necessary to finance the parking deck using TAD increments. Attaining a 4.75% interest rate on partially secured debt should be achievable in a 2016 time frame. We have also assumed a 3.5% issuance cost to cover any loan fees and potential reimbursements the City may wish to recover.
- Bond #2 is assumed to be issued in 2018 or 2019. This issue is estimated to have a 20 year term, a 1.2 debt coverage ratio and a 4.0% interest rate. It should be possible to secure more favorable financing terms for the second bond given the shorter term, the prospect for construction of multiple projects to be underway at the time of issuance. The market should perceive financing risks to be lower than the first issue. Calculations also assume that the first two years would carry interest-only payments. A one year debt service reserve would also be capitalized into the bond. We have also assumed a 3.0% issuance cost for the second bond.
- As noted above, these estimates assume that the County and School District will both consent to participate in the TAD. No allowances are made for possible changes in millage rates over the term of the bonds. We have also incorporated PILOT reimbursements as discussed above. If one or both of these taxing jurisdictions do not consent, resulting TAD proceeds would be reduced accordingly.
- Utilizing alternative terms, interest rates and debt coverage ratios would also produce differing estimates of bonding potential. The following estimates are intended to be representative and conservative. Any number of realistic alternative scenarios could also be modeled and could easily produce results which vary by a factor of 25% or more, particularly if the City provided a credit enhancement to secure a lower interest rate.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

Table 6: Norcross TAD #1

Development Phasing Development, Digest Growth, Resulting Tax Increments and Supportable Bond Issues: 2015-2030

TAD AREA	2015 Taxable Digest	T Total Build Out Digest Value	Start Year	End Year	1 2016	2 2017	3 2018	4 2019	5 2020	6 2021	7 2022	8 2023	9 2024	10 2025	11 2026	12 2027	13 2028	14 2029	15 2030
Project Area 1	\$ 190,680	\$ 14,921,729	2015	2019	\$ 3,732,451	\$ 7,462,883	\$ 11,193,315	\$ 14,923,748	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729	\$ 14,921,729
Project Area 2	\$ -	\$ 3,047,882	2016	2018	\$ -	\$ 1,523,941	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882	\$ 3,047,882
Project Area 3	\$ 649,000	\$ 6,608,540	2017	2020	\$ 649,000	\$ 649,000	\$ 2,301,135	\$ 3,953,270	\$ 5,605,405	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540	\$ 6,608,540
Project Area 4	\$ 451,400	\$ 1,912,727	2017	2019	\$ 451,400	\$ 451,400	\$ 1,407,764	\$ 2,364,127	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727	\$ 1,912,727
Project Area 5	\$ 391,760	\$ 10,225,640	2018	2022	\$ 391,760	\$ 391,760	\$ 391,760	\$ 2,948,170	\$ 5,504,580	\$ 8,060,990	\$ 10,617,400	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640	\$ 10,225,640
Balance of TAD	\$ 1,331,960	\$ 1,331,960	0	0	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960	\$ 1,331,960
Background Growth			1.5%	2020	\$ -	\$ -	\$ -	\$ -	\$ 484,864	\$ 1,023,122	\$ 1,599,725	\$ 2,170,452	\$ 2,741,180	\$ 3,311,907	\$ 3,882,634	\$ 4,453,361	\$ 5,024,088	\$ 5,594,816	\$ 6,165,543
TAXABLE DIGEST:	\$ 3,014,800	\$ 38,048,479			\$ 6,556,571	\$ 11,810,944	\$ 19,673,816	\$ 28,569,157	\$ 32,809,148	\$ 36,906,950	\$ 40,039,964	\$ 40,218,931	\$ 40,789,658	\$ 41,360,385	\$ 41,931,113	\$ 42,501,840	\$ 43,072,567	\$ 43,643,294	\$ 44,214,021
Total Tax Revenue Calculations																			
City Millage	\$ 6.03	16%			\$ 39,536	\$ 71,220	\$ 118,633	\$ 172,272	\$ 197,839	\$ 222,549	\$ 241,441	\$ 242,520	\$ 245,962	\$ 249,403	\$ 252,845	\$ 256,286	\$ 259,728	\$ 263,169	\$ 266,611
County Millage	\$ 11.55	31%			\$ 75,728	\$ 136,416	\$ 227,233	\$ 329,974	\$ 378,946	\$ 426,275	\$ 462,462	\$ 464,529	\$ 471,121	\$ 477,712	\$ 484,304	\$ 490,896	\$ 497,488	\$ 504,080	\$ 510,672
School Millage	\$ 19.80	53%			\$ 129,820	\$ 233,857	\$ 389,542	\$ 565,669	\$ 649,621	\$ 730,758	\$ 792,791	\$ 796,335	\$ 807,635	\$ 818,936	\$ 830,236	\$ 841,536	\$ 852,837	\$ 864,137	\$ 875,438
	\$ 37.38	100%	\$ 46,567,852		\$ 245,085	\$ 441,493	\$ 735,407	\$ 1,067,915	\$ 1,226,406	\$ 1,379,582	\$ 1,496,694	\$ 1,503,384	\$ 1,524,717	\$ 1,546,051	\$ 1,567,385	\$ 1,588,719	\$ 1,610,053	\$ 1,631,386	\$ 1,652,720
Certified Taxable Base	\$ 3,014,800																		
Annual Gross Tax Increments: All Taxing Jurisdictions																			
			\$ 43,187,056		\$ 132,391	\$ 328,800	\$ 622,714	\$ 955,222	\$ 1,113,713	\$ 1,266,889	\$ 1,384,001	\$ 1,390,690	\$ 1,412,024	\$ 1,433,358	\$ 1,454,692	\$ 1,476,026	\$ 1,497,359	\$ 1,518,693	\$ 1,540,027
Less Rebates to County	-\$0.95	-8%			-\$3,365	-\$8,356	-\$15,826	-\$24,277	-\$28,305	-\$32,198	-\$35,174	-\$35,344	-\$35,886	-\$36,428	-\$36,970	-\$37,513	-\$38,055	-\$38,597	-\$39,139
Less Rebates to School District	-\$9.80	-49%			-\$34,709	-\$86,202	-\$163,258	-\$250,433	-\$291,985	-\$332,143	-\$362,847	-\$364,600	-\$370,194	-\$375,787	-\$381,380	-\$386,973	-\$392,566	-\$398,159	-\$403,752
Balance After Rebates (Total Rebate)	\$ (12,420,033)		\$ 30,767,022		\$ 94,317	\$ 234,241	\$ 443,630	\$ 680,513	\$ 793,423	\$ 902,548	\$ 985,980	\$ 990,746	\$ 1,005,944	\$ 1,021,143	\$ 1,036,341	\$ 1,051,540	\$ 1,066,738	\$ 1,081,937	\$ 1,097,135
Annual Gross Tax Increments: City and County Taxes Only																			
			\$ 20,311,087		\$ 62,264	\$ 154,636	\$ 292,866	\$ 449,246	\$ 523,785	\$ 595,824	\$ 650,902	\$ 654,049	\$ 664,082	\$ 674,115	\$ 684,149	\$ 694,182	\$ 704,216	\$ 714,249	\$ 724,282
Less Rebates to County	-\$0.95				-\$6,229	-\$11,220	-\$18,690	-\$27,141	-\$31,169	-\$35,062	-\$38,038	-\$38,208	-\$38,750	-\$39,292	-\$39,835	-\$40,377	-\$40,919	-\$41,461	-\$42,003
Balance After Rebates (Total Rebate)	\$ (1,183,506)		\$ 19,127,581		\$ 56,036	\$ 143,416	\$ 274,175	\$ 422,105	\$ 492,616	\$ 560,762	\$ 612,864	\$ 615,841	\$ 625,332	\$ 634,823	\$ 644,314	\$ 653,805	\$ 663,297	\$ 672,788	\$ 682,279
Bond Issue #1: All Taxing Jurisdictions																			
From Bond Proceeds					\$ (356,725)	\$ (356,725)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
From Tax Increments					\$ -	\$ -	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)	\$ (543,722)
Annual TAD Special Fund Balance					\$ 94,317	\$ 234,241	\$ (100,092)	\$ 136,791	\$ 249,702	\$ 358,826	\$ 442,258	\$ 447,024	\$ 462,223	\$ 477,421	\$ 492,620	\$ 507,818	\$ 523,017	\$ 538,215	\$ 553,414
Cumulative TAD Special Fund Balance					\$ 94,317	\$ 328,559	\$ 228,467	\$ 365,257	\$ 614,959	\$ 973,785	\$ 1,416,044	\$ 1,863,068	\$ 2,325,291	\$ 2,802,712	\$ 3,295,332	\$ 3,803,150	\$ 4,326,167	\$ 4,864,382	\$ 5,417,795
Bond Issue #2: All Taxing Jurisdictions																			
From Bond Proceeds					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
From Tax Increments					\$ -	\$ -	\$ -	\$ (187,200)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)	\$ (369,689)
Annual TAD Special Fund Balance					\$ 94,317	\$ 234,241	\$ (100,092)	\$ (50,409)	\$ (119,987)	\$ (10,863)	\$ 72,570	\$ 77,336	\$ 92,534	\$ 107,732	\$ 122,931	\$ 138,129	\$ 153,328	\$ 168,526	\$ 183,725
Cumulative Fund Balance					\$ 94,317	\$ 328,559	\$ 228,467	\$ 178,057	\$ 58,070	\$ 47,208	\$ 119,778	\$ 197,113	\$ 289,647	\$ 397,380	\$ 520,310	\$ 658,440	\$ 811,768	\$ 980,294	\$ 1,164,019
PRN Balance: Bond #1					\$ 7,510,000	\$ 7,510,000	\$ 7,323,003	\$ 7,127,124	\$ 6,921,941	\$ 6,707,011	\$ 6,481,873	\$ 6,246,040	\$ 5,999,005	\$ 5,740,236	\$ 5,469,176	\$ 5,185,240	\$ 4,887,817	\$ 4,576,267	\$ 4,249,918
PRN Balance: Bond #2					\$ -	\$ -	\$ 4,680,000	\$ 4,680,000	\$ 4,497,511	\$ 4,307,723	\$ 4,110,343	\$ 3,905,068	\$ 3,691,582	\$ 3,469,556	\$ 3,238,650	\$ 2,998,507	\$ 2,748,759	\$ 2,489,020	\$ 2,218,892
Total PRN Balance					\$ 7,510,000	\$ 7,510,000	\$ 12,003,003	\$ 11,807,124	\$ 11,419,452	\$ 11,014,734	\$ 10,592,216	\$ 10,151,108	\$ 9,690,587	\$ 9,209,793	\$ 8,707,826	\$ 8,183,747	\$ 7,636,576	\$ 7,065,287	\$ 6,468,810

Source: Bleakly Advisory Group, Inc.

Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

The potential size of each bond issue is summarized in the following table. Real estate tax increments from two bond issues could potentially leverage nearly \$12.19 million in total financing proceeds based on the financing terms used. Of that amount \$9.8 million could be delivered to actual bricks and mortar expenditures and the balance would be needed to cover issuance costs and reserves. Alternatively, using a simple “pay as you go” approach to utilize TAD funds yields slightly less than \$4.5 million over the first 10 years. Issuing TAD bonds or other form of debt instruments would therefore enable the City to front-load and more than double the value of public improvements that would be possible without issuing debt. Using a portion of TAD proceeds as a partial funding source to secure grants or other lower-cost public financing could also leverage more funding for construction than is attainable by issuing conventional debt financing.

**Table 7: Estimated Bonding Capacity: Proposed Downtown Norcross TAD #1
(Assumes County and School District Participation)**

Real Estate Increment Only	Bond 1	Bond 2	
Projected Bond Issue Dates	2016	2018	TOTALS
Total Bond Amounts Issued	\$ 7,510,000	\$ 4,680,000	\$ 12,190,000
Capitalized Interest & Reserves	\$ 1,260,000	\$ 745,000	\$ 2,005,000
Total Bond Issuance Costs	\$ 254,100	\$ 136,400	\$ 390,500
Net Proceeds Available for Projects	\$ 6,000,000	\$ 3,800,000	\$ 9,800,000
Total Debt Service Payments	(\$13,219,049)	(\$6,841,598)	\$ (20,060,647)
Estimated Taxable Digest in the TAD to Support Bond Issues (\$M)	\$ 19.7	\$ 40.0	

Assumptions

- [1] County and School District consent to participate.
- [2] The City negotiates PILOT agreements that rebate the Recreation portion of the County millage rate and retains only 10 mills from the School District.

Source: Bleakly Advisory Group, Inc.

Total debt service payments (including capitalized interest and reserves) over the term of the bonds total roughly \$20 million. If real estate values were to appreciate modestly over the last half of the forecast and millage rates remain unchanged, BAG estimates that the project could generate a cumulative total of \$30.8 million in net incremental real estate taxes over the estimated 30-year life of the TAD. After deducting debt service payments which are funded from bond proceeds, the TAD shows a “surplus” of \$10.8 million over the period. These “excess” property tax increments could be used to either (a) fund additional redevelopment costs, (b) rebate a portion of special fund revenues back to the respective taxing jurisdictions after sufficient reserves have been accumulated, or (c) pay off the TAD bonds early. Our initial calculations indicate that bonds could be paid off by 2031 (16 years) if all surplus proceeds were accumulated and applied against the outstanding principal balance.

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PROPOSED PUBLIC INVESTMENTS

The Redevelopment Powers Law gives Georgia's communities wide latitude in the use of tax allocation district funds to support redevelopment. As enumerated in Section 36-44-3, the following are all eligible uses for TAD funds in a redevelopment area:

- Construction of building(s) for business, commercial, industrial, governmental, educational, charitable or social use
- Renovation, rehabilitation, reconstruction repair or demolition of any existing building
- Creation of public housing
- Creation of public works or public facilities
- Preservation of historic structures
- Creation or improvement of public spaces
- Creation or improvement of mass transit facilities
- Development, or improvement of telecommunications infrastructure
- Creation or improvement of pedestrian access and safety
- Property acquisition, site preparation, demolition, environmental remediation
- Infrastructure and utility relocation, rehabilitation or installation

The City of Norcross is proposing to use the vast majority of future TAD proceeds to finance the cost of building structured parking and a centralized stormwater detention facility. Both of these uses are necessary to support mixed-use development as called for in the Town Center Plan. BAG has also allocated a relatively small percentage of future TAD proceeds to help defray private sector development costs for such items as demolition, site development costs and similar uses.

**Table 4: Potential Uses of Estimated Future TAD Proceeds
Downtown Norcross TAD #1**

Potential Expenditure	Estimated Allocation	Total Funds	
		Without School District	With School District
1 Stormwater Detention Improvements	20%	\$ 1,210,000	\$ 1,960,000
2 Parking Decks	75%	\$ 4,537,500	\$ 7,350,000
3 Site Demolition & Misc. Investments	5%	\$ 302,500	\$ 490,000
TOTAL Estimated TAD Funding:	100%	\$ 6,050,000	\$ 9,800,000

The above table provides an estimated distribution of TAD proceeds among these potential uses. For comparison purposes the table is presented with and without School District consent. As discussed in detail earlier in this redevelopment plan, the market value of new planned private redevelopment will be approximately \$91.8 million when completed, which, when combined with TAD infrastructure costs, will result in more than \$100 million in new investment in the City of Norcross and

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Gwinnett County. The private redevelopment costs will be funded from a variety of public and private sources including developer and investor equity, construction and permanent loans from financial institutions. The anticipated private investment of \$170.5 million would represent a ratio of nearly \$9.40 in private investment for each dollar of TAD funds committed.

ASSESSED VALUATION FOR TAD (I)

TAD #1 identified in the this Redevelopment Plan includes 38 tax parcels with a 2014 fair market value of \$12,641,700, an assessed (40%) value of \$5,056,680 and a taxable digest value of \$3,014,800. Of the 38 parcels in TAD #1, 18 were exempt from taxation as of 2014. The existing land-use characteristics of parcels contained in TAD #1 are summarized in Table 9.

Table 9: Summary Parcel Data: Proposed Norcross TAD #1 - City Center East							
Land Use	Number of Parcels	Total Acres	Improvement Value	Land Value	Total FMV	Assessed (Digest Value)	Taxable (Digest)
Residential	4	1.52	\$172,800	\$328,300	\$501,100	\$200,440	\$200,440
Developed Commercial Property	11	9.98	\$3,174,400	\$2,962,000	\$6,136,400	\$2,454,560	\$2,454,560
Private Commercial Vacant Land	5	3.00	\$0	\$899,500	\$899,500	\$359,800	\$359,800
Religious/Other Tax Exempt	3	1.76	\$406,000	\$729,100	\$1,135,100	\$454,040	\$0
City of Norcross/DDA	15	11.39	\$1,202,900	\$2,766,700	\$3,969,600	\$1,587,840	\$0
TOTALS:	38	27.65	\$4,956,100	\$7,685,600	\$12,641,700	\$5,056,680	\$3,014,800
Total City of Norcross Tax Digest (M&O - 2013)							\$606,309,150
TAD % of City Digest							0.50%

Pursuant to the Redevelopment Powers Law, upon adoption of the Redevelopment Plan and the creation of the tax allocation district, the City will request that the Georgia Commissioner of Revenue certify the tax base of TAD #1 as of December 31, 2015, as the base year for the district. Values presented in Table 9 are therefore likely to change before the District is actually certified.

The tax base will increase in the future by the disposition and transition of City/DDA-owned parcels from tax exempt to taxable status, as well as resulting private investment that is incentivized by parking and stormwater improvements within the TAD. These public improvements and development incentives would be financed from the issuance of tax allocation bonds or comparable debt instruments. In addition, redevelopment of key sites is expected to stimulate other investments within Downtown Norcross and lead to a substantial increase in property values as the Redevelopment Plan is implemented.

Upon completion of the proposed redevelopments in the Redevelopment Area as presented in this plan, TAD #1 is projected to have an estimated full market value of nearly \$98.8 million and a taxable digest of more than \$38 million at build-out. The TAD's estimated taxable digest at completion represents an 11-fold increase over the TAD's current taxable value of only \$3.01 million.

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HISTORIC PROPERTY WITHIN BOUNDARIES OF TAD (J)

A National Register Historic District has identified numerous historic properties within the Redevelopment Area, including several properties within the TAD. The City has already incorporated design guidelines to protect National Register Historic properties during development or rehabilitation, within the Central Business District (C3), the Design Concept Development District (DCD) and Redevelopment Area Overlay District (RAOD) zones. Historic properties will not be substantially altered in any way inconsistent with technical standards for rehabilitation; or demolished unless feasibility for reuse has been evaluated based on technical standards for the review of historic preservation projects, which technical standards for rehabilitation and review shall be those used by the state historic preservation officer.

CREATION & TERMINATION DATES FOR TAD (K)

The Tax Allocation District #1: City Center East will be created effective December 31, 2015. The Redevelopment Powers Law provides that the district will be in existence until all redevelopment costs, including debt service, are paid in full. This repayment could take up to 30 years.

TAX ALLOCATION INCREMENT BASE (M)

On or before December 31, 2015, the Norcross City Council, acting as the redevelopment agent, will apply to the State Revenue Commissioner for a determination of the tax allocation increment base of the proposed tax allocation district. The proposed TAD will represent less than one half of one percent (0.451%) of Norcross's 2014 tax digest, well below the 10% maximum value threshold for all TADs in a given jurisdiction as referenced by the Redevelopment Powers Law.

The base valuation of the proposed district is estimated as follows:

Table 10: Tax Allocation District #1 - City Center East Parcel Information*

Parcels	38
Acreage**	27.65
2014 Appraised (Full Market) Value	\$12,641,700
2014 <u>Taxable</u> (Digest) Value	\$3,014,800
City of Norcross Tax Digest Value (Net M & O)	\$669,022,050
TAD Taxable Value as a % of City's Taxable Value	0.451%

*These value estimates are subject to verification and correction by the Gwinnett County Assessor.

**Acreage totals are from "legal acreage" column of Gwinnett County GIS data.

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Property Taxes Collected Within Tax District to Serve as Base Amount

Total Taxable Digest (\$3,014,800) x Useable Millage (.03738)* = \$112,693

(*This revenue estimate is before any PILOT payments to the County or Gwinnett County School District.)

PROPERTY TAXES FOR COMPUTING TAX ALLOCATION INCREMENTS (N)

As provided in the Redevelopment Powers Law, the taxes that will be included in the tax increment base for the tax allocation district are based on the following authorized millage rates:

Table 11: M&O Millage Rates*

City of Norcross	6.03 mills
Gwinnett Co. M&O (excludes recreation portion)**	11.55 mills
Gwinnett County Public School District	19.80 mills

*Levies for bonded indebtedness are not included in the calculation of the millage rates for TAD purposes.

Source: Gwinnett County/Georgia Department of Revenue, latest available estimates.

TAX ALLOCATION BOND ISSUES (O, P, Q)

AMOUNT OF BOND ISSUE

Upon adoption of this Redevelopment Plan, the City of Norcross proposes to issue tax allocation bonds or other financing instruments, in one or more issues. Estimated supportable levels of future financing could range from \$9 to \$20 million depending upon whether all taxing jurisdictions consent to participate, terms available at the time of issuance and the types of financing methods used.

TERM OF THE BOND ISSUE OR ISSUES

The City of Norcross proposes to issue tax allocation bonds or alternative forms of financing for a term no longer than 30 years. Under current market conditions, the City expects that actual financing terms will range from 20 to 25 years.

RATE OF BOND ISSUE

The City of Norcross intends to issue fixed-rate tax exempt bonds or comparable financing as available. Actual interest rates and payment terms will be determined

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at the time of issuance based upon general market conditions, anticipated development within the redevelopment area, assessed taxable property values, and federal tax law considerations. The City reserves the option to either operate the district on a pay-as-you-go basis or consider other potential financing options including other commercial financing to support future projects, as appropriate.

POSITIVE TAX ALLOCATION INCREMENTS

The positive tax allocation increments for the period covered by the term of the bonds is estimated to range from \$1.0 million to \$1.4 million annually after the build out is complete (by 2021). The actual amount will depend upon the pace at which the Redevelopment Plan is implemented and the impact of the redevelopment activities and other economic factors on the tax base within the district as a whole. It is also anticipated that agreements with the County and School District may rebate a portion of generated tax allocation increments back to those jurisdictions, making less TAD proceeds available for project financing. Incorporating potential rebates, this Plan anticipates that between \$600,000 and \$1.0 million (net) would be available to repay debt service on TAD financing.

PROPERTY TO BE PLEDGED FOR PAYMENT OF THE BONDS

Should the respective taxing jurisdictions consent to participate, bonds will be secured by the positive tax allocation increment from eligible ad valorem taxes on real estate, as levied by the City of Norcross, Gwinnett County and the Gwinnett County Public Schools. The City does not anticipate pledging tax allocation increments from local sales taxes or taxes on commercial personal property.

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SCHOOL SYSTEM IMPACT ANALYSIS (R)

Georgia's Redevelopment Powers Law, governs the operation of tax allocation districts (TAD's) in the State. The Law was amended during the 2009 legislative session to include a new provision under section 36-44-3(9)(R) for preparation of a "School System Impact Analysis". This section presents the school impacts of City of Tax Allocation District #1 – City Center East in order to address the requirements of this new portion of the Redevelopment Powers Law.

THE CURRENT VALUE OF THE PROPOSED TAD VERSES THE GWINNETT SCHOOLS TAX DIGEST

The current tax digest for the proposed TAD #1 is \$5.06 million of which, only \$3.0 million is currently taxable. According to the Georgia Department of Revenue, the latest published (2014) assessed value of the Gwinnett School's net taxable M&O digest exceeded \$25.6 **billion**. The current taxable digest within the proposed TAD thus barely exceeds one one-hundredth of one percent (0.012%) of the School District's total taxable digest. The amount of ad valorem school taxes on real estate collected from the properties in the proposed TAD, as determined by the tax assessor on December 31, 2015, will continue to flow to the Gwinnett County School District throughout the operation of the TAD. (This revenue is currently estimated at roughly \$59,700). The value of business personal property associated with the development of new retail and office space within the TAD will also continue to flow to the School District General Fund.

**Table 12: Proposed Norcross TAD #1
TAD Digest as a Percent of Taxing Jurisdictions***

Taxing Jurisdiction	Gross Tax Digest	Net Taxable M&O Digest
TAD #1	\$5,056,680	\$3,014,800
City of Norcross	\$692,020,360	\$669,022,050
Gwinnett County	\$30,001,969,270	\$26,019,139,268
Gwinnett Public Schools	\$29,226,748,280	\$25,623,595,543
Norcross TAD #1 Taxable Digest as a % of		
City of Norcross	0.731%	0.451%
Gwinnett County	0.017%	0.012%
Gwinnett Public Schools	0.017%	0.012%

* This Table reports published 2014 Digest values for comparison purposes.

SOURCE: Georgia Department of Revenue, Local Government Services Division

Assuming the Board of Education consents to participate in the TAD, any additional property taxes on real estate collected above the certified base amount would be

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used to attract redevelopment to this portion of the County. BAG estimates that if all TAD projects are successfully implemented according to the schedule and average values indicated in the redevelopment plan, taxpayers within the TAD would pay a total of \$24.7 million in aggregate School District property taxes on real estate (at the current school millage rate) aggregated over the entire 30 year life of the TAD. Of that total, BAG estimates that roughly \$1.8 million would continue to accrue to the School District's general fund and \$22.9 million would be contributed as School District tax increments to the TAD Special Fund. Most of these increments would be due toward the back end of the TAD and potentially never be contributed if bond financing is paid off early and the TAD is dissolved before the end of 30 years. Less than \$1.7 million of School District tax increments would be contributed over the first five years of the TAD. As has been previously noted, the City would be open to negotiating an agreement with the School District that rebates an additional \$11.3 million in School tax increments over the life of the TAD, almost half of the District's total contribution.

PROPOSED REDEVELOPMENT IN NORCROSS TAD #1

As detailed earlier in this plan, there are five potential locations for redevelopment projects located on 14.1 acres of the 27.65-acre Norcross TAD#1. The Redevelopment Plan calls for a higher-density mix of uses which will expand the existing Downtown business district and be attractive for living, working, shopping and entertaining. Based on the proposed plan, the new development could increase the total digest value of taxable property within the TAD by more than \$35 million over current levels. The projects could include:

- Roughly 450 new apartment units;
- a 65,000 square foot hotel with meeting space;
- another 65,000 SF of new restaurant, retail, entertainment and other commercial space;
- 75,000 SF of senior housing including independent and assisted living units; and
- 15,000 SF of new office development.

ESTIMATED NUMBER OF FUTURE PUBLIC SCHOOL STUDENTS LOCATED WITHIN THE TAD

Based on the proposed projects the above table presents an estimate of the number of new residents and school children that could be anticipated to live in the proposed TAD as a result of successful development occurring over 7-year construction period.

As shown on the following table, there would be an estimated 1,002 new residents and 120 school aged children from the combined potential development of 450 residential units when completed and fully occupied eight or more years into the future. Gwinnett County Schools had a total FTE enrollment of 173,246 in October of 2014 according to the Georgia Department of Education web site. Therefore, potential residential development in the proposed TAD would have slightly more

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

than a seven one-hundredths of one percent (0.069%) impact on total School District enrollment when completed, assuming district wide enrollment remains at current levels.

Table 13: Estimated Residents and School Aged Children in the Proposed TAD #1 - 2015 to 2044

Housing Type	Units	Avg. Value	Resident Multiplier	Estimated Residents	School Aged	Estimated
					Children Multiplier	School Aged Children
Senior Housing	85	\$194,400	1.5	128	0	0
Rental Housing						
1 bedroom	120	\$95,000	1.49	179	0.08	10
2 bedroom	310	\$110,000	2.03	629	0.3	93
3 bedroom	20	\$120,000	3.34	67	0.87	17
Total Units	535					
Total Residents/Total Pupils				1,002		120
Total Residents/Pupils/unit				1.87		0.22

Source: Fannie Mae Foundation Residential Demographic Multipliers for Georgia/BAG

THE LOCATION OF SCHOOL FACILITIES WITHIN THE REDEVELOPMENT AREA

There are no existing or planned Gwinnett County Public School Facilities located within the boundaries of the proposed Norcross TAD #1.

AN ESTIMATE OF EDUCATIONAL SPECIAL PURPOSE LOCAL OPTION (ESPLOST) SALES TAXES AND INCREMENTAL BUSINESS PERSONAL PROPERTY TAXES PROJECTED FROM TAD DEVELOPMENT

In terms of the potential redevelopment projects described in the Redevelopment Plan, a portion of those projects would create new retail or hotel space that would generate potential ESPLOST revenues in future years. A portion of the households residing in the TAD would also be new to the County and would be expected to generate additional E-SPLOST through their taxable household purchases made within the County. Finally, new commercial, retail, hotel, senior care and office space would increase the School District's business personal property tax digest, which would not be pledged to the TAD. Typically, the value of business personal property can range from 25% to in excess of 100% of the real estate value of commercial or industrial land uses. BAG has used a ratio of 35% to estimate incremental personal property digest that would result from redevelopment of new commercial development within the TAD. Resulting calculations are summarized in the table on the following page.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

Table 14: Estimated ESPLOST & Personal Property Taxes to Gwinnett County Schools

		Average HH	Aggregate	Local Retail	
E-SPLOST: HOUSEHOLD SPENDING	Units	Income	HH Income	Sales @60%	E-SPLOST
SF Detached	0	\$85,000	\$0	\$0	\$0
Townhomes	0	\$65,000	\$0	\$0	\$0
Apartments	450	\$45,000	\$20,250,000	\$12,150,000	\$121,500
E-SPLOST: RETAIL DEVELOPMENT	SF	Sales/SF	Total Sales		ESPLOST
Commercial/Retail Space	65,000	\$250	\$16,250,000		\$162,500
Total Annual ESPLOST Revenues*					\$142,000
Business Personal Property Increment					
Estimated Incremental Commercial RE Digest					\$35,270,222
Personal Property Value @				35%	\$12,344,578
Annual Personal Property Taxes @ Millage Rate of				19.8	\$244,423

*Adjusted for 50% double counting of TAD resident retail purchases.

Source: Bleakly Advisory Group, Inc.

At build-out, Norcross TAD#1 could be expected to generate approximately \$142,000 annually in E-SPLOST revenues to the Gwinnett County Schools during years in which an E-SPLOST is in effect. This amount is nearly 2.4 times the \$59,700 per year in annual School District property tax revenues (on real estate) currently generated by properties within the TAD (which the District will also continue to receive). In addition, BAG estimates that the District would gain roughly \$244,000 in increased tax revenues from business personal property, associated primarily with proposed hotel, senior living, and office development components.

The combination of increased personal property taxes and real estate taxes on the base value of the TAD will continue to generate roughly \$304,000 per year in annual property tax revenues to the School District, representing local revenues of roughly \$2,500 per expected additional student. Adding expected increases in E-SPLOST raises annual School District revenues to more than \$446,000 from the TAD at build out. Combined increases in E-SPLOST and taxes on commercial personal property offset approximately 61% of the School District property tax increments on real estate taxes that would be contributed to the TAD special fund. Absent of the TAD and its ability to accelerate implementation of the City's redevelopment effort within Downtown, it is likely to take several years for the Gwinnett County School District to achieve comparable revenue growth from property and sales taxes generated within this area of Norcross.

CONCLUSION REGARDING SCHOOL DISTRICT IMPACTS

As demonstrated in the preceding analysis, the fiscal and economic impacts to Gwinnett County Public Schools from participating in Norcross TAD #1 are:

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

- The proposed TAD will affect the future appreciation on 0.012% (one one-hundredth of one percent) of the School's taxable digest. All current property taxes (\$59,700/year) will continue to go to the school system—only increases above the current amount are pledged to the TAD.
- The redevelopment area will potentially attract 1,000 new residents and 120 school children at build out, achieved after several years of construction. This represents an addition of 0.069% to the total 2014 enrollment of the Gwinnett County Schools.
- There are no existing or planned Gwinnett County Schools facility located inside the TAD boundary.
- The proposed redevelopment could generate an additional \$142,000 in annual ESPLOST funds from new residents and businesses during years in which the E-SPLOST is in effect, an amount approaching 2.4 times current property taxes collected within the TAD boundary.
- The School District could also receive \$244,400 per year in incremental revenue from increased business personal property taxes associated with new commercial and hotel development within the proposed TAD.

Thus we conclude that the potential revenue gains to the Gwinnett County Schools from participating in the proposed TAD will be marginally positive due to the future growth in its tax digest and ESPLOST revenues over existing levels, with minimal impact on the demand for school services.

SUMMARY CONCLUSION: POTENTIAL BENEFITS OF CREATING TAD #1 - CITY CENTER EAST

As shown in the following table, the creation of the amended TAD #1 - City Center East could generate more than \$91.8 million in new development which would increase the current \$3.01 million taxable digest value of the TAD by an additional \$35.0 million, an increase of 1160%. Nearly 265,000 SF of new/rehabilitated commercial development within the TAD could potentially house 340 local jobs when fully occupied.

Table 15: Summary of Norcross TAD #1 Benefits

Estimated Value of new private capital investment	\$ 91.8 million
Cost of public infrastructure to be financed by the TAD (Net)	\$ 9.8 million
Estimated annual ad valorem tax increment after full build out	\$ 1.38 million
Estimated New Jobs Created*	340

*Consultant prepared estimates.

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

This projected investment would result in approximately \$2.39 million in new, incremental annual property tax receipts from real estate and support net TAD funding for up to \$9.8 million in needed infrastructure IF the City chose to issue TAD Bonds and all taxing jurisdictions consent to participate. This estimate also builds in anticipated City rebates of a portion of County and School District tax increments. The use of TAD proceeds as local match to supplement other forms of project financing obtained by the City, or on a pay-as-you-go basis, could be expected to leverage differing levels of project funding.

**Downtown Norcross Redevelopment Plan and
Tax Allocation District #1 - City Center East**

APPENDICES

APPENDIX A: DOWNTOWN NORCROSS TAD BOUNDARY MAP (L)

APPENDIX B. LIST OF TAX PARCEL ID NUMBERS (PROPERTIES WITHIN THE TAD)

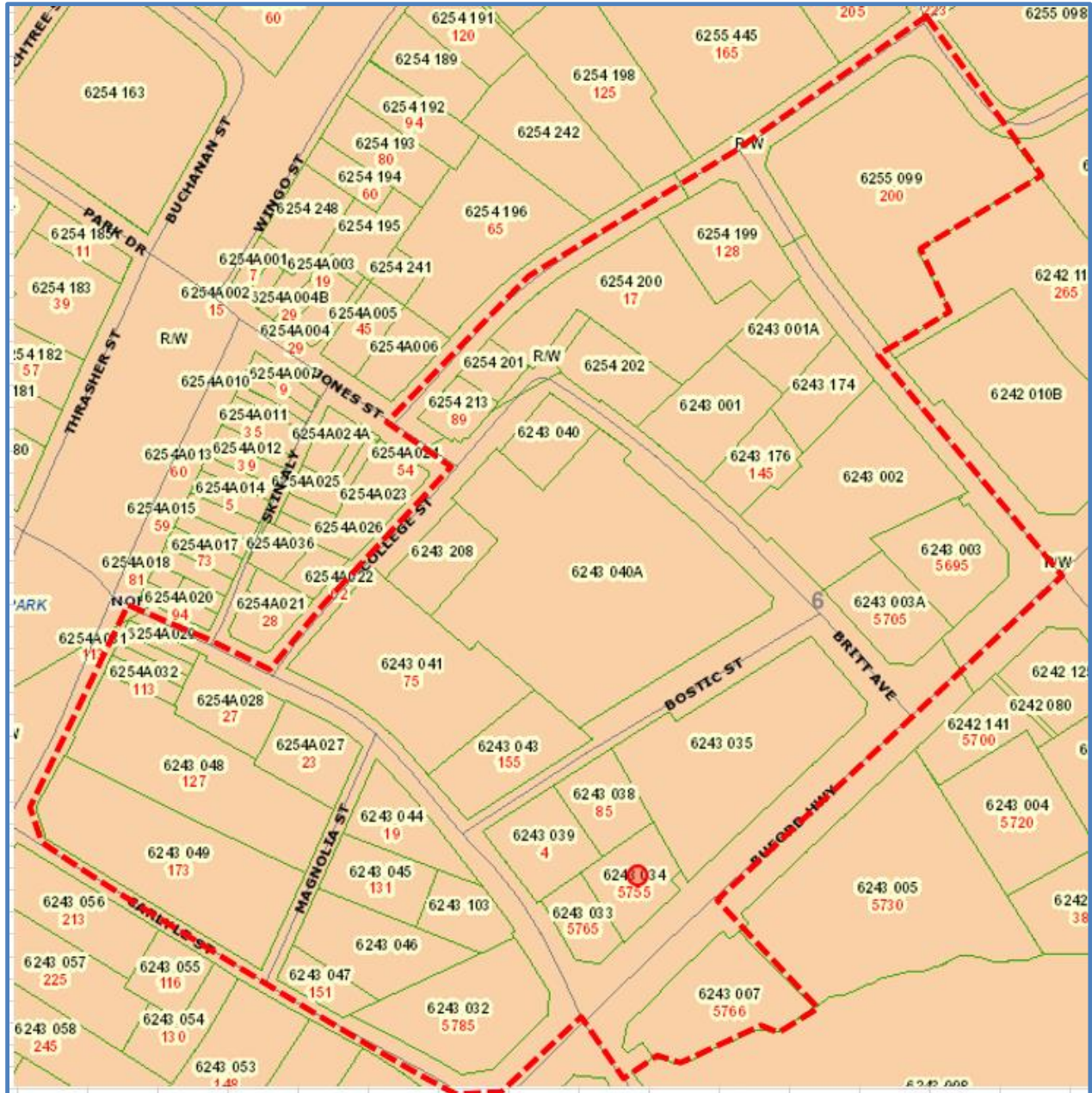
APPENDIX C. NORCROSS MAYOR AND CITY COUNCIL

APPENDIX D. GWINNETT COUNTY BOARD OF COMMISSIONERS

Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

APPENDIX A. DOWNTOWN NORCROSS TAD #1 BOUNDARY MAP (L)



Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

APPENDIX B: LIST OF TAX PARCEL ID NUMBERS (PROPERTIES WITHIN THE TAD)

Parcel ID Number	Primary Owner	Property Address	Legal Acreage	Total Appraised (Market) Value	Total Assessed (Digest) Value	Total Taxable Digest
6243 001	CITY OF NORCROSS	0 BRITT AVE	0.67	\$46,700	\$18,680	\$0
6243 001A	CITY OF NORCROSS	0 MITCHELL STREET	0.53	\$36,700	\$14,680	\$0
6243 002	US POSTAL SERVICE	265 MITCHELL ROAD	1.38	\$636,300	\$254,520	\$0
6243 003	ADVANCE STORES COMPANY INC.	5659 BUFORD HIGHWAY	0.59	\$710,000	\$284,000	\$284,000
6243 003A	PRUITT MARTHA ELAINE BRUCE	5705 BUFORD HIGHWAY	0.48	\$425,000	\$170,000	\$170,000
6243 007	EFA PROPERTIES, LLC	5766 BUFORD HIGHWAY	0.95	\$303,200	\$121,280	\$121,280
6243 032	BAGGETT ENTERPRISES	5785 BUFORD HIGHWAY	0.96	\$300,000	\$120,000	\$120,000
6243 033	CITY OF NORCROSS	5765 BUFORD HIGHWAY	0.24	\$11,000	\$4,400	\$0
6243 034	DOWNTOWN DEVELOPMENT AUTHORITY	5755 BUFORD HIGHWAY	0.41	\$500,000	\$200,000	\$0
6243 035	VOSAMIS PROPERTIES, LLC	5735 BUFORD HIGHWAY	1.68	\$1,376,300	\$550,520	\$550,520
6243 038	NORCROSS DDA PROPERTIES LLC	85 BOSTIC STREET	0.33	\$84,000	\$33,600	\$0
6243 039	CITY OF NORCROSS	4 HOLCOMB BRIDGE RD.	0.49	\$122,900	\$49,160	\$0
6243 040	DOWNTOWN DEVELOPMENT AUTHORITY	0 COLLEGE STREET	0.32	\$182,400	\$72,960	\$0
6243 040A	DOWNTOWN DEVELOPMENT AUTHORITY	0 COLLEGE STREET	3.72	\$678,200	\$271,280	\$0
6243 041	PARKSIDE NORCROSS LLC	75 COLLEGE STREET	1.05	\$476,700	\$190,680	\$190,680
6243 043	CITY OF NORCROSS	155 HOLCOMB BRIDGE RD.	0.58	\$226,600	\$90,640	\$0
6243 044	BURTON BILLY J & JULIE V	19 HOLCOMB BRIDGE RD.	0.39	\$176,000	\$70,400	\$70,400
6243 045	KUCERA KEVIN T & RAMONA F	131 MAGNOLIA STREET	0.42	\$367,200	\$146,880	\$146,880
6243 046	CHATHAM ENTERPRISES, INC.	0 MAGNOLIA STREET	0.61	\$33,800	\$13,520	\$13,520
6243 047	KUCERA KEVIN T & RAMONA F	151 CARLYLE STREET	0.23	\$88,400	\$35,360	\$35,360
6243 048	WEBB, JAMES H	127 SOUTH PEACHTREE STREET	1.43	\$445,800	\$178,320	\$178,320
6243 049	CARLYLEHOUSE, LLC	173 SOUTH PEACHTREE STREET	1.67	\$515,400	\$206,160	\$206,160
6243 103	BAGGETT ENTERPRISES	0 HOLLAND STREET	0.31	\$14,000	\$5,600	\$5,600
6243 174	CITY OF NORCROSS	0 MITCHELL STREET	0.34	\$23,700	\$9,480	\$0
6243 176	CITY OF NORCROSS	145 BRITT AVE	0.36	\$179,300	\$71,720	\$0
6243 208	DOWNTOWN DEVELOPMENT AUTHORITY	57 COLLEGE STREET	0.40	\$87,800	\$35,120	\$0
6254 199	CITY OF NORCROSS	128 LAWRENCEVILLE STREET	0.61	\$116,900	\$46,760	\$0
6254 200	CITY OF NORCROSS	17 COLLEGE STREET	1.39	\$680,900	\$272,360	\$0
6254 201	PRESBYTERIAN CHURCH	0 NE LAWRENCEVILLE STREET	0.15	\$368,100	\$147,240	\$0
6254 202	CITY OF NORCROSS	0 NE COLLEGE STREET	1.00	\$992,500	\$397,000	\$0
6254 213	WESLEYAN HISPANIC CHURCH CELEB	89 JONES STREET	0.23	\$130,700	\$52,280	\$0
6254A 027	JONES, THOMAS SCOTT	23 HOLCOMB BRIDGE RD.	0.41	\$124,000	\$49,600	\$49,600
6254A 028	SECTION 10, INC.	27 HOLCOMB BRIDGE RD.	0.49	\$112,700	\$45,080	\$45,080
6254A 029	MION JOHN J	0 SOUTH PEACHTREE STREET	0.09	\$109,700	\$43,880	\$43,880
6254A 030	EPPS J WAYNE	113 SOUTH PEACHTREE STREET	0.06	\$189,700	\$75,880	\$75,880
6254A 031	EPPS J WAYNE	0 SOUTH PEACHTREE STREET	0.08	\$71,800	\$28,720	\$28,720
6254A 032	EPPS J WAYNE	113 SOUTH PEACHTREE STREET	0.10	\$74,800	\$29,920	\$29,920
6255 099	BRE ESA PROPERTIES LLC	200 LAWRENCEVILLE STREET	2.50	\$1,622,500	\$649,000	\$649,000
TOTALS:		38 Parcels	27.65	\$12,641,700	\$5,056,680	\$3,014,800

[1] "Acreage" shown in this table is from the "legal acreage" column appearing in the County GIS data base. "Calculated Acres" and "Deed Acres" values are different.

**Downtown Norcross Redevelopment Plan and
Tax Allocation District #1 - City Center East**

APPENDIX C. NORCROSS MAYOR AND CITY COUNCIL

Bucky Johnson, Mayor

Andrew Hixson

David McLeroy

Craig Newton

Charlie Riehm

Josh Bare, Mayor Pro Tem

Rudolph Smith, City Manager

**Downtown Norcross Redevelopment Plan and
Tax Allocation District #1 - City Center East**

APPENDIX D. GWINNETT COUNTY BOARD OF COMMISSIONERS AND COUNTY ADMINISTRATOR

Charlotte J. Nash, Commission Chairman

Jace Brooks, District 1 Commissioner

Lynette Howard, District 2 Commissioner

Tommy Hunter, District 3 Commissioner

John Heard, District 4 Commissioner

Glenn Stephens, County Administrator

Attachment: Norcross TAD Resolution and Exhibit (23-6794 : Potential Tax Allocation District Projects)

APPENDIX E. GWINNETT COUNTY SCHOOL BOARD AND SUPERINTENDENT OF SCHOOLS

Downtown Norcross Redevelopment Plan and Tax Allocation District #1 - City Center East

Carol Boyce, District I

Daniel D. Seckinger, District II

Dr. Mary Kay Murphy, Chairman, District III

Dr. Robert McClure, Vice Chairman, District IV

Louise Radloff, District V

J. Alvin Wilbanks, CEO/Superintendent



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6742	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	City of Tucker Franchise Agreement		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Tucker Franchise Agreement](#)
2. [1\) Electrical Facilities Franchise Agreement](#)
3. [2\) Fees Collected from End User](#)

Title
City of Tucker Franchise Agreement

Drafter
Steve Gaines/William Diehl, City
Attorney



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Steve Gaines, PWUP Electric Superintendent
Thompson, O'Brien, Kappler & Nasuti, P.C., Legal

Meeting Date: August 21, 2023 – Council Policy Meeting

Item No.: 23-6742

Title: Franchise Agreement for the Provision of Electrical Services within the City Limits of Tucker, Georgia

CC: Eric Johnson, City Manager

Recommendations

To approve the Mayor's execution of the attached Electrical Facilities Franchise Agreement with the City of Tucker, with any modifications as to form as may be appropriate on advice of counsel, and to approve the payment of fees pertaining to prior use of the City of Tucker's Right of Way, the same being \$31,444.52 on or before October 31, 2023.

Background

Norcross Power has provided electricity to multiple commercial developments within the City of Tucker since at least the Summer of 2021. Those developments include a Publix located at 4650 Howell Hugh Road and a Walmart located at 4375 Lawrenceville Highway. In the Summer of 2021, the City of Tucker signed an ordinance which provided and allowed for Norcross Power to utilize rights of way and other city assets to service these electricity end-users. The ordinance also provided for the obligation of Norcross and Norcross Power to remit a 4% franchise fee to the City of Tucker and for the payment of late fees. The ordinance was remitted to the City but was not executed. Since the remission of the ordinance, the City has utilized the right of way but has not remitted the associated franchise fee.

The attached Electrical Facilities Franchise Agreement is intended to effectuate the provisions of the 2021 ordinance, requiring that Norcross Power pay franchise fees to Tucker on a quarterly basis. Such fees will be collected from the end users in the manner of a tax. The Agreement also provides for the payment of Norcross Power's prior use of the right of way from the date of the

ordinance. That amount is \$31,138.96 and is to be paid by October 31, 2023. All other fees and damages are waived. We believe that this fee is payable to Tucker on account of Norcross Power's continued use of the right of way after receiving the ordinance.

The prior franchise fees will be applied to the current tenant's power bills both retroactively and on an on-going basis, thereby reducing the total costs to Norcross.

Financial Impact

Unbudgeted funds will be paid from the electrical fund, but we anticipate that they should be collected from the end-users.

Consistent with Comprehensive Plan?

Yes, goals 2 and 6 specific to both providing a safe environment and a high level of quality services for the city.

Next Steps

Council approval/vote

Attachments

- 1) Electrical Facilities Franchise Agreement
- 2) Fees Collected from End User

Update

See recommendations

**ELECTRIC FACILITIES FRANCHISE AGREEMENT BETWEEN THE CITY OF
NORCROSS, GEORGIA, NORCROSS POWER AND THE CITY OF TUCKER,
GEORGIA**

THIS ELECTRIC FACILITIES FRANCHISE AGREEMENT, (the “Agreement”) is made this ____ day of _____ 2023 by and between the City of Norcross, Georgia, a municipal corporation of the State of Georgia (“Norcross”), Norcross Power, a Municipal Power Corporation (the “Franchisee”), and the City of Tucker, Georgia, a municipal corporation of the State of Georgia (hereinafter, “Tucker” or “Franchisor”). (Norcross, Franchisee, and Tucker are, collectively, the “Parties”).

WHEREAS the Franchisee is wholly owned and controlled by Norcross and is engaged in the sale of electrical power;

WHEREAS the Franchisee provides power within and without the City of Norcross;

WHEREAS the Franchisee has provided power to two commercial developments within the corporate boundaries of Tucker and has utilized rights of way and other municipal services and assets controlled by or within the jurisdiction of Tucker;

WHEREAS Tucker, on or about July 12, 2021, executed a certain Ordinance Granting Permission and Consent to Norcross (the “Franchise Ordinance”) and the Franchisee to occupy the streets and public places within Tucker for the purpose of installing and maintaining certain electrical-service utilities;

WHEREAS the Franchise Ordinance was countersigned by neither Norcross nor the Franchisee; and

WHEREAS the lack of a signed agreement has come to the Parties’ attention and the Parties have agreed to execute an enforceable agreement concerning the use of Tucker’s public right of way and other assets for the purpose of providing power to certain developments within the municipality;

NOW THEREFORE, in consideration of the sum of Ten and No/100ths Dollars (\$10.00), the foregoing recitals and the representations, warranties, covenants and agreements set forth herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereto hereby agree as follows:

TERMS AND CONDITIONS

SECTION I. Recitals The above Recitals are true, correct, form a material part of this Agreement and are incorporated herein by reference.

SECTION II. Grant of Franchise. The Franchisee, for a period of thirty (30) years from the date of the Franchisee’s acceptance hereof, shall have the right to occupy and use the streets, alleys, and public places of Tucker within the present and future corporate limits of the Tucker as from time to time the Franchisee may deem proper or necessary for the overhead or underground construction,

maintenance, operation, and extension of poles, towers, lines, wires, cables, conduits, insulators, transformers, appliances, equipment, connections, and other apparatus (hereinafter referred to collectively as the "Power Facilities") for the business and purpose of transmitting, conveying, conducting, using, supplying, and distributing electricity for light, heat, power, and other purposes for which electric current may be or become useful or practicable for public or private use, and to re-enter upon such streets, alleys, and public places from time to time as the Franchisee may deem proper or necessary to perform these functions, and to cut and trim trees and shrubbery when and where necessary, in the judgment of the Franchisee, to insure safe and efficient service.

SECTION III. Payment of Franchise Fees After Execution. Tucker's grant of franchise as provided herein shall be subject to the following conditions and obligations by the Franchisee, which are affirmed and guaranteed by Norcross:

1. The Franchisee shall pay into Tucker's treasury on a quarterly basis no later than thirty (30) days after the last day of March, June, September and December throughout the term of this Agreement a sum of money equal to four percent (4%) of the gross sales of electric energy to customers served under residential, commercial, and industrial rate schedules within the corporate limits of Tucker. The Franchisee shall implement the franchise fee immediately upon execution. If any payment required by this Agreement is not actually received by Tucker on or before the applicable date fixed in this Agreement, the Franchisee shall pay interest thereon, from the due date to the date paid, at a rate of one percent (1%) per month. Upon agreement of the Parties, the Franchisee may pay franchise fee by electronic funds transfer and in such event, Tucker agrees to provide to Franchisee bank routing & account information for such purpose upon request of the Franchisee. No acceptance of any payment by Tucker shall be construed as an accord and satisfaction that the amount paid is in fact the correct amount or a release of any claim that Tucker may have for further or additional sums under this Agreement. Tucker may conduct an audit to ensure payments have been made in accordance with the Agreement and the audit period will be limited to three (3) years preceding the end of the quarter of the most recent payment.

2. The amount, if any, of any tax, fee, charge, or imposition of any kind required, demanded, or exacted by Tucker on any account, other than ad valorem taxes on property, shall operate to reduce to that extent the amount due from the percentage of gross sales provided for in paragraph 1 of this Section II.

3. The Franchisee shall fully protect, indemnify, and save harmless Tucker from all damages to persons or property caused by the construction, maintenance, operation, or extension of the Facilities, or conditions of streets, alleys, or public places resulting therefrom, for which Tucker would otherwise be liable. Provided, however, that such obligation to indemnify shall not be extended, by guaranty or otherwise, to Norcross.

4. The Franchisee shall, in constructing, maintaining, operating, and extending the Facilities, submit and be subject to all reasonable exercises of the police power by Tucker. Nothing contained herein, however, shall require the Franchisee to surrender or limit its property rights created hereby without due process of law, including adequate compensation, for any other purpose at the instance of Tucker or for any purpose at the instance of any other entity, private or governmental.

5. For purposes of paragraph 6 of this Section II, the term "Distribution Facilities" means poles, lines, wires, cables, conductors, insulators, transformers, appliances, equipment, connections, and other apparatus installed by or on behalf of the Franchisee (whether before or after the adoption of this ordinance) in the streets, alleys, or public places of Tucker for the purpose of distributing electricity within the present and future corporate limits of Tucker. Distribution Facilities

do not include any of the following: (i) electric transmission lines with a design operating voltage of 46 kilovolts or greater (hereinafter referred to as "Transmission Lines"); (ii) poles, towers, frames, or other supporting structures for Transmission Lines (hereinafter referred to as "Transmission Structures"); (iii) Transmission Lines and related wires, cables, conductors, insulators, or other apparatus attached to Transmission Structures; (iv) lines, wires, cables, or conductors installed in concrete-encased ductwork; or (v) network underground facilities.

6. In the event that Tucker or any other entity acting on behalf of Tucker requests or demands that the Franchisee relocate any Distribution Facilities from their then-current locations within the streets, alleys, and public places of Tucker in connection with a public project or improvement to secure the public health and welfare or is otherwise required by Tucker in the exercise of a government function, then the Franchisee shall relocate, at its expense, the Distribution Facilities affected by such project or improvement. In the event of such relocation, Tucker shall provide replacement access to other right of way or streets, alleys, and public places to the extent necessary for the Franchisee to reinstall Distribution Facilities necessary to service those properties that the Franchisee serviced immediately before the relocation. Notwithstanding the foregoing provisions of this paragraph 6, the Franchisee shall not be obligated to relocate, at its expense, any of the following: (i) Distribution Facilities that are located on private property at the time relocation is requested or demanded; (ii) Distribution Facilities that are relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to or associated with road widenings, the creation of new turn lanes, or the addition of acceleration/deceleration lanes); (iii) streetscape projects or other projects undertaken primarily for aesthetic purposes; or (iv) Distribution Facilities that are converted from an overhead configuration or installation to an underground configuration or installation.

7. Tucker and the Franchisee recognize that both parties benefit from economic development within Tucker. Accordingly, when it is necessary to relocate any of the Franchisee's Distribution Facilities (whether Distribution Facilities, Transmission Lines, Transmission Structures, or other facilities) within the municipality, Tucker and the Franchisee shall work cooperatively to minimize costs, delays, and inconvenience to both parties while ensuring compliance with applicable laws and regulations. In addition, Tucker and the Franchisee shall communicate in a timely fashion to coordinate projects included in the Tucker's five-year capital improvement plan, the Tucker's short-term work program, or the Tucker's annual budget in an effort to minimize relocation of facilities. Such communication may include, but is not limited to, (i) both parties' participation in the Georgia Utilities Coordinating Council, Inc. (or any successor organization) or a local utilities coordinating council (or any successor organization) and (ii) both parties' use of the National Joint Utility Notification System (or any successor to such system mutually acceptable to both parties)

Section IV. Payment for Prior-Use. The Parties acknowledge that the Franchisee has made use of Tucker's rights of way, streets, alleys, and public places for the installation and maintenance of electrical facilities servicing developments within the jurisdiction and that no such franchise fees have been paid to the City on account of such use. The Parties dispute as to whether such an obligation is enforceable, however, have agreed to the payment of the Franchisee's prior use accordingly: Norcross and the Franchisee shall, before October 31, 2023, pay to Tucker \$31,138.96 ("Prior Use Fees"). Upon payment of Prior Use Fees, Tucker agrees and shall be deemed to have released Norcross, the Franchisee, its elected officials, officers, employees, agents, or independent contractors of any obligation arising from the Franchisee's use of Tucker's rights of way, streets, alleys, and public places, any obligation related to the Franchisee's provision of electricity to customers in Tucker and from any obligation to pay franchise fees, or any other associated fee, costs, or damages arising from the installment of electrical facilities and the Franchisee's provision of power to customers in Tucker's municipal jurisdiction at any point prior to Norcross or the Franchisee's execution of this agreement. For the avoidance of doubt and as an illustration of this release, if this

Agreement is executed on September 5, 2023, Tucker shall have agreed to release Norcross and the Franchisee from any obligation for their prior-use of rights of way or municipal property or assets before September 1, 2023.

SECTION V. No Restrictions on Customer's Right to Selection. Nothing contained in this Agreement shall limit or restrict the right of customers within the corporate limits of Tucker to select an electric supplier as may hereafter be provided by law.

SECTION VI. Amendments or Modifications to this Agreement. From time to time after the approval of this ordinance, Parties may enter into such additional agreements, modifications or amendments as the Parties deem reasonable and appropriate; provided, however, that such agreements shall not be inconsistent with the terms and conditions of the franchise granted in this Agreement, shall not extend beyond the term of the franchise, and shall be enforceable separate and apart from the franchise unless committed to writing and executed by both parties.

SECTION VII. Warranty of Authority. Each of the Parties warrant that the undersigned has the authority to execute this agreement and that such authority was lawfully delegated in accordance with applicable law.

SECTION VII. Execution in Counterparts. Each of the Parties shall be permitted to sign in separate counterparts.

[Intentionally Blank]

[Execution on Following Page]

Agreed to by:

Mayor of The City of Tucker

Certified by:

Clerk for the City of Tucker

*Certification shall affirm that the execution above was witnessed by the clerk, authorized at a duly noticed and held meeting, at which a quorum was present, and that at such meeting the authority to enter into such an agreement was authorized by the City of Tucker's City Council.

Approved as to Form:

Ted Baggett, City Attorney

Agreed to by:

Mayor of The City of Norcross

Certified by:

Clerk for the City of Norcross

*Certification shall affirm that the execution above was witnessed by the clerk, authorized at a duly noticed and held meeting, at which a quorum was present, and that at such meeting the authority to enter into such an agreement was authorized by the City of Norcross's City Council.

Approved as to Form:

J. Patrick O'Brien, City Attorney

Agreed to by:

Norcross Power, a Municipal Power Corporation

By: _____

Its: _____



Norcross, GA

Account Billing History

H.4.e

55-0040-02

Wal-Mart Stores #01-2584

Service Address: 4375 Lawrenceville Hwy

Parcel Number: PC0000374

Date	Packet Number	Arrears	Services Billed	Deposit Billed	Contract Billed	AMP Adjustment	Deposit Return	E. A. Return	Total Due	Metered Service Analysis					
										Service Code-Descript.	Consump.	Charge	Days	Tax -----	Read Date/Reading---
7/28/2023	UBPKT02504	0.00	28,608.37	0.00	0.00	0.00	0.00	0.00	28,608.37	311 - ELECTRIC WITH DE	255,200	26,489.23	30	2,119.14	7/4/2023 13,77
6/30/2023	UBPKT02436	0.00	29,864.46	0.00	0.00	0.00	0.00	0.00	29,864.46	311 - ELECTRIC WITH DE	273,920	27,652.28	31	2,212.18	6/4/2023 12,16
5/26/2023	UBPKT02374	0.00	22,250.64	0.00	0.00	0.00	0.00	0.00	22,250.64	311 - ELECTRIC WITH DE	185,920	20,991.17	30	1,259.47	5/4/2023 10,45
4/28/2023	UBPKT02281	0.00	24,580.72	0.00	0.00	0.00	0.00	0.00	24,580.72	311 - ELECTRIC WITH DE	213,920	23,189.36	31	1,391.36	4/4/2023 9,28
3/31/2023	UBPKT02202	0.00	23,093.49	0.00	0.00	0.00	0.00	0.00	23,093.49	311 - ELECTRIC WITH DE	196,000	21,786.31	28	1,307.18	3/4/2023 7,95
2/28/2023	UBPKT02123	0.00	24,177.14	0.00	0.00	0.00	0.00	0.00	24,177.14	311 - ELECTRIC WITH DE	208,960	22,808.62	31	1,368.52	2/4/2023 6,72
1/27/2023	UBPKT01990	0.00	25,053.49	0.00	0.00	0.00	0.00	0.00	25,053.49	311 - ELECTRIC WITH DE	214,720	23,635.37	31	1,418.12	1/4/2023 5,42
12/27/2022	UBPKT01918	0.00	24,548.46	0.00	0.00	0.00	0.00	0.00	24,548.46	311 - ELECTRIC WITH DE	208,640	23,158.92	30	1,389.54	12/4/2022 4,07
11/30/2022	UBPKT01868	0.00	25,466.93	0.00	0.00	0.00	0.00	0.00	25,466.93	311 - ELECTRIC WITH DE	219,840	24,025.41	31	1,441.52	11/4/2022 2,77
10/27/2022	UBPKT01697	0.00	24,425.95	0.00	0.00	0.00	0.00	0.00	24,425.95	311 - ELECTRIC WITH DE	224,000	23,043.35	30	1,382.60	10/4/2022 28,72
9/29/2022	UBPKT01609	0.00	28,935.92	0.00	0.00	0.00	0.00	0.00	28,935.92	311 - ELECTRIC WITH DE	279,840	27,298.04	31	1,637.88	9/4/2022 27,32
8/29/2022	UBPKT01448	0.00	28,900.12	0.00	0.00	0.00	0.00	0.00	28,900.12	311 - ELECTRIC WITH DE	279,360	27,264.26	31	1,635.86	8/4/2022 25,57
7/29/2022	UBPKT01382	0.00	27,909.34	0.00	0.00	0.00	0.00	0.00	27,909.34	311 - ELECTRIC WITH DE	266,080	26,329.57	30	1,579.77	7/4/2022 23,83
6/29/2022	UBPKT01201	0.00	25,653.26	0.00	0.00	0.00	0.00	0.00	25,653.26	311 - ELECTRIC WITH DE	235,840	24,201.19	31	1,452.07	6/4/2022 22,16
5/27/2022	UBPKT01062	0.00	25,178.14	0.00	0.00	0.00	0.00	0.00	25,178.14	311 - ELECTRIC WITH DE	232,320	23,752.96	30	1,425.18	5/4/2022 20,69
4/28/2022	UBPKT00955	0.00	21,294.29	0.00	0.00	0.00	0.00	0.00	21,294.29	311 - ELECTRIC WITH DE	182,400	20,088.95	31	1,205.34	4/4/2022 19,24
3/28/2022	UBPKT00786	0.00	22,323.01	0.00	0.00	0.00	0.00	0.00	22,323.01	311 - ELECTRIC WITH DE	195,360	21,059.44	28	1,263.57	3/4/2022 18,10
2/28/2022	UBPKT00745	0.00	22,754.81	0.00	0.00	0.00	0.00	0.00	22,754.81	311 - ELECTRIC WITH DE	200,800	21,466.80	31	1,288.01	2/4/2022 16,88
1/28/2022	UBPKT00625	0.00	24,043.84	0.00	0.00	0.00	0.00	0.00	24,043.84	311 - ELECTRIC WITH DE	201,440	22,682.87	31	1,360.97	1/4/2022 15,62
12/28/2021	UBPKT00522	0.00	23,373.35	0.00	0.00	0.00	0.00	0.00	23,373.35	311 - ELECTRIC WITH DE	193,600	22,050.33	30	1,323.02	12/4/2021 14,36
11/30/2021	UBPKT00427	0.00	26,218.58	0.00	0.00	0.00	0.00	0.00	26,218.58	311 - ELECTRIC WITH DE	227,520	24,734.51	31	1,484.07	11/4/2021 13,15
10/26/2021	UBPKT00340	0.00	26,528.67	0.00	0.00	0.00	0.00	0.00	26,528.67	311 - ELECTRIC WITH DE	231,360	25,027.05	30	1,501.62	10/4/2021 11,73
10/4/2021	UBPKT00248	0.00	30,146.40	0.00	0.00	0.00	0.00	0.00	30,146.40	311 - ELECTRIC WITH DE	276,160	28,440.00	31	1,706.40	9/4/2021 10,29
8/31/2021	UBPKT00118	22,237.61	29,166.48	0.00	0.00	0.00	0.00	0.00	51,404.09	311 - ELECTRIC WITH DE	259,680	27,515.55	31	1,650.93	8/4/2021 8,56
Totals for 55-0040-02:			614,495.86	0.00	0.00	0.00	0.00	0.00			5,462,880	578,691.54		35,804.32	

Attachment: 2) Fees Collected from End User (23-6742 : City of Tucker Franchise Agreement)

Date	Packet Number	Arrears	Services Billed	Deposit Billed	Contract Billed	AMP Adjustment	Deposit Return	E. A. Return	Total Due	Metered Service Analysis					
										Service Code-Descript.	Consump.	Charge	Days	Tax	-----Read Date/Reading---
7/28/2023	UBPKT02504	0.00	7,051.46	0.00	0.00	0.00	0.00	0.00	7,051.46	311 - ELECTRIC WITH DE	192,600	6,529.13	30	522.33	7/4/2023 17,11
6/30/2023	UBPKT02436	0.00	7,564.05	0.00	0.00	0.00	0.00	0.00	7,564.05	311 - ELECTRIC WITH DE	206,600	7,003.75	31	560.30	6/4/2023 15,18
5/26/2023	UBPKT02374	0.00	5,217.62	0.00	0.00	0.00	0.00	0.00	5,217.62	311 - ELECTRIC WITH DE	145,200	4,922.28	30	295.34	5/4/2023 13,11
4/28/2023	UBPKT02281	0.00	6,248.93	0.00	0.00	0.00	0.00	0.00	6,248.93	311 - ELECTRIC WITH DE	173,900	5,895.22	31	353.71	4/4/2023 11,66
3/31/2023	UBPKT02202	0.00	5,630.87	0.00	0.00	0.00	0.00	0.00	5,630.87	311 - ELECTRIC WITH DE	156,700	5,312.14	28	318.73	3/4/2023 9,92
2/28/2023	UBPKT02123	0.00	5,886.00	0.00	0.00	0.00	0.00	0.00	5,886.00	311 - ELECTRIC WITH DE	163,800	5,552.83	31	333.17	2/4/2023 8,36
1/27/2023	UBPKT01990	0.00	5,864.44	0.00	0.00	0.00	0.00	0.00	5,864.44	311 - ELECTRIC WITH DE	163,200	5,532.49	31	331.95	1/4/2023 6,72
12/27/2022	UBPKT01918	0.00	5,799.76	0.00	0.00	0.00	0.00	0.00	5,799.76	311 - ELECTRIC WITH DE	161,400	5,471.47	30	328.29	12/4/2022 5,09
11/30/2022	UBPKT01868	0.00	6,234.56	0.00	0.00	0.00	0.00	0.00	6,234.56	311 - ELECTRIC WITH DE	173,500	5,881.66	31	352.90	11/4/2022 3,47
10/27/2022	UBPKT01697	0.00	18,548.00	0.00	0.00	0.00	0.00	0.00	18,548.00	311 - ELECTRIC WITH DE	174,100	17,498.11	30	1,049.89	10/4/2022 18,22
9/29/2022	UBPKT01609	0.00	21,789.84	0.00	0.00	0.00	0.00	0.00	21,789.84	311 - ELECTRIC WITH DE	213,700	20,556.45	31	1,233.39	9/4/2022 16,48
8/29/2022	UBPKT01448	0.00	21,521.26	0.00	0.00	0.00	0.00	0.00	21,521.26	311 - ELECTRIC WITH DE	210,100	20,303.08	31	1,218.18	8/4/2022 14,34
7/29/2022	UBPKT01382	0.00	20,491.71	0.00	0.00	0.00	0.00	0.00	20,491.71	311 - ELECTRIC WITH DE	196,300	19,331.80	30	1,159.91	7/4/2022 12,24
6/29/2022	UBPKT01201	0.00	18,843.11	0.00	0.00	0.00	0.00	0.00	18,843.11	311 - ELECTRIC WITH DE	177,900	17,776.52	31	1,066.59	6/4/2022 10,28
5/27/2022	UBPKT01062	0.00	16,677.08	0.00	0.00	0.00	0.00	0.00	16,677.08	311 - ELECTRIC WITH DE	186,300	15,733.09	30	943.99	5/4/2022 8,50
4/28/2022	UBPKT00955	-1,143.96	14,355.62	0.00	0.00	0.00	0.00	0.00	13,211.66	311 - ELECTRIC WITH DE	153,600	13,543.04	31	812.58	4/4/2022 6,64
3/28/2022	UBPKT00786	11,389.58	14,158.60	0.00	0.00	0.00	0.00	0.00	25,548.18	311 - ELECTRIC WITH DE	150,800	13,357.17	28	801.43	3/4/2022 5,10
2/28/2022	UBPKT00745	0.00	11,349.58	0.00	40.00	0.00	0.00	0.00	11,389.58	311 - ELECTRIC WITH DE	127,000	10,707.15	22	642.43	2/4/2022 3,59
Totals for 55-4650-01:			213,232.49	0.00	40.00	0.00	0.00	0.00			3,126,700	200,907.38		12,325.11	

Service Code Summary

Service Code-Descript.	Consumption	Charge	Tax
311 - ELECTRIC WITH DEMAND	8,589,580	779,598.92	48,129.43
Total	8,589,580	779,598.92	48,129.43

Attachment: 2) Fees Collected from End User (23-6742 : City of Tucker Franchise Agreement)



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6795	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Personal Transportation Vehicle (PTV/Golf Cart) UPDATE		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Personal Transportation Vehicle \(PTV\) Street Feasibility and Connectivity Study UPDATE](#)
2. [1\) QK4 PTV Study Report](#)
3. [2\) City of Roswell PTV Ordinance](#)
4. [3\) City of Flowery Branch PTV Ordinance](#)
5. [4\) OCGA Laws for PTV](#)

Title

Personal Transportation Vehicle (PTV/Golf Cart) UPDATE

Drafter

Bill Grogan



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Bill Grogan, Chief of Police

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23- 6795

Title: **Personal Transportation Vehicle (PTV/Golf Cart) UPDATE**

CC: Eric Johnson, City Manager

Recommendation

Staff recommends the City of Norcross adopt a Personal Transportation Vehicle (PTV) ordinance similar to many other metro-Atlanta cities including [Roswell](#) and Flowery Branch (attachments 2 and 3). Staff requests direction from the Mayor and Council on the level of street interconnectivity they desire for Norcross based on the results of QK4's study.

Background

Golf carts, as designed for golf courses, are not permitted on public streets. Modified golf carts meeting certain equipment requirements and restrictions are considered Personal Transportation Vehicles (PTV) under State of Georgia law. Any local authority desiring to establish operating standards (via ordinance) for PTVs must comply with State law and create a Personal Transportation Vehicle Transportation Plan. To create a Plan, a study of the impact PTVs may have on our streets is required.

In April, Council approved funding (\$12,000 max) to conduct that study. We tasked QK4 with the following:

1. Inspect all roads within the city limits for compliance with Georgia Code specific to the 25 mph or lower speed limit requirement and safety considerations for PTV operators and motorists.
2. Examine the feasibility of PTVs ability to cross Buford Highway safely and provide recommendations for any infrastructure changes to do so.

3. Examine the feasibility of traffic calming measures so the posted speed limit of North Peachtree Street south of Reys Miller Road into the City can be reduced to meet Georgia Code.

QK4 completed the study in July. See attachment 1).

Key takeaways from the study:

- 1) QK4 does not recommend reducing any speed limits to 25 mph.
- 2) Existing streets posted 25 mph or less can accommodate PTVs.
- 3) Due to the land uses along N. Peachtree Street north of Ollie Avenue, they do not recommend the installation of any traffic calming measures to reduce this section of roadway lower than its current posted speed of 30mph.
- 4) To connect both sides of Buford Hwy, they recommend allowing PTVs to cross at Holcomb Bridge Rd/Cemetery St ... then connecting to the planned multi-use trail along Mitchell, utilizing Price Place to gain access to Beaver Run Road trail, etc.
- 5) The remainder of the study discusses ways to interconnect most of the City's residential areas to each other and ultimately to the downtown area and parks.

Financial Impact

Cost is dependent on the scale of interconnectivity desired. Limiting the PTV plan/ordinance to just the downtown area, and only the streets (must be 25 mph) that directly connect to it, would be the lowest cost option. Legal fees related to creating the ordinance and list of permissible streets, public relations costs, and road signage for example.

Any further connectivity across Buford Hwy, as well as between residential areas and multi-use trails, would require studies of each location to determine costs.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

Yes:

Goal 1: Continues to define Norcross' sense of place

Goal 2: Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment

Goal 3: Increases Opportunities for Travel via Different Modes within and Outside the Community

Goal 4: Maintains a Vibrant Economy and Continue to Facilitate Job Growth

Goal 6: Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps

Depending on Mayor and Council direction, next steps are to create a PTV ordinance and a PTV path that lists/displays the City streets PTVs are permitted on.

Attachments

- 1) QK4 PTV Study Report
- 2) Roswell PTV Ordinance
- 3) City of Flowery Branch PTV Ordinance
- 4) OCGA Laws for PTV

Update

CITY OF NORCROSS PERSONAL TRANSPORTATION VEHICLE (PTV) CITY ACCESS STUDY

August 11, 2023

Prepared for:

The City of Norcross
345 Lively Avenue
Norcross, GA 30071

Prepared by:



Engineering

Planning

6525 The Corners Parkway, Suite 530
Peachtree Corners, Georgia 30092
Phone: 404-329-5900

EXECUTIVE SUMMARY

Project Scope

Georgia State law allows licensed drivers to drive PTVs on public streets with a posted speed limit of 25 mph or less. Currently, PTV drivers are allowed to drive on any of these streets within the City. However, lack of connectivity limits most users to small areas such as their neighborhoods. This study examines the current condition of the City's streets and ways the City can increase connectivity for PTV users, specifically connectivity to Norcross Square, Thrasher Park, or Lillian Webb Park, an area that will be referred to as "Downtown Norcross" hereafter.

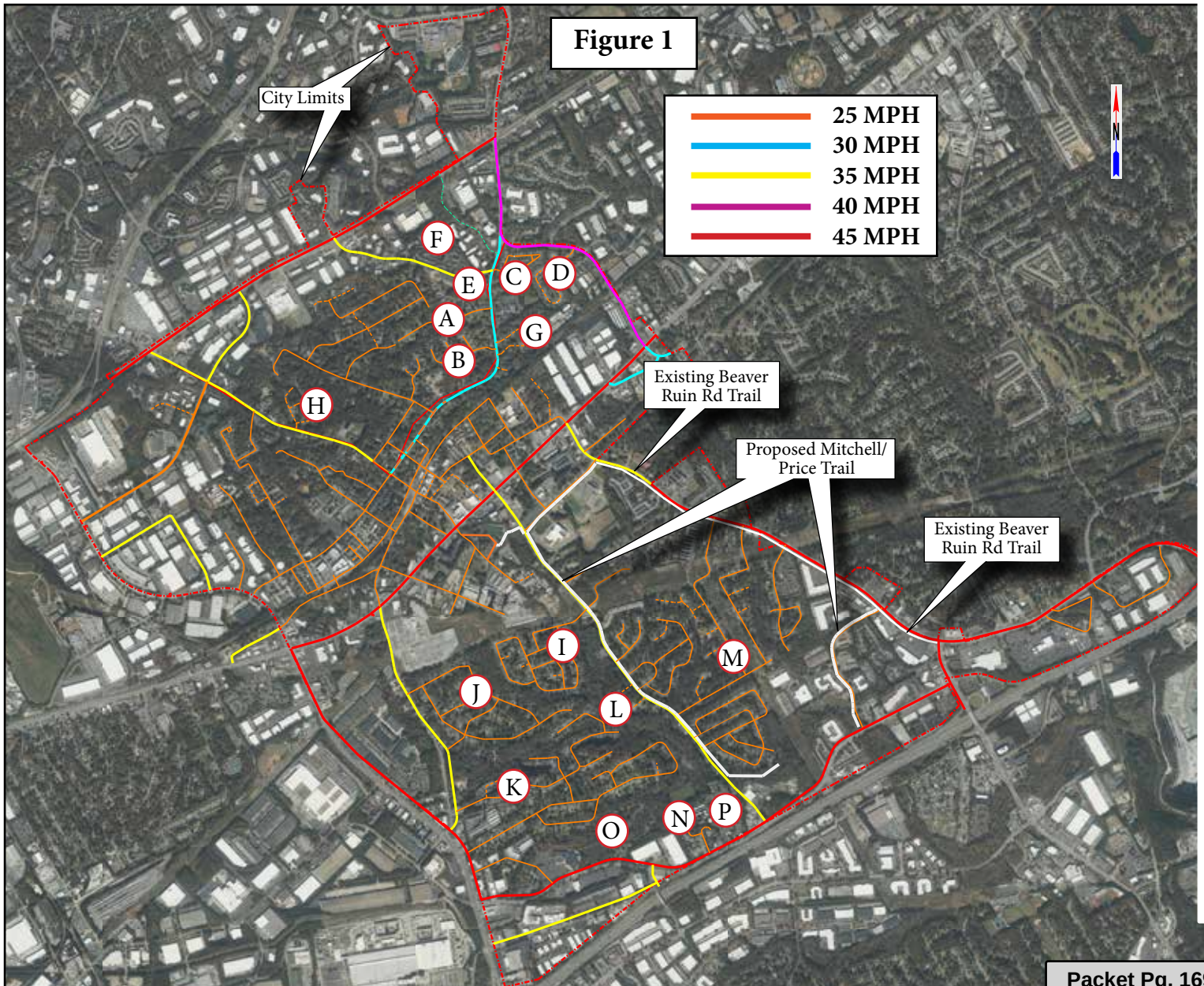
This increased connectivity will allow Norcross residents to use PTVs for short trips within the City, thus reducing the use of larger vehicles and congestion on roads and in parking lots.

Figure 1 below maps the current streets, color coded based on each street's posted speed. The 25 mph streets shown on orange currently allow PTV use based on current state law. There is an existing 10' along the west side of Beaver Ruin Road and a planned trail project along the east side of Mitchell Road and the south side of Price Place. These trail locations are labeled and shown in white below.

Map Legend

See Page

A - Cochran Drive	-----
B - Chastain Manor Drive	-----
C - Bishops Glen Subdivision	-----
D - Langford Close & Langford Drive	-----
E - Adams Vineyard Subdivision	-----
F - Wyngate Subdivision	-----
G - Oak Terrace and Oak Cove	-----
H - Farmington Hills Subdivision	-----
I - Everglades Trail	-----
J - Subdivision off Glochester Place	-----
K - Subdivision off Western Hills Dr	-----
L - Heron and Baldwin Courts	-----
M - Neighborhoods between Mitchell Rd & Beaver Ruin Rd	-----
N - Hollow Trace Way	-----
O - Rosemont Brook Hollow Apartments	-----
P - La Hills Apartments	-----



Evaluation Methodology

Qk4 first examined all the existing 25mph streets within the City for conformity to meet Georgia Code 40-6-331. Specifically if there were safety concerns and to ensure the roads can “accommodate PTV use without adversely impacting traffic safety or the needs of the commuters and other users.” Based on our observation, all existing streets posted 25 mph or less can accommodate PTV use, but recommend continual monitoring to potentially prohibit PTV use, notably Lawrenceville Street, S. Peachtree Street, and Norcross Tucker Road where heavy traffic and congestion can occur.

Based on a previous speed study conducted by Qk4, it was recommended that N. Peachtree Street, south of Ollie Avenue have the speed reduced to 25mph. This section of road is shown with a dashed orange line in Figure 1. Due to the land uses along N. Peachtree Street north of Ollie Avenue, we do not recommend the installation of any traffic calming measures to reduce this section of roadway lower than it's current posted speed of 30mph.

From this information, Qk4 labeled the residential areas within the city that do not currently have PTV access to Downtown Norcross with a letter (A through P in Figure 1). Potential improvements to completely connect each of these areas of the City to Downtown Norcross were then determined and prioritized.

Prioritization was based on:

- The amount of residential areas that gain access to Downtown Norcross
- The amount of right-of-way/easements required,
- The amount of physical construction required, and
- Anticipated neighborhood support.

The prioritized order also takes into account some improvements will have limited benefits without subsequent improvements being built first. In these cases, the subsequent improvements were given priority.

These recommendations assume that the City PTV ordinance will allow PTVs to access both the existing Beaver Ruin Trail and the planned Mitchell Road/Price Place Trail. Comparable Cities in the Atlanta metro area such as Roswell and Milton allow PTV use on 10' wide trails. These trails will provide PTV access for neighborhoods which connect to these trails (shown as M in Figure 1) and also provide access to Cemetery Street.

Prioritized Recommendations

The following are descriptions and aerial figures of the prioritized list that resulted from the study. Each figure depicts the area of the connection made (shown in yellow) along with the lettered residential area(s) that are affected.

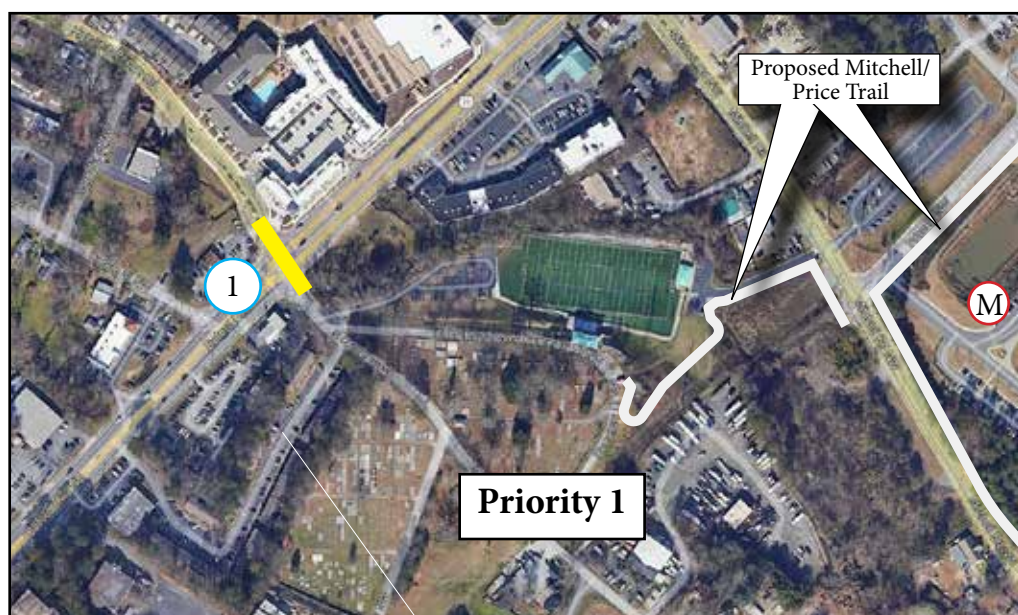
Priority 1. Provide access across Buford Highway at Cemetery Street/Holcomb Bridge Road.

Providing access across Buford Highway to Holcomb Bridge Road from Cemetery Street will provide the neighborhoods located between Mitchell Road and Beaver Ruin Road (Area M), PTV access to Downtown Norcross. This upgrade was determined to be the top priority due to it's ability to connect the large number of residences southeast of Buford Highway to Downtown Norcross with only the addition of signage on each of the four approaches to alert motorists that PTVs can cross with traffic.

At this location, PTVs would cross Buford Highway at Cemetery Street/Holcomb Bridge Road at the signalized intersection the same as automobiles.

The City of Milton is currently working with the Georgia Department of Transportation on a similar crossing at State Route 9. From discussions with Milton, we anticipate coordination with GDOT District 1 will be required to determine the signage required.

Included with Priority 1 is the completion of the planned Mitchell Road/Price Place Trail. Qk4 recommends installing 6" concrete for this trail, if possible.

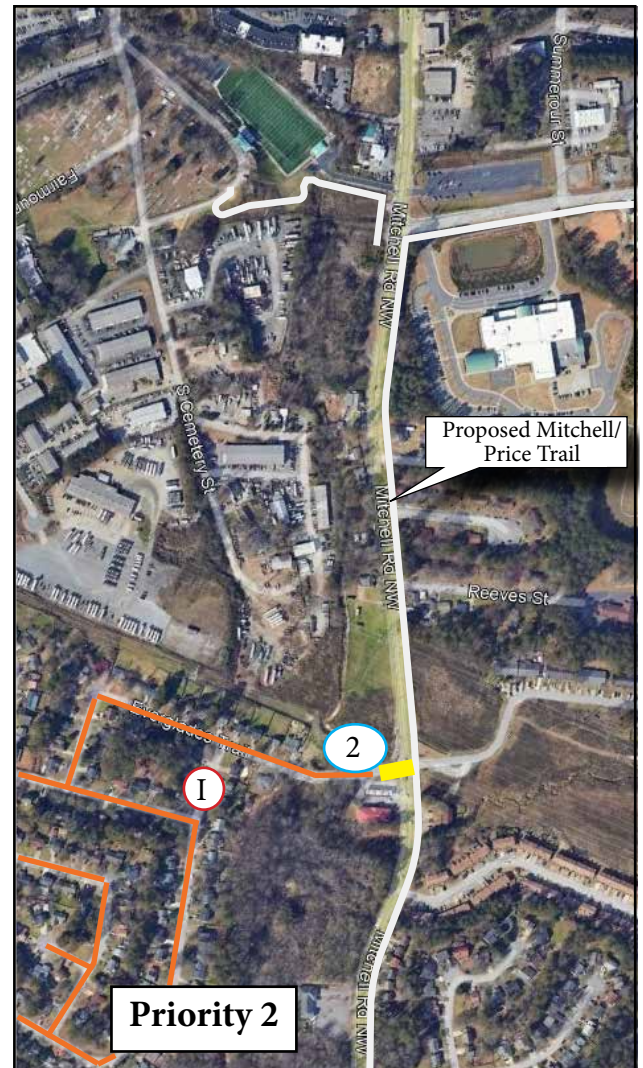


Priority 2. Provide access for Everglades Trail neighborhood via the proposed Mitchell Road Trail with a PTV crossing just north of the neighborhood entrance.

Similar to Priority 1, this priority will allow access to the new Mitchell Road Trail via a roadway crossing. With priority 1 in place, this would create end to end safe access for the Everglades Trail neighborhood to Downtown Norcross. Priority 2 requires signing and some construction, but we do not anticipate any right-of-way or easements to be required.

The City of Roswell has a similar mid-block crossing currently in use, shown in photos 1 and 2 below.

Priority 1 will need to be constructed to maximize the benefit of this upgrade.



Priority 3. Provide access for Heron and Baldwin Courts.

A second crossing to access the Mitchell Road Trail could be installed to provide access to Heron Court and Baldwin Court (Area L) via a separate trail connecting these two streets on the west side of Mitchell Road. Photo 3 below shows the extra paved shoulder along the roadway that could be used to accommodate the multi-use trail.

Priority 1 will need to be constructed to maximize the benefit of this upgrade.



Priority 4. Provide access for the La Hills Apartments.

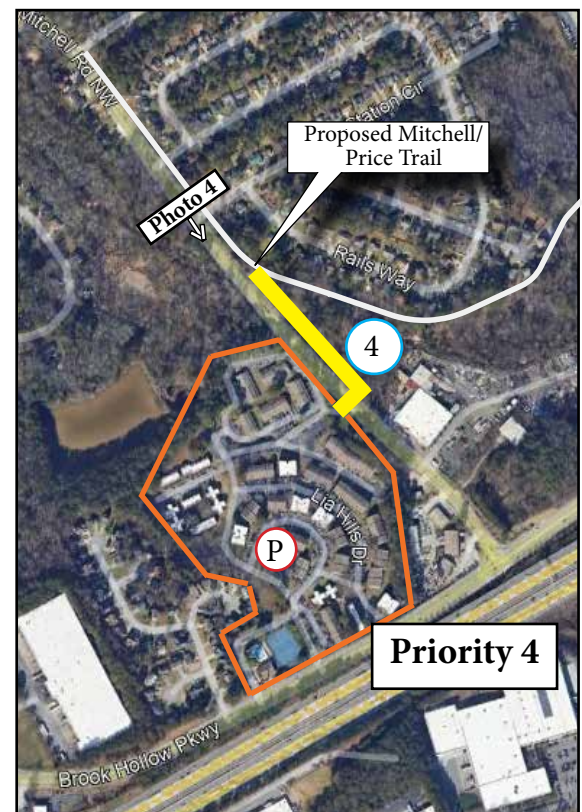
A Mitchell Road crossing could be provided to access the back gate of the La Hills Apts (Area P), which has its main entrance off Brook Hollow Parkway.

Accessing the Mitchell Road trail would require extending the proposed Mitchell Road Trail further south, crossing Beaver Ruin Creek. The existing culvert length and shoulder width is sufficient to extend the trail in this area, see photo 4.

Priority 1 will need to be constructed to maximize the benefit of this upgrade.



Photo 4 - Southbound view on Mitchell Road, just north of the Beaver Ruin Creek culvert.



Priority 5. Provide access for Cochran Drive via Valley Road.

Cochran Drive NW (Area A) is a cul-de-sac street located off of the 30 mph section of N. Peachtree Street. Access to Downtown Norcross could be achieved via the 25 mph residential streets on the north side of N. Peachtree Street, across from Thrasher Park. A trail connection could be made at the Cochran Drive cul-de-sac to Valley Road NW which would provide access to existing PTV friendly streets that connect to downtown Norcross.

Neighborhood opposition to priority 5 is anticipated, particularly from the Valley Road NW side.



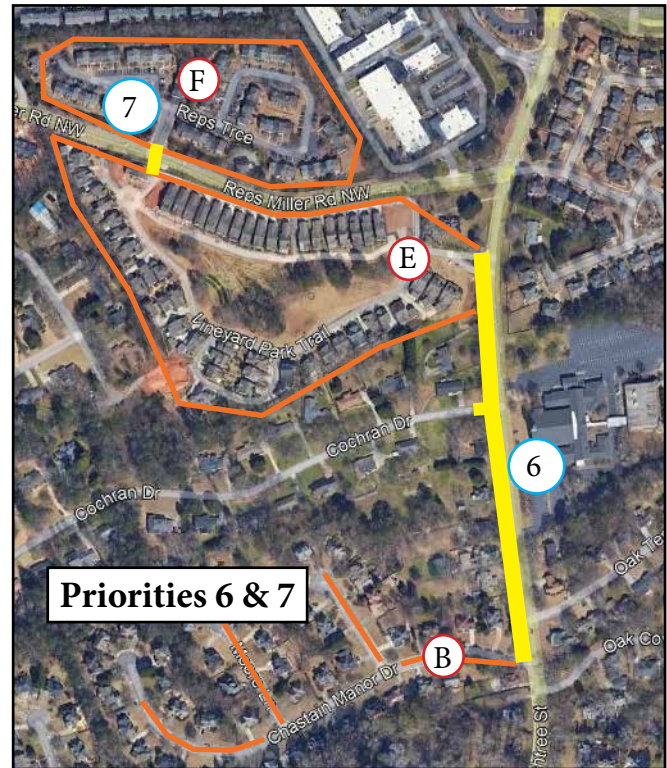
Priority 6. Provide access to Cochran Drive via new Trail along N. Peachtree Street.

Once priority 2 is installed, additional neighborhood connections to the Downtown Norcross via Cochran Drive can be created. Priority 6 shown to the right would connect the Adams Vineyard Subdivision (Area E) to Chastain Manor Drive (Area B), providing access for these two areas to Cochran Drive.

Priority 5 will need to be constructed to maximize the benefit of this upgrade.

Priority 7. Provide access to Wyngate Subdivision. Access for the Wyngate Subdivision (Area F) can also provide access to Downtown Norcross via Cochran Drive, either by crossing Reps Miller Road (Priority 7) into Vineyard Park Trail or with a trail along Reps Miller Road.

Priority 5 and 6 will need to be constructed to maximize the benefit of this upgrade.



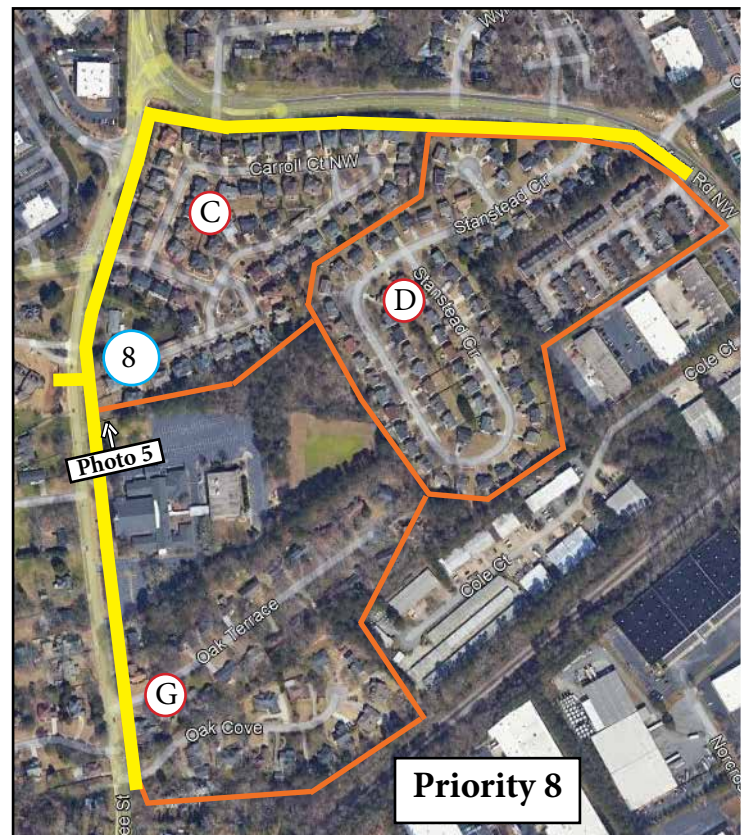
Priorities 6 & 7

Priority 8. Provide access for the neighborhoods in the SE quadrant of Langford Road and N. Peachtree Street. Access for the neighborhoods of Bishop Glen (Area C) and Langford Close (Area D), along with Oak Terrace and Oak Cove (Area G) would involve the installation of trails along the existing wide shoulder of N. Peachtree Street and replacing the existing sidewalks on Langford Road with a trail. A mid-block crossing somewhere on N. Peachtree to access Cochran Drive, similar to Priorities 2 & 3 would also be required.

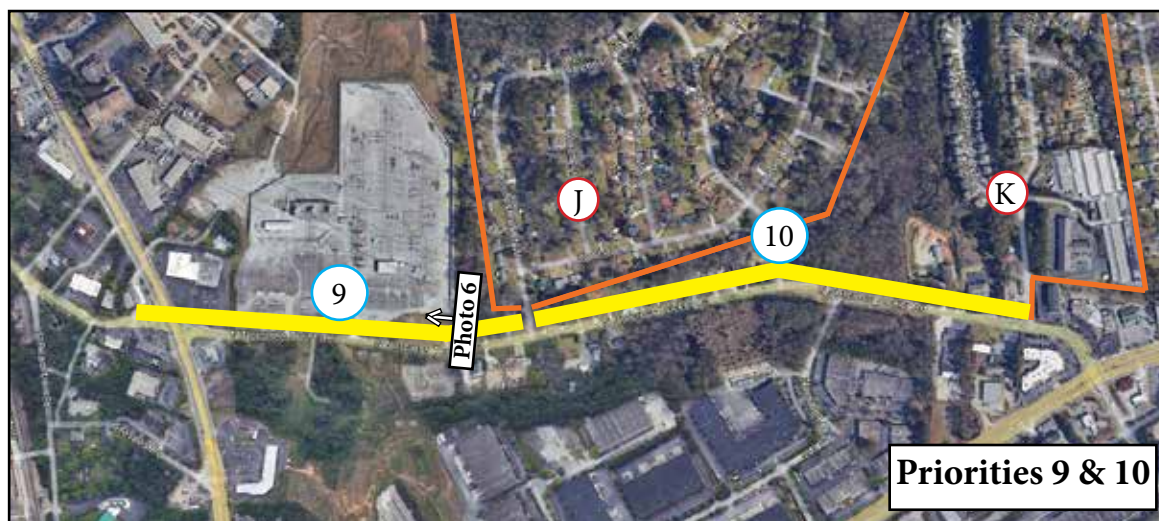
Priority 5 will need to be constructed to maximize the benefit of this upgrade.



Photo 5 - The wide shoulder on the east side of N. Peachtree Street can be used to install a new trail and crossing near Cochran Drive.



Priority 8



Priority 9. Provide access for the neighborhood off of Glochester Place (Area J)

The Glochester Place neighborhood (Area J) off N. Norcross Tucker Road can access to Downtown Norcross via a trail along the north side of N. Norcross and a Buford Highway crossing. The crossing at Buford Highway would need to be a dedicated for the PTV's, providing access to the 25 mph section of N. Norcross Tucker Road north of Buford Highway that connects to Downtown Norcross via S. Peachtree Street.

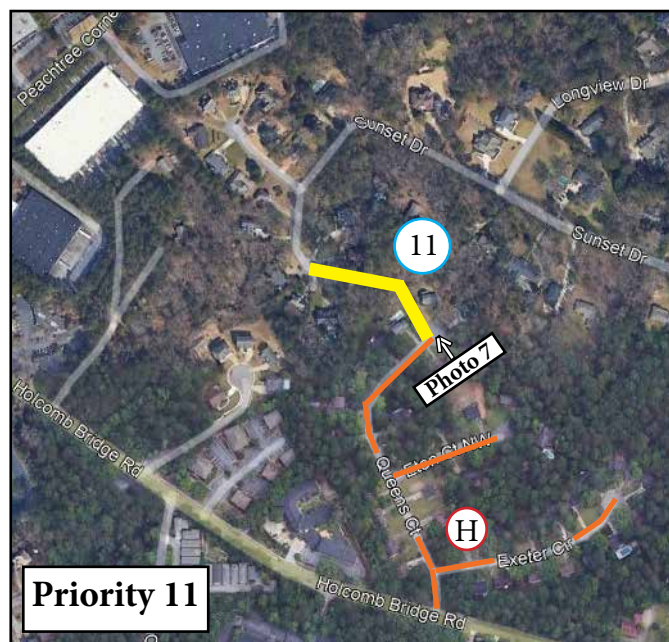
Priority 10. Provide access for the neighborhood off of Western Hills Drive (Area K)

The Western Hills neighborhood (Area K) off N. Norcross Tucker Road can be provided access to Downtown Norcross via a trail connecting to the Glochester Place access trail (Priority 9.)

Priority 9 will need to be constructed to maximize the benefit of this upgrade.



Photo 6 - The existing sidewalk on N. Norcross Tucker Road can be replaced with a multi-use trail to access the neighborhoods along that street.



Priority 11. Provide access for Farmington Hills Drive (Area H)

The Farmington Hills neighborhood (Area H) is located off of the 35 mph section of Holcomb Bridge Road. Providing access to Downtown Norcross via a trail along Holcomb Bridge Road will be difficult due to the narrow shoulders and grades. Access could be provided via a connection to Sunset Drive, which has direct access to Thrasher Park.

Neighborhood opposition to priority 11 is anticipated, particularly from the Sunset Drive side.



Photo 7 - A trail connecting Farmington Hills Drive and Sunset Drive would involve obtaining easements on private property.



Priority 12. Provide access for Hollow Trace Way (Area N) & Rosemont Brook Hollow Apartments (Area O)

Hollow Trace Way and the Rosemont Brook Hollow Apts are located off of Brook Hollow Parkway. Access via Brook Hollow Parkway is not practical due to the existing commercial properties and high walls, see Photo 8. Connection from the back of the Rosemont Brook Hollow Apts to the Western Hills neighborhood is also not practical due to the steep grades between the two areas (Photo 9).

The most feasible connection is to provide access through the La Hills Apartments (Area P) and access the Mitchell Street Trail through the back of the Apartment Complex.

Priority 1 and 5 will need to be constructed to maximize the benefit of this upgrade.



Photo 8 - It is impractical to install a trail in the area along Brook Hollow Parkway east of La Hills where there are high walls.



Photo 9 - Due to steep grades, it is impractical to install a trail to connect the back of Brook Hollow Apartments to Western Hills Drive (Area K)

- CODE OF ORDINANCES CITY OF ROSWELL GEORGIA
Chapter 22 - TRAFFIC AND MOTOR VEHICLES
Article 22.7 Golf Carts

Article 22.7 Golf Carts¹

Section 22.7.1 Definitions.

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

- (a) *Personal transportation vehicle (to include golf carts meeting definition)* means motor vehicle having not less than three (3) wheels in contact with the ground and unladen weight less than one thousand three hundred (1,300) pounds which is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour and any motor vehicle having no fewer than four (4) wheels and an unladen weight of one thousand three hundred seventy-five (1,375) pounds or less and which cannot operate at more than twenty (20) miles an hour. Such vehicles may also be referred to as 'motorized carts.' The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs and scooters that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multi-purpose off-highway vehicle.
- (b) *Driver's license* means a valid license to operate a motor vehicle issued by the State of Georgia or any other state.
- (c) *Proof of insurance* means documented (written) proof of liability insurance on the personal transportation vehicle (PTV) insuring against personal injury and damage to property of any nature relative to the operation of a personal transportation vehicle (PTV) on designated city streets and roads in an amount not less than required by Georgia law for motor vehicles operated on public highways in the State of Georgia.

(2015-05-09 , § 1, Amended 05/11/2015)

Section 22.7.2 Operation of Personal Transportation Vehicle (PTV).

The City of Roswell adopts O.C.G.A. §§ 40-6-330 through 40-6-369.1 and 40-6-371 "Standards for Operation of Personal Transportation Vehicles (PTV)." Provided all provisions of this article are followed, personal transportation vehicles as defined by O.C.G.A. § 40-1-1 (43.1), also known as motorized carts, may be operated on public roads within the City of Roswell that have a speed limit of twenty-five (25) miles per hour or less or on multi-use paths designated by the mayor and city council by resolution, on designated golf cart paths and crossings, and within school zones as mayor and council may approve by resolution.

(2015-05-09 , § 1, Added 05/11/2015)

¹Editor's note(s)—Ord. No. 2015-05-09 , § 1, adopted May 11, 2015, repealed the former Art. 22.7, §§ 22.7.1—22.7.12, and enacted a new Art. 22.7 as set out herein. The former Art. 22.7 pertained to similar subject matter and derived from Ord. No. 2008-09-13, § 1, adopted Sept. 15, 2008; Ord. No. 2014-12-13, § 1, adopted Dec. 8, 2014; Ord. No. 2015-02-04, § 1, adopted Feb. 25, 2015.

Section 22.7.3 Operator.

Only persons sixteen (16) years of age or older and holding a valid driver's license may operate a personal transportation vehicle (PTV) on the above-described roads within the city.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.4 Insurance Required.

The operator or owner of a personal transportation vehicle (PTV) shall have written proof of insurance. Documentation of such coverage must be kept on the personal transportation vehicle (PTV) or carried by the person operating the personal transportation vehicle (PTV).

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.5 Time of Operation, Equipment Requirements.

- (a) A personal transportation vehicle (PTV) may be operated only during daylight hours between one-half (½) hour before sunrise and one-half (½) hour after sunset unless equipped with two (2) operating headlights, tail lights, and brake lights that are visible from a distance of five hundred (500) feet. Personal transportation vehicle (PTV) shall not be operated at any time when there is insufficient light to clearly see persons or vehicles on the street or roadway at a distance of five hundred (500) feet.
- (b) A gasoline powered personal transportation vehicle (PTV) shall be equipped with factory installed safety systems, including indicator for gasoline or propane leaks, a speed governor and an exhaust system in good working order and in constant operation, meeting the following specifications:
 - (1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to, and including, the muffler(s) and exhaust pipe(s).
 - (2) The exhaust system and its elements shall be securely fastened.
 - (3) The engine of every cart shall be so equipped, adjusted and tuned, as to prevent the escape of excessive smoke or fumes.
- (c) Electric personal transportation vehicles (PTVs) shall be equipped with, at a minimum, all factory installed safety systems and a charge indicator for low battery.
- (d) All personal transportation vehicles (PTVs) regulated by this article shall be maintained in safe condition at all times.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.6 Operation on Local Roads; PTVs Not Permitted Multi-Use Paths, Golf Cart Paths and Crossings, or Within School Zones Unless Specifically Authorized by Mayor and Council Through Resolution.

Personal transportation vehicles as defined above in 22.7.1 and by O.C.G. A. § 40-1-1 (43.1), also known as motorized carts, may be operated on public roads within the City of Roswell that have a speed limit of twenty-five (25) miles per hour or less.

Personalized transportation vehicles may not be operated on sidewalks, or on state roads, or federal highways, or local roads where a separate designated motorized cart path is provided. PTVs are not allowed on multi-use paths, public golf paths and crossings, or within school zones unless specifically permitted by mayor and council by resolution. Delay of other motorized vehicles is not permitted.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.7 Occupants.

The number of occupants in a personal transportation vehicle (PTV) shall be limited to the number of persons for whom factory seating is installed and provided on personal transportation vehicle (PTV). The operator or any occupant shall be seated in the personal transportation vehicle (PTV) and no parts of the bodies of the operator or any occupant shall extend outside the perimeter of the personal transportation vehicle (PTV) while the personal transportation vehicle (PTV) is being operated.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.8 Traffic Rules; Designation of Crossings, Multi-Use Paths and School Zones on or in Which a Personal Transportation Vehicle (PTV) May Be Used.

The operator of the personal transportation vehicle (PTV) shall comply with all traffic rules and regulations adopted by the State of Georgia (O.C.G.A. Title 40) and the City of Roswell (city code chapter 22) which govern the operation of motor vehicles.

(2015-05-09 , § 1, Added 5/11/2015)

Section 22.7.9 Hazardous Activities.

No individual or group shall engage in hazardous activities on the authorized roads. Such hazardous activities include, but are not limited to, the following:

- (a) Racing of any kind;
- (b) Blocking of public access;
- (c) Vehicles shall not loiter or park on roads, bridges or in underpasses;
- (d) Pedestrians should be given due consideration and reasonable right-of-way to ensure safe passage;
- (e) An audible warning shall be given by operators of personal transportation vehicle (PTV) when approaching pedestrians from the rear;
- (f) All laws and ordinances relative to alcohol and the use thereof, including open container laws, apply to the operator and occupants of personal transportation vehicle (PTV).

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.10 Penalty.

A violation of any provision of this article shall constitute a violation of the Roswell City Code. An owner, lessee or operator may be cited to appear in the Roswell Municipal Court. Upon finding by such court that an owner, lessee, or operator of a personal transportation vehicle (PTV) has violated any provision of this article, such

person shall be subject to a fine not to exceed \$200.00 for each offense, along with court costs in the amount that same now exists, or may hereafter be determined by ordinance or statute.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.11 Exclusions.

Owners or operators of personal transportation vehicle (PTV) upon private property, within the confines of a golf course or crossing a public street at a designated golf cart crossing shall not be subject to the requirements of this article.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.12 Liability Disclaimer.

This section is adopted to address the interest of public safety. Personal transportation vehicle (PTV) are not designed or manufactured to be used on public streets, and the City of Roswell in no way advocates or endorses their operation on public streets or roads. The city, by regulating such operation is merely trying to address obvious safety issues, and adoption of this section is not to be relied upon as a determination that operating on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon personal transportation vehicle (PTV) on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicycles, and pedestrians. The City of Roswell has no liability under any theory of liability and the city assumes no liability for permitting personal transportation vehicle (PTV) on public streets and roads. Any person who operates a personal transportation vehicle (PTV) is responsible for procuring liability insurance sufficient to cover the risk involved in using a personal transportation vehicle (PTV) on the public streets and roads.

(2015-05-09 , § 1, Added 05/11/2015)

Section 22.7.13 Registration and Affidavit of Owner; Fee.

The owner of a personal transportation vehicle (PTV) must register the PTV with the city once every five (5) years for a fee not to exceed \$15.00. Mayor and council shall approve by resolution the registration policy and registration form to be used, any necessary registration identification to be placed on the personal transportation vehicle (PTV) and shall provide for fees as allowed by state law. As part of the registration process, each owner shall be required to sign an affidavit that the information provided by the owner on the registration form is true and correct to the best of his knowledge and that the owner will abide by all City of Roswell laws and regulations regarding ownership and operation of a PTV, as well as any applicable state law.

(2015-05-09 , § 1, Added 05/11/2015)

PART II - CODE OF ORDINANCES
Chapter 47 - TRAFFIC AND VEHICLES
ARTICLE IV. PERSONAL TRANSPORTATION VEHICLES

ARTICLE IV. PERSONAL TRANSPORTATION VEHICLES¹

Sec. 47-70. Definitions.

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

Personal transportation vehicle (to include golf carts meeting definition and maintaining all equipment standards in section 47-74) means motor vehicle having not less than three wheels in contact with the ground and unladen weight less than 1,300 pounds which is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour and any motor vehicle having no fewer than four wheels and an unladen weight of 1,375 pounds or less and which cannot operate at more than 20 miles an hour. Such vehicles may also be referred to as 'motorized carts.' The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs and scooters that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multi-purpose off-highway vehicle.

Driver's license means a valid license to operate a motor vehicle issued by the State of Georgia or any other state.

Proof of insurance means documented (written) proof of liability insurance on the personal transportation vehicle (PTV) insuring against personal injury and damage to property of any nature relative to the operation of a personal transportation vehicle (PTV) on designated city streets and roads in an amount not less than required by Georgia law for motor vehicles operated on public highways in the State of Georgia.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-71. Operation of personal transportation vehicles (PTV).

The City of Flowery Branch adopts O.C.G.A. §§ 40-6-330 through 40-6-369.1 and 40-6-371 "Standards for Operation of Personal Transportation Vehicles (PTV)." Provided all provisions of this article are followed, personal transportation vehicles as defined by O.C.G.A. § 40-1-1 (43.1), also known as motorized carts, may be operated on public roads or on multi-use paths designated by the PTV Route Plan Map adopted by Resolution by the Mayor and City Council.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-72. Operator.

Only persons 17 years of age or older and holding a valid driver's license may operate a personal transportation vehicle (PTV) on the above-described roads and facilities within the city.

¹Editor's note(s)—Ord. No. 548 , § 1, adopted October 18, 2018, set out provisions designated as §§ 47-60—47-72, insofar as keeping with the style of the Code, and at the editor's discretion, these provisions have been designated as §§ 47-70—47-82.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-73. Insurance required.

The operator or owner of a personal transportation vehicle (PTV) shall have written proof of insurance. Documentation of such coverage shall be submitted during the registration process outlined in section 47-79.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-74. Equipment requirements.

- (a) All personal transportation vehicles shall be equipped with:
 - (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
 - (2) A reverse warning device functional at all times when the directional control is in the reverse position;
 - (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;
 - (4) Head lamps;
 - (5) Reflex reflectors;
 - (6) Tail lamps;
 - (7) A horn;
 - (8) A rearview mirror;
 - (9) Safety warning labels; and
 - (10) Hip restraints and hand holds or a combination thereof.
- (b) A gasoline powered personal transportation vehicle (PTV) shall be equipped with factory installed safety systems, including indicator for gasoline or propane leaks, a speed governor and an exhaust system in good working order and in constant operation, meeting the following specifications:
 - (1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to, and including, the muffler(s) and exhaust pipe(s).
 - (2) The exhaust system and its elements shall be securely fastened.
 - (3) The engine of every cart shall be so equipped, adjusted and tuned, as to prevent the escape of excessive smoke or fumes.
- (c) Electric personal transportation vehicles (PTVs) shall be equipped with, at a minimum, all factory installed safety systems and a charge indicator for low battery.
- (d) All personal transportation vehicles (PTVs) regulated by this article shall be maintained in safe condition at all times.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-75. Prohibited areas of operation.

Personalized transportation vehicles may not be operated on local roads, state roads, or federal highways, unless specifically identified on a PTV Route Plan Map. PTVs are not allowed on multi-use paths or sidewalks, unless specifically identified on an Off-Street Route Plan Map.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-76. Occupants.

- (a) The number of occupants in a personal transportation vehicle (PTV) shall be limited to the number of persons for whom factory seating is installed and provided on personal transportation vehicle (PTV). The operator or any occupant shall be seated in the personal transportation vehicle (PTV) and no parts of the bodies of the operator or any occupant shall extend outside the perimeter of the personal transportation vehicle (PTV) while the personal transportation vehicle (PTV) is being operated.
- (b) Children zero through three years of age riding in a PTV shall be properly protected using a crash-tested, federally approved child restraint device; such restraint device must be a separate carrier or a vehicle manufacturer's integrated child seat. Children four through five years of age shall be restrained using a separate carrier, an integrated child seat, or a seat belt.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-77. Traffic rules.

- (a) The operator of the personal transportation vehicle (PTV) shall comply with all traffic rules and regulations adopted by the State of Georgia (O.C.G.A. Title 40) and the City of Flowery Branch (city code chapter 47) which govern the operation of motor vehicles.
- (b) Pedestrians shall be given due consideration and reasonable right-of-way to ensure safe passage.
- (c) An audible warning shall be given by operators of personal transportation vehicles (PTV) when approaching pedestrians from the rear.
- (d) All laws and ordinances relative to alcohol and the use thereof, including open container laws, apply to the operator and occupants of personal transportation vehicles (PTV).

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-78. Hazardous activities.

No individual or group shall engage in hazardous activities on the authorized roads. Such hazardous activities include, but are not limited to, the following:

- (a) Racing of any kind;
- (b) Blocking of public access; and
- (c) Loitering or parking on roads, bridges or in underpasses.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-79. Registration and affidavit of owner; fee.

The owner of a personal transportation vehicle (PTV) shall register the PTV with the city once every five years for a fee not to exceed \$15.00. PTV registration shall be filed with the community development director. The registration shall be completed on forms provided by the community development department. As part of the registration process, each owner shall be required to sign an affidavit that the information provided by the owner on the registration form is true and correct to the best of his knowledge and that the owner will abide by all City of Flowery Branch laws and regulations regarding ownership and operation of a PTV, as well as any applicable state laws. Registration shall be posted in any PTV operated within the City of Flowery Branch.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-80. Penalty.

A violation of any provision of this article shall constitute a violation of the Flowery Branch City Code. An owner, lessee or operator may be cited to appear in the Flowery Branch Municipal Court. Upon finding by such court that an owner, lessee, or operator of a personal transportation vehicle (PTV) has violated any provision of this article, such person shall be subject to a fine not to exceed \$200.00 for each offense, along with court costs in the amount that same now exists, or may hereafter be determined by ordinance or statute.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-81. Liability disclaimer.

This section is adopted to address the interest of public safety. Personal transportation vehicles (PTV) are not designed or manufactured to be used on public streets, and the City of Flowery Branch in no way advocates or endorses their operation on public streets or roads. The city, by regulating such operation is merely trying to address obvious safety issues, and adoption of this section is not to be relied upon as a determination that operating on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon personal transportation vehicles (PTV) on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicycles, and pedestrians. The City of Flowery Branch has no liability under any theory of liability and the city assumes no liability for permitting personal transportation vehicles (PTV) on public streets and roads. Any person who operates a personal transportation vehicle (PTV) is responsible for procuring liability insurance sufficient to cover the risk involved in using a personal transportation vehicle (PTV) on the public streets and roads.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-82. New street petition process.

From time to time, new or existing streets may be desired to be added to the PTV Route Plan. This process has been created so interested applicants may request the addition of new streets based on meeting minimum criteria for application without the need to update the PTV Route Plan. In order to make a request, minimum standards are required and outlined below. Once it has been determined those standards are met, the petition can be forwarded to city council for review. City council shall use the following criteria in considering whether a route may be added to the PTV Route Plan:

- (a) New streets shall have a maximum speed of 25 mph and a maximum slope of 20 percent.

-
- (b) If the street is already occupied with residents, a minimum of 10 percent of property owners who are addressed off the subject street must sign a petition in favor of adding the street to the PTV Route Plan.

(Ord. No. 548 , § 1, 10-18-2018)

40-1-1. Definitions.

As used in this title, the term:

(17.3) “Golf car” or “golf cart” means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5% grade (0.3 degree) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

(33) “Motor vehicle” means every vehicle which is self-propelled other than a personal delivery device, an electric assisted bicycle, or an electric personal assistive mobility device (EPAMD).

(43.4) “Personal transportation vehicle” or “PTV” means:

(A) Any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour if such vehicle was authorized to operate on local roads by a local authority prior to January 1, 2012. Such vehicles may also be referred to as “motorized carts” in such local ordinances; and

(B) Any motor vehicle:

(i) With a minimum of four wheels;

(ii) Capable of a maximum level ground speed of less than 20 miles per hour;

(iii) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and

(iv) Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

(43.5) “Personal transportation vehicle path” or “PTV path” means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers.

(75) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

40-6-330. Standards for operating personal transportation vehicles.

Any local authority desiring to establish operating standards for personal transportation vehicles shall comply with Part 6 of this article.

40-6-330.1. Required equipment for personal transportation vehicles; grandfather clause.

(a) All personal transportation vehicles shall be equipped with:

- (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
- (2) A reverse warning device functional at all times when the directional control is in the reverse position;
- (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;
- (4) Head lamps;
- (5) Reflex reflectors;
- (6) Tail lamps;
- (7) A horn;
- (8) A rearview mirror;
- (9) Safety warning labels; and
- (10) Hip restraints and hand holds or a combination thereof.

(b) The requirements of subsection (a) of this Code section shall not apply to any personal transportation vehicles operated during daylight hours authorized by local ordinances enacted prior to January 1, 2012.

40-6-331. Designated areas of operation; PTV licensing requirements and operating standards; signage; use by a commercial delivery company.

(a) A local authority may, by ordinance, designate certain public streets or portions thereof or PTV paths that are under its regulation and control for the combined use of PTVs and regular vehicular traffic or the use of PTVs and no other types of motor vehicles and establish the conditions under which PTVs may be operated upon such streets or portions thereof or PTV paths, including without limitation the conditions under which a person may operate PTVs on such designated streets or portions thereof or PTV paths. All operators of PTVs shall be required to possess a valid driver's license except when operating a PTV within a locality whose local authority has enacted an ordinance permitting the use of PTVs or motorized carts on streets without possession of a driver's license prior to January 1, 2012.

(b) Local authority ordinances may establish operating standards but shall not require PTVs to meet any requirements of general law as to registration, inspection, certificate of title, or licensing; provided, however, that a local authority may, by ordinance, require the local registration and licensing of PTVs operated within its boundaries at least once every five years for a fee not to exceed \$15.00. No local authority shall be liable for losses that result from exercising or not exercising inspection powers or functions, including failure to make an inspection or making an inadequate or negligent inspection of a PTV. The provisions of this subsection and the authority granted by this subsection shall not apply to PTVs owned by golf courses, country clubs, or other such organized entities which own such PTVs and make them available to or for use by members or the public on a rental or licensed basis, provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities.

(c) Each local authority permitting the use of PTVs upon the public streets within its jurisdiction shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality or boundaries of the county. Such signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that PTVs are authorized for use on public streets. All costs associated with such signs shall be funded entirely by the local authority. Ordinances establishing operating standards for PTVs shall not be effective unless appropriate signs giving notice are posted as required by this subsection.

(d)

(1) In jurisdictions where PTVs are permitted or otherwise allowed by state law, PTVs may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both directions by vehicles traversing the highway which is being crossed or intersected by PTVs.

(2) PTVs may cross streets and highways that are part of a municipal street system or county road system and used by other types of motor vehicles only at crossings or intersections designated for that purpose by the local authority having jurisdiction over such system.

(e)

(1) Regardless of whether a local ordinance has been approved regarding the use of PTVs, delivery personnel for a commercial delivery company which has at least 10,000 persons employed in this state may operate PTVs within a residential subdivision with speed limits of 25 miles per hour or less, provided that any PTV utilized by a commercial delivery company shall:

(A) Include the equipment required in subsection (a) of Code Section 40-6-330.1;

(B) Be marked in a conspicuous manner with the name of the commercial delivery company;

(C) Be operated by a person with a valid driver's license; and

(D) Be utilized only for the delivery of envelopes and packages with a maximum size of 130 inches for the combined length and girth and with a weight no greater than 150 pounds per package.

(2) Any commercial delivery company utilizing PTVs under this subsection shall remit a \$50.00 fee every five years to each local authority where a PTV is operated along with a signed statement that such commercial delivery company operates PTVs within the jurisdiction of such local authority.

(3) Notwithstanding any other provision of law to the contrary, any person operating a PTV under this subsection shall be granted all the rights and shall be subject to all the duties applicable to a driver of any other vehicle under this chapter; provided, however that subsection (b) of Code Section 40-6-315 shall not be applicable to the operator of a PTV under this subsection.

(4) Any PTV authorized to operate pursuant to this subsection shall not pull multiple trailers. Such PTVs shall be limited to pulling one trailer or cargo platform and be limited to hauling weight no greater than the carrying capacity of the PTV as determined by the manufacturer.

Personal Transportation Vehicle Plan

40-6-363. Legislative intent.

The purpose of this part shall be to authorize any local authority to establish a personal transportation vehicle transportation plan for roadways and streets within the local authority's jurisdiction. It is the intent of the General Assembly that these plans be designed and developed to best serve the functional travel needs of the jurisdiction and to have the physical safety of the personal transportation vehicle occupants and their property as a major planning component. No local authority shall be liable for losses resulting from exercising or not exercising its authority to adopt a personal transportation vehicle transportation plan, failing to adopt such plan, making an inadequate plan, or negligently adopting such plan.

40-6-364. Definitions.

As used in this part, the term:

- (1)** "Personal transportation vehicle lane" or "PTV lane" means a portion of the roadway that has been designated by striping, pavement markings, or signage for the exclusive or preferential use of persons operating personal transportation vehicles. Such PTV lanes shall at a minimum meet accepted guidelines, recommendations, and criteria with respect to planning, design, operation, and maintenance as set forth in the American Association of State Highway and Transportation Officials Safety Manual.
- (2)** "Personal transportation vehicle transportation plan" or "PTV plan" means a detailed guide for the operation of personal transportation vehicles upon local streets and road segments passed by a local authority through ordinance or resolution.
- (3)** "Plan area" means the territory designated by a local authority in a personal transportation vehicle transportation plan that provides for use of personal transportation vehicles and may include privately owned land upon the consent of the landowner.

40-6-365. Standards for local authorities to establish personal transportation vehicle transportation plans.

- (a)** A local authority may, by ordinance or resolution, adopt a PTV plan.
- (b)** Prior to the enactment of a PTV plan, a local authority shall submit the plan to any agency having traffic law enforcement responsibilities in the plan area and allow for input and comment upon the PTV plan.
- (c)** A PTV plan shall:
 - (1)** Establish minimum general design criteria for the development, planning, and construction of separated PTV lanes, including, but not limited to, the design speed of the facility, the space requirements of the personal transportation vehicle, and roadway design criteria. This paragraph shall not apply if a local authority's governing body and the law enforcement agency with primary traffic jurisdiction over the street in question concludes that the street or roadway segment is suitable to safely accommodate both regular vehicular traffic and personal transportation vehicles but shall be governed by the requirements listed in Code Section 40-6-368;
 - (2)** Establish uniform specifications and symbols for signs, markers, and traffic control devices consistent with the most current version of the Manual on Uniform Traffic Control Devices to control personal transportation vehicle traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right of way between personal transportation vehicles, other motor

vehicles, and bicycles; to state the nature and destination of the PTV lane; and to warn pedestrians, bicyclists, and motorists of the presence of personal transportation vehicle traffic;

(3) Include a permitting process for personal transportation vehicles operating within the plan area. Such permitting process may include, but is not limited to, requirements regarding permit posting, permit renewal, operator education, and liability insurance. Local authorities may require a personal transportation vehicle to be permitted at least once every five years for a fee not to exceed \$15.00;

(4) Establish minimum safety criteria for personal transportation vehicle operators, including, but not limited to, requirements relating to personal transportation vehicle maintenance and personal transportation vehicle safety. Unless otherwise allowed by law under local ordinance established prior to January 1, 2012, as authorized by Part 3 of this article, operators shall be required to possess a valid driver's license and comply with the financial responsibility requirements for passenger vehicle operators;

(5) Establish restrictions limiting the operation of personal transportation vehicles to PTV lanes, paths, or other approved streets or road segments in the plan area; and

(6) Provide that any person operating a personal transportation vehicle in the plan area in violation of the PTV plan is guilty of an infraction punishable by a fine as established by law.

(d) A PTV plan may include, but is not limited to, the following elements:

(1) Route selection, which includes a finding that the route will accommodate personal transportation vehicles without an adverse impact upon traffic safety, and will consider, among other things, the travel needs of commuters and other users;

(2) Transportation interfacing, which shall include, but not be limited to, coordination with other modes of transportation;

(3) Community involvement in planning;

(4) Flexibility and coordination with long-range transportation planning;

(5) Provision for personal transportation vehicle related facilities including, but not limited to, special access points, charging stations, and personal transportation vehicle crossings;

(6) Provisions for parking facilities, including, but not limited to, community commercial centers, golf courses, public areas, parks, and other destination locations; and

(7) Provisions for special paving, road markings, signage and striping for PTV lanes, road crossings, parking, and circulation.

(e) A PTV plan shall not include the use of any state highway, or any portion thereof, or the operation of personal transportation vehicles except that a crossing of, or a PTV lane along, a state highway may be included in the plan if consistent with accepted guidelines, recommendations, and criteria with respect to planning, design, signage, operation, and maintenance of shared use paths or PTV lanes as set forth in the Manual on Uniform Traffic Control Devices and the American Association of State Highway and Transportation Officials Safety Manual.

40-6-366. Acquisition of property for PTV lanes.

A local authority that adopts a PTV plan may establish PTV lanes through the acquisition of property, including easements or rights of way, by dedication, purchase, or condemnation.

40-6-367. Part inapplicable to certain localities with prior ordinances governing PTV use.

This part shall have no application to any county or municipality that has enacted prior to January 1, 2012, an ordinance authorizing the operation of PTVs.

40-6-368. Requirements for streets or highways on which joint use by regular vehicle traffic and PTVs permitted.

Any street or highway segment upon which the joint use by regular vehicle traffic and personal transportation vehicles is permitted shall:

- (1) Have speed limits of 25 miles per hour or less, as established by an engineering and traffic survey; and
- (2) Have been determined by a qualified traffic engineer to accommodate personal transportation vehicles without adversely impacting traffic safety or the travel needs of commuters and other users.

40-6-369. Manner in which PTVs may be driven.

- (a) All personal transportation vehicles authorized by a PTV plan to operate on a street, road segment, or PTV lane are entitled to full use of a lane, and no motor vehicle shall be driven in such manner as to deprive a personal transportation vehicle of the full use of a lane.
- (b) The operator of a personal transportation vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a personal transportation vehicle between lanes of traffic or between adjacent lines or rows of vehicles.
- (d) Personal transportation vehicles shall not be operated two or more abreast in a single lane.

40-6-369.1. Speed limits on streets authorized for PTV use.

Personal transportation vehicles shall only be operated on highways where the posted speed limit does not exceed 25 miles per hour. The operator of a personal transportation vehicle shall not operate such vehicle on any highway where the posted speed limit exceeds 25 miles per hour.



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6796	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Proposed Fiscal Year 2023 Budget Amendments		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Proposed Fiscal Year 2023 Budget Amendments](#)
2. [Budget Adjustments by Fund](#)
3. [Budget Resolution](#)

Title

Proposed Fiscal Year 2023 Budget Amendments

Drafter

Paul Hanebuth



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
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Agenda Report

To: Mayor and Council

From: Paul Hanebuth, Director of Finance and Administrative Services

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6796

Title: Proposed Fiscal Year 2023 budget amendments

CC: Eric Johnson, City Manager

Recommendation: Approve amendments to the fiscal 2023 budgets for the General and Special Revenue funds.

Background: The City's current financial policies require this step, as described in Part I, Section 1-L:

L. BUDGET AMENDMENT PROCESS

Near the end of each budget year, any necessary budget adjustments, including budgets for any projects authorized during the year, shall be enacted through a budget resolution. These supplemental budget resolutions shall be balanced for each and every fund. The purpose of budget adjustments is not a new budget, but an accounting type of reconciliation of the current year's budget

On the attached schedule, revenues are expressed as negative numbers and expenses as positive numbers. Therefore, for balancing purposes, an increase in budgeted expenditures may be offset by an increase in a revenue line or a decrease in another expenditure line. The "character" is the type of revenue or expense; characters 30-39 are revenues, and those 50 or higher are expenditures.

Financial Impact: As this process is conducted at the end of the fiscal year, it has no material impact on the city's financial position. Rather, it serves to reconcile the budget plan approved a year earlier with conditions experienced during the year, for example by reappropriating funds from contingency funds to unexpected expenses.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

Goal 6: Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps: None for this process, but a final budget amendment may be needed at the end of the audit process in early 2024, depending on auditor recommendations.

Attachments: Budget Adjustments by Fund
Budget Resolution

Update

Character			Current Budget	Proposed Amendment	Proposed Amended Budget
GENERAL FUND - CAPITAL ADJUSTMENTS					
38	100-389000	OTHER (MISCELLANEOUS REV)	(79,000)	(43,582)	(122,582)
39	100-389500	Assigned Fund Balance for Transfer to CPF	0	(1,000,000)	(1,000,000)
61	100-5.1000.611310	Transfer to Capital Projects Fund	0	1,000,000	1,000,000
54	100-5.4100.542300	FURNITURE & FIXTURES	0	4,370	4,370
54	100-5.3200.542200	VEHICLES	0	36,855	36,855
54	100-5.6200.542500	EQUIPMENT	0	2,357	2,357
GENERAL FUND - INTERDEPARTMENTAL ADJUSTMENTS					
51	100-5.3200.512100	GROUP INSURANCE	970,700	(47,000)	923,700
51	100-5.3200.512400	RETIREMENT CONTRIBUTIONS	375,100	(47,000)	328,100
51	100-5.3800.511300	OVERTIME	61,800	15,000	76,800
51	100-5.3800.512100	GROUP INSURANCE	62,500	8,800	71,300
51	100-5.3800.512400	RETIREMENT CONTRIBUTIONS	32,000	3,700	35,700
51	100-5.1000.512105	GROUP INSURANCE-RETIREEES	137,700	24,800	162,500
51	100-5.1000.512200	PAYROLL TAXES	0	10,300	10,300
51	100-5.1000.512600	UNEMPLOYMENT INSURANCE	0	4,600	4,600
52	100-5.1000.521240	INSURANCE-LIAB,PROP,AUTO	357,900	58,300	416,200
52	100-5.1000.523920	BANK CHARGES	0	4,000	4,000
52	100-5.1000.523305	POSTAGE	0	6,000	6,000
53	100-5.1000.531710	MISCELLANEOUS	0	9,300	9,300
57	100-5.1310.579000	CONTINGENCIES	150,000	(110,000)	40,000
51	100-5.1510.511100	REGULAR EMPLOYEES	368,500	(56,900)	311,600
51	100-5.1510.511300	OVERTIME	7,300	(4,500)	2,800
51	100-5.1510.512400	RETIREMENT CONTRIBUTIONS	32,100	8,300	40,400
52	100-5.1510.521210	PROFESSIONAL SERV.-AUDIT	20,000	20,000	40,000
52	100-5.1510.521305	PROFESSIONAL SERV.-OTHER	3,000	500	3,500
52	100-5.1510.523305	POSTAGE	4,300	2,300	6,600
52	100-5.1510.523500	TRAVEL	4,000	(1,500)	2,500
52	100-5.1510.523600	DUES & FEES	1,900	(1,000)	900
52	100-5.1510.523700	EDUCATION & TRAINING	4,000	(3,500)	500
52	100-5.1510.523850	CONTRACT LABOR	40,000	80,500	120,500
53	100-5.1510.531101	OFFICE SUPPLIES	3,500	500	4,000
52	100-5.1540.523850	CONTRACT LABOR	11,000	19,500	30,500
53	100-5.1540.531700	OTHER SUPPLIES	7,500	(5,000)	2,500
SPECIAL INVESTIGATION FUND					
35	210-352015	REDSPEED FINE REVENUES	(3,073,100)	(1,133,800)	(4,206,900)
51	210-5.3210.511100	REGULAR EMPLOYEES	159,200	(159,200)	0
51	210-5.3210.511300	OVERTIME	5,500	(5,500)	0
51	210-5.3210.512100	GROUP INSURANCE	44,700	(44,700)	0
51	210-5.3210.512200	FICA/MEDICARE CONTRIBUTNS	12,600	(12,600)	0
52	210-5.3210.523600	DUES & FEES	0	1,483,800	1,483,800
54	210-5.3210.542200	VEHICLES	290,300	20,000	310,300
54	210-5.3210.541100	LAND	1,200,000	(148,000)	1,052,000
TECHNOLOGY SURCHARGE FUND					
35	217-351194	CITY WIDE TECH SURCHRG RV	(73,800)	(27,695)	(101,495)
52	217-5.1535.523850	CONTRACT LABOR	0	27,695	27,695
HOTEL/MOTEL TAX FUND					
31	275-314100	HOTEL/MOTEL TAX REVENUES	(880,200)	(257,200)	(1,137,400)
52	275-5.7540.521306	PROFESSIONAL SERV.-CVB (TPD)	251,500	128,600	380,100
52	275-5.7540.521310	PROFESSIONAL SERV.-CVB (TCT)	251,500	128,600	380,100

Attachment: Budget Adjustments by Fund (23-6796 : Proposed Fiscal Year 2023 Budget Amendments)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

CITY OF NORCROSS
Resolution to Adopt
2022-2023 General and Special Revenue Fund Budgets
September 5, 2023

WHEREAS, the City Manager and Finance Director have prepared and submitted to the Mayor and Council recommended amendments to the General Operating and Special Revenue Fund Budgets for the fiscal year beginning September 1, 2022, and ending August 31, 2023 (fiscal year 2024); and

WHEREAS, the Mayor and Council have prudently set aside contingency funds for use in the case of unexpected but necessary City expenditures; and

WHEREAS, the Mayor and Council have studied the proposed amendments and consider adoption of the attached budget documents to serve the best interests of the citizens of the City of Norcross;

THEREFORE, BE IT RESOLVED by the Mayor and Council that the amendment schedules for the General Operating and Special Revenue Fund Budgets attached hereto and made a part hereof for the fiscal year 2024 are approved.

This day, the 5th of September 2023.

Chief Executive Officer

Attest : Monique Philip, City Clerk

Attachment: Budget Resolution (23-6796 : Proposed Fiscal Year 2023 Budget Amendments)



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6797	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Annual Seasonal Color Container Services		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Annual Seasonal Color Container Services](#)
2. [RFP PWUP 23-15](#)

Title
Annual Seasonal Color Container Services

Drafter
Shahin Khalili



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Shahin Khalili - Arborist/Land Development Inspector

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6797

Title: Annual Seasonal Color Container Services

CC: Eric Johnson, City Manager

Recommendation

To review and approve the RFP for the Annual Seasonal Color Container Services.

Background

Contract with current vendor expires in October. To be proactive and ensure the City is getting the best value at market rate, Staff is requesting approval to request for proposals.

Financial Impact

Cost for new contract is estimated to be between \$35,000 and \$50,000 based on existing contract and market rate research. Funding has budgeted for under Contract Labor.

Consistent with Comprehensive Plan?

Yes - GOAL 1 Continue to Define Norcross' Sense of Place

Policy 1-8: Add value to our community through landscaping, lighting, signage, underground utilities, and building design.

Next Steps

Advertise RFP on all platforms.

Attachments

RFP PWUP 23-15

Update

None at this time. Mayor and Council will be updated throughout the process.



City of Norcross
Department of Public Works, Utilities & Parks

REQUEST FOR PROPOSALS
ANNUAL SEASONAL COLOR CONTAINER SERVICES
RFP PWUP 23-15

Attachment: RFP PWUP 23-15 (23-6797 : RFP for Annual Seasonal Color Container Services)

City of Norcross

Department of Public Works, Utilities & Parks

REQUEST FOR PROPOSALS RFP PWUP 23-15

INSTRUCTIONS:

The proposal package should be clearly marked “**RFP PWUP 23-15 – ANNUAL SEASONAL COLOR CONTAINER SERVICES**” on its face and submitted by **11:00 a.m. on September 25, 2023**. to the address below. Please submit two printed copies and one electronic copy (USB) of your RFP package to:

Christabel Ghansah
RFP PWUP 23-15 – Annual Seasonal Color Container Services
City of Norcross
Department of Public Works, Utilities & Parks
345 Lively Avenue
Norcross, GA 30071

Both printed and electronic copies must contain the same information.

Please submit questions/requests via **e-mail only** to the Capital Projects Manager at christabel.ghansah@norcrossga.net by **5:00 p.m. on October 6, 2023**.

No proposal will be received or accepted after the above specified date and time. Submissions received after the designated date and time will be deemed invalid and returned unopened to the firm.

No proposal may be withdrawn within thirty (30) days after the proposal opening and all proposals shall remain firm during this period. Requests for withdrawals must be submitted in writing.

We appreciate your interest in the City of Norcross!

RFP/RFQ CHECKLIST

The 10 Most Critical Things to Keep in Mind When Responding to an RFP/RFQ for the City of Norcross

1. _____ **Read the entire document.** Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).
2. _____ **Note the City of Norcross' staff member's name, address, phone numbers and e-mail address.** This is the **only** person you are allowed to communicate with regarding the RFP/RFQ and is an excellent source of information for any questions you may have.
3. _____ **Attend the Pre-Statement of Qualifications webinar** if one is offered, these conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFP/RFQ.
4. _____ **Take advantage of the "question and answer" period.** Submit your questions to the Capital Projects Manager by the due date listed in the Schedule of Events and view the answers given in the formal "addenda" issued for the RFP/RFQ. All addenda issued for this RFP/RFQ will be posted on the City's website and will include all questions asked and answered concerning the RFP/RFQ.
5. _____ **Follow the format required in the RFP/RFQ** when preparing your response. Provide point- by-point responses to all sections in a clear and concise manner.
6. _____ **Provide complete answers/descriptions.** Read and answer all questions and requirements. Do not assume the City or Evaluation Committee will know what your capabilities are or what items/services you can provide, even if you have previously contracted with the City. Evaluations are based solely on the information and materials provided in your response.
7. _____ **Use the forms provided**, i.e., sample budget form, certification forms, etc.
8. _____ **Check the City website for RFP/RFQ addenda.** Before submitting your response, check the City website at <https://www.norcrossga.net/bids.aspx> to see whether any addenda were issued for the RFP/RFQ.
9. _____ **Review and read the RFP/RFQ document again** to make sure that you have addressed all requirements.
10. _____ **Submit your response on time.** Note all the dates and times listed and be sure to submit all required items on time. Late and incomplete responses are never accepted.

This checklist is provided for assistance only and should not be submitted with Company's Response.

1.0 INTRODUCTION

The City of Norcross is requesting proposals for the Annual Seasonal Color Container Maintenance Services for designated areas within the City of Norcross as illustrated in attached exhibits.

1.1 PROJECT SCOPE

All Seasonal Color Container contract services shall be provided on a bi-weekly basis Monday through Friday, excluding major Holidays, or as determined by the City prior to commencement of the contract, at all locations specified in Appendix B unless otherwise noted as exceptions. The Seasonal Color Maintenance work will include, but is not limited to, bi-weekly quality checks, grooming (deadheading, pruning of dead material, etc.), removing of litter in the containers, and fertilization every 6 weeks. All work must be conducted according to industry standards.

Seasonal installation will be done in October and April. The plant choices will differ in height, growing habit, color, and textures with an emphasis on drought tolerance. Plant Material will be replaced throughout the year as needed with particular attention to festival dates in October, December, April, May, and July. All pest/disease control and fertilization will be done through organic methods, unless otherwise permitted by City staff.

1.2 SPECIFICATIONS

All Seasonal Color Container Maintenance contract services shall be provided in accordance with the maintenance specifications. Seasonal Color Container Maintenance must be provided according to **Appendix C – Maintenance Checklist**. The service will be bi-weekly Monday through Friday, excluding major Holidays, as determined by the City prior to commencement of the contract, at all locations specified in **Appendix B – Locations and Number of Containers** unless otherwise noted as exceptions. The Seasonal Color Container work will include, but is not limited to, bi-weekly quality checks, grooming (deadheading, pruning of dead material, etc.), removing of litter in the containers, and organic fertilization every 6 weeks. All work must be conducted according to industry standards.

Responsibility of watering will be assumed by City staff, except for at time of planting, which will be done by Contractor.

In addition to the proposal submission requirements stated in this RFP, the following will be requested:

- Description of standard protocols, methods, and procedures to ensure quality and satisfying aesthetics

- Organizational structure of maintenance team, including management
- Total number of work hours per week
- Tabulation sheets by Project Site Locations

1.3 REQUIREMENTS

Estimates must include labor and all materials as specified; no substitutions for materials are allowed unless approved by City of Norcross staff.

1.4 SCHEDULE OF EVENTS

See **Appendix A** for the detail Schedule of Events.

1.5 RESTRICTIONS ON COMMUNICATIONS WITH STAFF

All questions about this RFP should include the company name and the referenced RFP section in the following format:

Company Name
 1. Question
 Citation of relevant section of the RFP
 2. Question
 Citation of relevant section of the RFP

1.6 PROPOSAL SUBMISSION INSTRUCTIONS

10 pages maximum (*exclusive of resumes, cover sheets, cost proposal, and required forms*)

1. **Cover Letter** – Indicating interest and identifying a point of contact
2. **Firm Information** – Including office locations, size, and contact
3. **Organizational Chart** – Showing team structure and personnel
4. **Experience & Qualifications** – Including a summary of 3 projects of similar size/scope within the past 5 years. Include a reference with contact information for each project.
5. **Resumes** – Submitters shall include resumes for key personnel on the project
6. **Cost Proposal** – In a separate envelope, please include a monthly and annual breakdown and lump sum fee for all locations.

1.7 EVALUATION CRITERIA

The proposal evaluation will be made on the following criteria:

Evaluation Criteria	Max Score
Experience & Qualifications	35
Technical Consideration (Proof of Sample)	25
Q/A (Appendix E)	15
Cost Proposal	15
References	10
Total	100

The City may schedule interviews with the top-scoring firms..

Experience & Qualifications – Demonstration of understanding of scope objectives of Seasonal Color Container Maintenance Specifications and commitment to complete work in a timely manner. Resumes and portfolios of key personnel.

Technical Considerations – Proof of samples and examples of current inventory as required in Section 2.1.3.

Q/A – As required in Appendix E

Cost Proposal – Includes cost for bi-annual installation as well as monthly maintenance costs.

References – 3 references of similar size and scope and with similar seasonal color maintenance specifications. Include contact names and current phone numbers.

Please provide accurate information and inform your references that the City of Norcross will follow up to perform reference checks. It will affect your scores if we are not able to contact your references, or they do not respond in time.

The City of Norcross will not serve as a reference, in the event that your Company worked with the City of Norcross previously.

Alternatively, Proposers are welcome to provide three (3) reference letters where they provided the same or similar services. Reference letters must be on official letterhead and signed by the point of contact of the agency where the service was performed.

2.0 GENERAL CONDITIONS

PROPOSERS ARE ADVISED TO THOROUGHLY UNDERSTAND THE GENERAL CONDITIONS AND SPECIAL PROVISIONS, PRIOR TO SUBMITTING THEIR PROPOSALS.

2.1 QUALIFICATIONS

- 2.1.1** Proposals will be considered only from experienced and well-equipped Vendor(s) engaged in work of this type and magnitude.
- 2.1.2** Proposers may be required to submit evidence setting forth qualifications which entitle his or her company for consideration as a responsible Vendor. A list of work of similar character successfully completed within the last two years may be required, which lists the location, size, and scope for use on this work. Before accepting any proposals, the City may require evidence of the Vendor's financial ability to successfully perform the work to be accomplished under the contract.
- 2.1.3** Proposers must provide their own materials (fertilizers/soil amendments, growing medium, tools, plant materials, etc.) for this contract. Proof of samples and examples of current inventory will be provided in the proposal for evaluation.

2.2 GUARANTEE TO ACCOMPANY PROPOSAL

- 2.2.1** If the cost proposal is greater than \$30,000.00, then proposals must be accompanied by a certified check or cashier's check or acceptable bond in an amount not less than five percent (5%) of the amount proposal per section, and failure to submit a bond will be cause for rejection.

2.3 AUTHORITY TO SIGN

- 2.3.1** Proposers must ensure that the legal proper name of their firm and/or corporation is printed or typed as appropriate on all documents.

2.4 RIGHTS RESERVED

- 2.4.1** The City of Norcross reserves the right to reject any or all proposals, to waive informalities or to re-advertise. It is understood that all proposals are made subject to this agreement, and that City of Norcross reserves the right to decide which proposal(s) it deems the most qualified. In arriving at this decision, full consideration will be given to the experience and qualifications of the Proposer, work of this type successfully completed and past performance with the City of Norcross.

- 2.4.2** Proposers are advised to examine the Seasonal Color Specifications and all accompanied exhibits, plans, and specifications carefully and examine the site(s) of the proposed work, as are necessary, to familiarize themselves with location conditions, which may affect the proposed work. Proposers are also advised to inform themselves fully regarding conditions under which the work will be performed. The City of Norcross will not be responsible for the Proposer's errors or misjudgment, nor for any information on location conditions or general laws and regulations.
- 2.4.3** Any unauthorized additions, conditions, limitations, or provisions attached to the Proposal shall render it informal and may be cause for rejection.

2.5 AWARD OF CONTRACT

- 2.5.1** The contract will be awarded to the most qualified firm whose proposal will provide the best value and be the most advantageous to the City, experience, technical considerations, cost, and other factors considered. The City is to make the determination.
- 2.5.2** Prior to award of the Contract, the successful Proposer will be required to submit a schedule to the City, demonstrating the Proposer's ability to commence and proceed in a timely manner. A Proposer's failure to demonstrate the ability to proceed as required may result in contract cancellation.
- 2.5.3** Failure to demonstrate the ability for contract execution and progression will result in, at the City's discretion, contract cancellation or re-advertising of any and/or all these contracts.
- 2.5.4** Prior to execution of a Contract, if the contract amount is greater than \$30,000.00, a Contract Performance Bond and a Payment Bond, each equal to 100% of the Contract amount per section, must be provided by the successful Proposer by a surety company qualified to do business in the State of Georgia with an AM Best rating of B+ or higher and satisfactory to the City of Norcross. Bonds given shall meet the requirements as listed in this RFP package.
- 2.5.5** Prior to execution of a Contract, a Utility Coordination Meeting is required between Vendor(s), utility agencies and City of Norcross Public Works to ensure clarity and commitments concerning inter-related work schedules.

2.6 PRODUCTION REQUIREMENTS

- 2.6.1** Time is of the utmost importance of this project. The successful Proposer will be required to commence work within ten (10) calendar days from the receipt of the Notice to Proceed and must carry on with utmost diligence to complete the work according to the Seasonal Container Color specifications in the RFP.

2.7 PRICES AND INVOICING PROGRESS PAYMENTS AND RETAINAGE

- 2.7.1** Payment shall be provided based on the cost schedule provided in Vendor's response. Vendor shall submit an invoice with NET 30-day payment terms for services performed for the City of Norcross under the terms of the executed contract. The invoice shall be directed to **Shahin Khalili, Arborist/Land Development Inspector at Shahin.khalili@norcrossga.net**. The invoice shall contain a complete itemization of delivered goods and/or services. The total amount due, invoice number, invoice date, the designated project number, if applicable, and the City of Norcross' Purchase Order Number. After work has commenced, progress payments shall be made monthly, based on the value of work completed as provided in the contract documents plus the value of materials and equipment suitably stored, insured, and protected at the site(s), less retainage.
- 2.7.2** The City shall retain a maximum of 10% of each progress payment; provided, however, when 50% of the contract value including change orders and other additions to the contract value provided for by the contract documents is due and the manner of completion of the contract work and its progress are reasonably satisfactory to the City, the City shall withhold no more retainage. At the discretion of the City and with the approval of the Contractor, the retainage of each subcontractor may be released separately as the subcontractor completes their work.

2.8 LOCATION AND SITE(S)

- 2.8.1** The site(s) of the proposed work is as provided in Appendix B. All work is within City limits of the City of Norcross, Georgia.
- 2.8.2** The Vendor shall accept the site(s) in its present condition and carry out all work in accordance with the requirements of the specifications as indicated exhibits and appendices or as directed by the Department of Public Works, Utilities and Parks.
- 2.8.3** The Vendor, before submitting a proposal is required to visit the site(s) and acquaint themselves with the actual conditions and the location of any

and/or all obstructions that may exist on the site(s). The site(s) visit(s) must be confirmed by the Landscape and Beautification Manager.

- 2.8.4** The Vendor is responsible for the location of above and below ground utilities and structures, which may be affected by the work.

2.9 NON-COLLUSION

- 2.9.1** Vendor(s), by submitting a proposal, certify that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Georgia or United States law.

2.10 MATERIALS

- 2.10.1** Unless otherwise specified in the Contract, Vendor shall provide and assume full responsibility for all services, materials, equipment, labor, and all other facilities and incidentals necessary for the completion of the Work.
- 2.10.2** All materials and equipment incorporated into the work shall be of good quality, except as otherwise provided in the Contract. All special warranties and guarantees required by the Specifications shall expressly run to the benefit of the City.

2.11 CONTRACT REQUIREMENTS

- 2.11.1** The successful Vendor is required to do the following within ten (10) days of Notice:
- 2.11.1.1.1** Return to the Department of Public Works, Utilities & Parks contract documents executed by the authorized representative attested by the corporate secretary treasurer.
 - 2.11.1.1.2** Provide Insurance Certificates as specified in the RFP documents.
 - 2.11.1.1.3** Provide bonding as required by the RFP documents.

2.11.2 Failure to execute the Contract, Contract Performance Bond, or furnish satisfactory proof of carriage of the insurance required within ten days after the date of Notice of Award of the Contract may be just cause for the annulment of the award and for the forfeiture of the RFP guaranty of City of Norcross, not as a penalty, but as liquidation of damages sustained. At the discretion of the City, the award may then be made to the next most qualified Vendor, or the work may be re-advertised or constructed by City forces. The Contract and Contract Bonds shall be executed in duplicate.

2.12 SCHEDULE

2.12.1 Schedule: The Vendor shall provide to Shahin.Khalili@norcrossga.net a schedule of activities. The schedule must be presented at least seven (7) days prior to work commencing in order to notify residents and/or businesses.

APPENDIX A
RFP PWUP 23-15
SCHEDULE OF EVENTS

Event:	Date:
Release of RFP	September 25 at 11:00 a.m.
Deadline for Written Questions	October 6, 2023, at 5:00 p.m.
Proposals Due	October 20, 2023, at 11:00 a.m.
Proposal Evaluation	TBD
Contract Award (On/about)	TBD

Attachment: RFP PWUP 23-15 (23-6797 : RFP for Annual Seasonal Color Container Services)

APPENDIX B
RFP PWUP 23-15
LOCATIONS & NUMBER OF CONTAINERS

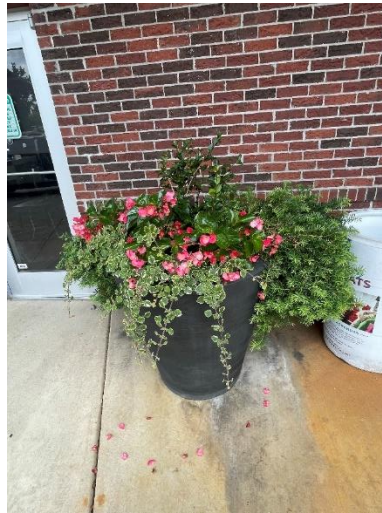
Location:	Number of Containers:
Public Works	3
Welcome Center	4
City Hall	2
Community Arts Center	8
Jones St	16
Wingo St	3
Holcomb Bridge	3
South Peachtree St	46
Skin Alley	3
Total number of containers:	88

*Locations of planters may shift to other locations listed as seen fit by the City.

APPENDIX C
RFP PWUP 23-15
MAINTENANCE CHECKLIST

- ☐ Check for any diseases or pests and treat accordingly, using pollinator friendly methods
- ☐ Hand pull any weeds that may be present
- ☐ Prune all dead or diseased material and haul plant debris away
- ☐ Throw away any trash, litter, or debris that may be in the containers
- ☐ Check to ensure moisture level of growing medium is satisfactory for plant health and make City staff aware if it is not
- ☐ Place containers in original location if they have been moved in between visits
- ☐ Every 3rd visit (6 weeks) apply organic fertilizer

APPENDIX D **RFP PWUP 23-15** **EXAMPLES OF CONTAINERS**



APPENDIX E
RFP PWUP 23-15
OPEN QUESTIONS

If a new container were to be added to the inventory, what would you, as a vendor, use as growing medium?

Provide an example of an integrated pest management (IPM) plan you would have in place for at least one kind of common pest or disease of your choosing.

Give some examples of plants and plant combinations you would use for both Autumn/Winter installations as well as Spring/Summer installations.

APPENDIX F
RFP PWUP 23-15
REFERENCES

Attachment: RFP PWUP 23-15 (23-6797 : RFP for Annual Seasonal Color Container Services)

APPENDIX G
RFP PWUP 23-15
COST PROPOSAL

In a separate envelope, please include a monthly and an annual line-item breakdown and lump sum fee for all buildings.

APPENDIX H

RFP PWUP 23-15

PACKET CHECKLIST

PROJECT: _____

DATE: _____

Please use this checklist to ensure you have properly completed all forms and requirements.

You must complete and attach this checklist to your proposal packet. Failure to do so may you render ineligible for consideration.

- _____ Packet Checklist (attached to proposal package)

- _____ Two Hard Copies & One Electronic Copy of Proposal Package (*including completed appendices and all required forms*)

- _____ Bid Bond or Certified Check if cost proposal over \$30,000

- _____ Certificate of Liability Insurance

- _____ E-Verify Contractor & SAVE Affidavits

- _____ Mail or deliver to:
 PWUP Department
 Attn: Christabel Ghansah, Capital Projects Manager
 City of Norcross
 345 Lively Avenue
 Norcross, GA 30071

Attachment: RFP PWUP 23-15 (23-6797 : RFP for Annual Seasonal Color Container Services)

References for _____

Please provide a list of contact numbers, addresses and a contact person from three (3) jobs completed having similar specification within the metro-Atlanta area.

City of Norcross requests a minimum of three (3) references where work of a similar size and scope has been completed.

1. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

2. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

3. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6798	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	RFP for Pest Control Services		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - RFP for Pest Control Services](#)
2. [RFP PWUP 23-16](#)

Title
RFP for Pest Control Services

Drafter
John Davis



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council
From: John Davis, Public Works Superintendent
Meeting Date: August 21, 2023 – Policy Work Session
Item No.: 23-6798
Title: RFP for Pest Control Services
CC: Eric Johnson, City Manager

Recommendation

To review and approve the RFP for Pest Control Services.

Background

The current vendor is not meeting performance standards and has increased prices exponentially. PWUP recommends soliciting for proposals from qualified vendors and selecting a vendor who can provide the best value at a market rate.

Financial Impact

N/A – budgeted for under Building Maintenance.

Consistent with Comprehensive Plan?

Yes - GOAL 6 Further the City's Tradition of Strong Leadership and High Level of Quality Services

Policy 6-2: Maximize the use of existing facilities and services

Next Steps

Advertise RFP on all platforms.

Attachments

RFP PWUP 23-16

Update

None at this time. Mayor and Council will be updated throughout the process.



City of Norcross
Department of Public Works, Utilities & Parks

REQUEST FOR PROPOSALS
PEST CONTROL SERVICES
RFP PWUP 23-16

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

City of Norcross

Department of Public Works, Utilities & Parks

REQUEST FOR PROPOSALS PEST CONTROL SERVICES RFP PWUP 23-16

INSTRUCTIONS:

The proposal package should be clearly marked “**RFP PWUP 23-16 – PEST CONTROL SERVICES**” on its face and submitted by 11:00 a.m. on **October 20, 2023**, to the address below. Please submit two printed copies and one electronic copy (USB) of your proposal package to:

Christabel Ghansah
RFP PWUP 23-16 – Pest Control Services
City of Norcross
Department of Public Works, Utilities & Parks
345 Lively Avenue
Norcross, GA 30071

Both printed and electronic copies must contain the same information.

Please submit questions/requests via **e-mail only** to the Capital Projects Manager at christabel.ghansah@norcrossga.net by 5:00 p.m. on **October 13, 2023**.

There will be a mandatory pre-proposal meeting at 9: 00 a.m. on **October 11, 2023, at 345 Lively Avenue Norcross, GA 30071**. The RFP will serve as the agenda and include a visit to all locations to be serviced.

No proposal will be received or accepted after the above specified date and time. Submissions received after the designated date and time will be deemed invalid and returned unopened to the firm.

No proposal may be withdrawn within thirty (30) days after the proposal opening and all proposals shall remain firm during this period. Requests for withdrawals must be submitted in writing prior to the proposal evaluation.

We appreciate your interest in the City of Norcross!

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

RFP/RFQ CHECKLIST

The 10 Most Critical Things to Keep in Mind When Responding to an RFP/RFQ for the City of Norcross

1. _____ **Read the entire document.** Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).
2. _____ **Note the City of Norcross' staff member's name, address, phone numbers and e-mail address.** This is the **only** person you are allowed to communicate with regarding the RFP/RFQ and is an excellent source of information for any questions you may have.
3. _____ **Attend the Pre-Statement of Qualifications webinar** if one is offered, these conferences provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFP/RFQ.
4. _____ **Take advantage of the "question and answer" period.** Submit your questions to the Capital Projects Manager by the due date listed in the Schedule of Events and view the answers given in the formal "addenda" issued for the RFP/RFQ. All addenda issued for this RFP/RFQ will be posted on the City's website and will include all questions asked and answered concerning the RFP/RFQ.
5. _____ **Follow the format required in the RFP/RFQ** when preparing your response. Provide point- by-point responses to all sections in a clear and concise manner.
6. _____ **Provide complete answers/descriptions.** Read and answer all questions and requirements. Do not assume the City or Evaluation Committee will know what your capabilities are or what items/services you can provide, even if you have previously contracted with the City. Evaluations are based solely on the information and materials provided in your response.
7. _____ **Use the forms provided**, i.e., sample budget form, certification forms, etc.
8. _____ **Check the City website for RFP/RFQ addenda.** Before submitting your response, check the City website at <https://www.norcrossga.net/bids.aspx> to see whether any addenda were issued for the RFP/RFQ.
9. _____ **Review and read the RFP/RFQ document again** to make sure that you have addressed all requirements.
10. _____ **Submit your response on time.** Note all the dates and times listed and be sure to submit all required items on time. Late and incomplete responses are never accepted.

This checklist is provided for assistance only and should not be submitted with Company's Response.

1.0 **INTRODUCTION**

The City of Norcross is requesting proposals for Pest Control Services for designated areas within the City of Norcross. It is the City's intent to enter into contract with one qualified entity to provide Pest Control Services for all City administration buildings and other facilities as designated in Appendix B – Locations.

1.1 **SCOPE OF WORK**

This RFP is for contract services to adequately eradicate or suppress the following pests:

- a. Indoor populations of rats, mice, cockroaches, ants, flies, spiders, and other arthropod pests not specifically excluded from the Agreement;
- b. Populations of the above pests that are located in and outside of the buildings;
- c. Incidental invaders of concern (stinging or biting insects);
- d. Termite inspections;
- e. Termite treatment as needed; and
- f. Rodent control as needed both interior and exterior
- g. The following pests are excluded from this Agreement:
 - 1. Birds, bats, snakes, and all other vertebrates other than commensal rodents.

1.2 **SPECIFICATIONS**

All chemicals and pesticides used must comply with the latest State and Federal Environmental Protection Agency Standards governing the health and safety of humans and animals. The solutions and chemicals used will be free from odor whenever possible and of no/low toxicity to humans.

The Vendor shall provide current labels and Material Safety Data Sheets (MSDS) for all pesticide products to be used. In addition, brand names shall be provided for all application equipment, rodent bait boxes, monitoring and trapping devices, and any other control equipment that may be used to provide service.

Please complete **APPENDIX F – MATERIAL SAFETY DATA SHEETS (MSDS) AND PRODUCT LIST**

The successful Vendor must have a commercial pesticide applicator certificates or license. The Vendor shall provide photocopies of the company pest control license and dated pesticide applicator certificates for every employee who will be performing on-site services under this Agreement upon agreement signing.

If the Vendor's products are not user-installable, and/or if requested by the ordering Department, the vendor must install the product(s).

- a. The Vendor is responsible for providing and installing any dispensing equipment for which they provide an approved equivalent.
- b. The Vendor should also provide maintenance support services for all installed products.
- c. Any per hour services charges must be specified in the Cost Proposal
- d. If the product is user-installable, the Vendor must provide installation assistance if requested, at no additional expense to the PWUP Department.
- e. Installation must be accomplished with minimal disruption to the operation of the Department.

The Vendor shall provide service schedules that include the monthly or quarterly frequency of Vendor visits. On occasion the Vendor may be requested to perform corrective or emergency service(s) that are beyond the routine requests.

- a. The Vendor shall respond to these exceptional circumstances and begin the necessary work within ONE (1) working day after receipt of the request.

The Vendor shall be responsible for maintaining a pest control log sheet for each site specified in this RFP.

The Vendor shall be responsible for application of pesticides according to the label.

- a. All pesticides used by the Vendor must be registered with the United States Environmental Protection agency and the State of Georgia.

When the application of chemical control products is necessary, the Vendor shall employ the least hazardous materials, most precise application techniques and the minimum quantity of pesticides necessary to achieve control.

The Vendor shall use non-pesticide methods of control whenever possible to solve a pest problem.

- a. This includes, but is not limited to, use of a portable vacuum for initial cockroach, winged ants, winged termites, and spider population suppression, and use of trapping devices for indoor fly control.
- b. Sticky traps shall be used to monitor indoor insect populations and be used to evaluate the effectiveness of efforts wherever necessary.
- c. Bait formulations shall be used for cockroach and ant control where appropriate.

Indoor trapping: Rodent control inside occupied buildings shall be accomplished with trapping devices only.

- a. All such devices shall be concealed and in protected areas so as not to disturb operations.

- b. Trapping devices shall be checked every 24 hours during population suppression and at reasonable intervals during maintenance activities.
- c. The Vendor is responsible for disposing of all trapped rodents or rodent carcasses in an appropriate manner.

All bait boxes shall be placed out of general view where they will not be disturbed by daily operations.

- a. The lids of the boxes shall be securely locked or fastened shut.
- b. All bait boxes shall be attached or anchored to the ground, building wall or other immovable surface so that the box cannot be picked up or moved.
- c. All bait boxes shall be labeled on the inside with the Vendor's business name and address.
- d. The Vendor's employee shall date the outside of the box at the time of installation and after each service.

Throughout the term of this Agreement, the Vendor shall be responsible for advising the Public Works Superintendent about any structural, sanitary, or procedural modifications that will reduce pest access, food, water and harborage.

- a. The Vendor shall be responsible for adequately suppressing all pests included in this Agreement regardless of whether or not the suggested modifications are implemented.
- b. The Vendor will not be held responsible for carrying out structural modifications as part of the pest control efforts.

The Public Works Superintendent will continually evaluate the progress of this Agreement in terms of effectiveness and safety and will require such changes as are necessary.

- a. The Vendor shall take prompt action to correct all identified deficiencies.
- b. Monthly exterminations shall include: all restrooms, janitorial closets, food preparation areas, break rooms, maintenance and mechanical rooms, staff offices.

Treatment Schedules:

Final treatments schedule shall be coordinated between the successful Vendor and the Public Works Superintendent or their designee.

All sites will be inspected for termites annually.

1.3 REQUIREMENTS

The Vendor must furnish all necessary labor, materials, and equipment to implement the surveillance, trapping, and pesticide application. The Vendor must also generate detailed, site-specific recommendations for structural and

procedural modifications required to achieve pest suppression. In addition, the Vendor will supply trained personnel to educate City employees on the most effective means to achieve pest control in and around their workstations, offices, and surroundings.

1.4 SCHEDULE OF EVENTS

See **Appendix A** for the detailed Schedule of Events.

1.5 RESTRICTIONS ON COMMUNICATIONS WITH STAFF

All questions about this RFQ should include the company name and the referenced RFQ section in the following format:

Company Name
 1. Question
 Citation of relevant section of the RFQ
 2. Question
 Citation of relevant section of the RFQ

1.6 SUBMISSION AND EVALUATION GUIDELINES

1.6.1 Proposal Submission Instructions

10 pages maximum (*exclusive of resumes, cover sheets, cost proposal, and required forms*)

1. **Cover Letter** – Indicating interest and identifying a point of contact
2. **Firm Information** – Including office locations, size, and contact
3. **Organizational Chart** – Showing team structure and personnel
4. **Experience & Qualifications** – Including a summary of 3 projects of similar size/scope within the past 5 years. Include a reference with contact information for each project.
5. **Resumes** – Submitters shall include resumes for key personnel on the project
6. **Cost Proposal** – In separate envelope. Please include a monthly, annual, and 3-year line-item breakdown and lump sum fee for all buildings.

1.6.2 Experience and Expertise

Experience in similar services is required of the successful Vendor as described in the Scope of Work. Experience and references provided by Proposers shall be verified and will be a significant factor in the evaluation. Proposers should complete and provide **APPENDIX C – REFERENCES** as part of their submission.

Please provide accurate information and inform your references that the City of Norcross will follow up to perform reference checks. It will affect your scores if we are not able to contact your references, or they do not respond in time.

The City of Norcross will not serve as a reference, in the event that your Company worked with the City of Norcross previously.

Alternatively, Proposers are welcome to provide three (3) reference letters where they provided the same or similar services. Reference letters must be on official letterhead and signed by the point of contact of the agency where the service was performed.

1.6.3 Personnel Qualifications

Proposers should provide pertinent information on personnel.

Please complete and attach **APPENDIX D – PERSONNEL QUALIFICATIONS**

1.6.4 Method Of Performance/Approach

Proposers should present detailed information regarding the proposed method of performance emphasizing safety, industry standards, innovation, and sustainability, etc.

It is the Proposer's responsibility to make sure all services proposed are adequately described. It should not be assumed that the evaluators have specific knowledge of the services proposed. Please complete and attach **APPENDIX E – METHOD OF APPROACH/PERFORMANCE** and **APPENDIX F – MSDS AND PRODUCT LIST**

1.7 EVALUATION CRITERIA

Evaluation Criteria	Max Score
Experience & Qualifications	30
Method of Performance/Approach	30
Cost Proposal	20
Material Safety Data Sheets And Product List	10
References	10
Total	100

The City may schedule interviews with the top-scoring firms.

2.0 GENERAL CONDITIONS

PROPOSERS ARE ADVISED TO THOROUGHLY UNDERSTAND THE GENERAL CONDITIONS AND SPECIAL PROVISIONS, PRIOR TO SUBMITTING THEIR PROPOSALS.

2.1 QUALIFICATIONS

- 2.1.1** Proposals will be considered only from experienced and well-equipped Vendor(s) engaged in work of this type and magnitude.
- 2.1.2** Proposers may be required to submit evidence setting forth qualifications which entitle their company for consideration as a responsible Vendor. A list of work of similar character successfully completed within the last five years may be required, which lists the location, size, and scope for use on this work. Before accepting any proposal, the City may require evidence of the Vendor's financial ability to successfully perform the work to be accomplished under the contract.
- 2.1.3** Proposers must provide their own materials and tools for this contract. Proof of samples and examples of current inventory will be provided in the proposal for evaluation.

2.2 GUARANTEE TO ACCOMPANY PROPOSAL

- 2.2.1** If the cost proposal is greater than \$30,000.00, then proposals must be accompanied by a certified check or cashier's check or acceptable performance bond in an amount not less than five percent (5%) of the amount proposal per section, and failure to submit a performance bond will be cause for rejection.

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2.8 LOCATION AND SITE(S)

- 2.8.1** The site(s) of the proposed work is as provided in Appendix B. All work is within City limits of the City of Norcross, Georgia.
- 2.8.2** The Vendor shall accept the site(s) in its present condition and carry out all work in accordance with the requirements of the specifications as indicated in the appendices or as directed by the Department of Public Works, Utilities and Parks.
- 2.8.3** The Vendor, before submitting a proposal is required to visit the site(s) and acquaint themselves with the actual conditions and the location of any and/or all obstructions that may exist on the site(s). There will be a site visit to all locations during the mandatory pre-proposal meeting on **October 11, 2023, at 9:00 a.m.**

2.9 NON-COLLUSION

- 2.9.1** Vendor(s), by submitting a proposal certify that the accompanying proposal is not the result of, or affected, by any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Georgia or United States law.

2.10 MATERIALS

- 2.10.1** Unless otherwise specified in the Contract, Vendor shall provide and assume full responsibility for all services, materials, equipment, labor, and all other facilities and incidentals necessary for the completion of the Work.

- 2.10.2** All materials and equipment incorporated into the work shall be of good quality, except as otherwise provided in the Contract. All special warranties and guarantees required by the Specifications shall expressly run to the benefit of the City.

2.11 CONTRACT REQUIREMENTS

- 2.11.1** The successful Vendor is required to do the following within ten (10) days of Notice:

2.11.1.1.1 Return to the Department of Public Works, Utilities & Parks contract documents executed by the authorized representative attested by the corporate secretary treasurer.

2.11.1.1.2 Provide Insurance Certificates as specified in the RFP Checklist.

2.11.1.1.3 Provide bonding as required by the RFP documents.

- 2.11.2** Failure to execute the Contract, Contract Performance Bond, or furnish satisfactory proof of carriage of the insurance required within ten days after the date of Notice of Award of the Contract may be just cause for the annulment of the award and for the forfeiture of the guaranty, not as a penalty, but as liquidation of damages sustained. At the discretion of the City, the award may then be made to the next most qualified Vendor, or the work may be re-advertised. The Contract and Contract Bonds shall be executed in duplicate.

2.12 SCHEDULE

- 2.12.1** Schedule: The Vendor shall provide to jdavis@norcrossga.net a schedule and names of personnel to complete services to make sure the appropriate City Staff is available to provide access to buildings.

APPENDIX A
RFP PWUP 23-16
SCHEDULE OF EVENTS

Event	Date
Release of RFP	October 2, 2023, at 11:00 a.m.
Pre-proposal Meeting	October 11, 2023, at 9:00 a.m.
Deadline for Written Questions	October 13, 2023, at 5:00 p.m.
Proposals Due	October 27, 2023, at 11:00 a.m.
Evaluation Complete	TBD
Contract Award	TBD

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX B
RFP PWUP 23-16
LOCATIONS

Location

The Rectory
Welcome Center
Cultural Arts & Community Center
City Hall
Police Department
Public Works, Utilities & Parks
Police Annex Building
Kudzu Art Zone

Address

17 College St.
189 Lawrenceville St.
10 College St.
65 Lawrenceville St.
65 Lawrenceville St.
345 Lively Ave.
168 Wingo St.
118 Carlyle St.

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX C
RFP PWUP 23-16
REFERENCES

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX D
RFP PWUP 23-16
PERSONNEL QUALIFICATIONS

Complete the following for employees that will be working on this project. List any previous work pertinent to the RFP specifications that have been performed for other public entities, local government, or private companies in the last five years. Attach a separate sheet of paper if needed.

EMPLOYEE NAME	QUALIFICATIONS	EXPERIENCE/TRAINING/CERTIFICATION

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX E
RFP PWUP 23-16
METHOD OF PERFORMANCE/APPROACH

Please detail your method of performance/approach here.

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX F
RFP PWUP 23-16
MATERIAL SAFETY DATA SHEETS (MSDS) AND PRODUCT LIST

Please attach your MSDS and Product List here.

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX G
RFP PWUP 23-16
COST PROPOSAL

In a separate envelope, please include a monthly, annual, and 3-year line-item breakdown and lump sum fee for all locations.

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

APPENDIX H

RFP PWUP 23-16

PACKET CHECKLIST

PROJECT: _____

DATE: _____

Please use this checklist to ensure you have properly completed all forms and requirements.
You must complete and attach this checklist to your Proposal packet. Failure to do so may you render ineligible for consideration.

- _____ Packet Checklist (attached to proposal package)

- _____ Two Hard Copies & One Electronic Copy of Proposal Package (*including completed appendices and all required forms*)

- _____ Bond or Certified Check if cost proposal over \$30,000

- _____ Certificate of Liability Insurance

- _____ E-Verify Contractor & SAVE Affidavits

- _____ Mail or deliver to:
 PWUP Department
 Attn: Christabel Ghansah, Capital Projects Manager
 City of Norcross
 345 Lively Avenue
 Norcross, GA 30071

Attachment: RFP PWUP 23-16 (23-6798 : RFP for Pest Control Services)

References for _____

Please provide a list of contact numbers, addresses and a contact person from three (3) jobs completed having similar specification within the metro-Atlanta area.

City of Norcross requests a minimum of three (3) references where work of a similar size and scope has been completed.

1. Company Name: _____
Description of Project: _____
Completion Date: _____
Contact Person: _____
Telephone: _____ Fax: _____
Email address: _____

2. Company Name: _____
Description of Project: _____
Completion Date: _____
Contact Person: _____
Telephone: _____ Fax: _____
Email address: _____

3. Company Name: _____
Description of Project: _____
Completion Date: _____
Contact Person: _____
Telephone: _____ Fax: _____
Email address: _____



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6799	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Commercial Solid Waste Services Fees		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Commercial Solid Waste Service Fees FY 24](#)
2. [Sixth Addendum to the Exclusive Contract for Solid Waste, Recycling, and Yard Waste Services](#)

Title

Commercial Solid Waste Services Fees

Drafter

Eric Johnson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Eric Johnson, City Manager

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6799

Title: Commercial Solid Waste Services Fees

Recommendation – Approve commercial solid waste services fees effective September 1, based on a ten percent markup over the fees charged to the City of Norcross by Waste Management except for a five percent markup of disposal fees, and amend the total Solid Waste Fund budget to \$5.4 million in sources and uses.

Background – The City extended a contract, effective September 1, 2023, with Waste Management for five years. The City Council previously approved retaining the current residential services fee of \$295 annually for one solid waste bin and one recycling bin. That reflects a \$25.76 annual discount from what Waste Management charges the City. The City Council also approved retaining the current senior discounted fee of \$147.50 annually. The residential discount costs the City approximately \$116,000, while the senior discount costs the City approximately an additional \$90,000 annually. Since the City operates solid waste as an enterprise (like a business, where revenues should cover all costs), those residential subsidies as well as the City's cost of operating the solid waste enterprise (billing and collections, oversight, etc.) need to be recovered from non-residential/commercial billings. The recommended markups are intended to cover the residential subsidies and the City's projected operating costs of about \$130,000 annually. Should the non-residential charges appear to exceed or to fall short of needed revenue, the non-residential charges could be adjusted during the year (while residential charges previously set for FY 24 are only set on an annual basis so they can be included in tax bills).

The City adopted the sixth addendum to the exclusive contract for solid waste services, recycling, and yard waste services (attached) that reflects the collection rates that Waste Management will charge the City, effective September 1. The City will charge 110% of those charges to commercial customers except for the disposal charge, for which the \$58.00 fee from Waste Management will be marked up 5% (105% of \$58.00 equals \$60.90 per ton).

Financial Impact –

The impact of the increases will vary depending on which commercial services a customer requires. One change in how roll off customers will be billed is that they previously paid a flat fee for hauling and disposal unless the weight exceeded 4 tons, in which case there was a supplemental fee for excess tonnage. Under the new billing method, there is a price per haul and a price for disposal based on the entire weight disposed. The following information presents how fees would change for some of the most common commercial customer bills:

	Current Fee:	New Fee, eff. 9/1/23:
2-yard frontload dumpster 1x per week:	\$72.57	\$75.88
4-yard frontload dumpster 1x per week:	\$94.91	\$99.41
8-yard frontload dumpster 1x per week:	\$144.59	\$151.62
8-yard frontload dumpster 2x per week:	\$260.53	\$272.93
Frontload dumpster relocation:	\$91.02	\$110.00
Frontload dumpster extra pickup:	\$69.81	\$82.50
30-yard roll off rental:	\$203.10	\$165.00
30-yard roll off haul/disposal:	\$477.90 plus \$53.52/ton over 4 tons	\$302.50 plus \$60.90/ton
<i>Illustration: 30-yard roll off rent/haul/disposal</i>		
<i>With 3 tons</i>	\$681.00	\$650.20
<i>With 4 tons</i>	\$681.00	\$711.10
<i>With 4.5 tons</i>	\$707.76	\$741.55

Total Solid Waste Fund revenue and expenditures are projected to be \$5.4 million.

Consistent with Comprehensive Plan? Yes, consistent with Goal 6: Further the City's Tradition of Strong Leadership and High Level of Quality Services.

Attachments –Sixth Addendum to the Waste Management contract.

Next Steps – Public notice of proposed rate changes will be advertised following the Policy Work Session since rate changes will be effective September 1.

SIXTH ADDENDUM TO THE EXCLUSIVE CONTRACT FOR SOLID WASTE, RECYCLING, AND YARD WASTE SERVICES

WHEREAS on September 1, 2004, the City of Norcross, Georgia acting by and through its duly elected Mayor and Council (hereinafter referred to as “the City”) and Advanced Disposal Services Atlanta, LLC, which has merged into Georgia Waste Systems, LLC, (hereinafter referred to as “the Contractor”) entered into that certain Exclusive Agreement (“the Agreement”) for Services pertaining to the collection of residential and commercial solid waste and recycling in the City, and

WHEREAS, on July 6, 2009, the City acting by and through its duly elected Mayor and Council agreed to the First Amendment to said contract extending the term until August 31, 2012, and modifying and amending the Agreement to include unlimited collection of yard waste among other improvements, and

WHEREAS, on August 1, 2011, the City acting by and through its duly elected Mayor and Council agreed to the Second Amendment to extend the contract terms until August 31, 2017, modifying and amending the Agreement to enhance the City’s recycling program and include other improvements, and

WHEREAS, on June 5th, 2017, the City and Contractor agreed to a Third Amendment extending the term to expire August 31, 2022, modifying and improving the City’s overall program to achieve maximum sustainability and to add yard waste service once a week instead of twice a week, and

WHEREAS, on April 2nd, 2018, Mayor and Council voted to accept Contractor’s offer to enhance the City’s residential recycling program to once per week instead of once every other week starting June 1, 2018 with the parties’ agreement memorialized in a Fourth Addendum, and

WHEREAS, on April 4th, 2022, the City and Contractor agreed to a Fifth Amendment extending the term to expire August 31, 2023 and adjusting the compensation rates effective September 1, 2022, and

WHEREAS, the City and Contractor desire to enter into this Sixth Amendment, to the Agreement extending the term for an additional five years through August 31, 2028 and adjusting Contractor’s compensation effective September 1, 2023, as more fully set forth below.

NOW THEREFORE, in consideration of the mutual covenants and agreement herein set forth, the City and Contractor hereby agree to the terms of this Sixth Amendment as follows:

1. Accuracy of Recitals The recitals set forth above are true and correct and are incorporated herein by reference.
2. All defined terms not otherwise defined herein shall have the same meaning ascribed to them in the Agreement and all subsequent amendments described in the recitals.
3. Section 3.1 (Services Provided) is hereby amended and restated as follows:

3.1 Service Provided.

- (a) Defined Terms—for the Purpose of this Section, the following terms shall refer to and be defined accordingly:

Applicable Residential Services: shall refer to all residential services selected by the City. Such services shall be any or all of the itemized residential services in Table” R.1” of Exhibit “D”.

Overloading: shall refer to the overloading of all commercial waste containers whereby the waste in the container exceeds the volume of the container such that waste extrudes from the general confines of the container.

Term Year: shall mean the period between September 1 of a contract year to August 31 of the following calendar year.

- (b) As of the effective date of this Agreement, the Contractor shall provide all services itemized in the attached Exhibit “D” at the corresponding per household monthly rate. Prior to each Term year, with at least ninety (90) days’ notice to the Contractor, the City may request a change to the scope of its residential services by amending, declining, or adding recycling and bulk trash services. Upon receiving such notice, the Contractor shall submit a proposal for the services according to the change request providing for the allocated monthly cost in a form substantially similar to that form in Exhibit “D” (“Residential Change Proposal”). Such Residential Change Proposal must be submitted sixty (60) days before the end of the Term Year.

The City may elect to accept the Residential Change Proposal in which case, the amendment to services and costs shall be effective for that Term Year described in the proposal. If the City declines the Residential Change Proposal, the Contractor shall continue to provide the services provided in the Term Year in which the subject Residential Change Proposal was submitted at the corresponding rate, including any adjustments as provided in Section 5.3. At the end of the Term Year following a rejected Residential Change Proposal, the City may terminate this Agreement but only after providing at least ninety (90) days’ notice.

By way of example only, if the City requests an amendment to the scope of residential services for the Term Year 3 but the City ultimately rejects the corresponding residential change proposal, the Contractor shall continue to provide the same services provided (at the same rate, subject only to adjustments) in Term Year 2 for the duration of Term Year 3. The City may terminate this Agreement at the conclusion of Term Year 3 by giving notice ninety (90) days before the conclusion of Term Year 3.

- (c) Contractor shall collect all Applicable Residential Services from each Residential Premises one (1) time per week at the Curbside, except that bulk trash services shall be available by call to the Contractor. The occupant of the Residential Premises shall place the items at the Curbside by 6:30 AM on the designated collection day. The occupant shall use the Contractor owned 95 gallon cart for garbage, the Contractor owned 18 gallon tub for recyclables, and Customer owned heavy duty plastic container or plastic/paper bags for yard waste.

- (d) Contractor shall collect Garbage and or Recyclables from each Commercial Premises using contractor owned front end load and roll off containers at such capacity and frequency of producer's volume at the specified rates in Exhibit A. Front end load and roll off containers must be placed in an accessible location on hard surfaces. Commercial customers shall be responsible for maintaining such surfaces. The City reserves the right to amend the placement of containers allowing for safe and efficient service by Contractor. The City shall notify the Contractor on a daily basis of all service requests for extra pick ups. Overloading is the responsibility of the producer and shall result in an overage charge in accordance with Exhibit D, except that, where the Contractor has failed to timely provide service on the customary weekly schedule to a commercial vendor, no overage shall be payable. Any damage to equipment, containers, or trucks owned by the Contractor due to improper loading, overloading, or loading with improper material, will be the responsibility of the producer. Offloading will be the responsibility of the producer. Damage to trees, shrubs, underground water lines, sewer lines, gas lines, driveways, pavement, etc., at the construction site will be the responsibility of the producer, except where caused by the negligence of the Contractor.
 - (e) Contractor shall provide curbside/alleyway collection of 95 gallon carts for Commercial Hand-load Customer to all Commercial units which do not generate sufficient garbage to warrant front end load or roll off containers. Such services will be once a week as set forth in Exhibit D.
 - (f) Contractor shall provide leaf vacuuming services to the City between October and February of each Term Year. Contractor shall provide such services by vacuuming leaves on the Curbside of each residential and Commercial Property in the City. Such services shall be provided in a consistency such that the entirety of the City shall receive service every ten (10) days.
- 4. Section 5.1 is amended to add Exhibit "D" indicating the appropriate rates of compensation to be paid by the City to the Contractor effective September 1, 2023 for the services performed.
 - 5. Section 5.2 is hereby deleted.
 - 6. Section 5.3 (Rate Adjustments Due to Significant Changes) is hereby deleted, and the following Section 5.3 is inserted in lieu thereof:
 - (a) The CPI adjustment on all of Contractor's Collection Rates shall continue to take effect each September 1 during the term of the Agreement beginning September 1, 2024. Notice of any increase in pricing caused by CPI adjustments shall be provided no later than July 1 and shall be based on the immediately preceding published CPI numbers. The CPI index used for this extended term shall be 100% of the Consumer Price Index for Water, Sewer, and Trash CPI, Not Seasonally Adjusted, All Areas, (WST CPI) published by the Bureau of Labor Statistics, U.S. Department of Labor ("C.P.I."). No CPI adjustments shall exceed 7% on an annual basis.
 - (b) Extraordinary Rate Adjustments-The Collection Rates are calculated to pay certain expenses and costs that are of a contingent and uncertain nature. Therefore, in addition to the annual CPI adjustment provided above, Contractor's Collection Rates shall, upon written request to and approval by the City, be further adjusted on an interim basis to fully capture increased costs and lost revenue associated

with performance of the Services hereunder due to any one or more of the following cause:

- Material changes in Contractor's costs or revenues resulting from a Force Majeure Event (as defined by Section 8 of the Agreement, *infra*),
- Changes in the scope or method of services provided by Contractor or other changes or fees required, initiated, or approved by the City, except that this provision shall not pertain any modification of the service agreement contemplated within this agreement,
- Any change in applicable law, statute, rule, regulation, ordinance, order, or requirement of any federal, state, regional or local government that is enacted after the Effective Date of this Amendment,
- Increase in surcharges, fees, assessments, or taxes levied by federal, state, or local regulatory authorities or other governmental entities related to the Collection Services, or
- Increase of at least 10% in the cost of transportation, including fuel and third-party transportation costs.

If Contractor requests a Collection Rate adjustment pursuant to this Subsection, it shall prepare a written adjustment request setting forth its calculations of the increased costs/lost revenue, the accompanying adjustment to the Collection Rates necessary to offset such increased costs/lost revenue, and the expected duration of the event causing the adjustment. Any initial request for an Extraordinary Rate Adjustment must expire by its terms upon the conclusion of the extraordinary event or, at the latest, ninety (90) days from approval. However, Contractor may renew any Extraordinary Rate Adjustment for a period of thirty (30) additional days if, upon providing a written request setting forth calculations of the increased costs/lost revenue at least seven (7) days before expiration, cause for the extension is shown and agreed upon by the City.

City may request documentation and data reasonably necessary to evaluate such request by Contractor, and may retain an independent third party to audit and review such documentation and request. If such third party is retained, the City shall take reasonable steps, consistent with applicable law, to protect the confidential or proprietary nature of any data or information supplied by Contractor.

The City shall approve or disapprove the Collection Rate adjustments within ninety (90) days of Contractor's request. Notwithstanding the foregoing, if the request is based upon any new or increased third party fees, taxes, or regulatory assessments, the City shall approve the interim Collection Rate adjustment within such time period as necessary to ensure that such fees, taxes, assessments, or charges are passed on to Customers by the date the same are effective.

In the event that the City elects to disapprove the Collection Rate adjustments or any renewal thereof, the dispute shall be referred to an arbitration provider in Atlanta, Georgia within three (3) business days. An arbitration panel shall be determined in accordance with the rules and procedures set forth by the American Arbitration Association. The parties hereby agree to be bound by the final decision of the arbitration panel.

7. Section 8 (Force Majeure) is hereby deleted, and the following Section 8 is inserted in lieu thereof:

Except for the obligation to pay for services actually rendered, neither party hereto shall be liable for failure to perform hereunder due to unforeseeable contingencies beyond its control, including, but not limited to riots, war, fire, acts of God (including without limitation landslides, lightening, flood, hurricane, tornado, storm severe weather, freezing, or any other natural disasters or the imminent threat of such natural disasters), epidemics and pandemics, labor shortages, quarantines, civil disturbances, blockades, labor unrest (e.g. strikes, lockouts, or other labor disturbances), declarations or acts of domestic or foreign governments, or compliance with any law, regulation or order, whether valid or invalid, of the United States of America or any other governmental body or instrumentality thereof, whether now existing or hereafter created (collectively referred to as “Force Majeure Event”).

Should a Force Majeure Event occur, Contractor shall provide an emergency services plan within five (5) business days of the event. The plan shall describe, at a minimum, the anticipated reduction in services, the duration of time during which the Contractor anticipates the reduction in services will continue, any and all changes in the service delivery during the pendency of the Force Majeure Event, and any anticipated modifications to the delivery of services that will be made to remediate the impact of the Force Majeure Event including variations of routes and schedules as may be deemed necessary. The City and Contractor shall negotiate the amounts to be paid Contractor for services to be performed as a result of increased or decreased frequency resulting from a Force Majeure Event such that payment is proportional to the increase or decrease in services delivered.

8. Section 10 is hereby deleted, and the following Section 10 is inserted in lieu thereof:

The term of this Sixth Amendment to the Agreement shall begin on September 1, 2023 and continue for a period of five (5) years (the “Term”). The parties agree that this Agreement shall be subject to the requirements of O.C.G.A. § 36-60-13 and shall be a year-to-year contract during the Term and shall automatically renew at the close of each calendar year unless the City provides written notice to the Contractor, at least thirty (30) days prior to the expiration of the calendar year, of its intent not to renew the Agreement for the next calendar year. In the event that the City exercises its right to terminate the Agreement at the conclusion of a calendar year, the Agreement shall terminate absolutely and without further obligation on the part of the City at the close of the calendar year.

Pursuant to Section 5.2 hereof, the Contractor or the City shall also have the right to terminate this Agreement pursuant to Section 17.1 or at the end of the initial term or any renewal term.

9. Ratification The City and Contractor agree that all other terms and conditions of the Agreement and First, Second, Third, Fourth, and Fifth Amendment shall remain unchanged and in full force and effect other than as modified. Upon execution of the parties, this Amendment shall be attached to and form a part of the said Agreement.
10. This Sixth Amendment is hereby incorporated into the Agreement, which together with the Agreement, and prior amendments, and any Exhibits attached thereto or hereto, contains the entire agreement between the parties as to the matters contained herein. Any oral representations or modifications concerning this Amendment and the Agreement shall be of no force and effect.

Signed, sealed and delivered this ____ day of _____ 2023 in the presence of:

City of Norcross

Unofficial Witness

By:

Mayor

Georgia Waste Systems, LLC



Unofficial Witness



By:

Tracey Schrader, President

Exhibit D- Collection Rates

RESIDENTIAL SERVICES**Table R.1.**

Services	Rates
MSW	\$23.45
Recycle	\$3.28
Total Per Month	\$26.73

Number of homes 4479

Existing Residential Carts

COMMERCIAL SERVICES

Commercial Carts Downtown Norcross with a 95 gallon cart
 Garbage, \$26.43/month, 2nd cart \$18.20 per month Recycle,
 \$18.96/month, 2nd cart \$18.20 per month

Table C.1.

Front End Load Garbage Service	Monthly Charge
1-2x1	\$68.98
1-2x2	\$115.08
1-2x3	\$161.31
1-4x1	\$90.37
1-4x2	\$155.89
1-4x3	\$219.86
1-4x4	\$361.49
1-4x5	\$383.37
1-6x1	\$114.07
1-6x2	\$200.60
1-6x3	\$287.09
1-6x4	\$375.27
1-6x5	\$460.14
1-8x1	\$137.84
1-8x2	\$248.12
1-8x3	\$358.15
1-8x4	\$468.46
1-8x5	\$578.65

Extra pick up charge \$75, overage charges \$100 per occurrence

Table C.2

Front Load Cardboard Recycle Service	Monthly Charge
1-8x1	\$105.00
1-8x3	\$196.00
1-8x4	\$287.00
1-8x5	\$378.00
1-8x6	\$469.00

Contamination and Extra pick up charge \$75

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-6-

Temp Roll Off Service	Monthly Rental	Haul Charge	Disposal Charge
20 yard temp	\$150.00	\$225.00	\$58/ton
30 yard temp	\$150.00	\$225.00	\$58/ton

Trip charge and re-locate charge \$150

Perm Roll off Service	Monthly Rental	Haul Charge	Disposal Charge
20 yard Open top	\$150.00	\$275.00	\$58/ton
30 yard Open top	\$150.00	\$275.00	\$58/ton
12 yard compactor	\$550.00	350	\$58/ton
35 yard compactor	\$550.00	400	\$58/ton
40 yard Compactor	\$550.00	400	\$58/ton

Trip charge and re-locate charge \$150

Glass recycling 20 yard, \$600 per haul



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6759	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Request to Amend Code Section 202-2(D) Supplemental Use Standards		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Request to amend Code Sec. 202-2\(d\) Supplemental use Standards](#)
2. [Code Sec. 202-2\(d\) Supplemental Use Standards](#)

Title

Request to Amend Code Section 202-2(D) Supplemental Use Standards

Drafter

Councilmember Andrew Hixson

Motion

A motion to Approve/Deny an amendment to the Code of Ordinances of Norcross by revising Code Section 202-2(D) "Supplemental Use Standards", with an adjustment to the number of chickens allowed, determined by land lot size, with the following enacting clause:

The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that the following provisions shall become and be made a part of the Code of the City of Norcross, and the Sections in the Code in the Ordinance be numbered to accomplish that intention.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Suzanne Millen, Resident

Meeting Date: July 10, 2023 – Mayor and Council

Item No.: 23-6759

Title: Request to Amend Code Sec. 202-2(d) Supplemental Use Standards

CC: Eric Johnson, City Manager

Recommendation

I would like to request that the Norcross Chicken Ordinance Code - Sec. 202-2d be adjusted to allow fewer than 6 chickens as permissible in Norcross, determined by land lot size. The following recommendation is as follows:

- .3 acres for up to 2 chickens
- .4 acres for up to 4 chickens
- .5 acres for up to 6 chickens

Background

The current Ordinance Code - Sec. 202-2d requirement is to have a lot size of .5 acres, allowing for up to 6 chickens on the property.

Financial Impact

There is no financial impact to the city of Norcross.

Consistent with Comprehensive Plan?

Yes. A change to this ordinance would only affect citizens in the City of Norcross who are already interested in raising chickens, and who would look into the requirements on their own initiative. A change like this would benefit families like my own who would like to raise a couple of chickens, but are currently not allowed to because of the lot size restrictions.

Next Steps

I would appreciate your consideration of this request that Ordinance Code Sec. 202.2d be adjusted to allow fewer than 6 chickens on personal property per the land lot size recommendations at your upcoming Policy Work Session on June 20th. It is my hope that it will also be voted on and approved at the City Council meeting on July 10th. I am willing to meet with you in person if necessary.

Attachments

Sec. 202-2(d) Supplemental use standards



Update

Sec. 202-2. Supplemental use standards.

- (d) *Chickens.* The keeping of chickens for personal pleasure or utility on a lot which contains the dwelling of the property owner is permitted, subject to the following requirements:
- (1) The minimum lot size for the keeping of chickens shall be one-half of an acre;
 - (2) The keeping of chickens shall be permitted only on the same lot as the dwelling of the owner;
 - (3) Chickens must be kept securely in an enclosed yard or six-sided pen at all times;
 - (4) Minimum pen area of chickens shall be ten square feet per chicken;
 - (5) Chickens must be housed at least 20 feet from any property line and 50 feet from any residence other than the owner's residence;
 - (6) Any structure housing chickens must be located in the rear yard;
 - (7) The keeping of roosters is not permitted;
 - (8) No more than six chickens shall be permitted on any lot;
 - (9) No slaughter of chickens is permitted on the property;
 - (10) All enclosed yards and pens permitted herein are "accessory structures" as set forth in section 202-2 and shall comply with that Code section in addition to the requirements set forth above;
 - (11) It shall be the duty of the Chief of Police or his delegated representative, including the city Code



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COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6800	Version:
Type #:	Agenda Item	Status:
On Agenda:	8/21/2023 6:30 PM	In Control: Policy Work Session
Title:	HRD Cultural Assessment Update	

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - HRD Cultural Assessment Update](#)
2. [1\) City of Norcross Cultural Assessment Report 05162023](#)
3. [2\) Message to Employees of the City of Norcross from The Mayor](#)
4. [3\) HRD Assessment Update from Mayor and Council](#)

Title
HRD Cultural Assessment Update

Drafter
Councilmember Dr. Arlene
Beckles



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Agenda Report

To: Mayor and Council

From: Councilmember Dr. Arlene Beckles

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6800

Title: HRD Cultural Assessment

CC: Eric Johnson, City Manager

Recommendation:

Update on implementing the recommendations as HRD and Mayor and Council prescribed. As agreed by Council, the following items were to be addressed immediately:

- Elevate HR presence and engage HR Leader with Executive Leadership Team.
- Engage external resources to assist the HR Team.
- Identify opportunities within Departments to improve interpersonal relationships.

Background

The Cultural Assessment Report the Mayor and Council requested has shed some light on our organizational culture. Organizational culture significantly impacts the success and growth of an organization. The leadership team should promote a healthy work environment that aligns with its mission, values, and vision and contributes to the recruitment and retention of employees.

Financial Impact

TBD

Consistent with Comprehensive Plan?

The goal is to shape the city's direction by continuing to define Norcross's sense of place by strengthening the city as an inclusive and safe environment to live, work and play.

Next Steps

Attachments

1. City of Norcross Cultural Assessment Report 05162023
2. Message to Employees of the City of Norcross from The Mayor
3. HRD Assessment Update from Mayor and Council

Update



HUMAN RESOURCE
DIMENSIONS human Capital Solutions



Cultural Assessment

Prepared for: City of Norcross
Prepared by: Human Resource Dimensions
Date: May 12, 2023

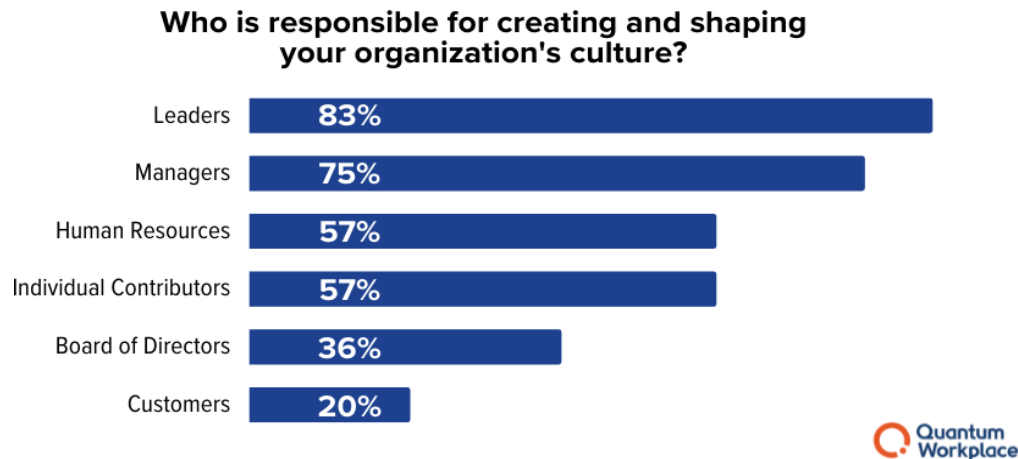
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WHAT IS ORGANIZATIONAL CULTURE?

Even though culture is all around us, even at work, different people define it differently. On the most basic level, Forbes defines workplace culture as: "The shared values, belief systems, attitudes, and the set of assumptions that people in a workplace share."

Employees want to feel connected to their colleagues and to the company's mission and core values. Put another way, employees want a positive culture. And it seems like companies want that as well. In fact, research by Deloitte shows 94% of executives and 88% of employees believe a distinct corporate culture is important to business success.



Ensuring a healthy workplace culture creates two critical side effects to an organization's success:

A healthy workplace culture **attracts and retains employees.**

A positive workplace culture is one that is built on meaningful work, open communication, and core values. The ultimate benefit for employer is that once an employee is embraced by a strong workplace culture like this, they don't have many reasons to leave.

To attract top job candidates and retain them, organizations need to immerse new hires in this positive company culture that truly embodies their core values from day one. This helps employees to quickly start connecting with the overall business as well as their unique role within it.

However, reciting core values once during onboarding isn't going to retain employees. If the company's leadership team has employee growth and shared values in mind, employees are more likely to do their best work.

The higher an employee rates their company culture, the lower the chances are they will leave the organization. When organizations put company policies in place that elevate an employee's experience, it allows employees to feel secure and supported in their role.

A healthy workplace culture **increases employee engagement.**

A true positive workplace culture is one that shifts and evolves based on the different needs and attitudes of employees, as well as has mechanisms in place to solve problems that may lead to a toxic culture. With these mechanisms in place, employees are better able to engage in their work.

Organizations that have implemented six main organization-wide drivers of employee engagement create a positive culture in the workplace.

1. The leaders of the organization are committed to making it a great place to work.

A healthy culture is the key to creating a great place to work, but without the dedication of the organization's leadership team, it is nearly impossible to build a sustainable positive work culture.

2. Trust in the leaders of the organization to set the right course.

Workplace culture starts at the top. Leaders who prioritize work-life balance, a positive attitude, and mutual respect with employees can actively encourage employees to feel empowered to do their best work.

3. Belief that the organization will be successful in the future.

Toxic workplace culture isn't just bad for engagement, it's also bad for business. Why? Because those two things go hand in hand. To prevent toxicity from seeping into a company, leaders should look at improving engagement and employee happiness as a way to ensure organizational success.

4. Understanding of how I fit into the organization's future plans.

Workplace culture is all encompassing, but unless employees are aware of how their day-to-day work impacts the business, it can be hard to maintain engagement.

Having a culture that makes an employee feel secure and appreciated in their role can help prevent that. When recognition is embedded in the organization's culture, employees are 5x as likely to see a path to grow at their organization.

5. The leaders of the organization value people as their most important resource.

There are few things more powerful for employee engagement than appreciation. A healthy workplace culture with a foundation of recognition shows employees they are valued and has the power to lift employees to new heights.

6. The organization makes investments to make employees more successful.

Building workplace cultures on a foundation of continuous performance management and learning and development shows employees how valuable they are to the company, boosting job satisfaction and employee happiness.

Employees who feel their organization encourages their development were those that experienced authentic, equitable, and fulfilling employee recognition that was embedded into the company's culture.

DESCRIBING CULTURE

Something as far-reaching as culture can be hard to describe; every company has a different mission and set of core values that shape the norms in the workplace. There are, however, a number of words that are often used to describe **positive** cultures including these words pulled from *Quantum's Great Place to Work Surveys*:

Challenging	Friendly	Engaging
Rewarding	Collaborative	Flexible
Supportive	Exciting	Caring
Family	Professional	Busy
Fast paced	Innovative	Teamwork
Motivating	Positive	Comfortable
Integrity	Trusting	Fun

Employees want to enjoy the time they spend at work – both in their role and with their colleagues. And when done effectively, creating a positive culture can have a significant impact on things like work-life balance, retaining top talent, and the comfortability to share new ideas.

The following is a list of words created based on the responses to the question **“How would you describe the current culture of the City of Norcross as an employer?”** The list is in order of how often the description was used:

Training	Micromanaging	Gossip	Mistake
Silos	Open	Expectations	Friendly
Happy	Nightmare	Rewarding	Rude
Accountable	Balanced	Challenging	Family
Imbalanced	Service	Accountability	Bad
Camaraderie	Catty	Conservative	Difficult
Disconnected	Disrespectful	Diverse	Favoritism
Fearful	Flexible	Inclusive	Misogynistic
Racist	Supportive	Teamwork	Trusting
Untrusting	Unfair		

► CULTURAL ASSESSMENT PROCESS

Cultural Assessment and Needs Analysis

Human Resource Dimensions, Inc. conducted interviews and discussions with key stakeholders and other necessary employees to perform a Cultural Assessment of the City of Norcross as an employer.



PHASE I: Data Gathering

Focused on the following key areas:

- Coaching & Performance Management
- Employee Development & Training
- Employee Engagement, Retention and Recognition
- Total Rewards
- Change Management
- Communication
- HR Support
- Employee perspective on company and culture



PHASE II: Presentation to Key Stakeholders

A meeting will be held to discuss the findings of the assessment and recommend an appropriate path forward including the following:

- Identification of any critical issues relative to the business operations and development of an immediate and future action plan
- Identification of best practices and recommendations to implement
- Identification of other areas of immediate concern
- Discussion of an action plan for the future

► CULTURAL ASSESSMENT REPORT HIGHLIGHTS

Organizational Strengths



Skilled and talented employees



Development Opportunities



Compensation Market Awareness



Employees take pride in the work that they do for organization



Employees have strong allegiance to one another **within** departments

Organizational Opportunities



Develop a Strategic HR Function



Increase Trust in Leadership



Managing Cultural Change



Company-wide engagement and communication



Physical obstacles **between** departments

► AREAS OF FOCUS

Employee Coaching and Performance Management

Observations

- Performance Management process does have consistent structure and documentation but lacks consistency in application across departments – possibly due to lack of training for Dept Heads
- Performance review process is a supervisor assessment only; no 180- or 360-degree feedback
- Coaching/mentoring discussions can sometimes make the recipient feel as though they are “less than” their peers

Opportunities

- Drive culture of open feedback and development conversations throughout the year – Communication, Accountability, Transparency
- Make the performance review process more meaningful for employees who meet the established goals and create a pay for performance structure
- Develop Talent bench strength through this process
- Goal setting to go beyond behavioral and tie to objective, measurable achievements
- Clearly articulate organizational goals and tie to performance review process



Employee Development and Training

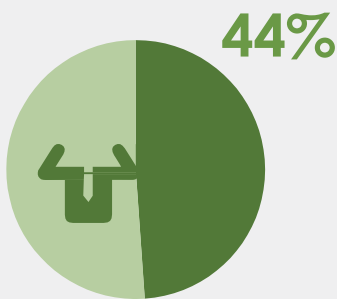
Observations

- Employees have a desire to contribute and do more, but lack guidance from Management
- Training opportunities are welcomed and used by the majority of City employees
- Employees would like to see compensation tied to completion of training & education
- New hire training needs to be formalized and documented
- Structured Leadership development programs seem to be lacking

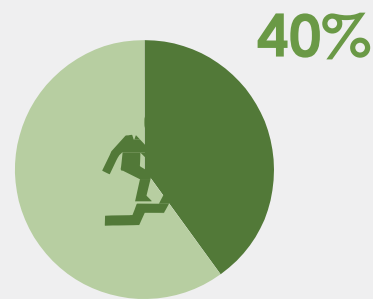
Opportunities

- Integrate career development conversation into performance evaluations
- Provide access to strategic training and development opportunities
- Assess workforce for succession planning and communicate requirements for next level advancement to employees
- Organization-Wide training programs - Management Training, Conflict Management, High Performing Teams, Effective Communication, Team Work Styles, Anti-Harassment

Employees with **Professional development opportunities** are **15% more engaged**.



of employees say a lack of career growth and advancement opportunities is their **top source of stress**.



of organizations admit they rarely or **never provide career planning or development**.

Source: <https://www.betterbuys.com/lms/professional-development-stats/>

Engagement, Recognition, and Retention

Observations

- Employees remain with the organization because of the **people** on their immediate team not because of the City as an employer
- Teams are relatively cohesive, however departments are siloed
- Inconsistent employee recognition throughout organization. Employee of the Month recognition programs currently in place for Public Safety and Public Works but exclude other departments
- Annual Recognition Program and Service Awards includes all employees
- Employees enjoy participation on Wellness Committee and participating in activities

Opportunities

- Create a communication strategy to educate and include employees in organizational objectives and identify how each role impacts those objectives
- Develop Managers in all departments to be stronger LEADERS, effective COMMUNICATORS, and non-retaliatory LISTENERS
- Create a stronger onboarding process. Engagement in the first 90 days is critical to retention. Consistency is key
- Create Employee recognition programs that are inclusive of all employees

Retention



Companies that offer professional development opportunities have **34% higher retention rates**



When looking for work, **54%** of people say **opportunities for career advancement** are more important than salary.



7 out of 10 people say that **professional development opportunities** affect their decision to **stay at a company**.

Total Rewards

Observations

- Consistent and transparent market evaluation needed
- Benefit programs are well received by employees and competitive
- Perception of inequity after pay study adjustments; communication lacked clarity around why some were brought to midpoint while others were given increases less than midpoint

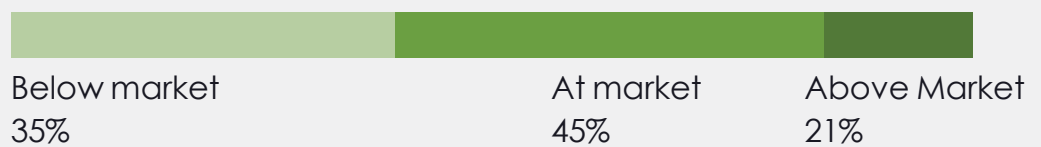


Opportunities

- Focus on Total Rewards when it comes to Compensation, not just Salary
- Enhance Benefits' communications to show value
- Stronger communication that merit increases are tied to performance to also reinforce Pay for Performance culture
- Communicate City Compensation Strategy – future salary surveys, adjustments, etc. Provide education so understanding is clearer. Lack of information leads to assumptions that nothing is being done
- Consider Total Compensation Statements to show organizational investment in individuals



People who are actually paid **above market** believe they're paid:



People who are actually paid **at market** believe they're paid:



People who are actually paid **below market** believe they're paid:



Change Management



Observations

- With the hiring of a new City Manager, change has been abundant within City Hall
- Significant amount of change within the Finance & Admin Services area
- Perception that changes have been made without a clear understanding of existing processes and procedures
- Lack of communication with the people who are doing the work leads to a perception that their input isn't valued
- There doesn't seem to be a plan for why or how changes are being made; feels very fractured based on directions given from City Manager and Council
- Long tenured employees seem less open to change – don't see the need for it



Opportunities

- Leadership needs to build trust by addressing difficult discussions with the employees to put concerns at ease. Communicate the reasons, needs, and impact of the change.
- Implement change through a process with clear benchmarks, timelines, training, and involvement of those impacted
- Openly provide information and updates about your plan to create a feeling of certainty within the workplace. Employees are likely to perform better if they have a clear understanding of what's going on and why it's happening
- Listen for feedback. This is a great opportunity to engage long-tenured employees in the process. Your employees have valuable input and need to know they are being heard and included
- Be open about why the need for the change without criticism for past practices or owners



Human Resource Support

Observations

- HR department needs to be more efficient in response times to inquiries
- Need to divide and conquer rather than have both HR representatives work on same initiatives
- HR Department is focused on committees and employee events. Needs to show equal enthusiasm for other areas of HR
- Leadership appears to not respect recommendations of Human Resources
- Employee perceptions are that once issues are brought to HR that nothing will be done by Leadership and if reported, fear retaliation
- HR does not feel empowered to escalate concerns to Council

Opportunities

- Human Resources needs to cultivate an environment of trust and action with employees
- Human Resources needs to be more assertive
- Implement and communicate escalation process for HR to bring issues to Council, when appropriate
- Improve effectiveness of Attraction, Recruiting & Retention initiatives
- Integrate Employment Best Practices into HR Department's responsibilities and standards
- Provide external professional HR mentor to offer developmental opportunity
- Strategically develop HR function and engage Lead HR Professional with the Executive Leadership Team



Leadership and Culture



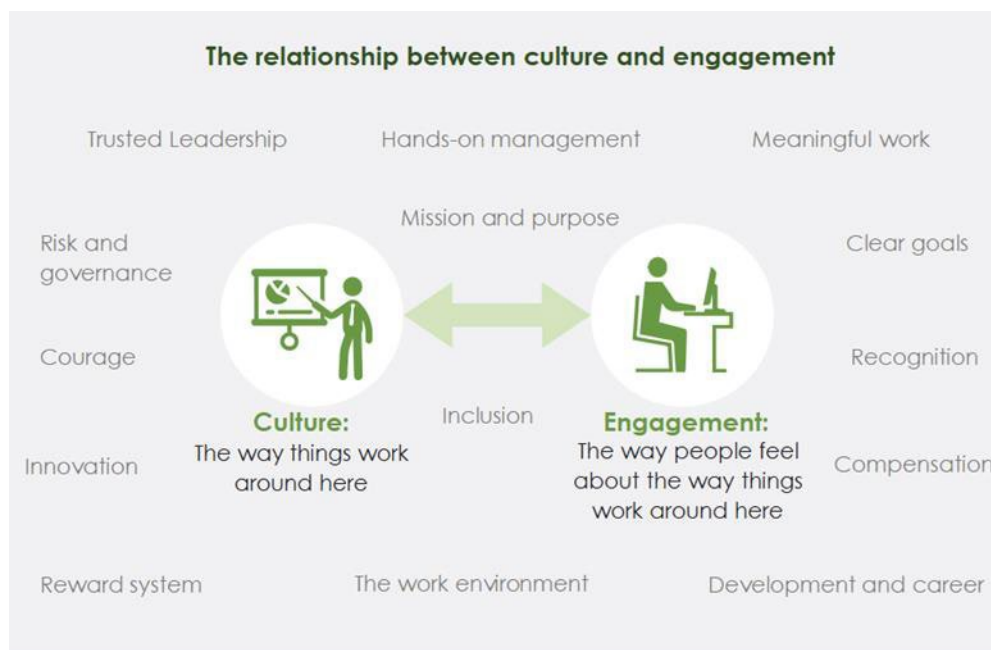
Observations

- The City does not have any value statements intended to sync employee behaviors and work habits
- 55% of minorities & 57% of females we met with indicated a perception of bias or favoritism
- Concern regarding leadership cohesion; applies to Council and City Management
- Lack of top-down communication. Would like to see more companywide messaging from Leadership
- Communication style of some leaders was described as "rude, unprofessional, inappropriate, yelling, disrespectful"
- Lack of Trust in Leadership – feeling that issues are not being addressed or taken seriously
- Need clear definition of Council's role as it pertains to day-to-day employment activities
- Requests for a true work/life balance; lots of extra hours post 5pm



Opportunities

- Engage in a collective process to create Core Values that become deeply ingrained principles guiding ALL employee's actions
- Present leadership development program on unconscious bias and hold everyone accountable for how they treat, communicate, and interact with each other
- Integrate and communicate values, goals, and strategic direction – help everyone understand how they fit into the big picture. Address difficult topics with the employees to put concerns at ease to build trust
- Define a specific program to engage all Leaders in a Soft Skills Development Program





RECOMMENDED PRIORITIES

Creating a positive work environment is the basis for every initiative in the workplace and is crucial for an organization's success. Considering the uncertainty in today's economic climate, now is the time to ensure employees are invested in their work and feel valued by their employers. A good workplace culture can make that happen.

Developing the desired culture must start at the top. In this case, that would include the Council as well as the Leadership Team within City Hall. The city is in a good place to be able to implement a change initiative that can exponentially improve your organizational culture and your business performance. We hope the information from the interview responses and employee feedback will be used to continue developing a positive, welcoming, and productive workplace culture at the City of Norcross. Below are our recommended priorities:

- Engage both Leadership and Employees on defining the target culture and development of corporate values to support that culture
- Develop a companywide communication strategy that helps employees understand the organization's top-level goals and connects their everyday tasks to the bigger picture
- Develop a change management process that includes involvement of and communication to those affected by the change
- Develop performance management programs that focus on building readiness for future opportunities, driving accountability and engagement, and creating and maintaining a positive culture
- Implement a 360-feedback program for the top leaders focusing on communication, inclusion, leadership effectiveness, and related topics
- Monitor progress towards Cultural change by implementing pulse surveys
- Elevate HR presence and engage HR Leader with Executive Leadership Team



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June 8, 2023

Subject: An Apology for Operational Shortcomings and Commitment to Improvement

Dear City Employee,

I trust this message finds you well. I am writing to you today because I feel it is necessary to acknowledge and apologize for recent operational shortcomings that may have negatively impacted your work experience and overall morale. We have retained a consulting group, Human Resource Dimensions, to assist us in righting the ship. I appreciate all employees that have participated in this interview process.

In retrospect, I see that there have been instances where our actions, decisions, and overall management approach may not have been as effective or supportive as intended. It has been brought to the attention of Mayor and Council that this has caused some confusion, miscommunication, and perhaps even undue stress.

Among these issues are lapses in clear communication, inadequate support for team needs, and a potential perceived lack of fairness and transparency in decision-making processes. I understand that these instances have had an impact on your work, your professional growth, and your overall experience as a member of our team.

I deeply regret these oversights and sincerely apologize for any difficulties, frustrations, or disruptions they may have caused. As Chief Elected Official it is my responsibility to help create a positive, inclusive, and productive work environment. It is clear that in this regard, there is room for improvement.

I want you to know that the Mayor and Council are taking these matters seriously and are committed to rectifying these issues. It is important to me personally that you and all members of our team feel supported, understood, and empowered in your roles.

65 LAWRENCEVILLE STREET, NORCROSS, GEORGIA 30071
 (678) 421-2027 **UPSTAIRS CITY HALL** (770) 242-0824 **FAX** (770) 448-2111 **POLICE DEPARTMENT**
<http://www.norcrossga.net>



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In the coming weeks, we plan to implement several initiatives to improve management styles and our work environment. These include providing clearer communication regarding team expectations and project goals, ensuring a more equitable distribution of responsibilities, and establishing more consistent and open channels for feedback.

We are also open to any suggestions or ideas you might have to improve the working environment and management approach. Your thoughts and experiences are valuable, and I welcome your input as we work towards creating a more efficient and harmonious workplace.

An additional letter detailing the path forward is currently being drafted by Human Resource Dimensions in hopes of providing additional technical details concerning the cultural assessment..

Again, I sincerely apologize for any discomfort or inconvenience in our policy implementation or past operational approach may have caused. We are deeply committed to learning from these experiences and making the necessary changes to better support you and our team.

Thank you for your understanding and your patience as we navigate these challenges. I look forward to working together with you to improve our workplace experience and foster a team environment where everyone feels valued and supported.

Best regards,

Craig Newton

Mayor Craig Newton



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 COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

Date: 6/23/2023

Subject: Mayor and Council update on the HRD Cultural Assessment

Dear City Employees,

As you are aware, the Norcross City Council recently retained Human Resource Dimensions (HRD) to conduct a Cultural Assessment of the City of Norcross as an employer.

HRD has concluded its assessment and submitted its findings to the Council. We have received and reviewed the Assessment and are in the process of working on an implementation plan for some of the recommendations.

We appreciate your willingness to participate in the assessment process and are grateful to those of you who provided candid feedback during your interviews with the team from HRD. We are committed to ensuring that any necessary steps or actions are taken to positively impact the culture of the City of Norcross.

Some of the recommendations we are considering include:

- Engage both Leadership and Employees in defining the target culture and development of corporate values to support that culture
- Develop a companywide communication strategy that helps employees understand the organization's top-level goals and connects their everyday tasks to the bigger picture
- Develop a change management process that includes the involvement of and communication with those affected by the change

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- Develop performance management programs that focus on building readiness for future opportunities, driving accountability and engagement, and creating and maintaining a positive culture
- Implement a 360-feedback program for the top leaders focusing on communication, inclusion, leadership effectiveness, and related topics
- Monitor progress toward Cultural change by implementing pulse surveys
- Elevate HR presence and engage HR Leader with Executive Leadership Team

As Mayor and Council, we are committed to helping create a positive, inclusive, and productive work environment for all our employees.

Best regards,

Craig Newton

Mayor Craig Newton



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City of Norcross

Legislation Details (With Details)

File #:	23-6801	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	Gwinnett United in Drug Education (GUIDE) Contribution		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Gwinnett United in Drug Education \(GUIDE\) Contribution](#)
2. [GUIDE Community Request for Funding Form](#)

Title
Gwinnett United in Drug Education (GUIDE) Contribution

Drafter
Councilmember Matt Myers



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COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Councilmember Matt Myers

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23-6801

Title: Non-Profit Contribution to Gwinnett United in Drug Education (GUIDE)

CC: Eric Johnson, City Manager

Recommendation – Approve a \$500 contribution to Gwinnett United in Drug Education (GUIDE) for the purpose of covering costs associated with the use of Lillian Webb Park for a currently non-sponsored event.

Background – GUIDE submitted a Community Request for Funding Form to the City of Norcross for an event in early September.

Financial Impact – \$500 is available from \$20,000 set aside in the Mayor and Council FY 24 budget to support non-profit funding requests.

Consistent with Comprehensive Plan? Yes, consistent with Goal 6: Further the City's Tradition of Strong Leadership and High Level of Quality Services.

Attachments – GUIDE Community Request for Funding Form

Next Steps – Funding will be available in time for the event after approval by the City Council at the September 5th City Council meeting. The event is planned for a few days later.



City of Norcross Community Request for Funding Form

Please complete the following form, giving as much information as possible.

Section 1: Contact Information

Name of organization:	Gwinnett United in Drug Education (GUIDE), Inc.
Address:	750 South Perry St. Suite 310 Lawrenceville, GA 30046
Main contact:	Amira Abdulhafid
Position in organization:	Program Coordinator, Suicide Prevention
Address (if different from above):	
Email:	amira@guideinc.org
Daytime telephone number:	678-619-1954

Section 2: About your organization

2.1 Is this organization a registered non-profit organization? Yes ☒ No ☐ If no, does your organization have a constitution/ rules which it follows? Yes* ☐ No ☐ *If yes, please include a copy in your application.
2.2 Who does this organization support/benefit? Note: The City of Norcross seeks to support charities, non-profit organizations, and community groups whose impact pursues to provide positive community development but will view any application form on a case-by-case basis. *See attached document.

City of Norcross Community Request for Funding Form

2.3 What are the aims of this organization, and what kind of activities/projects does it run?

*See attached document.

2.4 Description of how the Donation Request Amount will be of benefit to the Norcross Community?

*See attached document.

Section 3: The Need

3.1 How much funding is the organization requesting for the Donation?

\$500

3.2 Does this Funding from the City of Norcross include Sponsorship for the organization? Yes ☒ No ☐

If yes, please explain the current sponsorship display format: (Example: City of Norcross Logo in the weekly bulletin?)

*See attached document.

Section 4: Confirmation

For our information, please specify where you heard about the City of Norcross funding initiative?:

Councilman Matt Myers

For us to process your application, please ensure you have:

- Answered all questions on this form
- Signed the form
- Enclosed a copy of your constitution/non-profit designation if necessary

By signing below, you are confirming:

- You have read and understood the City of Norcross Funding Request Guidelines.
- All the information supplied in this donation application is correct.
- The Management Committee (or equivalent) of the organization have agreed to the submission of this application

Signature:

Josephine K Wiss

Print name:

Josephine K Wiss

Date:

5/31/23

The City of Norcross Administrator only. (Verifies that a City of Norcross Admin has reviewed this application form).

Authorized Signature

Print name/Date

2.2) Who does this organization support/benefit? (The City of Norcross seeks to support charities, non-profit organizations, and community groups whose impact pursues to provide positive community development but will view any application form on a case-by-case basis.)

At GUIDE, we support all Gwinnett County residents in our initiatives to prevent underage drinking, prescription drug abuse and suicide prevention through positive community-level change. We support the youth of Gwinnett County by providing educational materials to the community and after-school program promotion. We support adults in the Gwinnett County community through our training programs focused on suicide prevention, mental health awareness, drug education and after-school program support.

GUIDE's mission is to improve community conditions by utilizing collaborations, promoting positive youth development, delivering specialized training and resources, and preventing underage substance use and suicide. Our initiatives and support serve the residents of Gwinnett County first, but we also provide a few services to the metro-Atlanta area, Newton and Rockdale counties.

2.3) What are the aims of this organization, and what kind of activities/projects does it run?

The aims of GUIDE are prevention, positive youth development and training and capacity building.

Our prevention team focuses on the overall reduction of underage alcohol, tobacco and drug/prescription drug use, as well as suicide prevention and mental health promotion. We focus our efforts on youth, adults with youth in their lives, and college-aged and young adults in the LGBTQIA+ community. Community-level change is supported through our activities with Gwinnett-based coalitions, community partnerships within these environments, working alongside our Youth Action Board, attending health fairs and community events to spread prevention education, and leading prevention-based training for the public.

Activities for our initiatives in the prevention of underage drinking are pledges that adults with youth in their lives take to ensure that those youth stay safe and drug-free. Preventing prescription drug use activities are shown through our support of safe storage and disposal, where we support local law enforcement who participate in the DEA's drug disposal day or provide prescription drug lock boxes to the community. We encourage a smoke-free Gwinnett through education and passing ordinances for the county. Our suicide prevention activities are centered around Question, Persuade, Refer (QPR) and Youth Mental Health First Aid (YMHFA) training. We work to bring education and training on suicide prevention and mental health promotion to all spaces in Gwinnett County. We provide resources and education in different shapes and lead public awareness campaigns annually.

Our positive youth development focuses on valuing youth voice and leadership in prevention programming. We accomplish this through our activities at Georgia Teen Institute (GTI), in our Youth Advisory Board (YAB), and our newly added Youth and Family Advisory Board (YFAB).

GTI invites Youth Action Teams/Youth Advisory Boards throughout Georgia to a youth leadership program during the summer and continues with year-round support until the following camp. The youth of these teams attend a four-day residential camp at Oxford College to develop leadership skills and engage in the Strategic Prevention Framework planning process through workshops, Team Meetings, and team-building activities. The teams work to plan and implement their own peer-focused prevention and community service projects that they take back to their communities. GUIDE follows up with them throughout the year with additional training and assistance, networking opportunities and monthly progress reports.

Our Youth Advisory Board is a group of high school students across Gwinnett County. They come together to learn leadership skills, provide input to various projects at GUIDE, and conduct substance abuse prevention projects throughout the school year and at GTI. They are committed to positively impacting the community, as well as making their own responsible and healthy personal choices. Throughout the school year, YAB members participate in monthly meetings where they help put together youth leadership training, community-wide events and peer-prevention campaigns. Through these projects, they develop and practice key leadership skills such as public speaking, group management, networking, decision-making, planning, organization and time management. The youth serve in leadership positions and have a voice with the GUIDE Board of Directors.

The Youth and Family Advisory Board engages youth ages 15-23, and parents/guardians of those in this age range to provide feedback, input, support and voice to statewide prevention projects across Georgia. These meetings discuss advocacy, substance use trends, Strategic Prevention Framework, leadership, communication, teamwork, public speaking and facilitation. It gives a platform to the community we are trying to reach the most.

Our training and capacity building is all about providing engaging and meaningful training opportunities for adults and youth. These training opportunities focus on substance abuse prevention, suicide prevention, mental health promotion, personal development, team and youth development and cultural competency. We also reach our community through monthly and quarterly newsletters surrounding multiple topics about positive and healthy actions.

At GUIDE to Wellness, we embody all the facets of our organization to showcase a collective mission, vision and goals for the community. GUIDE to Wellness's mission is to improve community conditions by utilizing our partners to come together yearly to provide the public with easy access to free resources, education and training to improve their physical and mental health and wellness. Our vision is to raise awareness of the increased use of substances and mental health challenges for both adults and our youth. By having a safe place for the community to gather and engage in activities, the community can learn different resources and ways to help improve their and each other's overall health. GUIDE to Wellness aims to unite the community with the same mission - to improve the community's well-being. Finally, our goals are to:

1. Partner with local businesses to sustain the resources, education and training provided at the event all year long.

2. Increase partner participation and community attendance every year at the event.
3. Educate more people about the effects of underage substance use and abuse.
4. Educate more people on spotting signs and behavior of suicidal thoughts and feelings and train them in QPR and YMHFA to understand those thoughts and feelings.
5. Educate more people about reversing an overdose and the importance of responsibly storing and disposing of your medication.

2.4) Description of how the Donation Request Amount will benefit the Norcross Community.

The Donation Request Amount will benefit the Norcross Community by allowing us to put more funds and energy into the projects we bring to the Norcross residents who attend our event. This amount will help us focus on the quality of information and resources we will deliver to your community.

We want to show the residents of Norcross what GUIDE and our partners can connect with you on, and this Donation Request will help us focus on that goal. We are heavily focused on creating relationships and supplying the best information and resources to the people of our community. Norcross is an important part of Gwinnett County, and we want to keep extending ourselves to you. We believe this Donation Request will fulfill that, and we can benefit the community even more than we planned.

The overall value that GUIDE to Wellness brings to the community is awareness, education, access, friendliness, and conversations. Our organization, the vendors, and the partnerships that attend GUIDE to Wellness will represent these values. We are bringing a community of providers to the Norcross community to share resources that foster conversations surrounding prevention, intervention and recovery. We pride ourselves on the values that our staff, volunteers and partnerships bring to the community and are excited to have the opportunity to bring these connections to the Norcross community.

3.1) How much funding is the organization requesting for the Donation?

\$500

3.2) Does this Funding from the City of Norcross include Sponsorship for the organization? (If yes, please explain the current sponsorship display format: EX) City of Norcross Logo in weekly bulletin)

Yes. We can place the City of Norcross logo on the event flyer to distribute among our vendors, community partners, and public spaces for attendees to view. We can also name you as the official co-sponsor of the event.

4) For our information, please specify where you heard about the City of Norcross funding initiative

Councilman Matt Myers



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6802	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	8/21/2023 6:30 PM	In Control:	Policy Work Session
Title:	RFP – Smart Parking Downtown Norcross		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report- RFP for Smart Parking](#)
2. [Smart Parking - RFP Proposal](#)
3. [Scope for Downtown Parking](#)

Title

RFP – Smart Parking Downtown Norcross

Drafter

Dr. James Trent



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Dr. James Trent, IT Director

Meeting Date: August 21, 2023 – Policy Work Session

Item No.: 23- 6802

Title: RFP – Smart Parking Downtown Norcross

CC: Eric Johnson, City Manager

Recommendation

The IT Department is requesting approval from the Mayor and Council to proceed with the issuance of an RFP soliciting the services of a qualified vendor to provide smart parking in the Downtown Norcross area.

Background

The City of Norcross has a very active and engaging downtown area. One of the documented concerns of citizens is parking. A parking study was done in 2019 to identify all the parking spaces and some obstacles to parking. The IT Department would like to deploy the “smart parking” concept using technology in three phases. Phase one: Identify parking spaces in downtown Norcross. Phase two: Inform citizens where to park by using apps and information boards throughout downtown. Phase three: A fee system that will be deployed once the space has been occupied after a specified time frame has been determined by the Mayor & Council.

Financial Impact

The RFP/Bid process will determine the financial impact.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

This project is consistent with the City’s adopted Comprehensive Plan as it relates to Goal 6: Further to the City’s Tradition of Strong Leadership and a High Level of Quality Services

Next Steps

Issue RFP upon Council approval.

Attachments

Smart Parking - RFP Proposal

Scope for Downtown Parking

Update

N/A

City of Norcross IT Department

Request for Proposal (Smart Parking – Downtown Norcross)

Smart Parking – Downtown Norcross

Request for Proposal (IT- 0324)

PROJECT SCOPE – See attached documentation

INSTRUCTIONS

All bids must be submitted by October 16^h 2023, @ 11:00 AM to the address below: Please submit one hard (paper) and one electronic PDF to James.Trent@norcrossga.net

Dr. James Trent
City Hall/IT Department
65 Lawrenceville Street
Norcross, GA 30071

Please request bidding documents/specifications and submit questions via e-mail only. Submit questions/requests to James Trent via email at James.Trent@norcrossga.net

All questions/requests must be submitted via e-mail prior to October 2nd, 2023.

We appreciate your interest in the City of Norcross!

SPECIFICATIONS

This project will consist of the attached scope for the City of Norcross, IT Department.

REQUIREMENT

Estimates must include labor and all materials as specified; no substitutions for materials are allowed unless approved by owner.

Attachment: Smart Parking - RFP Proposal (23-6802 : RFP – Smart Parking Downtown Norcross)

I. GENERAL CONDITIONS

BIDDERS ARE ADVISED TO THOROUGHLY UNDERSTAND THE GENERAL CONDITIONS AND SPECIAL PROVISIONS, PRIOR TO SUBMITTING THEIR BID

A. Qualifications

1. Bids will be considered only from experienced and well-equipped vendor(s) engaged in work of this type and magnitude.
2. Bidders may be required to submit evidence setting forth qualifications, which entitle his or her company for consideration as a responsible vendor. A list of work of similar character successfully completed within the last two years may be required giving the location, size and listing of equipment available for use on this work. Before accepting any bid, the City may require evidence of the Contractor's financial ability to successfully perform the work to be accomplished under the contract.

B. Guarantee to Accompany Bid

1. If the proposer's bid is greater than \$350,000.00, Bids must be accompanied by a certified check or cashier's check or acceptable bid bond in an amount not less than five percent (5%) of the amount bid per section, and failure to submit a bid bond will be cause for rejection.

C. Authority to Sign

1. The Bidder should ensure that the legal proper name of his proprietorship, firm, partnership and/or corporation is printed or typed in the space provided on the Schedule of items.

D. Rights Reserved

1. City of Norcross reserves the right to reject all Bids, to waive informalities or to re-advertise. It is understood that all Bids are made subject to this agreement, that City of Norcross reserves the right to decide which Bid it deems lowest and best. In arriving at this decision, full consideration will be given to the reputation of the Bidder, their financial responsibility, and work of this type successfully completed and past performance with the City of Norcross.
2. Bidders are advised to examine Plans and Specifications carefully and to make examinations of the site of the proposed work as are necessary to familiarize themselves with location conditions, which may affect the proposed work. Bidders are also advised to inform themselves fully regarding conditions. The City of

- Norcross will not be responsible for the Bidders errors or misjudgment, nor for any information on location conditions or general laws and regulations.
3. Any unauthorized additions, conditions, limitations, or provisions attached to the Bid shall render it informal and may be cause for rejection.

E. Award of Contract

1. The contract will be awarded to the lowest responsive and responsible bidder whose bid will be most advantageous to the City, price and other factors considered. The City is to make the determination.
2. The bid evaluation will be made on the following criteria:
 - i. Bid price
 - ii. Compliance with specification
 - iii. Qualifications of personnel
 - iv. Commitment to complete work on a timely basis
 - v. References
3. Prior to award of the Contract, the successful bidder will be required to submit a implementation schedule to the City, demonstrating the bidder's ability to commence and proceed in a timely manner. A bidder's failure to demonstrate the ability to proceed as required may result in the award to the next lowest, responsive, and responsible bidder, as deemed in the City's best interest.
4. Failure to demonstrate the ability for contract execution and progression will result in, at the City's discretion, the award of any and/or all of the Bidder's contracts to the next lowest responsible bidder or the re-advertisement and re-bidding of any and/or all of these contracts.
5. Prior to execution of a Contract, if the contract amount is greater than \$350,000.00, a Contract Performance Bond and a Payment Bond, each equal to 100% of the Contract amount per section, must be provided by the successful bidder by a surety company qualified to do business in the State of Georgia with an AM Best rating of B+ or higher and satisfactory to the City of Norcross.

F. Production Requirements

1. Time is of the utmost importance of this project. The successful bidder will be required to commence work within ten (10) calendar days from the receipt of the Notice to Proceed and must carry on with utmost diligence to complete the work within 90 Days.

G. Progress Payments and Retainage

1. After work has commenced, progress payments shall be made least monthly, based on the value of work completed as provided in the contract documents plus.

1. The City shall retain a maximum of 10 percent of each progress payment; provided, however, when 50 percent of the contract value including change orders and other additions to the contract value provided for by the contract documents is due and the manner of completion of the contract work and its progress are reasonably satisfactory to the City, the City shall withhold no more retainage.

H. Location and Site

1. The site of the proposed work 65 Lawrenceville Street, Norcross GA 30071 which is the address of City Hall.
2. The Vendor shall accept the site in its present condition and carry out all work in accordance with the requirements of the specifications as directed by the IT Director.
3. The Vendor, before submitting a bid is encouraged to visit the site and acquaint themselves with the actual conditions and the location of any and/or all obstructions that may exist on the site. The site visit must be confirmed by the IT Director/IT Manager or IT Specialist.
4. The Vendor is responsible for the location of above and below ground utilities and structures, which may be affected by the work.

I. Compliance with OSHA Standards and Regulations

1. The work connected with this Contract shall be performed in accordance with all applicable OSHA regulations and standards including any additions or revisions thereto, until the job is completed and accepted by the City of Norcross.

J. Non-Collusion

1. Vendor(s), by submitting signed bid, certify that the accompanying bid is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Georgia or United States law.

K. Materials

1. Unless otherwise specified in the Contract Documents, Vendor shall provide and assume full responsibility for all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water, sanitary facilities, temporary facilities, and all other facilities and incidentals necessary for the completion of the Work.
2. All materials and equipment incorporated into the Work shall be of good quality and new, except as otherwise provided in the Contract Documents. All special warranties

and guarantees required by the Specifications shall expressly run to the benefit of Owner.

L. Inspection

City of Norcross does not commit to have a full-time inspection or testing of work while in progress or at sources of materials furnished. Any lack of inspection and/or testing will in no way relieve the Contractor of his responsibility to provide quality workmanship in accordance with the specifications. Any test ordered under the supervision of the City that fail to meet standards and retesting is required will be at the vendors expense.

M. Contract Requirements

1. Successful vendor is required to do the following within ten (10) days of Notice:
 - a) Return to IT Director the contract documents executed by the authorized representative.
2. Failure to execute the Contract within ten days after the date of Notice of Award of the Contract may be just cause for the annulment of the award and for the forfeiture of the bid guaranty of City of Norcross, not as a penalty, but as liquidation of damages sustained. At the discretion of the City, the award may then be made to the next lowest, responsible bidder, or the work may be re-advertised.

N. Miscellaneous Provisions

1. **Work Hours:** No work shall take place on Saturday or Sunday unless approved by the City of Norcross. The vendor shall submit to the City of Norcross a written request at least three (3) days prior to perform weekend work.
2. Disposal of Refuse: The vendor shall be solely responsible for disposing of materials Disposal of debris must be done in a lawful manner, in accordance with all applicable federal, state and/or local laws, statutes, rules, ordinances, and/or regulations. All trash and debris shall be collected and removed from the site(s) daily. The Contractor will not be permitted to burn any of the materials on site or within the boundary limits of Norcross, Georgia. The City is contracted with Waste Management; thus the contractor must use their services for waste removal.

BID PACKET CHECKLIST

PROJECT: _____

BID DATE: _____

Enclosed with this Bid Packet are the following Forms and instructions. Use this checklist to ensure you have properly completed all Forms. You must return the following pages to be eligible for consideration of this project.

- _____ Two Hard Copies & One Electronic Copy of Bid
- _____ Certificate of Liability Insurance
- _____ E-Verify Contractor & SAVE Affidavits
- _____ Reference Page
- _____ Email Proposal to: City of Norcross
65 Lawrenceville Street
Norcross, GA 30071
Attn: Dr. James Trent, IT Director

Attachment: Smart Parking - RFP Proposal (23-6802 : RFP - Smart Parking Downtown Norcross)

References for _____

The Vendor must provide at the time of bid opening a list of contact numbers, addresses and a contact person from three (3) jobs completed having similar specifications.

City of Norcross requests a minimum of three (3) references where work of a similar size and scope has been completed.

1. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

2. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

3. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

Principles and Objectives:

The City of Norcross is looking to become a leader in smart city initiatives and recognizes the opportunity to use smart parking technology to promote user-friendly and efficient parking management for the parking public, balance enforcement needs, collect appropriate fees for the use of valuable land to park vehicles, and automatically collect data and report pertinent performance measures to the benefit of the City. The principles and objectives of this pilot project are multi-fold and include:

Project Goals:

The Pilot Project – Parking Management System will have three phases:

Phase 1: Comprehensive and expansive parking study to identify all parking areas in Downtown Norcross. The vendor will be provided with the parking study done in 2019 by the City of Norcross.

Phase 2: Implementation/Operation of the Pilot Project – Parking Management System.

Phase 3: Fee Schedule, Future Expansion Goals, and Third-Party Integration.

Deliverables:

The Vendor shall provide a phasing plan and timeline. This plan should include what, how, when, and where components listed in this RFP will be rolled out and the timeline, and strategy for each phase at a high level.

The Vendor will develop a detailed operating plan, called the Pilot Project Plan, for the Parking Management System. The Pilot Project Plan will detail all aspects of operations including, but not limited to, proposed technology uses; technology deployment types, locations, methods, and schedule; etc. branding, signing, geometric design, fee collection, facility maintenance, and customer service procedures.

Scope of Work

The Vendor must have a fully developed, currently active technology-based parking management system and data collection service. The Vendor will be responsible for the design and delivery of the system and for the management of all phases of the project. The Vendor will bear all technical, operational, integration, implementation, functional, and financial responsibility. The Vendor shall work under the direction of, and in coordination with, the City of Norcross in providing all required services. The Vendor must provide detailed information regarding their system in terms of End User Agreements (EUAs), registration options, payment options, and customer account management information and options.

The system must have an interface for monitoring parking management information such as real-time parking space/area availability, time expiration notification, analysis, and reporting. Mapping interfaces should reflect industry standards (Google Maps, Esri, etc.). Additionally, data must be made available via API for additional uses in other systems. The system must be able to collect several types of data from the various parking locations, including, but not limited to, occupancy rates, peak hour parking, average parallel parking time, loading zone use, and monitor time-limited spaces and average parked time, heat map, and behavioral patterns for various vehicle types. All information and expected data/analytics developed for this task shall be included in the Pilot Project Plan.

In addition to the data collected the Vendor will identify other available performance measures to report for the pilot project purpose. The Vendor may need to design, develop, analyze, and/or extrapolate collected data to report on all identified performance measures. Any applications or analytics developed by the Vendor shall be open source and remain the property of the City upon completion of the project. All information and expected data/analytics developed for this task shall be included in the Pilot Project Plan.

After an appropriate amount of time, and during the Parking Management System pilot project, as agreed to by the Vendor and the City, the Vendor shall compile the data and aggregate the performance measures into meaningful output and draw conclusions.

The Vendor shall allow the City access to the back-office management system to provide information on identified performance measures, reporting, trends, productivity, and revenue collection. It is anticipated that any cameras or other technology deployed will be accessible through the data portal. The City shall retain ownership of all data collected, design of and all analysis performed, and all final performance reports at no cost to the City.

To the extent they are needed, infrastructure needs, such as power requirements, communications, and backhaul requirements, must be detailed to ensure that needed elements are in place or can be put in place before deployment. All existing communications already established in the field must be maintained during the pilot program. Any needed survey work is to be included as Vendor deems appropriate at Vendor's sole cost. Additional right-of-way is not anticipated to be required for this project. Any maintenance of traffic needed to deploy the pilot project must be included in the Pilot Project Plan.

The Vendor shall work with the City of Norcross to develop a marketing plan and materials, incorporating any City of Norcross-supplied logos, signs, or other resources, before deploying Phase 2 of the project. The Vendor shall package the marketing plan and materials and provide them to the City of Norcross thirty (30) days before Phase 2 implementation; including effective strategies and advertising, implementation; including but not limited to signs, community outreach, and any support necessary to implement the program. The plan should focus on the education of system use and payment process and be included in the Pilot Project Plan.

The Vendor shall propose a financial plan and back-office system to distribute collected funds. The City intends that the Vendor may recoup any infrastructure, sign/graphic decals production and installation costs, enforcement integration, ongoing program, and other costs via the financial plan, and the cost of the pilot project will be at no cost to the City. The financial plan and back-office system must be documented and communicated to the City. All needed further communication to the end user will be the responsibility of the Vendor and approved by the City of Norcross before implementation. The Vendor cannot make any changes to the financial plan and/or back-office system for the term of the contract without the prior approval of Dublin.

The Vendor shall provide onsite and/or web-based training for authorized City of Norcross personnel to navigate and use the back-office system including, but not limited to, access to all data related to the system for enforcement, adjudication, financial accountability, revenue reconciliation, management and any other functions required by City of Norcross as needed.

The Vendor shall recommend a methodology to measure the progress and success of the pilot project. The Vendor shall advise the City regarding project expansion to other areas of the City, potential improvements, and next steps.

Interim reports documenting each stage of the project shall be prepared by the Vendor. A final report, including an Executive Summary, shall also be provided by the Vendor to formally document all stages of the project and its outcomes and conclusions.

Fee payment system:

Fee payment system: The Service Provider will create a fee payment system by which users can pay parking fees using a smartphone application. The City of Norcross would like the payment system to:

Register the beginning and end of a parking event through a text message or a smartphone application.

Send an alert when the duration of the parking event is about to exceed the user's balance.

Send a response/confirmation message for all user actions, the ability to differentiate charges based on: type of vehicle, duration of the parking event, location, and time of day.

- The Vendor shall be able to demonstrate that the application meets or exceeds industry standards for encryption, security, and privacy.
- The Vendor shall be able to demonstrate that the application has been tested for common security vulnerabilities including SQL injection, cross-site scripting, cross-site request forgery, and others.
- The Vendor shall be able to provide reporting functions for all data fields recorded by the application at the transactional level. These reports will be made available to the City in a format agreed upon by both parties.

- The Vendor shall propose a flow of funds for the application. At a minimum, the city expects to receive revenue monthly.

Future Expansion Goals and Third-Party Integration

The system must be capable of future data collection needs, including, but not limited to violations, EV parking space occupancy, special event management, permit parking management, employee parking/reserved spaces occupancy/violations, pre-purchased parking, parking garage availability, and a sustainability benefit dashboard to demonstrate carbon footprint reduction and stormwater management, as examples.

The system should have the capability to integrate with license plate recognition (LPR) software and police surveillance needs.

The Service Provider should allow for possible integration with existing online payment instruments like bank payment accounts and allow for the integration of User Accounts with a common transport payment system (Apple Pay, Cash App, and Zelle).

Deliverables

Phasing Plan: The Vendor shall provide a phasing plan and timeline. This plan should include what, how, when, and where components listed in this RFP will be rolled out and the timeline, and strategy for each phase at a high level.

Operating Plan: The Vendor will develop a detailed operating plan, called the Pilot Project Plan, for the Parking Management System. The Pilot Project Plan will detail all aspects of operations including, but not limited to, proposed technology uses; technology deployment types, locations, methods, and schedule; etc. branding, signing, geometric design, fee collection, facility maintenance, and customer service procedures. The Vendor will prepare detailed Parking Management Plans for all block faces and parking lots assigned to the Vendor. The Pilot Project and Parking Management Plans, and any modifications to them, must be approved by the City of Norcross before implementation. The Vendor shall prepare a detailed plan for the pilot project deployment to be included in the Pilot Project Plan.

Hardware, Software & ISP

A detailed breakdown of hardware, software along with Internet Service Provider (ISP) costs should be easily identified in the RFP.

Vendor Qualifications

The competence of the Vendor to perform the required services as indicated by its background and experience on similar projects. The vendor should list and describe no more than five (5) projects that best demonstrate their experience on similar projects