



Mayor/Council Meeting Agenda
Tuesday, January 17, 2023, 5:30 PM
Public Safety Complex, Municipal Court Room
701 Queen City Parkway, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

ORGANIZATIONAL MEETING:

- A. Business Resolution: 2023-01 Emergency Interim Successors
- B. Appointment: Administrative Hearing Officer
- C. Appointment: Legal Organ
- D. Appointments: Board/Committee Ex-Officio Members
- E. Appointment: Georgia Mountains Regional Commission
- F. Appointment: Tax Allocation District Advisory Committee

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

- A. Board of Health
 - Reappoint Deborah Mack
- B. Chattahoochee Golf Course Advisory Committee
 - Reappoint John "Jay" Jacobs, III

Minutes

- A. December 15, 2022 Work Session
- B. December 20, 2022 Mayor/Council Meeting

Resolutions

- A. AR-2023-01 Fourth Quarter Budget Adjustment for Fiscal Year 2022
- B. AR-2023-02 First Quarter Budget Adjustment for Fiscal Year 2023
- C. BR-2023-02 2023 Election and Qualifying Information
- D. BR-2023-03 Addendum to Intergovernmental Agreement with Hall County Regarding Highlands to Islands Trail Improvements In and Around Roosevelt Square
- E. BR-2023-04 Intergovernmental Agreement Between Flowery Branch and the City of Gainesville for Sewer Service
- F. GR-2023-01 2023 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Grant Supplemental Funds
- G. PR-2023-01 Approve the Hall Area Transit (HAT) Public Transportation Agency Safety Plan

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, January 13, 2023, 2:05 PM



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Business Resolution: 2023-01 Emergency Interim Successors
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this resolution is to define the order of succession.

Facts & Issues / History & Background:

The order of succession is established annually during the organizational meeting upon adoption of the Emergency Interim Resolution.

Department Recommendation:

To adopt the resolution as presented by Mayor Couvillon

Department Director:

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Resolution: BR-2023-01 Emergency Interim Resolution

RESOLUTION BR-2023-01
EMERGENCY INTERIM SUCCESSORS

WHEREAS, the Georgia Civil Defense Act as amended in 1962 requires the Emergency Interim Successor to be named.

WHEREAS, the governing body annually adopts a resolution identifying the order of succession during emergency situations.

NOW, THEREFORE, BE IT RESOLVED, that the Emergency Interim Successors for the City of Gainesville are designated in the order listed below:

1. Mayor W. Samuel Couvillon
2. Mayor Pro Tem _____
3. Council Member _____
4. Council Member _____
5. Council Member _____
6. Council Member _____

Adopted this ____ day of January, 2023.

W. Samuel Couvillon, 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



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Appointment: Administrative Hearing Officer
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to appoint the Administrative Hearing Officer for 2023.

Facts & Issues / History & Background:

Section 1-8-1(6) of the Code of Ordinances addresses this appointment. The organizational meeting action items were presented during the January 12, 2023 Work Session.

Department Recommendation:

Reappoint G. Hammond Law, III to serve another one-year term.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. 2023 Organizational Meeting Appointments List

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III Annual Agreement via Resolution	G. Hammond	1/1/1988 1/7/2014 8/2/2016 6/20/2017 12/17/2019 11/17/2020 12/21/2021 12/20/2022	12/31/2023	Annual Agreement via Resolution
Municipal Court Solicitor	Grant	Inez	9/15/20 UE 1/4/2022	Jan. 2024	2 year appt
Deputy Municipal Court Solicitor	VACANT AS OF 9/15/2020			Jan. 2022	2 year appt
Administrative Hearing Officer	Law, III	G. Hammond	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017 1/9/2018 1/8/2019 1/7/2020 1/19/2021 1/4/2022	1/17/2023	Annual
Legal Organ	The Times		1/10/2017 1/9/2018 1/8/2019 1/7/2020 1/19/2021 1/4/2022	1/17/2023	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 1/10/2023 ag

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Appointment: Legal Organ
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to appoint the Legal Organ for 2023.

Facts & Issues / History & Background:

The Times is the only newspaper published in Hall County.

Department Recommendation:

Reappoint The Times as the legal organ for a one-year term.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. 2023 Organizational Meeting Appointments List

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III Annual Agreement via Resolution	G. Hammond	1/1/1988 1/7/2014 8/2/2016 6/20/2017 12/17/2019 11/17/2020 12/21/2021	12/31/2022	Annual Agreement via Resolution
Municipal Court Solicitor	Grant	Inez	9/15/20 UE 1/4/2022	Jan. 2024	2 year appt
Deputy Municipal Court Solicitor	VACANT AS OF 9/15/2020			Jan. 2022	2 year appt
Administrative Hearing Officer	Law, III	G. Hammond	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017 1/9/2018 1/8/2019 1/7/2020 1/19/2021 1/4/2022	1/17/2023	Annual
Legal Organ	The Times		1/10/2017 1/9/2018 1/8/2019 1/7/2020 1/19/2021 1/4/2022	1/17/2023	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 1/5/2022 ag

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Appointments: Board/Committee Ex-Officio Members
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to address the 2023 ex-officio appointments.

Facts & Issues / History & Background:

Ex-officio appointments are addressed during the annual organizational meeting.

Department Recommendation:

Receive and accept the nominations presented by the Mayor.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. 2023 Ex-Officio List

EX-OFFICIO APPOINTMENTS

COMMITTEE	Meeting Schedule	2023
Airport Advisory Committee	Quarterly	
American Red Cross	Monthly	
Board of Health	Quarterly	
Chattahoochee Golf Course Advisory Committee	Monthly	
Chicopee Woods Area Park Commission	Quarterly	
Economic Development Council	Monthly	
Friends of the Park	Monthly	
Gainesville Non-Profit Development Authority	Quarterly	
Gainesville Redevelopment Authority	As Needed	
Gainesville-Hall County Development Authority	As Needed	
Gainesville-Hall County Land Bank Board		
Greater Hall Chamber of Commerce Board of Directors	Monthly	
HALLmark Initiative		
Historic Preservation Commission	Monthly	
Housing Authority	Monthly	
Keep Hall Beautiful/Hall County Green Alliance		
Lake Lanier Olympic Park Foundation		
Main Street Gainesville Advisory Board	Bi-Monthly	
Parks & Recreation Board	Monthly	
Planning and Appeals Board	Monthly	



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Appointment: Georgia Mountains Regional Commission
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to appoint the 2023 governing body representative to the Georgia Mountains Regional Commission.

Facts & Issues / History & Background:

This appointment is addressed annually during the organizational meeting.

Department Recommendation:

Receive and accept the nomination presented by the Mayor.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. GMRC Hall County Representatives

The GMRC offers a wide variety of services to its 49 local governments, which include 12 counties and 37 municipalities. The GMRC works with these entities to formulate goals and strategies for area growth and development. Upon request, the GMRC provides a variety of technical assistance that will improve community services and the quality of life for Georgia Mountains residents. The GMRC focuses its broad scope of responsibility through the following departments: Planning, Economic Development, Workforce Development, Information Services, Finance and Administration.

The Georgia Mountains Regional Commission's (GMRC) governing Council is responsible for establishing policy and direction to complete its regional objectives. The objectives of the GMRC are to develop, promote, and assist in establishing coordinated and comprehensive planning in Georgia; to provide local governments on both an individual and regional basis with professional technical assistance to improve local government service programs; to provide professional technical assistance with the development, collection, compilation, and maintenance of a local information base and network; to manage those nonprofit corporations created by the GMRC in accordance with Georgia law for the operation of revolving loan programs; and to function as the designated fiscal agent responsible for Workforce Development services.

The GMRC is guided by a forty-one (41) member Council and is composed of individuals appointed by the Governor, Lieutenant Governor, Speaker and one county elected official, one city elected official and one private sector individual from each of our 12 counties. City, County and private sector representatives are chosen by the cities and counties they represent. The Council is responsible for all policy decisions. Council meetings are held on the last Thursday of each month at 6:00 p.m. with the exception of November and December, which are held earlier in the month due to the holidays. Council Meetings rotate locations around the Georgia Mountains Region. Please check our Meetings and Announcements for more information.

Hall County Representatives

Hall County	Richard Higgins
City of Gainesville	George Wangemann
Private Sector	Deborah Mack

Monthly Meeting Schedule

- January 26, 2023
- February 23, 2023
- March 23, 2023
- April 27, 2023
- May 25, 2023
- June 22, 2023
- July TBD
- August TBD
- September TBD
- October TBD
- November TBD
- December TBD



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 17, 2023
Presenter: Sam Couvillon
Item of Business: Appointment: Tax Allocation District Advisory Committee
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to appoint the 2023 TADAC member.

Facts & Issues / History & Background:

Council Member Danny Dunagan was appointed to serve a one-year term on 1/4/2022.

Department Recommendation:

Receive and accept the nomination as presented by the Mayor.

Department Director:

Sam Couvillon

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. TADAC Appointment List

TAX ALLOCATION DISTRICT (TAD) ADVISORY COMMITTEE

POST	LAST NAME	FIRST NAME	APPOINTED
Hall County Commission Chairman or designee	Stowe <i>Commissioner</i>	Jeff	N/A
Hall County Administrator or designee	Connell <i>County Administrator</i>	Jock	N/A
Gainesville Mayor or designee	Dunagan <i>City Council Member</i>	Danny	N/A 1/4/2022
Gainesville City Manager or designee	Lackey <i>City Manager</i>	Bryan	N/A
Gainesville City School Superintendent or designee	Williams <i>Superintendent</i>	Jeremy	N/A
Gainesville City School BOE Chairman or designee	Stewart <i>Board Chair</i>	Andy	N/A
Gainesville City School Representative	Pethel <i>Chief Finance Officer</i>	Kathy	N/A
GHCC or Main Street Representative	Evans	Tim	8/18/2009
Real Est. or Dev. Industry Representative	Fowler	Rob	12/19/2017

Established per Business Resolution 2009-45 based on Intergovernmental Agreement with the Gainesville City School District. Reviews projects/requests from private developers to determine feasibility and consistency with the objectives of the Midtown Gainesville Redevelopment Plan. Endorses proposed TAD projects by majority vote before it can be considered by the City Council for funding approval.

TERM: Indefinite

CONTACT: Rusty Ligon, Community Development Director

CC: Lizzet Flores, Gainesville School System and Lisa Ritchie, Hall County Commission Clerk

UPDATED: 1/5/2022 ag



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023

Date Submitted: January 13, 2023

Final Approval Date: January 13, 2023

Presenter: Sam Couvillon

Item of Business: Board of Health

- Reappoint Deborah Mack

Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to address the expired term for the City appointed representative on the BOH.

Facts & Issues / History & Background:

Gainesville is responsible for filling the position held by a consumer or licensed nurse. Members serve a six-year term.

Deborah Mack has confirmed a willingness to serve another term. The verification of outstanding debt was completed with no concerns.

Department Recommendation:

To approve the nomination of Deborah Mack for reappointment as submitted by the Mayor during the January 12, 2023 Work Session.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BOH Members
2. Attendance Report

BOARD OF HEALTH

POST	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	TERM EXP.
County CEO	Cooper	Kathy			Elected Term
County School Superintendent	Williamson-English	Andrea			Appointed Term
CEO of Largest City or Designee	Brooks	Barbara	1/19/2021	1/4/2022	Elected Term
County Appointed Physician	Rios Chairman	Antonio			12/31/2023
City Appointed Consumer or Licensed Nurse	Mack Secretary	Deborah			12/31/2022
County Appointed Consumer Advocate	Harrison	Don			12/31/2023
County Appointed Advocate for Needy/Elderly/Underprivileged	Poole Vice Chairman	Larry			12/31/2025

TERM: Six year terms

CONTACT: Jennifer Allen, Administrative Assistant
Hall County Health Department District Office
jennifer.allen@dph.ga.gov
770-531-5600

SCHEDULE: Quartely Board Meetings on the fourth Tuesday at 4:30 PM
Hall County Health Department
1290 Athens Street, Gainesville, GA 30501

Updated: 8/16/2022

From: [Hulsey, Marlena](#)
To: [Alisa Grayson](#)
Cc: [Allen, Jennifer](#)
Subject: RE: Upcoming BOH Expiring Term for Deborah Mack
Date: Tuesday, November 29, 2022 1:57:34 PM
Attachments: [image002.png](#)

CAUTION:*This email originated from outside the City of Gainesville networks. Be aware of phishing, and remember CoG DoIT will never ask for your password or other personal information in email. Do not open up attachments or click on links unless you are absolutely sure it is legit and safe.. When in doubt, click the Phish Alert button or contact the CoG DoIT Help Desk*****

Hi Alisa,

Thank you for promptly working on an appointment for this position. Below is the information you requested for Ms. Mack's attendance for the last 2 years:

02/2021 – attended
05/2021 – attended
08/2021 – absent
11/2021- attended

02/2022 – attended
05/2022 – attended
08/2022 – absent
11/2022 – attended

I would like to take the opportunity to inform you know that I have resigned the Administrative Assistant position and Jennifer Allen has filled that role. I have copied her on this email. I have enjoyed working with you over the past few years!

Marlena Hulsey

Customer Service Rep 2 / Med Room
Hall County Health Department
1290 Athens Street
Gainesville, GA 30507
Ph 770-531-5600 ext.5599
Fax 770-531-6035
marlena.hulsey@dph.ga.gov

"This message and any included attachments are from the County Boards of Health and are intended only for the addressee(s). The information contained herein may include privileged or otherwise confidential information. Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited. If you receive this message in error or have reason to believe you are not authorized to receive it, please promptly delete this message and notify the sender by

email. Thank you."

From: Alisa Grayson [mailto:AGrayson@gainesvillega.gov]

Sent: Tuesday, November 29, 2022 9:22 AM

To: Hulsey, Marlena <Marlena.Hulsey@dph.ga.gov>

Subject: Upcoming BOH Expiring Term for Deborah Mack

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Marlena,

According to my records, the City's representative Deborah Mack's position on the BOH is due to expire on 12/31/2022. We're working to address this appointment in the near future. In the meantime, do you have any information you wish to share for the mayor's consideration. In addition, please provide an attendance report encompassing the past 2 years as it pertains to Ms. Mack. I'll be happy to assist with any questions/concerns you may have.

Thank you in advance.

Cordially,

ALISA GRAYSON, GCC
Deputy City Clerk



+1.770.535.6865
www.gainesville.org

300 Henry Ward Way, Suite 303
Gainesville, Georgia 30501
P.O. Box 2496
Gainesville, Georgia 30503

Please note my new email address is agrayson@gainesvillega.gov.



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 12, 2023
Final Approval Date: January 12, 2023
Presenter: Sam Couvillon
Item of Business: Chattahoochee Golf Course Advisory Committee

- Reappoint John "Jay" Jacobs, III

Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to address the expired CCC term position currently held by John "Jay" Jacobs, III.

Facts & Issues / History & Background:

CGCAC members serve three-year terms. They follow the guidelines as set forth in the City Charter, Code of Ordinances and Business Resolution 2010-23. John W."Jay" Jacobs name was submitted for reappointment nomination. The verification of outstanding debt process was completed with no concerns.

Department Recommendation:

To approve the nomination of John "Jay" Jacobs for reappointment as submitted by the Mayor during the January 12, 2023 Work Session.

Department Director:

Denise Jordan

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. CGCAC Members
2. CGCAC Member Attendance Report

CHATTAHOOCHEE GOLF COURSE ADVISORY COMMITTEE

NOMINATED BY:	LAST NAME	FIRST NAME	APPOINTED/ TERM BEGAN	REAPPOINTED	EXPIRES
CCC	Wright	John	11/17/2020 (Term begins 12/19/20)		12/19/2023
City Council	Palmer	Gary	9/15/2020		9/15/2023
City Council	Huff	Dick	8/18/2020		8/18/2023
City Council	Lawson	Jeff	8/15/2017	8/18/2020	8/18/2023
City Council	Shell	Martha	8/15/2017	8/18/2020	8/18/2023
City Council	Brown	Cleve	9/15/2020 UE	11/17/2020	11/21/2023
CCC	Rogers	Lee	4/20/2021		4/20/2024
CCC	Jacobs, III	John W. "Jay"	12/17/2019		12/17/2022
CCC	Smith	Mike	8/7/2018	10/19/2021	8/7/2024
CCC	Moore Chairman	Stuart	11/17/2020 (Term begins 12/19/20)		12/19/2023

TERM: Three year terms

CONTACT: Rodger Hogan, Golf Course

Re-established: June 22, 2010. Original Committee began January 1, 2005

NOTES: Members continue to serve until a successor is appointed.

Term limits - No more than two, three year terms

UPDATED: September 1, 2022

CHATTAHOOCHEE GOLF COURSE ADVISORY COMMITTEE ATTENDANCE REPORT

MEETING			BOARD MEMBER										
	DATE	TYPE	Wright	Palmer	Huff	Lawson	Shell	Brown	Rogers	Jacobs	Smith	Moore	Thompson
1	11/11/2020	R	0	1	1	1	1	0	0	0	0	1	0
2	3/10/2021	R	1	1	1	0	1	0	0	0	1	0	1
3	4/14/2021	R	0	0	1	1	1	1	0	0	1	0	1
4	5/12/2021	R	0	1	1	0	1	1	0	1	0	0	1
5	6/9/2021	R	0	1	1	1	1	1	1	1	0	1	1
6	7/14/2021	R	1	1	1	0	1	1	1	0	1	1	0
7	8/11/2021	R	0	0	1	0	1	0	1	0	1	1	0
8	9/8/2021	R	1	1	1	0	1	1	1	1	0	1	0
9	10/13/2021	R	0	1	1	0	0	0	0	0	0	0	0
10	11/10/2021	R	1	1	1	1	1	1	0	1	0	1	1
11	3/9/2022	R	0	1	1	0	1	1	1	0	1	0	1
12	4/13/2022	R	1	1	1	0	1	1	1	1	1	0	0
13	6/8/2022	R	0	1	1	0	1	0	1	0	1	1	1
14	7/13/2022	R	1	1	1	0	0	1	1	0	0	0	0
15	8/10/2022	R	1	1	1	0	1	1	1	0	1	0	0
16	9/14/2022	R	1	1	0	1	0	1	1	0	0	1	1
17	10/12/2022	R	0	1	1	0	0	1	0	1	1	0	0
18	11/9/2022	R	0	1	1	1	0	1	0	0	0	1	1
TOTAL		18	8	16	17	6	13	13	10	6	9	9	9
ATTENDANCE %			44%	89%	94%	33%	72%	72%	56%	33%	50%	50%	50%

TYPE MEETING: R = Regular Scheduled Meeting
ATTENDANCE: 0 = Absent

C = Called Meeting
1 = Attended

NOTES:

Submitted By: _____ Rodger Hogan
Recording Secretary

Date: 11/30/2022



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 26, 2022
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: December 15, 2022 Work Session
Meeting Date: January 17, 2023

Purpose of Request:

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

Facts & Issues / History & Background:

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? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 26, 2022
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: December 20, 2022 Mayor/Council Meeting
Meeting Date: January 17, 2023

Purpose of Request:

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

Facts & Issues / History & Background:

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:

Denise Jordan

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: AR-2023-01 Fourth Quarter Budget Adjustment for Fiscal Year 2022
Meeting Date: January 17, 2023

Purpose of Request:

This request is to approve the budget adjustments associated with the fourth quarter of fiscal year 2022.

Facts & Issues / History & Background:

The City of Gainesville Code states in part: Sec. 2-3-87 - Budget amendments (a) General amendment. The council may amend the budget as deemed necessary or advantageous during the fiscal year, provided additional revenues or funding sources are identified for any net increase in expenditure. Following the end of each fiscal year quarter, any approved adjustments, including budgets for any projects authorized during the quarter shall be enacted through a budget adjustment resolution upon favorable vote of the city council. The supplemental budget resolutions shall be balanced for each and every fund that is amended.

Department Recommendation:

Financial Services recommends the approval of the fourth quarter budget adjustment for fiscal year 2022.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. AR-2023-01 Fourth Quarter Budget Adjustment for FY2022
2. Attachment A - Charts for 4th Quarter Budget Adjustments for FY2022
3. Attachment B - Descriptions for 4th Qtr BA for FY2022

RESOLUTION AR-2023-01

**REGARDING FOURTH QUARTER BUDGET ADJUSTMENT
FOR FISCAL YEAR 2022**

WHEREAS, the City Council approved a budget for fiscal year 2022 for the City of Gainesville on June 15, 2021; and

WHEREAS, the budget is a dynamic rather than static revenue and spending plan which requires adjustment from time to time as circumstances change; and

WHEREAS, these adjustments maintain a balanced budget for all funds.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby adopts the adjustments to the budget listed on "Attachment A" and "Attachment B", attached hereto and made a part of the Resolution.

Adopted this _____ day of _____, 2023.

W. Samuel Couvillon, Mayor

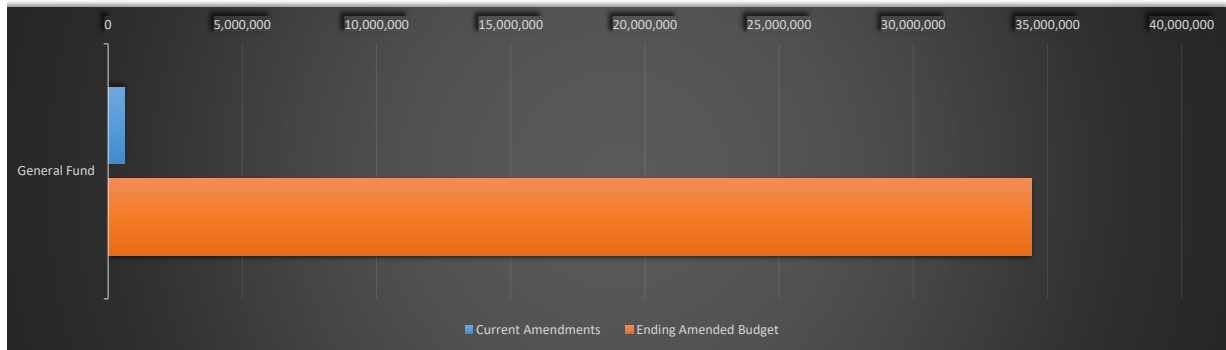
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

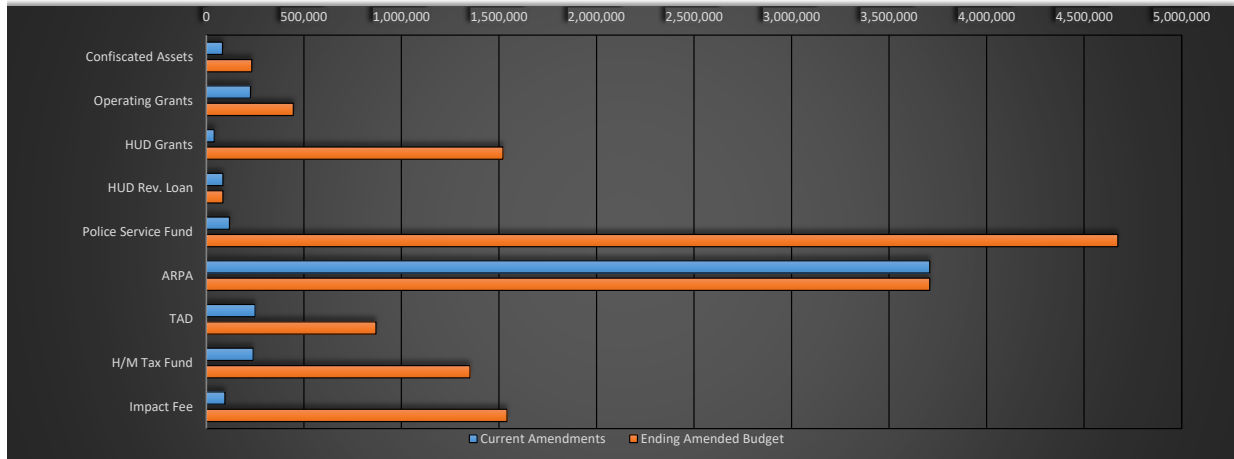
Denise O. Jordan, City Clerk

ATTACHMENT A

General Fund			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
General Fund	33,791,535	597,534	34,389,069
Grand Total	33,791,535	597,534	34,389,069

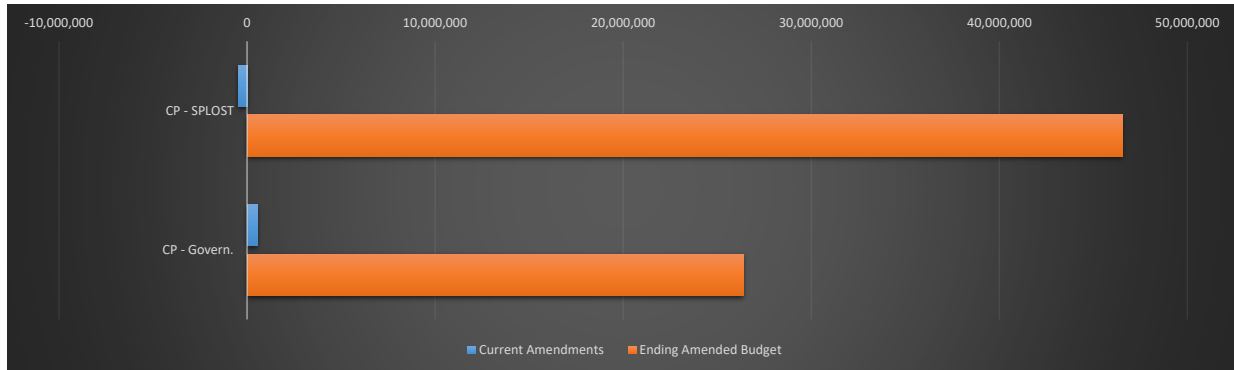


Special Revenue Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CSC	3,935,637	0	3,935,637
Cemetery Trust	55,000	0	55,000
Confiscated Assets	150,000	82,775	232,775
Operating Grants	219,586	226,253	445,839
HUD Grants	1,480,287	40,522	1,520,809
HUD Rev. Loan	0	84,819	84,819
Fire Services fund	9,583,850	0	9,583,850
Police Service Fund	4,554,124	118,500	4,672,624
ARPA	0	3,708,239	3,708,239
Econ. Dev.	73,000	0	73,000
Land Bank Authority	50,000	0	50,000
TAD	619,362	250,000	869,362
H/M Tax Fund	1,111,635	240,000	1,351,635
Impact Fee	1,446,486	95,000	1,541,486
Info. Tech. Fund	42,700	0	42,700
Grand Total	23,321,667	4,846,108	28,167,775

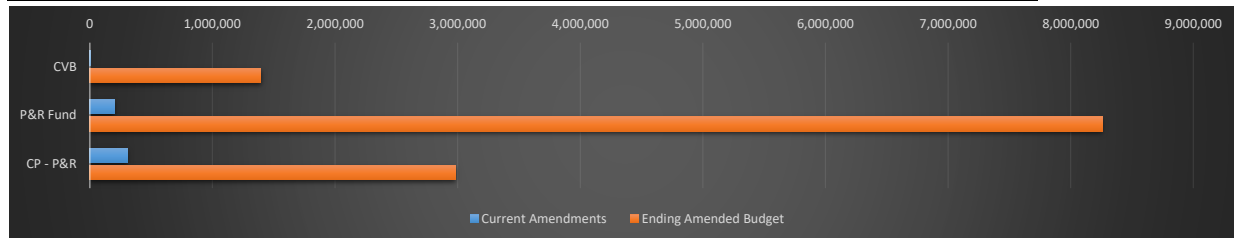


Enterprise Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
DWR	75,737,329	0	75,737,329
CP - DWR	134,918,096	0	134,918,096
Solid Waste	4,089,386	0	4,089,386
Airport	2,402,762	0	2,402,762
Golf	2,384,265	0	2,384,265
Grand Total	219,531,838	0	219,531,838

Capital and Debt Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CP - SPLOST	47,022,143	-471,417	46,550,726
CP - Grants	1,842,184	0	1,842,184
CP - Govern.	25,859,345	542,670	26,402,015
Debt. Serv.	6,522,833	0	6,522,833
Grand Total	81,246,505	71,253	81,317,758



Component Unit			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CVB	1,392,796	3,250	1,396,046
P&R Fund	8,057,105	200,000	8,257,105
CP - P&R	2,676,830	305,051	2,981,881
Grand Total	12,126,731	203,250	9,653,151



Non-Profit			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
Non-Profit	24,366	0	24,366
Grand Total	24,366	0	24,366

Internal Service Fund			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
Gen. Insurance	2,095,703	13,388	2,109,091
Employee Ben.	10,337,194	0	10,337,194
Veh. Serv.	2,063,619	0	2,063,619
Grand Total	14,496,516	13,388	14,509,904

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
4th QTR BA for FY2022 ADJUSTMENT DESCRIPTIONS

GENERAL FUND

GENERAL FUND

The General fund recognized a total increase of \$597,534 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase are as follows:

- Increase in Budgeted Fund Balance in the amount of \$4,864 for an increase of the Georgia Mountain Regional Commissions (GMRC) Dues. This was caused by Forsyth County's breakaway from the GMRC.
- Increase in Budgeted Fund Balance in the amount of \$2,670 to increase project #91063-Retail Space.
- Increase in Budgeted Fund Balance in the amount of \$300,000 for transfer to Police Service Fund.
- Transfer to Governmental Capital Projects Fund (350) in the amount of \$290,000 to increase project #93208-Poultry Park.

SPECIAL REVENUE FUNDS

CONFISCATED ASSETS FUND

The Confiscated Assets fund recognized a total increase of \$82,775 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase is as follows:

- Increase in Budgeted Fund Balance in the amount of \$82,775 to cover expenses of equipment.

GRANTS FUND

The Grants fund recognized a total increase of \$226,253 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase are as follows:

- Recognize revenue of \$25,840 for GEMA/GSAR 2019 Equipment Grant.
- Recognize revenue of \$23,000 for GSAR Equipment Grant 2022.
- Recognize revenue of \$4,408 for GOHS HEAT grant FY2022.
- Recognize transfer from General Fund of \$6,648 for GOHS HEAT grant FY2022.
- Recognize revenue of \$120,000 for CHIP 2018.
- Grant Fund Budget corrections in the amount of \$46,357.

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
4th QTR BA for FY2022 ADJUSTMENT DESCRIPTIONS

HUD GRANTS FUND

The HUD Grants fund recognized a total increase of \$40,522 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase is as follows:

- CDBG Project adjustments in the amount of \$40,522.

HUD REVOLVING LOAN FUND

The HUD Revolving Loan fund recognized a total increase of \$84,819 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase is as follows:

- Establishment of FY22 Revolving Loan Fund Budget.

POLICE SERVICES FUND

The Police Services fund recognized a total increase of \$118,500 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase is as follows:

- Increase of budgeted Fund Balance in the amount of \$118,500 to correct end of year budget balance.

AMERICAN RESCUE PLAN ACT FUND

The American Rescue Plan Act fund recognized a total increase of \$3,708,239 during the fourth quarter of fiscal year 2022. The adjustment associated with this increase is as follows:

- Recognize revenue in the amount of \$3,708,239 received in June 2022.

TAX ALLOCATION DISTRICT FUND

The Tax Allocation District fund recognized a total increase of \$250,000 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase is as follows:

- Establish Poultry Park TAD funds in the amount of \$250,000.

HOTEL/MOTEL TAX FUND

The Hotel/Motel Tax fund recognized a total increase of \$240,000 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase is as follows:

- Increase of \$240,000 for Hotel/Motel payment to CVB Fund.

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
4th QTR BA for FY2022 ADJUSTMENT DESCRIPTIONS

IMPACT FEE FUND

The Impact Fee fund recognized a total increase of \$95,000 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase is as follows:

- Year-end budget adjustments in the amount of \$95,000.

GENERAL INSURANCE FUND

The General Insurance fund recognized a total increase of \$13,388 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase is as follows:

- Recognize insurance reimbursement in the amount of \$13,388 to Police Services Fund.

CAPITAL AND DEBT FUNDS

SPLOST CAPITAL PROJECTS FUND

The SPLOST Project fund recognized a total decrease of \$-471,417 during the fourth quarter of fiscal year 2022. The adjustments associated with this decrease are as follows:

- End-of-year reverse of recurring entry from fund 320 to 350 in the amount of \$-944,476.
- FY22 Debt Service Payments for 2021 Fire Trucks in the amount of \$293,692.
- End-of-year project rebalancing of \$79,367.
- Recognize Lake Society Dev LLC contribution in the amount of \$100,000.

GENERAL GOVERNMENT CAPITAL PROJECTS FUND

The General Government Capital Project fund recognized a total increase of \$542,670 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase are as follows:

- Transfer from GF of \$290,000 for project #93208-Poultry Park.
- Transfer from GF of \$2,670 for project #91063-Retail Space.
- Establish Poultry Park TAD Funds in the amount of \$250,000.

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
4th QTR BA for FY2022 ADJUSTMENT DESCRIPTIONS
COMPONENT UNIT FUNDS

PARKS AND RECREATION FUND

The Parks and Recreation fund recognized a total increase of \$200,000 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase are as follows:

- Increase of Budgeted Fund balance in the amount of \$125,000 to set up Mini Pitch at Myrtle Street Park project.
- Recognize Park Development Fund transfer of \$28,000 for storm damage repairs.
- Recognize Bruce Cavell Restricted Donation in the amount of \$1,000.
- Recognize revenues for rents and royalties in the amount of \$46,000.

PARKS AND RECREATION CAPITAL PROJECT FUND

The Parks and Recreation Capital Project fund recognized a total increase of \$305,051 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase are as follows:

- Recognize contributions and donations in the amount of \$180,051 to set up Mini Pitch at Myrtle Street Park and project #70086-Dog Park at Midland Greenway projects.
- Recognize transfer from the Parks and Recreation fund in the amount of \$125,000 to set up Mini Pitch at Myrtle Street Park project.

CONVENTION VISITORS BUREAU FUND

The Convention Visitors Bureau fund recognized a total increase of \$3,250 during the fourth quarter of fiscal year 2022. The adjustments associated with this increase is as follows:

- Increase to Budget Fund balance of \$3,250 to increase part time salaries for cart driver.



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: AR-2023-02 First Quarter Budget Adjustment for Fiscal Year 2023
Meeting Date: January 17, 2023

Purpose of Request:

This request is to approve the budget adjustments associated with the first quarter of fiscal year 2023.

Facts & Issues / History & Background:

The City of Gainesville Code states in part: Sec. 2-3-87 - Budget amendments (a) General amendment. The council may amend the budget as deemed necessary or advantageous during the fiscal year, provided additional revenues or funding sources are identified for any net increase in expenditure. Following the end of each fiscal year quarter, any approved adjustments, including budgets for any projects authorized during the quarter shall be enacted through a budget adjustment resolution upon favorable vote of the city council. The supplemental budget resolutions shall be balanced for each and every fund that is amended.

Department Recommendation:

Financial Services recommends the approval of the first quarter budget adjustment for fiscal year 2023.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. AR-2023-02 First Quarter Budget Adjustment for FY2023
2. Attachment A - Charts for 1st Quarter Budget Adjustments for FY2023
3. Attachment B - Description of 1st Quarter Budget Adjustments for FY2023

RESOLUTION AR-2023-02

**REGARDING FIRST QUARTER BUDGET ADJUSTMENT
FOR FISCAL YEAR 2023**

WHEREAS, the City Council approved a budget for fiscal year 2023 for the City of Gainesville on June 21, 2022; and

WHEREAS, the budget is a dynamic rather than static revenue and spending plan which requires adjustment from time to time as circumstances change; and

WHEREAS, these adjustments maintain a balanced budget for all funds.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby adopts the adjustments to the budget listed on "Attachment A" and "Attachment B", attached hereto and made a part of the Resolution.

Adopted this _____ day of _____, 2023.

W. Samuel Couvillon, Mayor

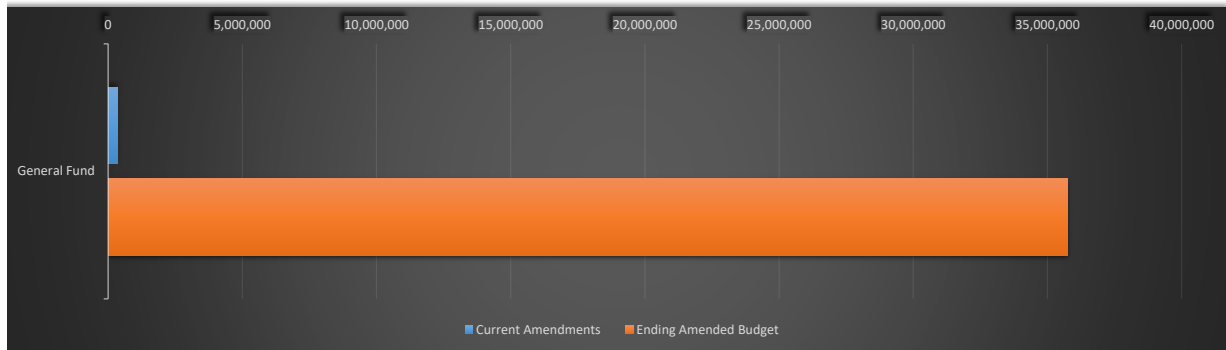
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

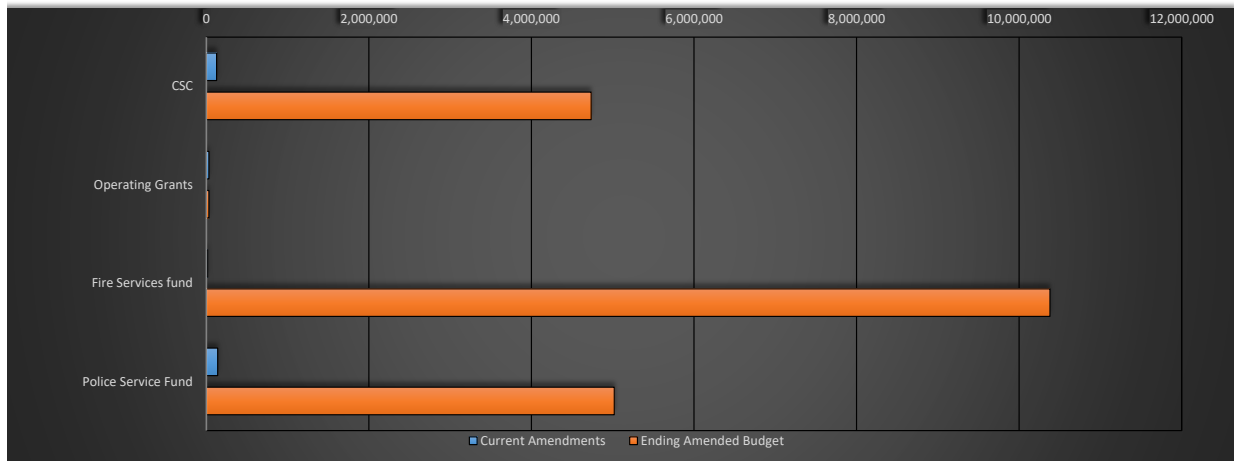
Denise O. Jordan, City Clerk

ATTACHMENT A

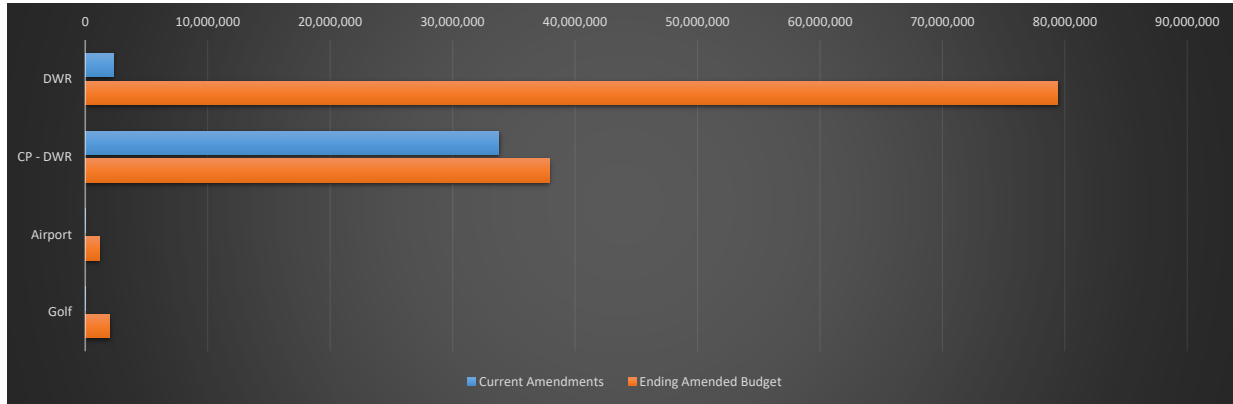
General Fund			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
General Fund	35,431,276	333,842	35,765,118
Grand Total	35,431,276	333,842	35,765,118



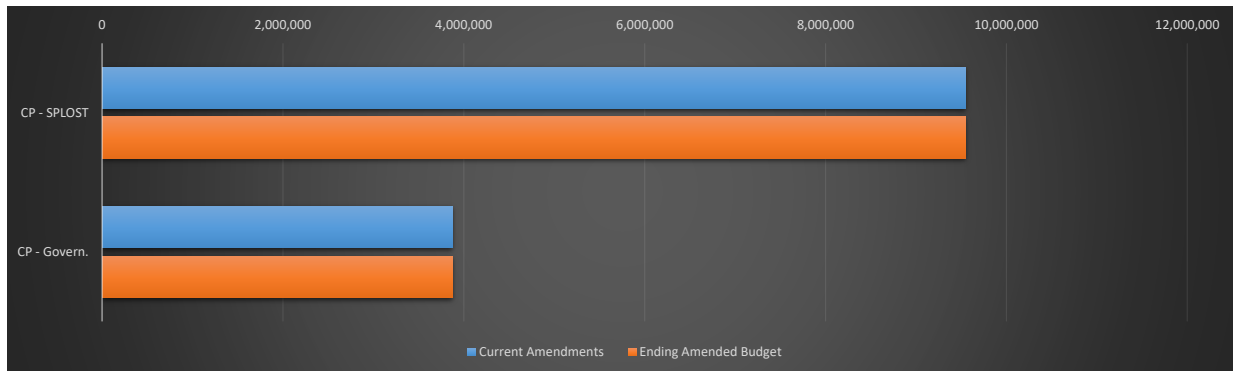
Special Revenue Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CSC	4,608,870	125,998	4,734,868
Cemetery Trust	55,000	0	55,000
Confiscated Assets	150,000	0	150,000
Operating Grants	0	31,300	31,300
HUD Grants	2,026,982	0	2,026,982
HUD Rev. Loan	0	0	0
Fire Services fund	10,363,844	15,533	10,379,377
Police Service Fund	4,879,693	139,242	5,018,935
ARPA	5,859,171	0	5,859,171
Econ. Dev.	73,000	0	73,000
Land Bank Authority	50,000	0	50,000
TAD	619,362	0	619,362
H/M Tax Fund	1,600,425	0	1,600,425
Impact Fee	2,879,700	0	2,879,700
Info. Tech. Fund	42,260	0	42,260
Grand Total	33,208,307	312,073	33,520,380



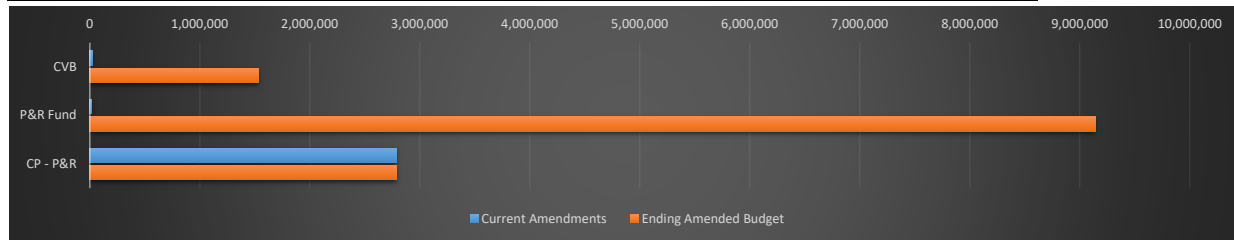
Enterprise Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
DWR	77,138,045	2,283,962	79,422,007
CP - DWR	4,097,101	33,782,000	37,879,101
Solid Waste	4,175,182	0	4,175,182
Airport	1,181,932	14,151	1,196,083
Golf	1,961,129	50,400	2,011,529
Grand Total	88,553,389	36,130,513	124,683,902



Capital and Debt Funds			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CP - SPLOST	0	9,546,703	9,546,703
CP - Grants	0	300,000	300,000
CP - Govern.	0	3,873,862	3,873,862
Debt. Serv.	5,706,038	0	5,706,038
Grand Total	5,706,038	13,720,565	19,426,603



Component Unit			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
CVB	1,506,164	27,000	1,533,164
P&R Fund	9,123,974	17,311	9,141,285
CP - P&R	0	2,785,000	2,785,000
Grand Total	10,630,138	44,311	10,674,449



Non-Profit			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
Non-Profit	24,367	0	24,367
Grand Total	24,367	0	24,367

Internal Service Fund			
Fund	Beginning Amended Budget	Current Amendments	Ending Amended Budget
Gen. Insurance	2,077,023	20,370	2,097,393
Employee Ben.	11,344,294	0	11,344,294
Veh. Serv.	3,055,460	7,584	3,063,044
Grand Total	16,476,777	27,954	16,504,731

**ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
ADJUSTMENT DESCRIPTIONS**

GENERAL FUND

GENERAL FUND

The General fund recognized a total increase of \$333,842 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$39,288.
- Transfer to General Fund Capital project fund to establish project budgets in the amount of \$392,962.
- Decrease in budgeted fund balance in the amount of \$-98,408 to allocate portion of Worker's Compensation expenses to fund 272.

SPECIAL REVENUE FUNDS

GRANTS FUND

The Grants fund recognized a total increase of \$31,300 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- Establishment of BVP 2021 Grant FY2023 in the amount of \$31,300.

FIRE SERVICES FUND

The Fire Services fund recognized a total increase of \$15,533 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$15,533.

POLICE SERVICES FUND

The Police Services fund recognized a total increase of \$139,242 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- Increase in budgeted fund balance in the amount of \$98,408 to allocate portion of Worker's Compensation expenses from fund 100.
- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$7,706.

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
ADJUSTMENT DESCRIPTIONS

- Recognize insurance reimbursement from General Insurance to Police Services Fund in the amount of \$33,758.

COMMUNITY SERVICE CENTER FUND

The Community Service Center fund recognized a total increase of \$125,998 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$125,998.

GENERAL INSURANCE FUND

The General Insurance Fund recognized a total increase of \$20,370 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- Transfer to Police Services Fund for insurance reimbursement.

VEHICLE SERVICES FUND

The Vehicle Services Fund recognized a total increase of \$7,584 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$7,584.

ENTERPRISE FUNDS

DEPARTMENT OF WATER RESOURCES OPERATING FUND

The Department of Water Resources Operating fund recognized a total increase of \$2,283,962 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders in the amount of \$1,830,368.
- Allocate Stormwater salaries to DWR in the amount of \$368,594.
- Increase Lakeside WTP budget for Tank Installation in the amount of \$85,000.

ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
ADJUSTMENT DESCRIPTIONS

AIRPORT FUND

The Airport Fund recognized a total increase of \$14,151 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders and existing project balances.

CHATTAHOOCHEE GOLF COURSE FUND

The Chattahoochee Golf Course Fund recognized a total increase of \$50,400 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders and existing project balances.
- Increase in Budgeted Fund Balance in the amount of \$44,775 for GASB 87 Related Lease Revenue and Expense.

CAPITAL AND DEBT FUNDS

DWR CAPITAL PROJECTS FUND

The Department of Water Resources Capital Project fund recognized a total increase of \$33,782,000 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-establishing project budgets for open projects not closed during FY2022.
- Establishment of FY2023 Capital Projects per Resolution AR-2022-03.

SPLOST CAPITAL PROJECTS FUND

The SPLOST Capital Project fund recognized a total increase of \$9,546,703 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-establishing project budgets for open projects not closed during FY2022.
- Establishment of FY2023 Capital Projects per Resolution AR-2022-03.

**ATTACHMENT B
QUARTERLY BUDGET ADJUSTMENT RESOLUTION
ADJUSTMENT DESCRIPTIONS**

GRANTS CAPITAL PROJECTS FUND

The Grants Capital Project fund recognized a total increase of \$300,000 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-establishing project budgets for open projects not closed during FY2022.
- Establishment of FY2023 Capital Projects per Resolution AR-2022-03.

GENERAL GOVERNMENT CAPITAL PROJECTS FUND

The General Government Capital Projects fund recognized a total increase of \$3,873,862 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-establishing project budgets for open projects not closed during FY2022.
- Establishment of FY2023 Capital Projects per Resolution AR-2022-03.

COMPONENT UNIT

CONVENTION VISITORS BUREAU

The Convention Visitors Bureau fund recognized a total increase of \$27,000 during the first quarter of fiscal year 2023. The adjustment associated with this increase is as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders.

PARKS AND RECREATION FUND

The Parks and Recreation Operating fund recognized a total increase of \$17,311 during the first quarter of fiscal year 2023. The adjustment associated with this increase are as follows:

- FY22-23 Anticipated re-appropriations of open balances from purchase orders.

PARKS & RECREATION CAPITAL PROJECTS FUND

The Parks & Recreation Capital Projects fund recognized an increase of \$2,785,000 during the first quarter of fiscal year 2023. The adjustments associated with this increase are as follows:

- FY22-23 Anticipated re-establishing project budgets for open projects not closed during FY2022.
- Establishment of FY2023 Capital Projects per Resolution AR-2022-03.



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2023-02 2023 Election and Qualifying Information
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this resolution is to prepare for the 2023 regular scheduled election.

Facts & Issues / History & Background:

The proposed resolution addresses the following items:

1. Calls for an election on November 7, 2023 to fill positions for Council Members and Board of Education Members with terms that expire on December 31, 2023.
2. Appoints the City Clerk as the Municipal Superintendent and Qualifying Officer.
3. Sets the qualifying fees and authorizes their publication.
4. Sets the qualifying period and authorizes its publication.
5. Authorizes the City Clerk and/or City Attorney to make decisions concerning the qualification of candidates.

Department Recommendation:

Adopt the resolution as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2023-02 2023 Election and Qualifying Information

RESOLUTION BR-2023-02

2023 ELECTION AND QUALIFYING INFORMATION

WHEREAS, the City of Gainesville shall conduct its regularly scheduled election on November 7, 2023 to fill terms that will expire on December 31, 2023; and

WHEREAS, the Georgia Election Code requires the qualifying fee to be set and published no later than February 1st; and

WHEREAS, the qualifying fee formula, per the Georgia Election Code, was used to calculate qualifying fees.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body appoints the City Clerk as the Municipal Superintendent, Election Superintendent and Qualifying Officer for the election to be held in 2023.

BE IT FURTHER RESOLVED THAT the governing body hereby authorizes the City Clerk to publish the qualifying fees as shown below.

POSITION	QUALIFYING FEE
Council Member, Ward 2	\$ 994.50
Council Member, Ward 3	\$ 994.50
Council Member, Ward 5	\$ 994.50
Board of Education Member, District 2	\$ 327.60
Board of Education Member, District 3	\$ 327.60
Board of Education Member, District 5	\$ 327.60

BE IT FURTHER RESOLVED THAT the City Clerk's Office is authorized to qualify candidates August 21-23, 2023 and shall publish such action in compliance with the Georgia Election Code.

BE IT FURTHER RESOLVED THAT decisions concerning the qualifying of candidates shall be determined by the City Clerk and/or the City Attorney, in compliance with provisions of the Georgia Election Code; the Rules of the State Election Board; and the Charter and Code of Ordinances of the City of Gainesville.

Adopted this ____ day of _____, 2023.

W. Samuel Couvillon, 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



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2023-03 Addendum to Intergovernmental Agreement with Hall County Regarding Highlands to Islands Trail Improvements In and Around Roosevelt Square
Meeting Date: January 17, 2023

Purpose of Request:

To approve an amendment to the IGA with Hall County regarding the Highlands to Islands Trail Improvements in and around Roosevelt Square. The revised IGA provides an exhibit regarding maintenance responsibilities for clarity. Plus the amendment conveys a temporary construction easement from Hall County that will be needed when trail improvements are made.

Facts & Issues / History & Background:

The City and Hall County entered into the original IGA on 12/9/21. Hall County approved the amendment to the IGA at their meeting on 12/8/22. This amendment does not alter the original premise of the IGA, just provides clarity.

Department Recommendation:

Approve the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2023-03 Addendum to IGA with Hall County for Highlands to Islands Trail In and Around Roosevelt Square
2. Attachment: Addendum to IGA w Hall County - Roosevelt Square Highlands to Islands Trail - Executed by Hall County
3. Temporary Construction Easement - Roosevelt Square - Highlands to Islands Trail - Executed by Hall County
4. Courthouse Map 12.1.22

RESOLUTION BR-2023-03

**Addendum to Intergovernmental Agreement with Hall County
Regarding Highlands to Islands Trail Improvements
In and Around Roosevelt Square**

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards the successful upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City is a Georgia municipality located within Hall County, Georgia; and

WHEREAS, the City owns a public area known as Roosevelt Square; and

WHEREAS, the City and County signed an Intergovernmental Agreement on December 9, 2021 providing for the maintenance of Roosevelt Square; and

WHEREAS, the City and County wish to provide for additional agreements between them that better facilitate both the maintenance of Roosevelt Square and the construction of upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City and County wish to add these new agreements between them to the original Intergovernmental Agreement dated December 9, 2021 by Addendum without making any changes to the original Agreement; and

WHEREAS, the existence and maintenance of Roosevelt Square as a public park is of great benefit to Hall County and the City in that said public park promotes business and public recreation in the City with resulting increases in commercial activity and the collection of revenues to benefit the citizens of Hall County and the City.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor and City Attorney to execute the Addendum to the Intergovernmental Agreement between Hall County and the City regarding the Highlands to Islands Trail Improvements in and around Roosevelt Square that is attached hereto.

Adopted this _____ day of _____, 2023.

W. Samuel Couvillon, 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

STATE OF GEORGIA

COUNTY OF HALL

**ADDENDUM TO INTERGOVERNMENTAL AGREEMENT BETWEEN HALL
COUNTY, GEORGIA AND THE MUNICIPALITY OF GAINESVILLE, GEORGIA
REGARDING THE HIGHLANDS TO ISLANDS TRAIL IMPROVEMENTS
IN AND AROUND ROOSEVELT SQUARE**

This Addendum to the December 9, 2021 Intergovernmental Agreement by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia, (hereinafter referred to as "Hall County"), and the CITY OF GAINESVILLE, a municipal corporation by and through its duly authorized governing body, the Mayor and City Council of Gainesville, Georgia (hereinafter referred to as "Gainesville"), is entered into this 8th day of December, 2022 for the purpose of setting forth additional responsibilities of each party concerning the Highlands To Islands Trail improvements in and around Roosevelt Square.

WITNESSETH

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards the successful upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City is a Georgia municipality located within Hall County, Georgia; and

WHEREAS, the City owns a public area known as Roosevelt Square; and

WHEREAS, the City and County signed an Intergovernmental Agreement on December 9, 2021 providing for the maintenance of Roosevelt Square; and

WHEREAS, the City and County wish to provide for additional agreements between them that better facilitate both the maintenance of Roosevelt Square and the construction of upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City and County wish to add these new agreements between them to the original Intergovernmental Agreement dated December 9, 2021 by Addendum without making any changes to the original Agreement; and

WHEREAS, the existence and maintenance of Roosevelt Square as a public park is of great benefit to Hall County and the City in that said public park promotes business and public recreation in the City with resulting increases in commercial activity and the collection of revenues to benefit the citizens of Hall County and the City; and

NOW THEREFORE, for and in consideration of the mutual promises and covenants as herein contained and as contained in the original Agreement between the parties dated December 9, 2021, it is further agreed by and between the parties hereto that:

The City of Gainesville will make improvements to its area of Roosevelt Square as it determines to be beneficial. The City of Gainesville will take over the maintenance of the grassed area of Roosevelt Square that is owned by Hall County, and which is both behind of the Historic Courthouse building and between the Historic Courthouse building and the Highlands to Islands Trail project area, up to the sidewalk on both sides. The grassed area to be maintained by the City of Gainesville going forward is delineated on the attached aerial photograph in yellow and designated as “Gainesville Maintains”. The term of this maintenance agreement shall be fifty (50) years unless either party terminates the maintenance portion of this agreement by providing the other party with sixty (60) days written notice as provided herein.

Hall County will provide the City of Gainesville with a temporary construction easement/right of entry over a portion of its same property surrounding the Historic Courthouse for purposes of construction and maintenance during the construction of the upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The temporary construction

easement/right of entry will remain in place until substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The property subject to the temporary construction easement/right of entry is depicted in the attached Exhibit A as a triangular shaped piece of property which is colored red and designated as "Gainesville Project" but which crosses over onto Hall County Property by being within the Hall County Property line designated in Exhibit A by a blue property line. Upon the substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square, the temporary construction easement/right of entry will expire, and Gainesville shall have access to the triangular property for purposes of maintenance only.

All provisions of the original December 9, 2021 Intergovernmental Agreement between the parties shall remain as they are with no changes thereto except as necessary to effect this Addendum.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Agreement the date and year above.

CITY OF GAINESVILLE, GEORGIA

By: _____
Sam Couvillon, Mayor

Attest: _____
Denise Jordan, City Clerk

Date: _____

HALL COUNTY, GEORGIA

By: 
Richard Higgins, Chairman

Attest: 
Jennifer Rivera, County Clerk

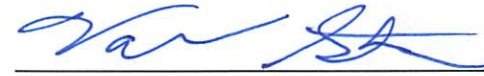
Date: 12/8/2022



Approved as to Form:

City Attorney

Approved as to Form:



County Attorney

Exhibit A

Aerial Photograph and Diagram of

Roosevelt Square Area Ownership

And Maintenance



HALL COUNTY

TEMPORARY CONSTRUCTION EASEMENT

THIS CONVEYANCE made and executed this 8th day of December, 2022.

WHEREAS, the City of Gainesville, Georgia desires to construct a Multi-Use Trail for pedestrian and non-motorized vehicle use known as the Highlands to Islands Trail Project near Roosevelt Square in downtown Gainesville, Georgia and also known as Project Number _____; and

WHEREAS, in order to construct said Multi-Use Trail for pedestrian and non-motorized vehicle use, the City of Gainesville requires a temporary construction easement for work associated with the trail project.

NOW, THEREFORE, for value received or considerations given, **HALL COUNTY, GEORGIA** ("Grantor") hereby grants to **THE CITY OF GAINESVILLE, GEORGIA** ("Grantee") the right to execute construction and maintenance as the City may deem proper to support or accommodate the construction of upgrades to the Highlands to Islands Trail project in and around Roosevelt Square over and upon a portion of Grantor's land abutting the Historic Courthouse building in central Gainesville during the construction of such upgrades. The property subject to this Temporary Construction Easement is depicted in the attached Exhibit A as a triangular shaped piece of property which is colored red and designated as "Gainesville Project" but which crosses over onto Hall County property by being within the Hall County property line designated in Exhibit A hereto by a blue property line. Exhibit A hereto is incorporated herein by reference.

This easement becomes effective at the beginning of construction of the above-referenced and numbered project and the construction easement granted herein will expire upon substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square in downtown Gainesville or two years after it is executed, whichever comes first.

Grantor hereby warrants that it has the right to sell and convey said land and bind itself, its heirs, executors, and administrators forever and defend by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day above written.

Grantor: **HALL COUNTY, GEORGIA**

By: _____

Name: Richard Higgins
Title: Chairman

Attest: _____

Name: Jennifer Rivera
Title: Commission Clerk



Signed, Sealed, and Delivered This
8th day of December, 2022,
in the presence of:

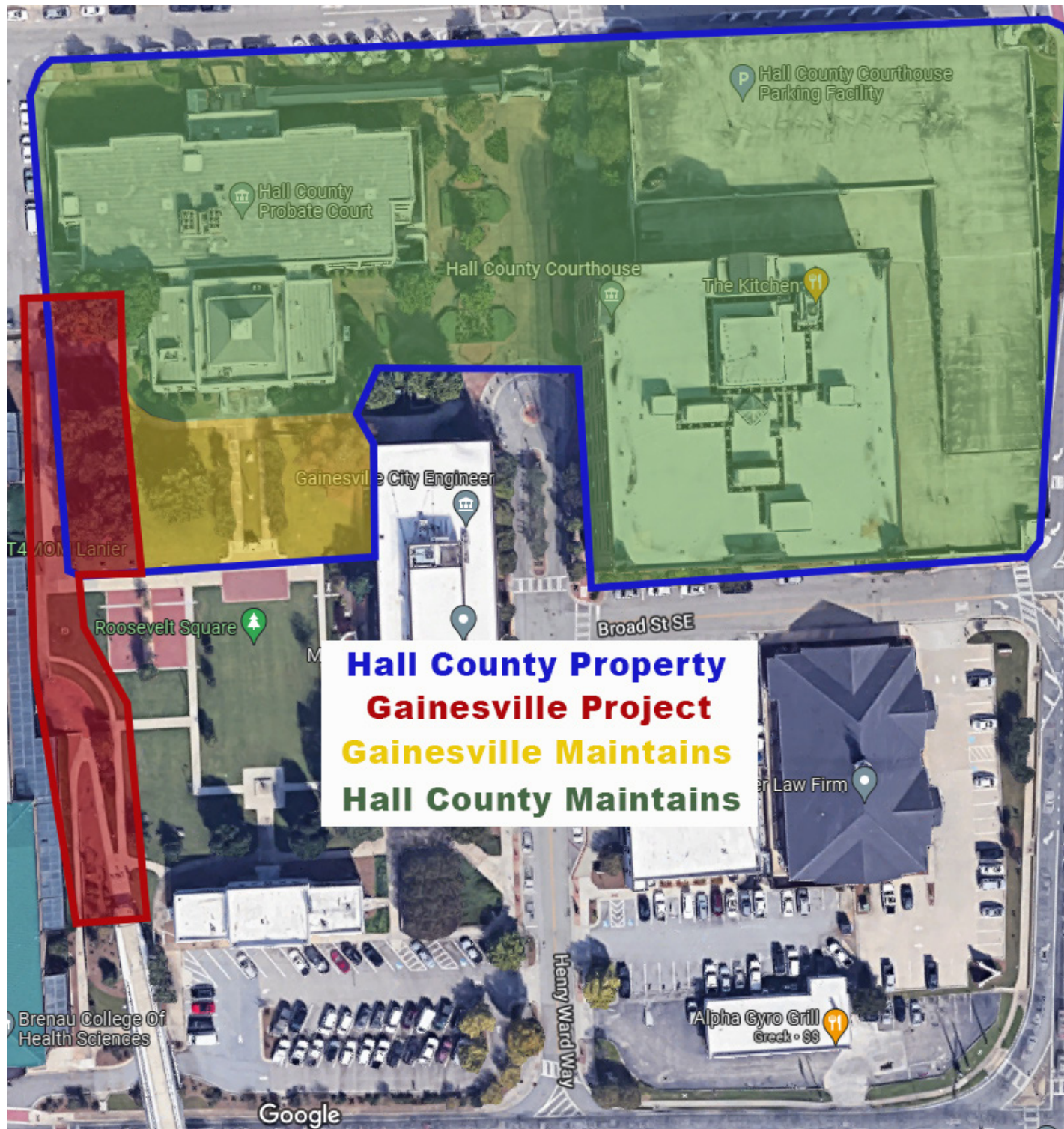
Gail Kaschub
Witness

[Signature]
Notary Public



Exhibit A







CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2023-04 Intergovernmental Agreement Between Flowery Branch and the City of Gainesville for Sewer Service
Meeting Date: January 17, 2023

Purpose of Request:

To enter into an intergovernmental agreement for Flowery Branch to provide sewer flow to Gainesville for treatment.

Facts & Issues / History & Background:

Flowery Branch has requested Gainesville to reserve 400,000 gallons per day of treatment capacity for flows from the Flowery Branch Sewer Service District for treatment at Gainesville's Flat Creek Water Reclamation Facility.

Department Recommendation:

Approve the resolution.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2023-04 Intergovernmental Agreement Between Flowery Branch and the City of Gainesville for Sewer Service
2. IGA with Flowery Branch for Sanitary Sewer Service
3. Exhibit A - IGA with Flowery Branch for Sewer Service
4. Exhibit B - IGA with Flowery Branch for Sewer Service

RESOLUTION BR-2023-04

**INTERGOVERNMENTAL AGREEMENT BETWEEN FLOWERY BRANCH AND
THE CITY OF GAINESVILLE FOR SEWER SERVICE**

WHEREAS, the City of Gainesville owns and operates a sanitary sewer system; and

WHEREAS, the City of Flowery Branch owns and operates a sanitary sewer system; and

WHEREAS, the City of Flowery Branch, the City of Gainesville, and others have agreed to a Service Delivery Strategy outlining respective Sewer Service Districts; and

WHEREAS, the City of Flowery Branch has requested Gainesville to reserve 400,000 gallons per day of treatment capacity for flows from the Flowery Branch Sewer Service District; and

WHEREAS, Gainesville has agreed to reserve said capacity to be received and treated from customers within the Flowery Branch Sewer Service District at its Flat Creek Water Reclamation Facility; and

WHEREAS, the staff with assistance from the City Attorney, has prepared an intergovernmental agreement to cover this arrangement.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville, hereby authorizes the Mayor, City Manager, and/or City Attorney to execute the attached Intergovernmental Agreement and any other documents necessary to effectuate the provisions of said Agreement.

Adopted this _____ day of _____, 2023.

W. Samuel Couvillon, 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

**SANITARY SEWER SERVICE
INTERGOVERNMENTAL AGREEMENT**

BY AND BETWEEN

**THE CITY OF GAINESVILLE, GEORGIA AND THE CITY OF FLOWERY BRANCH,
GEORGIA**

This Agreement is made and entered into on this 5th day of January 2023, by and between the **CITY OF GAINESVILLE**, a municipal corporation of the State of Georgia by and through its duly authorized governing body (hereinafter referred to as "Gainesville"), and the **CITY OF FLOWERY BRANCH**, a municipal corporation of the State of Georgia by and through its duly authorized governing authority (hereinafter referred to as "Flowery Branch") to set forth the responsibilities and obligations of each party as such concerning the conveyance and treatment of wastewater from Flowery Branch to Gainesville.

WHEREAS, it is the policy of both Gainesville and Flowery Branch to provide sanitary sewer services to their citizens in the most cost-effective way and to ensure all users pay a reasonable rate for said services; and

WHEREAS, Gainesville and Flowery Branch have agreed to and adopted specific Sanitary Sewer Service Districts pursuant to O.C.G.A. Section 36-70-20 et. seq. ("Service Delivery Strategy Act); and

WHEREAS, Gainesville and Flowery Branch maintain on their respective staffs knowledgeable and professional personnel who supervise and provide for the delivery of sanitary sewer services; and

WHEREAS, Gainesville and Flowery Branch desire to enter into this Agreement such that Gainesville will receive and treat wastewater from the Flowery Branch Sanitary Sewer District in exchange for a wholesale sewer charge.

NOW, THEREFORE, in consideration of Ten and No/100 dollars (\$10.00) and other good and valuable consideration, it is agreed between Gainesville and Flowery Branch as follows:

1.

Gainesville and Flowery Branch have agreed to the designation of certain Sanitary Sewer Service Districts pursuant to the Service Delivery Strategy Act as memorialized in the Hall County Sewer Delivery Strategy ("Hall County SDS"). A true and correct copy of which map adopted as part of the Hall County SDS is attached hereto and

included by reference as a part hereof and designated as Exhibit "A". This Hall County SDS map may be updated from time to time in accordance with the procedures set forth in the Service Delivery Strategy Act and a revised map may be incorporated herein as Exhibit "A" upon agreement of Gainesville and Flowery Branch. Some of the wastewater to be conveyed by Flowery Branch and treated by Gainesville pursuant to this Agreement originates from the Oakwood Sewer Service District. Flowery Branch is authorized to convey said wastewater to Gainesville pursuant to an intergovernmental agreement between the City of Oakwood and Flowery Branch. Nothing contained in this Agreement is intended or deemed to alter the Hall County SDS.

2.

Gainesville and Flowery Branch have agreed on a discharge point where Flowery Branch sanitary sewer flow will enter the Gainesville sanitary sewer system. Said discharge point is shown on Exhibit "B," which is incorporated herein and made a part hereof.

3.

Gainesville agrees to receive and treat up to 400,000 gallons per day of sanitary sewer flows from Flowery Branch. This maximum allowed amount will be calculated as an average annual number. The maximum flow in any month shall not exceed an average of 500,000 gallons per day.

4.

Flowery Branch shall design, install, maintain, acquire, operate, and own all sanitary sewers, sewer lift stations, facilities, collection system permits, and appurtenances, upstream of the discharge point designated on Exhibit "A" into which Flowery Branch discharges into the Gainesville system. Gainesville shall design, install, maintain, acquire, operate, and own those sanitary sewers, sewer lift stations, facilities, permits, and appurtenances downstream of said discharge point. It is recognized and agreed by the parties hereto that improvements required in the future to increase capacity, meet additional regulatory requirements, and/or replace capital facilities (pipelines, pumps, lift stations, treatment units, etc.) that have reached their useful life shall be paid for based upon the pro rata share utilized by each of the parties hereto for those facilities in which Flowery Branch is contributing sanitary sewer flow.

5.

It is agreed and understood from time to time during the period of this Agreement that State and/or Federal regulations governing the transportation and treatment of wastewater by public entities may change. Additionally, it is agreed and understood that all sewage transport and treatment facilities have a certain functional life. It is further agreed the preceding conditions may necessitate significant capital expenditures for replacement of facilities or new facilities to meet updated State and/or Federal Regulations. The expense of new facilities shall be borne by both parties hereto and pro-rated by the capacity used by each party hereto of such facilities. The method and schedule of such payment shall be determined jointly by the parties hereto prior to incurring of expenses related to new facilities.

6.

The retail customers in the service area shown on Exhibit "B" shall remain retail customers of Flowery Branch. The billing shall be covered by the Intergovernmental Agreement between the parties hereto dated November 5, 2019.

7.

The measurement of the wholesale sewer volume utilized by Gainesville to bill Flowery Branch shall be via a metering device designed, built, maintained, and owned by Flowery Branch. Gainesville shall have the right to review and approve such design prior to installation. Flowery Branch agrees to ensure that said device is inspected and calibrated for accuracy within a margin of error of no more than two percent (2%) by the manufacturer no less than once per calendar year. Gainesville, at its expense, may periodically inspect and test the metering device.

8.

The wholesale wastewater rate paid by Flowery Branch to Gainesville shall be 1.5 times the prevailing unit charge for the Gainesville water system customers on Flowery Branch sewer outside the City of Flowery Branch and adjusted any time Flowery Branch increases or decreases said retail unit charge. At no time shall the wholesale rate be less than 1.5 times the Gainesville retail wastewater charge.

9.

All industrial and commercial customers shall be required to comply with federal and state regulations, as well as Gainesville's Sewer-Use Ordinance, Industrial Pretreatment

Program, and all related Gainesville ordinances and requirements for the duration of this Agreement. Such compliance shall include the ability to access, sample and monitor the waste streams of customers included within the purview of this Agreement. All industrial discharge permits shall be produced by Gainesville. Flowery Branch will provide Gainesville with information regarding industrial customers for the purposes of complying with Gainesville's Industrial Pretreatment Program. All surcharges and administrative fines imposed for violations of the pretreatment regulations referenced in this paragraph shall be imposed and collected by Gainesville.

10.

It is acknowledged and understood that corrosion and odor control may be required beyond that provided in the initial design. Flowery Branch and Gainesville agree to work together to define and implement any necessary technology for corrosion and odor control. All costs related to corrosion and odor control upstream of the discharge point designated on Exhibit "B" shall be borne by Flowery Branch. All costs related to corrosion and odor control downstream of the discharge point designated on Exhibit "B" shall be borne by Gainesville.

11.

It is acknowledged and understood that each party will not be responsible for the operation and maintenance of the other party's sanitary sewer collection system. Said operation and maintenance of each party's sanitary sewer collection system shall be performed by the party who owns said system, and shall include, but not be limited to, stream monitoring, facility repair, engineering, industrial pretreatment program, sewerage flow meter maintenance, permitting, and regulatory compliance. Additionally, any and all federal and state required spill response, reporting, and sampling shall be the responsibility of the party in whose Sewer Service Delivery District the spill occurs.

12.

To the extent allowed by law, each party shall at all times indemnify and hold harmless the other party, its Mayor, Council members, agents, servants, and employees from and against any and all claims for injury to any person or property by reason of that party's or its employees' failure to exercise reasonable care in performing its services provided in this Agreement. Provided, however, that none of the provisions of this paragraph shall be applicable to the extent the other party, its officials, officers, employees, contractors, or agents, were negligent and such negligence was the sole or contributing factor in bringing about injury to any person or property. In such event, any liability shall

be apportioned between Gainesville and Flowery Branch based upon the percentage of fault assigned to each by a court of competent jurisdiction.

13.

The term of this Agreement shall commence as of the date of the execution of this Agreement by the last party to sign same and shall continue through December 31, 2028.

Either party shall have the right to terminate this Agreement upon the material breach of the provisions of this Agreement by the other if not corrected within thirty (30) days of written notice thereof. Either party may terminate this Agreement at any time for any reason by providing the other party at least sixty (60) days written notice. Termination shall relieve the parties of further performance under this Agreement, with the sole exception that Flowery Branch shall remain liable for any costs incurred, but not yet paid.

14.

Within 180 days after termination of this Agreement, Flowery Branch shall be responsible for taking any interconnection infrastructure out of service to the reasonable satisfaction of Gainesville.

15.

Neither party hereto shall, without written consent of the other, assign or transfer this Agreement or any rights or obligations hereunder.

16.

The terms of this Agreement shall not be altered, amended or modified except in writing signed by duly authorized governing authority of Gainesville and Flowery Branch.

17.

This Agreement shall be construed and interpreted under the laws of the State of Georgia. The parties to this Agreement agree that the jurisdiction and venue for any disputes arising out of this Agreement shall be the Superior Court of Hall County, Georgia.

18.

If any paragraph, subparagraph sentence clause, phrase, or any portion of this Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this Agreement not held to be invalid. It is hereby declared to be the intent of Gainesville and Flowery Branch to provide for separable and divisible parts, and they do hereby adopt any and all parts hereof as may not be held invalid for any reason. The failure of any party to exercise any right given hereunder or to insist upon strict compliance with any term, condition or covenant specified herein shall not constitute a waiver of such party's right to exercise such right or to demand strict compliance with any such term, condition or covenant under this Agreement. This Agreement may be executed in several counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument. The Mayor, Clerk, City Manager, and City Attorney of the City are hereby authorized to sign such documents as are necessary to effectuate the provisions of this Agreement.

19.

Any notice of communications hereunder shall be in writing and shall be deemed to have been delivered when deposited in the United States mail, registered or certified, addressed as follows:

City of Gainesville
ATTN: Water Resources Director
757 Queen City Parkway
Gainesville, GA 30501

City of Flowery Branch
ATTN: City Manager
5410 W. Pine Street
Flowery Branch, GA 30542

or to such other address as either party may designate for itself by written notice to the other given from time to time, in the manner herein provided.

IN WITNESS WHEREOF, the parties by and through their duly authorized offices, have caused these presents to be executed in their behalf, the day and year written above.

APPROVED AS TO FORM

CITY OF GAINESVILLE

Abbott S. Hayes, Jr.
Hulsey, Oliver & Mahar, LLP
City Attorney

By: _____

W. Samuel Couvillon
Mayor

Attest: _____

Denise O. Jordan, City Clerk

CITY SEAL

CITY OF FLOWERY BRANCH

By: Edward R. Asbridge

Edward R. Asbridge

Mayor

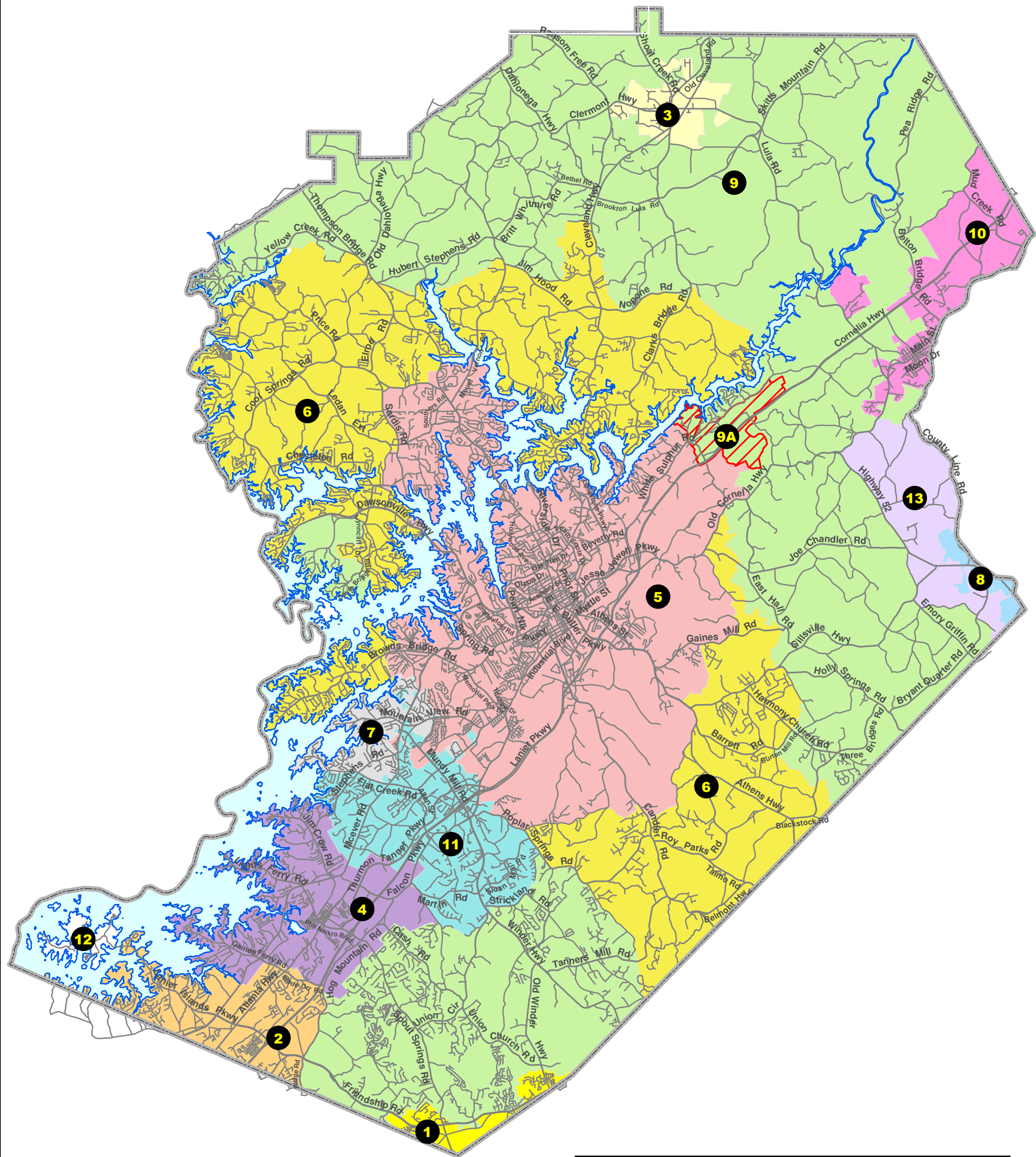
Attest: Shelia R. Cooper

Shelia Cooper, City Clerk



Sewer Service Districts

Exhibit A



Legend

 Lakes

DISTRICT

 1 - BRASELTON

 2 - BUFORD

 3 - CLERMONT

 4 - FLOWERY BRANCH

 5 - GAINESVILLE

 6 - GAINESVILLE/HALL COUNTY

 7 - GAINESVILLE/OAKWOOD

 8 - GILLSVILLE

 9 - HALL COUNTY

 9A

 10 - LULA

 11 - OAKWOOD

 12 - UNASSIGNED SERVICE

 13 - GILLSVILLE - HALL COUNTY



Exhibit B

Flowery Branch Connection Point
to City Of Gainesville
Collection System

Lift Station to be Connected to
Gainesville Collection System

Legend

- Customers Connecting To Gainesville Sewer Located within Flowery Branch City Limits
- Customers Connecting To Gainesville Sewer Located within Oakwood City Limits
- Flowery Branch Lift Station To Gainesville
- Flowery Branch Lift Station
- Flowery Branch Forcemain
- Flowery Branch Gravity
- Proposed Forcemain To Connect to Gainesville Collection System
- Gainesville Lift Station
- Gainesville Forcemain
- Gainesville Gravity
- Flowery Branch
- Gainesville
- Oakwood
- Railway



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: GR-2023-01 2023 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Grant Supplemental Funds
Meeting Date: January 17, 2023

Purpose of Request:

The purpose of this request is to accept additional funds for the 2023 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Grant.

Facts & Issues / History & Background:

Department Recommendation:

Approve the resolution.

Department Director:

Jay Parrish

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds: Grant

\$5,700

Finance Comments:

Administrative Comments:

Attachments:

1. GR-2023-01 2023 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Grant Supplemental Funds
2. FY20 COSSAP Supplemental Awards

RESOLUTION GR-2023-01

**2023 COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM
(COSSAP) GRANT SUPPLEMENTAL FUNDS**

WHEREAS, the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) has selected the Gainesville Police Department to receive grant funding; and

WHEREAS, the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) has indicated that the Gainesville Police Department will receive an additional \$5,700; and

WHEREAS, the Gainesville Police Department has needs which are related to the purchase of Naloxone (Narcan).

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the acceptance of said funds awarded by the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) including any additional funds that may become available during this fiscal year.

BE IT FURTHER RESOLVED THAT the Mayor, City Manager and/or City Attorney are authorized to execute documents necessary to accept and administer this grant.

Adopted this _____ **day of** _____, **2023.**

W. Samuel Couvillon, 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

**OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE COORDINATING COUNCIL
SUPPLEMENTAL SUBGRANT AWARD
FY20 COSSAP Grant**

SUBGRANTEE:City of Gainesville

ORIGINAL FEDERAL FUNDS:\$5,625

IMPLEMENTING AGENCY:
City of Gainesville

SUPPLEMENTAL FEDERAL FUNDS: \$5,700

PROJECT NAME: FY20 COSSAP
SUBGRANT NUMBER: N50-8-021

TOTAL FEDERAL AWARD: \$11,325
GRANT PERIOD: 01/01/23-08/30/23

This Award is hereby made in the amount and for the period shown above for a grant under the Comprehensive Addiction Recovery Act of 2016(CARA), as amended, Public Law 114-198.

The award is made in accordance with the plan set forth in the application of the subgrantee and subject to any attached special conditions.

The subgrantee has agreed through the executed copy of certified assurances to be subject to all applicable rules, regulations, and conditions of the Comprehensive Addiction Recovery Act of 2016 (CARA) (Public Law 114-198), and codified at 34 U.S.C. § 10701. This subgrant shall become effective on the beginning date of the grant period, provided that within forty-five (45) days of the award execution date (below) the properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council.

AGENCY APPROVAL

SUBGRANTEE APPROVAL



Jay Neal, Executive Director
Criminal Justice Coordinating Council

Signature of Authorized Official

Date Executed: 12/13/22

Typed Name & Title of Authorized Official

Employer Tax Identification Number(EIN)



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 12, 2023
Date Submitted: January 13, 2023
Final Approval Date: January 13, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: PR-2023-01 Approve the Hall Area Transit (HAT) Public Transportation Agency Safety Plan
Meeting Date: January 17, 2023

Purpose of Request:

The Georgia Department of Transportation has requested an update to the safety plan of each transit agency it funds. The plan documents historical safety issues and creates a plan to improve safety within the agency. A final draft document is available. The document will be finalized by GDOT once the Council has approved the plan.

Facts & Issues / History & Background:

The Georgia Department of Transportation occasionally asks transit agencies it funds to update their safety plans.

Department Recommendation:

Approve the resolution.

Department Director:

Phillippa Lewis-Moss

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

\$0.00

Finance Comments:

Administrative Comments:

Attachments:

1. PR-2023-01 Approve the HAT Public Transportation Agency Safety Plan
2. Hall Area Transit Safety Plan_final draft

RESOLUTION PR-2023-01

Approve the Hall Area Transit (HAT) Public Transportation Agency Safety Plan

WHEREAS, the Federal Transit Administration has directed all transit agencies to develop a Safety Plan consistent with goals outlined in the authorizing resolution known as Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the four objectives of the Safety Plan are to:

1. Increase the safety of our transit system by proactively identifying, assessing and controlling risks;
2. Continually improve safety performance;
3. Improve commitment of transit leadership to safety; and
4. Foster a culture of safety awareness and responsiveness

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves of the Hall Area Transit Safety Plan and authorizes the City Manager and/or Mayor to sign all associated documents.

Adopted this ____ day of _____, 2023.

W. Samuel Couvillon, 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

SAFETY PLAN

DECEMBER 2022, REVISION 2



12/31/2022 FINAL DRAFT

AUTHORIZATIONS

Moving Ahead for Progress in the 21st Century (MAP-21) and the Fixing America's Surface Transportation Act (FAST) granted the Federal Transit Administration (FTA) the authority to establish and enforce a comprehensive framework to oversee the safety of transit bus systems throughout the United States. On July 19, 2018, the FTA promulgated its final rule 49 C.F.R. Part 673 - Public Transportation Agency Safety Plan (PTASP) which requires recipients of FTA Chapter 5307 funds to develop and implement a safety plan based on Safety Management Systems (SMS) principles and methods.

Hall Area Transit (HAT) establishes this Safety Plan as our agency's commitment to system safety and the principles of SMS. The objectives of our plan are to:

- Increase the safety of our transit system by proactively identifying, assessing and controlling risks;
- Continually improve safety performance;
- Improve the commitment of transit leadership to safety; and
- Foster a culture of safety awareness and responsiveness.

HAT is committed to implementing a systematic and comprehensive safety program. Leadership will visibly demonstrate its commitment to safety by monitoring hazards, enforcing and supporting safety programs, and promoting an open and transparent environment to discuss and address safety issues.

This Safety Plan was developed by the Georgia Department of Transportation (GDOT), and HAT has adopted it to comply with FTA Part 673 requirements. The Gainesville City Council and City Manager, and our Community Services Director and Transit Operations Director have reviewed and approved this Safety Plan and assure that its contents meet the requirements of Regulation 49 C.F.R. Part 673 through the establishment of a comprehensive SMS framework.

This Safety Plan will be distributed to all transit employees and will be reviewed and updated annually.

APPROVED BY	DATE
PHILLIPPA LEWIS MOSS, COMMUNITY SERVICES DIRECTOR	

REVISION RECORD				
REVISION #	REVIEW DATE	REVIEWER	REVISION DATE	APPROVED BY
2	12/31/22	GDOT	12/31/2022	GDOT
3	_/_/23			
4	_/_/24			

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DEFINITIONS

Accident: An event that involves any of the following – loss of life; a report of a serious injury to a person; a collision of a public transit vehicle; an evacuation for life safety reasons at any location, at any time, whatever the cause.

Accountable Executive: A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the Agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the Agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the Agency's Transit Asset Management Plan in accordance with 49 U.S.C. § 5326.

Chief Safety Officer: Means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Event: Means any accident, incident, or occurrence.

Hazard: Means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Fatality: A death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes; a death due to, Collision (including suicides), Fire, Hazardous material spill, Acts of God, System or personal security event (including suicides), and Other safety events.

Hazard Likelihood: Probability of a hazard consequence to occur.

Hazard Severity: The effect/damaging result of a hazards consequence.

Incident: An event that involves any of the following – a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Injury: Any damage or harm to persons that requires immediate medical attention away from the scene because of a reportable event. Agencies must report each person transported away from the scene for medical attention as an injury, whether or not the person appears to be injured.

Occurrence: An event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Performance target: A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration.

Reportable: An event occurring on transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle, excluding occupational safety events occurring in administrative buildings.

Risk: An assessed probability and severity calculation to classify the overall potential consequences of a hazard.

Safety Assurance: A list of defined safety performance indicators for reach priority risk and associated targets HAT will use to determine if it is achieving the specified safety goals.

Safety Events: Include but are not limited to collisions, fires, hazardous material spills, slips, trips, falls, smoke, power failure, maintenance-related issues, or electric shock. To be reported as a major event, these events must **either** meet the fatality, evacuation, or property damage threshold **or** result in two or more injured persons. Other Safety Events that cause only one person to be immediately transported from the scene for medical attention, and that do not trigger any other reporting threshold, are reported on the Non-Major Monthly Summary Report form. The FTA includes Other Safety Events that occur in a transit maintenance facility and meet a reporting threshold but continues to exclude occupational safety events occurring in administrative buildings.

Safety Performance Target: A performance target related to safety management activities.

Serious injury: Any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second or third degree burns, or any burns affecting more than 5 percent of the body surface.

Acronyms:

ADA	Americans with Disabilities Act
AE	Accountable Executive
ASP	Agency Safety Plan (aka PTASP)
CAP	Corrective Action Plan
CSO	Chief Safety Officer
FAST	Fixing America's Surface Transportation Act
FTA	Federal Transit Administration
FY	Fiscal Year
GDOT	Georgia Department of Transportation
GHCMPO	Gainesville Hall County Metropolitan Planning Organization
HAT	Hall Area Transit
KPI	Key Performance Indicator
MAP-21	Moving Ahead for Progress in the 21 st Century
MILSTD	Military Standard
MPO	Metropolitan Planning Organization
NPTSP	National Public Transportation Safety Plan
NTD	National Transit Database
NTSB	National Transportation Safety Board
PHA	Preliminary Hazard Assessment
PPE	Personal Protective Equipment
PTASP	Public Transportation Agency Safety Plan
SMS	Safety Management System
TAM	Transit Asset Management
UPT	Unlinked Passenger Trip
VRM	Vehicle Revenue Mile

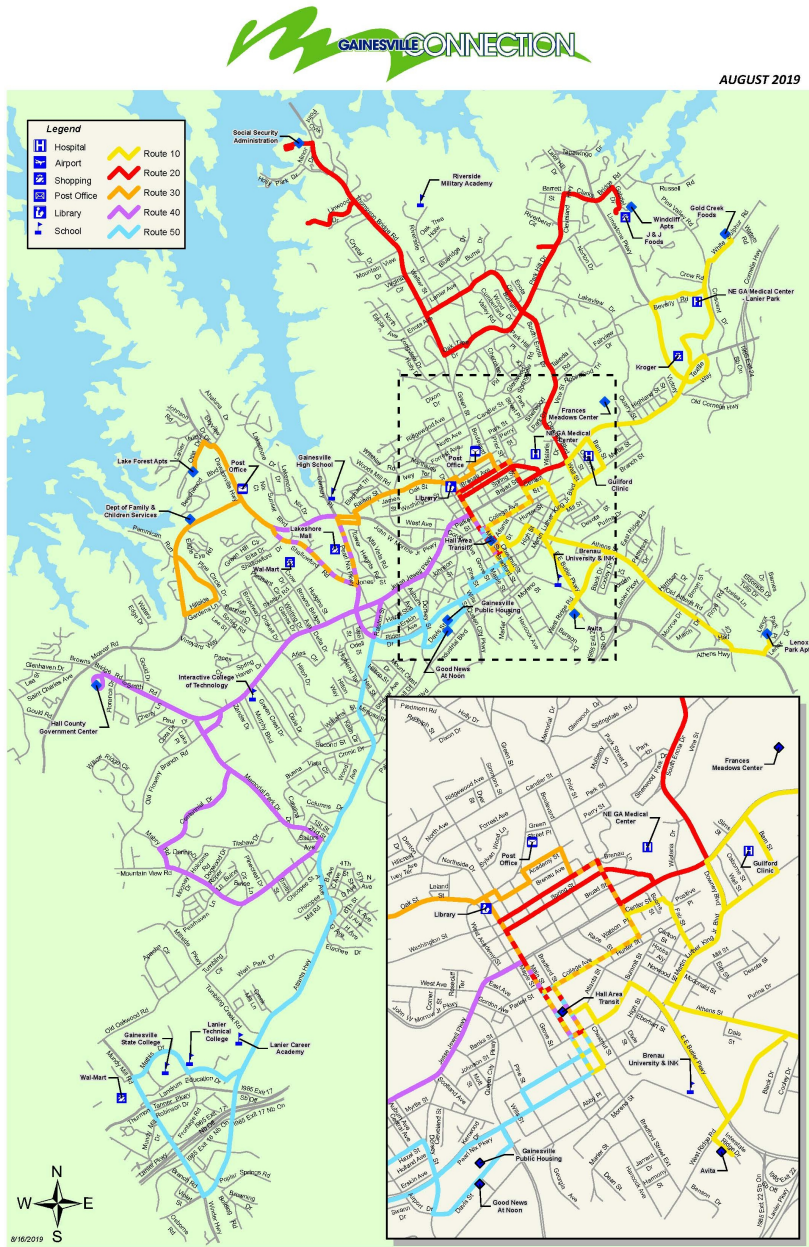
1. Transit Agency Information

Hall Area Transit (HAT) is the public transportation system serving the city of Gainesville and Hall County. HAT operates the Gainesville Connection, a fixed-route bus system offering weekday service along six routes. Buses run hourly from 6:00 AM to 6:00 PM. In addition to our Mobility Plus Americans with Disabilities (ADA) complementary service, HAT uses Section 5311 funds to operate a Dial-a-Ride service, offering the general public curb-to-curb service within Hall County.

Transit Agency Name	Hall Area Transit		
Transit Agency Address	687 Main Street, Gainesville, GA 30501		
Accountable Executive (Name and Title)	Phillippa Lewis Moss, Community Services Director		
Chief Safety Officer (Name and Title)	Transit Operations Director, Shane Thompson		
Mode(s) of Service Provided (e.g., Fixed Route, Demand Response, ADA Paratransit, etc.)	Fixed Route, Demand Response, ADA Paratransit,	List All FTA Funding Types	5307, 5311, 5339
Vehicles Operated in Maximum Service, by Mode	Fixed Route 8	ADA Paratransit	Demand Response 17
Mode(s) of Service Contracted Out to Third Party Operators (TPOs)	Not Applicable		
Name of Third Party Operator (if applicable) and contact person	Not Applicable		
Does the agency provide transit services on behalf of another transit agency or entity?	No	Description of Arrangement(s)	Not Applicable

Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided	Not Applicable	
Are any transit employees represented by a Labor Union? If so please describe.	No	
No. of Fixed Bus Routes:	5	
Annual Vehicle Revenue Miles (VRM)	Fixed Route Bus VRM	Demand Response/Paratansit VRM
	137,335	135,874
Annual Unlinked Passenger Trips (UPT)	Fixed Route Bus UPT	Demand Response/Paratansit UPT
	27,939	17,992

Figure 1 – Hall Area Transit System Map



AUGUST 2019

2. Safety Management

2.1 Safety Management Policy

HAT strives to provide the safest and most secure experience for the riding public and our employees. All levels of management and employees are accountable for the delivery of the highest level of safety performance, starting with the Community Services Director, who manages transit services for Gainesville-Hall. Every employee must practice workplace safety, use equipment, tools and materials properly, and be trained in the agency's work rules and procedures for his or her respective areas of responsibility, including contingency plans for abnormal and emergency conditions.

HAT is committed to:

- Supporting an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety with the same attention to results as paid to other management systems of the organization;
- Integrating the management of safety as a primary responsibility of all managers and employees, including contractors;
- Defining for all staff, managers and employees alike, their accountability and responsibility for the delivery of the organization's safety performance and the overall implementation of our Safety Plan;
- Establishing and implementing a proactive safety program to manage risks to a level that is acceptable and consistent with safety performance;
- Ensuring protections for any employee who discloses a safety concern through the employee safety reporting program;
- Complying with, and wherever possible, exceeding the expectations of legislative and regulatory requirements and standards;
- Ensuring all staff are provided with adequate and appropriate safety-related information, personal protective equipment (PPE) and training, are competent in safety management matters, and are allocated only to tasks commensurate with their skills;
- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, and employees;
- Establishing and measuring our safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- Continually improving our safety performance through management processes that ensure appropriate safety management actions are taken and are effective; and
- Ensuring externally supplied systems and services to support our operations are delivered to meet our safety performance standards.

- Ensuring that the strategies and guidelines to address infectious disease planning and response are consistent with the Centers for Disease Control and Prevention (CDC) and the Georgia Department of Public Health and local health authorities in order to minimize exposure to infectious diseases in accordance with 49 USC section 5329 (d)(1)(D).

This agency Safety Plan describes our safety efforts and programs, and through our thorough implementation of such efforts and programs we explicitly show our commitment to system safety based on SMS principles, as per 49 CFR Part 673 and requirements dictated in 49 U.S.C 5329.

2.2 Employee Safety Reporting

Employees are required to embrace HAT's safety goals and objectives and are encouraged to report safety concerns, issues, or hazards. Executive management has established a safety reporting process for employees to voice their safety concerns without fear of retribution or blame. All frontline personnel will be responsible for utilizing this program as necessary. Our employees (including contractors) have a duty to report any unsafe condition to their supervisor, manager, or the Chief Safety Officer (CSO). Unsafe conditions may include issues with policies, procedures, physical conditions, events, information about an issue, among others. All violations of agency safety rules or procedures (including regulatory requirements of the agency) may result in disciplinary action. No action will be taken against any employee who communicates a safety condition through our reporting program unless such disclosure indicates an illegal act, gross misconduct or negligence, or a deliberate or willful disregard of our rules, policies and procedures. Once actions to remediate a safety violation have been determined, they shall be communicated throughout the organization and carried out.

2.3 Safety Management Policy Communication

HAT staff are informed of their responsibilities related to safety and the requirements of our Safety Plan during onboarding. Communicating the purpose and benefits of this Safety Plan and SMS principles among executive and senior management, supervisors and frontline staff are the most important jobs of all of our employees. All employees understand their respective safety roles and obligations and in identifying and assessing safety risks in the workplace and in agency operations. Fostering and reinforcing these obligations through regular agency-wide communications and programs are critical functions of senior management and the CSO including but not limited to:

- Safety meetings;
- Operator meetings with supervisors and managers;
- Newsletters;
- Safety bulletins;
- Safety emails and text message alerts;
- Radio supervisor communication with operators;
- One-on-one communication between supervisors and frontline employees;
- Meetings with contractors;
- Committee meetings; and
- Safety campaigns.

2.4 Safety Responsibilities

The purpose of this Safety Plan is to maintain a formal safety program and establish a coordinated safety effort responsive to the needs of the operating, maintenance and support departments. We emphasize the goal of all personnel and contractors to work toward the common goal of minimizing the occurrence of customer and employee accidents and incidents by providing safe revenue service to our customers and a safe work environment for our employees.

The following personnel lead the organization in the implementation of our Safety Plan:

Accountable Executive – Community Services Director (Phillippa Lewis Moss, current incumbent)

- Establishes and sets an organizational example for safety objectives and goals;
- Directs human resources;
- Manages agency finances;
- Oversees operations and maintenance programs;
- Promotes and communicates safety policy and programs;
- Participates in regular meetings with key staff to understand the status of safety programs and data; and
- Ultimately holds responsibility for all agency safety outcomes.

Chief Safety Officer (CSO) – Transit Operations Director (Shane Thompson, current incumbent)

- Designated by the Community Services Director to manage and implement the Safety Plan throughout the agency;
- Regularly reports to the Community Services Director to provide status reports on HAT's safety program implementation;
- Manages the employee safety reporting program;
- Chairs safety meetings with key departmental managers including operations and maintenance;
- Participates in formal meetings with the FTA and GDOT on safety regulatory and program topics;
- Reports Safety Performance Targets (SPTs) to the Gainesville-Hall Metropolitan Planning Organization (GHMPO);
- Develops and implements safety policies, procedures, and programs;
- Supervises and oversees work of assigned safety staff, conducts performance reviews with staff, and initiates appropriate actions related to such;
- Directs the hazard management process and provides notification of reportable accidents, incidents and hazardous conditions;
- Investigates employee and vehicle accidents/incidents and injuries and works to develop programs to reduce accidents and injuries;
- Conducts inspections and researches safety codes, standards, and regulations;
- Compiles and analyzes health and safety statistics; produces reports, records, documents, and manifests; accesses and updates database files;
- Coordinates staff safety meetings and attends meetings, conferences and group functions related to safety;
- Develops and conducts training sessions relating to safety issues;

Commented [SA1]: Confirm this person is accurate

- Identifies health and safety concerns, analyzes reports and information, develops programs for accident/injury prevention, and submits recommendations to reduce frequency of accidents;
- Develops departmental and organizational Key Performance Indicators (KPI); and
- Conducts risk identification, evaluation, control, funding, and administration.

The CSO has a direct line of reporting to the Community Services Director.

In addition, SMS implementation is supported by other positions within the HAT management structure, as well as key staff including:

- Public Works Director – This position falls under the Department of Public Works of the City of Gainesville;
- Fleet Manager – This position reports to the Public Works Director and is responsible for maintenance of the HAT buses and paratransit vehicles;
- Community Services Deputy Director; and
- Transit Administrative Coordinator.

These personnel have the following authorities, accountabilities, and responsibilities:

- Participate as members of HAT Safety Committee;
- Complete training on Safety Plan elements;
- Oversee day-to-day operations of the Safety Plan in their departments;
- Modify policies in their departments consistent with implementation of the Safety Plan, as necessary; and
- Provide subject matter expertise to support implementation of the Safety Plan as requested by the Community Services Director or the CSO, including Safety Risk Management activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness.

Additionally, maintenance of transit vehicles is performed by the City of Gainesville Department of Public Works.

The overall HAT Organization Chart, which includes the applicable executive management positions/departments can be found in **Figure 2** on the following page.

Figure 2 – Hall Area Transit Organization Chart



2.5 Safety Committee

The CSO will convene monthly meetings of the Safety Committee to discuss safety program issues, safety data/performance indicators, Safety and Transit Asset Management (TAM) Plan updates, among various other issues that pertain to overall agency safety matters. The Safety Committee is an executive-level function that will at minimum include the Community Services Director, key representatives from Operations and Maintenance, and will be chaired by the CSO. The objectives of regular meetings of the Safety Committee are to ensure that the Community Services Director is well-versed in the implementation of the Safety Plan, KPI, and other important data, and that executive-level staff have a regular multi-disciplinary forum to discuss pertinent safety issues and policy. The official description of the Safety Committee activities and requirements is described in the Gainesville Safety Committee Policy (2021).

3. Safety Risk Management

3.1 Hazard Management Program

HAT promotes the proactive identification and evaluation of hazards before they escalate into accidents or incidents. This Safety Plan and its programs must be effective in identifying and minimizing hazards in the operational environment. All operations must be viewed from a systems perspective in that the safety-critical functions of one group may impact those of one or more others. This focus on system safety is meant to foster the understanding of the interdependence of actions on overall safety. As such, our hazard management program involves a multi-disciplinary review process that is ultimately managed by the Safety Committee, led by the CSO. There are three basic objectives:

- Hazard identification;
- Hazard assessment; and
- Safety risk mitigation.

3.2 Hazard Identification

Hazard identification and resolution is a core element of the Safety Plan emphasizing timely correction of unsafe conditions, anticipated and reconciled before serious accident, injury, or damage occurs. Our risk management program includes the following practices:

- Employee safety reporting;
- Driver, dispatcher, supervisory and maintenance performance information;
- Rules compliance checks;
- ADA compliance reviews;
- Asset conditions assessments;
- Camera and event recorder reviews;
- Environmental information;
- Safety observations;
- Pre- and post-trip inspections;
- Vehicle, facility and equipment inspections;
- Internal safety investigations;
- Fitness for duty checks;
- Accident reports;
- Compliance programs;
- Safety Committee reviews; and
- Public feedback/complaints.

HAT emphasizes the timely identification and correction of unsafe conditions, anticipated, and reconciled before serious accident, injury, or damage occurs. To ensure we provide as safe and reliable transportation services as possible, we have established a process by which hazards are identified, analyzed for potential impact on the operating system, and resolved in a manner acceptable to management and applicable regulatory agencies. All management, staff, contractors, and suppliers are required to implement high standards of safety and system

assurance throughout the design, construction, testing, and operational phases of our projects. Hazards which cannot be eliminated with design mitigations which include the implementation of safety warning devices are usually addressed by training, and/or written procedures to prevent mishaps. Most hazards are identified in the field, reported, entered in reports, and are addressed by the responsible departments through routine corrective measures that do not require special attention.

Hazards can be identified through a host of sources ranging from daily experience (accidents, incidents, or safety concerns), gathered data, information submitted by patrons, to detailed analyses and assessments of existing conditions, among others. Once hazard causes, consequences, and likelihood of occurrence have been assessed, priorities for resolution can be established. The risks associated with hazards are accepted, minimized, controlled, or identified for future remedy. Safety efforts must, however, continue to ensure that the implementation of hazard remedies do not create new safety concerns.

3.3 Hazard Assessment

Hazard assessments shall include specific inputs, reviews, and comments from any department and personnel, as necessary. To categorize the severity of a hazard, the likely effects on passengers, employees, general public, and assets must be established. Hazard severity ratings are based on categories from Military Standard 882E (MILSTD-882E) and require system key agency stakeholders to make subjective determinations of the worst case that could be anticipated to result from design inadequacies, human error, component failure or malfunction. Hazard severity categories are defined to provide a qualitative measure of the worst credible mishap from resulting from personnel error, environmental conditions, design inadequacies, and procedural deficiencies for a system, subsystem or component failure or malfunction. **Table 1** below summarizes the hazard severity categories. It reflects the principle that not all hazards pose an equal amount of risk to personnel safety.

Table 1 – Hazard Severity

Severity Level	Characteristics			
	People	Equipment/Services	Financial	Reputational
Catastrophic 1	Several deaths and/or numerous severe injuries (per event)	Total loss of equipment or system interruption, requiring months to repair	Estimated loss in excess of \$5 million	Ongoing media coverage, irreparable reputational damage, government intervention (weeks-months)
Critical 2	Low number of deaths and/or severe injuries (per event)	Significant loss of equipment or system interruption, requiring weeks to repair	Estimated loss in the range of \$500,000 to \$5 million	Prolonged media campaign, serious reputational damage, sustained government involvement (days-weeks)
Major 3	Minor injury and possible serious injury (per event)	Some loss of equipment or system interruption, requiring 7 days or less to repair	Estimated loss in the range of \$50,000 to \$500,000	Adverse media coverage, reputational damage, government involvement
Marginal 4	Possible minor injury (per event)	Some loss of equipment, no system interruption, less than 24 hours to repair	Estimated loss in the range of \$1000 to \$49,999	Local media coverage and some reputational damage
Insignificant 5	No injury	Minor damage to equipment, no system interruption, no immediate repair necessary	Estimated loss is likely less than \$1000	No adverse media or reputational damage

The likelihood that a hazard will occur during the planned life expectancy of a system element, subsystem, component, or daily operational function can be described subjectively in potential occurrences per unit time, event, population, items or activity. A qualitative hazard likelihood may be derived from research, analysis, and evaluation of historical safety data or a similar system. The CSO, departmental managers or the Safety Committee can assign a likelihood rating to a particular event or a specific hazard. Supporting rationale for assigning a hazard likelihood is documented in hazard analysis reports, memos, or minutes from meetings. The assessment of the likelihood of hazard occurrence will consider specific system operations based on the current system configuration. Hazard likelihood levels to be considered are shown in **Table 2** below.

Table 2 – Hazard Likelihood

Likelihood	Specific Item	Fleet / Inventory	Frequency
A Frequent	Likely to occur frequently in the life of an item	Continuously experienced	26 or more events in a year
B Probable	Will occur often in the life of an item	Will occur frequently in the system	13 to 25 events in a year
C Occasional	Likely to occur sometime in the life of an item	Will occur several times	6 to 12 events in one year, or less than 24 events in 5 years
D Remote	Unlikely but possible to occur in the life of an item	Unlikely, but can be expected to occur	1 to 5 events in one year or less than 10 events in 10 years
E Improbable	Unlikely to occur but possible	Unlikely to occur, but possible	1 event in 25 years
F Eliminated	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated.		

The Hazard Risk Index (**Table 3**) combines hazard categories, severity and probability to constitute a chart to assist in the evaluation of specific hazards and their associated levels of risk.

Table 3 – Hazard Risk Index

Frequency	Hazard Categories				
	1 Catastrophic	2 Critical	3 Major	4 Marginal	5 Insignificant
A Frequent	1A	2A	3A	4A	5A
B Probable	1B	2B	3B	4B	5B
C Occasional	1C	2C	3C	4C	5C
D Remote	1D	2D	3D	4D	5D
E Improbable	1E	2E	3E	4E	5E
F Eliminated					

Hazard Risk Index	Risk Decision Criteria
Unacceptable	Hazard must be mitigated
Undesirable	Requires acceptance from management
Acceptable with Review	Hazard may be accepted with management review
Acceptable	Risk level is acceptable
Eliminated	No hazard remains

3.4 Safety Risk Mitigation

Once a risk has been evaluated, the agency will determine a course of action to address a given risk. As per the process above, a risk may be eliminated by eliminating the source of the hazard. For example, if a special service route has experienced incidents, such hazards will be eliminated when such special service is also eliminated. In other instances, for example, the CSO and Safety Committee may utilize accident/incident data over time to discuss the hazards of vehicle rear-endings and evaluate the type, severity and probability of these accidents, and mitigation measures to prevent these mishaps in the future. Such mitigations may include new standard operating procedures, policies, additional training requirements, public awareness campaigns, or even vehicle design changes.

This methodology may be applied for the analysis of risks of day-to-day operations as well as for preliminary hazard assessments (PHA) when designing new system infrastructure. During the safety certification process to develop system expansions, identified hazards can be addressed by designing system elements for minimum risk, and/or incorporating safety and warning devices.

3.5 Hazard Tracking

Some more complex hazards may require the use of a Safety Risk Register which may consist of the following information:

- Assigned hazard number;
- Date hazard identified;
- Hazard title;
- Hazard description;
- Sources from which the hazard was identified;
- The element of operation affected by the hazard;
- Initial hazard classification;
- Current hazard classification; and
- Corrective Action Plan (CAP).

The Register, when used, is updated regularly until the hazard CAP has been closed out. All captured data is analyzed for the identification of developing trends to ensure future safety risks/hazards can be mitigated and/or eliminated. [A sample log is displayed below:](#)

<u>Hazard ID</u>	<u>Hazard Type</u>	<u>Source</u>	<u>Identification Date</u>	<u>Description</u>	<u>Hazard Rating (Likelihood and Consequence)</u>	<u>Mitigation</u>	<u>Status of feedback with</u>	<u>Updated Hazard Rating (after mitigation)</u>
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							reporter (if applicable)	
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-

4. Safety Assurance

The purpose of Safety Assurance is to evaluate the overall effectiveness of safety risk controls established under the Safety Risk Management program. The Community Services Director and CSO are responsible for monitoring and evaluating day-to-day operations to ensure that: 1) emerging risks are identified, 2) HAT is compliant with regulatory requirements applicable to the Safety Plan, and 3) that our safety programs are meeting our safety goals and objectives. Safety Assurance programs provide important feedback and data into the Safety Risk Management process and vice versa to promote safer operations. Through our Safety Risk Management and Safety Assurance activities, we will evaluate the adequacy of procedures, processes, personnel performance, our data collected, and compliance with procedures and programs.

4.1 Safety Performance Monitoring and Measurement of Risk Mitigations

The Community Services Director has the ultimate responsibility of affording the riding public and employees safe and secure operations. Each employee is required to carry out specific system safety responsibilities in compliance with their job specifications, agency rules and regulations and this Safety Plan. Each department generates its own performance data used for the detection of trends or problems in operations and maintenance prior to the development of a major safety concern. Among the various safety assurance activities overseen by the Community Services Director and CSO include:

- Fleet operations;
- Road supervision;
- Fleet maintenance;
- Drug and Alcohol Program;
- TAM;
- Resource planning;
- Internal operations reviews;
- Accident/incident investigations and other means to determine causal factors;
- Contractor safety efforts;
- Data collection and analysis; and
- Security activities.

HAT employees responsible for responding to an accident are also required to understand the Vehicle Accident Procedure (2022). The City of Gainesville's Risk Management Guidelines (2021) and Accident Review Panel Policy specifically detail procedures for investigating accidents and issuing recommendations to prevent recurrence. As outlined in the Policy, key objectives of the Accident Review Panel are:

1. To assist the City in the effective implementation of its safety programs;
2. To gather data to identify trends and to create statistical reports to assist in future loss control efforts;
3. To determine whether accidents were preventable or non-preventable; and
4. To make recommendations to Department Directors to prevent recurrence of similar accidents in the future.

It is the task of the CSO to monitor and measure the safety performance of operations through data provided from the various departments and report to the Community Services Director and Safety Committee periodically. Using collected data and assessing trends, we develop minimum performance standards to meet agency safety targets and goals. From there, we may utilize KPI that show us whether or not we are achieving our safety targets and goals. Selected data is accumulated and analyzed for ongoing trending and performance measurement, including fatalities, injuries to passengers and/or personnel, system reliability, and other safety related events. This data comes from various sources including, but not limited to:

- Event reports;
- Observations of operations reports;
- Internal and external inspection, survey, and audit reports;
- Safety suggestions from employees and customers;
- Historical knowledge;
- Seasonal events and effects;
- Environmental considerations;
- New equipment or facility deployments;
- Fleet issues;
- Process reviews and audits;
- Training efforts; and
- Peer reviews.

For HAT, all data is overseen by the Transit Administrative Coordinator.

Monitoring and measurement of our safety assurance program establishes a baseline which we can use to compare criteria and conditions at other specific points in time. Once a baseline is established through monitoring and measurement, data can be used as criteria in evaluating operations to reduce risk and overall safety objective/goal achievement. Ongoing monitoring is built into our operations, performed continually, and responsive to change. Monitoring includes regular management and supervisory review activities, comparisons, reconciliations, and other routine actions.

The CSO maintains a list of safety risk mitigations in a Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The CSO establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director, manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The CSO will endeavor to make use of existing processes and activities before assigning new information collection activities.

The CSO and Safety Committee review the performance of individual safety risk mitigations during Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. The CSO will approve or modify this proposed course of action and oversee its execution.

4.2 Safety Performance Measures and Targets

Among the various KPI that we use are the four safety performance measures that are required by the National Public Transportation Safety Plan (NPTSP): Fatalities, Injuries, Safety Events and System Reliability, as defined below:

- Fatalities – Total number of reportable¹ fatalities and rate per total vehicle revenue miles (VRM) by mode;
- Injuries – Total number of reportable injuries and rate per total VRM by mode;
- Safety Events – Total number of reportable events and rate per total VRM by mode; and
- System Reliability – Mean distance between major mechanical failures by mode.

These safety performance measures are based on data submitted to the National Transit Database (NTD). Our annual performance targets for these measures for FY 2023 are as below in **Table 4**. These safety performance targets will be shared with GHMPO to aid in the planning process. HAT will coordinate with GDOT and GHMPO in the selection of state and regional performance targets as requested.

Table 4 – FY 2023 Safety Performance Measures and Targets

Motorbus (per 100,000 VRM)							
Mode - MB	Fatalities	Rate* of Fatalities	Injuries	Rate* of Injuries	Safety Events	Rate* of Safety Events	System Reliability**
2019 Actual							No breakdowns
2020 Actual							No breakdowns
2021 Actual							No breakdowns
Average							No breakdowns
2023 SPT (MB)							No breakdowns

Demand Response (per 100,000 VRM)							
Mode - DR	Fatalities	Rate* of Fatalities	Injuries	Rate* of Injuries	Safety Events	Rate* of Safety Events	System Reliability**
2019 Actual							No breakdowns
2020 Actual							No breakdowns

¹ The thresholds for “reportable” fatalities, injuries, and events are defined in the NTD Safety and Security Reporting Manual.

2021 Actual							No breakdowns
Average							No breakdowns
2023 SPT (MB)							No breakdowns

[*rate = events per 100,000 vehicle revenue miles](#) / [**System Reliability = miles between major mechanical failures](#)

5. Safety Promotion

Safety Promotion fosters a positive safety culture and improves safety performance by increasing safety awareness through training and communication. Appropriate training for all employees regardless of their position within the agency provides knowledge for a successful safety program. Through communication of lessons learned and safety performance data, employees are made aware of safety priorities and concerns as they relate to their individual job tasks and the entire organization.

5.1 Safety Training

All new and existing employees undergo Safety Plan familiarization training. Employees at all levels of the agency need to understand 1) what the Safety Plan is, 2) how it supports the agency's mission, and 3) what their specific individual Safety Plan responsibilities are. This core element of our comprehensive safety training program applies to all HAT employees directly responsible for safety, including:

- Community Services Director and CSO;
- Bus operators;
- Dispatchers;
- Maintenance technicians; and
- Managers and supervisors.

Our safety training programs include, but are not limited to, the following:

- Employee Training;
 - Professional Driving;
 - Safety Best Practices;
 - ADA and Sensitivity, Lifts, Ramps, & Securement;
 - Accident and Emergency Procedures;
 - Drug and Alcohol Policy;
 - Defensive Driving;
 - Pedestrian Awareness;
 - Active Shooter, Fire Safety, Inclement Weather;
- Standards of Conduct;
- Compliments and Complaints Recording;
 - Reporting Safety and Personal Complaints;
 - Anti-Retaliation Policy;
- Dispatch and Reservationist Procedures;
 - Daily Operations Report;
 - Opening Building Procedures;
- Vehicle Preventative Maintenance Policy and Program (for technicians);
 - Preventative Maintenance;
 - Warranty;
 - Road Calls/Incidents;
 - Safety Inspections;
 - FTA Regulatory Requirements;
 - Maintenance Checklist;

- Operator Training Program
 - Operator Rule Book;
 - General Rules and Regulations;
 - Safety:
 - Operator Safety;
 - Safe Driving Habits;
 - Reporting Procedures for Accidents and Incidents;
 - Determination of Accident Preventability;
 - Substance Abuse Policy;
 - General Code of Conduct;
 - Customer Relations; and
 - General Operational Duties.

HAT has developed job specifications for all job classifications which require certain skills training in order for personnel to perform job functions safely. For certain positions this will include initial as well as refresher training. HAT maintains records of all employees upon hire and manages their progress through training, annual recertification and retraining if required.

5.2 Safety Communication

All employees, from the Community Services Director to frontline personnel, shall communicate the virtues and requirements of our Safety Plan and program elements. Safety communication activities ensure that all employees and contractors are aware of the following goals and responsibilities:

- The observance of all agency standard operating procedures, policies, and plans;
- The need to systematically identify safety hazards, mitigate risk and reduce fatalities and injuries resulting from transit operations;
- The need to reduce the injury incidence rate by minimizing exposure to unsafe conditions and reducing hazardous employee behavior;
- Providing safe and efficient transit services by ensuring that all vehicles, equipment and facilities are regularly inspected, maintained and serviced as needed; and
- Achieving 100 percent of scheduled routine inspections, preventative and regular maintenance work is completed on time, and essential repairs addressed in a designated time.

Further, we encourage employees and contractors to be mindful of their safety responsibilities, and review various safety issues, recommendations, policies, etc. by various means which include but are not limited to:

- Employee Safety Reporting;
- Monthly Safety meetings;
- Operator meetings with supervisors and managers;
- Newsletters;
- Safety bulletins and memos to all staff;
- Safety emails;
- Text message alerts;
- Radio supervisor communication with operators;
- One-on-one communication between supervisors and frontline employees;

- Meetings with contractors;
- Committee meetings; and
- Safety campaigns.

A positive safety culture focuses on finding and correcting systemic issues rather than finding someone or something to blame. A positive safety culture flourishes in an environment of trust, encouraging error-reporting and discouraging covering up mistakes. The need to address behavior that is malicious or recklessly negligent must be balanced with the need for a just culture that is not excessively punitive. A positive safety culture goes beyond simply adhering to procedures. It is demonstrated when employees carry out their duties correctly, with alertness, full knowledge, sound judgment, and a sense of accountability.

6. Annual Update Process

As a part of the annual review process, HAT will ensure that the Safety Plan will be developed in cooperation with frontline employee representatives pursuant to 49 U.S.C. 5329(d)(1)(B). The CSO will review and update this Safety Plan annually. The updated version of the Plan will be signed by the Community Services Director and approved by the Gainesville City Council. The newly authorized version will be reissued to all transit personnel for their perusal and comprehension. HAT will maintain all documents that are related to the implementation of this Safety Plan and results from SMS processes and activities. These documents will be made available upon request by the FTA or other related federal entity. All such documents will be maintained for a minimum of three years after they are created. The annual ASP review will follow the update activities and schedule provided below.

Table 5 Annual Review/Update Timeline

Task	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Review Agency Operations								
Review SMS Documentation • <i>Safety Policy;</i> • <i>Risk Management;</i> • <i>Safety Assurance; and</i> • <i>Safety Promotion.</i>								
Review Previous Targets and Set or Continue Targets								
Report Targets to National Transit Database (NTD), MPO								
Make Any Necessary Adjustments to PTASP								
Update Version No., Adopt & Certify Plan Compliance								

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Appendix A: PTASP Relationship to Other Federal Laws & Regulations

1. Public Transportation Safety Program Rule - 49 U.S.C. § 5329

The Public Transportation Safety Program Rule establishes substantive and procedural rules for FTA's administration of the Public Transportation Safety Program authorized by 49 U.S.C. § 5329. The rule establishes FTA's SMS approach to the development and implementation of the Safety Program. Further, it sets rules of practice for the FTA's enforcement authority and describes the contents of a National Public Transportation Safety Plan.

National Public Transportation Safety Plan (NPTSP)- section 5329(b)

Through the NPTSP, the FTA has adopted the principles and methods of SMS as the basis for enhancing the safety of public transportation in the United States. The NPTSP is a policy document, communications tool, and a repository of standards, guidance, best practices, tolls, technical assistance, and other resources.

This Safety Plan was written in accordance to the Public Transportation Safety Program Rule and the NPTSP.

2. Public Transportation Agency Safety Plan (PTASP) Rule - 49 CFR Part 673

The Federal Transit Administration (FTA) published a final rule for PTASP as authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21). This final rule requires States and certain operators of public transportation systems that receive Federal financial assistance under Urbanized Area Formula Program (49 U.S.C. § 5307) to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). Transit operators must certify they have a safety plan, meeting the requirements of the rule, in place by July 20, 2020.

3. Transit Asset Management (TAM) Rule - 49 CFR Part 625

The PTASP final rule applies to only Section 5307 recipients and sub-recipients, and the TAM rule applies to all operators of public transit. However, the two plans can support one another by providing useful data for agency use and NTD reporting. Pursuant to 49 C.F.R. Part 625, condition assessments were performed as part of safety risk management and safety assurance activities. The results of TAM condition assessments, and subsequent SMS analysis can help prioritize a transit agency's TAM Plan elements. Condition assessments help identify potential safety issues, which could undergo a safety risk assessment as part of safety risk management. Further, TAM data and analysis can also be used for performance monitoring and measurement as part of safety assurance. Results of safety risk assessments and safety performance monitoring and measurement can guide the prioritization of an asset for repair or replacement.

4. National Transit Database (NTD) Rule 49 U.S.C 5335(a)

Transit agency's receiving funding from the Urbanized Area Formula Program (5307) or Rural Formula Program (5311) are required to submit data to the NTD in uniform categories. Agencies submit reports to NTD each fiscal year. The PTASP rule and NTD reporting rule are related, as both rules require agencies to track data based on the same data points; fatalities, injuries and safety events per total revenue vehicle mile by mode, with the additional requirement of mean distance between major mechanical failures.

Appendix B: Board Certification

I hereby certify on behalf of Hall Area Transit (HAT) that on _____, 2023,
the Gainesville City Council approved the enclosed Agency Safety Plan in accordance
with 49 CFR 673.11(a)(1).

Signature of Authorized Official: _____

Printed Name and Title: _____

Date: _____

Appendix C: GDOT Plan Certification

[ATTACH CERTIFICATION LETTER]