AGENDA

Gainesville Mayor/Council Meeting
Tuesday, February 5, 2019, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Minutes

A. January 17, 2019 Work Session

B. January 22, 2019 Mayor/Council Meeting

Resolutions

A. BR-2019-06 Acceptance of Real Property from the State of Georgia, State Properties Commission, at Lanier Technical College for Road Right-of-Way Purposes

B. BR-2019-07 Adopt the Hall Area Transit Title VI Plan

PUBLIC HEARING(S):

Annexation/Zoning Items

A. Request from **Russell Fuller** to annex a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**), and to establish zoning as General Business (G-B). **Ward Number: Five.** Tax Parcel Number(s): 00-118-004-012. **Request: Existing commercial retail.**

- Proposed Annexation Ordinance No. 2019-02
- Proposed Zoning Ordinance No. 2019-03

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, February 1, 2019, 10:25 AM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted:

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 2/5/2019

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/1/2019

Presenter: Denise Jordan

Item of Business: January 17, 2019 Work Session

Meeting Date: 2/5/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 2/1/2019

Presenter: Denise Jordan

Item of Business: January 22, 2019 Mayor/Council Meeting

Meeting Date: 2/5/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/28/2019

Presenter: Bryan Lackey

Item of Business: BR-2019-06 Acceptance of Real Property from the State of Georgia, State Properties Commission, at Lanier Technical College for Road Right-of-Way Purposes

Meeting Date: 2/5/2019

Purpose of Request:

The purpose of this request is to accept 6.68 acres of property for right-of-way purposes.

History/Background:

Facts & Issues for Consideration:

The State Properties Commissioner, on behalf of the Technical College System of Georgia, declared three tracts of property as surplus and authorized their conveyance to the City of Gainesville for right-of-way dedication.

Department Recommendation:

Adopt the resolution to accept the property.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2019-06 Lanier Tech Drive Road Acceptance	Resolution
Exhibit A - Lanier Technicial College Property	Attachments/Exhibits

RESOLUTION BR-2019-06

ACCEPTANCE OF REAL PROPERTY FROM THE STATE OF GEORGIA, STATE PROPERTIES COMMISSION, AT LANIER TECHNICAL COLLEGE FOR ROAD RIGHT-OF-WAY PURPOSES

WHEREAS, the City of Gainesville, Georgia owns and operates a road system servicing the City of Gainesville; and

WHEREAS, the State of Georgia acquired 87.37 acres lying and being in the 411th G.M. District of Hall County, Georgia by a deed from Gainesville Howard Road, LLC dated January 5, 2016, and recorded in Deed Book 7650, Pages 695-704 and depicted on Plat Book 871, Page 240 of the Hall County, Georgia Deed Records; and

WHEREAS, said real property is under the control and custody of the Technical College System of Georgia and is a portion of the Hall County Campus of Lanier Technical College in Oakwood, Georgia; and

WHEREAS, the Technical College System of Georgia has declared approximately 13.36 acres of improved real property surplus to its current and future needs; and

WHEREAS, the Legislature of the State of Georgia, by Resolution passed in the Legislative Session of 2018, approved the declaration of said real property as surplus; and

WHEREAS, the State Properties Commissioner, by letter dated January 4, 2018, on behalf of the Technical College System of Georgia, declared the real property surplus to current needs and authorized conveyance of the real property to the City of Gainesville for consideration of Ten Dollars and no/100 ($10.00) for right-of-way dedication for use as a public road; and

WHEREAS, the State Properties Commission has identified three tracts on the Lanier Technical College campus as surplus property suitable for dedication as road right-of-way, all as shown in color on the Exhibit “A” attached hereto; and

WHEREAS, the City of Gainesville desires to acquire the real property shown in color on Exhibit “A” for public right-of-way purposes.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville does hereby authorize the acceptance from the State Properties Commission of the State of Georgia of that 2.95-acre tract of land designated in red as Road “A” as shown on the attached Exhibit “A,” that 2.54-acre tract of land being a portion of Lanier Tech Drive as shown in yellow on the attached Exhibit “A,” and that 1.19-acre tract of land being a portion of Laker Way as shown in green on the attached Exhibit “A.” The governing body for the City of Gainesville hereby directs the Mayor, the City Manager and the City Attorney to execute all such documents and agreements that may be necessary to complete the acceptance of said property.

RESOLUTION BR-2019-06

ACCEPTANCE OF REAL PROPERTY FROM THE STATE OF GEORGIA, STATE PROPERTIES COMMISSION, AT LANIER TECHNICAL COLLEGE FOR ROAD RIGHT-OF-WAY PURPOSES

Adopted this _____ day of _____, 2019.

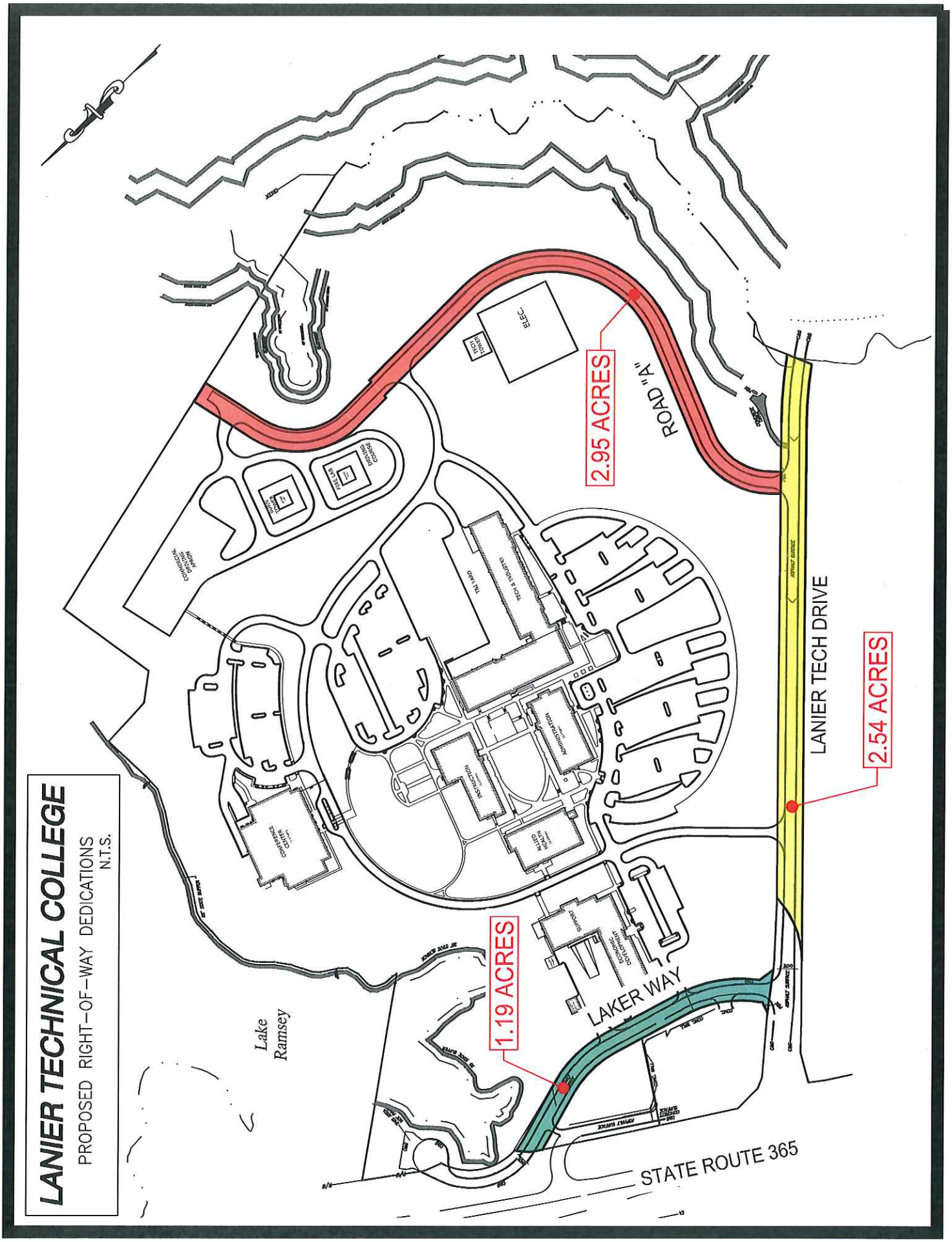
C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

Exhibit "A"


LANIER TECHNICAL COLLEGE
PROPOSED RIGHT-OF-WAY DEDICATIONS
N.T.S.
2.95 ACRES
ROAD "A"
2.54 ACRES
LANIER TECH DRIVE
1.19 ACRES
LAKER WAY
STATE ROUTE 365
Lake Ramsey

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/18/2019

Presenter: Bryan Lackey

Item of Business: BR-2019-07 Adopt the Hall Area Transit Title VI Plan

Meeting Date: 2/5/2019

Purpose of Request:

As a recipient of federal funds, Hall Area Transit must conform to Title VI of the Civil Rights Act of 1964 which prohibits discrimination, addresses environmental justice and addresses services to individuals with limited English proficiency. Hall Area Transit is committed to protecting the rights and opportunities of persons associated with the transit system.

History/Background:

Hall Area Transit staff was notified in November of the need to update, approve and submit our Title VI Plan. The last plan submitted was dated January 22, 2016.

Facts & Issues for Consideration:

The Title VI Plan assures the Georgia Department of Transportation that no person shall on the basis or race, color, national origin, age, disability , family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws 49 CFR Part 21 Unlawful Discrimination, Non-discrimination in Federally Assisted Programs of the Department of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subject to discrimination or retaliation under any program or activity undertaken by the agency.

Department Recommendation:

Approve the Hall Area Transit Title VI Plan.

Department Director:

Phillippa Lewis Moss

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

$0.00

Source of Funds:

n/a

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2019-07 Adopt Hall Area Transit Title VI Plan-	Resolution
Hall Area Transit Title VI Plan	Backup Material

RESOLUTION BR-2019-07

Adopt Hall Area Transit Title VI Plan

WHEREAS, the Georgia Department of Transportation has requested that the governing body of Hall Area Transit adopt an updated Title VI Plan under the Civil Rights Act of 1964; and

WHEREAS, Adoption of a Hall Area Transit Title VI Plan assures the Georgia Department of Transportation and the US Department of Transportation that no person shall on the basis or race, color, national origin, age, disability , family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws 49 CFR Part 21 Unlawful Discrimination, Non-discrimination in Federally Assisted Programs of the Department of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subject to discrimination or retaliation under any program or activity undertaken by the agency.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the adoption of the Title VI Plan as of January 2019.

Adopted this _____ day of _____, 2019.

_____

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Hall Area Transit

Title VI Plan

Date Adopted: January 31, 2019

Title VI Plan Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person (Signature)	Remarks
1/22/2015	Adopted by the Gainesville City Council pending approval by GA Department of Transportation	*Phillippa Lewis Moss*	-none-
1/31/2019	To Be Adopted by the Gainesville City Council pending approval by GA Department of Transportation	*Phillippa Lewis Moss*	-none-

Title VI Plan Activity Log (Continued)

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person (Signature)	Remarks

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APPENDIX A FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B CURRENT SYSTEM DESCRIPTION
APPENDIX C TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
APPENDIX D TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E TITLE VI COMPLAINT FORM
APPENDIX F PUBLIC PARTICIPATION PLAN
APPENDIX G LANGUAGE ASSISTANCE PLAN
APPENDIX H OPERATING AREA LANGUAGE DATA: HALL AREA TRANSIT SERVICE AREA
APPENDIX I DEMOGRAPHIC MAPS
APPENDIX J TITLE VI EQUITY ANALYSIS
APPENDIX K TEXT FORMATTING PALETTE

1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

HALL AREA TRANSIT assures the Georgia Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws, 49 CFR Part 21 Unlawful Discrimination, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

HALL AREA TRANSIT further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against HALL AREA TRANSIT.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by GDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the GDOT. (refer to Appendix A of this plan)

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Signature: Phillippa Lewis Moss

Phillippa Lewis Moss Director-Community Services, GM-Hall Area Transit January 31, 2019

Printed Name: _____

Executive Director/Signatory Authority, Your Transit System, Date: Month/Day/Year

2.0 Introduction & Description of Services

This is a section of the plan which covers general information about the transit agency.

Hall Area Transit submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

Hall Area Transit is a sub-recipient of FTA funds and provides service in Hall County. A description of the current Hall Area Transit system is included in Appendix B.

Title VI Liaison
Phillippa Lewis Moss, Director Community Services/GM Hall Area Transit
Employed by City of Gainesville
770-503-3340
430 Prior Street, S.E.
Gainesville, GA 30501

Alternate Title VI Contact
Srikanth Yamala, Director Planning & Development & GHMPO
Employed by Hall County Government
770-297-3905
2875 Browns Bridge Road
Gainesville, GA 30504

HALL AREA TRANSIT must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by GDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

2.1 First Time Applicant Requirements

FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.

HALL AREA TRANSIT is not a first time applicant for FTA/GDOT funding. The following is a summary of HALL AREA TRANSIT'S current federal and state funding.

Title	Contract Number	Dates	Contract Amount	Federal Funds	State Funds	Local Funds
FY19 FTA 5307 Urban Transit Operating Assistance	T006104	07/01/2018-06/30/2019	1,580,529.00	790,264.50		790,264.50
FY19 FTA 5307 Urban Transit Capital Purchases	T006104	07/01/2018-06/30/2020	977,000.00	781,600.00	97,700.00	97,700.00
FY19 FTA 5311 Rural Transit Operating Assistance	T006257	07/01/2018-06/30/2019	53,904.00	26,952.00		26,952.00
FY18 FTA 5307 Urban Transit Capital Purchases	T006043	07/01/2017-06/30/2019	311,200.00	248,960.00	31,120.00	31,120.00

During the previous three years, Federal Transit Administrator and/or the Georgia Department of Transportation has complete a Title VI compliance review of HALL AREA TRANSIT. HALL AREA TRANSIT has not been found to be in noncompliance with any civil rights requirements.

The following is a summary of the compliance review.

a. Date of the compliance review
October 17, 2018

b. The purpose or reason for the review
2018 Compliance Monitoring

c. Agency or organization that performed the review
Ray Boylston of RLS & Associates on behalf GDOT

d. Summary of the finding and recommendations of the review
There were no Title VI findings.

e. Report on the status of the findings and recommendations
f. There were no Title VI findings.

g. Current status of the compliance review
h. There were no Title VI findings.

2.2 Annual Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

> *FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.*

HALL AREA TRANSIT will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT.

2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence on date. The Plan was approved and adopted by Gainesville City Council during a meeting held on January 31, 2019. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

3.0 Title VI Notice to the Public

FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

3.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice includes:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

3.2 Notice Posting Locations

The Notice to Public is posted at many locations to apprise the public of Hall Area Transit's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice is posted in public areas of Hall Area Transit office(s) including the reception desk and meeting rooms, and on the Hall Area Transit website at http://www.gainesville.org/hall-area-transit. Additionally, Hall Area Transit will post the notice at stations, covered bus shelters and on transit vehicles.

FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed aginst them and make their procedures for filing a complaint available to member of the public.

4.0 Title VI Procedures and Compliance

4.1 Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by Hall Area Transit may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (refer to Appendix E). Hall Area Transit investigates complaints received no more than 180 days after the alleged incident. Hall Area Transit will process complaints that are complete.

Once the complaint is received, Hall Area Transit will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

Hall Area Transit has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Hall Area Transit may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, Hall Area Transit can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on Hall Area Transit's website at http://www.gainesville.org/hall-area-transit.

4.2 Complaint Form

A copy of the complaint form in English and Spanish is provided in Appendix E and on Hall Area Transit's website http://www.gainesville.org/hall-area-transit.

4.3 Record Retention and Reporting Policy

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. Hall Area Transit will submit Title VI Plans to GDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

4.4 Sub-recipient Assistance and Monitoring

Hall Area Transit ssystem does not have any sub-recipients to provide monitoring and assistance to. As a sub-recipient to GDOT, Hall Area Transit utilizes the sub-recipient assistance and monitoring provided by GDOT, as needed.

4.5 Sub recipients and Subcontractors

Hall Area Transit is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. Hall Area Transit, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or

supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of Transportation and/or the Federal Transit Administration,* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Georgia Department of Transportation*, and/or the *Federal Transit Administration,* as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, HALL AREA TRANSIT shall impose contract sanctions as appropriate, including, but not limited to:
    a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
    b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the HALL AREA TRANSIT, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

Disadvantaged Business Enterprise (DBE) Policy

As a condition of your agreement with GDOT, Hall Area Transit and its contractors and subcontractors agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, as amended, have the opportunity to participate in the performance of contracts. Hall Area Transit and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of GDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

E-Verify

As a condition of your agreement with GDOT, vendors and contractors of Hall Area Transit shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with Hall Area Transit. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for Hall Area Transit shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for Hall Area Transit.

5.0 Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations….; lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), Hall Area Transit must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by Hall Area Transit in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to GDOT.

Hall Area Transit has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations	NONE			
1.				
2.				
Lawsuits	NONE			
1.				
2.				
Complaints	NONE			
1.				
2.				

6.0 Public Participation Plan

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Public Participation Plan (PPP) for Hall Area Transit was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for Hall Area Transit. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Hall Area Transit services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

Current Outreach Efforts

Hall Area Transit is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of Hall Area Transit's recent, current, and planned outreached activities.

- Hall Area Transit staff provides monthly travel training sessions to individuals and organizations in an effort to increase the community's understanding and use of the public transit system.
- Hall Area Transit disseminates annual Customer Service Surveys to gauge the quality of service among passengers. The last surveys were disseminated in September 2018.
- Hall Area Transit staff holds annual Customer Appreciation Days wherein regular passengers receive free or reduced bus rides and small tokens of appreciation such as hat, t-shirts and buttons
- Hall Area Transit has partnered with the Hall County Library System and Gainesville City Schools to provide free bus rides for K-12 students during the summer months as a way to prevent summer learning loss and keep young people involved in constructive activities at places such as parks, museums and the like.
- Hall Area Transit holds public meetings prior to implementing any significant changes to the service. No public meetings have been held during the last three years as there were no significant changes to the service. In the past ten years, public meetings were held on July 23, 2012 and December 1, 2014.
- Hall Area Transit staff participates in bi-monthly meetings of the Gainesville-Hall County Metropolitan Planning Organization (GHMPO) wherein services updates are provided to the community at large.

7.0 Language Assistance Plan

FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).

Hall Area Transit operates a transit system within Hall County. The Language Assistance Plan (LAP) has been prepared to address Hall Area Transit's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP persons. In Hall Area Transit service area as of July 2017, there are 179,888/13.1% residents age 5 and over who describe themselves as not able to communicate in English very well (Source: US Census). Hall Area Transit is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Hall Area Transit has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

Hall Area Transit provides service throughout Hall County including the incorporated cities of Gainesville, Oakwood, Flowery Branch, Clermont, Lula, and Gillsville. According to the U.S. Census Bureau, the primary language for Hall County is English and the second most common language spoken at 25% of population is Spanish. The City of Gainesville has a higher concentration of Spanish speakers with 42% identifying Spanish as their first language.

Limited English Speaking Persons are usually defined as those who self-identify as speaking English less than "very well" on the U.S. census. Thirteen point one percent of the population of Hall County is not proficient in English and 31% of those living in the City of Gainesville are not proficient in English. The bulk of those who cannot speak English very well primarily speak Spanish as their first language.

8.0 Transit Planning and Advisory Bodies

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or commitees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Hall Area Transit does not have any bodies required under FTA *Circular 4702.1B, Chapter III, Paragraph 10*.

9.0 Title VI Equity Analysis

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

Title 49 CFR, Appendix C, Section (3)(iv) requires that "the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin." For purposes of this requirement, "facilities" does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, Hall Area Transit will ensure the following:

1. Hall Area Transit will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Hall Area Transit will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, Hall Area Transit will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If Hall Area Transit determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, Hall Area Transit may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. Hall Area Transit must demonstrate and document how both tests are met. Hall Area Transit will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

Hall Area Transit has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, Hall Area Transit does not have any Title VI Equity Analysis reports to submit with this Plan. Hall Area Transit will utilize the demographic maps included in Appendix I for future Title VI analysis.

10.0 System-Wide Service Standards and Service Policies

FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

Hall Area Transit provides both rural demand response and urban fixed route services.

FTA Circular 4702.1B requires that all fixed route service providers prepare and submit system-wide service standards and service policies as a part of their Title VI Plan. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets.

Hall Area Transit has adopted the following system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

10.1 Service Standards

FTA requires that all fixed route transit providers develop quantitative standards for all fixed route modes of operation for the following indicators. HALL AREA TRANSIT has prepared standards for all modes it operates including rural demand response and urban fixed route.

a. Vehicle Load

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
27'' Cut-away (Demand Response)	15	10	25	1.1
27 Cut-away (Fixed Route)	18	10	28	1.5

b. Vehicle Headway

POLICY HEADWAYS AND PERIODS OF OPERATION				
WEEKDAY	Peak	Base	Evening	Night
Cross-Town	60	60	60	No service
Peak: 7-9 am and 4-6 pm; Base 9am - 4pm				
Weekend and Late Evening Service are not provided				

c. On-Time Performance
A vehicle is considered on time if it departs a scheduled time point no more than one (1) minute early and no more than five (5) minutes late. The Hall Area Transit on-time performance objective is 90% or greater. Hall Area Transit continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

d. Service Availability
Hall Area Transit will distribute transit service so that 90% of all residents in the service area are within a ¼ mile walk of bus service or within a ½ mile walk of rail service.

10.2 Service Policies

FTA requires fixed route transit providers to develop a policy for service indicators. Hall Area Transit has prepared the following policies for its transit system.

A. Distribution of Transit Amenities
Installation of transit amenities along bus and rail routes are based on the number of passengers boarding at stops and stations along those routes.

B. Vehicle Assignment
Vehicles will be assigned to the South, North, and East depots such that the average age of the fleet serving each depot does not exceed "7" years. Standard buses are deployed on frequent service and other high-ridership lines, so these buses carry a higher share of ridership than their numerical proportion of the overall bus fleet. Standard buses are also equipped with air conditioning and automated stop announcement systems.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned smaller buses. Some routes requiring tight turns on narrow streets are operated with small 27' buses.

11.0 Appendices

APPENDIX A	FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B	CURRENT SYSTEM DESCRIPTION
APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E	TITLE VI COMPLAINT FORM
APPENDIX F	PUBLIC PARTICIPATION PLAN
APPENDIX G	LANGUAGE ASSISTANCE PLAN
APPENDIX H	OPERATING AREA LANGUAGE DATA: HALL AREA TRANSIT SERVICE AREA
APPENDIX I	DEMOGRAPHIC MAPS
APPENDIX J	TITLE VI EQUITY ANALYSIS

Appendix A

FTA Circular 4702.1B Reporting Requirements for Transit Providers

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements

All recipients must submit:

- ❒ Title VI Notice to the Public, including a list of locations where the notice is posted
- ❒ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ❒ Title VI Complaint Form
- ❒ List of transit-related Title VI investigations, complaints, and lawsuits
- ❒ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ❒ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ❒ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ❒ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ❒ **A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**
- ❒ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ❒ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

Requirements of Transit Providers

All Fixed Route Transit Providers must submit:

- ❒ All requirements set out in Chapter III (General Requirements)
- ❒ Service standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
  - Service availability for each mode
- ❒ Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- ❒ Demographic and service profile maps and charts
- ❒ Demographic ridership and travel patterns, collected by surveys
- ❒ Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- ❒ A description of the public engagement process for setting the "major service change policy," disparate impact policy, and disproportionate burden policy
- ❒ Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Appendix B

Current System Description

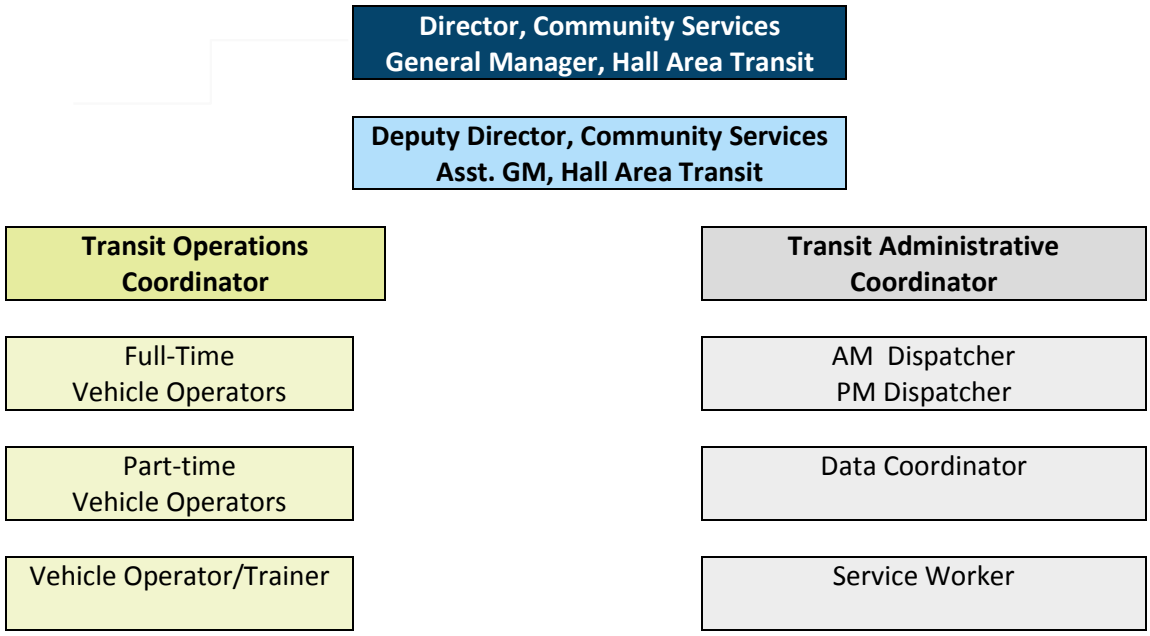
Current System Description

1. An overview of the organization including its mission, program goals and objectives.
   Hall Area Transit's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents.

2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.
   Hall Area Transit is a division of the Gainesville-Hall County Community Service Center, which is a jointly supported operation of the City of Gainesville and Hall County Government. Gainesville and Hall County government are committed to the provision of public transportation services and have ensured that these services are incorporated within the GHMPO Public Transportation Program. Gainesville and Hall County have a service delivery agreement and annual budget process to establish the agency staffing (30), service hours (252 days/year; 6:30am to 6:30pm) and fleet size (7 rural vehicles and 7 urban vehicles).

As of January 2015 Hall Area Transit staff consists of the following:

- One *Community Service Center Director/GM* provides general oversight of Hall Area Transit. The Director reports to the Gainesville City Manager and is also accountable to the Hall County Administrator.
- One *Community Service Center Deputy Director/Deputy GM* coordinates financial transactions of transit agency including contracts and reimbursements.
- One *Transit Operations Coordinator* oversees daily para-transit and fixed route transit operations
- One *Transit Administrative Coordinator* supervises trainer(s), dispatcher(s), data coordinator(s) and addresses customer service inquiries.
- One *Vehicle Operator/Trainer* splits his/her time between operating a vehicle and providing driver new driver orientation/training.
- One *Dispatcher* coordinates demand response trip requests and communications with vehicle operators and the public
- One *Data Coordinator* records data and information and coordinates the customer service window.
- One *Service Worker* provides daily light maintenance of vehicles, bus shelters, bus stops and the transit administrative facility.
- Eleven full-time and a pool of 10+ part-time *Vehicle Operators* provide direct transportation service
- Hall Area Transit also has the administrative support of City of Gainesville and Hall County Government staff in departments such as Planning, GIS, Vehicle Maintenance, Administrative Services and Finance



3. Indicate if your agency is a government authority.
   HALL AREA TRANSIT is a jointly supported agency of the City of Gainesville and Hall County Government. Employees of the City of Gainesville administer both the rural Section 5311 and urban Section 5307 programs. The Hall County Government provides local matching dollars for the rural demand response service while the City of Gainesville provides local matching dollars for the fixed route urban service. The City of Gainesville and Hall County Government have an executed intergovernmental agreement dated May 7, 2013.

4. Who is responsible for insurance, training and management, and administration of the agency's transportation programs?
   The responsibilities for insurance, training, management and administration of Hall Area Transit is split between the GM, Assistant GM, Transit Operations Coordinator, and Transit Administrative Coordinator. All safety sensitive employees are required to complete GDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 80 hours of on-the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheel chair lifts and securement devices. The Transportation Services Manager is responsible for annual renewal of all liability insurance for both GDOT and agency owned vehicles, as well as vehicle registration renewal. It is the Transportation Manager's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

5. Who provides vehicle maintenance and record keeping?
   Employees of the City of Gainesville Public Works Department provide maintenance on all agency vehicles. The City of Gainesville employs ASE certified technicians with experience working on commercial passenger vehicles like the type our agency uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 687 Main Street – Gainesville, GA and are maintained by the General Operations Manager. All records are maintained and retained for a minimum of four (4) years.

6. Number of current transportation related employees
   The Demand Response (Dial-A-Ride) and Fixed Route (Gainesville Connection) bus services are two of six divisions within the Gainesville-Hall County Community Services Department (CSC) that manages public transportation services. Accountable for overall management of the Demand Response and Fixed Route services is the CSC Director/GM. Assisting the CSC Director/GM is the Deputy CSC Director/Assistant GM. Staff accountable for the daily operation of the transit services includes 1 Transit Operations Coordinator, 1 Transit Administration Coordinator, 1 AM Dispatcher, 1 PM Dispatcher, 1 Data Coordinator, 1 Vehicle Operator/Trainer, 11 full-time Vehicle Operators and a pool of 10 to 15 part-time vehicle operators. The City of Gainesville Maintenance Division which is part of the City of Gainesville Public Works Department has 3 or more mechanics that perform maintenance on transit vehicles.

7. Who will drive the vehicle, number of drivers, CDL certifications, etc.?
   Only transportation employees that have completed all of the required safety and drivers training requirements will be allowed to drive the agency vehicles. At one time, vehicle operators on the fixed route service were required to have CDLs; however that policy was recently changed as the 27” cut-a-way -vehicles currently used by Hall Area Transit do not warrant CLDs.

   A detailed description of service routes and ridership numbers

   Transportation services provided through our program are available to residents and visitors of Gainesville-Hall County. Our service incorporates both rural Section 5311 and urban Section 5307 services. We provide a wide range of trip purposes within Hall County that include: medical, nutrition, shopping, social service, training, employment, social and recreation. The regional hospital, Northeast Georgia Medical Center is located in Gainesville, just one mile from the transit administrative building. Currently, Hall Area Transit uses 9 Chevy 4500 Dura Max Diesel vehicles to provide fixed route service and 7 Gas Ford Goshen Lift Vans to provide demand response service. All vehicles are wheelchair equipped. We prioritize grouping trips and multi-loading to the maximum extent possible. Hall Area Transit provides an average of 800 fixed route and demand response trips per day. Staff leverages fleet resources so that vehicles are used in a responsible manner to provide maximum coverage and are retired at a consistent pace and appropriate age and mileage.

GAINESVILLE

LEFT SIDE
Call 770.503.3333
Hall County Dial-A-Ride Service

Appendix C

Title VI Plan Adoption Meeting Minutes and GDOT Concurrence Letter

PLM To insert updated copy of the Title VI Plan adoption meeting minutes and the GDOT concurrence letter.

HALL COUNTY
GEORGIA We have it all in Hall

HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING AGENDA
Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
January 22, 2015 – 6:00 p.m.

1. **Call to Order**
2. **Approve Agenda**
3. **Invocation:** Pastor Mike Taylor, Pastor of Flat Creek Baptist Church/Volunteer Chaplain with Hall County Fire Services
4. **Pledge of Allegiance:** Led by Commissioner Billy Powell
5. **Pinning Ceremony**
   a. Fire Chief, Jeff Hood
6. **Public Comment – Agenda Items Only (2 minutes per speaker/20 minutes maximum)**
7. **Consent Agenda**
   a. Approve January 8, 2015 Voting Meeting Minutes
   b. Approve January 5, 2015 Work Session Meeting Minutes
   c. Approve Resolution Regarding Gainesville Business Park amending agreement modifying the bond
   d. Approve Marketing & Sales Plan for Gateway Industrial Center
   e. Approve Affidavit of Richard Mecum, Chairman Hall County Board of Commissioners certifying that Charlotte Sosebee was serving as the Chief Registrar of Hall County on the effective date of the Act (January 1, 2015) and is hereby appointed as the fifth member and Chairman of the Board of Elections and Registration of Hall County
   f. Approve re-appointment of Don Smallwood to the Hall County Planning Commission
   g. Approve appointment of Frank Sosebee to the Hall County Planning Commission
   h. Approve re-appointment of Chris Braswell to the Hall County Planning Commission
   i. Approve re-appointment of Bo Brooks to the Hall County Planning Commission
   j. Approve re-appointment of Johnny Varner to the Hall County Planning Commission
   k. Approve Hall Area Transit Title VI Plan

Appendix D

Title VI Sample Notice to Public

Notifying the Public of Rights Under Title VI

ENGLISH

HALL AREA TRANSIT

- HALL AREA TRANSIT operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with HALL AREA TRANSIT.
- For more information on HALL AREA TRANSIT'S civil rights program, and the procedures to file a complaint, contact 770-503-3333, email http://www.gainesville.org/hall-area-transit; (TTY 800-255-0056); or visit our administrative office at 687 Main Street, Gainesville, Georgia 30501. For more information, visit yourcommunitytransit.gov.
- If information is needed in another language, contact 770-503-3330
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

Titulo VI Anuncio Publico

HALL AREA TRANSIT

- HALL AREA TRANSIT administra sus programas y servicios sin considerar raza, color, y origen nacional en acuerdo con el Titulo VI de la Ley de Derechos Civiles. Toda persona que cree que ha sido objeto o ha sido ofendido por alguna practica discriminatoria ilegal debajo del Titulo VI, puede presentar una queja con HALL AREA TRANSIT.
- Para mas informacion sobre el programa de derechos civiles de HALL AREA TRANSIT, y el procedimiento para presentar una queja, contacte 770-503-3333,); correo electronico http://www.gainesville.org/hall-area-transit(TTY 800-255-0056); o visite nuestra oficina administrativa en 687 Main Street, Gainesville, Georgia 30501. Para mas informacion, visite yourcommunitytransit.gov.
- Si necesita la informacion en otro idioma, contacte 770-503-3330.
- Tambien puede presentar una queja directamente con la Administracion Federal de Transito en: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR 1200 New Jersey Ave., SE, Washington, DC 20590.

HALL AREA TRANSIT

Title VI Complaint Form

English

Section I:				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?		Yes*		No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes		No
Section III:				

I believe the discrimination I experienced was based on (check all that apply):

[ ] Race [ ] Color [ ] National Origin [ ] Age

[ ] Disability [ ] Family or Religious Status [ ] Other (explain) _____

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

_____

_____

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? [ ] Yes [ ] No If yes, check all that apply: [ ] Federal Agency: _____ [ ] Federal Court _____ [ ] State Agency _____ [ ] State Court _____ [ ] Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

_____ _____

Signature Date

Please submit this form in person at the address below, or mail this form to:

HALL AREA TRANSIT
Phillippa Lewis Moss
687 Main Street
Gainesville, GA 30501

HALL AREA TRANSIT

Formulario de Queja Titulo VI

Espanol

Seccion I:				
Nombre:				
Direccion:				
Telefono (casa):		**Telefono (trabajo):**		
Correo Electronico:				
Requisitos de formato accesible?	Letras grandes		**Audio**	
	TDD		**Otro**	
Seccion II:				
¿Esta usted presentando esta queja en su nombre?			Si*	No
*Si usted contesto "Si" a esta pregunta, ir a la Seccion III.				
Si no, por favor suministre el nombre y la relacion de la persona quien se queja:				
Por favor explique por que esta presentando por un tercero: _____				
Por favor confirme que ha obtenido el permiso de la persona discriminada si esta presentando por un tercero.			Si	No
Seccion III:				

Creo que he sido objeto de discriminacion basada en (marque todas las que apliquen):

[ ] Raza [ ] Color [ ] Origen Nacional [ ] Edad

[ ] Discapacidad [ ] Situacion familiar o religiosa [ ] Otro (explique) _____

Fecha de la supuesta discriminacion (Mes, Dia, Ano): _____

Explicar claramente lo que paso o por que usted cree que fue discrimando. Describa todas las personas que estuvieron involucrados. Incluya el nombre e informacion de la persona/personas que fueron disciminados (si lo sabe) asi como los nombres e informacion de testigos. Si necesita mas espacio, por favor utilize el reverso de este formulario.

_____

_____

Seccion IV		
¿Anteriormente ha presentado una queja del Titulo VI con esta agencia?	Si	No

Seccion V
¿Ha presentado esta queja con otra agencia federal, estatal o local, o con la corte federal o estatal? [ ] Si [ ] No Si es si, marque todas las que apliquen: [ ] Agencia Federal: _____ [ ] Corte Federal _____ [ ] Agencia Estatal _____ [ ] Corte Estatal _____ [ ] Agencia Local _____
Por favor provee la informacion de la persona de contacto en la agencia/corte donde presento la queja.
Nombre:
Titulo:
Agencia:
Direccion:
Telefono:
Seccion VI
Nombre de la agencia que la queja es contra:
Persona de contacto:
Titulo:
Telefono:

Usted puede adjuntar cualquier material escrito o otra informacion pertinente a su queja.

Firma y fecha son necesarias a continuacion

_____ _____

Firma Fecha

Por favor presente este formulario en persona a esta direccion ,o envie por correo a:

HALL AREA TRANSIT
Phillippa Lewis Moss
687 Main Street
Gainesville, GA 30501

Appendix F

Public Participation Plan (PPP)

Introduction

The Public Participation Plan (PPP) for Hall Area Transit was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for Hall Area Transit. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Hall Area Transit services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. Hall Area Transit also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, metropolitan area agencies, community based organizations, major employers, passengers and the general public, including low-income, minority, LEP populations, and other traditionally underserved communities.

Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP populations, to comment, about Hall Area Transit and its operations. The goals for this PPP include:

- **Inclusion and Diversity**: Hall Area Transit will proactively reach out and engage low-income, minority, and LEP populations for the Hall Area Transit service area so these groups will have an opportunity to participate.
- **Accessibility**: All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance**: Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive**: Hall Area Transit will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored**: Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible**: The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of Hall Area Transit. Hall Area Transit intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

Hall Area Transit will conduct community meetings and listening sessions as appropriate with passengers, employers, community based organizations, and advisory committees to gather public input and distribute information about service quality, proposed changes or new service options.

The public is encouraged to provide feedback directly to Hall Area Transit administrators in person, by letter or email. All passenger requests and suggestions are recorded and submitted to consultants for their consideration during regular transit develop planning process. The public will also be able to call the Hall Area Transit office at 770-503-3333 during its hours of operation. Feedback collected over the phone will be recorded and passed on to Hall Area Transit management. Formal customer surveys to measure performance, and listening sessions to solicit input, are conducted periodically. The comments recorded as a part of these participation methods will be responded to as appropriate.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment of service. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities, and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comments before implementing proposed adjustments to services. In each case, an agenda for the meetings will be created that work to achieve the stated goals and is relevant to the subject and not overwhelming for the public.

For all public meetings, the venue will be a facility that is accessible for persons with disabilities and, preferably, is served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used, since no one location is usually convenient to all participants.

For community meetings and other important information, Hall Area Transit will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- In-vehicle advertisement
- Posters or flyers in transit center
- Posting information on website and city/county facebook pages
- Press releases and briefings to media outlets
- Multilingual flyer distribution to community based organizations, particularly those that target LEP population
- Flyers and information distribution through various libraries and other civic locations that currently help distribute timetables and other information
- Communications to relevant elected officials

- Other methods required by local or state laws or agreements

All information and materials communicating proposed and actual service adjustments will be provided in English and any other language that meets the "safe harbor" criteria.

Public Hearing

Hall Area Transit holds public meetings whenever there is change that impact 10% of the routes and/or fares. Meetings are typically scheduled in the early morning, late afternoon and evening to accodate passengers with different employment, education, daycare schedules. The meetings are also held at locations that are accessible to public transit such as the transit administrative building, government offices and community centers. Transit meetings also take place at the site of senior residential facilities, medical centers, schools and other locations with a captive audience.

Appendix G

Language Assistance Plan (LAP)

I. Introduction

Hall Area Transit operates a transit system within Hall County. The Language Assistance Plan (LAP) has been prepared to address Hall Area Transit's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP that have a limited ability to read, write, speak or understand English. In Hall Area Transit service area there are 168,962 residents or (20,884) 12% who describe themselves as not able to communicate in English "very well" (Source: US Census). Hall Area Transit is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Hall Area Transit has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

Calculate the number and percentage of people who do not speak English very well by using Appendix H.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP populations, public transit is the principal transportation mode available. It is important for Hall Area Transit be able to communicate effectively with all of its riders. When Hall Area Transit is able to communicate effectively with all of its riders, the service provided is safer, more reliable, convenient, and accessible for all within its service area. Hall Area Transit is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that Hall Area Transit undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas

- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents
- Staffing: Identifying Hall Area Transit staff to assist LEP customers
- Training: Providing training on LEP to responsible employees.

II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use Hall Area Transit services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Hall Area Transit program, activity or service.

2. The frequency with which LEP persons come in contact with Hall Area Transit programs, activities or services.

3. The nature and importance of programs, activities or services provided by Hall Area Transit to the LEP population.

4. The resources available to Hall Area Transit and overall costs to provide LEP assistance

a. Factor 1: The Number and Proportion of LEP Persons Services or Encountered In the Eligible Service Population.

Of the 179,888 residents five years of age or older in the Hall Area Transit service area, 156,271 or 86.9% describe themselves as speaking English less than "very well". People of Latin American descent are the primary LEP persons likely to utilize Hall Area services. For the Hall Area Transit service area, the 2017 American Community Survey of the U.S. Census Bureau shows that among the area's population (179,888/86.9%) speak English "very well". For the 23,617/ 13.1% who speak English "less than very well", 21,553/47% speak Spanish and 2,064/ 0.8% speak languages common to Asia and the Pacific Islands. Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within Hall Area Transit's service area.

b. Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Hall Area Transit has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that the largest LEP group within the Hall Area Transit service area are persons who speak Spanish. Phone inquiries and staff survey feedback indicated that Hall Area Transit dispatchers and drivers interact frequently with LEP persons. The majority of these interactions have occurred with LEP persons who mainly spoke Spanish. Over the past 14 years, Hall Area Transit has had 0 requests for translated documents. Of course, all customer service related documents are typically avaiable in English and Spanish, thus eliminating the need for such requests.

c. Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People's Lives

Public transportation and regional transportation planning is vital to many people's lives. According to the Department of Transportation's *Policy Guidance Concerning Recipient's Responsibilites to LEP Persons*, providing public transportation access to LEP persons is crucial. A LEP person's inability to utilize public transportation effectively, may adversely affect his or her ability to access health care, education, or employment.

Hall Area Transit conducts an annual on-board passenger survey to collect data on usage, access and customer service. According to the survey, the most common age among all the demand resonse participants was 65 or older. This supports the fact that Hall Area Transit can be considered a senior transit service as most of its patrons are over the age of 65.

To further access personal mobility options, each respondent was asked how he or she would have made the surveyed trip had Your Transit System not been availbable. The most frequent response was "friend of family member" (50 percent). An additional 25 percent indicated they would not have made the surveyed trip if the service was not available. This data indicates that Hall Area Transit is very important as a primary means of transportation for its customers.

d. Factor 4: The Resources Available to the Recipient and Costs

Hall Area Transit ensures a high level of communication with Spanish speaking person by employing Spanish speaking persons with roots from various Latin American countries (Peru,

Mexico, Puerto Rico, Guatamala, etc.). The existence of a diverse workforce (men, women, young, old, Black, White, English/Spanish-Speaking) ensures that Hall Area Transit can effectively communicate with its customer base. Since Hall Area Transit provides a reasonable degree of services for LEP populations in its service area we have always made it our practice to make frequently used documents available in English and Spanish. Because the staff costs are part of our regular operational expenses, we have not incurred additional expenses. However, to translate the Title VI document would require the aid of a professional translator at the cost of approximately $1,500.

III. Language Assistance Plan

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five elements are addressed below.

a. Element 1: Identifying LEP Individuals Who Need Language Assistance

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

Hall Area Transit has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 71.7% of the service area population speaks English only. The largest non-English spoken language in the service area is Spansh 25.5%. Of those whose primary spoken language is Spansh, approximately 47% identify themselves as speaking less than “very well”. Those residents whose primary language is not English and who identify themselves as speaking English less than “very well” account for 13.1 % of the service area population.

Hall Area Transit may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at Hall Area Transit Meetings. This will assist Hall Area Transit in identifying language assistance needs for future events and meetings.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to Hall Area Transit management to follow-up.
4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

b. Element 2: Language Assistance Measures

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Hall Area Transit has undertaken the following actions to improve access to information and services for LEP individuals:

1. Provide bilingual staff at community events, public hearings, and transit committee meetings.
2. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in Hall Area Transit offices.
4. Include statements clarifying that being bilingual is preferred on bus driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

Your Transit System will utilize the demographic maps provided in Appendix I in order to better provide the above efforts to the LEP persons within the service area.

c. Element 3: Training Staff

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of Hall Area Transit, the most important staff training is for Customer Service Representatives and transit drivers. Several representatives are bilingual in English and Spanish.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Use of Language Identification Flashcards
3. Documentation of language assistance requests

4. How to handle a potential Title VI/LEP complaint

d. Element 4: Providing Note to LEP Persons

Hall Area Transit will make Title VI information available in English and Spanish on the Agency's website. Key documents are written in English and Spanish. Notices are also posted in Hall Area Transit office lobby, on buses, and bus shelters. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

e. Element 5: Monitoring and Updating the Plan

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether Hall Area Transit's financial resources are sufficient to fund language assistance resources needed

Hall Area Transit understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. Hall Area Transit is open to suggestions from all sources, including customers, Hall Area Transit staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

IV. Safe Harbor Provision

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Hall Area Transit service area does have LEP populations which qualify for the Safe Harbor Provision. As shown in Appendix H, Spanish speakers qualify for the Safe Harbor Provision as the number of person

which speak English less than “very well” is counted as 47% or 21,553 of Spanish speaking persons, or 12% of the total population age 5 or older.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. Hall Area Transit may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

Appendix H

Operating Area Language Data:

Hall Area Transit Service Area

Subject	Hall County, Georgia					
	Total	Percent	Percent of specified language speakers			
			Speak English only or speak English "very well"	Percent speak English only or speak English "very well"	Speak English less than "very well"	Percent speak English less than "very well"
	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
Population 5 years and over	179,888	(X)	156,271	86.9%	23,617	13.1%
Speak only English	128,991	71.7%	(X)	(X)	(X)	(X)
Speak a language other than English	50,897	28.3%	27,280	53.6%	23,617	46.4%
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish	45,841	25.5%	24,288	53.0%	21,553	47.0%
5 to 17 years old	14,186	7.9%	11,819	83.3%	2,367	16.7%
18 to 64 years old	30,366	16.9%	12,103	39.9%	18,263	60.1%
65 years old and over	1,289	0.7%	366	28.4%	923	71.6%
Other Indo-European languages	2,441	1.4%	1,877	76.9%	564	23.1%
5 to 17 years old	205	0.1%	152	74.1%	53	25.9%
18 to 64 years old	1,767	1.0%	1,420	80.4%	347	19.6%
65 years old and over	469	0.3%	305	65.0%	164	35.0%
Asian and Pacific Island languages	2,195	1.2%	915	41.7%	1,280	58.3%
5 to 17 years old	365	0.2%	264	72.3%	101	27.7%
18 to 64 years old	1,527	0.8%	651	42.6%	876	57.4%
65 years old and over	303	0.2%	0	0.0%	303	100.0%
Other languages	420	0.2%	200	47.6%	220	52.4%
5 to 17 years old	12	0.0%	0	0.0%	12	100.0%
18 to 64 years old	378	0.2%	194	51.3%	184	48.7%
65 years old and over	30	0.0%	6	20.0%	24	80.0%
CITIZENS 18 YEARS AND OVER						
All citizens 18 years old and over	119,990	(X)	115,425	96.2%	4,565	3.8%
Speak only English	105,111	87.6%	(X)	(X)	(X)	(X)
Speak a language other than English	14,879	12.4%	10,314	69.3%	4,565	30.7%
Spanish	11,878	9.9%	8,375	70.5%	3,503	29.5%
Other languages	3,001	2.5%	1,939	64.6%	1,062	35.4%

Spanish	3	43116	1002	90%
French	6	587	281	1%
French Creole	9	77	83	0%
Italian	12	22	27	0%
Portuguese	15	89	59	0%
German	18	461	165	1%
Other West Germanic	24	109	71	0%
Scandinavian	27	5	11	0%
Greek	30	45	56	0%
Russian	33	34	39	0%
Polish	36	143	108	0%
Serbo-Croatian	39	5	11	0%
Other Slavic	42	28	43	0%
Persian	48	76	76	0%
Gujarati	51	234	186	0%
Hindi	54	52	35	0%
Urdu	57	22	34	0%
Other Indic	60	15	24	0%
Other Indo-European	63	105	75	0%
Chinese	66	394	219	1%
Japanese	69	39	38	0%
Korean	72	144	143	0%
Laotian	84	26	23	0%
Vietnamese	87	1297	279	3%
Other Asian	90	62	77	0%
Tagalog	93	170	90	0%
Hungarian	105	19	31	0%
Arabic	108	37	29	0%
African Languages	114	330	224	1%
Other	117	52	44	0%
TOTAL	**1632**	**47795**	**3583**	**100%**

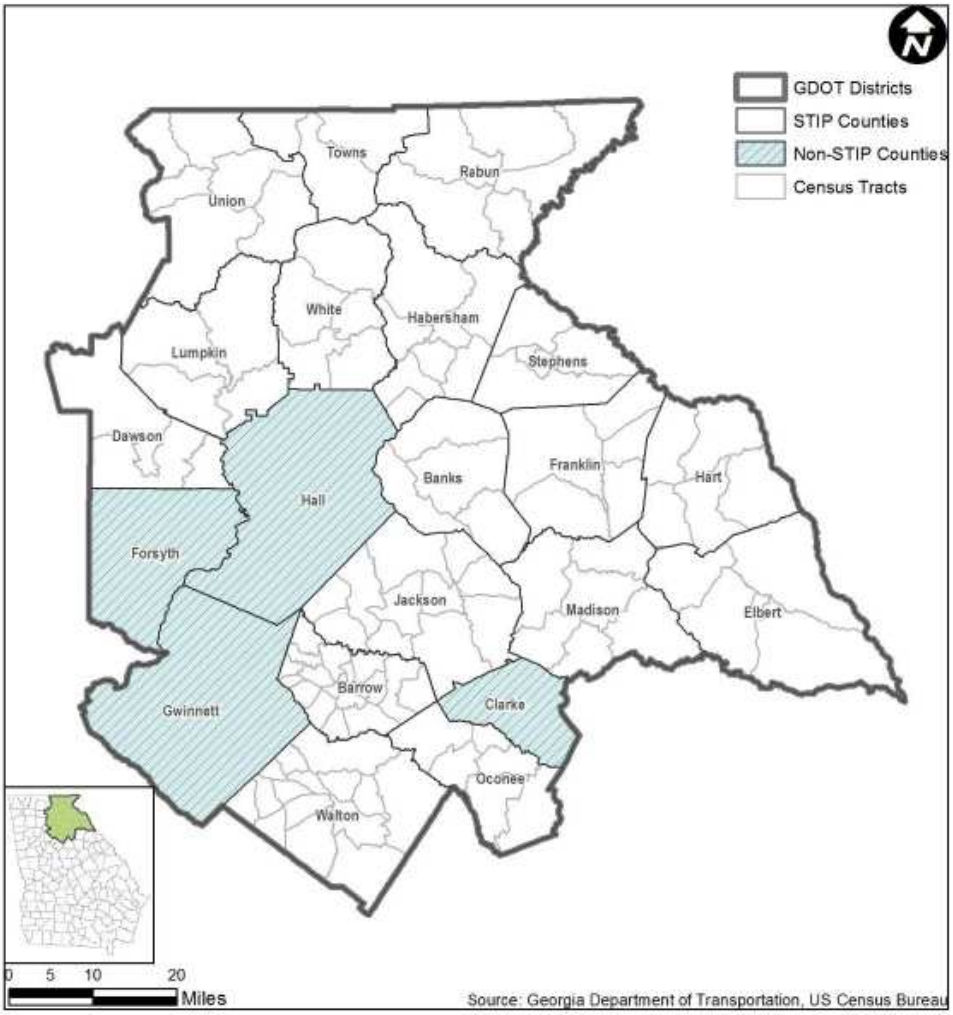
Appendix I

Demographic Maps

5.1 District 1

District 1 is in northeastern Georgia and consists of 21 counties. It begins directly northeast of the Atlanta metro area and stretches to the North Carolina and South Carolina borders. The study area consists of 17 counties, and thus does not include the 4 counties in District 1 that are under the authority of the MPOs. District 1 contains 114 census tracts of which 15 are over the Minority EJ threshold, 48 are over the Hispanic EJ threshold, 63 are over the Elderly EJ threshold, 26 are over the low-income EJ threshold and 48 are over the LEP EJ threshold and. Figure 8, below, is a map of the counties located in District 1.

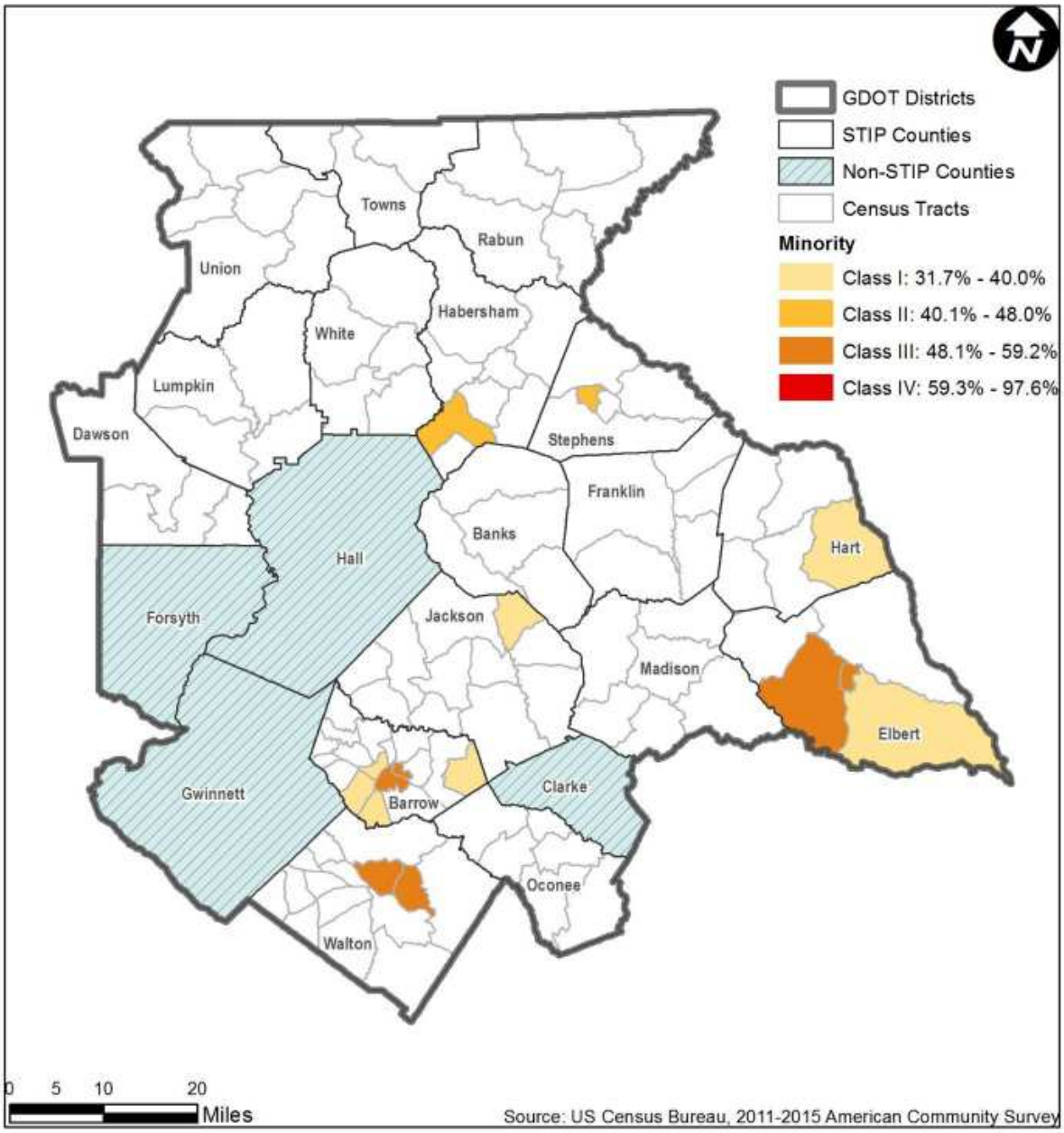
Figure 8: District 1



5.1.1 Minority EJ Population

Figure 9 is a map of the Minority EJ population located in District 1. Within District 1, 13 percent of the tracts have a minority population above the minority EJ threshold. The analysis shows zero Class IV tracts, 6 Class III tracts, 2 Class II tracts, and 7 Class I tracts. Tract locations can be found in Figure 9.

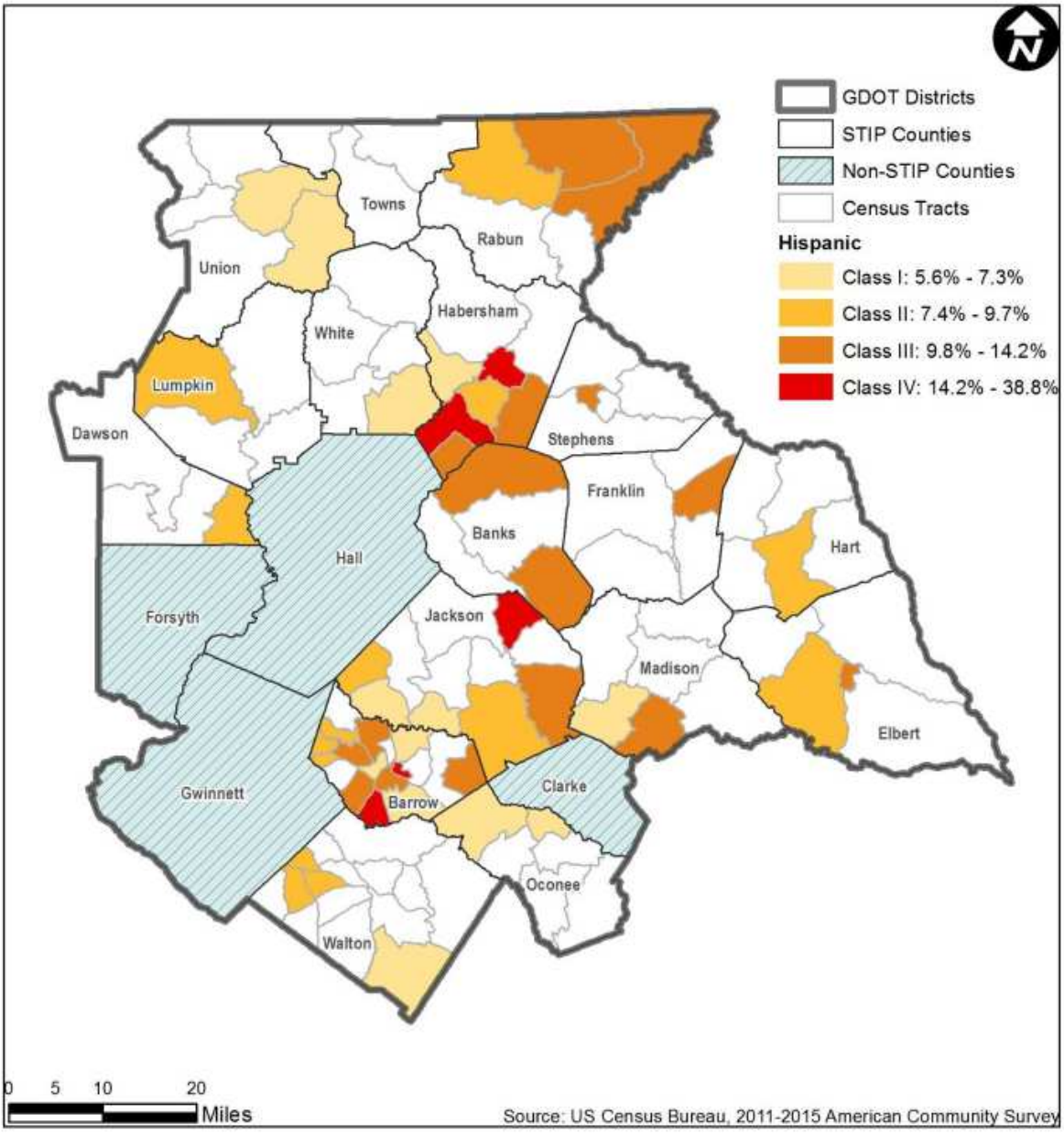
Figure 9: District 1 Minority EJ Population



5.1.2 Hispanic EJ Population

Figure 10 is a map of the Hispanic EJ population located in District 1. Within District 1, 42 percent of the tracts have a Hispanic population above the Hispanic EJ threshold. The analysis shows 5 Class IV tracts located in the following counties: Barrow, Habersham and Jackson. The analysis also shows 16 Class III tracts, 14 Class II tracts and 13 Class I tracts. Tract locations can be found in Figure 10.

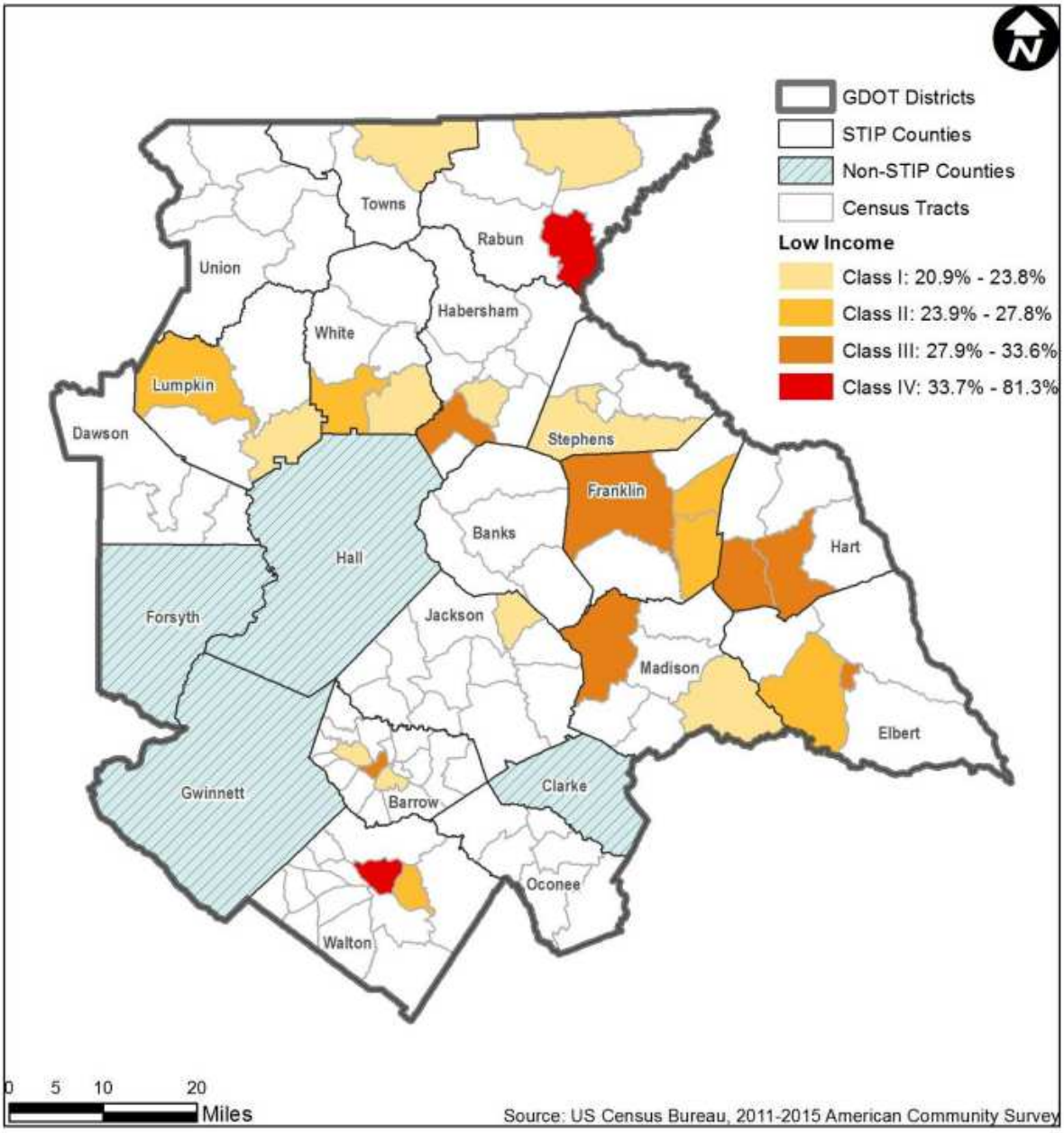
Figure 10: District 1 Hispanic EJ Population



5.1.3 Low-income EJ Population

Figure 11 is a map of the Low-income EJ population located in District 1. Within District 1, 23 percent of the tracts have a low-income population above the low-income EJ threshold. The analysis shows 2 Class IV tracts located in Rabun and Walton Counties. The analysis also shows 7 Class III tracts, 6 Class II tracts, and 11 Class I tracts. Tract locations can be found in Figure 11.

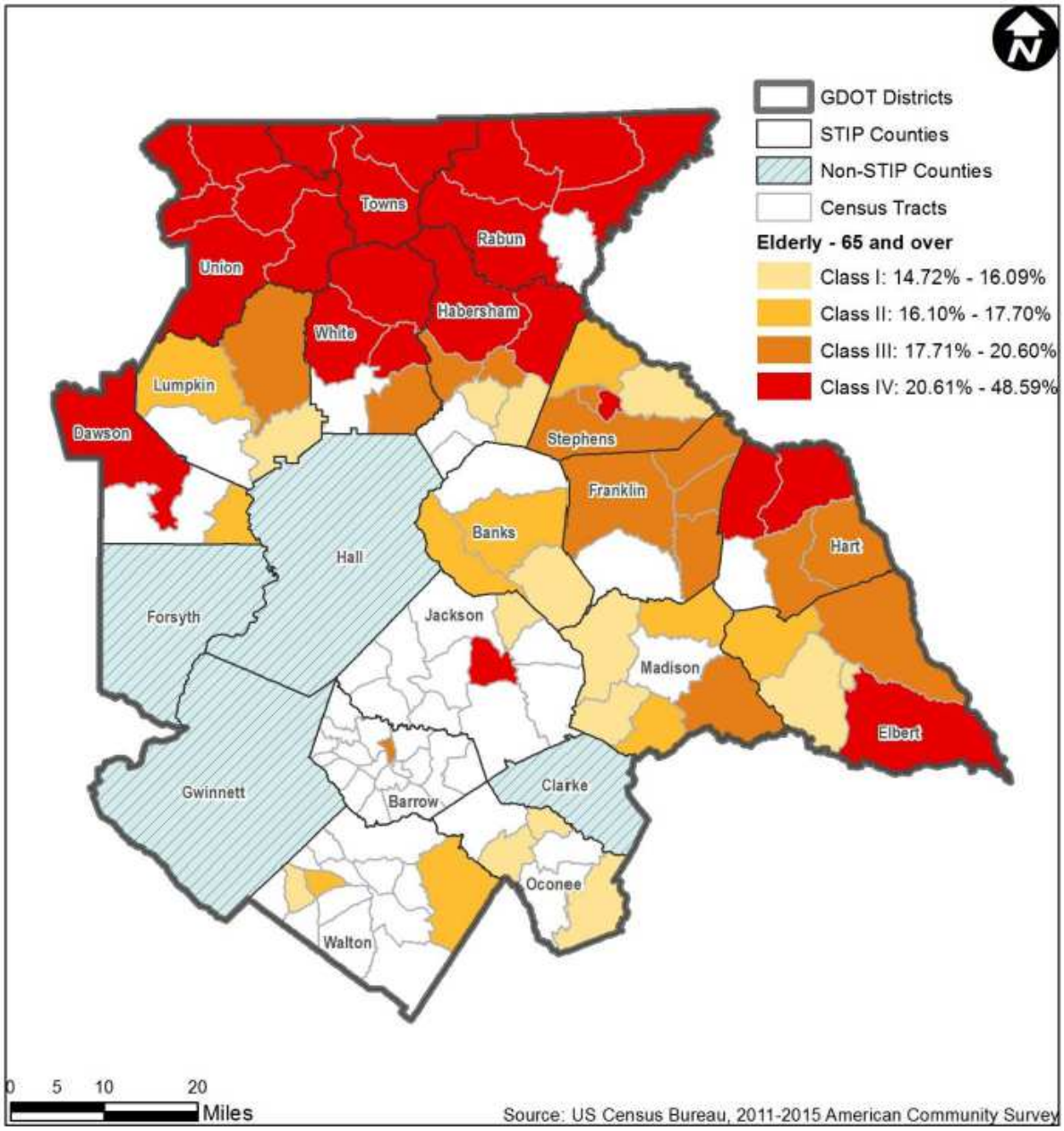
Figure 11: District 1 Low-income EJ Population



5.1.4 Elderly EJ Population

Figure 12 is a map of the Elderly EJ population located in District 1. Within District 1, 55 percent of the tracts have an elderly population above the elderly EJ threshold. The analysis shows 24 Class IV tracts located in the following counties: Dawson, Elbert, Habersham, Hart, Jackson, Rabun, Stephens, Towns, Union and White. The analysis also shows 15 Class III tracts, 10 Class II tracts, and 14 Class I tracts. Tract locations can be found in Figure 12.

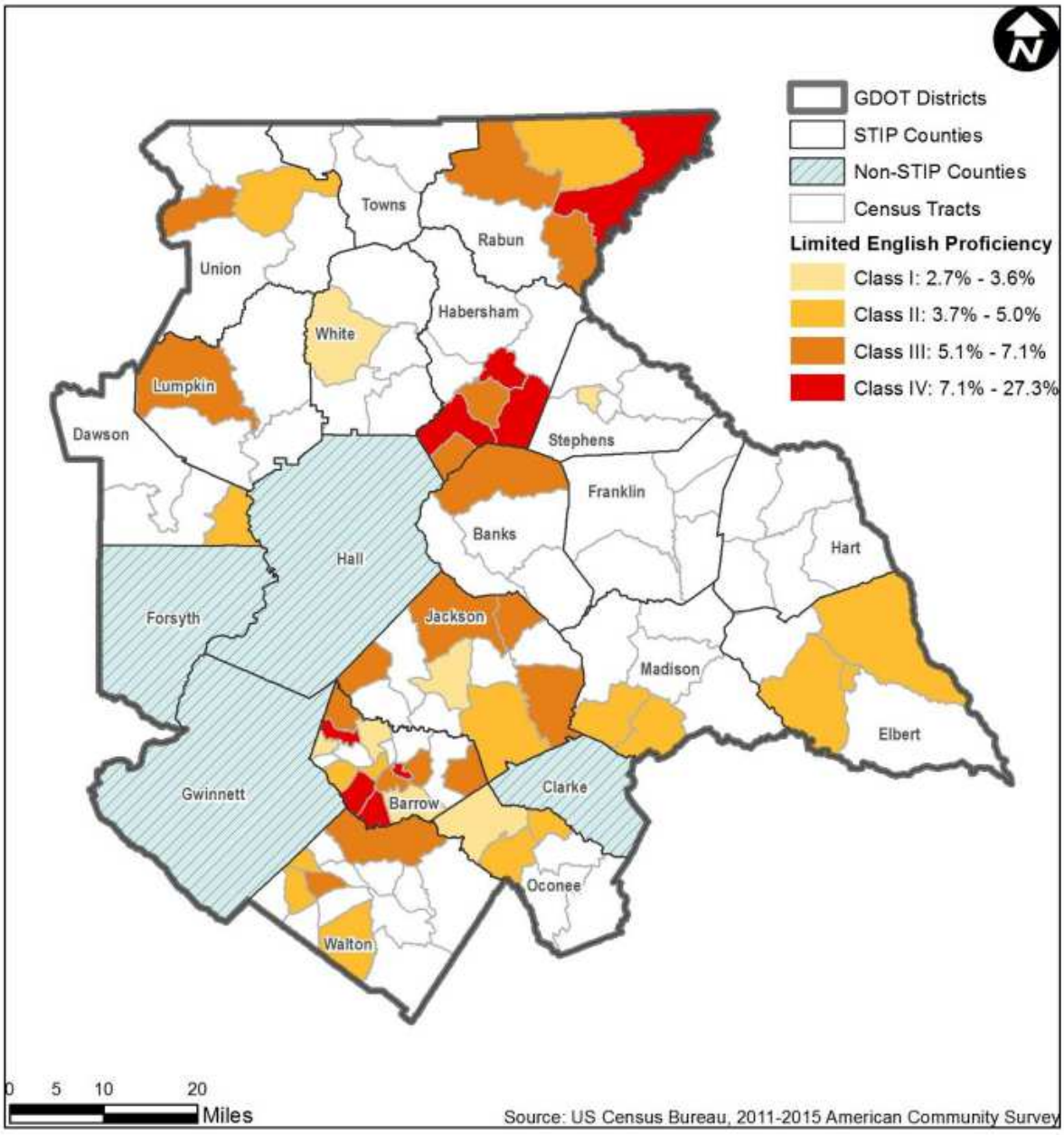
Figure 12: District 1 Elderly EJ Population



5.1.5 LEP EJ Population

Figure 13 is a map of the LEP EJ population located in District 1. Within District 1, 42 percent of the tracts have an LEP population above the LEP EJ threshold. The analysis shows 8 Class IV tracts located in the following counties: Barrow, Habersham, and Rabun. The analysis also shows 17 Class III tracts, 16 Class II tracts, and 7 Class I tracts. Tract locations can be found in Figure 13.

Figure 13: District 1 LEP EJ Population



Appendix J

Title VI Equity Analysis

Hall Area Transit has not performed a Title VI Equity Analysis.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/22/2019

Presenter: Matt Tate

Item of Business: Request from **Russell Fuller** to annex a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**), and to establish zoning as General Business (G-B). **Ward Number: Five.** Tax Parcel Number(s): 00-118-004-012. **Request: Existing commercial retail.**

- Proposed Annexation Ordinance No. 2019-02
- Proposed Zoning Ordinance No. 2019-03

Meeting Date: 2/5/2019

Purpose of Request:

To hold a public hearing for the following annexation and zoning request as presented at the January 15, 2019 Planning and Appeals Board meeting:

The applicant is proposing to annex the subject property with a zoning of General Business (G-B) for the purpose of utilizing city sewer due to a failed septic system. The property is zoned Highway Business (H-B) and is part of an unincorporated island in Hall County. The current use of the property is an antique and gift store named “Vintage Envy” and no changes are proposed. Access to the property is from Washington Avenue and Dorothy Drive. Nearby uses include three separate retail strip centers, Dairy Queen restaurant, used auto sales business and single-family homes.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff and PAB recommended approval with two conditions. See the PAB recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2019-02:
I move to approve the ordinance to annex the subject property for existing commercial retail as presented.

Approval of Ordinance 2019-03:
I move to approve the ordinance to establish zoning of the subject property as General Business for existing commercial retail with two conditions as presented.

Denial of the Request:
I move to deny this request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Legal Ad	Legal Ad
PAB Recommendation Report	Report
Proposed Annexation Ordinance No. 2019-02	Ordinance
Proposed Zoning Ordinance No. 2019-03	Ordinance
Location Maps	Backup Material
Narrative	Backup Material
Survey	Backup Material
Photos	Backup Material

COMBINED LEGAL AD
Gainesville Planning and Appeals Board
Gainesville City Council

Publish Sunday, December 30, 2018
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, January 15, 2019** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **Russell Fuller** to annex a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**) and to establish zoning as General Business (G-B).
   Ward Number: Five
   Tax Parcel Number(s): 00-118-004-012
   Request: Existing commercial retail

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, February 5, 2019** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **Russell Fuller** to annex a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**) and to establish zoning as General Business (G-B).
   Ward Number: Five
   Tax Parcel Number(s): 00-118-004-012
   Request: Existing commercial retail

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})

GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION

Applicant and Property Owner..... Russell Fuller
Location..... 457 Dawsonville Highway
Request..... Annex, with G-B zoning
Total Acres ..... 0.34± acre
Ward..... Five
Proposed Use..... Existing commercial retail
Planning Division Staff Recommendation ..... **Approval, with conditions**
Planning and Appeals Board Recommendation.... **Approval, with conditions**
Date..... January 15, 2019

- **Applicant's Proposal and Background Information**

The applicant is proposing to annex the subject property with a zoning of General Business (G-B) for the purpose of utilizing city sewer due to a failed septic system. The property is zoned Highway Business (H-B), is part of an unincorporated island in Hall County and is located within the Gateway Corridor Overlay Zone. The current use of the property is an antique and gift store named "Vintage Envy" and no changes are proposed. According to Hall County records the property was rezoned for commercial purposes in 1984. Access to the property is from Washington Avenue and Dorothy Drive and will remain unchanged. Nearby uses include three separate retail strip centers, Dairy Queen restaurant, Kendrick & Sons used auto sales business, single-family homes, Little & Davenport Funeral Home, Walmart, Lowe's and Lakeshore Mall.

- **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Lakeshore Heights single-family subdivision	Residential-I (R-I) City
South	Retail uses	Planned Unit Development (PUD) City
East	Single-family home; Used auto sales	Highway Business (H-B) County
West	Retail, bank and restaurant uses	General Business (G-B) City

- **Zoning History**

The following zoning actions have taken place in the immediate area during the last ten years:

2018 – A request by LLJ Development, LLC to rezone a 6.854± acres tract located at 0 and 1010 Dawsonville Highway from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for a fitness center, retail and restaurant was approved with conditions.

2018 – A request by REB Land Development, LLC to rezone a 2.744± acres tract located at 621 Lakeshore Drive NW from Residential-I (R-I) to General Business (G-B) zoning for a multi-tenant retail, office and restaurant was withdrawn prior to the City Council meeting.

2018 – A request by John Harris to rezone a 5.73± acres tract located at 1331 Lanier Valley Drive from Residential-II (R-II) and General Business (G-B) to General Business (G-B) zoning for a non-profit residential facility was approved with conditions.

2018 – A request by Lake 53, LLC to rezone a 6.227± acres tract located at 1995 Dawsonville Highway from General Business (G-B) to Planned Unit Development (P-U-D) zoning for 79 residential condominiums and office space was conditionally approved.

2017 – A request by Masy Seng to annex a 0.19 ± acres tract with a zoning of General Business (G-B) located at 593 and 597 Shallowford Road was conditionally approved for a donut shop.

2017 – A request by Oak Hall Companies, LLC to rezone a 157.98± acres tract located at 0, 1264 and 1817 Ahaluna Drive; 1876 Dawsonville Highway; 2208 Karen Lane; 0 and 2029 Strickland Drive; 0 and 1489 West Lake Drive from Residential-I-A (R-I-A), Residential-I (R-I), Planned Unit Development (P-U-D) and Regional Business (R-B) to Planned Unit Development (P-U-D) and General Business (G-B) zoning for a mixed-use, age restricted community was approved with conditions.

2017 – A request by Oak Hall Companies, LLC to annex a 50.81± acres tract with a zoning of Planned Unit Development (P-U-D) and General Business (G-B) located at 0 and 1758 Ahaluna Drive; 1508, 1550, 1740, 1746, 1758, 1760, 1934 and 1982 Dawsonville Highway; 300 and 301 Skyview Drive; 0, 2008 and 2016 Strickland Drive was conditionally approved for a mixed-use, age restricted community.

2017 – A request by Oak Hall Companies, LLC to annex a 26.16 ± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; 2049 Strickland Drive was conditionally approved for an age restricted, active adult community.

2013 – A request by America's Home Place, Inc. to rezone a 25.11± acres tract located at 0 and 1198 Dawsonville Highway; 1232 Ahaluna Drive and 1162 Lakeshore Circle from Residential-I (R-I), Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B) zoning for a commercial shopping center was approved with conditions.

2012 – A request by America's Home Place, Inc. to rezone a 4.711± acres tract located at 0, 1122, 1138, 1162 and 1198 Dawsonville Highway from Residential-II (R-II), Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for retail, restaurant and vehicle service uses was approved with conditions.

2010 – A request by Bill Dupree to annex a 7.11± acres tract with General Business (G-B) zoning and rezone a 2.44± acres tract from Residential-II (R-II) to General Business (G-B) located at 0, 1293, 1297 and 1139 Dawsonville Highway was approved with conditions for a business center with retail, office and restaurant uses.

Analysis

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The existing use of the property is for a retail gift and antique store which will remain the same. The purpose of the request is to utilize City sewer services due to a failed septic system. The property is located at the corner of a commercial intersection and is surrounded by a mixture of residential, office and commercial uses. Therefore, the existing use is suitable with the zoning and development of adjacent and nearby properties.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The applicant does not propose to change the use of the property. There should be no adverse impacts to the adjacent properties at this time. If the use were to change or the property were to be redeveloped in the future, the existing Gateway Overlay Zone standards and zoning conditions recommended by staff should address any potential adverse effects.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The proposal is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject property within the *Retail/Commercial* land use category which includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses. Commercial uses may be located as a single use in one building or grouped together in a shopping center.

In addition, the subject property is located within the *Longwood Cove* Character Area. Future development or redevelopment of Longwood Cove must consider the presence of the lake and extend its character further inland. Redeveloping underutilized land and buildings may enable commercial / residential growth. *Land uses allowed in Longwood Cove are medium-density residential, multi-family residential, mixed-use, commercial, public / institutional, and parks / recreation / conservation.*

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The applicant is proposing to annex the subject property with a zoning of General Business (G-B) which is similar to its current zoning of Highway Business (H-B) in Hall County. Given the fact that the property is part of an unincorporated island and is required to utilize sewer service due to a failed septic system, the proposal appears to be acceptable.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The change from County jurisdiction to City jurisdiction should not affect public facilities or services at this time. Unless the use were to later change to a more aggressive commercial use in the future, no additional impacts are expected on existing roads over and above what currently exists. There is sufficient water and sewer capacity that can serve the property. The Gainesville Fire and Police Departments currently respond to adjacent and nearby properties. City of Gainesville Fire Station #1 off of Queen City Parkway is located approximately 1.8 miles from the subject property. Given the commercial use of the property, no impacts to the City school system are anticipated.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The surrounding properties contain various commercial and residential uses both within the City and County. The properties located east of the intersection of Dawsonville Highway and Shallowford Road have experienced commercial growth which has created new infill development opportunities for some of the vacant land and residential properties that remain in this area. It is staff's opinion that the proposal is consistent with existing and expected uses for the area.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Based on the subject property's proximity to other commercial properties and the need for sewer services, the proposal appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

Staff Recommendation

The Planning Division staff is recommending **conditional approval** of this annexation request with **General Business (G-B)** zoning, based on the Comprehensive Land Use Plan and the adjacent mixture of uses.

Conditions

1. **Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with rooms accessed from the exterior of the building, adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
2. **All required access/traffic/sidewalk improvements associated with any development of the property shall be reviewed and approved by the Georgia Department of Transportation and the Gainesville Public Works Director and shall be at the full expense of the Developer.**

Excerpts from the January 15, 2019 PAB Meeting Minutes

Applicant Presentation: Russell Fuller, 219 Shallowford Drive, Gainesville, stated the staff report covered everything and he had nothing further to add.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion for conditional approval of the annexation request with a zoning of General Business (G-B) for the purpose of utilizing the city sewer due to a failed septic system with the following conditions:

Conditions

1. **Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with room accessed from the exterior of the building, adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales**

establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.

2. **All required access/traffic/sidewalk improvements associated with any development of the property shall be reviewed and approved by the Georgia Department of Transportation and the Gainesville Public Works Director and shall be at the full expense of the Developer.**

Motion made by Board Member Martin
Motion seconded by Board Member White
Vote – 6 favor, absent (Kelvin Simmons)

Passed: _____

AN ORDINANCE

No. 2019-02

AN ORDINANCE ANNEXING A 0.34± ACRE TRACT LOCATED ON THE SOUTHEAST SIDE OF THE INTERSECTION OF DAWSONVILLE HIGHWAY AND WASHINGTON AVENUE (A/K/A 457 DAWSONVILLE HIGHWAY); ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Amendment to City Limit Boundary)

WHEREAS, a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**), lies within the unincorporated lands of Hall County and adjoins the existing corporate limits of the City of Gainesville; and

WHEREAS, the hereinafter described lands be incorporated and annexed into the City of Gainesville.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

That from and after the passage of this Ordinance the following described lands are and shall be annexed into the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall constitute a part of the land within the corporate limits of the City of Gainesville, Georgia, as fully and completely as if the limits had been so defined by the General Assembly of Georgia.

Legal Description

All that lot, tract or parcel of land, lying situate and being in Gainesville District, GMD 411, Hall County, Georgia and being on the South side of Dawsonville Highway, and being more particularly described as follows:

BEGINNING at an iron pin corner at the intersection of Dawsonville Highway and Washington Avenue and running in a Southerly direction along Washington Avenue to an iron pin at intersection of Washington Avenue and Dorothy Drive; thence in an Easterly direction along Dorothy Drive 75 feet to an iron pin corner on Dorothy Drive; thence in a Northerly direction in a straight line to an iron pin corner on Dawsonville Highway, said iron pin being 100 feet East of the intersection of Washington Avenue and Dawsonville Highway; thence in a Westerly direction along Dawsonville Highway 100 feet to the beginning iron pin corner.

This is a portion of that property described in a Deed to Mrs. Pearl G. Nix from Clyde Grant, recorded in Deed Book 119, page 26, Hall County, Georgia Deed Records.

The annexation is to include all that portion of right-of-way known as Washington Avenue and Dorothy Drive located between the subject property and the existing city limits of Gainesville.

SECTION II.

The Community Development Department of the City of Gainesville is directed to make and file with the Department of Community Affairs of the State of Georgia a certified copy of this Ordinance together with a plat describing lands annexed to the City of Gainesville by this Ordinance.

SECTION III.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION IV.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION V.

The effective date of this Ordinance shall be upon approval by the governing authority of the City of Gainesville, Georgia.

_____

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

Passed: _____

AN ORDINANCE

No. 2019-03

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.34± ACRE TRACT LOCATED ON THE SOUTHEAST SIDE OF THE INTERSECTION OF DAWSONVILLE HIGHWAY AND WASHINGTON AVENUE (A/K/A 457 DAWSONVILLE HIGHWAY) AT THE TIME OF ANNEXATION AS GENERAL BUSINESS, WITH CONDITIONS (G-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Amendment to Zoning Map)

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **General Business, with conditions (G-B-c)**.

Conditions

1. **Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with room accessed from the exterior of the building, adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**

2. **All required access/traffic/sidewalk improvements associated with any development of the property shall be reviewed and approved by the Georgia Department of Transportation and the Gainesville Public Works Director and shall be at the full expense of the Developer.**

Legal Description

All that lot, tract or parcel of land, lying situate and being in Gainesville District, GMD 411, Hall County, Georgia and being on the South side of Dawsonville Highway, and being more particularly described as follows:

BEGINNING at an iron pin corner at the intersection of Dawsonville Highway and Washington Avenue and running in a Southerly direction along Washington Avenue to an iron pin at intersection of Washington Avenue and Dorothy Drive; thence in an Easterly direction along Dorothy Drive 75 feet to an iron pin corner on Dorothy Drive; thence in a Northerly direction in a straight line to an iron pin corner on Dawsonville Highway, said iron pin being 100 feet East of the intersection of Washington Avenue and Dawsonville Highway; thence in a Westerly direction along Dawsonville Highway 100 feet to the beginning iron pin corner.
This is a portion of that property described in a Deed to Mrs. Pearl G. Nix from Clyde Grant, recorded in Deed Book 119, page 26, Hall County, Georgia Deed Records.

The annexation is to include all that portion of right-of-way known as Washington Avenue and Dorothy Drive located between the subject property and the existing city limits of Gainesville.

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5.

SECTION V.

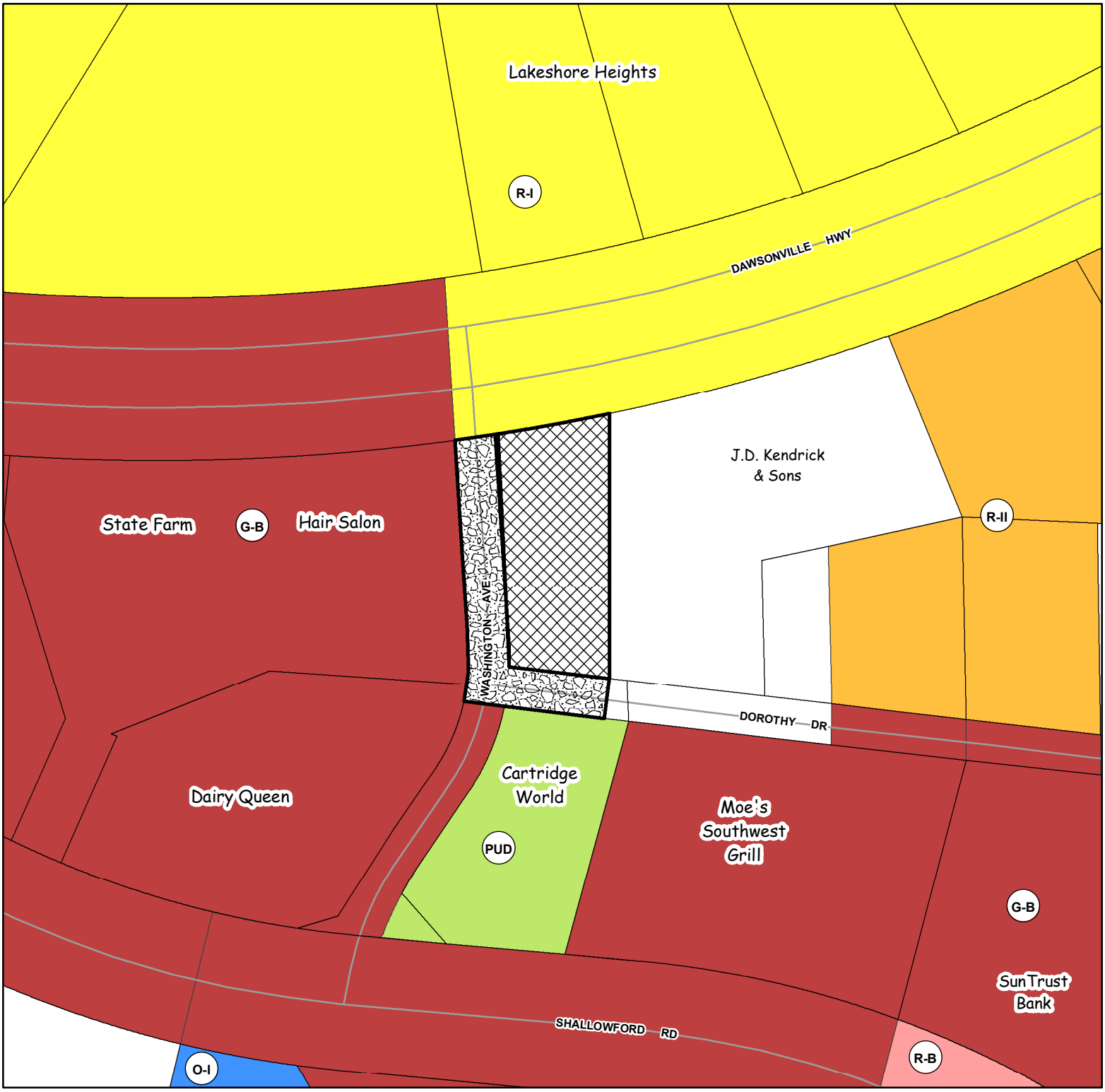
The effective date of this Ordinance shall be upon approval by the governing authority of the City of Gainesville, Georgia.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



Applicant:

RUSSELL FULLER

ANNEXATION REQUEST

Request:
Annex and Establish Zoning as General Business (G-B) for Existing Commercial Retail

Subject Area Address:
457 Dawsonville Highway

Meeting: 01/15/2019

Prepared: 12/04/2018

Gainesville Community Development Department

Subject Property

Right-of-Way to be Annexed

N

0 60 120 180 240 Feet

1 " = 100 '

Tax Parcel:
00-118-004-012

Applicant:

RUSSELL FULLER

ANNEXATION REQUEST

Request:
Annex and Establish Zoning as General Business (G-B) for Existing Commercial Retail

Subject Area Address:
457 Dawsonville Highway

Meeting: 01/15/2019

Prepared: 12/04/2018

Gainesville Community Development Department

Subject Property and Right-of-Way to be Annexed

Aerial from 2015

N

0 60 120 180 240 Feet

1 " = 100 '

Tax Parcel:
00-118-004-012

Castleberry Property, L.P 2012
221 Shallowford Drive
Gainesville, Georgia 30504

To: Planning and Appeals Board
City of Gainesville

Date:11/19/2018

Subject: Narrative Report for annexation to city.

Dear Board Members,

I own a commercial property at 457 Dawsonville Highway, Gainesville, GA. It has always been on a septic system. The current field lines have reached their capacity and I would like to connect to the sewer line installed in front of the property on Dawsonville Highway. This property is located in Hall County but runs contiguous to the city limits of Gainesville. I understand that in order to connect to the city sewer system I must first get the property annexed into the city limits. Therefore, I am requesting annexation into city limits of Gainesville.

Ben F. Castleberry
General Partner

MAP 00118 PARCEL 004012
REF: DEED BOOK 7115 PAGE 475
PLAT BOOK 6 PAGE 147

GENERAL NOTES

1) The field data upon which this plat is based has a precision of one foot in feet and an angular error of per angle point and was adjusted using least squares.

2) This plat has been calculated for closure and has an accuracy of one foot in feet.

3) Field equipment used for this survey was a Topcon GPT2005.

4) All easements, restrictions, or exceptions to title are shown based on information supplied to INGRAM , LORD AND ASSOCIATES. No Certification as to the completeness or accuracy of any matters of title is made by INGRAM , LORD AND ASSOCIATES.

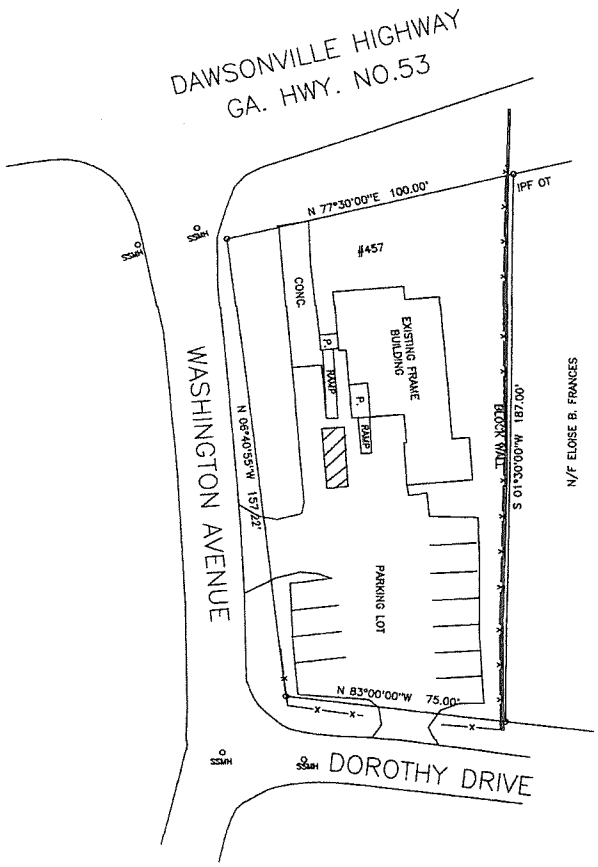
5) Underground utilities shown on this plat were taken from field observation and from plats by others, the exact location of all utilities should be verified by the respective utility company. INGRAM , LORD AND ASSOCIATES assumes no liability as to the exact location of any underground utility. For verification contact the utilities Protection Center Inc. 1-800-282-7411.

6) This survey is a correct representation of the land platted and has been platted in conformity with the minimum standards of Georgia Law. It does not intend to indicate ownership of any parcel or easement, this information should be verified by an attorney licensed by the state of Georgia.

MAGNETIC NORTH

** LEGEND **

IPF = IRON PIN FOUND
IPS = IRON PIN SET
CMF = CONCRETE MONUMENT FOUND
R\W = RIGHT OF WAY
BL = BUILDING LINE
LLL = LAND LOT LINE
LL = LAND LOT
N/F = NOW OR FORMERLY
NTS = NOT TO SCALE
CL = CENTER LINE
BM = BENCH MARK
TBM = TEMPORARY BENCH MARK
PC = POINT OF CURVATURE
PI = POINT OF INTERSECTION
PT = POINT OF TANGENCY
R = RADIUS
CH = CHORD
IE = INVERT ELEVATION
-T- = TELEPHONE LINE
-W- = WATER LINE
-G- = GAS LINE
-S- = SEWER LINE
-P- = POWER LINE
MH = MAN HOLE
SSE = SANITARY SEWER EASEMENT
DE = DRAINAGE EASEMENT
CE = CONSTRUCTION EASEMENT
CB = CATCH BASIN
JB = JUNCTION BOX
DI = DROP INLET
HW = HEAD WALL
FH = FIRE HYDRANT
RCP = REINFORCED CONCRETE PIPE



This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make changes to any real property boundaries. The recording information of the documents,maps,plats,or othe instruments which created the parcel or parcels are stated hereon.RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FORANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

BARRY D. LORD GA RLS #2641 — DATE 11-29-18

GEORGIA REGISTERED No. 2641 LAND SURVEYOR BARRY D. LORD

30 0 30 60 90
GRAPHIC SCALE – FEET

RETRACEMENT SURVEY FOR:
CASTLEBERRY PROPERTIES , LP.2012
0.340 ACRES
L.L. 164 9TH DISTRICT
HALL COUNTY , GEORGIA
SCALE: 1"=30'
DATE: FIELD 11-28-2018
DRAWING 11-29-2018

INGRAM, LORD & ASSOCIATES
LAND SURVEYING AND PLANNING
437 SAM BROWN BLVD.
COMMERCE , GEORGIA 30529
706-335-9069

457D

ICE CREAM