



CITY COUNCIL MEETING & PUBLIC HEARING APRIL 17, 2023

ALPHARETTA CITY HALL
FIRST FLOOR COMMUNITY ROOM
2 PARK PLAZA

6:30 PM or after the City Council Work Session concludes

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **CONSENT AGENDA**
 - A. **Council Meeting Minutes (Meeting of 3/20/2023)**
Consideration of approval of the City Council meeting minutes from the meeting of March 20, 2023.
 - B. **Alcoholic Beverage License Application**
Consideration of approval of the following alcoholic beverage license application:
 1. **PH-23-AB-06 Golden Gaubugi, LLC, d/b/a Hole in the Wall Sushi**
3665 Old Milton Parkway Unit 50, Alpharetta, GA 30005
Restaurant
Consumption on Premises
Beer, Wine & Sunday Sales
Owner: Golden Gaubugi, LLC
Registered Agent: Sung Yoon Cho
 - C. **Financial Management Report (Month Ending February 28, 2023)**
Approval of the Financial Management Report for the month ending February 28, 2023.
5. **PUBLIC HEARING**
 - A. **Ordinance: Municipal Election Superintendent and Contracting with Fulton County for Such Purposes**
FIRST READING
Consideration of adoption of an Ordinance to amend Article I of Chapter 2 of the Code of the City of Alpharetta, Georgia to authorize the appointment of a municipal election superintendent, to authorize the Fulton County Board of Registration and Elections to conduct municipal elections in the City; to authorize the City to enter into a contract with Fulton County for such purposes; to appoint the Fulton County Board of Registration and Elections as Election Superintendent; and for other purposes.
6. **NEW BUSINESS**
 - A. **Intergovernmental Agreement: Fulton County Election Services**
Consideration of approval of the Intergovernmental Agreement for the provision of election services between Fulton County, Georgia and the City of Alpharetta, Georgia and authorize the Mayor to execute all necessary documents.
 - B. **PH-23-01 - Unified Development Code (UDC) Text Amendment - Crabapple Overlay**
SECOND READING
The first reading of the Unified Development Code (UDC) Text Amendment - Crabapple Overlay took place during the March 27, 2023 City Council Meeting & Public Hearing.
Consideration of text amendments to the Unified Development Code (UDC) to create an overlay district for the Crabapple area and applicable regulations.
 - C. **Energy Efficiency and Conservation Block Grant Application**
Consideration of approval of the Energy Efficiency and Conservation Block Grant Pre-Award Information Sheet for the submission of a grant application to the Department of Energy for available grant funding in the amount \$138,600 and for the Mayor to execute all necessary documents.

D. Memorandum of Understanding: National Opioid Settlement

Consideration of Approval of the State of Georgia and Local Governments Memorandum of Understanding Concerning National Settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., and Walgreen Co.

7. **PUBLIC COMMENT**
8. **REPORTS**
9. **EXECUTIVE SESSION (IF NECESSARY)**
10. **RATIFICATION OF EXECUTIVE SESSION ITEMS (IF NECESSARY)**
11. **ADJOURNMENT**



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: April 17, 2023

AGENDA ITEM:

Council Meeting Minutes (Meeting of 3/20/2023)

Consideration of approval of the City Council meeting minutes from the meeting of March 20, 2023.

STAFF RECOMMENDATION:

Approve, as part of the Consent Agenda, the City Council Meeting minutes from the meeting of March 20, 2023.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

City Clerk, Lauren Shapiro, prepared a synopsis of the pertinent information that occurred during the City Council Meeting and Public Hearing on March 20, 2023.

ALTERNATIVES:

Do not approve the City Council Meeting minutes from the meeting of March 20, 2023.

ATTACHMENTS:

1. CC Minutes 3.20.2023



City Council Meeting & Public Hearing

MARCH 20, 2023

UNOFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL

COMMUNITY ROOM | 2 PARK PLAZA | 6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This is not an official record of the Alpharetta City Council Meeting proceedings. Meetings are recorded and available for review at <https://www.youtube.com/user/alpharettagov>.

I. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 7:12 p.m.

II. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- Brian Will
- Douglas J. DeRito
- John Hipes
- Jason Binder

• Staff

- Chris Lagerbloom, City Administrator
- Melissa Tracy, City Attorney with Jarrard & Davis
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Adam Montgomery, Interim Director of Information Technology
- John Robison, Director of Public Safety
- Morgan Rodgers, Director of Parks, Recreation, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Thomas Harris, Director of Finance
- Michael Woodman, Planning & Development Services Manager

- Brian Borden, Zoning Administrator

III. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 3/6/2023)

Consideration of approval of the City Council meeting minutes from the meeting of March 6, 2023.

B. Alcoholic Beverage License Applications

Consideration of approval of the following alcoholic beverage license applications:

1. **PH-23-AB-04 Fairway Social Alpharetta LLC, d/b/a Fairway Social**
240 South Main Street, Suite O, Alpharetta, GA 30009

Change in Business Owner
Restaurant
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: Fairway Social Alpharetta LLC
Registered Agent: Michael Sard

2. **PH-23-AB-05 Delbar Old Milton LLC**
4120 Old Milton Parkway, Alpharetta, GA 30005

Restaurant
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: Delbar Old Milton LLC
Registered Agent: Fares Kargar

C. Conflict Waiver: City of Alpharetta and the City of Milton

Consideration of approval of a Conflict Waiver between the City of Alpharetta and the City of Milton for legal services by Jarrard and Davis and to authorize the Mayor to execute all necessary documents.

D. Financial Management Report (Month Ending January 31, 2023)

Approval of the Financial Management Report for the month ending January 31, 2023.

PUBLIC COMMENTS

- There were no public comments.
 - Council Member Will requested to remove the Council Meeting Minutes (Meeting of 3/6/2023) from the Consent Agenda.
 - ❖ Council Member Mitchell offered a motion to approve the Consent Agenda without the Council Meeting Minutes from 3/6/2023.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

- ❖ Mayor Pro Tem Merkel offered a motion to approve the Council Meeting Minutes from 3/6/2023.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (5-0-2; as Council Member Will and Council Member Hipes abstained).

IV. PUBLIC HEARING

A. CLUP-23-01/Z-23-05/V-23-02 133 Cumming Street

Consideration of a comprehensive land use plan amendment, rezoning and variance to allow for the subdivision of a 1.76 acre property into 2 'For-Sale' single-family detached lots. A comprehensive land use plan amendment is requested from 'Low Density Residential' to 'Downtown Residential Density' and a rezoning is requested from R-15 (Dwelling, 'For-Sale', Residential) to DT-R (Downtown Residential). Variances are requested to reduce stream buffers and reduce a rear building setback. The property is located at 133 Cumming Street and is legally described as being located in Land Lots 1253 & 1254, 2nd District, 2nd Section, Fulton County, Georgia.

- Council Member Will recused himself from this item as he did business in the past year with this private developer.
- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- This item was considered at the 3/2/2023 Planning Commission meeting. Staff recommended approval subject to 15 conditions. There were public comments with one (1) in support of the request and a few in opposition with concerns over width of Cricket Lane, on-street parking, Gardner House should be residential, stream buffer lot could be pocket park, Lot 2 home too large, and need a greater setback on Cricket Lane. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and amending condition #15 and adding a new condition addressing parking of construction vehicles (vote 7-0).
- Staff is recommending that Mayor and City Council approve CLUP-23-01/Z-23-05/V-23-02 133 Cumming Street, subject to the following conditions:
 1. The 1.76-acre property shall be zoned DT-R and site shall be subdivided and developed substantially similar to the site plan prepared by AEC, revised 3/17/23, except for modifications required to comply with the conditions below.
 2. The comprehensive land use plan designation of the property shall be 'Downtown Residential Density'.
 3. Residential density shall not exceed 1.14 dwelling units per acre.
 4. Architecture and materials shall be developed substantially similar to the submitted renderings, except for modifications required to comply with the

Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB.

5. Gardner House shall be limited to a single-family detached home and shall be saved, restored, and designated under the City's Historic Preservation Incentive Ordinance. Restoration shall be completed by the 1st CO. Exterior modifications and additions to the historic structure, accessory structures, and walls and fencing shall be consistent with the architectural style of the Gardner House, subject to review by the City's Downtown Consultant and approval of a certificate of appropriateness by the Historic Preservation Commission.
6. Minimum building setbacks shall be as depicted on the site plan prepared by AEC, revised 3/17/23, except that a minimum 20' front setback shall be provided along Cricket Lane.
7. Developer shall dedicate a 30' half width right-of-way on Cricket Lane improved with a minimum 6' planter planted with street trees, minimum 6' sidewalk, 8' on-street parallel parking, 10' travel lane, and decorative pedestrian lighting, as approved by Staff.
8. Developer shall dedicate a 30' half width right-of-way on Cumming Street improved with a minimum 6' planter planted with street trees, minimum 8' sidewalk and decorative pedestrian lighting, as approved by Staff.
9. Utility cuts in the public right-of-way required for the proposed development shall be repaved for the entire width of the street with repaved area flush with surrounding pavement.
10. Minimum 10' landscape strip shall be provided along Cumming Street and Cricket Lane planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
11. Retaining walls shall be clad with a decorative brick or stone finish, as approved by DRB.
12. Walls and fencing visible from the public right-of-way shall be brick, stone, and/or decorative black metal fencing, as approved by DRB. Walls and fencing shall not be located in the public right-of-way.
13. Developer shall save the following specimen trees: #6 (30" Loblolly Pine), #8 (32" Southern Red Oak), #9 (29" Southern Red Oak), #10 (30" Yellow Poplar), #12 (32" Yellow Poplar) and #13 (24" Red Maple). Construction within the CRZ of saved trees shall be limited to no more than 20% encroachment and shall be accomplished using innovative techniques to bridge over the root zones, as approved by Staff. Demolition and construction within the CRZ of specimen trees shall be completed under the supervision of an ISA Certified Arborist.

14. Develop shall save additional trees of quality and tree groupings, as approved by Staff.
 15. Stream buffer encroachment shall be as depicted on the site plan prepared by AEC, revised 2/23/23.
 16. To mitigate stream buffer impacts, developer shall comply with all of the following measures, as approved by Staff:
 - a. Provide 50% or more additional runoff reduction or water quality volume above the standard city requirements.
 - b. Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment/impact. These can include, removing fallen trees from inside the stream bed that are impeding flow, planting eroded or sparsely vegetated areas of stream banks with live stakes, adding enhanced buffer plantings where sparsely vegetated, and removing invasive vines; and
 - c. Streambank stabilization.
 - d. Obtain any necessary state and federal approvals for the stream and buffer impacts.
 - e. Or alternative mitigation measures, as approved by Staff.
 17. Construction vehicles shall be located on the private property.
- The submitted request, if approved, would allow for the subdivision of a 1.76-acre property into two (2) single-family detached lots in the Downtown Overlay. The proposed density is 1.14 dwelling units per acre. A comprehensive land use plan amendment is requested from 'Low Density Residential' to 'Downtown Residential Density' and a rezoning is requested from R-15 (Dwelling, 'For-Sale', Residential) to DT-R (Downtown Residential). Variances are requested to reduce stream buffers and reduce a rear building setback. In conjunction with the lot subdivision, the applicant proposes to save and restore the Gardner House which is on the City's Historic Resources Inventory – Contributing Historic Building. The subject property is located at 133 Cumming Street at the southeast corner of Cricket Lane and Cumming Street.
 - The subject property is zoned to R-15 (Dwelling, 'For-Sale', Residential) and is developed with a one (1) story, 2,316 square foot single-family detached home known as the Gardner House. Surrounding properties are zoned DT-R to the north and west, R-15 to the east and south, and SU (Special Use) to the southeast. Weyhill is located to the north, East of Main Phase 2 is located to the west, two (2) unplatted single-family detached lots to the east and south and Alpharetta Presbyterian Church to the southeast. The west and east sides of Cricket Lane have a future land use designation of 'Downtown Residential Density' and the subject property and three (3) lots to the south are

designated 'Low Density Residential'. A comprehensive land use plan amendment is requested in order to apply the DT-R zoning district to the subject property.

- The applicant obtained a Nationwide Permit to pipe the perennial stream from the US Army Corps of Engineers (USACoE) and received variance approval from the State to remove the 25' State buffer. The applicant has since revised the initial plan to pipe the stream and now proposes to limit stream buffer encroachments to the north side of the stream.
- The City's Stormwater Engineer has reviewed the applicant's request for stream buffer variance and recommends the following mitigation measures to offset the encroachment: provide two-times (2x) the required runoff reduction volume in a variety of best management practices (BMPs), provide enhanced buffer plantings, as well as streambank stabilization.
- The applicant's site plan depicts the property being subdivided into two (2) lots, yielding a density of 1.14 dwelling units per acre. Lot 1 is the Gardner House, which is depicted with a lot size of approximately 22,405 square feet (0.51 acres) and has access from Cumming Street. Lot 2 has a lot size of approximately 28,842 square feet (0.66 acres) and has access from Cricket Lane. Lot 2 is depicted to be rear loaded, and Lot 1 is side loaded.
- The Gardener House is depicted with a ten-foot (10') front setback along Cumming Street, which represents the existing setback of the structure. An addition is proposed on the east side of the Gardner House with a pool and cabana are proposed on the west side of the home. The home on Lot 2 is depicted with an eleven-foot (11') front setback along Cricket Lane. Front setbacks along Cricket Lane vary with the lots to the south having traditional front setbacks between 53' to 61' and the homes directly across Cricket Lane having Downtown setbacks between nineteen-feet (19') to twenty-four feet (24'). If approved, the proposed lots should have a minimum twenty-foot (20') setback along Cricket Lane.
- A five-foot (5') privacy wall with columns is proposed along the back of sidewalk on Cricket Lane and Cumming Street, as well as between Lots 1 and 2 and along the east property lines of Lots 1 and 2.
- The privacy wall is proposed to be brick, stone, wood and black metal. A black vinyl chain link fence is depicted along the south and east property lines of the remaining stream buffer lot. Fencing is permitted within stream buffers as long as it does not obstruct the flow of water.
- A six-foot (6') sidewalk, eight-foot (8') planter and four (4) on-street parallel parking spaces are depicted on Cricket Lane. A four-foot (4') planter and eight-foot (8') sidewalk are depicted on Cumming Street. If approved, a minimum six-foot (6') planter should be provided along Cumming Street in order to accommodate street trees.

- The applicant submitted a tree survey and assessment identifying eight (8) specimen trees on the subject property, of which six (6) are located in stream buffers and will not be disturbed. The two (2) specimen trees located outside of stream buffers are not depicted to be saved. However, it appears that the 36" Loblolly Pine at the corner of Cricket Lane and Cumming Street can be saved. Additional trees of quality and tree groupings will be saved in the stream buffers and the applicant proposes enhanced buffer plantings to offset stream buffer encroachments.
- The Gardner House was added to the City's Historic Resources Inventory as a Contributing Historic Building in 2017. A public hearing request to demolish the house was denied in 2019. The property was first owned by Isham Teasley, whom was a member of the prominent Teasley Family from early Alpharetta history. Mr. Teasley also owned the adjacent property to the west, which was the original site of the New Prospect Campground.
- Renderings were submitted depicting the two (2) homes. Renderings of the Gardner House depict a two (2) story addition on the east side of the home, which includes a four (4) car garage. The new home on Lot 2 is depicted to be two (2) stories with a brick exterior and a seven (7) car garage. The City's Downtown Consultant reviewed the applicant's renderings and believes the concept is in compliance with the Downtown building regulations.
- Staff reviewed the applicant's proposal against the established review criteria for a comprehensive land use plan amendment, rezoning and variance. The proposed residential density is consistent with a 'Low Density Residential' future land use designation and the greater flexibility provided in the Downtown development regulations allow the applicant to save and restore the historic home while limiting impacts to the on-site stream. If approved, a greater front setback should be provided along Cricket Lane and the privacy wall should not be placed in the public right-of-way.
- The property has exceptional conditions due to the presence of a historic structure and on-site perennial stream. Preservation of historic assets, such as the Gardner House, is important to maintain the traditional character and heritage of the community. The proposed stream buffer reduction is less than stream buffer variances approved on adjacent and nearby properties in the last few years. If approved, appropriate stream buffer mitigation should be provided to offset impacts to the stream.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that several public comments have been received, including concerns over the width of Cricket Lane and adding on-street parking to the street, setbacks along Cricket Lane should be consistent with surrounding properties, home sizes, stormwater runoff, and impacts to trees and the stream.

- The Community Zoning Information Meeting was held on January 11, 2023. There were several public comments with concerns over setbacks along Cricket Lane being inconsistent with surrounding development, width of Cricket Lane too narrow, Lot 2 home size is too large, adding on-street parking along Cricket Lane, maintain natural foliage around stream, impacts to the stream and tree canopy, and ensuring that appropriate stormwater is provided.
- The applicant, Tori Young (350 Jayne Ellen Way, Alpharetta, GA 30009), came forward to speak on behalf of this application.

CITY COUNCIL DISCUSSION

- Council Member Binder suggested adding additional language to Condition #16 to say "shall include" instead of can include.
- Council Member Mitchell commented that the brick wall around the pool would be more appropriate to use stone instead of brick to preserve the historic character of the home.

PUBLIC COMMENTS

- Jill Bernard (145 Cumming Street, Alpharetta, Georgia 30005) came forward to speak on this item and mentioned that the applicant has been a good neighbor and she approves of what he is proposing and the setbacks for this property.
- ❖ Mayor Pro Tem Merkel offered a motion to approve CLUP-23-01/Z-23-05/V-23-02 133 Cumming Street, subject to the following conditions:
 1. The 1.76-acre property shall be zoned DT-R and site shall be subdivided and developed substantially similar to the site plan prepared by AEC, revised 3/17/23, except for modifications required to comply with the conditions below.
 2. The comprehensive land use plan designation of the property shall be 'Downtown Residential Density'.
 3. Residential density shall not exceed 1.14 dwelling units per acre.
 4. Architecture and materials shall be developed substantially similar to the submitted renderings, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB.
 5. Gardner House shall be limited to a single-family detached home and shall be saved, restored, and designated under the City's Historic Preservation Incentive Ordinance. Restoration shall be completed by the 1st CO. Exterior modifications and additions to the historic structure, accessory structures, and walls and fencing shall be consistent with the architectural style of the Gardner House,

subject to review by the City's Downtown Consultant and approval of a certificate of appropriateness by the Historic Preservation Commission.

6. Minimum building setbacks shall be as depicted on the site plan prepared by AEC, revised 3/17/23, except that a minimum 20' front setback shall be provided along Cricket Lane.
7. Developer shall dedicate a 30' half width right-of-way on Cricket Lane improved with a minimum 6' planter planted with street trees, minimum 6' sidewalk, 8' on-street parallel parking, 10' travel lane, and decorative pedestrian lighting, as approved by Staff.
8. Developer shall dedicate a 30' half width right-of-way on Cumming Street improved with a minimum 6' planter planted with street trees, minimum 8' sidewalk and decorative pedestrian lighting, as approved by Staff.
9. Utility cuts in the public right-of-way required for the proposed development shall be repaved for the entire width of the street with repaved area flush with surrounding pavement.
10. Minimum 10' landscape strip shall be provided along Cumming Street and Cricket Lane planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
11. Retaining walls shall be clad with a decorative brick or stone finish, as approved by DRB.
12. Walls and fencing visible from the public right-of-way shall be brick, stone, and/or decorative black metal fencing, as approved by DRB. Walls and fencing shall not be located in the public right-of-way.
13. Developer shall save the following specimen trees: #6 (30" Loblolly Pine), #8 (32" Southern Red Oak), #9 (29" Southern Red Oak), #10 (30" Yellow Poplar), #12 (32" Yellow Poplar) and #13 (24" Red Maple). Construction within the CRZ of saved trees shall be limited to no more than 20% encroachment and shall be accomplished using innovative techniques to bridge over the root zones, as approved by Staff. Demolition and construction within the CRZ of specimen trees shall be completed under the supervision of an ISA Certified Arborist.
14. Developer shall save additional trees of quality and tree groupings, as approved by Staff.
15. Stream buffer encroachment shall be as depicted on the site plan prepared by AEC, revised 2/23/23.
16. To mitigate stream buffer impacts, developer shall comply with and maintain all of the following measures, as approved by Staff:

- a. Provide 50% or more additional runoff reduction or water quality volume above the standard city requirements.
- b. Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment/impact. These shall include, removing fallen trees from inside the stream bed that are impeding flow, planting eroded or sparsely vegetated areas of stream banks with live stakes, adding enhanced buffer plantings where sparsely vegetated, and removing invasive vines; and
- c. Streambank stabilization.
- d. Obtain any necessary state and federal approvals for the stream and buffer impacts.
- e. Or alternative mitigation measures, as approved by Staff.

17. Construction vehicles shall be located on the private property.

- Council Member Binder seconded the motion.
- Council Member Hipes offered a friendly amendment to the motion to add language to Condition #16 that states that "Developer shall comply with and maintain all of the following measures, so long as the developer owns the property, but if the developer does not continue to own the property, then this condition shall run with the ownership of the property, as approved by Staff: . . ."
- Mayor Pro Tem Merkel and Council Member Binder accepted the friendly amendment.
- The motion was approved unanimously (6-0; as Council Member Will recused himself from this item).

B. CLUP-22-05 / Z-22-15 / CU-22-12 / V-22-29 Story Book Builders / 31 & 51 Thompson Street

Consideration of a comprehensive land use plan amendment, rezoning, conditional use and variances to allow for the construction of 19 'For-Sale' single-family detached homes on 2.23 acres in the Downtown. A comprehensive land use plan amendment is requested from 'Commercial' to 'Mixed Use Live Work' and a rezoning is requested from C-2 (General Commercial) and DT-LW (Downtown Live-Work) to DT-LW. A conditional use is requested to increase density above 8 dwelling units per acre and variances are requested to eliminate interparcel connectivity and reduce the planter strip along Thompson Street. The property is located at 31 and 51 Thompson Street and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- This item was considered at the January 5, 2023 and March 2, 2023 Planning Commission meetings. Planning Commission deferred the request at the January 5th

meeting to allow the applicant to address tree saves. The applicant revised the site plan to save trees. Staff recommended approval subject to 23 conditions. There were public comments in support and in opposition with concerns over cost sharing impacts to Thompson Street Flats HOA, too much on-street parking on Thompson St, fence is needed to separate rear amenity areas between 2 developments, Thompson Street Flats should be compensated for the cost sharing loss of 12 condo units. After discussion, Planning Commission recommended to approve the item subject to staff's recommended conditions and adding 2 conditions (vote 6-1).

- Staff is recommending approval of CLUP-22-05 / Z-22-15 / CU-22-12 / V-22-29 Story Book Builders / 31 & 51 Thompson Street, subject to the following conditions:
 1. Approximately 2.23 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by Paradigm, dated 1/25/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. The comprehensive land use plan designation of the property shall be 'Mixed Use Live Work'.
 3. Architecture and materials shall be developed substantially similar to the submitted renderings prepared by Main Street Designs, labeled Exhibit A, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Homes shall have 4-sided architecture, materials and details and each home facing Thompson Street shall have a unique façade.
 4. Density shall not exceed 8.52 dwelling units per acre.
 5. Building height shall not exceed 3 stories and 40'.
 6. Courtyards, decorative fencing, and decorative walls may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by Staff.
 7. Developer shall improve the Thompson Street streetscape as follows: minimum 8' planter planted with street trees, 8' sidewalk (concrete with brick paver banding), 10' travel lane, 8' on-street parking (may overlap planter) and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
 8. Alley shall be private, maintained by the HOA, and developed as depicted on the site plan prepared by Paradigm, dated 1/25/23, with final approval by Staff.
 9. Decorative pedestrian lighting shall be required throughout the development.
 10. Landscape strip along Thompson Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
 11. Developer shall plant a row of trees along the west side of the entrance to Thompson Street Flats, as approved by DRB.

12. Developer shall improve the corner of Haynes Bridge Road and Thompson Street with decorative landscaping, brick paver hardscape, seating and monument or sculpture, as approved by DRB. Sculpture shall require final approval by the Cultural Arts Commission.
13. Open space shall be developed substantially similar to the site plan prepared by Paradigm, dated 1/25/23, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape and seating. Landscape shall include plant selections promoting the historic Downtown.
14. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
15. Developer shall save on-site trees and boundary trees as depicted on the site plan prepared by Paradigm, dated 1/25/23, as approved by Staff. CRZ impacts to saved trees shall be limited to no more than 20%, which shall include impacts from the proposed development and previous development of Thompson Street Flats Phase 1, with final approval by Staff.
16. Developer shall make reasonable efforts to save additional trees of quality and/or tree groupings, as approved by Staff.
17. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
18. HVAC and similar equipment shall not be visible from the public right-of-way.
19. Development shall not be gated, except that alley may be gated on the east end. To address fire access, sliding gate will need a redundant emergency override if electric, as approved by the Fire Marshal.
20. Stormwater management facilities may be placed underground within the amenity space as depicted on the site plan prepared by Paradigm, dated 1/25/23, with final approval by Staff. Stormwater facilities shall be indicated on the recorded final plat, clearly describing the underground facilities, their function, purpose, ownership, and granting access for inspection, maintenance and repair rights to the HOA and the City of Alpharetta. Maintenance responsibilities shall also be included in the recorded covenants with all costs to be borne by the HOA and homeowners of the development.
21. Garbage pickup shall be from within the development.
22. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
23. The conditions above shall replace the conditions related to file #PH-16-15 Thompson Street Flats/Kairos Development, as it relates to the eastern half of the subject property.
24. Thompson Street Flats HOA and Thompson Street Park HOA must submit an agreement reflecting the shared use of the existing underground stormwater facility.
25. Walkway in corner amenity area shall be brick, as approved by Staff.

26. The existing underground detention pond that was built during the development of Thompson Street Flats will exceed capacity and functional standards required by regulations with a 10% reduction in existing release rates.

- The submitted request, if approved, would allow for the construction of nineteen (19) 'For-Sale' single-family detached homes on 2.23 acres in the Downtown. The proposed density is 8.52 dwelling units per acre. A comprehensive land use plan amendment and rezoning are requested for the western half of the property from a future land use designation of 'Commercial' to 'Mixed Use Live Work' and from a zoning of C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density above eight (8) dwelling units per acre. Variances are requested to eliminate interparcel access and modify streetscape standards. The subject property is located at 31 and 51 Thompson Street at the southeast corner of Thompson Street and Haynes Bridge Road.
- The properties were previously developed with single-family detached homes, which have since been demolished. The eastern half of the property is zoned DT-LW and the western half of the property is zoned C-2. Surrounding properties are zoned MU (Mixed Use) to the north, C-2 to the west and south, and DT-LW to the south and east. Voysey is located to the north, Publix to the west, vacant commercial properties to the south, and Thompson Street Flats to the east. The comprehensive land use plan designation of the western half of the property is 'Commercial' and the eastern half is 'Mixed Use Live Work'.
- The eastern half of the property was rezoned to DT-LW in 2015 with a change to conditions of zoning in 2016 to allow for 24 'For-Sale' condominium units in four (4) buildings with a density of ten (10) dwelling units per acre (see original site plan below). Phase 1 of the development, known as Thompson Street Flats, has been constructed which consists of two (2) buildings with a total of twelve (12) condominium units. Thompson Street Flats Phase 2 was approved on the western half of the property, but was never developed.
- The applicant requests variances to modify site regulations (interparcel access and streetscape standards) related to Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code. The request to eliminate interparcel access is related to an agreement between the property owner and Thompson Street Flats to have a separate access for the proposed development. It does not appear that the variance to reduce the planter along Thompson Street is needed. The applicant's site plan depicts an eight-foot (8') planter along Thompson Street, which complies with the streetscape required along Thompson Street.
- The applicant's proposed density is slightly higher, but similar to the densities approved along Thompson Street.
- The submitted site plan depicts nineteen (19), two (2) and three (3) story 'For-Sale' single-family detached homes with access from a new driveway off Thompson Street. Half of

the homes are oriented to Thompson Street and the other half are oriented to an amenity space at the rear of the property. All homes are rear loaded and have access from a new private alley depicted running parallel to Thompson Street. Homes are depicted with a ten-foot (10') setback along Thompson Street. Minimum building setbacks comply with the DT-LW development standards. An eight-foot (8') sidewalk is depicted along Thompson Street and five-foot (5') sidewalks are depicted within the site.

- Homes will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. Two (2) on-street parking spaces are provided on Thompson Street and two (2) guest spaces are provided at the west end of the alley. The Downtown Code requires 48 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 80 parking spaces are provided on the site plan.
- The site plan depicts 1.17 acres, or 52% open space within the proposed development. Open space is proposed to include yards and courtyards, a natural amenity area at the rear of the development with walking path, and an amenity with mail kiosk adjacent to the roundabout. The DT-LW zoning district requires a minimum ten percent (10%) amenity space, plus an additional 0.52% related to the proposed increase in density, for a total of 0.23 acres of open space.
- Seven (7) specimen trees and one (1) tree of quality are called out in the applicant's arborist assessment as being in 'Good' or 'Fair' condition. A tree save area is depicted between lots 17 & 18 and includes at least five (5) trees (40" Southern Red Oak, 37" Water Oak, 14" Hemlock, 18" Hemlock, and 9" Holly), of which three (3) are specimen trees and one (1) is a tree of quality. In addition, two (2) trees along the south property line (40" Water Oak and 8" Persimmon) are depicted to be saved.
- The site plan depicts an underground stormwater management facility under an amenity space at the west end of the property. Maintenance of the underground stormwater systems would not obstruct access to homes.
- The applicant submitted renderings of the homes, which vary between three (3) architectural styles including Tudor Eclectic, Stick and Shingle. According to the applicant, the ten (10) homes along Thompson Street will have unique elevations. Homes will be at least 2,700 square feet and will be three (3) bedrooms. Exterior materials include brick, stone, board and batten, shake, and siding.
- According to the City's Downtown Consultant, the proposed renderings generally comply with the design regulations in the Downtown Overlay. The following comments were provided by the Downtown Consultant:
 - Avoid large wall massing with no clear wall cladding material.
 - Do not use porkchop eaves. Rework roof so that roof eaves terminate at outside building corner.

- Use engaged piers or pilasters at walls receiving porch floor and beam framing.
 - Use double hung windows with matching window lite pattern to match windows at front elevation.
 - Eliminate gratuitous roof elements that do not serve as main roof massing.
 - Utilize real windows at front façade, avoid fake elements.
 - Add offset at wall to create outside building corner to receive main roof bearing, or rework roof to avoid roof eave terminating mid façade.
- The applicant provided a trip generation information, which estimates that the twenty (20) single-family detached homes would generate eighteen (18) AM Peak Hour trips and 23 PM Peak Hour trips.
 - Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 3 – 16 school age children. Numbers provided by Fulton County Schools show that all three (3) schools are under capacity.
 - Staff has reviewed the applicant's proposal against the established review criteria for a comprehensive land use plan amendment, rezoning, conditional use, and variance. The proposed change to the future land use designation and rezoning are consistent with the vision for Thompson Street. Commercial development on the property would be limited by buffer requirements from the surrounding residential developments and an alcohol license for uses such as a restaurant would not meet the minimum separation requirement from the surrounding residential. The conditional use to increase density is lower than previous conditional use approvals along Thompson Street and the applicant has adjusted the site layout and reduced the number of lots in order to save trees.
 - There are not exceptional or peculiar conditions on the property that adversely affect its reasonable use. However, the request to eliminate interparcel access is related to an agreement between the property owner and Thompson Street Flats to have a separate access for the proposed development.
 - The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
 - Community Zoning Information Meeting was held on November 9, 2022. There were public comments in support of the applicant's request and in opposition with concerns that the Thompson Street Flats developer did not fulfill promises of a 2nd phase of condominiums.
 - Kathy Zickert (1105 W. Peachtree Street, NE, Atlanta, GA 30309), attorney for the applicant, came forward to speak on behalf of this application and offered a rebuttal after the conclusion of public comments.

CITY COUNCIL DISCUSSION

- Council Member Hipes asked about the 2 parallel parking spaces on Thompson Street.
 - Manager Woodman shared that the city requested on street parking and likes to encourage on-street parking. Those spaces were placed by the applicant further away from the round-a-bout to respect site distances, but it is not a necessity.

PUBLIC COMMENTS

- Bob Collins (12504 Wexcroft Lane, Alpharetta, Georgia) came forward to speak in favor of this item.
- Rhonda Haran (Alpharetta resident and real estate agent) came forward to speak in favor of this item.
- Scott Janke (71 Thompson Street, Unit 201, Alpharetta, GA 30009) came forward to speak against this item.
- Tom Williams (247 Atley Place, Alpharetta, GA 30009; former resident of Thompson Street Flats) came forward to speak on this item.
- ❖ Mayor Pro Tem Merkel offered a motion to approve CLUP-22-05 / Z-22-15 / CU-22-12 / V-22-29 Story Book Builders / 31 & 51 Thompson Street, subject to the following conditions:
 1. Approximately 2.23 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by Paradigm, dated 1/25/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. The comprehensive land use plan designation of the property shall be 'Mixed Use Live Work'.
 3. Architecture and materials shall be developed substantially similar to the submitted renderings prepared by Main Street Designs, labeled Exhibit A, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Homes shall have 4-sided architecture, materials and details and each home facing Thompson Street shall have a unique façade.
 4. Density shall not exceed 8.52 dwelling units per acre.
 5. Building height shall not exceed 3 stories and 40'.

6. Courtyards, decorative fencing, and decorative walls may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by Staff.
7. Developer shall improve the Thompson Street streetscape as follows: minimum 8' planter planted with street trees, 8' sidewalk (concrete with brick paver banding), 10' travel lane, 8' on-street parking (may overlap planter) and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
8. Alley shall be private, maintained by the HOA, and developed as depicted on the site plan prepared by Paradigm, dated 1/25/23, with final approval by Staff.
9. Decorative pedestrian lighting shall be required throughout the development.
10. Landscape strip along Thompson Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
11. Developer shall plant a row of trees along the west side of the entrance to Thompson Street Flats, as approved by DRB.
12. Developer shall improve the corner of Haynes Bridge Road and Thompson Street with decorative landscaping, brick paver hardscape, seating and monument or sculpture, as approved by DRB. Sculpture shall require final approval by the Cultural Arts Commission.
13. Open space shall be developed substantially similar to the site plan prepared by Paradigm, dated 1/25/23, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape and seating. Landscape shall include plant selections promoting the historic Downtown.
14. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
15. Developer shall save on-site trees and boundary trees as depicted on the site plan prepared by Paradigm, dated 1/25/23, as approved by Staff. CRZ impacts to saved trees shall be limited to no more than 20%, which shall include impacts from the proposed development and previous development of Thompson Street Flats Phase 1, with final approval by Staff.
16. Developer shall make reasonable efforts to save additional trees of quality and/or tree groupings, as approved by Staff.

17. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
18. HVAC and similar equipment shall not be visible from the public right-of-way.
19. Development shall not be gated, except that alley may be gated on the east end. To address fire access, sliding gate will need a redundant emergency override if electric, as approved by the Fire Marshal.
20. Stormwater management facilities may be placed underground within the amenity space as depicted on the site plan prepared by Paradigm, dated 1/25/23, with final approval by Staff. Stormwater facilities shall be indicated on the recorded final plat, clearly describing the underground facilities, their function, purpose, ownership, and granting access for inspection, maintenance and repair rights to the HOA and the City of Alpharetta. Maintenance responsibilities shall also be included in the recorded covenants with all costs to be borne by the HOA and homeowners of the development.
21. Garbage pickup shall be from within the development.
22. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
23. The conditions above shall replace the conditions related to file #PH-16-15 Thompson Street Flats/Kairos Development, as it relates to the eastern half of the subject property.
24. Thompson Street Flats HOA and Thompson Street Park HOA must submit an agreement reflecting the shared use of the existing underground stormwater facility.
25. Walkway in corner amenity area shall be brick, as approved by Staff.
26. The existing underground detention pond that was built during the development of Thompson Street Flats will exceed capacity and functional standards required by regulations with a 10% reduction in existing release rates.
27. A separate HOA will be formed for phase 2 prior to any Certificate of Occupancy.
 - Council Member Binder seconded the motion.
 - The motion was approved (6-1; with Council Member Will in opposition).

C. V-23-08 Off Leash – Waiting Period Variance

Consideration of a variance to reduce the waiting period for City Council consideration of a public hearing request on the same property from twelve (12) to six (6) months. The property is located at 142 South Main Street and 125 Norcross Street and is legally described as being located in Land Lot 695, 1st District, 2nd Section, Fulton County, Georgia.

- Zoning Administrator, Brian Borden, came forward to present this item.
- Staff is recommending approval of V-23-08 Off Leash – Waiting Period Variance.
- The applicant, Lonnie Cooper Ventures, LLC, requests a variance to reduce the waiting period for Council consideration of an application for zoning change affecting the same property from one (1) year to six (6) months. City Council took action on a public hearing request for conditional use on the property on August 1, 2022. The subject property is located at 142 South Main Street and 125 Norcross Street at the northeast corner of Old Milton Parkway and South Main Street.
- The submitted request, if approved, would allow the applicant to move forward with a public hearing request for City Council consideration on the same property within six (6) months of a previous Council action. The subject property is located at 142 South Main Street and 125 Norcross Street at the northeast corner of Old Milton Parkway and South Main Street.
- Council took action on a public hearing request for conditional use (CU-22-05) on the property on August 1, 2022. The applicant is seeking a change to previous conditions of zoning to allow for the re-use of the existing building.
- The applicant notified surrounding property owners of their application and intent for the property. The report states that no comments were received.
- Megan Maziar, on behalf of Lonnie Cooper Ventures, came forward to speak on behalf of the applicant.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve V-23-08 Off Leash – Waiting Period Variance.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (5-1; as Council Member Binder was not present during the vote and Council Member Will voted in opposition).

D. PH-23-05 Off Leash – Change of Conditions

Consideration of a request to change previous conditions of zoning to allow for the re-use of an existing building. The property is located at 142 South Main Street and 125 Norcross Street and is legally described as being located in Land Lot 695, 1st District, 2nd Section, Fulton County, Georgia.

- Zoning Administrator, Brian Borden, came forward to present this item.
- Staff is recommending approval of V-23-08 Off Leash – Change of Conditions, subject to the following conditions (changes shown in Red underline):

1. 'Recreational Facilities, Indoor and Outdoor' shall be added as a conditional use at 142 South Main Street and 125 Norcross Street and limited to no more than 3,600 square feet covered dog area and 0.51 ~~0.73~~-acre outdoor dog park.
 5. Site shall be developed substantially as depicted on the site plan prepared by Gaskins + Lecraw, dated 3/31/2022 ~~6/14/2022~~.
 6. Building architecture and materials shall be developed substantially similar to the submitted renderings by Vickers Design Group, labeled Exhibit A, and in compliance with the Alpharetta Downtown Code and Downtown Consultant, subject to final approval by DRB. ~~Building shall be 75% brick, as determined by the DRB.~~
 10. ~~Developer shall improve Old Milton Parkway streetscape with a minimum 4' planter planted with street trees (subject to approval by GDOT), minimum 8' sidewalk and decorative pedestrian lighting, as approved by Staff. Deleted.~~
 13. Trees shall be saved as depicted on the tree protection plan prepared by Gaskins + Lecraw, dated 3/31/2022 ~~6/24/2022~~.
 16. ~~Old Milton Parkway curb cut shall be removed prior to the issuance of a Certificate of Occupancy. Deleted.~~
 17. Developer shall assess site landscaping and replace missing, dead or dying landscape material.
 18. Conditions of zoning related to file #CU-22-05 Off Leash/142 South Main Street shall remain in effect, except as amended above.
- The submitted request, if approved, would allow for changes to conditions of zoning related to Off Leash which is a restaurant with indoor and outdoor dog park on 2.3 acres and located in the Downtown Overlay. The proposed changes to the conditions of zoning would allow the applicant to re-use the existing building and parking. The subject property is located at 142 South Main Street and 125 Norcross Street at the northeast corner of Old Milton Parkway and South Main Street.
 - The property was previously developed and used for an 11,500 square foot Rite Aid pharmacy, which has been vacant for a few years. Current zoning of the property is C-2 (General Commercial), which allows 'Restaurant' by-right and 'Recreational Facilities, Indoor and Outdoor' with the approval of a conditional use. Surrounding properties are zoned C-2. Taco Bell and Salt Factory are located to the north, Publix, Chase Bank and a gas station are located to the east, Park Plaza office building and Mammoth Car Wash are located to the south and Crust is located to the west.
 - Off Leash received conditional use approval to allow an indoor and outdoor dog park on August 1, 2022.
 - According to the applicant, recent site investigations have determined that the soils are unsuitable for new construction without modification, which would be cost-prohibitive. In addition, the water table is too high to support a supplementary underground stormwater system, which further impacts development of the site. Given these limitations, the applicant proposes to re-use the existing building, parking and curb cuts.

- The applicant's updated site plan depicts re-use of the existing 11,500 square foot building, parking and curb cuts. Approximately 6,000 square feet of the building will be maintained as conditioned space, with the balance of the building being converted to a covered, open-air dog park. A 0.51-acre outdoor dog park is depicted to the side and rear of the existing building and includes areas for small and large dogs. The existing curb cuts on Old Milton Parkway, South Main Street and Norcross Street are depicted to remain. The proposed site plan depicts 51 parking spaces, which is an increase from the approved site plan which depicts 32 spaces.
- The approved site plan depicted fencing for the dog park setback approximately ten-feet (10') from the property line along Old Milton Parkway. With the current proposal, the fence is depicted to be approximately 130' from Old Milton Parkway.
- The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received.
- Staff has reviewed the applicant's proposal and finds that it can support the applicant's request for changes to previous conditions of zoning. The proposal should not have significant impacts on surrounding properties, which are developed with non-residential uses. Off Leash represents a business and use that is currently not offered in the Downtown. The proposed renderings depict architecture and materials that are very similar to the previously approved new construction. While re-use of the property does not allow for the building to be pulled up to the street, the outdoor dog park area will be further away from Old Milton Parkway, which helps with safety and overall aesthetics of the property.
- Due to the time constraints, the applicant did go before Design Review Board. However, if City Council did not approve this application, then the approval by Design Review Board would not stand.
- Megan Maziar, with Lonnie Cooper Ventures, came forward to speak on behalf of the applicant.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve V-23-08 Off Leash – Change of Conditions, subject to the following conditions:
 1. 'Recreational Facilities, Indoor and Outdoor' shall be added as a conditional use at 142 South Main Street and 125 Norcross Street and limited to no more than 3,600 square feet covered dog area and 0.51-acre outdoor dog park.
 5. Site shall be developed substantially as depicted on the site plan prepared by Gaskins + Lecraw, dated 3/31/2022.
 6. Building architecture and materials shall be developed substantially similar to the submitted renderings by Vickers Design Group, labeled Exhibit A, and in compliance with the Alpharetta Downtown Code and Downtown Consultant, subject to final approval by DRB.

10. Deleted.

13. Trees shall be saved as depicted on the tree protection plan prepared by Gaskins + Lecraw, dated 3/31/2022.

16. Deleted.

17. Developer shall assess site landscaping and replace missing, dead or dying landscape material.

18. Conditions of zoning related to file #CU-22-05 Off Leash/142 South Main Street shall remain in effect, except as amended above.

19. The soil report that was used to make the change by the applicant must be provided prior to an issuance of an Land Disturbance Permit.

- Council Member Binder seconded the motion.
- The motion was approved unanimously (7-0).

V. OLD BUSINESS

A. CU-22-10 / Foamworks Alpharetta / 11725 Cotton Creek Entry

The public hearing for this item was held during the February 20, 2023 City Council Meeting and Public Hearing but neither an approval or denial could be reached by a majority of the Council Members present.

Consideration of a conditional use to allow a 'Car Wash' for Foamworks on a property previously developed and used for a car wash. The property is located at 11725 Cotton Creek Entry and is legally described as being located in Land Lot 44, 1st District, 1st Section, Fulton County, Georgia.

- Mayor Gilvin shared that this item was previously considered by City Council but wanted to give Council Member Binder the opportunity to review the application prior to a vote.
- City Attorney, Melissa Tracy, shared that for this item, during the February 20, 2023 City Council Meeting and Public Hearing, City Council offered a motion to approve, subject to conditions, which failed, was followed by a motion to deny, which also failed, and finally, a motion to postpone until the full City Council is present passed by a 5-1 vote.
- Steven Jones, attorney for Foamworks Alpharetta, came forward to represent this application.
- During the February 20, 2023 City Council Meeting and Public Hearing, staff recommended approval of CU-22-10 Foamworks Alpharetta / 11725 Cotton Creek Entry, subject to the following conditions:
 1. 'Car wash' shall be added as a conditional use at 11725 Cotton Creek Entry and limited to no more than 4,987 square feet.
 2. Conditional use approval shall be limited to Foamworks; no additional 'Car wash' use or subleasing shall be permitted within the approved space.

3. Hours of operation shall be limited to Monday – Sunday 8:00 AM – 8:00 PM.
 4. Site shall be redeveloped substantially similar to the site plan prepared by Civilogistics, revised 10/26/2022, except where to comply with the conditions below.
 5. Developer shall remove existing impervious areas no longer in use, as depicted on the site plan prepared by Civilogistics, revised 10/26/2022. Areas shall be defined by curbing and shall be maintained as pervious area, as approved by Staff. Existing curb cut on Cotton Mill Place may remain to serve as a by-pass for the car wash.
 6. Exterior changes to the building shall be approved by DRB. Conditional use approval is not approval of elevation changes.
 7. Minimum 20' landscape strip shall be required along Old Milton Parkway. Parking lot screening (double row of shrubs) shall be required along Old Milton Parkway, Cotton Creek Entry and Cotton Mill Place, as approved by DRB.
 8. Property owner shall assess site landscaping and replace missing, dead, or dying landscape material. This assessment shall include monument sign landscape material and installing ornamental planting beds at the corner of Old Milton Parkway and Cotton Creek Entry. New landscape areas, including tree islands, shall be planted with required landscape material, as approved by DRB.
 9. Auto detailing stations shall be limited to the areas depicted on the site plan prepared by Civilogistics, revised 10/26/2022. Shade structures shall be limited to the auto detailing stations depicted adjacent to the existing building. Auto detailing stations along Cotton Creek Entry and employee parking along Old Milton Parkway shall be heavily screened, as approved by DRB.
- ❖ Council Member Mitchell offered a motion to approve CU-22-10 / Foamworks Pharettas / 11725 Cotton Creek Entry, subject to the following conditions:
1. 'Car wash' shall be added as a conditional use at 11725 Cotton Creek Entry and limited to no more than 4,987 square feet.
 2. Conditional use approval shall be limited to Foamworks; no additional 'Car wash' use or subleasing shall be permitted within the approved space.
 3. Hours of operation shall be limited to Monday – Sunday 8:00 AM – 8:00 PM.
 4. Site shall be redeveloped substantially similar to the site plan prepared by Civilogistics, revised 10/26/2022, except where to comply with the conditions below.
 5. Developer shall remove existing impervious areas no longer in use, as depicted on the site plan prepared by Civilogistics, revised 10/26/2022. Areas shall be defined by curbing and shall be maintained as pervious area,

as approved by Staff. Existing curb cut on Cotton Mill Place may remain to serve as a by-pass for the car wash.

6. Exterior changes to the building shall be approved by DRB. Conditional use approval is not approval of elevation changes.
7. Minimum 20' landscape strip shall be required along Old Milton Parkway. Parking lot screening (double row of shrubs) shall be required along Old Milton Parkway, Cotton Creek Entry and Cotton Mill Place, as approved by DRB.
8. Property owner shall assess site landscaping and replace missing, dead, or dying landscape material. This assessment shall include monument sign landscape material and installing ornamental planting beds at the corner of Old Milton Parkway and Cotton Creek Entry. New landscape areas, including tree islands, shall be planted with required landscape material, as approved by DRB.
9. Auto detailing stations shall be limited to the areas depicted on the site plan prepared by Civilogistics, revised 10/26/2022. Shade structures shall be limited to the auto detailing stations depicted adjacent to the existing building. Auto detailing stations along Cotton Creek Entry and employee parking along Old Milton Parkway shall be heavily screened, as approved by DRB.
 - Council Member Will seconded the motion.
 - The motion was approved (5-2; with Mayor Gilvin and Mayor Pro Tem Merkel in opposition).

VI. NEW BUSINESS

A. Invitation to Bid # 23-005: FY 2023 City Center Tree Well Repair

Consideration of approval of the award of ITB # 23-005 for FY 2023 City Center Tree Well Repair to Tri Scapes, Inc. in an amount not to exceed \$175,000.00 and to authorize the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award ITB # 23-005 for FY 2023 City Center Tree Well Repair to Tri Scapes, Inc. in an amount not to exceed \$175,000.00 and to authorize the Mayor to execute all necessary documents.
- Tree wells throughout City Center were installed by the City's contractor as well as by the private developer. During construction of the private development phases, construction equipment was driven onto the existing brick sidewalk around the tree wells. The developer made repairs, but unfortunately the repairs have not held up over time. In addition, motorized maintenance vehicles and equipment have also driven onto the brick sidewalks around the tree wells. The vibration of the vehicle on the bricks over time caused the bricks to break away from the mortar and if concrete curbing was not adjacent to the bricks, the bricks separated from one another, causing a hazard.

- Eighty-seven tree wells along North Broad Street, South Broad Street, Commerce Street, Market Street, and Park Plaza are in need of repair.
- Repair methods for around the tree wells have been classified into three categories; complete demo and replacement, installation of header curb to lock in the brick pavers, and the final category is both.
- The Department of Public Works prepared an invitation to bid (ITB 23-005) for the locations listed above. The City advertised competitive bids on January 13th, 2023. Bids for the project were received on February 16th, 2023, and the City received a total of two bids: Tri Scapes, Inc. (\$175,000.00) and Crabapple Landscape Management (\$198,492.42).
- On March 3rd, 2023, staff met with representatives of Tri Scapes, Inc. to review the scope of work and the City's expectations. Tri Scapes assured staff that they could complete the project for the bid amount and within the allocated time frame.
- The duration of the repairs is approximately 120 days.

CITY COUNCIL DISCUSSION

- Council Member Binder asked what the costs would be for stamped concrete and would like to see alternative options.
 - Director Sewczwicz shared that it is labor intensive, but would be about a 25% cost reduction.
- Mayor Gilvin shared that the bricks have been a maintenance disaster and is open to having a conversation about what makes sense for the long term.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of ITB # 23-005 for FY 2023 City Center Tree Well Repair to Tri Scapes, Inc. in an amount not to exceed \$175,000.00 and to authorize the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (5-2; with Mayor Gilvin and Council Member Binder in opposition).

B. Request for Proposals # 23-106: Public Safety Uniforms

Consideration of approval of the award of RFP 23-106 to Galls LLC and T&T Uniforms for fire and police uniforms and duty gear and authorize the Mayor to execute all necessary documents.

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is recommending that Mayor and Council award RFP 23-106 to Galls LLC and T&T Uniforms for fire and police uniforms and duty gear and authorize the Mayor to execute all necessary documents.

- The Public Safety Department purchases uniforms for Fire, Police, Rescue, E-911, and various other specialty, reserve, and volunteer personnel and buys personal-issue items such as duty gear and small equipment (e.g., flashlights).
- The Public Safety and Finance Departments prepared a Request for Proposal (RFP) and advertised for proposals in January 2023. As noted in the RFP, no guarantee is made for the number of items to be purchased by the City, and items may be added to or eliminated from the list during the contract. The City received two proposals on January 12, 2023 from Galls LLC, and T&T Uniforms.
- The Public Safety Department desires to enter into a contract with both Galls, LLC and T&T Uniforms to ensure competitive pricing and alternative supply sources.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the award of RFP 23-106 to Galls LLC and T&T Uniforms for fire and police uniforms and duty gear and authorize the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved (6-0; as Mayor Pro Tem Merkel was not present during the motion).

C. *GEMA and Homeland Security Grant Application for Alpharetta Public Safety Hazmat Unit* *Consideration of approval of the Memorandum of Understanding between the City of Alpharetta and the Georgia Emergency Management Agency / Homeland Security, approval and authorization for the Alpharetta Department of Public Safety to submit a grant application for the 2023 State Homeland Security Program for Sub-Grant Funds, and authorize the Mayor to execute all necessary documents.*

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Memorandum of Understanding (MOU) between the City of Alpharetta and the Georgia Emergency Management Agency / Homeland Security, approve and authorize the Department of Public Safety to submit an application for 2023 State Homeland Security Program sub-grant funds, and authorize the Mayor to execute all necessary documents.
- This is a reimbursement grant, and no matching funds are required to receive this grant.
- The requested sub-grant from GEMA/Homeland Security is \$151,200 and will be used to sustain/purchase equipment for the Department's Hazardous Material (HazMat) program.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the the Memorandum of Understanding (MOU) between the City of Alpharetta and the Georgia Emergency Management Agency / Homeland Security, approve and authorize the Department

of Public Safety to submit an application for 2023 State Homeland Security Program sub-grant funds, and authorize the Mayor to execute all necessary documents.

- Council Member Binder seconded the motion.
- The motion was approved (6-0; as Mayor Pro Tem Merkel was not present during the motion).

VII. PUBLIC COMMENT

- Birdel Jackson (1055 Chasewood Trail, Alpharetta, Georgia 30005) came forward to speak about his opinions on the city conducting its own elections. He shared that he does not like the idea of reducing the number of polling places and believes that the city should continue to have Fulton County run municipal elections.
- Clifford Martin (700 Anna Lane, Alpharetta, Georgia 30004) came forward to speak about the lane closure on Haynes Bridge Road being blocked for the past several months near the construction of the Lakeview Development

VIII. REPORTS

- There were no reports.

IX. EXECUTIVE SESSION

- There was not an executive session.

X. ADJOURNMENT

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 9:56 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: April 17, 2023

AGENDA ITEM:

Alcoholic Beverage License Application

Consideration of approval of the following alcoholic beverage license application:

1. PH-23-AB-06 Golden Gaubugi, LLC

d/b/a Hole in the Wall Sushi
3665 Old Milton Parkway Unit 50, Alpharetta, GA 30005
Restaurant
Consumption on Premises
Beer, Wine & Sunday Sales
Owner: Golden Gaubugi, LLC
Registered Agent: Sung Yoon Cho

STAFF RECOMMENDATION:

Approve, as part of the Consent Agenda, the following alcoholic beverage license application:

1. PH-23-AB-06 Golden Gaubugi, LLC, 3665 Old Milton Parkway, Unit 50, Alpharetta, GA 30005

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-----------------------------	----------------------

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-----------------------------	----------------------

ITEM DESCRIPTION:

The above referenced Alcoholic Beverage License Application was heard and considered during a virtual Alcohol License Public Hearing on Monday, April 3, 2023. There were no public comments during the hearing. At the conclusion of the hearing, City Clerk, Lauren Shapiro, recommended approval and forwarded the above referenced application to City Council for final approval.

ALTERNATIVES:

ATTACHMENTS:

1. Alcohol License Public Hearing Minutes 4-3-2023



ALCOHOL LICENSE PUBLIC HEARING

APRIL 3, 2023

ALPHARETTA CITY CLERK'S OFFICE
VIRTUAL MEETING VIA ZOOM

CITY CLERK: LSHAPIRO@ALPHARETTA.GA.US
ASSISTANT CITY CLERK: KVANHORN@ALPHARETTA.GA.US

2:00 PM

I. VIRTUAL MEETING ZOOM LINK

The City of Alpharetta's Alcohol License Public Hearings are a virtual meeting via Zoom. The meeting begins at 2:00 p.m. on the day of the scheduled hearing. To join the meeting, please click on this link: <https://zoom.us>

Zoom Meeting ID: 869 9502 7834

II. CALL TO ORDER

- City Clerk Lauren Shapiro called the meeting to order at 2:06 p.m.

III. ROLL CALL

- Lauren Shapiro, City Clerk
- Kiersten VanHorn, Assistant City Clerk
- Beau Smith, Code Enforcement Officer
- Frank Jackson, Code Enforcement Officer
- Sujeanna McNeil, Owner and Applicant for Golden Gaubugi, LLC

IV. PUBLIC HEARING

A. PH-23-AB-06 Golden Gaubugi, LLC
d/b/a Hole in the Wall Sushi
3665 Old Milton Parkway Unit 50
Alpharetta, GA 30005

Restaurant
Consumption on Premises
Beer, Wine & Sunday Sales

Owner: Golden Gaubugi, LLC
Registered Agent: Sung Yoon Cho

- Ms. Sujeanna McNeil, owner and applicant for Golden Gaubugi, LLC and residing at 2912 Cherry Laurel Lane, Norcross, GA 30071, was on the call.
- Ms. McNeil stated Hole in the Wall Sushi is a small family-owned sushi restaurant.
- Ms. McNeil stated this is her first business in Alpharetta and that they are currently open.
- Ms. McNeil stated they have approximately 5 employees and only 1 will be pouring and serving alcohol. Ms. McNeil is familiar with the City's alcohol ordinance.

- Ms. McNeil stated only 1 employee (her mother) will be handling and serving alcohol and that she will be checking IDs so they do not serve anyone under age.
- Ms. Shapiro reminded Ms. McNeil that once the local license is issued, a state license will need to be obtained before they can begin serving alcohol.
- Officer Smith confirmed that City staff has reviewed the application and that it meets all the City's requirements for an alcohol license. Ms. Shapiro recommended the application be approved and advised the applicant that a representative will need to appear in person at the Alpharetta City Council meeting on Monday, April 17, 2023, at 6:30 pm in case Mayor or Council have any questions.

V. PUBLIC COMMENT

- There were no public comments.

VI. ADJOURNMENT

- City Clerk Lauren Shapiro adjourned the hearing at 2:13 p.m.

Respectfully submitted,

Kiersten VanHorn

Kiersten VanHorn, Assistant City Clerk



STAFF REPORT

Department: Finance
Submitted By: Shawn Mitchell
Meeting Date: April 17, 2023

AGENDA ITEM:

Financial Management Report (Month Ending February 28, 2023)

Approval of the Financial Management Report for the month ending February 28, 2023.

STAFF RECOMMENDATION:

Approve the Financial Management Report for the month ending February 28, 2023 (period 8 of Fiscal Year 2023).

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-----------------------------	----------------------

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-----------------------------	----------------------

ITEM DESCRIPTION:

On a monthly basis, the Finance Department prepares detailed revenue and expenditure statements for all city operating funds (including prior-year comparisons for the General Fund). In addition, this report includes:

1. Detailed capital project report including life-to-date activity;
2. Payments \$5,000 and greater; and
3. Purchase orders with an estimated cost between \$5,000 and \$50,000.

ALTERNATIVES:

Do not approve the financial management report for the month ending February 28, 2023 as part of the consent agenda and remove this item from the consent agenda.

ATTACHMENTS:

1. FY 2023 Financial Management Report (8-February)

Financial Management Reports



**for the month ending
February 28, 2023
(period 8 of 12 – unaudited)**

Please visit the Financial Transparency Portal for additional information including audited financial statements, adopted budgets, and automated tools aimed at simplifying access to the City's financial data.

<https://www.alpharetta.ga.us/government/departments/finance/transparency-portal>

Financial Management Reports

Fiscal Year 2023

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Accountability and Performance Dashboards (available online – link below):

<https://www.alpharetta.ga.us/government/departments/finance/services/trash-and-recycling>



CITY OF ALPHARETTA

Financial Management Reports

Performance Dashboard

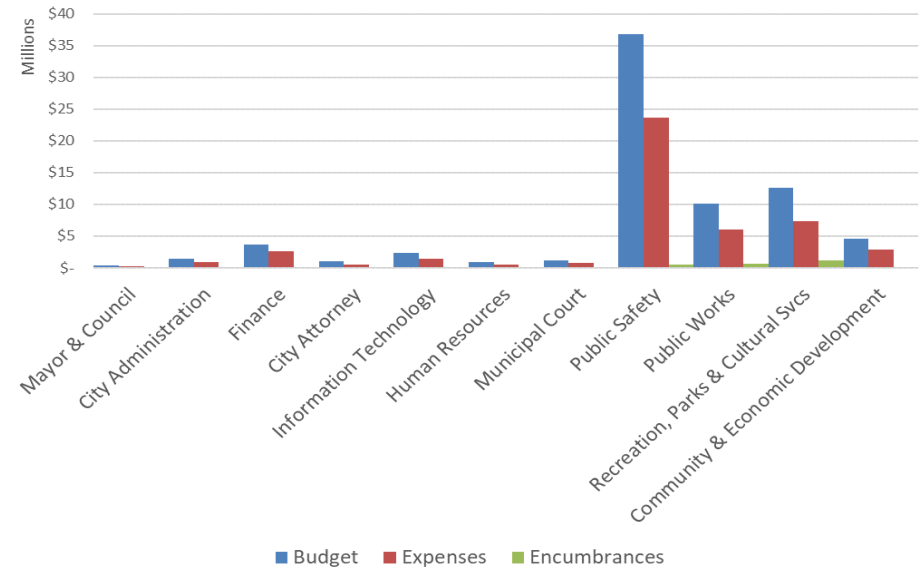
For the month ended February 28, 2023

LEGEND	
↑	Positive
↔	Neutral
↓	Negative

GENERAL FUND DETAIL

Revenues	Performance Status	Forecasted Gain/Loss
Top-10		
Property Taxes (current year)	↑	\$1,200,000
Property Taxes (delinquent/MV Title Fees)	↑	\$725,938
Local Option Sales Tax	↑	\$2,314,927
Franchise Tax	↔	(\$300,447)
Alcohol Beverage Excise Tax	↑	\$425,000
Building Permit Fees	↑	\$400,000
Business and Occupational Tax	↑	\$150,000
Court/Traffic Fines	↑	\$755,500
Recreation/Special Event Fees	↓	(\$348,560)
Hotel/Motel Tax (City portion)	↑	\$687,500
Other Revenues	↑	\$409,909
Minimum Surplus Goal Needed to Fund Capital: (\$15M Annual Capital Need less \$3M allocated in the budget)		\$12M
Less: Projected Revenue Gain		(\$6.4M)
Less: Projected Expenditure Savings		(\$3.5M)
Favorable (Unfavorable) Net Surplus vs \$15M Capital Need:		(\$2.1M)

Departmental Budget Snapshot



FUND SYNOPSIS

	Revenue	Expenses	Non-Allocated
General Fund (1)	↑	↑	\$742,857
Special Revenue Funds			
Confiscated Assets Fund (DEA)	↔	↔	\$229,254
Confiscated Assets Fund (State)	↔	↔	\$0
Emergency 911 Fund (1)	↔	↔	\$656,421
Impact Fee Fund	↔	↔	\$118,471
Hotel/Motel Fund (1)	↑	↑	\$586,022
Debt Service Fund	↑	↑	\$778,397
Proprietary Funds			
Solid Waste Fund (2)	↔	↔	\$29,520
Risk Management Fund	↔	↔	\$1,112,193
Medical Insurance Fund	↔	↔	(\$40,603)

	Non-Allocated
Grant Funds	
Operating Grant Fund (3)	\$20,675
Capital Grant Fund (3)	(\$9,179)
Capital Project Funds	
Capital Project Fund (3)	\$1,719,473
Stormwater Capital Fund	\$72,863
Series 2016 Bond Fund (Parks)	\$17,682
Series 2022 Bond Fund (Parks)	\$62,055
TSPLOST I Capital Fund	\$384,079
TSPLOST II Capital Fund	\$0
American Rescue Plan Act Capital Fund	\$0
Development Authority Fund	\$258,551

BOND RATING

AAA

strongest rating available

EMERGENCY RESERVE

General Fund

\$19.7M est. (25%)

Emergency 911 Fund

\$1.25M est. (25%)

Sanitation Fund

\$116K est. (2%)

rate adj. improving reserve

Please Note: Current year revenue in excess of budgeted amounts may be available to augment Non-Allocated balances upon City Council approval (e.g. Impact Fees and Confiscated Asset collections).

(1) General Fund value represents Contingency balance. Hotel/Motel Fund value represents Debt Service Reserve (target is \$1.5 million). Other Funds represents amounts in excess of the 25% fund balance target.

(2) Solid Waste Fund operational trends will remain neutral despite the recent rate adjustment as it will take multiple years to replenish the fund balance target.

(3) Does not include amounts, if any, currently set aside for matches on active grant applications.



2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: THOMAS G. HARRIS, FINANCE DIRECTOR *TH*

DATE: APRIL 17, 2023

RE: FINANCIAL MANAGEMENT REPORTS AS OF FEBRUARY 28, 2023

The documents contained herein represent the financial management reports for the City of Alpharetta ("city") as of the period ending February 28, 2023.

General Fund

Revenue: The following section pertains to information detailed in the attached Revenue Summary and Collection Comparison report. FY 2023 revenues are budgeted at \$80 million (net of Carryforward Fund Balance totaling \$13 million). As of February 28, 2023, actual revenue collections total 83% or \$67 million. Trends (property digest valuations and collection trends) indicate a net gain over budget of \$6.4 million with the detail as follows:

• Property Taxes (current year):	\$ 1,200,000
• Property Taxes (prior-year/delinquent):	310,938
• Property Taxes (motor vehicle tax/title):	415,000
• LOST:	2,314,927
• Franchise Tax:	(300,447)
• Alcohol Beverage Excise Taxes:	425,000
• Building Permit Fees:	400,000
• Business and Occupational Taxes:	150,000
• Court/Traffic Fines:	755,500
• Recreation/Special Event Fees:	(348,560)
• Hotel Taxes:	687,500
• Other:	<u>409,909</u>
Estimated Gain:	\$ 6,419,767 (rounded)

MAYOR
JIM GILVIN

MAYOR PRO TEM
DAN MERKEL

COUNCIL MEMBERS
JASON BINDER
DOUGLAS J. DERITO
JOHN HIPES
DONALD F. MITCHELL
BRIAN WILL

CITY
ADMINISTRATOR
CHRIS LAGERBLOOM

Motor Vehicle Title Fee collections is trending 10% higher than FY 2022 (\$3.1 million). Collection estimates for FY 2023 total \$3.4 million (\$400,000 greater than budget).

Local Option Sales Tax collections is trending 9% higher than FY 2022 (\$20.6 million). Collection estimates for FY 2023 total \$21.5 million which is \$2.3 million greater than budget.

Franchise Tax collections for electricity represents a 16% increase over FY 2022. Specifically, GA Power collections totaled \$4.5 million for FY 2023 (compared to \$3.8 million in 2022) and Suwanee totaled \$638,649 (compared to \$625,103 in 2022). Collections for natural gas will most likely exceed the 2023 budget. Collections for cable are trending 13% lower than FY 2022 and are not forecast to meet budget. Additionally, telephone (Bellsouth primarily) collections will not meet budget as the 2023 forecast was based off prior-year trend data that may have included non-recurring audit collections. Staff is communicating with Bellsouth to obtain clarity on the franchise fee remittances. Overall, the Franchise Tax collection estimates for FY 2023 total \$6.8 million which is \$300,447 less than budget.

Alcohol Beverage Excise Tax collections is trending 15% higher than FY 2022 (\$2.8 million). Collection estimates for FY 2023 total \$3 million (\$425,000 greater than budget).

Building Permit Fee collections is trending 35% higher than FY 2022 (\$2 million). Collection estimates for FY 2023 total \$2.3 million (\$400,000 greater than budget) pending further trend data.

Collections for Municipal Court Fines is trending 39% higher than FY 2022. Current estimates for FY 2023 total \$1.9 million which is \$300,000 greater than budget. Collections for School Zone Speed Citations is trending -15% lower than FY 2022 and is estimated to generate \$1.2 million which is \$475,000 greater than budget.

Recreation/Special Event fee collections exceed budget estimates for multiple accounts including non-resident fees, art program fees, Alpharetta Community Center program fees, etc. That said, revenue estimates for multiple other sources will most likely trail budget estimates and these sources include athletics, Wills Park Recreation Center, and equestrian center (due in part to active construction).

Hotel/Motel tax collections is discussed within the Special Revenue Funds section of this letter.

Expenditures: The following section pertains to information detailed in the attached Expenditure Summary by Department (expenditure rollup by department) and Expenditure Summary by Category (expenditure rollup by account) reports. As of February 28, 2023, city departments (not including General Government¹) have encumbered and expensed 66%, or \$49 million, of their FY 2023 budget appropriations. Forecasts indicate a surplus of \$3.5 million compared to budget and is primarily composed of savings at the personnel services category (e.g., approximately 22 vacancies within General Fund departments as of March 2023).

Contingency: The General Fund contingency balance totals \$742,857.

Other Funds

The following section references information included within the attached Performance Dashboard, Grant and Capital Funds Detail Reports, GAAP Financial Statements, etc.

Operating Grant Fund (Fund 220): Unspent/unencumbered project appropriations total \$171,223. Remaining appropriations are set aside for a non-allocated reserve (\$20,675).

¹ General Government is utilized to account for non-operating transactions such as transfers-out to other city funds, contingency, etc.

Capital Grants Fund (Fund 340): Unspent/unencumbered project appropriations total \$1.1 million.

General Capital Project Fund (Fund 301): Unspent/unencumbered project appropriations total \$10.9 million. Remaining appropriations are set aside for a non-allocated reserve (\$1.7 million).

Stormwater Capital Fund (Fund 302): Unspent/unencumbered project appropriations total \$4.2 million. Remaining appropriations are set aside for a non-allocated reserve (\$72,863).

American Rescue Act Capital Fund (Fund 303): Unspent/unencumbered project appropriations total \$768,321.

Series 2016 Parks and Transportation Bond Fund (Fund 317): Unspent/unencumbered project appropriations total \$90,318 along with a non-allocated reserve of \$17,682.

Series 2022 Parks Bond Fund (Fund 318): Unspent/unencumbered project appropriations total \$24.7 million. Remaining appropriations are set aside for a non-allocated reserve (\$62,055).

TSPLOST 1 Capital Project Fund (Fund 335): This fund accounts for collections under the Transportation Special Local Option Sales Tax (TSPLOST) that went into effect on April 1, 2017, and expired on March 31, 2022. Unspent/unencumbered project appropriations total \$26.9 million. Remaining appropriations are set aside for a non-allocated reserve (\$384,079).

TSPLOST 2 Capital Project Fund (Fund 336): This fund accounts for collections under the Transportation Special Local Option Sales Tax (TSPLOST) that went into effect on April 1, 2022. Appropriated funding totals \$51 million and represents Tier-1 project funding. Tier-1 projects are funded at 85% of forecasted revenue collections over the life of the 5-year tax. For comparison purposes, TSPLOST 1 collections have trended at over 90% of forecasted revenue collections. Unspent/unencumbered project appropriations total \$28 million.

Hotel/Motel Fund: FY 2023 revenues are budgeted at \$7.5 million (net of carryforward fund balance totaling \$1.1 million) with budgeted disbursements as follows: Alpharetta Convention & Visitor's Bureau (43.75% or \$3.3 million); Facilities (18.75% and a portion of the carryforward fund balance detailed above; \$1.4 million for debt service on the Series 2016 Convention Center Bonds; \$592,687 for eligible initiatives such as Equestrian Center and Wills Park Master Plan Improvements; with residual funding for bond/debt service reserve); and the city (37.5% or \$2.8 million).

Specifically, Debt Service Reserve funding (Convention Center Bonds) from the Facilities portion of the tax totals \$586,022. This reserve figure dipped below the \$1.5 million target level in 2019 due to the impact of the COVID-19 pandemic on the hospitality industry and is being replenished as revenues within the Fund continue strengthening.

Hotel tax collections is continuing its strong growth and estimates for FY 2023 total \$9.3 million which is \$1.8 million greater than budget.

Solid Waste Fund: FY 2023 revenues are currently budgeted at \$6.1 million. As of January 31, 2023, the city has collected \$5.1 million representing the 1st – 4th quarter advanced billings and is on target. Budget for 2023 (revenue/expense) included the annualized estimate of glass service which has been discontinued. As such, actuals will be under budget for both revenue and expenditures but sufficient to cover operational needs within the Solid Waste Fund.

Other Items

Council Member Stipend Activity Listing: The FY 2023 budget includes appropriations of \$7,200 for the Mayor and \$4,000 for each City Council Post and the available balances as of February 28, 2023 are as follows:

	Budget	Expenditures	Available Balance
Mayor: Jim Gilvin	\$ 7,200	\$ 4,579	\$ 2,621
Post #1: Donald Mitchell	\$ 4,000	\$ 57	\$ 3,943
Post #2: Brian Will	\$ 4,000	\$ 242	\$ 3,758
Post #3: Doug DeRito	\$ 4,000	\$ 72	\$ 3,928
Post #4: John Hipes	\$ 4,000	\$ 2,183	\$ 1,817
Post #5: Jason Binder	\$ 4,000	\$ 88	\$ 3,912
Post #6: Dan Merkel	\$ 4,000	\$ 530	\$ 3,470

Development Authority² (Component Reporting Unit)

As of February 28, 2023, the Development Authority has \$258,551 in available resources to support its main functions of promoting the public good and general welfare, trade, commerce, industry, general tax base and the employment opportunities available in the city.

² The Development Authority is a public corporation created and existing under the Constitution and laws of the State of Georgia and is governed by seven directors duly appointed by the Alpharetta City Council.



GENERAL FUND

Revenue Report



CITY OF ALPHARETTA
Financial Management Reports
General Fund (Unaudited)
Revenue Summary and Collection Comparison
As of February 28, 2023

	Current Fiscal Year					Prior Fiscal Year		
	2023 Budget	2023 YTD	% Collected	2023 Estimated	Variance	2022 Actual	2022 YTD	% Collected
Top 10 Revenues:								
Property Taxes								
Current Year	\$ 26,300,000	\$ 26,735,566	101.7%	\$ 27,500,000	\$ 1,200,000	\$ 26,738,657	\$ 25,619,718	95.8%
Delinquent	147,000	433,556	294.9%	457,938	310,938	167,407	12,713	7.6%
Motor Vehicle Tax	55,000	47,009	85.5%	70,000	15,000	79,585	49,347	62.0%
Motor Vehicle Title Fee	3,000,000	1,968,278	65.6%	3,400,000	400,000	3,142,797	1,783,006	56.7%
Local Option Sales Tax	19,185,073	12,781,665	66.6%	21,500,000	2,314,927	20,552,835	11,712,452	57.0%
Franchise Tax	7,100,000	5,973,722	84.1%	6,799,553	(300,447)	6,634,631	5,644,384	85.1%
Insurance Premium Tax	5,418,627	5,418,627	100.0%	5,418,627	0	4,759,402	4,759,402	100.0%
Alcohol Beverage Excise Tax	2,575,000	1,716,697	66.7%	3,000,000	425,000	2,764,435	1,497,702	54.2%
Building Permit Fees	1,850,000	1,556,820	84.2%	2,250,000	400,000	1,987,196	1,153,888	58.1%
Business and Occupational Tax	1,000,000	870,564	87.1%	1,150,000	150,000	1,063,180	603,986	56.8%
Court/Traffic Fines	2,370,000	2,283,223	96.3%	3,125,500	755,500	2,970,763	1,965,916	66.2%
Recreation/Special Event Fees	3,324,165	1,418,466	42.7%	2,975,605	(348,560)	2,566,047	1,296,478	50.5%
Hotel/Motel Tax (City portion)	2,812,500	1,745,304	62.1%	3,500,000	687,500	2,975,786	1,544,933	51.9%
subtotal	\$ 75,137,365	\$ 62,949,496	83.8%	\$ 81,147,223	\$ 6,009,858	\$ 76,402,722	\$ 57,643,926	75.4%
Other Revenues	5,026,452	3,697,715	73.6%	5,436,361	409,909	4,743,356	2,926,010	61.7%
Total Revenues	\$ 80,163,817	\$ 66,647,211	83.1%	\$ 86,583,584	\$ 6,419,767	\$ 81,146,078	\$ 60,569,937	74.6%
 Carryforward Fund Balance	 12,639,800							



GENERAL FUND

Expenditure Reports



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (unaudited)
Expenditure Summary by Department
 As of February 28, 2023

Expenditures by Department:

	Current Fiscal Year						Prior Fiscal Year		
	2023 Budget	2023 Encumbrances	2023 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.	2022 Exp. (Total)	2022 Exp. (YTD)	% Exp.
Mayor & Council	\$ 399,287	\$ 4,221	\$ 218,790	\$ 176,275	55.9%	54.8%	\$ 350,347	\$ 243,514	69.5%
City Administration	1,478,133	11,656	968,488	497,989	66.3%	65.5%	1,440,308	1,025,896	71.2%
Finance	3,698,826	30,475	2,650,815	1,017,536	72.5%	71.7%	3,451,127	2,480,856	71.9%
City Attorney	1,100,000	-	510,860	589,140	46.4%	46.4%	1,062,905	420,691	39.6%
Information Technology	2,397,117	25,324	1,429,119	942,674	60.7%	59.6%	1,894,045	1,281,091	67.6%
Human Resources	855,513	10,177	510,817	334,519	60.9%	59.7%	606,075	415,975	68.6%
Municipal Court	1,148,200	25,951	747,174	375,075	67.3%	65.1%	1,080,027	713,074	66.0%
Public Safety	36,784,627	478,429	23,588,363	12,717,835	65.4%	64.1%	32,217,831	21,631,972	67.1%
Public Works	10,156,073	640,414	6,020,469	3,495,190	65.6%	59.3%	8,853,638	5,599,500	63.2%
Recreation, Parks & Cultural Svcs	12,642,221	1,201,233	7,331,951	4,109,037	67.5%	58.0%	10,281,112	6,382,835	62.1%
Community & Economic Development	4,631,115	44,913	2,919,448	1,666,754	64.0%	63.0%	4,081,289	2,765,551	67.8%
subtotal	\$ 75,291,112	\$ 2,472,793	\$ 46,896,294	\$ 25,922,025	65.6%	62.3%	\$ 65,318,703	\$ 42,960,955	65.8%
General Government:									
Insurance Premiums (Risk)	\$ 823,300	\$ -	\$ 548,867	\$ 274,433	66.7%	66.7%	\$ 779,750	\$ 519,833	66.7%
Gwinnett Tech Bond P&I	288,640	-	41,820	246,820	14.5%	14.5%	289,640	44,820	15.5%
Transfer(s) to other Funds	15,639,800	-	10,426,533	5,213,267	66.7%	66.7%	7,486,799	4,991,199	66.7%
Contingency	760,765	6,400	11,508	742,857	2.4%	1.5%	60,167	54,629	90.8%
subtotal	\$ 17,512,505	\$ 6,400	\$ 11,028,728	\$ 6,477,377	63.0%	63.0%	\$ 8,616,356	\$ 5,610,482	65.1%
Total Expenditures	\$ 92,803,617	\$ 2,479,193	\$ 57,925,022	\$ 32,399,402	65.1%	62.4%	\$ 73,935,059	\$ 48,571,437	65.7%



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (unaudited)
Expenditure Summary by Category
 As of February 28, 2023

Current Fiscal Year								Prior Fiscal Year		
	2023 Budget	2023 Encumbrances	2023 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.		2022 Exp. (Total)	2022 Exp. (YTD)	% Exp.
Expenditures by Category:										
Salaries & Benefits:										
(1) Regular Salaries	\$ 33,392,015	\$ -	\$ 20,169,919	\$ 13,222,096	60.4%	60.4%		\$ 28,833,638	\$ 18,124,402	62.9%
Overtime	2,194,413	-	1,901,078	293,335	86.6%	86.6%		2,452,865	1,556,801	63.5%
Group Insurance	10,080,112	-	5,721,351	4,358,761	56.8%	56.8%		8,085,777	5,597,190	69.2%
FICA and Social Security	2,707,536	-	1,606,667	1,100,869	59.3%	59.3%		2,277,379	1,424,590	62.6%
Defined Benefit Pension	2,869,712	-	2,869,712	-	100.0%	100.0%		2,818,660	2,818,660	100.0%
401(A) Retirement/Match	2,952,059	-	1,799,045	1,153,014	60.9%	60.9%		2,548,264	1,627,348	63.9%
(2) Other	1,568,016	-	1,247,180	320,836	79.5%	79.5%		1,402,233	1,126,378	80.3%
subtotal	\$ 55,763,863	\$ -	\$ 35,314,951	\$ 20,448,912	63.3%	63.3%		\$ 48,418,816	\$ 32,275,370	66.7%
Maintenance & Operations:										
Professional Services	\$ 3,281,284	\$ 488,004	\$ 1,802,252	\$ 991,028	69.8%	54.9%		\$ 2,848,177	\$ 1,912,295	67.1%
Legal Services	1,100,000	-	510,860	589,140	46.4%	46.4%		1,062,905	420,691	39.6%
Vehicle Fuel/Maintenance	1,072,560	20,876	747,924	303,761	71.7%	69.7%		1,237,660	714,173	57.7%
Maintenance Contracts	3,825,274	1,199,352	2,194,902	431,021	88.7%	57.4%		3,005,871	1,725,818	57.4%
IT Professional Services	2,543,248	472,591	1,749,723	320,934	87.4%	68.8%		1,962,573	1,575,478	80.3%
General Supplies	1,030,219	111,647	608,343	310,229	69.9%	59.0%		893,611	585,447	65.5%
Utilities	2,901,441	-	1,687,109	1,214,332	58.1%	58.1%		2,748,597	1,594,891	58.0%
Insurance Premiums (Risk)	823,300	-	548,867	274,433	66.7%	66.7%		779,750	519,833	66.7%
Other	3,090,338	180,324	1,766,926	1,143,088	63.0%	57.2%		2,462,929	1,598,174	64.9%
subtotal	\$ 19,667,664	\$ 2,472,793	\$ 11,616,905	\$ 5,577,966	71.6%	59.1%		\$ 17,002,074	\$ 10,646,800	62.6%
Capital:										
OSSI/Fire Truck Leases	\$ 659,858	\$ -	\$ 510,780	\$ 149,078	77.4%	77.4%		\$ 675,893	\$ 558,618	82.6%
Other	23,027	-	2,525	20,502	11.0%	11.0%		1,671	-	0.0%
subtotal	\$ 682,885	\$ -	\$ 513,305	\$ 169,580	75.2%	75.2%		\$ 677,563	\$ 558,618	82.4%
General Government:										
Gwinnett Tech Bond P&I	\$ 288,640	\$ -	\$ 41,820	\$ 246,820	14.5%	14.5%		\$ 289,640	\$ 44,820	15.5%
Transfer(s) to other Funds	15,639,800	-	10,426,533	5,213,267	66.7%	66.7%		7,486,799	4,991,199	66.7%
Contingency	760,765	6,400	11,508	742,857	2.4%	1.5%		60,167	54,629	90.8%
subtotal	\$ 16,689,205	\$ 6,400	\$ 10,479,861	\$ 6,202,944	62.8%	62.8%		\$ 7,836,606	\$ 5,090,649	65.0%
Total Expenditures	\$ 92,803,617	\$ 2,479,193	\$ 57,925,022	\$ 32,399,402	65.1%	62.4%		\$ 73,935,059	\$ 48,571,437	65.7%

Notes:

- (1) Includes the following components: regular salaries, holiday leave, temporary and seasonal salaries, and separation payout.
- (2) Includes the following components: workers compensation, educational programs, automobile allowance, tuition reimbursement, and employee service awards.



GRANT AND CAPITAL FUNDS

Revenue & Expenditure Reports



CITY OF ALPHARETTA
 Financial Management Reports
 Grant Funds
Operating Grant Fund Detail (Fund 220; life-to-date for active projects)
 As of February 28, 2023

			Project Snapshot: FY2013 - FY2022		FY 2023					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenues										
City Administration										
22013230-371000	C2100	MURAL ART PROJECT	15,915	15,915	\$ -	\$ -	\$ -	\$ -		\$ -
		subtotal			\$ -	\$ -	\$ -	\$ -		\$ -
Public Safety										
22031150-331110	C1730	2017 BULLETPROOF VEST (DOJ)	13,179	12,462	\$ -	\$ 717	\$ 717	\$ -		\$ 717
22031150-331110	C1831	2018 BULLETPROOF VEST (DOJ)	15,375	7,314	-	8,061	8,061	-		8,061
22031150-331110	C2018	2019 BULLETPROOF VEST (DOJ)	19,188	3,353	-	15,835	15,835	1,406		14,429
22031150-331110	C2059	2020 BULLETPROOF VEST (DOJ)	17,159	-	-	17,159	17,159	4,135		13,024
22031150-331110	C2115	2021 BULLETPROOF VEST (DOJ)	11,624	-	-	11,624	11,624	1,758		9,866
22031150-331110	C2243	2022 BULLETPROOF VEST (DOJ)	27,408	-	-	27,408	27,408	-		27,408
22031150-371000	C2310	ALPHA BUS. ASSOC. K-9	17,000	-	-	17,000	17,000	17,000		-
23031150-331110	C2311	2022 JUSTICE ASSISTANCE GRANT	10,135	-	-	10,135	10,135	-		10,135
		subtotal			\$ -	\$ 107,939	\$ 107,939	\$ 24,299		\$ 83,640
Recreation, Parks & Cultural Services										
22061150-347509	C2039	WIRE & WOOD (ACVB SPONSOR)	152,000	102,000	\$ -	\$ 50,000	\$ 50,000	\$ 50,000		\$ -
22061150-371000	C2212	PARKING PERMIT - FILM	4,000	4,000	-	-	-	-		-
22061150-336000	C2213	2021 CAMP HAPPY HEARTS	5,000	5,000	-	-	-	-		-
22061150-336000	C2215	FC ARTS & CULTURE	7,800	7,800	-	-	-	-		-
22061150-336001	C2234	ARTS CENTER (CERAMICS)	3,063	2,248	-	815	815	815		0
22061150-347509	C2239	NORTH PARK SOFTBALL TOURNEY	2,397	2,397	-	-	-	-		-
22061150-336000	C2247	2022 CAMP HAPPY HEARTS	5,000	-	-	5,000	5,000	5,000		-
22061150-336000	C2306	FULTON COUNTY ARTS & CULTURE	15,000	-	-	15,000	15,000	15,000		-
22061150-371000	C2308	MUSIC MATCH APPLICATIONS	2,175	-	-	2,175	2,175	2,385		(210)
		subtotal			\$ -	\$ 72,990	\$ 72,990	\$ 73,200		\$ (210)
General Government										
22090200-361000		INTEREST EARNINGS			\$ -	\$ -	\$ -	2,558		\$ (2,558)
22090200-362000		REALIZED GAIN/LOSS ON INVS			-	-	-	(243)		243
22090200-363000		UNREALIZED GAIN/LOSS			-	-	-	(891)		891
22090200-395000		CARRYFORWARD FUND BALANCE			-	117,013	117,013	-		117,013
		subtotal			\$ -	\$ 117,013	\$ 117,013	\$ 1,425		\$ 115,588
		Total			\$ -	\$ 297,942	\$ 297,942	\$ 98,923		\$ 199,019



CITY OF ALPHARETTA

Financial Management Reports

Grant Funds

Operating Grant Fund Detail (Fund 220; life-to-date for active projects)

As of February 28, 2023

		Project Snapshot: FY2013 - FY2022		FY 2023					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Expenditures									
City Administration									
22013230-521200	C2100 MURAL ART PROJECT	17,215	2,800	\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415
	subtotal			\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415
Public Safety									
22031150-542100	C1730 2017 BULLETPROOF VEST (DOJ)	26,357	24,925	\$ -	\$ 1,432	\$ 1,432	\$ -	\$ -	\$ 1,432
22031150-542100	C1831 2018 BULLETPROOF VEST (DOJ)	30,751	16,675	-	14,076	14,076	-	-	14,076
22031150-542100	C2018 2019 BULLETPROOF VEST (DOJ)	38,374	12,280	-	26,094	26,094	-	-	26,094
22031150-542100	C2059 2020 BULLETPROOF VEST (DOJ)	30,694	4,646	-	26,048	26,048	13,610	-	12,438
22031150-542100	C2115 2021 BULLETPROOF VEST (DOJ)	23,248	-	-	23,248	23,248	15,268	-	7,980
22031150-542100	C2243 2022 BULLETPROOF VEST (DOJ)			-	54,816	54,816	-	-	54,816
22031150-521200	C2310 ALPHA BUS. ASSOC K-9	17,000	-	-	17,000	17,000	-	-	17,000
223031150-531600	C2311 2022 JUSTICE ASSISTANCE GRANT			-	10,135	10,135	5,150	-	4,985
	subtotal			\$ -	\$ 172,849	\$ 172,849	\$ 34,028	\$ -	\$ 138,821
Recreation, Parks & Cultural Services									
22061159-521200	C2039 WIRE & WOOD (ACVB SPONSOR)	100,000	50,000	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ 50,000	\$ -
22061150-531100	C2101 SPECIAL NEEDS EXPO / EVENT	1,018	-	-	1,018	1,018	-	-	1,018
22061150-531100	C2102 FULTON GOLDEN GAMES	3,630	-	-	3,630	3,630	-	-	3,630
22061150-531100	C2212 PARKING PERMIT - FILM	4,000	3,750	-	250	250	-	-	250
22061150-531100	C2213 2020 CAMP HAPPY HEARTS	5,000	2,671	-	2,329	2,329	2,329	-	-
22061150-531100	C2215 FC ARTS & CULTURE	7,800	6,056	-	1,744	1,744	1,744	-	-
22061150-531100	C2234 ARTS CENTER (CERAMICS)	3,064	1,604	-	1,460	1,460	1,166	-	294
22061150-531100	C2237 PARTNERED EVENTS	5,000	-	-	5,000	5,000	4,040	900	60
22061150-523300	C2239 NORTH PARK SOFTBALL TOURNEY	2,397	-	-	2,397	2,397	2,397	-	-
22061150-531100	C2247 2022 CAMP HAPPY HEARTS	5,000	-	-	5,000	5,000	-	-	5,000
22061150-521200	C2306 FULTON COUNTY ARTS & CULTURE	15,000	-	-	15,000	15,000	6,515	750	7,735
22061150-521200	C2308 MUSIC MATCH APPLICATIONS	2,175	-	-	2,175	2,175	2,175	-	-
	subtotal			\$ -	\$ 90,003	\$ 90,003	\$ 20,366	\$ 51,650	\$ 17,987
Non-Allocated									
22090200-579000	CONTINGENCY			\$ -	\$ 20,675	\$ 20,675	\$ -	\$ -	\$ 20,675
22090200-579011	MATCH (GRANTS UNDER REVIEW)			-	-	-	-	-	-
	subtotal			\$ -	\$ 20,675	\$ 20,675	\$ -	\$ -	\$ 20,675
	Total			\$ -	\$ 297,942	\$ 297,942	\$ 54,394	\$ 51,650	\$ 191,898



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds
Capital Grant Fund Detail (Fund 340; life-to-date for active projects)
As of February 28, 2023

Account #		Project		Project Snapshot: FY2013 - FY2022		FY 2023					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue											
Public Safety											
34034450-331150	C2244	2020 HOMELAND SECURITY GRANT		45,900	-	\$ -	\$ 45,900	\$ 45,900	\$ 44,100		\$ 1,800
34031150-331150	C2246	2021 HOMELAND SECURITY GRANT		22,500	-	-	22,500	22,500	-		22,500
subtotal						\$ -	\$ 68,400	\$ 68,400	\$ 44,100		\$ 24,300
Public Works											
34041100-334310	C1219	MILLING AND RESURFACING (LMIG)		5,879,265	5,234,146	\$ -	\$ 645,119	\$ 645,119	\$ 645,118		\$ 1
34041100-334350	C1927	WINDWARD TRIPLE LEFTS		1,207,200	-	\$ -	\$ 1,207,200	1,207,200	-		1,207,200
34041100-331150	C2242	NORTHPOINT ALPHALINK (ARC/LCI)		1,000,000	-	-	1,000,000	1,000,000	-		1,000,000
34041100-331350	C2249	WILLS PARK BUFFER - EPD GRANT		200,000	-	-	200,000	200,000	-		200,000
34041100-331350	C2305	ALPHALOOP (LANDWATER)		500,000	-	-	500,000	500,000	-		500,000
subtotal						\$ -	\$ 3,552,319	\$ 3,552,319	\$ 645,118		\$ 2,907,201
Recreation, Parks & Cultural Services											
30161150-371000	C2248	CITY AGRICULTURE PLAN (FOOD WELL)		75,000	-	\$ -	\$ 75,000	\$ 75,000	\$ 75,000		\$ -
subtotal						\$ -	\$ 75,000	\$ 75,000	\$ 75,000		\$ -
Community Development											
34074150-331350	C2107	NORTH POINT PKWY IMP		1,667,000	663,593	\$ -	\$ 1,003,407	\$ 1,003,407	\$ 67,412		\$ 935,995
34074150-331150	C2114	S MAIN ST ARC STUDY		160,000	34,800	-	125,200	125,200	125,200		-
subtotal						\$ -	\$ 1,128,607	\$ 1,128,607	\$ 192,612		\$ 935,995
General Government											
34090200-361000		INTEREST EARNINGS				\$ -	\$ -	\$ -	39		\$ (39)
34090200-362000		REALIZED GAIN/LOSS ON INVS				-	-	-	(784)		784
34090200-363000		UNREALIZED GAIN/LOSS				-	-	-	(4,487)		4,487
34090200-395000		CARRYFORWARD FUND BALANCE				-	148,441	148,441	-		148,441
subtotal						\$ -	\$ 148,441	\$ 148,441	\$ (5,232)		\$ 153,673
Total						\$ -	\$ 4,972,767	\$ 4,972,767	\$ 951,598		\$ 4,021,169



CITY OF ALPHARETTA

Financial Management Reports

Grant Funds

Capital Grant Fund Detail (Fund 340; life-to-date for active projects)

As of February 28, 2023

			Project Snapshot: FY2013 - FY2022		FY 2023						
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget	
Account #	Project										
Expenditures											
Public Safety											
34031150-542100	C2244	HOMELAND SECURITY GRANT	45,900	-	\$ -	\$ 45,900	\$ 45,900	\$ 44,100	\$ -	\$ 1,800	
34031150-542100	C2246	HOMELAND SECURITY GRANT	22,500	-	-	22,500	22,500	22,259	-	241	
subtotal					\$ -	\$ 68,400	\$ 68,400	\$ 66,359	\$ -	\$ 2,041	
Public Works											
34041100-541410	C1219	MILLING AND RESURFACING (LMIG)	5,879,265	5,234,146	\$ -	\$ 645,119	\$ 645,119	\$ 645,119	\$ -	\$ -	
34041100-541410	C1927	WINDWARD TRIPLE LEFTS	1,207,200	-	-	1,207,200	1,207,200	1,207,200	-	-	
34041100-521200	C2242	NORTHPOINT ALPHALINK (ARC/LCI)	1,000,000	-	-	1,000,000	1,000,000	-	-	1,000,000	
34041100-541430	C2249	WILLS PARK BUFFER - EPD GRANT	200,000	-	-	200,000	200,000	-	191,698	8,302	
34041100-541420	C2305	ALPHALOOP (LANDWATER)	500,000	-	-	500,000	500,000	-	500,000	-	
subtotal					\$ -	\$ 3,552,319	\$ 3,552,319	\$ 1,852,319	\$ 691,698	\$ 1,008,302	
Recreation, Parks & Cultural Services											
34061150-541500	C2248	CITY AGRICULTURE PLAN (FOOD WELL)	75,000	-	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000	
subtotal					\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000	
Community Development											
34074150-541410	C2107	NORTH POINT PKWY IMP	2,083,750	903,123	\$ -	\$ 1,180,627	\$ 1,180,627	\$ 218,214	\$ 962,412	\$ 1	
34074150-521200	C2114	S MAIN ST ARC STUDY	160,000	54,400	-	105,600	105,600	96,400	9,200	-	
subtotal					\$ -	\$ 1,286,227	\$ 1,286,227	\$ 314,614	\$ 971,612	\$ 1	
Non-Allocated											
34090200-579000		CONTINGENCY			\$ -	\$ (9,179)	\$ (9,179)	\$ -	\$ -	\$ (9,179)	
subtotal					\$ -	\$ (9,179)	\$ (9,179)	\$ -	\$ -	\$ (9,179)	
Total					\$ -	\$ 4,972,767	\$ 4,972,767	\$ 2,233,293	\$ 1,663,310	\$ 1,076,165	



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
 As of February 28, 2023

Account #			Project Snapshot: FY2013 - FY2022		FY 2023					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue										
30113230-371000	C1618	CONVENTION CENTER (DESIGN)	-	-	\$ -	\$ -	\$ -	\$ 2		\$ (2)
30131150-393500	C1241	CAPITAL LEASE - FIRE TRUCK	2,353,251	-	-	2,353,251	2,353,251	-		2,353,251
30141100-336000	C1410	RUCKER RD WATERLINE	1,562,604	1,459,845	-	102,759	102,759	-		102,759
30141100-336000	C1702	KIMBALL BR RD IMPROVEMENTS	6,146,784	5,544,518	-	602,266	602,266	-		602,266
30141100-336000	C2104	WBR PH 4 (NPP-GREENWAY)	333,925	-	-	333,925	333,925	-		333,925
30141100-371000	C2113	ENCORE GREENWAY GATEWAY	430,000	-	-	430,000	430,000	-		430,000
30141100-336000	C2238	DAVIS DR. WATER (COUNTY)	364,488	-	-	364,488	364,488	248,440		116,048
30141100-371000	C2305	ALPHALOOP (OMP-NORTHWINDS)	110,000	-	-	110,000	110,000	110,000		-
30161150-392400		SALE OF NON CAPITAL ASSETS	400	-	-	400	400	400		-
30161150-371000	C1911	EQUESTRIAN CTR (FOUNDATION)	245,454	-	-	245,454	245,454	28,410		217,044
30161150-371000	C1926	NORTHSIDE MOU (PARKS)	15,000	-	-	15,000	15,000	15,000		-
30161150-371000	C1929	COMM AG PROGRAM	62,683	50,135	-	12,548	12,548	13,804		(1,256)
30161150-371000	C2010	MEMORIAL-PARK ENHANCEMENTS	23,700	11,100	-	12,600	12,600	23,600		(11,000)
30161150-371000	C2309	WACKY WORLD 2.0 (DONATIONS)	33	-	-	33	33	32		1
30174150-337000	C0910	TREE REPLACEMENT FUND (CONTRIBUTION)	467,450	467,450	-	-	-	14,400		(14,400)
30113230-336000	C0924	ECONOMIC DEVELOPMENT PLAN	37,500	-	-	37,500	37,500	-		37,500
		subtotal			\$ -	\$ 4,620,224	\$ 4,620,224	\$ 454,089		\$ 4,166,135
Non-Departmental										
30190200-395000		CARRYFORWARD FUND BALANCE			\$ 2,500,000	\$ 6,101,350	\$ 8,601,350	\$ -		\$ 8,601,350
30190200-391100		TRANSFER-IN FROM THE GENERAL FUND			11,439,800	-	11,439,800	7,626,533		3,813,267
30190200-363000		UNREALIZED GAIN/LOSS INV			-	-	-	(47,240)		47,240
30190200-362000		REALIZED GAIN/LOSS INV			-	-	-	(17,366)		17,366
30190200-361000		INTEREST EARNINGS			155,000	-	155,000	174,639		(19,639)
		subtotal			\$ 14,094,800	\$ 6,101,350	\$ 20,196,150	\$ 7,736,566		\$ 12,459,584
		Total			\$ 14,094,800	\$ 10,721,574	\$ 24,816,374	\$ 8,190,655		\$ 16,625,719



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
 As of February 28, 2023

				Project Snapshot: FY2013 - FY2022		FY 2023					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project										
Expenditures											
Administration											
30113230-542400	C1404	WEBSITE UPGRADE		145,000	-	\$ 145,000	\$ -	\$ 145,000	\$ -	\$ -	\$ 145,000
30113230-544100	C2105	BUSINESS RECOVERY PROGRAM		150,000	50,000	-	100,000	100,000	-	-	100,000
subtotal						\$ 145,000	\$ 100,000	\$ 245,000	\$ -	\$ -	\$ 245,000
Finance											
30115150-542400	C1141	TYLER ERP SYSTEM		363,044	354,302	\$ -	\$ 8,742	\$ 8,742	\$ 1,977	\$ 3,612	\$ 3,153
subtotal						\$ -	\$ 8,742	\$ 8,742	\$ 1,977	\$ 3,612	\$ 3,153
Information Technology											
30117400-542400	C0900	CISCO DATA NETWORK		300,002	189,138	\$ -	\$ 110,864	\$ 110,864	\$ -	\$ 109,264	\$ 1,600
30117400-542400	C1000	GIS AERIAL MAPPING		50,001	48,284	-	1,717	1,717	1,014	702	1
30117400-542400	C1103	NETWORK AND VOIP		717,679	154,210	200,000	363,469	563,469	-	246,681	316,788
30117400-542400	C1312	BACKUP DATA STORAGE MGMT.		510,003	488,947	-	21,056	21,056	-	-	21,056
30117400-542400	C1313	TECHNOLOGY REPLACEMENT		3,112,369	2,591,587	250,000	270,782	520,782	74,483	364,833	81,466
30117400-542400	C1615	APP/DESKTOP VIRTUALIZATION		400,145	116,249	-	283,896	283,896	12,500	-	271,396
30117400-542400	C2201	CITY COUNCIL A/V REPLACEMENT		300,001	30,185	-	269,816	269,816	-	164,829	104,987
30117400-544200	C2300	BUSINESS CONTINUITY STUDY		50,000	-	50,000	-	50,000	-	-	50,000
subtotal						\$ 500,000	\$ 1,321,600	\$ 1,821,600	\$ 87,998	\$ 886,309	\$ 847,293
Human Resources											
30118450-542400	C1222	RECORDS MANAGEMENT		72,500	-	\$ 72,500	\$ -	\$ 72,500	\$ 15,631	\$ -	\$ 56,869
subtotal						\$ 72,500	\$ -	\$ 72,500	\$ 15,631	\$ -	\$ 56,869
Municipal Court											
30126550-542400	C1222	RECORDS MANAGEMENT		39,600	32,900	\$ -	\$ 6,700	\$ 6,700	\$ 2,800	\$ 3,900	\$ -
subtotal						\$ -	\$ 6,700	\$ 6,700	\$ 2,800	\$ 3,900	\$ -



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Account #		Project		Project Snapshot: FY2013 - FY2022		FY 2023					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Public Safety											
30131150-542200	C1202	FLEET REPLACEMENT		8,015,845	6,142,656	\$ 1,375,000	\$ 498,189	\$ 1,873,189	\$ 59,322	\$ 1,770,765	\$ 43,103
30131150-541300	C1229	PS ROOF REPAIR		1,197,111	904,690	300,000	(7,579)	292,421	229,548	37,872	25,001
30131150-542200	C1241	FLEET - FIRE TRUCK		2,353,251	-	-	2,353,251	2,353,251	-	-	2,353,251
30131150-542100	C1401	PS EQUIPMENT REPLACEMENT		1,513,924	1,140,581	263,000	110,343	373,343	147,727	122,179	103,438
30131150-541300	C1706	RAPSTC IMPROVEMENTS		492,531	173,695	-	318,836	318,836	-	-	318,836
30131150-542400	C2052	SECURITY SYSTEM REFRESH		400,059	129,485	220,000	50,574	270,574	177,219	85,690	7,666
30131150-542100	C2055	LICENSE PLATE READER PROGRAM		20,000	-	-	20,000	20,000	8,693	-	11,307
30131150-542100	C2207	LUCAS DEVICES		176,000	169,942	-	6,058	6,058	-	-	6,058
30131150-542100	C2235	CRABAPPLE TRAINING FACILITY		43,870	37,552	-	6,318	6,318	838	-	5,480
30131150-542400	C2301	CAD/RECORDS MANAGEMENT SOFTWARE		2,250,000	-	2,250,000	-	2,250,000	4,579	-	2,245,421
30131150-542100	C2302	ALL TERRAIN VEHICLES		11,310	-	11,310	-	11,310	10,666	-	644
30131150-542100	C2303	2023 OP INITIATIVES EQUIPMENT		449,500	-	449,500	-	449,500	-	449,500	-
30131150-541300	C2314	FIRE STATION FACILITIES ASSESSMENT		75,000	-	-	75,000	75,000	-	-	75,000
		subtotal				\$ 4,868,810	\$ 3,430,990	\$ 8,299,800	\$ 638,591	\$ 2,466,005	\$ 5,195,204
Public Works											
30141100-541410	C0041	TRAFFIC SIGNAL INTERCONNECT		279,781	275,044	\$ -	\$ 4,737	\$ 4,737	\$ 3,810	\$ 927	\$ -
30141100-541200	C0910	TREE REPLACEMENT FUND		1,626,301	1,404,067	-	222,234	222,234	81,310	7,220	133,705
30141100-541200	C1008	CEMETERY AUTHORITY-MAINTENANCE		479,543	207,186	-	272,357	272,357	12,918	20,478	238,961
30141100-541410	C1207	BRIDGE MAINTENANCE		665,212	377,330	200,000	87,882	287,882	16,705	12,453	258,724
30141100-541410	C1215	STRIPING & SIGNAGE		2,014,664	1,814,664	200,000	-	200,000	145,739	1,314	52,947
30141100-541410	C1217	TRAFFIC CALMING & INTERSECTION IMP		553,584	432,814	100,000	20,770	120,770	51,539	14,101	55,131
30141100-541410	C1218	TRAFFIC SIGNAL SYSTEM MAINTENANCE		804,267	691,872	100,000	12,395	112,395	66,236	40,000	6,159
30141100-541410	C1219	MILLING AND RESURFACING		24,017,759	21,564,565	1,000,000	1,453,194	2,453,194	207,741	2,126,279	119,174
30141100-541410	C1220	TRAFFIC CONTROL EQUIPMENT		987,078	887,078	100,000	-	100,000	53,787	17,205	29,009
30141100-541410	C1221	DESIGN SERVICES		943,300	794,459	75,000	73,841	148,841	73,611	19,281	55,948
30141100-542200	C1223	FLEET REPLACEMENT		1,482,222	1,091,468	195,000	195,754	390,754	76,655	299,656	14,443
30141100-541200	C1302	TREE PLANTING & LANDSCAPING IMP		1,222,771	817,220	100,000	305,551	405,551	206,697	78,178	120,677
30141100-542100	C1802	PW EQUIPMENT REPLACEMENT		217,373	173,446	36,000	7,927	43,927	25,374	-	18,553
30141100-541410	C1901	TRAFFIC RESPONSIVE SYSTEM MAINT		450,001	299,856	100,000	50,145	150,145	86,318	63,402	425
30141100-541300	C1902	FIRE STATION RENOVATIONS		435,003	419,519	75,000	(59,516)	15,484	-	-	15,484



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		Project Snapshot: FY2013 - FY2022		FY 2023					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30141100-541300	C1904 PW HQ RENOVATIONS	178,037	121,982	50,000	6,055	56,055	3,625	-	52,430
30141100-541410	C1918 PEDESTRIAN SAFETY STUDY	301,337	296,115	85,000	(79,778)	5,222	-	-	5,222
30141100-541410	C1935 WINDWARD PKWY WEST IMPROVEMENTS	305,753	203,977	-	101,776	101,776	1,540	-	100,236
30141100-541300	C2003 HVAC REPLACEMENTS	292,002	227,797	62,000	2,205	64,205	49,977	8,863	5,365
30141100-541300	C2004 GENERATOR REPLACEMENTS	295,075	187,197	-	107,878	107,878	-	101,830	6,048
30141100-542400	C2026 TCC HARDWARE/SOFTWARE	170,001	77,836	50,000	42,165	92,165	5,510	5,100	81,555
30141100-541410	C2048 STREETLIGHT MAINTENANCE	269,079	104,108	80,000	84,971	164,971	53,670	56,973	54,329
30141100-541500	C2050 REC FACILITY MAINTENANCE	155,000	46,645	30,000	78,355	108,355	25,362	4,757	78,236
30141100-541300	C2053 PARKING GARAGE MAINTENANCE	145,351	36,582	100,000	8,769	108,769	13,125	16,150	79,494
30141100-541410	C2104 WEBB BR ROAD PH4 (NPP-GREENWAY)	333,925	-	-	333,925	333,925	-	-	333,925
30141100-541410	C2113 ENCORE GREENWAY GATEWAY	430,000	19,456	-	410,544	410,544	104,044	306,500	0
30141100-544200	C2200 CITY TRASH RECEPTACLE SERVICE	100,001	39,159	50,000	10,842	60,842	30,997	13,886	15,959
30141100-541410	C2209 SCRAMBLE INTERSECTION	27,248	-	-	27,248	27,248	24,054	3,194	1
30141100-541410	C2238 DAVIS DR WATER (COUNTY)	364,488	-	-	364,488	364,488	248,440	116,048	-
30141100-521200	C2242 NORTHPOINT ALPHALINK (ARC/LCI)	365,000	-	-	365,000	365,000	28,288	8,571	328,142
30141100-541420	C2305 ALPHALOOP (OMP - NORTHWINDS)	247,403	-	-	247,403	247,403	84,839	-	162,564
30141100-541410	C2315 LOCAL ROADS SAFETY ACTION PLAN	199,778	-	-	199,778	199,778	-	-	199,778
	subtotal			\$ 2,788,000	\$ 4,958,895	\$ 7,746,895	\$ 1,781,910	\$ 3,342,363	\$ 2,622,622
Recreation, Parks & Cultural Services									
30161150-541500	C0922 SYNTHETIC TURF REPLACEMENT	1,014,966	464,966	\$ 550,000	\$ -	\$ 550,000	\$ 512,058	\$ 24,880	\$ 13,062
30161150-541200	C1210 TREE REMOVAL			150,000	110,000	260,000	149,265	735	110,000
30161150-541500	C1221 DESIGN SERVICES	214,224	186,473	20,000	7,751	27,751	10,020	8,650	9,081
30161150-541300	C1229 FACILITY ROOF REPAIR	494,741	-	700,000	(205,259)	494,741	303,291	191,450	-
30161150-542200	C1232 FLEET	412,578	72,130	120,000	220,448	340,448	130,532	29,916	180,000
30161150-542100	C1402 RP EQUIPMENT REPLACEMENT	837,218	699,218	100,000	38,000	138,000	38,361	53,760	45,880
30161150-541500	C1424 WILL PARK POOL EXPANSION	59,000	51,200	-	7,800	7,800	-	-	7,800
30113230-544200	C1527 VETERANS MEMORIAL	105,667	75,806	-	29,861	29,861	-	-	29,861
30161150-541500	C1614 THE STORIES PROJECT	85,000	31,065	35,000	18,935	53,935	-	-	53,935
30161150-541510	C1636 GREENWAY REPAIR AND MAINTENANCE	907,169	370,594	155,000	381,575	536,575	20,579	333,220	182,776
30161150-541500	C1804 PARK REPAIRS/IMPROVEMENTS	731,553	521,159	300,000	(89,606)	210,394	210,393	-	1
30161150-541500	C1806 PARKS PLAYGROUND EQUIPMENT	490,721	277,238	150,000	63,483	213,483	-	-	213,483
30161150-544100	C1807 PUBLIC ARTS PROGRAM	231,000	170,000	45,000	16,000	61,000	32,550	13,950	14,500



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				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30161150-541500	C1911	EQUESTRIAN CENTER (FOUNDATION)		245,454	-	-	245,454	245,454	28,410	217,043	1
30161150-521200	C1926	NORTHSIDE MOU (PARKS)		11,400	-	-	11,400	11,400	-	11,400	-
30161150-541500	C1926	NORTHSIDE MOU (PARKS)		149,903	117,657	-	32,246	32,246	708	-	31,538
30161150-541500	C1929	COMMUNITY AGRICULTURE PROGRAM		62,687	35,170	-	27,517	27,517	6,279	11,600	9,638
30161150-541500	C2010	PARK ENHANCEMENTS		611,179	465,437	125,000	20,742	145,742	100,072	23,602	22,068
30161150-541500	C2030	TOWN GREEN IMPROVEMENTS		250,000	-	250,000	-	250,000	14,723	14,777	220,500
30161150-541500	C2031	INNOVATION ACADEMY IGA		249,992	249,638	-	354	354	354	-	-
30161150-541500	C2051	FOUNTAIN MAINTENANCE		36,306	27,309	-	8,997	8,997	-	-	8,997
30161150-541500	C2202	ATHLETIC COURTS RESURFACING		98,433	58,433	40,000	-	40,000	-	9,935	30,065
30161150-541500	C2245	WILL PARK MAINTENANCE FACILITY		215,325	766	-	214,559	214,559	71,362	143,195	2
30161150-541500	C2248	CITY AGRICULTURE PLAN (FOOD WELL)		75,000	-	-	75,000	75,000	-	-	75,000
30161150-541500	C2304	PARK WOOD POLE REPLACEMENT		200,000	-	200,000	-	200,000	-	-	200,000
30161150-541500	C2309	WACKY WORLD 2.0 (DONATIONS)		33	-	-	33	33	-	-	33
		subtotal				\$ 2,940,000	\$ 1,235,290	\$ 4,175,290	\$ 1,628,958	\$ 1,088,112	\$ 1,458,220
Community Development											
30174150-544100	C0019	DOWNTOWN PARKING FUND		576,749	297,748	\$ -	\$ 279,001	\$ 279,001	\$ -	\$ -	\$ 279,001
30174150-544100	C0924	ECONOMIC DEVELOPMENT PLAN		107,640	62,500	-	45,140	45,140	15,000	30,140	-
30174150-544200	C1300	CITY ECON DEVELOPMENT TOOLKIT		263,260	202,010	-	61,250	61,250	-	-	61,250
30174150-542200	C1433	FLEET REPLACEMENT		60,000	-	60,000	-	60,000	59,932	-	68
30174150-541410	C1603	DESIGN SERVICES		526,003	376,257	40,000	109,746	149,746	35,172	66,715	47,859
30174150-541410	C2107	NORTH POINT PARKWAY IMPROVEMENTS		78,500	52,670	-	25,830	25,830	25,797	33	0
30174150-542400	C2111	COMMUNITY DEVELOPMENT EQUIPMENT		21,000	7,993	-	13,007	13,007	-	-	13,007
30174150-521200	C2114	S MAIN ST ARC STUDY		40,000	13,600	-	26,400	26,400	24,100	2,300	-
30174150-521200	C2307	WINDWARD-HWY9 MASTER PLAN MOU		60,000	-	-	60,000	60,000	700	-	59,300
		subtotal				\$ 100,000	\$ 620,374	\$ 720,374	\$ 160,701	\$ 99,188	\$ 460,486



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		Project Snapshot: FY2013 - FY2022		FY 2023					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures		Available Budget
Account #	Project						Encumbrances		
Non-Departmental									
30190200-579000	NON-ALLOCATED			\$ 2,645,490	\$ (926,017)	\$ 1,719,473	\$ -	\$ -	\$ 1,719,473
30190200-579011	GRANTS UNDER REVIEW			-	-	-	-	-	-
subtotal				\$ 2,645,490	\$ (926,017)	\$ 1,719,473	\$ -	\$ -	\$ 1,719,473
Total				\$ 14,059,800	\$ 10,756,574	\$ 24,816,374	\$ 4,318,565	\$ 7,889,490	12,608,320



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Stormwater Capital Fund Detail (Fund 302; life-to-date for all projects)
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Account #	Project	Project Snapshot: FY2017 - FY2022		FY 2023					Available Budget
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	
Revenue									
Public Works									
30241100-371000	DONATION FROM PRIVATE SOURCE			\$ -	\$ 4,496	\$ 4,496	\$ 4,496		\$ 0
	subtotal			\$ -	\$ 4,496	\$ 4,496	\$ 4,496		\$ 0
Non-Departmental									
30290200-361000	INTEREST EARNINGS			\$ -	\$ -	\$ -	\$ 50,477		\$ (50,477)
30290200-362000	REALIZED GAIN/LOSS ON INVS						(5,029)		5,029
30290200-363000	UNREALIZED GAIN/LOSS INV			-	-	-	(12,313)		12,313
30290200-391100	TRANSFER IN/GENERAL FUND MATCH			4,200,000	-	4,200,000	2,800,000		1,400,000
30290200-395000	CARRYFORWARD FUND BALANCE			-	1,716,691	1,716,691	-		1,716,691
	subtotal			\$ 4,200,000	\$ 1,716,691	\$ 5,916,691	\$ 2,833,135		\$ 3,083,556
	Total			\$ 4,200,000	\$ 1,721,187	\$ 5,921,187	\$ 2,837,631		\$ 3,083,556
Expenditures									
Public Works									
30241100-541430 C1216	SW DRAINAGE MAINTENANCE	1,006,403	629,910	\$ 150,000	\$ 226,493	\$ 376,493	\$ 96,315	\$ 28,678	\$ 251,500
30241100-541430 C1308	SW PIPE & STRUCTURE R&M	11,429,215	6,438,340	3,930,000	1,060,875	4,990,875	431,909	853,693	3,705,273
30241100-541430 C1503	STORMWATER STUDIES	500,001	323,580	-	176,421	176,421	20,200	-	156,221
30241100-541430 C1604	STORMWATER INSPECTIONS	664,055	458,720	120,000	85,335	205,335	19,847	63,798	121,690
30241100-541430 C2208	MEADOW BROOK HILLS DRAINAGE	250,000	150,800	-	99,200	99,200	69,811	26,700	2,689
	subtotal			\$ 4,200,000	\$ 1,648,324	\$ 5,848,324	\$ 638,082	\$ 972,869	\$ 4,237,373
Non-Departmental									
30290200-579000	NON-ALLOCATED			\$ -	\$ 72,863	\$ 72,863	\$ -	\$ -	\$ 72,863
	subtotal			\$ -	\$ 72,863	\$ 72,863	\$ -	\$ -	\$ 72,863
	Total			\$ 4,200,000	\$ 1,721,187	\$ 5,921,187	\$ 638,082	\$ 972,869	\$ 4,310,236



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American Rescue Act Fund Detail (Fund 303; life-to-date for all projects)
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		Project Snapshot: FY2017 - FY2022		FY 2023					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Revenue									
General Government									
30390200-331350	FEDERAL GRANT	-	2,445,511	\$ -	\$ -	\$ -	\$ -		\$ -
30390200-395000	CARRYFORWARD FUND BALANCE			-	4,199,000	4,199,000	469,518		3,729,482
	Total			\$ -	\$ 4,199,000	\$ 4,199,000	\$ 469,518		\$ 3,729,482
Expenditures									
Public Works									
30341100-541410 C1219	MILLING & RESURFACING	1,176,000	1,175,955	\$ -	\$ 45	\$ 45	\$ 4	\$ -	\$ 41
30341100-541430 C1308	PIPE/STORM STRUCTURE REPLACEMENT	2,144,510	939,002	-	1,205,508	1,205,508	557,480	648,028	-
30341100-541420 C1801	SIDEWALK MAINTENANCE/REPAIR	1,324,001	269,139	-	1,054,862	1,054,862	208,653	77,929	768,280
	subtotal			\$ -	\$ 2,260,415	\$ 2,260,415	\$ 766,137	\$ 725,957	\$ 768,321
Recreation, Parks & Cultural Services									
30361150-541500 C1636	GREENWAY REPAIR/MAINTENANCE	2,000,000.00	61,415	-	\$ 1,938,585	\$ 1,938,585	\$ 1,108	\$ 1,937,477	\$ -
	subtotal			\$ -	\$ 1,938,585	\$ 1,938,585	\$ 1,108	\$ 1,937,477	\$ -
	Total			\$ -	\$ 4,199,000	\$ 4,199,000	\$ 767,245	\$ 2,663,434	\$ 768,321



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Capital Project Funds

2016 Parks and Transportation Bond Fund Detail (Fund 317; life-to-date for all projects)

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		Project Snapshot: FY2017 - FY2022		FY 2023					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
Non-Departmental									
31790200-395000	CARRYFORWARD FUND BALANCE			\$ -	\$ 190,370	\$ 190,370	\$ -		\$ 190,370
31790200-389000	MISCELLANEOUS REVENUE			-	108,000	108,000	-		108,000
31790200-361000	INTEREST EARNINGS			-	-	-	30,645		(30,645)
	subtotal			\$ -	\$ 298,370	\$ 298,370	\$ 30,645		\$ 267,725
	Total			\$ -	\$ 298,370	\$ 298,370	\$ 30,645		\$ 267,725
Expenditures									
31741100-541410	C1410 RUCKER RD CORRIDOR	14,651,644	14,651,644	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31741100-541410	C1631 MCGINNIS RD IGA (FORSYTH)	3,773,587	3,773,587	-	-	-	-	-	-
31741100-541410	C1702 KIMBALL BR RD IMPROVEMENTS	9,872,926	9,872,926	-	-	-	-	-	-
31741100-541420	C1712 ALPHALOOP	449,253	359,043	-	90,210	90,210	86,453	3,757	0
31741100-541420	C1715 BETHANY/MAYFIELD ROUNDABOUT	299,137	299,137	-	-	-	-	-	-
31741100-541420	C1826 SPRUELL CIRCLE SIDEWALK	308,628	308,128	-	500	500	-	-	500
31741100-541420	C1829 PROVIDENCE AREA SIDEWALKS	920,441	920,441	-	-	-	-	-	-
31741100-541420	C1925 MORRISON PARKWAY SIDEWALKS	921,718	921,718	-	-	-	-	-	-
31741100-541420	C2305 ALPHALOOP (OMP - NORTHWINDS)	150,749	-	-	150,749	150,749	65,910	-	84,839
31761150-541300	C1708 GREENWAY EXT TO FORSYTH	9,842,189	9,837,210	-	4,979	4,979	-	-	4,979
31761150-541300	C1709 EASTSIDE COMMUNITY CTR	2,553,436	2,519,186	-	34,250	34,250	30,000	4,250	-
31761150-579000	PARKS RESERVE	17,682	-	-	17,682	17,682	-	-	17,682
	Total			\$ -	\$ 298,370	\$ 298,370	\$ 182,363	\$ 8,007	\$ 108,000



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2022 Parks Bond Fund Detail (Fund 318; life-to-date for all projects)
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			Project Snapshot: FY2017 - FY2022		FY 2023					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenue										
Non-Departmental										
31890200-361000	INTEREST EARNINGS				\$ -	\$ -	\$ -	\$ 614,173		\$ (614,173)
31890200-393400	BOND PREMIUM					28,908,660	28,908,660	-		28,908,660
31890200-395000	CARRYFORWARD FUND BALANCE				-	367,339	367,339	-		367,339
	subtotal				\$ -	\$ 29,275,999	\$ 29,275,999	\$ 614,173		\$ 28,661,826
	Total				\$ -	\$ 29,275,999	\$ 29,275,999	\$ 614,173		\$ 28,661,826
Expenditures										
31841100-541420	C1712	ALPHALOOP	7,500,000	-	\$ -	\$ 7,500,000	\$ 7,500,000	\$ -	\$ -	\$ 7,500,000
31861150-541500	C0922	SYNTHETIC TURF	1,000,000	23,990	-	976,010	976,010	-	-	976,010
31861150-541500	C1911	EQUESTRIAN CENTER (CITY)	5,000,000	11,664	-	4,988,336	4,988,336	44,758	1,404,963	3,538,615
31861150-541500	C2011	WILLS PARK MASTER PLAN IMP	5,671,367	125,098	-	5,546,269	5,546,269	25,342	631,600	4,889,327
31861150-541500	C2216	UNION HILL PARK	3,250,001	25,753	-	3,224,248	3,224,248	110,774	336,646	2,776,828
31861150-541500	C2217	MID-BROADWELL PARK	500,001	47,538	-	452,463	452,463	2,806	-	449,657
31861150-541500	C2218	OLD RUCKER PARK	3,000,000	20,170	-	2,979,830	2,979,830	92,620	265,280	2,621,930
31861150-541500	C2219	FARMHOUSE PARK	2,000,000	16,720	-	1,983,280	1,983,280	13,850	-	1,969,430
31861150-541500	C2220	WATERS ROAD PARK	1,250,001	15,127	-	1,234,874	1,234,874	1,861	1,233,012	1
31861150-541500	C2245	WILLS PARK MAINTENANCE FACILITY	328,634	-	-	328,634	328,634	307,283	21,351	-
31890200-579000	PARKS RESERVE		62,055	-	-	62,055	62,055	-	-	62,055
31890200-584000	DEBT ISSUANCE COSTS		368,549	368,549	-	-	-	-	-	-
	Total				\$ -	\$ 29,275,999	\$ 29,275,999	\$ 599,295	\$ 3,892,851	\$ 24,783,853



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
TSPLOST I Fund Detail (Fund 335; life-to-date for all projects)
 As of February 28, 2023

Account #Project			Project Snapshot: FY2017 - FY2022		FY 2023					Available Budget
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	
Revenue										
Non-Departmental										
33590200-395000	CARRYFORWARD FUND BALANCE				\$ 4,300,000	\$ 37,289,778	\$ 41,589,778			\$ 41,589,778
33541100-361000	INTEREST EARNINGS				-	-	-	863,905	(863,905)	
Total					\$ 4,300,000	\$ 37,289,778	\$ 41,589,778	\$ 863,905	\$ 40,725,873	
Expenditures										
33541100-541410	C1219	MILLING AND RESURFACING	2,000,000	-	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 1,960,853	\$ 39,147	\$ -
33541100-541410	C1631	MCGINNIS RD IGA (FORSYTH)	5,026,414	140,756	-	4,885,658	4,885,658	428,985	-	4,456,673
33541100-541410	C1713	KIMBALL BR RD OP IMPROVEMENTS	1,359,742	1,119,002	-	240,740	240,740	-	233,749	6,991
33541100-541410	C1717	OLD MILTON PKWY CAPACITY IMP	5,579,474	1,924,663	-	3,654,811	3,654,811	44,741	1,610,069	2,000,001
33541100-541410	C1800	HAYNES BRIDGE RD IMP	187,598	187,598	-	-	-	-	-	-
33541100-541410	C1933	WEBB BRIDGE RD (DESIGN-PROJ. MGMT., ETC.)	876,389	860,986	-	15,403	15,403	13,705	1,698	1
33541100-541410	C1934	WINDWARD PKWY EAST IMPROVEMENTS	1,427,990	1,263,692	-	164,298	164,298	164,297	-	1
33541100-541410	C2054	GA 400 BRIDGES (WEBB; KIMBALL)	4,886,001	737,429	-	4,148,572	4,148,572	-	4,148,571	1
33541100-541410	C2104	WEBB BR RD PHASE 4 (NPP TO GREENWAY)	692,509	676,585	-	15,924	15,924	15,888	36	1
33541100-541410	C2113	ENCORE GREENWAY GATEWAY	2,573,000	230,000	2,300,000	43,000	2,343,000	3,000	43,000	2,297,000
33541100-541410	C2211	WEBB BRIDGE RD PHASE 1 (WESTWIND TO GREENWAY)	725,037	725,037	-	-	-	-	-	-
33541100-541410	C2229	WEBB BRIDGE RD PHASE 2 (ROUNDAABOUT-PARK)	6,000,000	54,157	-	5,945,843	5,945,843	380,410	3,923,459	1,641,975
33541100-541410	C2232	WEBB BRIDGE RD PHASE 3 (GREENWAY-ROUNDAABOUT)	17,000,000	33,550	-	16,966,450	16,966,450	497,691	-	16,468,759
33541100-541420	C2305	ALPHALOOP (OMP-NORTHWINDS)	825,000	-	-	825,000	825,000	-	825,000	-
33590200-579000	CONTINGENCY				-	384,079	384,079	-	-	384,079
Total					\$ 4,300,000	\$ 37,289,778	\$ 41,589,778	\$ 3,509,568	\$ 10,824,728	\$ 27,255,482



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
TSPLOST II Fund Detail (Fund 336; life-to-date for all projects)
 As of February 28, 2023

Account #		Project		Project Snapshot: FY2017 - FY2022		FY 2023					Available Budget	
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances		
Revenue												
Non-Departmental												
33690200-313400	TSPLOST II					\$	-	\$ 48,335,327	\$ 48,335,327	\$ 8,625,123	\$ 39,710,204	
33641100-361000	INTEREST EARNINGS						-	-	-	148,869	(148,869)	
33690200-395000	CARRYFORWARD FUND BALANCE						-	3,648,408	3,648,408	-	3,648,408	
Total						\$	-	\$ 51,983,735	\$ 51,983,735	\$ 8,773,992	\$ 43,209,743	
Expenditures												
33641100-541410	C2040	TRADEWINDS PARKWAY		6,500,000	2,400	\$	-	\$ 6,497,600	\$ 6,497,600	\$ 3,065	\$ -	\$ 6,494,535
33641100-541410	C2104	WEBB BRIDGE ROAD (NPP-GREENWAY)		13,000,000	13,873		-	12,986,127	12,986,127	358,984	9,531,326	3,095,818
33641100-541410	C2107	NORTH POINT PARKWAY IMP		10,000,000	-		-	10,000,000	10,000,000	103,786	634,514	9,261,700
33641100-541410	C2221	CROSSWALK (ALPHARETTA ELEM)		113,037	18,537		-	94,500	94,500	78,503	15,997	-
33641100-541410	C2222	CROSSWALK (MANNING OAKS ELEM)		74,263	18,537		-	55,726	55,726	-	-	55,726
33641100-541410	C2223	CROSSING (92 MILTON GARAGE)		212,300	-		-	212,300	212,300	201,633	10,667	-
33641100-541410	C2224	RAISED INTSECTION (MARIETTA ST)		350,001	1,525		-	348,476	348,476	8,550	146,125	193,801
33641100-541410	C2225	CROSSINGS (CITY CTR/CHURCHES)		750,000	1,161		-	748,839	748,839	9,000	108,539	631,300
33641100-541410	C2226	PEDESTRIAN BRIDGES (WW PKWY)		4,000,000	12,349		-	3,987,651	3,987,651	200,401	432,408	3,354,841
33641100-541410	C2227	CROSSWALK (COGBURN PARK)		149,401	-		-	149,401	149,401	129,616	19,785	0
33641100-541410	C2228	CROSWALK (CHARLOTTE DR)		146,000	-		-	146,000	146,000	146,000	-	-
33641100-541410	C2230	CUMMING ST CORRIDOR		4,757,526	-		-	4,757,526	4,757,526	-	-	4,757,526
33641100-541420	C2305	ALPHALOOP (OMP - NORTHWINDS)		12,000,000	411		-	11,999,589	11,999,589	215,139	11,538,230	246,220
Total						\$	-	\$ 51,983,735	\$ 51,983,735	\$ 1,454,676	\$ 22,437,591	\$ 28,091,467



CITY OF ALPHARETTA
 Financial Management Reports
 Special Revenue Funds
Impact Fee Fund (Fund 270; life-to-date for active projects)
 As of February 28, 2023

				Project Snapshot: FY2013 - FY2022		FY 2023					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project										
Revenue											
27074110-341321	IMPACT FEES STREETS & HIGHWAYS					\$ -	\$ 200,000	\$ 200,000	\$ 91,243		\$ 108,757
27074110-341323	IMPACT FEES RECREATION & PARKS					350,000	34,089	384,089	175,140		208,949
27074110-341324	IMPACT FEES PUBLIC SAFETY					-	-	-	9,151		(9,151)
27074110-395000	CARRYFORWARD FUND BALANCE					1,668,690	3,234,586	4,903,276	-		4,903,276
27074110-362000	REALIZED GAIN/LOSS ON INVS					-	-	-	(7,603)		7,603
27074110-363000	UNREALIZED GAIN/LOSS					-	-	-	(22,866)		22,866
27074110-361000	INTEREST EARNINGS					-	-	-	76,251		(76,251)
	Total					\$ 2,018,690	\$ 3,468,675	\$ 5,487,365	\$ 321,317		\$ 5,166,048
Expenditures											
Public Safety											
27031150-544200	C2206	RAPID RESCUE TRUCK		124,600	124,100	\$ -	\$ 500	\$ 500	\$ -		\$ 500
27031150-542100	C2302	ALL TERRAIN VEHICLES		18,690	-	18,690	-	18,690	18,690	-	-
		subtotal				\$ 18,690	\$ 500	\$ 19,190	\$ 18,690	\$ -	\$ 500
Public Works											
27041100-541410	C1410	RUCKER RD CORRIDOR		1,002,553	857,003	\$ -	\$ 145,550	145,550	\$ 85,367	\$ 60,183	\$ 0
27041100-541410	C1723	TEASLEY ST IMPROVEMENTS		56,925	38,125	-	18,800	18,800		-	18,800
		NORTH POINT PARKWAY IMPROVEMENTS		1,250,000	-	-	1,250,000	1,250,000		-	1,250,000
27041100-541420	C2305	ALPHALOOP (OMP - NORTHWINDS)		1,540,000	-	-	1,540,000	1,540,000	549,310	990,690	-
		subtotal				\$ -	\$ 2,954,350	\$ 2,954,350	\$ 634,677	\$ 1,050,873	\$ 1,268,800
Recreation, Parks & Cultural Services											
27061150-541500	C2011	WILLS PARK MASTER PLAN		328,634	-	\$ -	\$ 328,634	\$ 328,634	\$ 21,930	\$ -	\$ 306,704
27061150-541410	C2113	ENCORE GREENWAY GATEWAY		2,000,000	-	2,000,000	-	2,000,000	27,480	-	1,972,520
		subtotal				\$ 2,000,000	\$ 328,634	\$ 2,328,634	\$ 49,410	\$ -	\$ 2,279,224



CITY OF ALPHARETTA
 Financial Management Reports
 Special Revenue Funds
Impact Fee Fund (Fund 270; life-to-date for active projects)
 As of February 28, 2023

Account #	Project	Project Snapshot: FY2013 - FY2022		FY 2023					Available Budget
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	
Non-Departmental									
27074110-521200	PROFESSIONAL SERVICES			\$ -	\$ 66,720	\$ 66,720		\$ 66,720	\$ -
27074110-579001	NON-ALLOCATED STREETS & HIGHWAYS			-	1,016	1,016	-	-	1,016
27074110-579002	NON-ALLOCATED RECREATION & PARKS			-	-	-	-	-	-
27074110-579003	NON-ALLOCATED PUBLIC SAFETY			-	117,455	117,455	-	-	117,455
27041100-579011	MATCH (GRANTS UNDER REVIEW)			-	-	-	-	-	-
	subtotal			\$ -	\$ 185,191	\$ 185,191	\$ -	\$ 66,720	\$ 118,471
	Total			\$ 2,018,690	\$ 3,468,675	\$ 5,487,365	\$ 702,777	\$ 1,117,593	\$ 3,666,995

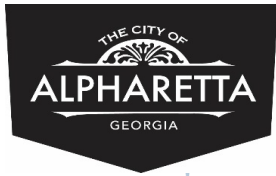


CITY OF ALPHARETTA
 Financial Management Reports
 Special Revenue Funds
Hotel/Motel Fund (Fund 275; life-to-date for active projects)
 As of February 28, 2023

		Project Snapshot: FY2013 - FY2022		FY 2023					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
27590150-314100	HOTEL/MOTEL TAXES			\$ 7,500,000	\$ -	\$ 7,500,000	\$ 5,322,131		\$ 2,177,869
27590150-319201	PENALTY/INTEREST HOTEL MOTEL TAX			-	-	-	521		(521)
27590150-362000	REALIZED GAIN/LOSS ON INVS			-	-	-	(2,058)		2,058
27590150-363000	UNREALIZED GAIN/LOSS			-	-	-	(7,970)		7,970
27590150-361000	INTEREST EARNINGS			-	-	-	21,646		(21,646)
	subtotal			\$ 7,500,000	\$ -	\$ 7,500,000	\$ 5,334,270		\$ 2,165,730
Non-Departmental									
27590150-395000	CARRYFORWARD FUND BALANCE			\$ -	\$ 1,143,172	\$ 1,143,172	\$ -		\$ 1,143,172
	subtotal			\$ -	\$ 1,143,172	\$ 1,143,172	\$ -		\$ 1,143,172
	Total			\$ 7,500,000	\$ 1,143,172	\$ 8,643,172	\$ 5,334,270		\$ 3,308,902
Expenditures									
Alpharetta Convention & Visitors Bureau									
27590150-572002	ALPHA CONV & VISITORS BUREAU DISTRIBUTION	29,944,535	26,663,285	\$ 3,281,250	\$ -	\$ 3,281,250	\$ 2,033,854	\$ -	\$ 1,247,396
	subtotal			\$ 3,281,250	\$ -	\$ 3,281,250	\$ 2,033,854	\$ -	\$ 1,247,396
City/Other									
27590150-521200	PROFESSIONAL SERVICES	35,655	30,155	\$ 5,500	\$ -	\$ 5,500	\$ 2,915	\$ -	\$ 2,585
27590150-579006	DEBT SERVICE RESERVE	586,022	-	35,537	550,485	586,022	-	-	586,022
27590150-611100	CITY OF ALPHARETTA DISTRIBUTION	26,063,456	23,250,956	2,812,500	-	2,812,500	1,745,304	-	1,067,196
	subtotal			\$ 2,853,537	\$ 550,485	\$ 3,404,022	\$ 1,748,219	\$ -	\$ 1,655,803
Tourism Product Development									
27590150-541500	C1911 EQUESTRIAN CENTER	38,739	38,739	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
27590450-541500	C2011 WILLS PARK MASTER PLAN	751,891	468,574	-	283,317	283,317	268,248	-	15,069
27590150-541500	C2245 WILLS PRK MAINTENANCE FACILITY	309,370	-	-	309,370	309,370	309,369	-	1
27590151-581100	D1600 PRINCIPAL (2016 CONF CTR BOND)	2,185,000	1,535,000	650,000	-	650,000	-	-	650,000
27590151-582100	D1600 INTEREST PAYMENT (2016 CONF CTR BOND)	5,343,655	4,628,442	715,213	-	715,213	357,606	-	357,607
	subtotal			\$ 1,365,213	\$ 592,687	\$ 1,957,900	\$ 935,223	\$ -	\$ 1,022,677
	Total			\$ 7,500,000	\$ 1,143,172	\$ 8,643,172	\$ 4,717,296	\$ -	\$ 3,925,876

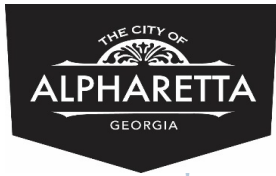


OTHER REPORTS



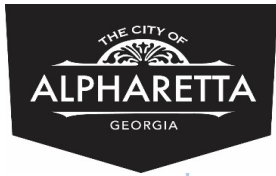
CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended February 28, 2023

Vendor	Description	Department	\$ Amount
A. B. GYMNASTICS LLC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Svcs	\$ 13,015.50
AECOM TECHNICAL SERVICES	DESIGNING SERVICES	Public Works	\$ 104,043.78
AFLAC	VOL INSURANCE	General Government	\$ 11,700.87
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Community Development	\$ 9,149.30
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Various Departments	\$ 418,120.73
AMERICAN FACILITY	MAINTENANCE CONTRACTS	Rec., Parks & Cultural Svcs	\$ 22,812.50
APPLIED RESEARCH ASSOCIATES	PAVEMENT DATA COLLECTION SERVICES	Public Works	\$ 15,781.50
APPLIED RESEARCH ASSOCIATES	PAVEMENT DATA COLLECTION SERVICES	Public Works	\$ 20,000.00
AT&T/BELLSOUTH @ 85	TELEPHONE SERVICES, LONG DISTANCE AND	Public Safety	\$ 19,033.25
ATKINS NORTH AMERICA	PROJECT/CONSTRUCTION MANAGEMENT SERVICES	Various Departments	\$ 18,025.00
ATKINS NORTH AMERICA	PROJECT/CONSTRUCTION MANAGEMENT SERVICES	Public Works	\$ 13,372.15
AZTECA SYSTEMS	SOFTWARE MAINTENANCE/SUPPORT	Various Departments	\$ 94,000.00
BENNETT FIRE PRODUCT	FIRE PROTECTION CLOTHING	Public Safety	\$ 5,036.68
BUTCH THOMPSON	CONSTRUCTION, SEWER AND STORM DRAIN	Public Works	\$ 40,164.81
BUTCH THOMPSON	CONSTRUCTION, SEWER AND STORM DRAIN	Public Works	\$ 45,214.15
CARL BLACK BUICK GMC	VEHICLE MAINTENANCE & REPAIRS	Public Safety	\$ 8,769.10
CARL BLACK BUICK GMC	VEHICLE MAINTENANCE & REPAIRS	Public Safety	\$ 17,606.11
CDW GOVERNMENT LLC	SECURITY SYSTEM REFRESH	Public Safety	\$ 8,100.00
CITY OF MILTON	LEASE-COURTROOM IGA-FEBRUARY 2023	Municipal Court	\$ 6,775.00
COLUMBIA ENGINEERING	DESIGNING SERVICES	Various Departments	\$ 24,475.50
COLUMBIA ENGINEERING	DESIGNING SERVICES	Public Works	\$ 65,062.59
COLUMBIA ENGINEERING	DESIGNING SERVICES	Community Development	\$ 82,987.50
CRABAPPLE TURF	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Svcs	\$ 18,160.99
CRABAPPLE TURF	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Svcs	\$ 5,070.75
CRABAPPLE TURF	TREE TRIMMING AND PRUNING SERVICES	Rec., Parks & Cultural Svcs	\$ 9,958.18
DATA MEDIA ASSOCIATE	SUPPLEMENTAL PROPERTY TAXES-REAL ESTATE	Finance	\$ 13,271.86
DATAWORKS PLUS LLC	FINGER AND FOOT PRINTING EQUIPMENT	Public Safety	\$ 12,736.00
DC POOL SERVICE LLC.	SWIMMING POOL MANAGEMENT AND OPERATION	Rec., Parks & Cultural Svcs	\$ 6,545.00
DIX.HITE + PARTNERS	DESIGNING SERVICES	Rec., Parks & Cultural Svcs	\$ 23,809.00
DREAM HOUSE PAINTING	PAINTING, MAINTENANCE AND REPAIR SERVICES	Various Departments	\$ 6,280.00
ESIS INC	CLAIMS (WORKERS COMP)	Risk Management	\$ 19,949.18



CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended February 28, 2023

Vendor	Description	Department	\$ Amount
FULTON COUNTY BOARD OF COMM.	MUNICIPAL COURT FINES	Public Safety	\$ 7,408.15
FULTON COUNTY BOARD OF EDUCATION	JANUARY 2023 FUEL BILL	General Government	\$ 49,104.37
FULTON COUNTY SUPERIOR COURT	MCGINNIS FERRY-PARCEL 10	Public Works	\$ 46,400.00
FULTON COUNTY SUPERIOR COURT	MCGINNIS FERRY-PARCEL 35	Public Works	\$ 64,500.00
GALLS INC	EMPLOYEE UNIFORMS AND BULLETPROOF VESTS	Public Safety	\$ 8,050.05
GARLAND DBS INC	PS ROOF REPAIR/REPLACEMENT	Public Safety	\$ 160,128.96
GEORGIA GREEN	GROUNDS MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 15,065.83
GEORGIA POWER CO	ELECTRICITY UTILITIES	Various Departments	\$ 168,622.76
GEORGIA POWER CO.	ELECTRICITY UTILITIES	Various Departments	\$ 6,092.67
GEORGIA SUPERIOR COURT	JANUARY 2023 REPORTS	Public Safety	\$ 34,244.38
HAIDER VENTURES LLC	LANDSCAPE BOND REFUND	General Government	\$ 7,900.00
HORSE & PLOW LANDSCA	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Svcs	\$ 7,236.35
INTEGRATED CONSTRUCTION	CONSTRUCTION, HIKE AND BIKE TRAIL	Public Works	\$ 59,153.88
INTEGRATED CONSTRUCTION	CONSTRUCTION, HIKE AND BIKE TRAIL	Public Works	\$ 88,808.68
IPR SOUTHEAST LLC	PIPE AND PIPE FITTINGS MAINTENANCE AND REPAIR	Public Works	\$ 273,064.31
J.G. LEONE ENTERPRISE	RETAINAGE PAYABLE 22-003	Public Works	\$ 53,163.82
JARRARD & DAVIS	JANUARY 2023 FEE STATEMENT	Legal Services	\$ 133,477.16
KAY B. WALKER	PARCEL 38	Public Works	\$ 10,000.00
KILLER CREEK HARLEY	PD5337-REPAIRS	Risk Management	\$ 6,770.05
KIMLEY-HORN & ASSOCIATES	TRAFFIC STUDIES AND ANALYSIS SERVICES	Community Development	\$ 9,577.50
LD GYMNASTICS INC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Svcs	\$ 30,872.29
MEER ELECTRIC	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Svcs	\$ 14,468.91
MOFFATT & NICHOL	DESIGNING SERVICES	Rec., Parks & Cultural Svcs	\$ 62,075.01
MR PLUNGER INC	PLUMBING EQUIPMENT AND FIXTURES, MAINTENANCE	Public Works	\$ 7,605.00
NFCID	DAVIS DR WATER (COUNTY-CID) CONSTRUCTION	Public Works	\$ 76,745.25
PEACE OFFICER'S ANNUITY & BENEFIT FUND	MUNICIPAL COURT FINES	Public Safety	\$ 17,799.13
POLICE SERVICE DOGS	CANINE (K-9) POLICE DOG TRAINING EQUIPMENT	Public Safety	\$ 17,000.00
PRIME CONTRACTORS	WILLS PARK MAINT FACILITY CONSTRUCTION	Rec., Parks & Cultural Svcs	\$ 255,194.24
PURVIS SYSTEMS	FIRE ALARM SYSTEMS, POWER SIRENS, CONTROLS	Public Safety	\$ 25,000.00
ROBERT BRANNON	ALPHARETTA PROVISIONS BOND RELEASES	General Government	\$ 49,126.00
RUBBERFORM RECYCLED	TRAFFIC CONTROL DEVICES, NON-ELECTRIC	Public Works	\$ 12,007.48



CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended February 28, 2023

Vendor	Description	Department	\$ Amount
RUPPERT LANDSCAPE	TREE REPLACEMENT FUND	Public Works	\$ 38,823.31
RUSSELL LANDSCAPE	GROUND'S MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 57,937.66
SAWNEE ELECTRIC	ELECTRICITY UTILITIES	Various Departments	\$ 35,746.41
SHI INTERNATIONAL CO	MICROSOFT AZURE CLOUD SERVICES	Various Departments	\$ 45,467.68
SLAM MECHANICAL LLC	PLUMBING MAINTENANCE AND REPAIR	Public Works	\$ 6,255.00
SLAM MECHANICAL LLC	PLUMBING MAINTENANCE AND REPAIR	Various Departments	\$ 7,000.00
SOCCER SHOTS NORTH	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Svcs	\$ 6,555.00
SOIL EROSION AND EDUCATION	LANDSCAPING INCLUDING DESIGN	Public Works	\$ 85,367.00
SOL CONSTRUCTION LLC	WBR PH2 (ROUNDAABOUT-PARK)	Public Works	\$ 127,417.50
SOUTHERN COMPUTER WAREHOUSE	POWER SUPPLIES (NOT COMPUTER ROOM)	Public Safety	\$ 6,350.00
SOUTHERN HYDRO VAC	PIPELINE EQUIPMENT MAINTENANCE	Public Works	\$ 12,042.50
SPRINTURF	TURF, ARTIFICIAL, INDOOR AND OUTDOOR	Rec., Parks & Cultural Svcs	\$ 59,141.00
STARR WHITEHOUSE	LAND DEVELOPMENT AND PLANNING/ENGINEERING	Various Departments	\$ 9,771.82
STRONGHOLD SOF SOLUTIONS	INSTRUCTOR-LED, CLASSROOM TRAINING	Public Safety	\$ 5,975.16
SUSTAINABLE WATER	STORMWATER INSPECTIONS	Public Works	\$ 8,216.00
TECH ALPHARETTA	ATC OPERATIONAL FUNDS	Development Authority	\$ 7,916.67
TECHNOLOGY ASSOCIATION	TAG yearly city membership/sponsorship	Community Development	\$ 5,000.00
TERRAMARK LAND	SURVEYOR SERVICES, LAND	Public Works	\$ 8,166.25
THE DUMPSTER CO	CLEANING OF AMUSEMENT AREAS	Rec., Parks & Cultural Svcs	\$ 5,417.40
TIOMAN CONSTRUCTION	STRIPING & SIGNAGE	Public Works	\$ 16,120.00
TRI SCAPES INC	ROADSIDE, GROUND'S, RECREATIONAL AND PARK AREA	Rec., Parks & Cultural Svcs	\$ 42,562.87
TRUIST BANK	PCARD FEB 2023	General Government	\$ 149,906.25
URBAN LAND INSTITUTE	Tech. Assistance Panel for Windward	Development Authority	\$ 10,000.00
UTILITY ASSET MANAGEMENT	PIPE AND PIPE FITTINGS MAINTENANCE AND REPAIR	Public Works	\$ 7,433.00
UTILITY ASSET MANAGEMENT	PIPE AND PIPE FITTINGS MAINTENANCE AND REPAIR	Public Works	\$ 203,950.00
VERIZON WIRELESS	TELEPHONE SERVICES, CELLULAR	Various Departments	\$ 15,633.85
VERIZON WIRELESS	TELEPHONE SERVICES, CELLULAR	Various Departments	\$ 15,366.30
WATT COMMERCIAL SWEEPING	STREET SWEEPING SERVICES	Public Works	\$ 13,266.50



CITY OF ALPHARETTA
 Financial Management Reports
Listing of PO's between \$5,000.01 and \$50,000.00
 for the month ended February 28, 2023

Purchase Order #	Vendor	Department	Purchase Order Amt.	Description
23000573	URBAN LAND INSTITUTE	COMMUNITY & ECON. DEV.	\$ 20,000.00	TECHNICAL ASSISTANCE PANEL FOR THE WINDWARD TECH DISTRICT
23000577	CHERRYLION STUDIOS INC	REC., PARKS & CULTURAL SVCS	\$ 17,900.00	REPLACEMENT SCULPTURE DUE TO VEHICLE ACCIDENT
23000579	MEER ELECTRICAL CONTRACTORS INC	PUBLIC SAFETY	\$ 9,022.83	REPLACEMENT OF (3) 800 MHZ DUPLEX RADIOS
23000581	STRONGHOLD SOF SOLUTIONS, LLC	PUBLIC SAFETY	\$ 5,975.16	INSTRUCTOR LED SWAT TRAINING
23000588	GEORGIA GREEN GROUNDS CARE LLC	PUBLIC WORKS	\$ 15,406.33	REPLACEMENT OF (4) TREES, INSTALLATION OF (7) TREES
23000589	RUSSELL LANDSCAPE, LLC	PUBLIC WORKS	\$ 15,442.50	TREE TRIMMING AND PRUNING SERVICES FOR (94) HOLLIES
23000597	DELL MARKETING LP	INFORMATION TECHNOLOGY	\$ 5,100.00	DELL PRECISION 3930 RACK
23000607	DELL MARKETING LP	INFORMATION TECHNOLOGY	\$ 6,211.24	QUEST SPOTLIGHT ON SQL SERVER RENEWAL
23000609	COMFORT BY DESIGN INC	PUBLIC WORKS	\$ 8,862.52	HVAC REPLACEMENT FOR NORTH PARK FIELDS 1-4
23000613	DEERE & COMPANY	REC., PARKS & CULTURAL SVCS	\$ 38,688.56	(2) JOHN DEERE 1200A BUNKER AND FIELD RAKES
23000614	CRABAPPLE TURF MANAGEMENT INC	REC., PARKS & CULTURAL SVCS	\$ 9,958.18	TREE AND STUMP REMOVAL IN DOWNTOWN ALPHARETTA
23000615	PEACH STATE FORD TRUCK SALES INC	PUBLIC SAFETY	\$ 8,477.57	VEHICLE REPAIRS FOR FD8414
23000618	YANCEY BROS CO.	PUBLIC WORKS	\$ 5,106.40	VEHICLE REPAIRS FOR EN1731
23000619	CLYDE ARMORY INC	PUBLIC SAFETY	\$ 9,990.00	SWAT BARREL REPLACEMENTS
23000625	ABLE ASPHALT PAVING CO., INC.	REC., PARKS & CULTURAL SVCS	\$ 16,500.00	WILLS PARK WALKING TRAIL REPAIRS
23000627	FUSUS	PUBLIC SAFETY	\$ 25,000.00	FUSUSONE SAAS SUBSCRIPTION
23000630	F. A. BARTLETT TREE EXPERT COMPANY	PUBLIC WORKS	\$ 14,053.70	PUBLIC SAFETY STORMWATER RETENTION AREA PRUNING AND HERBICIDE

City of Alpharetta
Balance Sheet
Governmental Funds
February 28, 2023

	Major Governmental Funds							Non-Major	Total
	General	Capital	Capital	2016	2022	T-SPLOST	T-SPLOST II	Governmental	Governmental
	Fund	Project Fund	Grant Fund	Bond Fund	Bond Fund	Capital Fund	Capital Fund	Funds	Funds
ASSETS									
Cash / Cash Equivalents / Investments	\$ 52,886,887	\$ 12,538,139	\$ (1,018,009)	\$ 52,912	\$ 29,326,849	\$ 39,125,562	\$ 11,048,279	\$ 22,178,402	\$ 166,139,020
Receivables (net of allowance for uncollectibles)									
Taxes Receivable									
Property Taxes	1,075,097	-	-	-	-	-	-	-	1,075,097
Other Taxes	4,430,018	-	-	-	-	-	-	-	4,430,018
Interest	-	-	-	-	-	-	-	39,000	39,000
Accounts	-	-	-	-	-	-	-	219,676	219,676
Due from Other Funds	1,754	-	-	-	-	-	-	1,186	2,940
Intergovernmental Receivable	15,143	20,304	1,306,875	-	-	-	-	-	1,342,322
Cash - Restricted	61,780	298,791	-	-	-	-	-	-	360,571
Total Assets	58,470,680	12,857,234	288,866	52,912	29,326,849	39,125,562	11,048,279	22,438,263	173,608,645
LIABILITIES AND FUND BALANCES									
Liabilities									
Current									
Accounts Payable	548,508	336,376	82,988	6,722	27,782	77,033	49,637	391,947	1,520,993
Retainage Payable	-	27,157	32,256	7,537	8,189	104,414	30,918	91,437	301,909
Intergovernmental Payable	-	-	-	-	-	-	-	-	-
Claims Payable	-	-	-	-	-	-	-	-	-
Payroll Payable	100,673	-	-	-	-	-	-	-	100,673
Due to Other Funds	-	-	-	-	-	-	-	3,373	3,373
Deferred Revenue	5,558,650	20,304	1,306,875	-	-	-	-	259,862	7,145,691
Unearned Revenue	694,314	-	-	-	-	-	-	3,443,611	4,137,925
Non-Current									
Unclaimed Property	99,222	-	-	-	-	-	-	-	99,222
Claims Payable	-	-	-	-	-	-	-	-	-
Total Liabilities	7,001,367	383,837	1,422,118	14,259	35,972	181,447	80,555	4,190,230	13,309,786
Fund Balances:									
Restricted for:									
Capital Projects	-	2,864,434	(2,787,383)	12,963	25,335,972	27,735,308	(11,469,867)	3,513,319	45,204,746
Law Enforcement	-	-	-	-	-	-	-	98,726	98,726
Emergency Telephone Activities	-	-	-	-	-	-	-	433,598	433,598
Grant Projects	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	5,170,072	5,170,072
Promotion of Tourism	-	-	-	-	-	-	-	1,174,125	1,174,125
Assigned for:									
Grant Projects	-	-	-	-	-	-	-	89,218	89,218
Capital Projects	-	-	-	-	-	-	-	-	-
Emergency Reserve	19,700,000	-	-	-	-	-	-	-	19,700,000
2024 Fiscal Year Capital	10,547,818	-	-	-	-	-	-	-	10,547,818
Encumbrances	2,479,193	7,889,489	1,663,310	8,007	3,892,851	10,824,728	22,437,591	5,306,873	54,502,042
Remaining 2023 Net Spend	8,822,535	-	-	-	-	-	-	-	8,822,535
Projected Net Surplus/2025 Capital	9,919,767	-	-	-	-	-	-	-	9,919,767
Unallocated	-	1,719,473	(9,179)	17,682	62,055	384,079	-	2,462,103	4,636,213
Total Fund Balances	51,469,313	12,473,397	(1,133,253)	38,652	29,290,878	38,944,115	10,967,724	18,248,033	160,298,859
Total Liabilities and Fund Balances	\$ 58,470,680	\$ 12,857,234	\$ 288,866	\$ 52,912	\$ 29,326,849	\$ 39,125,562	\$ 11,048,279	\$ 22,438,263	\$ 173,608,645

City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Period Ended February 28, 2023

	Major Governmental Funds							Non-Major	Total
	General Fund	Capital Project Fund	Capital Grant Fund	S2016 Const Bond Fund	S2022 Const Bond Fund	T-SPLOST Capital Fund	T-SPLOST II Capital Fund	Governmental Funds	Governmental Funds
REVENUES									
Taxes:									
Property Tax	\$ 29,387,722	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,684,387	\$ 36,072,109
Local Option Sales Tax	12,781,665	-	-	-	-	-	-	-	12,781,665
Transportation SPLOST	-	-	-	-	-	-	8,625,123	-	8,625,123
Other Taxes	14,359,093	-	-	-	-	-	-	5,322,652	19,681,745
Licenses and permits	2,772,555	-	-	-	-	-	-	-	2,772,555
Intergovernmental	98,275	248,440	956,831	-	-	-	-	774,543	2,078,089
Charges for services	2,528,435	-	-	-	-	-	-	2,473,055	5,001,490
Impact Fees	-	-	-	-	-	-	-	275,534	275,534
Fines/Forfeitures	2,289,173	-	-	-	-	-	-	60,145	2,349,318
Investment earnings (Loss)	430,572	110,035	(5,232)	30,645	614,173	863,905	148,869	151,859	2,344,826
Contributions and Donations	73,799	205,202	-	-	-	-	-	4,496	283,497
Misc Revenue	61,346	-	-	-	-	-	-	-	61,346
Other	-	-	-	-	-	-	-	-	-
Total revenues	64,782,632	563,677	951,598	30,645	614,173	863,905	8,773,992	15,746,673	92,327,296
EXPENDITURES									
Current:									
Unallocated	-	-	-	-	-	-	-	-	-
General government	7,584,930	108,405	-	-	-	-	-	2,036,769	9,730,105
Public safety	23,620,873	638,591	66,359	-	-	-	-	3,448,221	27,774,044
Public works	6,025,628	1,781,910	1,852,319	152,363	-	3,509,568	1,454,677	2,043,646	16,820,110
Economic and community development	2,920,706	160,701	314,614	-	-	-	-	-	3,396,020
Alpharetta Business Community	-	-	-	-	-	-	-	-	-
Culture and recreation	7,335,790	1,628,958	-	30,000	599,295	-	-	648,501	10,242,544
Contingency	11,508	-	-	-	-	-	-	-	11,508
Professional Services	-	-	-	-	-	-	-	-	-
Debt service:									
Principal	-	-	-	-	-	-	-	73,694	73,694
Interest	41,820	-	-	-	-	-	-	2,236,229	2,278,049
Other Costs	-	-	-	-	-	-	-	-	-
Bond issuance costs	-	-	-	-	-	-	-	-	-
Capital outlay	-	-	-	-	-	-	-	-	-
Total expenditures	47,541,255	4,318,565	2,233,293	182,363	599,295	3,509,568	1,454,677	10,487,060	70,326,074
Excess (deficiency) of revenues over (under) expenditures	17,241,378	(3,754,887)	(1,281,694)	(151,718)	14,878	(2,645,664)	7,319,316	5,259,613	22,001,222
OTHER FINANCING SOURCES (USES)									
Transfers in	1,745,304	7,626,533	-	-	-	-	-	2,800,000	12,171,837
Transfers out	(10,426,533)	-	-	-	-	-	-	(1,745,304)	(12,171,837)
Loan Proceeds	-	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-	-
Sale of capital assets	21,045	-	-	-	-	-	-	-	21,045
Sale of non-capital assets	500	400	-	-	-	-	-	-	900
Land Sale	-	-	-	-	-	-	-	-	-
Insurance Proceeds	-	-	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Total other financing sources and (uses)	(8,659,685)	7,626,933	-	-	-	-	-	1,054,696	21,945
Net change in fund balances	8,581,693	3,872,046	(1,281,694)	(151,718)	14,878	(2,645,664)	7,319,316	6,314,309	22,023,167
Fund balances - beginning	42,887,620	8,601,351	148,441	190,370	29,275,999	41,589,779	3,648,408	11,933,724	138,275,692
Fund balances - ending	\$ 51,469,313	\$ 12,473,397	\$ (1,133,253)	\$ 38,652	\$ 29,290,878	\$ 38,944,115	\$ 10,967,724	\$ 18,248,033	\$ 160,298,859

City of Alpharetta
Combining Balance Sheet
Non-Major Governmental Funds
February 28, 2023

	Special Revenue									Total Non-major
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911	American Rescue ACT	Debt Service Fund	Stormwater Capital Fund	Governmental Funds
ASSETS										
Cash / Cash Equivalents / Investments	\$ 1,830,063	\$ 4,633,033	\$ 287,122	\$ 40,858	\$ 161,543	\$ 1,641,527	\$ 3,456,534	\$ 5,960,416	\$ 4,167,307	\$ 22,178,402
Taxes Receivable	-	-	-	-	-	-	-	-	-	-
Pre-Paid Expenditures	-	-	-	-	-	-	-	-	-	-
Accounts Receivable	39,000	-	-	-	-	-	-	-	-	39,000
Property Taxes	-	-	-	-	-	-	-	219,676	-	219,676
Intergovernmental Receivable	-	-	-	-	1,186	-	-	-	-	1,186
Due From Other Funds	-	-	-	-	-	-	-	-	-	-
Restricted	-	-	-	-	-	-	-	-	-	-
Total Assets	1,869,062	4,633,033	287,122	40,858	162,728	1,641,527	3,456,534	6,180,092	4,167,307	22,438,263
LIABILITIES										
Accounts Payable	38,979	84,368	-	-	-	26,316	1,266	92	240,926	391,947
Retainage Payable	30,937	26,848	-	-	-	-	23,512	-	10,140	91,437
Intergovernmental Payable	-	-	-	-	-	-	-	-	-	-
Arbitrage Payable	-	-	-	-	-	-	-	-	-	-
Compensated Absences	-	-	-	-	-	-	-	-	-	-
Payroll Liabilities	-	-	-	-	-	3,373	-	-	-	3,373
Due to Other Fund	-	-	-	-	-	-	-	-	-	-
Deferred Revenue	39,000	-	-	-	1,186	-	-	219,676	-	259,862
Unearned Revenue	-	-	-	-	-	-	3,431,756	11,855	-	3,443,611
Total Liabilities	108,915	111,216	-	-	1,186	29,689	3,456,534	231,623	251,066	4,190,230
FUND BALANCES										
Restricted:										
Capital Projects	-	3,285,753	-	-	-	-	(2,663,434)	-	2,891,000	3,513,319
Law Enforcement	-	-	57,868	40,858	-	-	-	-	-	98,726
Promotion of Tourism	1,174,125	-	-	-	-	-	-	-	-	1,174,125
Emergency Telephone Activities	-	-	-	-	-	433,598	-	-	-	433,598
Debt Service	-	-	-	-	-	-	-	5,170,072	-	5,170,072
Assigned for: Grant Projects	-	-	-	-	-	-	-	-	-	-
Grant Projects	-	-	-	-	89,218	-	-	-	-	89,218
Encumbrances	-	1,117,593	-	-	51,650	521,819	2,663,434	-	952,377	5,306,873
Unallocated	586,022	118,471	229,254	-	20,675	656,421	-	778,397	72,863	2,462,103
Total Fund Balances	1,760,147	4,521,817	287,122	40,858	161,543	1,611,838	0	5,948,469	3,916,241	18,248,033
Total Liabilities and Fund Balances	\$ 1,869,062	\$ 4,633,033	\$ 287,122	\$ 40,858	\$ 162,728	\$ 1,641,527	\$ 3,456,534	\$ 6,180,092	\$ 4,167,307	\$ 22,438,263

City of Alpharetta
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Non-major Governmental Funds
For the Period Ended February 28, 2023

	Special Revenue									Total Non-major
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911 Fund	American Rescue Act	Debt Service Fund	Stormwater Service Fund	Governmental Funds
REVENUES:										
Hotel Motel Tax	\$ 5,322,652	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	\$ 5,322,652
Property tax	-	-	-	-	-	-	-	6,684,387	-	6,684,387
Charges for Service	-	-	-	-	90,200	2,382,856	-	-	-	2,473,055
Impact Fees	-	275,534	-	-	-	-	-	-	-	275,534
Forfeiture Income	-	-	44,583	15,562	-	-	-	-	-	60,145
Intergovernmental	-	-	-	-	7,299	-	767,245	-	-	774,543
Contributions & Donations	-	-	-	-	-	-	-	-	4,496	4,496
Investment Earnings (Loss)	11,618	45,783	-	-	1,425	11,384	-	48,515	33,135	151,859
Other	-	-	-	-	-	-	-	-	-	-
Total revenues	5,334,270	321,317	44,583	15,562	98,923	2,394,239	767,245	6,732,902	37,631	15,746,673
EXPENDITURES:										
Tourism	2,033,854	-	-	-	-	-	-	-	-	2,033,854
Community Development	-	-	-	-	-	-	-	-	-	-
Culture/Recreation	577,617	49,410	-	-	20,366	-	1,108	-	-	648,501
Public Safety	-	18,690	60,371	12,771	34,028	3,322,362	-	-	-	3,448,221
Public Works	-	634,677	-	-	-	-	766,137	4,750	638,082	2,043,646
General Government	2,915	-	-	-	-	-	-	-	-	2,915
Debt Service:	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	73,694	-	-	-	73,694
Interest	357,606	-	-	-	-	3,083	-	1,875,540	-	2,236,229
Bond Issuance Costs	-	-	-	-	-	-	-	-	-	-
Total expenditures	2,971,993	702,777	60,371	12,771	54,394	3,399,138	767,245	1,880,290	638,082	10,487,060
Excess (deficiency) of revenues over expenditures	2,362,278	(381,460)	(15,788)	2,791	44,529	(1,004,899)	-	4,852,613	(600,451)	5,259,613
OTHER FINANCING SOURCES (USES):										
Transfers in / out:										
General fund	(1,745,304)	-	-	-	-	-	-	-	2,800,000	1,054,696
Budgeted Fund Balance:	-	-	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-	-	-
Total other financing sources	(1,745,304)	-	-	-	-	-	-	-	2,800,000	1,054,696
Net change in fund balances	616,974	(381,460)	(15,788)	2,791	44,529	(1,004,899)	-	4,852,613	2,199,549	6,314,309
Fund balances - beginning	1,143,173	4,903,276	302,910	38,067	117,014	2,616,737	-	1,095,856	1,716,692	11,933,724
Fund balances - ending	\$ 1,760,147	\$ 4,521,817	\$ 287,122	\$ 40,858	\$ 161,543	\$ 1,611,838	\$ -	\$ 5,948,469	\$ 3,916,241	\$ 18,248,033

City of Alpharetta
Enterprise Fund -Solid Waste
Statement of Net Position
February 28, 2023

	<u>Solid Waste</u>
ASSETS	
Current Assets:	
Cash and Cash Equivalents & Investments	\$ 977,214
Inventories, at cost	-
Accounts Receivables (net of allowance for uncollectibles)	1,161,727
Prepaid Insurance Expenses	-
Total Current Assets	<u>2,138,941</u>
Noncurrent Assets:	
Restricted Cash, Cash Equivalents, and Investments	-
Total Restricted Assets	<u>-</u>
Other	-
Capital Assets	
Buildings and System	-
Machinery and Equipment	-
Less Accumulated Depreciation	-
Total Capital Assets (net of accumulated depreciation)	<u>-</u>
Total Noncurrent Assets	<u>-</u>
Total Assets	<u>2,138,941</u>
LIABILITIES	
Current Liabilities:	
Accounts Payable	7,128
Accounts Payable/ Customer Credit Balances	32,247
Accounts Payable/ Customer Pre-Paid Service	-
Payroll Liabilities	-
Accrued Salaries	-
Accrued Interest Payable	-
Compensated Absences Payable	-
Notes Payable - Revenue Bonds	-
Due to Other Funds	-
Total Current Liabilities	<u>39,375</u>
Current Liabilities Payable from Restricted Assets:	
Revenue Bonds Payable	-
Total Current Liabilities Payable from Restricted Assets	<u>-</u>
Noncurrent Liabilities:	
Customer Deposits	-
Compensated Absences less Current Portion	-
Revenue Bonds Payable	-
Total Noncurrent Liabilities	<u>-</u>
Total Liabilities	<u>39,375</u>
NET ASSETS	
Invested in Capital Assets, net of related debt	-
Reserved for Debt Service	-
Reserved for Encumbrances	-
Unreserved	2,099,567
Total Net Assets	<u>2,099,567</u>
Total Liabilities & Net Assets	<u>\$ 2,138,941</u>

City of Alpharetta
Enterprise Fund - Solid Waste
Statement of Revenues, Expenses, and Changes in Net Position
For the Period Ended February 28, 2023

Operating revenues:	
Charges for sales and services:	
Refuse Collection charges	\$ 5,102,270
Misc Revenue	1,405
Total operating revenues	<u>5,103,675</u>
Operating expenses:	
Administration	5,937,590
Non-departmental	-
Total operating expenses	<u>5,937,590</u>
Operating Gain (loss)	(833,915)
Non-operating revenues (expenses):	
Investment earnings (Loss)	<u>(507)</u>
Total non-operating revenue (expenses)	<u>(507)</u>
Income (loss) before transfers	(834,422)
Transfers In	-
Transfers Out	<u>-</u>
Change In Net Assets	(834,422)
Total net assets-beginning	<u>115,976</u>
Total net assets-ending (net of encumbrances)	<u>(718,446)</u>
Adjustments to GAAP basis:	
Encumbrances	2,818,012
Misc adj-Encumbrances Resv/Prior Year	
Total net assets-ending	<u>\$ 2,099,567</u>

DEVELOPMENT AUTHORITY



Revenue & Expenditure Report GAAP Financial Statements



ALPHARETTA DEVELOPMENT AUTHORITY

Financial Management Report - As of February 28, 2023 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Revenues					
99575100-346900	Bond Application Fee	\$ 234,750	\$ 234,750		\$ -
99575100-371000-C1532	ATC Operational Funding (COA)	95,000	95,000		-
(2) 99575100-381000-C1535	Innovation Center Operations (ATC)	23,700	7,915		15,785
	subtotal	\$ 353,450	\$ 337,665		\$ 15,785
(1) 99575100-395000	Carryforward Fund Balance	\$ 214,749	\$ -		\$ 214,749
	subtotal	\$ 214,749	\$ -		\$ 214,749
	Total	\$ 568,199	\$ 337,665		\$ 230,534
Expenditures					
99575100-571000-C1403	Local Job Creation Grant Program	\$ 32,500	\$ -	\$ -	\$ 32,500
99575100-544100-C1532	ATC Operational Funds	95,000	71,250	23,750	-
99575100-544100-C1601	High Impact Permitting Grant Program (IGA with COA)	20,948	-	-	20,948
99575100-544100-C0924	Economic Development Strategic Plan (split with COA)	37,500	-	-	37,500
99575100-544100-C2210	Downtown Economic Development Initiative	60,000	40,000	-	20,000
99575100-544100-C2312	AlphaLoop Foundation MOU (website creation)	20,000	20,000	-	-
99575100-544100-C2313	Atl. Urban Land Institute (technical assistance panel)	20,000	10,000	10,000	-
	subtotal	\$ 285,948	\$ 141,250	\$ 33,750	\$ 110,948
(2) 99575100-523860-C1535	Innovation Center Operations (Maintenance Contracts)	\$ 12,000	\$ 5,229	\$ 2,250	\$ 4,521
(2) 99575100-531200-C1535	Innovation Center Operations (Miscellaneous Utilities)	1,100	610	-	490
(2) 99575100-531210-C1535	Innovation Center Operations (Water/Sewer)	1,200	751	-	449
(2) 99575100-531220-C1535	Innovation Center Operations (Natural Gas)	5,000	3,127	-	1,873
(2) 99575100-531230-C1535	Innovation Center Operations (Electricity)	4,400	2,303	-	2,097
	subtotal	\$ 23,700	\$ 12,020	\$ 2,250	\$ 9,430
99575100-579000	Reserve	\$ 258,551	\$ -	\$ -	\$ 258,551
	Total	\$ 568,199	\$ 153,270	\$ 36,000	\$ 378,929

- (1) Carryforward Fund Balance represents cash available at the end of the prior fiscal year that is programmed into the current fiscal year budget. As this account represents cash already received, there will not be actual collections.
- (2) Innovation Center utilities are being funded by the Alpharetta Technology commission (ATC) on a reimbursement basis. As such, expenses will outpace budget at month end due to the billing/reimbursement delay.



ALPHARETTA DEVELOPMENT AUTHORITY
Financial Management Report - As of February 28, 2023 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Fund Balance Reconciliation					
Fund Balance (beginning of Fiscal Year)			\$ 214,749		
Revenues collected to date			337,665		
Expenditures incurred to date			(153,270)		
Fund Balance (current)			\$ 399,144		
Forecasted revenue collections			4,105		
Fund Balance (forecasted)			\$ 403,249		
Fund Balance Allocation (forecasted):					
Non-Spendable (unspent/remaining project allocations)			\$ 144,698		
Spendable (available for investment by the Board)*			258,551		
			\$ 403,249		

* May differ from the Fund Balance figures in the attached Balance Sheet due to forecasted revenue collections that are anticipated, but not yet collected.

City of Alpharetta
Balance Sheet
COMPONENT UNIT-DEVELOPMENT AUTHORITY
February 28, 2023

ASSETS

Current Assets:

Cash and Cash Equivalents	\$ 400,985
Investments	-
Receivables	-
Restricted Cash for Bond Issuance Costs	2,715
Total Assets	403,700

LIABILITIES

Current Liabilities:

Accounts Payable	750
Deferred Revenue	2,715
Due to Other Funds	1,091
Total Current Liabilities	4,556

Current Liabilities Payable from Restricted Assets:

	-
Total Current Liabilities Payable from Restricted Assets	-

Noncurrent Liabilities:

	-
Total Noncurrent Liabilities	-
Total Liabilities	4,556

Fund Balance

Restricted	144,698
Unallocated	254,446
Total Fund Balance	399,144

Total Liabilities & Fund Balance	\$ 403,700
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City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balance
COMPONENT UNIT-DEVELOPMENT AUTHORITY
For the Period Ended February 28, 2023

	<u>Actual Amounts</u>
Revenues	
Rent/Royalties	\$ 7,915
State Grant	-
Fees	234,750
Contributions & Donations	95,000
Miscellaneous Income-Interest	-
Miscellaneous Revenue	-
Total Revenues	<u><u>337,665</u></u>
Expenditures	
Economic Development	175,000
Maintenance Contracts	7,479
Donation to private source	-
Utilities - Miscellaneous	6,791
Debt Service:	
Principal	-
Interest	-
Total Expenditures	<u><u>189,270</u></u>
Excess (deficiency) of revenues over (under) expenditures	148,395
Other Financing Sources (Uses)	
Sale of capital assets	-
Net Change in Fund Balances	148,395
Fund Balance, Beginning of Year	<u><u>214,749</u></u>
Encumbrances	36,000
Fund Balance, End of Year	<u><u>399,144</u></u>





STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: April 17, 2023

AGENDA ITEM:

Ordinance: Municipal Election Superintendent and Contracting with Fulton County for Such Purposes **FIRST READING**

Consideration of adoption of an Ordinance to amend Article I of Chapter 2 of the Code of the City of Alpharetta, Georgia to authorize the appointment of a municipal election superintendent, to authorize the Fulton County Board of Registration and Elections to conduct municipal elections in the City; to authorize the City to enter into a contract with Fulton County for such purposes; to appoint the Fulton County Board of Registration and Elections as Election Superintendent; and for other purposes.

STAFF RECOMMENDATION:

Adopt an Ordinance to amend Article I of Chapter 2 of the Code of the City of Alpharetta, Georgia to authorize the appointment of a municipal election superintendent, to authorize the Fulton County Board of Registration and Elections to conduct municipal elections in the City; to authorize the City to enter into a contract with Fulton County for such purposes; to appoint the Fulton County Board of Registration and Elections as Election Superintendent; and for other purposes.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

Every odd year, the City of Alpharetta is required to hold a municipal general election. O.C.G.A. § 21-2-70.1 requires municipalities to appoint, during a public meeting, a person or committee to serve as the municipal election superintendent for said elections. Additionally, O.C.G.A. § 21-2-45 allows municipalities to authorize the County to conduct any or all elections and to perform all duties as superintendent of elections, with or without the exception of the qualification of candidates.

If approved, this Ordinance will amend Section 2-5 of The Code of the City of Alpharetta, Georgia to add provisions related to the appointment of a municipal superintendent, and to authorize the Fulton County Board of Registration and Elections to conduct municipal elections and act as the superintendent of elections, as agreed to by the City and Fulton County.

Later, an Intergovernmental Agreement will be brought forward for Mayor and Council to consider as it relates to contracting with Fulton County as municipal election superintendent and for overall election services for this year's municipal election.

ALTERNATIVES:

Do not adopt an Ordinance to appoint Fulton County Board of Registration and Elections as municipal election superintendent and appoint another individual or entity as elections superintendent.

ATTACHMENTS:

1. Ordinance Election Superintendent + Fulton County



AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE I OF CHAPTER 2 OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA, TO AUTHORIZE THE APPOINTMENT OF A MUNICIPAL ELECTION SUPERINTENDENT, TO AUTHORIZE THE FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS TO CONDUCT MUNICIPAL ELECTIONS IN THE CITY; TO AUTHORIZE THE CITY TO ENTER INTO A CONTRACT WITH FULTON COUNTY FOR SUCH PURPOSES; TO APPOINT THE FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS AS ELECTION SUPERINTENDENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Alpharetta is required to hold municipal elections pursuant to the Charter of the City of Alpharetta and the laws of the State of Georgia; and

WHEREAS, state law provides for the appointment of a municipal superintendent to conduct municipal elections (O.C.G.A. § 21-2-70.1); and

WHEREAS, the Official Code of Georgia Annotated § 21-2-45 further provides:

The governing authority of any municipality may authorize any county within which that municipality wholly or partially lies to conduct any or all elections held pursuant to this chapter. In the event a municipality shall by ordinance authorize such county to conduct elections, such municipality may request such county to perform any or all of the functions:

- (1) That the county shall perform all duties as superintendent of elections as specified under this chapter;
- (2) That the county shall perform all duties as superintendent of elections as specified under this chapter, with the exception of the qualification of candidates;
or
- (3) That the county shall lease or loan any or all of its election equipment to the municipality for the purpose of conducting municipal elections without any responsibility on the part of the county for the actual conduct of the municipal election.

; and

WHEREAS, the Council wishes to amend Section 2-5 of the City Code to add provisions related to the appointment of a municipal superintendent and to authorize the Fulton County Board of Registration and Elections to conduct municipal elections and act as the superintendent of elections as agreed to between the City and Fulton County;

NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Section 2-5 of the Code of the City of Alpharetta is hereby amended as set forth on the attached Exhibit “A.”

Section 2: It is the intention of Council, and it is hereby ordained by the authority of Council, that the provisions of this Ordinance shall become and be made a part of the Code of the City of Alpharetta, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

Section 3: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 5: This Ordinance shall be effective immediately upon its adoption by the City Council.

SO ORDAINED, the _____ day of _____, 2023.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Donald F. Mitchell

Brian Will

Douglas J. Derito

John Hipes

Jason Binder

Dan Merkel

ATTEST:

APPROVED AS TO FORM:

Lauren Shapiro, City Clerk

Molly Esswein, City Attorney

EXHIBIT “A”

Sec. 2-5. - Elections; Appointment of Superintendents; Conducting Elections. ~~“incumbent” label on ballot.~~

(a) The City Council shall authorize a municipal superintendent to conduct municipal elections according to the provisions of O.C.G.A. § 21-2-70.1, or shall so delegate that role to the Fulton County Board of Registration and Elections pursuant to state law and as provided herein.

(b) Pursuant to state law, particularly O.C.G.A. § 21-2-45, the city may contract or otherwise decide by agreement with the Fulton County Board of Registration and Elections for that board to coordinate and conduct all elections in the city.

(c) In situations where the city has contracted and authorized the county to conduct such election, the Fulton County Board of Registration and Elections shall operate as the superintendent of the election and shall perform all functions of the city or any of its officials in connection with the conduct of such election or runoff thereof, except as hereinafter provided.

(d) All other terms of the contract for conducting the election shall be governed by the Intergovernmental Agreement entered into between the city and the Fulton County Board of Registration and Elections, such terms to include, but not be limited to:

(1) Payment of election costs; and

(2) The county’s financial liability for any litigation arising by reason of the election, if any.

(e) All decisions concerning the qualification of the candidates shall be determined by the City Clerk in accordance with state law and City Code.

(f) It shall be lawful to have the word "incumbent" follow the name of any person who is running and is legally holding office at the time of any legal or special election held in the city.



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: April 17, 2023

AGENDA ITEM:

Intergovernmental Agreement: Fulton County Election Services

Consideration of approval of the Intergovernmental Agreement for the provision of election services between Fulton County, Georgia and the City of Alpharetta, Georgia and authorize the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve the Intergovernmental Agreement for the provision of election services between Fulton County, Georgia and the City of Alpharetta, Georgia and authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: ESTIMATED PRO-RATA
SHARE IS \$379,408.77

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Election Services IGA - Fulton County (10013301-521200-ACC00)	\$397,409

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-	\$0.00

ITEM DESCRIPTION:

Earlier this year, Mayor and Council adopted a resolution which contemplated hiring a Municipal Election Superintendent if the City of Alpharetta were to conduct its November 7, 2023 general municipal election. During a City Council Work Session on March 20, 2023, it was the consensus of Council that the City should contract with Fulton County to host this year's municipal election, which was later solidified when Mayor and Council adopted Resolution 2174 which authorized Fulton County to conduct the City's November 7, 2023 municipal general election and authorized the city to enter into a contract with Fulton County for such purposes.

The Intergovernmental Agreement presented tonight, if approved, would assign all duties of elections superintendent to Fulton County. It also states that the City of Alpharetta is responsible for adopting election ordinances, candidate qualification, filing officer duties as required by the Georgia Government Transparency and Campaign Finance Commission, verifying the City's voter list and street maintenance files, providing information related to early voting locations and referendums, and reviewing ballot proofs.

Currently, the City's estimated pro-rata share of the total election cost is \$379,408.77. This total amount is based on the City's number of registered voters and could change based on whether the County conducts elections for all Fulton County cities in 2023.

ALTERNATIVES:

Do not approve this intergovernmental agreement and the City shall conduct its own municipal election for November 7, 2023.

ATTACHMENTS:

1. Fulton County IGA for Elections

**INTERGOVERNMENTAL AGREEMENT FOR THE
PROVISION OF ELECTION SERVICES BETWEEN
FULTON COUNTY, GEORGIA and
CITY OF ALPHARETTA, GEORGIA**

THIS INTERGOVERNMENTAL AGREEMENT is entered into this ____ day of _____, 2023, between Fulton County, Georgia (“County”), a political subdivision of the State of Georgia, and the City of Alpharetta, Georgia (“City”), a municipal corporation lying wholly or partially within the County (each a “Party” and collectively the “Parties”).

WHEREAS, the Parties to this Agreement are both governmental units; and

WHEREAS, the County and the City desire to maintain a mutually beneficial, efficient, and cooperative relationship that will promote the interests of the citizens of both jurisdictions; and

WHEREAS, the City desires to contract with the County to conduct the City’s 2023 general election and potential runoff elections for the citizens of the City pursuant to the applicable laws of the State of Georgia; and

WHEREAS, the City and the County are authorized by Art. IX, Sec. III, Par. I of the Constitution of the State of Georgia to contract for any period not exceeding fifty (50) years for the provision of facilities or services which they are authorized by law to provide, including an agreement for the conduct of the City elections; and

WHEREAS, O.C.G.A. § 21-2-45(c) authorizes the governing authority of any municipality to contract with the county within which that municipality wholly or partially lies to conduct any or all elections; and

WHEREAS, pursuant to O.C.G.A. § 21-2-45(c), a municipality, via adoption of an ordinance, may authorize a county to conduct such election(s), and the City shall adopt such an ordinance; and

WHEREAS, pursuant to O.C.G.A. § 21-2-45(c), a municipality may request that the county perform all duties as superintendent of elections as specified in Title 21 of Georgia Law.

NOW THEREFORE, in consideration of the following mutual obligations, the County and City agree as follows:

ARTICLE 1 - CONDUCT OF ELECTIONS

1.1 This Agreement will govern the conduct of any and all elections which the City requests the County to conduct, including any and all runoffs which may be necessary. It is the intent of the Parties that any elections which the County has agreed to perform based on the City’s request

("City Elections") shall be conducted in compliance with all applicable federal, state, and local legal requirements.

1.2 For each election that the City would like the County to perform, the City, at its sole option, shall submit to County a request for the County to conduct the City's municipal election, in the form attached hereto as Exhibit A. Requests must be made and received at the address specified in the Notice Section below no later than April 30, 2023 to allow the County sufficient advance time and notice to adequately prepare to conduct the City Election. If a request is not made and received within the prescribed time, the County shall not conduct the City's election even if the City has so requested the County conduct an election.

1.3 In the event the City requires a special election as defined by O.C.G.A. § 21-2-2(33), the City and the County shall confer as allowed by law and determine the cost the City will pay for the County's election services, and a mutually convenient date to conduct any such election.

ARTICLE 2 - TERM OF AGREEMENT

This Agreement shall commence on the date that it is executed by the Chairman or on behalf of the governing authority of Fulton County, Georgia and will terminate on December 31, 2023, unless otherwise terminated as set forth herein.

ARTICLE 3 - DUTIES AND RESPONSIBILITIES

Pursuant to this Agreement, and contingent upon the City's timely request and agreement by the County to conduct a City election, each Party shall provide the following enumerated services for the election to be held November 7, 2023, and any associated runoff elections which may occur:

3.1 The County, through the Department of Registration and Elections ("DRE") or their designee(s), shall be responsible for:

- a) Designating early and advance voting sites and hours;
- b) Placing the City's candidate(s) on the electronic and printed ballots for City Elections after qualifying;
- c) Placing the City's referendum question(s) on the ballot for a City Election after timely written notice from the City is received by the County (which such notice shall include all necessary details and information);
- d) Hiring, training, supervising, and paying poll officers and absentee ballot clerks;
- e) Preparing and submitting to the City Clerk, as required by O.C.G.A. § 21-2-224(e), a list of electors;

- f) Performing duties of elections Superintendent and absentee ballot clerk for the November 7, 2023 City Election;
- g) Performing logic and accuracy testing as required by Sections 183-1-12-.08 of the Official Compilation of Rules and Regulations of the State of Georgia;
- h) Providing staff, equipment and supplies for conducting the November 7, 2023 City general election at City polling places on City Election days and for conducting recounts as may be required;
- i) Certifying City Election returns as required by O.C.G.A. § 21-2-493, and submitting certified City Election returns to the Georgia Secretary of State and City Clerk or as otherwise directed; and
- j) Upon a change in City precincts or voter districts, notifying City residents of any change in voting districts and/or municipal precincts.

3.2 The City shall be responsible for:

- a) Recommending, with the understanding that the County shall make the final determination of, early voting sites and hours of operation to the County in conformance with current election laws and regulations;
- b) Adopting Election ordinances pursuant to O.C.G.A. § 21-2-45(c);
- c) Preparing qualifying materials for potential candidates and performing qualifying of candidates, including any write-in candidates, for City Elections as required by state law, specifically O.C.G.A. § 21-2-130 *et seq.*;
- d) Fixing and publishing the qualifying fee as required by O.C.G.A. § 21-2-131;
- e) Collecting and retaining the qualifying fee as required by O.C.G.A. § 21-2-131, as it may be amended;
- f) Performing filing officer duties as required by the Georgia Government Transparency and Campaign Finance Commission for any and all state reports filed by the candidates or committees in conjunction with City Elections to ensure compliance with Title 21, Chapter 5 of the Official Code of Georgia;
- g) Verifying the City's voter list and street maintenance files by June 21, 2023.
- h) Providing the County with an electronic copy of referendums that must be placed on a ballot;

- i) Reviewing ballot proofs and notifying County of corrections or approval within twenty-four (24) hours of receiving proofs for candidate listings; and
- j) Otherwise cooperating with the County in the performance of this Agreement and providing the County such documentation and information as it may reasonably request to facilitate the performance of its duties under this Agreement.

ARTICLE 4 - COMPENSATION AND CONSIDERATION

4.1 To conduct the general elections and associated run-off elections for all fifteen (15) municipalities within the County's geographical territory, the County estimates that the total cost to the County will be \$5,720,000.00 to conduct general municipal elections and \$2,451,900.00 to conduct any associated runoff elections.

4.2 In consideration for the County's election services, the City shall pay an estimated pro-rata share of the total election cost based on the City's number of registered voters. Payments must be received by the County at least four (4) months prior to the date of the City's scheduled general election and two (2) weeks prior to any associated run-off election.

4.3 The City's estimated pro-rata share of the total election cost presently is **\$379,408.77**. This amount is subject to recalculation if the County does not provide all cities within the County's jurisdictional limits with election assistance in 2023. The County will notify the City of any change in the City's estimated pro-rata share no later than September 1, 2023.

4.4 If the estimated pro-rata share payment results in the City making payments in excess of the actual cost of performing the City's requested election services, such excess payments shall be refunded to the City.

4.5 If the actual cost to the County to conduct the City's general election or associated runoff elections exceeds the estimated pro-rata share advance payment made by the City, the City shall pay such excess amount to the County within thirty (30) days of the County's request for payment of the excess amount. Failure on the part of the City to remit payment timely is a material breach of this Agreement.

4.6 Notwithstanding anything else in this Agreement to the contrary, in compliance with O.C.G.A. § 21-2-45(c), the City understands and agrees that it shall be responsible for paying all costs incurred by the County in performing election services which the City has requested from the County.

ARTICLE 5 - LEGAL RESPONSIBILITIES

5.1 The City shall be solely responsible for any liability resulting from any claims or litigation arising from or pertaining to any City Election, except claims or litigation regarding the acts of agents or employees of the County, the County Board of Registration and Elections, and the County Election Superintendent in connection with any City Election held pursuant to this Agreement. The City agrees to reimburse the County for all costs, including, but not limited to,

court costs and attorney fees for the County Attorney or outside counsel, incurred by the County as a result of any such claim or litigation. The City shall make payment of such reimbursements to the County within thirty (30) days of receipt of any invoice for reimbursement from the County.

5.2 In the event that a City Election is contested, the City shall be solely responsible for any liability resulting from any claims or litigation arising from or pertaining to any contested City Election, except claims or litigation regarding the acts of agents or employees of the County, the County Board of Registrations and Elections, and the County Election Superintendent in connection with any City Election held pursuant to this Agreement. The City agrees to reimburse the County for all costs incurred in responding to the election challenge, including, but not limited to, attorney's fees for the County Attorney or outside counsel and all expenses associated with the election challenge and any appeals thereafter. The City shall make payment of such reimbursements to the County within thirty (30) days of receipt of any invoice for reimbursement from the County. If a second election is required, such election will constitute a City Election under this Agreement and shall be conducted in accordance with the terms of this Agreement.

5.3 To the extent allowed by law, the City agrees to defend and hold harmless the County with respect to any claim, demand, action, damages, judgment, cost and/or expenses (including, without limitation, reasonable attorney's fees and legal expenses) to which the County may be subjected as a consequence of or as a result of any error, omission, tort, intentional tort, willful misconduct, or any other negligence on the part of the City and/or its employees.

5.4 To the extent allowed by law, the County agrees to defend and hold harmless the City with respect to any claim, demand, action, damages, judgment, cost and/or expenses (including, without limitation, reasonable attorney's fees and legal expenses) to which the City may be subjected as a consequence of or as a result of willful misconduct on the part of the County and/or its employees.

5.5 It is the intent of the Parties for them, along with their officials, officers, employees and agents to be covered under the auspices of any applicable immunity granted by law, including sovereign immunity and official or qualified immunities.

5.6 Should it be necessary to comply with legal requirements that any of the County's personnel shall be sworn in as a temporary officer or employee of the City, such formality shall be observed without limitation.

ARTICLE 6 - EMPLOYMENT STATUS

6.1 All County personnel assigned under this Agreement are and will continue to be employees of the County for all purposes, including, but not limited to: duties and responsibilities, employee benefits, grievance, payroll, pension, promotion, annual or sick leave, standards of performance, training, workers compensation and disciplinary functions.

6.2 All County personnel assigned under this Agreement are and will continue to be part of the DRE and under the supervision of the Fulton County Director of the DRE.

6.3 All City personnel assigned under this Agreement are and will continue to be employees of the City.

ARTICLE 7 - RECORDKEEPING AND REPORTING

7.1 The DRE is the central repository for all DRE records and makes available public records as defined and required by the Georgia Open Records Act, O.C.G.A. § 50-18-70, *et seq.*, O.C.G.A. § 21-2-51 and O.C.G.A. § 21-2-72, now and as they may be amended hereafter. During the term of this Agreement, the County will continue to comply with the applicable provisions of the Georgia Open Records Act and the Georgia Election Code.

7.2 Except as limited by any provision of state or federal law, the City may request, review and access data and County records at a mutually agreed upon time to ensure compliance with this Agreement.

ARTICLE 8 - E-VERIFY AND TITLE VI

Each Party agrees that it will comply with all E-Verify and Title VI requirements and execute any documents reasonably required related to such compliance. Further, each Party agrees that any contracts let for work completed pursuant to this Agreement shall contain all required E-Verify and Title VI requirements under applicable law.

ARTICLE 9 - AUTHORIZATION

Each of the individuals executing this Agreement on behalf of his or her respective Party agrees and represents to the other Party that he or she is authorized to do so and further agrees and represents that this Agreement has been duly passed upon by the required governmental agency or council in accordance with all applicable laws and spread upon the minutes thereof. The Parties hereto agree that this Agreement is an intergovernmental contract and is entered into pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia 1983.

ARTICLE 10 - TERMINATION AND REMEDIES

Either Party may unilaterally terminate this Agreement, in whole or in part, for any reason whatsoever or no reason at all, by notice in writing to the other Party delivered at least thirty (30) days prior to the effective date of the termination. Upon termination, the City shall be responsible for any and all costs the County has incurred, for preparation and/or performance of the City Election, up to receipt of notice to terminate this Agreement. Without terminating this Agreement, the County may suspend, delay, or interrupt all or any part of its responsibilities under this Agreement for the period of time that the County determines appropriate for its convenience.

ARTICLE 11 - NOTICES

All required notices shall be given by certified first class U.S. Mail, return receipt requested, or statutory overnight delivery. The Parties further agree to provide to each other non-

binding duplicate electronic mail notice. Future changes in address shall be effective upon written notice being given by the City to the County Elections Superintendent or by the County to the City Clerk. Notices shall be addressed to the Parties at the following addresses:

If to the County: Fulton County Board of Registration and Elections
Attn: Director
130 Peachtree St SW, Suite 2186
Atlanta, Georgia 30303

With a copy to: Fulton County Office of the County Attorney
Attn: County Attorney
141 Pryor Street SW, Suite 4038
Atlanta, Georgia 30303

If to the City: City Clerk
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

With a copy to: Alpharetta City Attorney
Jarrard & Davis, LLP
222 Webb Street
Cumming, Georgia 30040

ARTICLE 12 - NON-ASSIGNABILITY

Neither Party shall assign any of the obligations or benefits of this Agreement.

ARTICLE 13 - ENTIRE AGREEMENT

The Parties acknowledge, one to the other, that the terms of this Agreement constitute the entire understanding and Agreement of the Parties regarding the subject matter of the Agreement. This Agreement constitutes the entire understanding and agreement between the Parties concerning the subject matter of this Agreement and supersedes all prior oral or written agreements or understandings. No representation oral or written not incorporated in this Agreement shall be binding upon the City or the County. All Parties must sign any subsequent changes in the Agreement.

ARTICLE 14 - SEVERABILITY, VENUE AND ENFORCEABILITY

If a court of competent jurisdiction renders any provision of this Agreement (or portion of a provision) to be invalid or otherwise unenforceable, that provision or portion of the provision will be severed, and the remainder of this Agreement will continue in full force and effect as if the invalid provision or portion of the provision were not part of this Agreement. No action taken pursuant to this Agreement should be deemed to constitute a waiver of compliance with any representation, warranty, covenant or agreement contained in this Agreement and will not operate or be construed as a waiver of any subsequent breach, whether of a similar or dissimilar nature. This Agreement is governed by the laws of the state of Georgia without regard to conflicts of law principles thereof. Should any Party institute suit concerning this Agreement, venue shall be in the Superior Court of Fulton County, Georgia. Should any provision of this Agreement require judicial interpretation, it is agreed that the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one Party by reason of the rule of construction that a document is to be construed more strictly against the Party who itself or through its agent prepared the same, it being agreed that the agents of all Parties have participated in the preparation hereof.

ARTICLE 15 - BINDING EFFECT

This Agreement is intended for the benefit of the Parties hereto and is not for the benefit of, nor may any provision hereof be enforced by, any other person.

ARTICLE 16 - COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument. Electronic signatures shall have the same weight and effect of wet signatures.

[Signatures on Following Pages]

IN WITNESS WHEREOF, the City and County have executed this Agreement through their duly authorized officers on the day and year first above written.

FULTON COUNTY, GEORGIA

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

DATE:

Attest: _____
Tonya R. Grier, Clerk to Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney

APPROVED AS TO SUBSTANCE:

Nadine Williams, Director
Fulton County Department of Registration
and Elections

[Signatures Continued on Following Page]

CITY OF ALPHARETTA, GEORGIA

By: _____ (SEAL)
Jim Gilvin, Mayor

ATTEST:

Lauren Shapiro, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

City Attorney

Chris Lagerbloom, City Administrator

EXHIBIT A

As per the Agreement executed on _____, the City of Alpharetta, hereby requests that Fulton County conduct its General and potential Runoff Elections beginning on November 7, 2023 within the boundary of Fulton County.

The last day to register to vote in this election is October 10, 2023.

The list of early voting locations will be forthcoming.

This _____ day of _____, 2023.

Lauren Shapiro, City Clerk

(SEAL)

Fulton County, Georgia agrees to conduct the City of Alpharetta's General and potential Runoff Elections beginning on November 7, 2023, within the boundary of Fulton County.

This _____ day of _____, 2023.

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

(SEAL)

[https://fc0365.sharepoint.com/sites/CountyAttorney/CAContracts/Elections/2023 Elections Municipal IGA/02.24.23 2023 IGA - ELECTIONS TEMPLATE for Cities.docx](https://fc0365.sharepoint.com/sites/CountyAttorney/CAContracts/Elections/2023%20Elections%20Municipal%20IGA/02.24.23%202023%20IGA%20-%20ELECTIONS%20TEMPLATE%20for%20Cities.docx)



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

CITY COUNCIL SPONSOR: DAN MERKEL

I. AGENDA ITEM TITLE: PH-23-01 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – CRABAPPLE OVERLAY DISTRICT

CITY COUNCIL: MARCH 27, 2023

This item was considered at the 3/2/2023 Planning Commission meeting. There was one (1) public comment from a property owner in the proposed overlay asking if the overlay would require streetscape improvements to the existing site. A Planning Commissioner requested that bike racks be added to the street furniture section. After discussion, Planning Commission recommended approval. Vote 7-0

II. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Article II to add Section 2.11 Crabapple Overlay.

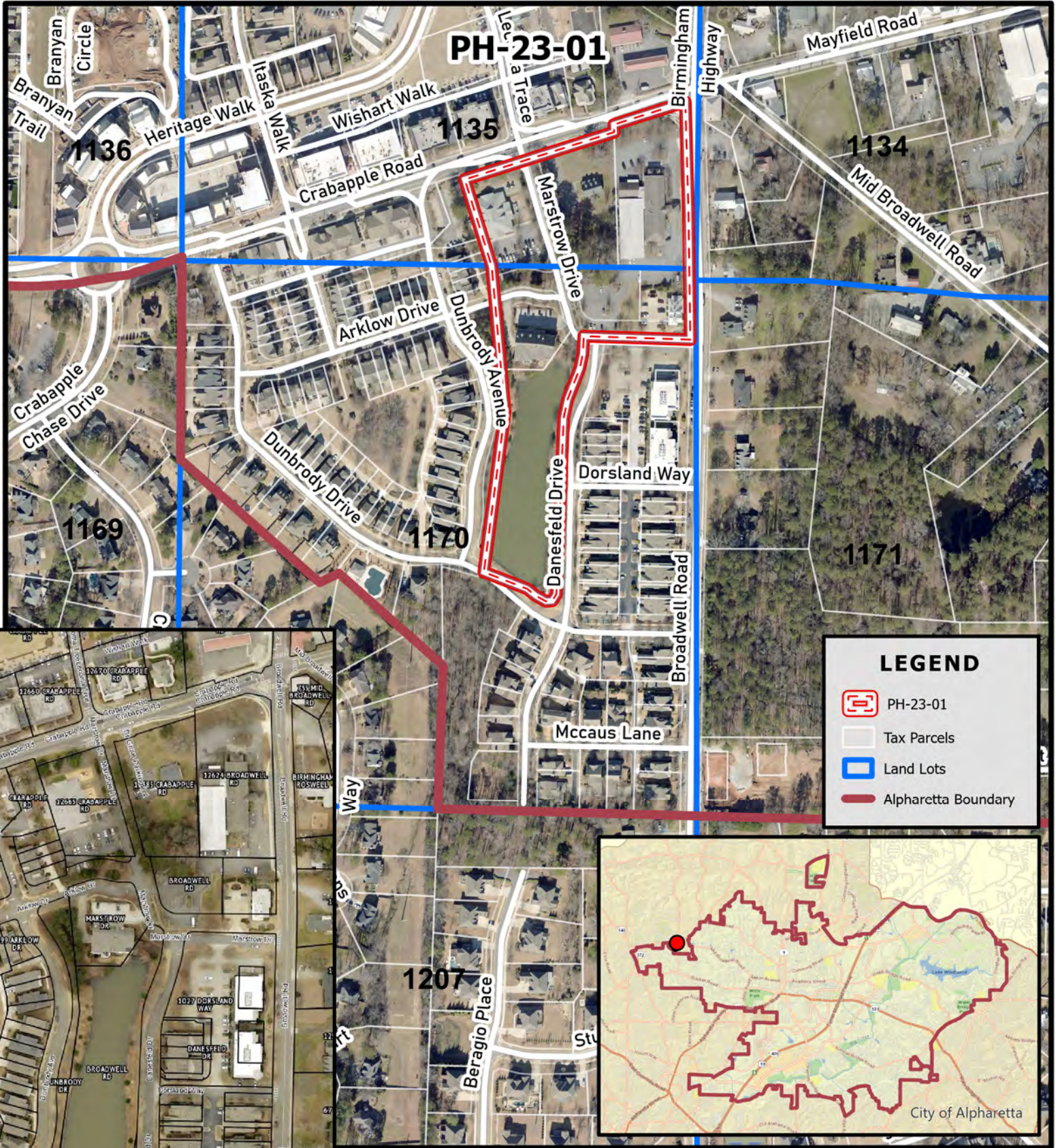
DISCUSSION

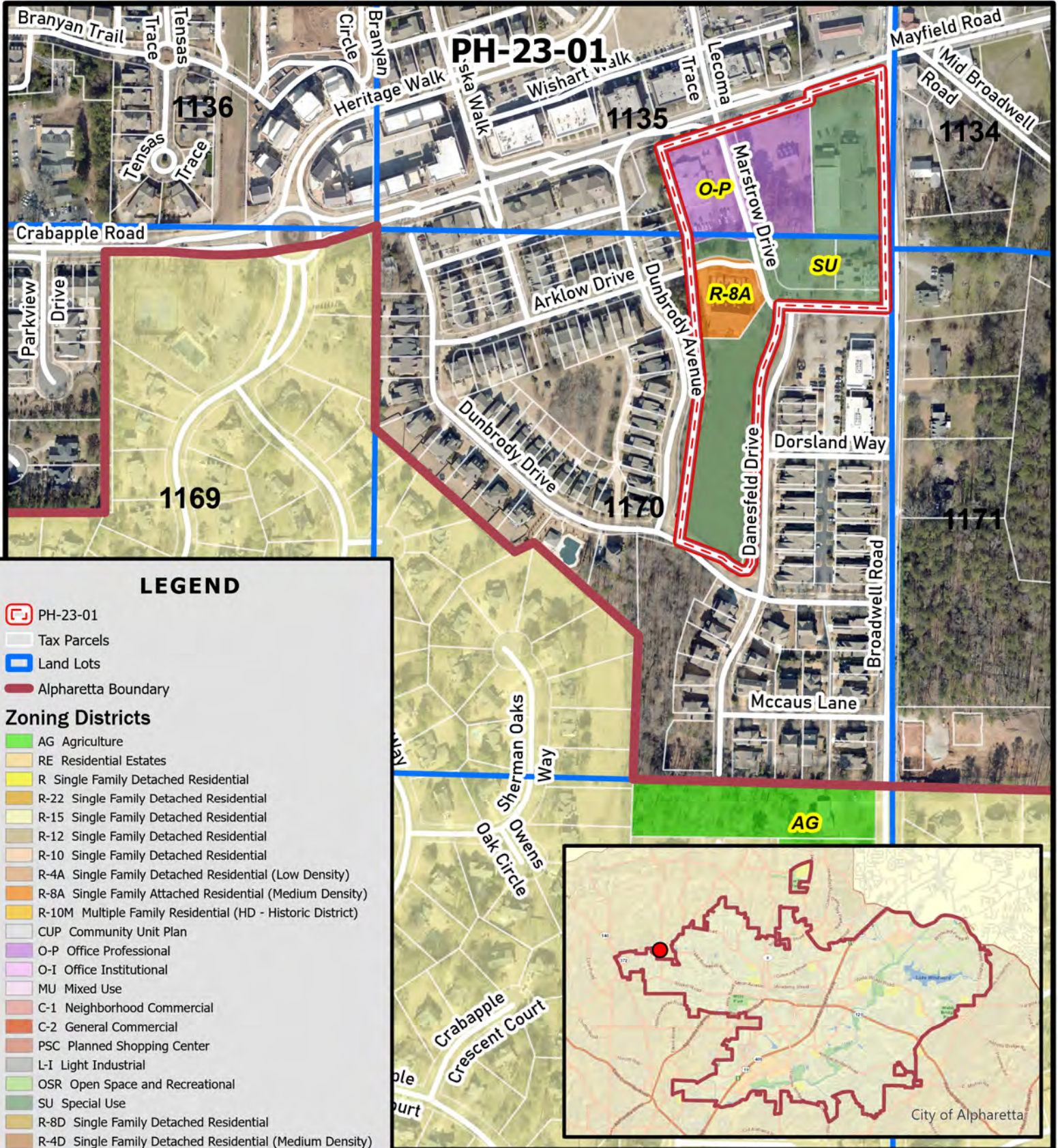
Approximately nine (9) acres of land in the Crabapple area is located in Alpharetta, with the remaining area located in the City of Milton. Through various planning efforts, Milton has established and is implementing their vision for Crabapple, which promotes the area as Milton's Downtown. In order to implement a cohesive look and vision for the area, it is recommended that the City adopt an overlay district to ensure compatible with the City of Milton's vision for Crabapple.

In preparing the Crabapple Overlay, City Staff reviewed Milton's zoning regulations, zoning map, applicable long-range planning documents, and GDOT plans for Crabapple Road. In coordination with City of Milton staff, the proposed Crabapple Overlay addresses regulations related to site design standards, streetscapes, parking and loading, landscaping and screening, building design and street furniture.

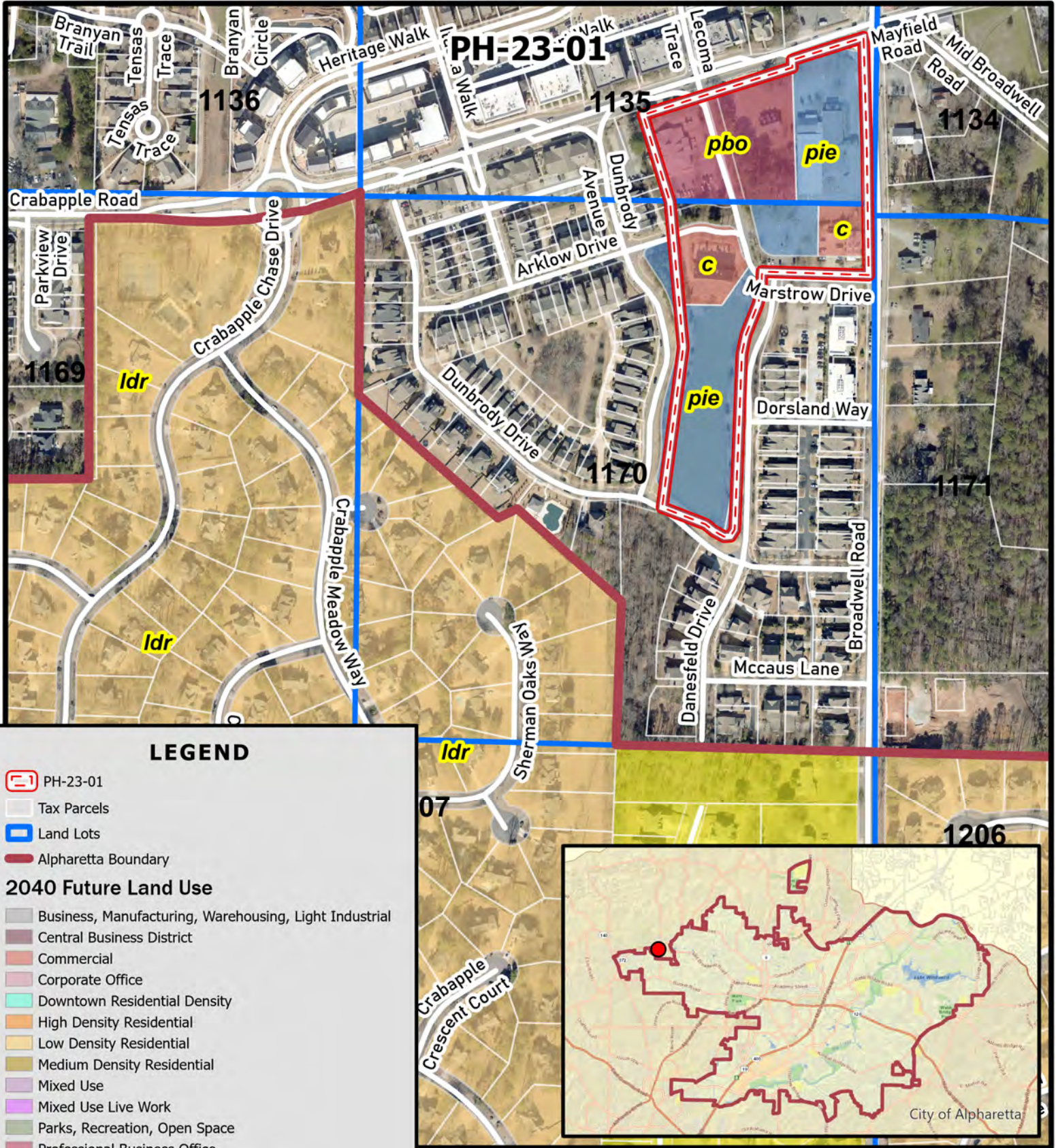
III. ATTACHMENTS:

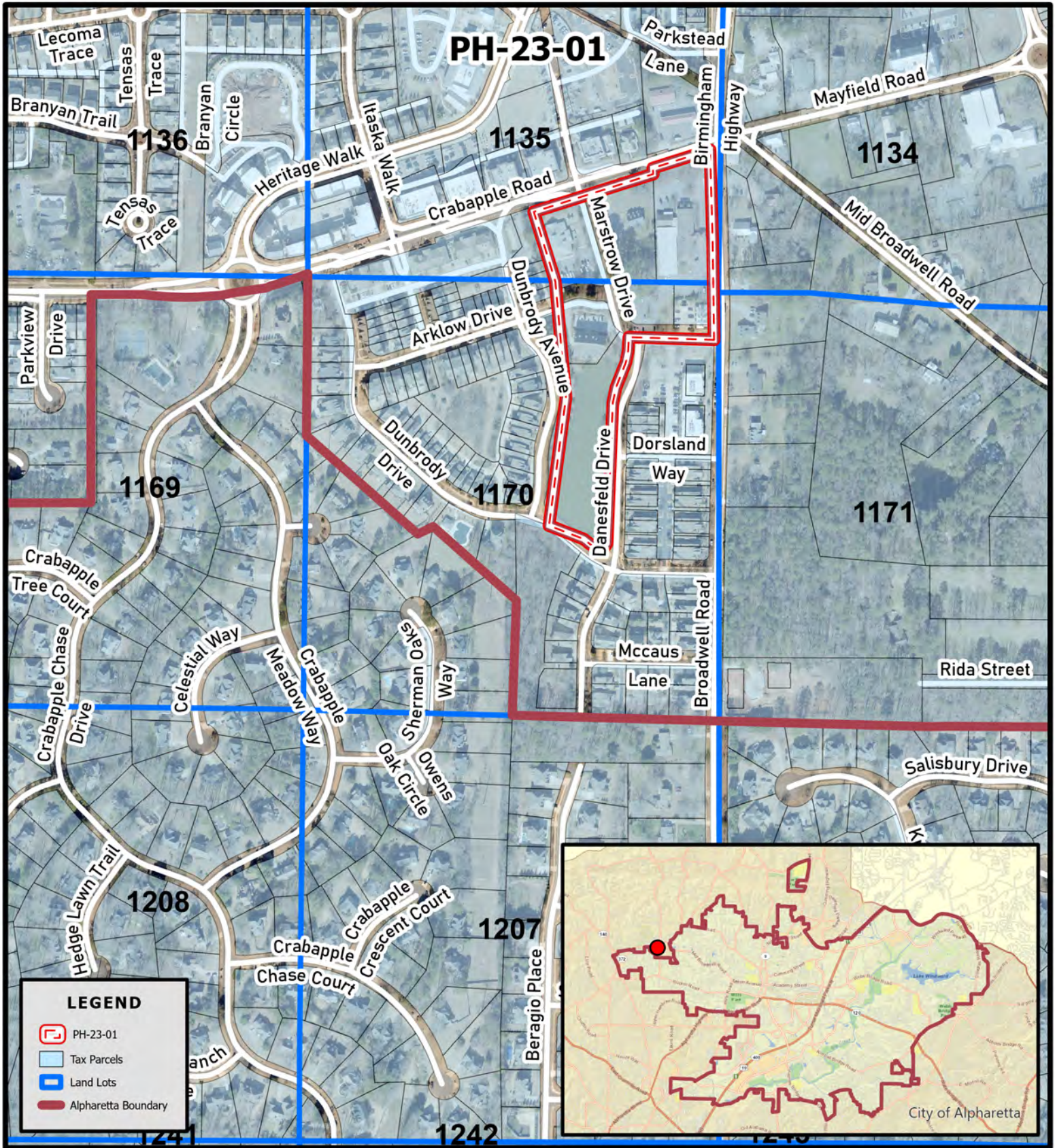
- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- City of Milton Crabapple Zoning Map
- UDC Section 2.11 Crabapple Overlay
- Ordinance





PH-23-01
D/LL: 2/2/1135, 1170
PC: 2/02/23
CC: 2/27/23





PH-23-01

LEGEND

- PH-23-01
- Tax Parcels
- Land Lots
- Alpharetta Boundary

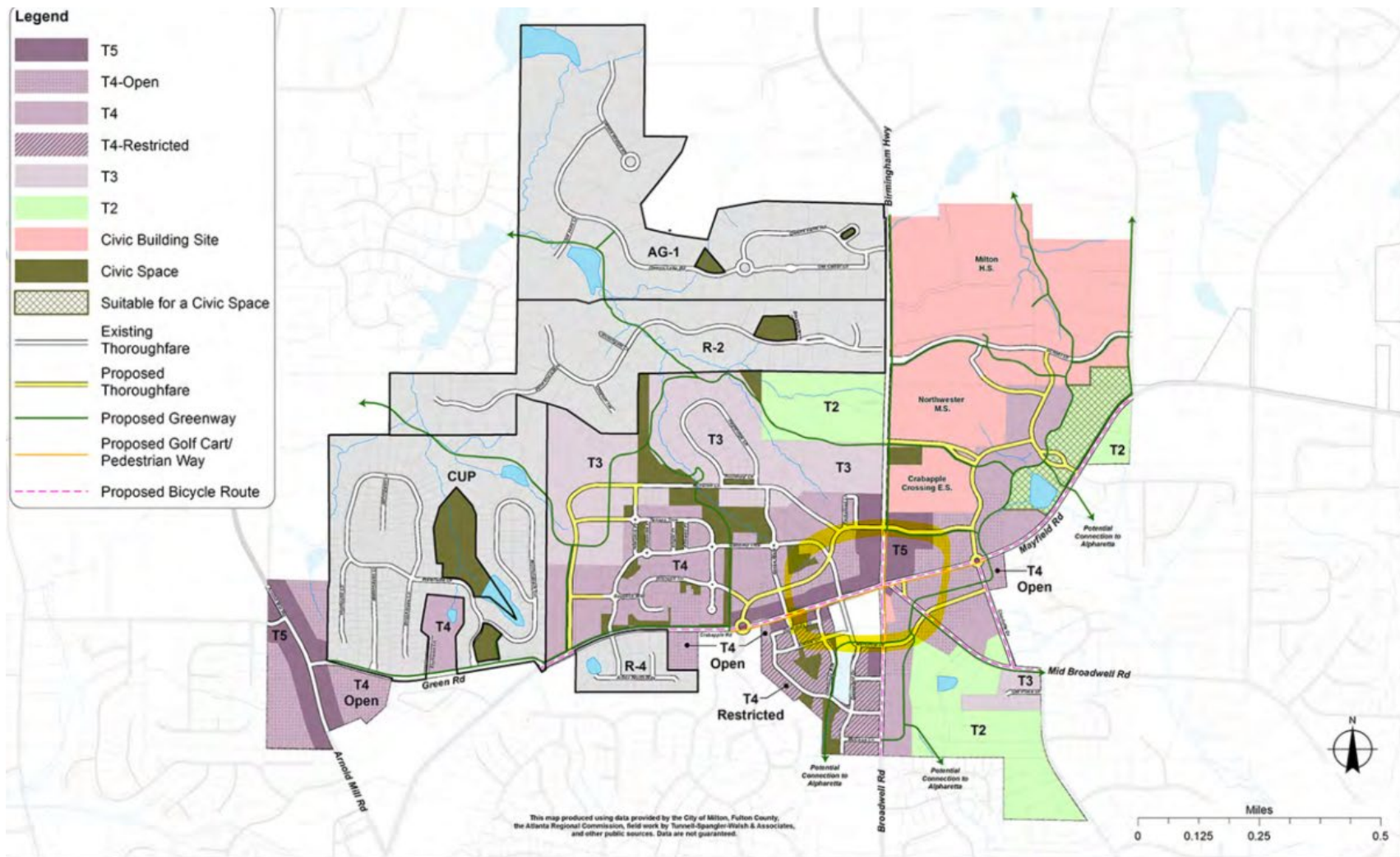
PH-23-01

D/LL: 2/2/1135, 1170

PC: 2/02/23

CC: 2/27/23

Location Map Crabapple Overlay



Crabapple Regulating Plan

IABAPPLE FORM-BASED CODE

ril 27, 2015



SECTION 2.11 CRABAPPLE OVERLAY

2.11.1. General Provisions.

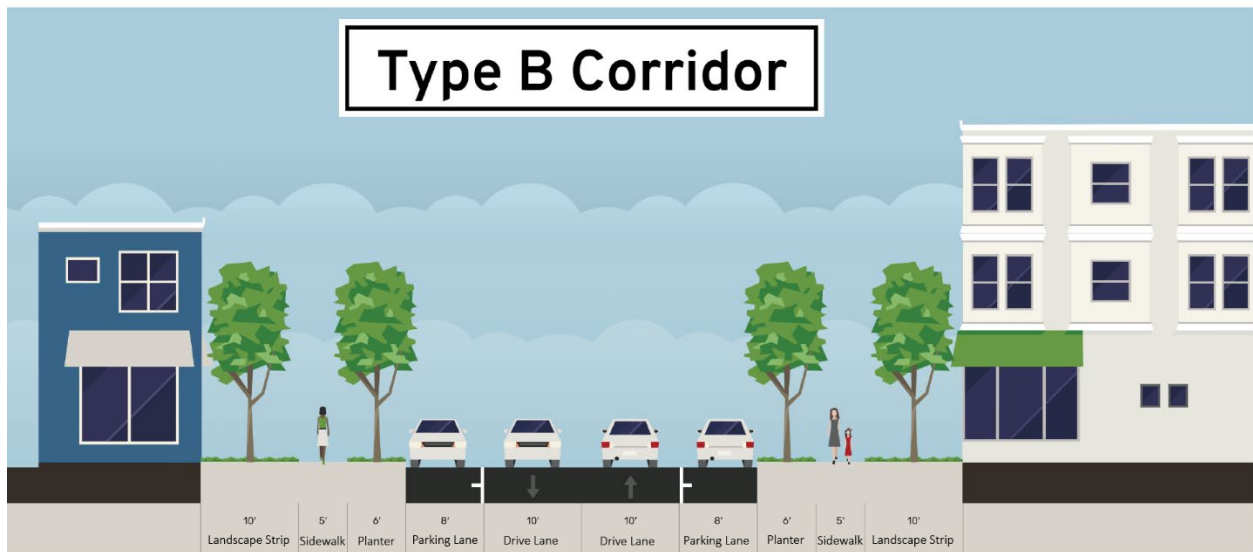
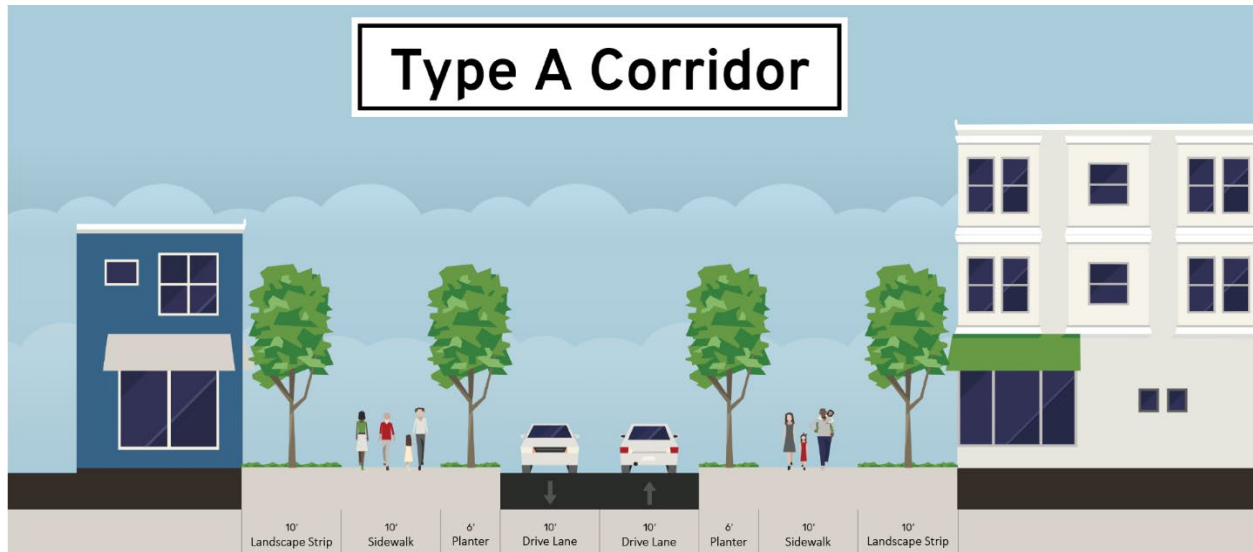
- A. *Title.* This Section shall be known as the "Crabapple Overlay" or may be internally cited as "this overlay."
- B. *General Purpose.* The purpose of this overlay is to enable and support a cohesive vision for the Crabapple area.
- C. *Applicability.*
 - 1. This overlay applies within the area be shown on the Official Zoning Map and labeled "Crabapple Overlay."
 - 2. Parcels within this overlay shall be subject to both the requirements of this Section and the requirements of their underlying zoning district, subject to the conflict provisions in "3" immediately below.
 - 3. When requirements of this overlay conflict with any requirement of the underlying zoning or any other provision of the City Unified Development Code (UDC), the requirements of this overlay shall prevail.
 - 4. When the word "street" is used it means both public and private streets unless stated otherwise.
- D. *Conformance Requirements.*
 - 1. All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this overlay. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this overlay.
 - 2. Nothing in this overlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this overlay, provided that the construction under the terms of such permit is diligently followed until its completion.
- E. *Conflicting Provisions.*
 - 1. It is not the intent of this overlay to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this overlay imposes a greater restriction upon the use of property, or requires more space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this overlay shall govern.
 - 2. Nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals, variances, or use permits issued prior to the existence of this overlay; however, modification or repeal of these past conditions of approval may be accomplished through a zoning change in accordance UDC Section 4.2.
- F. *Place Making.* The design of streets, streetscapes, open spaces, civic spaces, and other features regulated by this overlay must incorporate signage, plantings, lighting, materials, and other placemaking elements as follows:
 - 1. In accordance with placemaking plans adopted by the City of Alpharetta; or
 - 2. As submitted by the applicant and approved by the Director of Community development if no plans identified in "1" immediately above have been adopted.

2.11.2. Site Regulations.

- A. *Corridor Types Established.* This overlay uses corridor types to regulate the design of sidewalks, sites, buildings, and other purposes, as shown in the Site Regulation Table and as referenced in other Sections. Corridor types include:
1. **Type A Corridors**, which include Crabapple Road and Broadwell Road.
 2. **Type B Corridors**, which include Marstrow Road, Arklow Drive, and new streets.
- B. *Site Regulation Table.* Sites must be developed in accordance with the following Site Regulation Table.

Site Regulation Table

Site Design Standards		
	Type A Corridors	Type B Corridors
Building Setback (from the back of required sidewalk)	10 ft. min./ 20 ft max.	10 ft. min./ 60 ft. max.
Building Height (as measured along the applicable corridor)	20 ft. or 2 story min., whichever is higher/ Max. per Sec. 2.11.3.D.	20 ft. or 2 story min., whichever is higher/ Max. per Sec. 2.11.3.D.
Surface Parking Lots (see UDC Sec. 3.2.8.C and Sec. 2.11.5.A)	No parking allowed between primary buildings and a public street.	Only one row of parking (parallel with the road) is allowed between primary buildings and a public street.
Streetscape Standards		
	Type A Corridors	Type B Corridors
Sidewalk	10 ft. min.	5 ft. min.
Planter	6 ft. min.	6 ft. min.
Planter Pedestrian Light Spacing (see Sec. 2.10.4.C.2)	40 ft. on-center max.	40 ft. on-center max.
Planter Tree Spacing (see Sec. 2.10.4.C.1)	40 ft. on-center max.	40 ft. on-center max.
On-Street Parking	8 ft. min. (if required)	8 ft. min.
Landscape Strip	Per UDC Sec. 3.2.8.D (see note 1)	Per UDC Sec. 3.2.8.D (see note 1)



Note 1: The Director of Community Development has the authority to reduce or eliminate UDC Sec. 3.2.8.D landscape strips adjacent to buildings with ground floor commercial uses that front and are accessible from the adjacent sidewalk.

C. *Minimum Lot Size.*

1. Minimum lot size in accordance with the underlying zoning district.

D. *Maximum Building Height.*

1. Maximum building height shall not exceed 3 stories and no more than 40'.

2.11.3. Streets.

A. *Applicability.*

1. The Section applies to:
 - a. New development;
 - b. Existing developed sites when more than 25% of the site area is disturbed, except as provided for in "2" immediately below;
 - c. Existing principal buildings that are expanded, except as provided for in "2" immediately below; and
 - d. Existing principal buildings that are renovated or repaired and the value of said work exceeds 50% of the building's replacement cost, except as provided for in "2" immediately below.
2. The Director of Community Development may grant variances to any requirement of this Section for existing developed sites and existing buildings (except as specifically delegated to the City Transportation Engineer) when one or more of the following exists:
 - a. The streetscape would render a site non-conforming with regard to vehicular parking; or
 - b. Existing topography, trees, buildings, bridges, utilities, retaining walls, or other existing features render this Section unreasonable.
3. This Section does not apply on a parcel for which a Land Disturbance Permit or Building Permit is issued but where the Director of Community Development determines that the permit is for an accessory use or structure to the principal use or structure or for minor repairs or additions to the principal building or structure in existence.

B. *Streetscapes.*

1. *Streetscapes Required.*
 - a. New public and private streets must include sidewalks and planters as identified in the Streetscape Standards of the Site Regulation Table prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - b. Existing streets that do not meet the Streetscape Standards of the Site Regulation Table must be brought into compliance with said standards along the site's frontage prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - c. On existing streets where there is insufficient right-of-way for the required streetscape improvements, the right-of-way needed for such improvements may be expanded by mutual agreement between the property owner and the entity holding the right-of-way, or a public access easement may be provided to the City to meet the required improvements.
 - d. On streetscapes that are or will be within the public right-of-way, root barriers are required between the sidewalk and any adjacent landscape strips or planters, subject to approval of the City Arborist.
 - e. The City encourages the use of multi-functional runoff reduction measures in the streetscape, including bioretention areas, stormwater tree box, and planter box. The dimensional standards for planting area, tree spacing, and planting type be varied to accommodate runoff reduction measures.

C. *Planter.*

1. Street trees must be planted in the planter as follows:
 - a. Overstory trees must be planted in the planter in accordance with the Streetscape Standards of the Site Regulation Table. Newly planted trees shall be a minimum of 3½ inches in caliper, and must be limbed up to a minimum of 7 feet.
 - b. Trees must have a pervious planting area that is at least 6 feet wide by 10 feet long, 3 feet deep, and 1,800 cubic feet in soil volume. Tree grates are not allowed unless the City Arborist determines that they will not negatively impact tree health.
 - c. Shrubs, groundcover, or mulch must be installed in the tree planting area identified in "c" immediately above when tree grates are not installed. Shrubs must conform to "1" immediately above.
2. Pedestrian Lights.
 - a. Pedestrian lights must be installed in the planter in accordance with the Streetscape Standards of the Site Regulation Table.
 - b. Pedestrian lights must be spaced evenly between overstory street trees.
 - c. Pedestrian light spacing may be increased by the Director or Community Development along existing streets when trees, traffic control devices, or other existing conditions prevent the required spacing.

D. *On-Street Parking.* Newly-created on-street parking on public or private streets must conform to the following:

1. A bulbout must be provided at the end of every three (3) parallel parking spaces.
2. Each bulbout must include at least one overstory tree. Newly planted trees must be a minimum of 3½ inches in caliper, and must be limbed up to a minimum of 7 feet.
3. Trees must have a pervious planting area that is at least 6 feet wide by 10 feet long, 3 feet deep, and 1,800 cubic feet in soil volume. Tree grates are not allowed unless the City Arborist determines that they will not negatively impact tree health.

2.11.4. Parking and Loading.

A. *Vehicular Parking.*

1. Minimum parking requirements are as required by UDC Section 2.5. Parking requirements may be reduced based upon an Urban Land Institute shared parking analysis or other parking analyses acceptable to the City, subject to approval of the Director of Community Development.
2. Where on-street parking spaces exist in the public right-of-way, one on-street parking space may be substituted for every required parking space, provided:
 - a. The on-street space immediately abuts the subject property.
 - b. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.
 - c. The Director of Community Development, in consultation with the City Transportation Engineer, may determine that to ensure future roadway capacity or other public purposes, the on-street parking credit may not be available.

B. *Driveways.*

1. *Applicability.* The following applies to driveways, including those serving alleys, but not to new streets in conformance with Sec. 2.10.4.A.
2. *Location.* Driveways may not be located on a Type A Corridor when access is available from a Type B Corridor.

C. *Design of Parking Structures.*

1. When a parking structure fronts a Type A Corridor its ground story must have active uses (such as, but not limited to, residential, commercial, office, or civic space) between the parking structure and said street. The active use must be at least 20 feet deep.
2. Where any portions of structured parking are adjacent to or visible from any street, they must be screened so that cars and ramps are not visible from ground level view from the adjacent parcel or adjacent street (not including an alley). Screening must include:
 - a. Evergreen trees, vines, and landscaping that physically attached to the parking; or
 - b. A facade having the appearance of a horizontal storied building; or
 - c. A combination of "a" and "b" immediately above.

D. *Loading.*

1. Loading areas for new buildings must be located to the rear of buildings. Loading areas may not be placed between a building and the closest adjacent street.
2. If a loading area is provided, it must meet the following:
 - a. Screening must consist of either:
 - i. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or
 - ii. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.

E. *Parking Locations.* Driveway and off-street parking lots are only allowed between a building and the closest street when indicated in the Site Regulations Table.

2.11.5. Landscaping and Screening.

A. *Parking Lot Landscaping.* All parking lots must conform to the requirements of UDC Sec. 3.2.8.C and these additional standards.

1. Landscaped areas within the interior of the parking area may be designed as bio-retention areas, using inwardly draining swales without curbs, in lieu of raised planting areas surrounded by curbs, provided that each parking space provides a wheel stop and provided that depressed areas adjacent to driving aisles are surrounded by painted lines or flush curbing to separate landscaping from driving aisles.
2. Landscape design and material selection may incorporate practices of water conservation and xeriscape. Use of native materials is encouraged. Plant materials should be arranged so that plants that require similar amounts of irrigation are placed together wherever possible.

B. *Foundation Plantings.* All building foundations facing a public street must conform to these standards, except as provided for in "3" immediately below:

1. Foundations must be screened with continuous evergreen or semi-evergreen shrubs

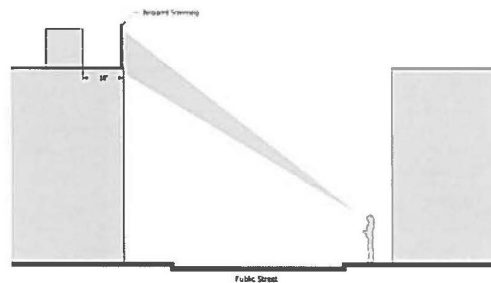
2. At the time of installation, the screening must be at least 1 foot in height and reach a height of 3 feet within 3 years of planting.
3. Foundation plantings are not required adjacent to ground floor commercial fenestration when said plantings would obstruct views into the commercial establishments, subject to approval of the Director of Community Development.

C. *Service Areas.*

1. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings and may not be between a building and the street.
2. Service areas must be screened on 3 sides and on the 4th side by a solid gate at a minimum of 6 feet in height.
3. Screening must consist of:
 - a. A 6-foot high wall; or
 - b. Evergreen plant material that can be expected to reach a height of 6 feet with a spread of 4 feet within three years of planting.
4. Screening walls must be opaque and be constructed of one or a combination of the following: architectural block; brick; stone; cast-stone; or stucco over standard concrete masonry blocks.
5. The gate must be self-locking and maintained in good working order.

D. *Roof-Mounted Equipment.*

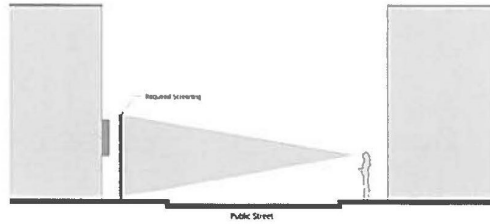
1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from the abutting parcel or street (not including an alley).
2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material, and color that fully screens roof-mounted equipment from ground level view.



3. For buildings with no or low parapet walls, roof mounted equipment must be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material, and color.

E. *Wall-Mounted Equipment.*

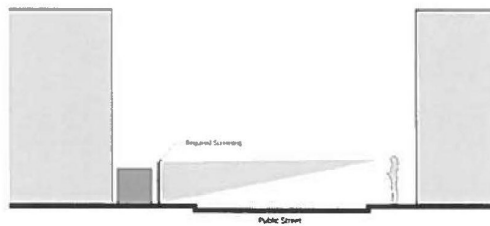
1. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. If required, screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

F. *Ground-Mounted Equipment.*

1. Ground-mounted mechanical equipment that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

G. *Plant Material.* All plant material shall conform to UDC Sec. 3.2.8.A, Sec. 3.2.8.C, and the following standards:

1. Plant materials must be hardy to zone 7b in accordance with the U.S. Department of Agriculture's Plant Hardiness Zone Map.
2. Plant materials must be able to survive on natural rainfall once established with no loss of health. However, irrigation may be provided as the option of the property owner.
3. No artificial plants, trees, or other vegetation may be installed as required landscaping and screening.

H. *Maintenance of Landscaping.*

1. The property owner is responsible for maintaining all required landscaping and screening in good health and condition. Any dead, unhealthy, damaged or missing landscaping and screening must be replaced with landscaping and screening that conforms to this Section within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials) as approved by the City Arborist.
2. All planting areas must be stabilized from soil erosion immediately upon planting and must be maintained for the duration of the use.

2.11.6. Building Design.

- A. *Applicability.* This Section applies to all new buildings, additions to existing buildings, and any change to a building facade except ordinance maintenance and repairs.

B. *Building Architectural Standards.*

1. All buildings, except single-family detached residential, shall be designed in one of the following styles:

-
- a. Vernacular
 - b. Greek Revival
 - c. Italianate
 - d. Gothic
 - e. Queen Anne
 - f. Colonial Revival
 - g. Adams/Federal
2. Specific elements of the required styles can be found in A Field Guide to American Houses by Virginia Savage McAlester, Residential Architectural Styles in Georgia by the Historic Preservation Division of the Georgia Department of Natural Resources, or other architectural resources.

C. *Exterior Walls.*

1. Technical and aesthetic requirements.
 - a. Wall finishes on sides of individual buildings seen from a public road shall be the same on all visible sides; architecturally significant portions must conform; appendages or secondary wings assume a differing finish according to visibility and architectural merit.
 - b. Wood shingles shall be level at the bottom edge. Corners shall be mitered. Decorative novelty shapes are prohibited.
 - c. Trim shall be consistent on all sides of the building; the primary building mass or the Façade may be further embellished or enhanced.
 - d. Service wings may be expressed in a more simplistic manner, but shall exhibit clear design intent.
2. Materials.
 - a. No more than three different exterior materials, exterior colors, or any combination thereof may be used on a single building, not including windows, doors, porches, balconies, foundations, and architectural details.
 - b. Materials may be combined on exterior walls only horizontally, with the heavier below the lighter.
 - c. Exterior material shall be limited to brick, natural stone, clapboard, board and batten, hard-coat stucco, or wood shingles.
 - d. Vinyl or aluminum siding, and synthetic stone veneer are prohibited.
 - e. Stone, brick, and mortar color and style shall match building style.
 - f. Hard-coat stucco shall be a 3-coat plaster finish, integral finish, applied on brick or concrete block; control joints shall be concealed where possible.
 - g. Clapboards and board and battens shall be wood or cementitious board. Hardi board shall have a 4 inch maximum exposure, while Artisan series Hardi board or full three-quarter inch wood siding may have up to an 8 inch lap. False wood graining is prohibited.
 - h. Wood shingles shall be level at the bottom edge.

D. *Roofs.*

1. Technical and aesthetic requirements.

-
- a. The roof slope on a single mass shall be the same on all sides, except for cat-slides and sheds.
 - b. Roof slopes shall match building style.
 - c. Vents and stacks shall be painted to match the roof material and hidden from view to the extent possible.
 - d. Overhangs that shed water within 5 feet of an adjacent lot shall be guttered or piped, and diverted away from adjacent lots.
2. Materials.
- a. Materials shall be wood shingles, wood shakes, standing-seam paint grip galvanized metal, slate or asphalt shingles (architectural weathered, wood, or classic green or red), or concrete simulated slate or wood shingles.
 - b. Gutters may be ogee or half-round with round downspouts, metal-lined wood, or architecturally formed or molded. Gutter finishes may be copper, unpainted galvanized metal, or color to resemble galvanized metal
 - c. Wood shingles shall not drain onto metal roofs.
- E. *Foundations.*
- 1. Foundations shall be constructed of poured concrete or concrete masonry units.
 - 2. Foundations may be finished with smooth stucco, brick, or stone.
 - 3. Front porches of wood shall be supported on masonry piers finished in smooth stucco, masonry, brick, or stone. Piers shall have a minimum width of 18 inches and a minimum depth of 8 inches.
- F. *Windows.*
- 1. The provision of windows shall match building style.
 - 2. Technical and aesthetic requirements
 - a. Windows and casings shall match building style.
 - b. Windows shall not be omitted on elevations.
 - c. Window sills shall have a minimum depth of 1.5 inches.
 - d. Ganged windows and bays shall have a continuous sill and 4 inch mulls minimum.
 - e. Grill between glass, reflective glazing, and pop-in grills are prohibited.
 - f. Windows shall be True Divided Lite or Simulated Divided Lite.
 - 3. Materials.
 - a. Windows shall have sash with a minimum face width of 2 inches; the dimensions of the glass surface to sash and muntin face shall be a minimum of 0.75 inch.
 - b. Non-glass exterior window components shall be faced in wood, clad wood, or polymer materials, and said materials shall be paint grade or pre-finished.
- G. *Doors and windows that operate as sliders are prohibited along Frontages.*
- H. *Doors.*
- 1. Technical and aesthetic requirements
 - a. Doors and casings shall match building style.
-

-
- b. Exterior front doors or doors visible from a public way, shall be hardwood, and may be stained or painted.
 - 2. Materials.
 - a. Plastic laminated, stamped metal, and leaded/beveled glass doors are prohibited. Tropical hardwoods are prohibited unless Forest Stewardship Council certified.
 - b. Exterior doors shall be a durable, stable wood or clad in wood. Heart pine, wormy chestnut, walnut, cypress, pecan, are acceptable varieties.
 - c. Garage doors shall be wood, composite, or metal. Faux strap hinges, embellishments, standard paneled doors, and arched glass panels shall be prohibited.
 - I. *Shutters.*
 - 1. Shutter design shall match building style.
 - 2. Shutters shall be solid-core polymers or durable hardwoods.
 - 3. Vinyl, nail-on, false wood graining, and pre-finished shutters are prohibited.
 - 4. Shutters shall be authentic, fully operable, and capable of totally closing over the window sash. Plank or louver shutters are acceptable. The minimum thickness of shutters shall be 1.25 inches.
 - 5. Shutters Shall occur in pairs, except that windows narrower than 3 feet may utilize a single shutter.
 - J. *Chimneys.*
 - 1. Chimneys shall be proportioned, tapered, and shall match building style.
 - 2. Stacks shall be faced in smooth integral finish stucco, brick, stone, or detailed as exposed metal flues.
 - 3. Siding or stucco board is prohibited as a finish material for chimneys.
 - K. *Porches and Balconies.*
 - 1. Technical and aesthetic requirements.
 - a. Columns shall match building style
 - b. Classical columns shall be architecturally correct.
 - c. Railings shall be simple pickets or fretwork centered on rails.
 - 2. Materials.
 - a. Porch floors shall be wooden, brick, or stone, and shall rest on masonry piers finished in brick, stone, or smoothed stucco.
 - b. Porch ceilings shall be beaded nominal 1 by 4 inch or 1 by 6 inch, flush boards, tongue and groove boards, or exterior gypsum board with decorative nominal 1 by 4 inch or 1 by 6 inch shallow coffers or strips.
 - c. Plywood ceilings, with or without beads, are prohibited.
 - d. Areas between porch piers, if left open, shall be in-filled with custom wood lattice, wood louvers, brick lattice, or wire mesh planted with vines, and shall match building style. The opening is not required to be in-filled if the distance from grade to bottom of floor structure is less than one foot.
 - e. Columns shall be wood, resin material, or masonry.
 - f. Sheet metal and foam columns are prohibited.

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- g. Railing systems shall be painted wood, iron, or masonry.
 - h. Synthetic and prefabricated railing systems are prohibited.
 - i. Plain, round tapered, fretwork, and straight pickets are permitted.
 - j. Precast classical balusters and ornate spindle work are prohibited.

L. *Trim.*

- 1. Trim shall match building style.
 - a. Trim shall be consistent on all sides of building masses, with emphasis on the primary building mass and façade.
 - b. Trim for wings not along a Frontage may be simplified to match building style.
- 2. Materials.
 - a. Trim shall be of wooden or synthetic planks with enough thickness to conceal the edge of the siding. When used on buildings clad in horizontal siding, corner boards, casings, frieze boards, and similar architectural details shall be 1.25 inch thick material.
 - b. Pressure treated trim is prohibited.
 - c. All trim shall be dressed.

2.11.7. Street Furniture.

- A. Pedestrian lighting. Poles shall be Georgia Power “Washington” type in black and fixtures shall be Georgia Power “Granville” type.
- B. Benches shall be Victor Stanley Classic Series CR-138 in black with no center arm rest.
- C. Trash cans shall be Victor Stanley D-35 in black.
- D. Bicycle racks shall be Dero Round Rack in black.



AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE II OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD REGULATIONS PERTAINING TO THE CRABAPPLE OVERLAY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, on or about May 21, 2001, the City of Alpharetta (the “City”) adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the “Unified Development Code”);

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta;

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs;

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta;

WHEREAS, the City Council desires to amend Article II of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta.

NOW THEREFORE, the Mayor and City Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Article II, Section 2.11 titled “Crabapple Overlay” of the Unified Development Code is hereby added by amending same as set forth in Exhibit “A” attached hereto as if fully set forth herein.

Section 2: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this _____ day of _____, 2023.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Jason Binder

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

SIGNATURES CONTINUED FROM PRECEDING PAGE]

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

[INSERT ATTORNEY], City Attorney

Exhibit “A”

SECTION 2.11 CRABAPPLE OVERLAY

2.11.1. General Provisions.

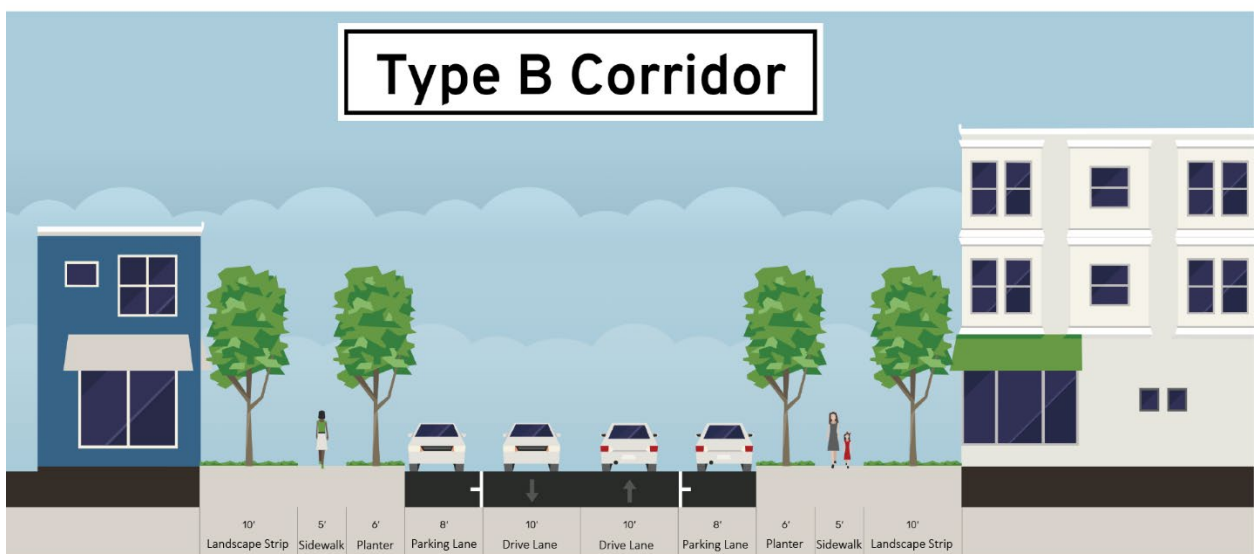
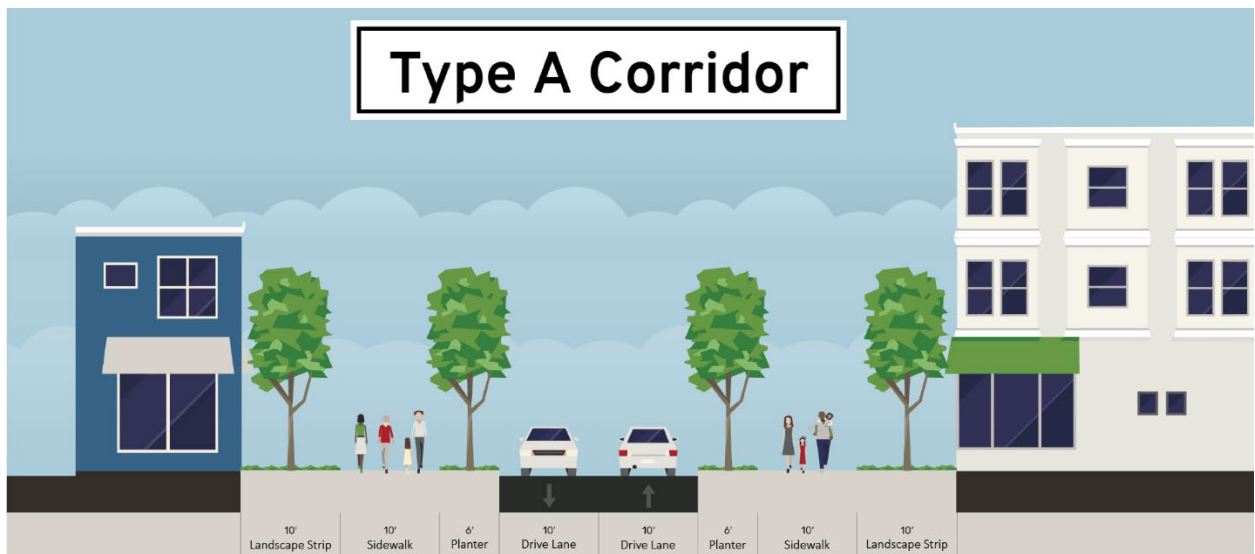
- A. *Title.* This Section shall be known as the "Crabapple Overlay" or may be internally cited as "this overlay."
- B. *General Purpose.* The purpose of this overlay is to enable and support a cohesive vision for the Crabapple area.
- C. *Applicability.*
 - 1. This overlay applies within the area be shown on the Official Zoning Map and labeled "Crabapple Overlay."
 - 2. Parcels within this overlay shall be subject to both the requirements of this Section and the requirements of their underlying zoning district, subject to the conflict provisions in "3" immediately below.
 - 3. When requirements of this overlay conflict with any requirement of the underlying zoning or any other provision of the City Unified Development Code (UDC), the requirements of this overlay shall prevail.
 - 4. When the word "street" is used it means both public and private streets unless stated otherwise.
- D. *Conformance Requirements.*
 - 1. All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this overlay. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this overlay.
 - 2. Nothing in this overlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this overlay, provided that the construction under the terms of such permit is diligently followed until its completion.
- E. *Conflicting Provisions.*
 - 1. It is not the intent of this overlay to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this overlay imposes a greater restriction upon the use of property, or requires more space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this overlay shall govern.
 - 2. Nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals, variances, or use permits issued prior to the existence of this overlay; however, modification or repeal of these past conditions of approval may be accomplished through a zoning change in accordance UDC Section 4.2.
- F. *Place Making.* The design of streets, streetscapes, open spaces, civic spaces, and other features regulated by this overlay must incorporate signage, plantings, lighting, materials, and other placemaking elements as follows:
 - 1. In accordance with placemaking plans adopted by the City of Alpharetta; or
 - 2. As submitted by the applicant and approved by the Director of Community development if no plans identified in "1" immediately above have been adopted.

2.11.2. Site Regulations.

- A. *Corridor Types Established.* This overlay uses corridor types to regulate the design of sidewalks, sites, buildings, and other purposes, as shown in the Site Regulation Table and as referenced in other Sections. Corridor types include:
1. **Type A Corridors**, which include Crabapple Road and Broadwell Road.
 2. **Type B Corridors**, which include Marstrow Road, Arklow Drive, and new streets.
- B. *Site Regulation Table.* Sites must be developed in accordance with the following Site Regulation Table.

Site Regulation Table

Site Design Standards		
	Type A Corridors	Type B Corridors
Building Setback (from the back of required sidewalk)	10 ft. min./ 20 ft max.	10 ft. min./ 60 ft. max.
Building Height (as measured along the applicable corridor)	20 ft. or 2 story min., whichever is higher/ Max. per Sec. 2.11.3.D.	20 ft. or 2 story min., whichever is higher/ Max. per Sec. 2.11.3.D.
Surface Parking Lots (see UDC Sec. 3.2.8.C and Sec. 2.11.5.A)	No parking allowed between primary buildings and a public street.	Only one row of parking (parallel with the road) is allowed between primary buildings and a public street.
Streetscape Standards		
	Type A Corridors	Type B Corridors
Sidewalk	10 ft. min.	5 ft. min.
Planter	6 ft. min.	6 ft. min.
Planter Pedestrian Light Spacing (see Sec. 2.10.4.C.2)	40 ft. on-center max.	40 ft. on-center max.
Planter Tree Spacing (see Sec. 2.10.4.C.1)	40 ft. on-center max.	40 ft. on-center max.
On-Street Parking	8 ft. min. (if required)	8 ft. min.
Landscape Strip	Per UDC Sec. 3.2.8.D (see note 1)	Per UDC Sec. 3.2.8.D (see note 1)



Note 1: The Director of Community Development has the authority to reduce or eliminate UDC Sec. 3.2.8.D landscape strips adjacent to buildings with ground floor commercial uses that front and are accessible from the adjacent sidewalk.

C. *Minimum Lot Size.*

1. Minimum lot size in accordance with the underlying zoning district.

D. *Maximum Building Height.*

1. Maximum building height shall not exceed 3 stories and no more than 40'.

2.11.3. Streets.

A. *Applicability.*

1. The Section applies to:
 - a. New development;
 - b. Existing developed sites when more than 25% of the site area is disturbed, except as provided for in "2" immediately below;
 - c. Existing principal buildings that are expanded, except as provided for in "2" immediately below; and
 - d. Existing principal buildings that are renovated or repaired and the value of said work exceeds 50% of the building's replacement cost, except as provided for in "2" immediately below.
2. The Director of Community Development may grant variances to any requirement of this Section for existing developed sites and existing buildings (except as specifically delegated to the City Transportation Engineer) when one or more of the following exists:
 - a. The streetscape would render a site non-conforming with regard to vehicular parking; or
 - b. Existing topography, trees, buildings, bridges, utilities, retaining walls, or other existing features render this Section unreasonable.
3. This Section does not apply on a parcel for which a Land Disturbance Permit or Building Permit is issued but where the Director of Community Development determines that the permit is for an accessory use or structure to the principal use or structure or for minor repairs or additions to the principal building or structure in existence.

B. *Streetscapes.*

1. *Streetscapes Required.*
 - a. New public and private streets must include sidewalks and planters as identified in the Streetscape Standards of the Site Regulation Table prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - b. Existing streets that do not meet the Streetscape Standards of the Site Regulation Table must be brought into compliance with said standards along the site's frontage prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - c. On existing streets where there is insufficient right-of-way for the required streetscape improvements, the right-of-way needed for such improvements may be expanded by mutual agreement between the property owner and the entity holding the right-of-way, or a public access easement may be provided to the City to meet the required improvements.
 - d. On streetscapes that are or will be within the public right-of-way, root barriers are required between the sidewalk and any adjacent landscape strips or planters, subject to approval of the City Arborist.
 - e. The City encourages the use of multi-functional runoff reduction measures in the streetscape, including bioretention areas, stormwater tree box, and planter box. The dimensional standards for planting area, tree spacing, and planting type be varied to accommodate runoff reduction measures.

C. *Planter.*

1. Street trees must be planted in the planter as follows:

- a. Overstory trees must be planted in the planter in accordance with the Streetscape Standards of the Site Regulation Table. Newly planted trees shall be a minimum of 3½ inches in caliper, and must be limbed up to a minimum of 7 feet.
 - b. Trees must have a pervious planting area that is at least 6 feet wide by 10 feet long, 3 feet deep, and 1,800 cubic feet in soil volume. Tree grates are not allowed unless the City Arborist determines that they will not negatively impact tree health.
 - c. Shrubs, groundcover, or mulch must be installed in the tree planting area identified in "b" immediately above when tree grates are not installed. Shrubs must conform to "1" immediately above.
- 2. Pedestrian Lights.
 - a. Pedestrian lights must be installed in the planter in accordance with the Streetscape Standards of the Site Regulation Table.
 - b. Pedestrian lights must be spaced evenly between overstory street trees.
 - c. Pedestrian light spacing may be increased by the Director or Community Development along existing streets when trees, traffic control devices, or other existing conditions prevent the required spacing.
- D. *On-Street Parking.* Newly-created on-street parking on public or private streets must conform to the following:
 - 1. A bulbout must be provided at the end of every three (3) parallel parking spaces.
 - 2. Each bulbout must include at least one overstory tree. Newly planted trees must be a minimum of 3½ inches in caliper, and must be limbed up to a minimum of 7 feet.
 - 3. Trees must have a pervious planting area that is at least 6 feet wide by 10 feet long, 3 feet deep, and 1,800 cubic feet in soil volume. Tree grates are not allowed unless the City Arborist determines that they will not negatively impact tree health.

2.11.4. Parking and Loading.

- A. *Vehicular Parking.*
 - 1. Minimum parking requirements are as required by UDC Section 2.5. Parking requirements may be reduced based upon an Urban Land Institute shared parking analysis or other parking analyses acceptable to the City, subject to approval of the Director of Community Development.
 - 2. Where on-street parking spaces exist in the public right-of-way, one on-street parking space may be substituted for every required parking space, provided:
 - a. The on-street space immediately abuts the subject property.
 - b. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.
 - c. The Director of Community Development, in consultation with the City Transportation Engineer, may determine that to ensure future roadway capacity or other public purposes, the on-street parking credit may not be available.
- B. *Driveways.*
 - 1. *Applicability.* The following applies to driveways, including those serving alleys, but not to new streets in conformance with Sec. 2.10.4.A.

2. *Location.* Driveways may not be located on a Type A Corridor when access is available from a Type B Corridor.
- C. *Design of Parking Structures.*
1. When a parking structure fronts a Type A Corridor its ground story must have active uses (such as, but not limited to, residential, commercial, office, or civic space) between the parking structure and said street. The active use must be at least 20 feet deep.
 2. Where any portions of structured parking are adjacent to or visible from any street, they must be screened so that cars and ramps are not visible from ground level view from the adjacent parcel or adjacent street (not including an alley). Screening must include:
 - a. Evergreen trees, vines, and landscaping that physically attached to the parking; or
 - b. A facade having the appearance of a horizontal storied building; or
 - c. A combination of "a" and "b" immediately above.
- D. *Loading.*
1. Loading areas for new buildings must be located to the rear of buildings. Loading areas may not be placed between a building and the closest adjacent street.
 2. If a loading area is provided, it must meet the following:
 - a. Screening must consist of either:
 - i. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or
 - ii. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.
- E. *Parking Locations.* Driveway and off-street parking lots are only allowed between a building and the closest street when indicated in the Site Regulations Table.

2.11.5. Landscaping and Screening.

- A. *Parking Lot Landscaping.* All parking lots must conform to the requirements of UDC Sec. 3.2.8.C and these additional standards.
1. Landscaped areas within the interior of the parking area may be designed as bio-retention areas, using inwardly draining swales without curbs, in lieu of raised planting areas surrounded by curbs, provided that each parking space provides a wheel stop and provided that depressed areas adjacent to driving aisles are surrounded by painted lines or flush curbing to separate landscaping from driving aisles.
 2. Landscape design and material selection may incorporate practices of water conservation and xeriscape. Use of native materials is encouraged. Plant materials should be arranged so that plants that require similar amounts of irrigation are placed together wherever possible.
- B. *Foundation Plantings.* All building foundations facing a public street must conform to these standards, except as provided for in "3" immediately below:
1. Foundations must be screened with continuous evergreen or semi-evergreen shrubs
 2. At the time of installation, the screening must be at least 1 foot in height and reach a height of 3 feet within 3 years of planting.

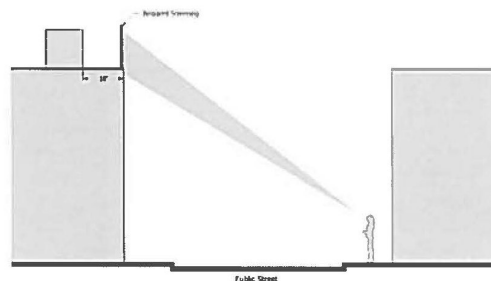
3. Foundation plantings are not required adjacent to ground floor commercial fenestration when said plantings would obstruct views into the commercial establishments, subject to approval of the Director of Community Development.

C. *Service Areas.*

1. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings and may not be between a building and the street.
2. Service areas must be screened on 3 sides and on the 4th side by a solid gate at a minimum of 6 feet in height.
3. Screening must consist of:
 - a. A 6-foot high wall; or
 - b. Evergreen plant material that can be expected to reach a height of 6 feet with a spread of 4 feet within three years of planting.
4. Screening walls must be opaque and be constructed of one or a combination of the following: architectural block; brick; stone; cast-stone; or stucco over standard concrete masonry blocks.
5. The gate must be self-locking and maintained in good working order.

D. *Roof-Mounted Equipment.*

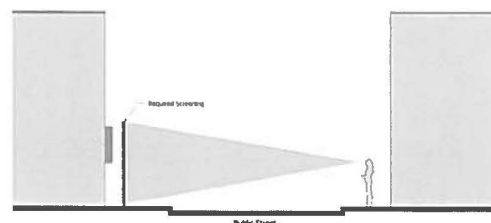
1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from the abutting parcel or street (not including an alley).
2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material, and color that fully screens roof-mounted equipment from ground level view.



3. For buildings with no or low parapet walls, roof mounted equipment must be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material, and color.

E. *Wall-Mounted Equipment.*

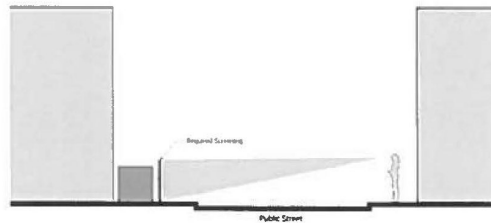
1. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. If required, screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

F. *Ground-Mounted Equipment.*

1. Ground-mounted mechanical equipment that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

G. *Plant Material.* All plant material shall conform to UDC Sec. 3.2.8.A, Sec. 3.2.8.C, and the following standards:

1. Plant materials must be hardy to zone 7b in accordance with the U.S. Department of Agriculture's Plant Hardiness Zone Map.
2. Plant materials must be able to survive on natural rainfall once established with no loss of health. However, irrigation may be provided as the option of the property owner.
3. No artificial plants, trees, or other vegetation may be installed as required landscaping and screening.

H. *Maintenance of Landscaping.*

1. The property owner is responsible for maintaining all required landscaping and screening in good health and condition. Any dead, unhealthy, damaged or missing landscaping and screening must be replaced with landscaping and screening that conforms to this Section within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials) as approved by the City Arborist.
2. All planting areas must be stabilized from soil erosion immediately upon planting and must be maintained for the duration of the use.

2.11.6. Building Design.

A. *Applicability.* This Section applies to all new buildings, additions to existing buildings, and any change to a building facade except ordinance maintenance and repairs.

B. *Building Architectural Standards.*

1. All buildings, except single-family detached residential, shall be designed in one of the following styles:
 - a. Vernacular
 - b. Greek Revival
 - c. Italianate
 - d. Gothic

- e. Queen Anne
 - f. Colonial Revival
 - g. Adams/Federal
2. Specific elements of the required styles can be found in *A Field Guide to American Houses* by Virginia Savage McAlester, *Residential Architectural Styles in Georgia* by the Historic Preservation Division of the Georgia Department of Natural Resources, or other architectural resources.
- C. *Exterior Walls.*
- 1. Technical and aesthetic requirements.
 - a. Wall finishes on sides of individual buildings seen from a public road shall be the same on all visible sides; architecturally significant portions must conform; appendages or secondary wings assume a differing finish according to visibility and architectural merit.
 - b. Wood shingles shall be level at the bottom edge. Corners shall be mitered. Decorative novelty shapes are prohibited.
 - c. Trim shall be consistent on all sides of the building; the primary building mass or the Façade may be further embellished or enhanced.
 - d. Service wings may be expressed in a more simplistic manner, but shall exhibit clear design intent.
 - 2. Materials.
 - a. No more than three different exterior materials, exterior colors, or any combination thereof may be used on a single building, not including windows, doors, porches, balconies, foundations, and architectural details.
 - b. Materials may be combined on exterior walls only horizontally, with the heavier below the lighter.
 - c. Exterior material shall be limited to brick, natural stone, clapboard, board and batten, hard-coat stucco, or wood shingles.
 - d. Vinyl or aluminum siding, and synthetic stone veneer are prohibited.
 - e. Stone, brick, and mortar color and style shall match building style.
 - f. Hard-coat stucco shall be a 3-coat plaster finish, integral finish, applied on brick or concrete block; control joints shall be concealed where possible.
 - g. Clapboards and board and battens shall be wood or cementitious board. Hardi board shall have a 4 inch maximum exposure, while Artisan series Hardi board or full three-quarter inch wood siding may have up to an 8 inch lap. False wood graining is prohibited.
 - h. Wood shingles shall be level at the bottom edge.
- D. *Roofs.*
- 1. Technical and aesthetic requirements
 - a. The roof slope on a single mass shall be the same on all sides, except for cat-slides and sheds.
 - b. Roof slopes shall match building style.
 - c. Vents and stacks shall be painted to match the roof material and hidden from view to the extent possible.

d. Overhangs that shed water within 5 feet of an adjacent lot shall be guttered or piped, and diverted away from adjacent lots.

2. Materials.

- a. Materials shall be wood shingles, wood shakes, standing-seam paint grip galvanized metal, slate or asphalt shingles (architectural weathered, wood, or classic green or red), or concrete simulated slate or wood shingles.
- b. Gutters may be ogee or half-round with round downspouts, metal-lined wood, or architecturally formed or molded. Gutter finishes may be copper, unpainted galvanized metal, or color to resemble galvanized metal
- c. Wood shingles shall not drain onto metal roofs.

E. *Foundations.*

- 1. Foundations shall be constructed of poured concrete or concrete masonry units.
- 2. Foundations may be finished with smooth stucco, brick, or stone.
- 3. Front porches of wood shall be supported on masonry piers finished in smooth stucco, masonry, brick, or stone. Piers shall have a minimum width of 18 inches and a minimum depth of 8 inches.

F. *Windows.*

- 1. The provision of windows shall match building style.
- 2. Technical and aesthetic requirements.
 - a. Windows and casings shall match building style.
 - b. Windows shall not be omitted on elevations.
 - c. Window sills shall have a minimum depth of 1.5 inches.
 - d. Ganged windows and bays shall have a continuous sill and 4 inch mulls minimum.
 - e. Grill between glass, reflective glazing, and pop-in grills are prohibited.
 - f. Windows shall be True Divided Lite or Simulated Divided Lite.
- 3. Materials.
 - a. Windows shall have sash with a minimum face width of 2 inches; the dimensions of the glass surface to sash and muntin face shall be a minimum of 0.75 inch.
 - b. Non-glass exterior window components shall be faced in wood, clad wood, or polymer materials, and said materials shall be paint grade or pre-finished.

G. *Doors and windows that operate as sliders are prohibited along Frontages.*

H. *Doors.*

- 1. Technical and aesthetic requirements.
 - a. Doors and casings shall match building style.
 - b. Exterior front doors or doors visible from a public way, shall be hardwood, and may be stained or painted.
- 2. Materials.
 - a. Plastic laminated, stamped metal, and leaded/beveled glass doors are prohibited. Tropical hardwoods are prohibited unless Forest Stewardship Council certified.

- b. Exterior doors shall be a durable, stable wood or clad in wood. Heart pine, wormy chestnut, walnut, cypress, pecan, are acceptable varieties.
 - c. Garage doors shall be wood, composite, or metal. Faux strap hinges, embellishments, standard paneled doors, and arched glass panels shall be prohibited.
- I. *Shutters.*
 - 1. Shutter design shall match building style.
 - 2. Shutters shall be solid-core polymers or durable hardwoods.
 - 3. Vinyl, nail-on, false wood graining, and pre-finished shutters are prohibited.
 - 4. Shutters shall be authentic, fully operable, and capable of totally closing over the window sash. Plank or louver shutters are acceptable. The minimum thickness of shutters shall be 1.25 inches.
 - 5. Shutters Shall occur in pairs, except that windows narrower than 3 feet may utilize a single shutter.
- J. *Chimneys.*
 - 1. Chimneys shall be proportioned, tapered, and shall match building style.
 - 2. Stacks shall be faced in smooth integral finish stucco, brick, stone, or detailed as exposed metal flues.
 - 3. Siding or stucco board is prohibited as a finish material for chimneys.
- K. *Porches and Balconies.*
 - 1. Technical and aesthetic requirements.
 - a. Columns shall match building style
 - b. Classical columns shall be architecturally correct.
 - c. Railings shall be simple pickets or fretwork centered on rails.
 - 2. Materials.
 - a. Porch floors shall be wooden, brick, or stone, and shall rest on masonry piers finished in brick, stone, or smoothed stucco.
 - b. Porch ceilings shall be beaded nominal 1 by 4 inch or 1 by 6 inch, flush boards, tongue and groove boards, or exterior gypsum board with decorative nominal 1 by 4 inch or 1 by 6 inch shallow coffers or strips.
 - c. Plywood ceilings, with or without beads, are prohibited.
 - d. Areas between porch piers, if left open, shall be in-filled with custom wood lattice, wood louvers, brick lattice, or wire mesh planted with vines, and shall match building style. The opening is not required to be in-filled if the distance from grade to bottom of floor structure is less than one foot.
 - e. Columns shall be wood, resin material, or masonry.
 - f. Sheet metal and foam columns are prohibited.
 - g. Railing systems shall be painted wood, iron, or masonry.
 - h. Synthetic and prefabricated railing systems are prohibited.
 - i. Plain, round tapered, fretwork, and straight pickets are permitted.
 - j. Precast classical balusters and ornate spindle work are prohibited.

L. *Trim.*

1. Trim shall match building style.
 - a. Trim shall be consistent on all sides of building masses, with emphasis on the primary building mass and façade.
 - b. Trim for wings not along a Frontage may be simplified to match building style.
2. Materials.
 - a. Trim shall be of wooden or synthetic planks with enough thickness to conceal the edge of the siding. When used on buildings clad in horizontal siding, corner boards, casings, frieze boards, and similar architectural details shall be 1.25 inch thick material.
 - b. Pressure treated trim is prohibited.
 - c. All trim shall be dressed.

2.11.7. Street Furniture.

- A. Pedestrian lighting. Poles shall be Georgia Power “Washington” type in black and fixtures shall be Georgia Power “Granville” type.
- B. Benches shall be Victor Stanley Classic Series CR-138 in black with no center arm rest.
- C. Trash cans shall be Victor Stanley D-35 in black.
- D. Bicycle racks shall be Dero Round Rack in black.



STAFF REPORT

Department: Public Works
Submitted By: Dennis Roland
Meeting Date: April 17, 2023

AGENDA ITEM:

Energy Efficiency and Conservation Block Grant Application

Consideration of approval of the Energy Efficiency and Conservation Block Grant Pre-Award Information Sheet for the submission of a grant application to the Department of Energy for available grant funding in the amount \$138,600 and for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve the Energy Efficiency and Conservation Block Grant Pre-Award Information Sheet for the submission of a grant application to the Department of Energy for available grant funding in the amount \$138,600 and for the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: AVAILABLE GRANT
FUNDING AVAILABLE TO THE CITY OF
ALPHARETTA IS \$138,600.00.

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
NA	\$0.00

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
NA	\$138,600

ITEM DESCRIPTION:

The Energy Efficiency and Conservation Block Grant (EECBG) program was created under the 2009 American Recovery & Reinvestment Act stimulus package, which included significant funding for energy efficiency and conservation projects. Congress reauthorized the EECBG program at \$550 million through the Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act – 2021), with allocations available to every state and individual local communities. The goal of the EECBG is to assist governmental entities in their efforts to reduce energy consumption and emissions, through energy conservation.

The City of Alpharetta has available an allocation in the amount of \$138,600.00. Eligible uses of EECBG funds include: development of energy efficiency and conservation strategies; retention of a technical consultant for the development of such strategies; residential and commercial building energy audits; grants to nonprofits and governmental agencies to perform energy efficiency retrofits; development and implementation of programs to conserve energy used in transportation; the development, implementation, and installation on or in any government building of on-site renewable energy technology; and more.

The Department of Energy (DOE) is awarding these funds in two ways.

1. Award of a federal grant in the amount listed above following all federal requirements related to grants in regards to plans, budget, reporting and audits.
2. A voucher that equals the amount listed above that provides technical assistance for the use of developing a City wide energy efficiency plan, equipment rebates for newly installed energy efficient equipment, and energy audits on City-maintained facilities that identify areas of improvement.

It is staff's recommendation to move forward with the voucher aspect of this application based on the following:

- The US Department of Energy has sought to simplify and streamline the process for local governments that choose a voucher in lieu of a grant. Entities that opt into a voucher are not required to apply for and administer a direct federal grant. Entities choosing vouchers will instead submit a separate application using a streamlined process with reduced documentation, monitoring, and reporting requirements compared to the process of applying for and administering a federal grant. For example, if an entity opts in for a voucher, entities that have never managed a federal grant before will not be required to establish the necessary financial management systems, including accounting for federal funds, invoicing, and internal audits typically needed to comply with federal grant management requirements as described in the regulations.
- Vouchers for technical assistance will be used to access support from experts, across a wide array of high-value opportunities in energy efficiency, renewable energy, transportation, and related areas.
- Vouchers for equipment purchase and installation rebates will be used to reimburse entities for the purchase of energy-related equipment used to meet the program goals. Equipment eligible for rebates will span a wide range of technologies that are deployed to lower fossil fuel use or increase energy efficiency.

It is noted that, at this time, the Department of Energy has not released the final guidelines regarding the process or information needed to apply for the voucher. All eligible entities that intend to apply for a voucher, however, must sign and submit a Pre-Award Information Sheet by April 28, 2023. This action simply reserves the funds in anticipation of a voucher application being submitted by January 31, 2024.

ALTERNATIVES:

Do not to authorize the submittal of the Pre-Award Information Sheet. This would result in the release of the \$138,600.00 allocation so that it is available for use by other communities and/or agencies.

ATTACHMENTS:

1. EECBG_Pre-Award_Information_Sheet
2. IJJA (40552) EECBG Program_Application Instructions



EECBG Program PRE-AWARD INFORMATION SHEET

Each Energy Efficiency and Conservation Block Grant (EECBG) Program recipient shall provide the following information on behalf of itself and all subrecipients and certify that the information is accurate and complete. Recipients may choose to provide this information in whatever format they like, as this form is optional.

EECBG Program recipients representing local and tribal entities may select from two options: 1) a grant or 2) a voucher for technical assistance and/or equipment rebates. EECBG Program recipients choosing a grant must provide data requested in sections 1 through 8 below. EECBG Program recipients choosing a voucher may skip sections 4 through 7.

SECTION 1: CONTACT & LOCATION INFORMATION *(All recipients)*

Recipient Name:		Award Number:	
UEI:		DUNS (if applicable):	
Business Officer:		BO Phone Number/Email:	
Principal Investigator (PI):		PI Phone Number/Email:	

A. TYPE OF ORGANIZATION – Please indicate the type of organization of the Recipient by selecting one of the following:

- ☐ Local Government
☐ Tribal Government
☐ State

B. LOCATION AND CONGRESSIONAL DISTRICT

List the address and Congressional district(s) for the primary location where the grant will be performed.

Street Address:	
City:	
State:	
Zip:	
Congressional District(s):	

SECTION 2: GRANT OR VOUCHER *(All recipients)*

EECBG Program recipients representing local and tribal entities must select whether to receive their EECBG Program award in the form of a grant or a voucher for technical assistance and/or equipment rebates. Please indicate your choice here. All States & Territories must select “Grant.” (Select one option) **[response to this question is non-binding]**

- ☐ Voucher for Technical Assistance
☐ Voucher for Equipment Rebate
☐ Voucher for both Technical Assistance and Equipment Rebate
☐ Grant

SECTION 3: BUSINESS ASSURANCES *(All recipients)*

A. DISCLOSURE OF POTENTIAL IMPROPRIETIES

Below, please disclose if any of the following conditions exist. If the answer to any question (a) through (g) below is yes, provide a detailed explanation in an attachment to this form.

- a. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals¹ under investigation for or charged with a covered offense²?
☐ Yes
☐ No
- b. Has the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals been convicted of a covered offense in the last five years or had a civil judgment rendered against them for one of those offenses in that time period?
☐ Yes
☐ No
- c. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals under investigation for potential violation of U.S. export control laws and regulations, or has the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals been convicted of any violations of U.S. export control laws and regulations?
☐ Yes
☐ No
- d. Is the proposed Recipient or Subrecipient(s) under investigation for potential violations of the Drug-Free Workplace Act of 1988, or has the proposed Recipient or Subrecipient(s) been convicted of any violations of the Drug-Free Workplace Act of 1988?
☐ Yes
☐ No
- e. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals under investigation for research misconduct, or has the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals been convicted of research misconduct?
☐ Yes
☐ No
- f. Has any Federal Agency recommended or initiated proceedings against the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals for suspension or debarment, or is the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals debarred, suspended, publicly banned from doing business with the Federal government, or otherwise declared ineligible from

¹ For this form, "principal" means: (1) An officer, director, owner, partner, PI, or other person (as defined in 2 C.F.R. 180.95) within the Project Team with management or supervisory responsibilities related to this project and any resulting transaction; or (2) A consultant or other person, whether or not employed by the Recipient, Subrecipient, or their principals, or paid with Federal funds, who (a) is in a position to handle Federal funds, (b) is in a position to influence or control the use of those funds, or (c) occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the transaction, including but not limited to, any Co-PIs.

² For this form, "covered offenses" include: (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; (2) Violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or (4) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the Recipient's present responsibility.

receiving Federal Contracts, subcontracts or financial assistance?

☐ Yes

☐ No

- g. Is the proposed Recipient or Subrecipient(s) delinquent on federal debt or insolvent or at risk of insolvency or have the proposed Recipient or Subrecipient(s) filed for bankruptcy in any domestic or foreign jurisdiction?

☐ Yes

☐ No

B. POTENTIAL CONFLICTS OF INTEREST

1. **Financial Conflicts of Interest.** The Recipient must disclose in writing any managed or unmanageable financial conflicts of interest involving a member of the project team (i.e., Investigators) and include sufficient information to enable DOE to understand the nature and extent of the financial conflict, and to assess the appropriateness of the non-Federal entity's management plan. See Section V(b)(3) of the [DOE Interim Conflict of Interest Policy](#). As part of this DOE funded project, does the recipient or any subrecipients have any managed or unmanageable financial conflicts of interest involving a member of the project team (i.e., Investigators)?

☐ No

☐ Yes. If yes, in a separate attachment, the Recipient must provide relevant disclosures/supporting documentation as required by the [DOE Interim Conflict of Interest Policy](#) Section V(b)(3).

- C. **Organizational Conflicts of Interest**³. The Recipient must disclose in writing any potential or actual organizational conflict of interest to DOE. See [DOE Interim Conflict of Interest Policy](#) Section VI and 2 CFR 200.318 for more information. As part of this DOE funded project, does the recipient or any subrecipients intend to engage in a procurement with a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe?

☐ No

☐ Yes. If yes, in a separate attachment, the Recipient must provide relevant disclosures/supporting documentation as required by the [DOE Interim Conflict of Interest Policy](#) Section VI.

*****Recipients choosing a voucher may skip to Section 8*****

SECTION 4: PAYMENT INFORMATION *(Grant recipients only)*

Provide (1) the awardee seven-digit ASAP (Automated Standard Application for Payment System) ID number that is under the DOE / Golden Field Office (GO) Agency Locator Code (ALC) and Region Code (#8900-0001-04) if available; (2) the name, phone number and email for the ASAP / Payments Contact Person; and (3) indicate whether the preferred payment method is by advance or reimbursement.

- 1) ASAP Number:
2) ASAP/Payments Contact Person:
3) The preferred payment method is:

³ Organizational Conflict of Interest means a situation where because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. 2 CFR 200.318(c)(2).

SECTION 5: PERFORMANCE AND FINANCIAL INFORMATION REQUEST *(Grant recipients only)*

Before providing this information, please read the ADDITIONAL INFORMATION at the end of this form. Each field identified below must be completed.

1. Has the Recipient had prior Federal awards? ☐ Yes ☐ No

If Yes:

Is the Recipient up to date on all reporting requirements on all other current and prior awards, including submitting acceptable final technical reports, with other Federal or non-Federal organizations? If you check No to this question, please attach an explanation. ☐ Yes ☐ No

- 2a. Has the Recipient had an independent Single Audit or independent Compliance Audit per Federal regulations, or had a prior Defense Contract Audit Agency (DCAA) Audit performed? (Please see attached instructions regarding Independent Audit requirements.) ☐ Yes ☐ No

- 2b. Has the Recipient undergone a Financial Audit within the last 3 years? ☐ Yes ☐ No

If Yes to either 2a. or 2b.:

- a. A copy of the audit is attached to this form. ☐ Yes ☐ No
b. An electronic copy of the audit was provided with application package. ☐ Yes ☐ No

An electronic copy of the audit can be found at _____

If audit was not provided, please explain why it has not been completed and/or provided:

3. Recipient's fiscal year end date is _____

- 4a. Identify the Federal Agency providing the preponderance of funding from ALL Government Awards which the Recipient's organization is/was the prime recipient, including any DOE Awards. Provide Agency name, Cognizant Agency point of contact (individual in charge of negotiating billing rates), phone number, and e-mail. (If the Recipient's organization has a DCAA contact, please provide this information in 4(c) below):

Agency: _____

Point of Contact: _____

Phone/Email: _____

- 4b. DCAA Contact Information:

DCAA Office: _____

Point of Contact: _____

Phone/Email: _____

SECTION 6: FINANCIAL MANAGEMENT SYSTEM – ACCOUNTING SYSTEM SURVEY (*Grant recipients only*)

To qualify for Financial Assistance, compliance with 2 CFR 200 as amended by 2 CFR 910 is required. This includes assurance of an adequate accounting system for estimating, accounting and billing for governmental funding received. Please complete the checklist below as assurance of this requirement.

For additional information, please visit <https://www.dcaa.mil>. Please refer specifically to the “[Pre-award Accounting System Adequacy Checklist](#)” under CUSTOMERS-->Checklists and Tools.

	Yes	No	NA
1. Is the Accounting System in accordance with Generally Accepted Accounting Principles applicable to the circumstances and associated applicable Federal regulations?	☐	☐	☐
2. Accounting System provides for:			
a. Segregation of direct costs from indirect costs.	☐	☐	☐
b. Identification and accumulation of direct costs by project.	☐	☐	☐
c. A logical and consistent method for the allocation of indirect costs to intermediate and final cost objectives. (Project line items are final cost objective)	☐	☐	☐
d. Accumulation of costs under general ledger control.	☐	☐	☐
e. A timekeeping system that identifies employees’ labor by intermediate and final cost objective (i.e., project level, division level).	☐	☐	☐
f. A labor distribution system that charges direct and indirect labor to appropriate cost objectives.	☐	☐	☐
g. Interim (at least monthly) determination of costs charged to a project through routine posting of books of account.	☐	☐	☐
h. Excluding costs charged to Government projects which are not allowable in terms of FAR 31, Contract Cost Principles and Procedures, or other provisions.	☐	☐	☐
i. Identification of costs by project line item and by units (as if each unit or line item were a separate project) if required by the proposed award.	☐	☐	☐
3. Is the Accounting System designed, and are the records maintained in such a manner that adequate, reliable data are developed for use in developing cost proposals?	☐	☐	☐
4. Is the Accounting System currently in full operation?	☐	☐	☐

SECTION 7: REPRESENTATION/CERTIFICATION (*Grant recipients only*)

Certification of the information is required by the organization’s authorized representative

- ☐ I certify that I have registered in the System for Award Management (SAM).
- ☐ I certify that I have registered in FedConnect.net in order to receive award documentation.
- ☐ I certify that all subrecipient cost information has been reviewed, and that all subrecipient costs are reasonable, allowable, and allocable in accordance with the applicable cost principles. All subrecipient budget documents should be available upon DOE request.

- ☐ I certify that all direct costs proposed in the application (under the personnel, travel, equipment, supplies, contractual, construction, and/or other direct costs categories) are direct to the project and are not duplicated in the proposed indirect costs.
- ☐ I certify that the processes undertaken to solicit any subrecipients, subawards, subcontracts and vendors comply with our organization's written procurement procedures as outlined in "Procurement Standards" 2 CFR 200.317 through 2 CFR 200.326 inclusive.
- ☐ I certify the Recipient:
- (1) Has in effect an up-to-date, written, and enforced administrative process to identify and manage conflicts of interest with respect to all projects for which financial assistance funding is sought or received from DOE;
 - (2) Shall promote and enforce Investigator compliance with DOE's Interim Conflict of Interest (COI) Policy's requirements including those pertaining to disclosure of significant financial interests;
 - (3) Shall manage financial conflicts of interest and provide initial and ongoing financial conflicts of interest reports to DOE;
 - (4) Agrees to make information available, promptly upon request, to DOE relating to any Investigator disclosure of financial interests and the Recipient's review of, and response to, such disclosure, whether or not the disclosure resulted in the Recipient's determination of a financial conflict of interest; and
 - (5) Shall fully comply with the requirements of the DOE Interim COI Policy.

SECTION 8: SIGNATURES *(All recipients)*

I, the Authorization Official named below, represent by my signature that I am authorized to certify this information on behalf of the Recipient. I certify to the best of my knowledge and belief that the information contained in this Pre-Award Information Sheet is true, complete and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to DOE's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.

Name:

Title:

Signature of Authorized
Official:

Date:

I, the Principal Investigator named below, certify to the best of my knowledge and belief that the information contained in this Pre-Award Information Sheet is true, complete and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to DOE's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.

Name:

Title:

Signature of Principal
Investigator:

Date:

ADDITIONAL INFORMATION

This information will assist DOE in determining: 1) cognizance; 2) whether the Recipient has adequate internal financial and management controls; and 3) whether the Recipient has an adequate accounting system. Generally, cognizance means that an organization has a Federal oversight agency (cognizant agency). Cognizance of an organization is used for many purposes including: determining which agency is responsible for verifying correct allocation of indirect rates to incurred costs; issuing the Provisional and Final Indirect Rate Agreements; and ordering audits. Adequate internal controls and accounting systems are essential to ensure that the Recipient's costs are correctly estimated, recorded, and billed. The Recipient has the responsibility to ensure that these systems are in place. The cognizant Agency has the responsibility for verifying these systems through audits or other methods.

For additional information, please visit <https://www.dcaa.mil>. Please refer specifically to the “[Pre-award Accounting System Adequacy Checklist](#)” under CUSTOMERS-->Checklists and Tools.

Cognizance is determined by TOTAL Federal award/contract dollars received by the Recipient/Contractor from all Federal agencies. This information is used to determine which Federal agency has the largest preponderance of funding and is cognizant. Once a Federal agency assumes cognizance for a contractor, it should remain cognizant for at least 5 years to ensure continuity and ease of administration.

Cognizance related duties are the responsibility of the Cognizant Federal Agency (CFA). The CFA is the Federal agency (e.g., Department of Defense, Department of Energy, Navy, etc.) that provided the preponderance (largest amount) of funding for your awards, across all federal agencies. It is very important to confirm that you work with the correct office.

General Rule of Thumb: Department of Health & Human Services (DHHS) is usually the CFA for Universities, Cities, States, and Counties. DHHS cognizance is not usually transferred.

If it is determined that the Department of Energy/Golden Field Office (GO) is the Cognizant Federal Office, the Recipient will have the following ANNUAL responsibilities:

1. Submit a Certified Annual Incurred Cost Claim (ICE Model – see #3 below) to the GO Cost/Price mailbox (CostPrice@ee.doe.gov). **This should represent the total organization's costs (representing the Company General Ledger), not just the Recipient's DOE award(s).**
2. Due Date: 180 days after the Recipient's fiscal year end.
3. For an example of the ICE Model, please visit <https://www.dcaa.mil>. Under “CUSTOMERS->Checklists and Tools”, click on ICE (Incurred Cost Electronically) Model and download the ICE model.

Once the information is received, GO will have the responsibility of providing your organization with an annual indirect rate agreement. This indirect rate must be used on all Federal grants and contracts.

If it is determined that GO is not the Cognizant Federal Office, the Recipient should contact the Cognizant Office for additional instructions.

ANNUAL AUDIT REQUIREMENTS

Independent (Single & Compliance) Audit Requirements

2 CFR 200, Section F located at:

<http://www.ecfr.gov/cgi-bin/text-id?SID=6e187b05cfeca4f534c659f20983b14e&mc=true&node=pt2.1.200&rgn=div5>

For-Profits: 2 CFR 910, Section F located at:

<http://www.ecfr.gov/cgi-bin/text-id?node=pt2.1.910&rgn=div5>

Below are excerpts from Section F.

Audit requirements.

(a) Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single (program-specific, *not applicable for For-Profits*) or compliance audit conducted for that year in accordance with the provisions of this part.

(b) *Single* audit. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 - Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.

(b) *Compliance* audit. (1) If a for-profit entity has one or more DOE awards with expenditures of \$750,000 or more during the for-profit entity's fiscal year, they must have a compliance audit for each of the awards with \$750,000 or more in expenditures. A compliance audit should comply with the applicable provisions in §910.514—Scope of Audit. The remaining awards do not require, individually or in the aggregate, a compliance audit.

(c) Program-specific audit election. (*Not applicable to For-Profits*). When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.

(d) Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

(e) Federally Funded Research and Development Centers (FFRDC). Management of an auditee that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.

(f) Subrecipients and Contractors. An auditee may simultaneously be a recipient, a subrecipient, and a contractor. Federal awards expended as a recipient or a subrecipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not Federal awards. Section §200.331 Subrecipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.

(g) Compliance responsibility for contractors. In most cases, the auditee's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with Federal statutes, regulations, and the terms and conditions of Federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the auditee is responsible for ensuring compliance for procurement transactions which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with Federal statutes, regulations, and the terms and conditions of Federal awards.

(h) For-profit *subrecipient*. Since this part does not apply to for-profit subrecipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The agreement with the for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.332 Requirements for pass-through entities.

**SUBJECT: INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 ENERGY
EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM FORMULA GRANT
APPLICATION INSTRUCTIONS**

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1.0 PURPOSE

The Department of Energy (DOE) is establishing Formula Grant Application Instructions and management information for the Infrastructure Investment and Jobs Act (IIJA) Energy Efficiency and Conservation Block Grant (EECBG) Program, including (1) Administrative and Legal Requirements Document (ALRD), (2) IIJA Formula Allocations to States, Local Governments and Indian tribes, (3) IIJA Application Checklist, (4) IIJA EECBG Program Pre-Award Information Sheet, and (5), IIJA Energy Efficiency and Conservation Strategy Templates.

The EECBG Program assists eligible states, units of local government, and Indian tribes, as described below (herein called “entities” or “eligible entities”) in implementing strategies to:

- Reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities;
- Reduce the total energy use of the eligible entities; and
- Improve energy efficiency in the transportation sector, the building sector, and other appropriate sectors.¹
- Build a clean and equitable energy economy that prioritizes disadvantaged communities and promotes equity and inclusion in workforce opportunities and deployment activities, consistent with the [Justice40 Initiative](#).

These stated purposes describe the overall intent of the EECBG Program. Entities may develop various initiatives and projects that address one or more of the purposes and each activity an entity undertakes is not required to meet all of the stated purposes. Entities may choose from a range of eligible activities, as defined in Section 544 of the Energy Independence and Security Act of 2007²(EISA) as amended by Section 40552(a) of the IIJA ([Public Law 117-58](#)).

Each entity receiving EECBG Program funds (including State sub-recipients) is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield sustained long-term impacts in terms of energy, emission reductions, and equitable workforce and community investment opportunities. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and Program Guidance.

2.0 SCOPE

The provisions of this Program Notice apply to eligible entities applying for formula grant financial assistance under DOE’s EECBG Program with appropriations provided by the IIJA under Section 40552(b). The information in this Program Notice incorporates relevant provisions from the Code of Federal Regulations (CFR) applicable to financial assistance awards under the EECBG Program, including [2 CFR Part 200](#) as amended by [2 CFR Part 910](#) (the DOE Financial Assistance Rules) and the EECBG Statute, located at [42 U.S.C. Chapter 152, Subchapter IV, Part C](#).

These regulations are the official sources for program requirements.

2.1 ELIGIBLE APPLICANTS

In accordance with [Section 543 of EISA](#), eligible entities for EECBG Program formula allocations include States, local governments, and Indian tribes.³ Eligibility is restricted to eligible state, local, and Tribal governments applying for funding under the EECBG Program. The list of eligible entities and

¹ 42 U.S.C. 17152(b).

² [42 U.S.C. 17154](#).

³ 42 U.S.C. 17153(a).

funding allocations are attached to the ALRD and available on the EECBG Program website at: <https://www.energy.gov/clean-energy-infrastructure/energy-efficiency-and-conservation-block-grant-program>.

State Government Eligibility

For the purposes of the EECBG Program, there are 56 entities eligible for state formula grants. These are the 50 states, the District of Columbia, and the following five U.S. Territories: the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

Local Government Eligibility

[Section 541\(2\)](#) of EISA divides eligible units of local government into two categories, defined as “eligible unit of local government-alternative 1” (“local government-alternative 1”) and “eligible unit of local government-alternative 2” (“local government-alternative 2”).⁴ DOE determined that 1,878 local governments are eligible for EECBG Program formula grants.

Local Government-Alternative 1

There are 1,878 local governments eligible under the definition of Local Government-Alternative 1 and meet the following criteria outlined in [section 541\(3\)\(A\)](#) of EISA:

- cities that are one of the top 10 most populous cities within their state or that have a population of at least 35,000; and
- counties that are one of the 10 most populous counties within their state or that have a population of more than 200,000.⁵

Local Government-Alternative 2

There are 1,032 local governments eligible under the definition of the Local Government-Alternative 2 and meet the following criteria outlined in [section 541\(3\)\(B\)](#) of EISA:

- cities with populations of at least 50,000; or
- counties with populations of at least 200,000.⁶

Local governments eligible for Local Government-Alternative 2 funding are also eligible for Local Government-Alternative 1 funding.

DOE used the U.S. Census Bureau’s 2020 Decennial Census Redistricting Data to determine the population of local governments. City and county governments that do not meet the eligibility requirements for direct formula grants from DOE are eligible for EECBG Program funds through the state in which they are located and can also apply for EECBG Program competitive grants from DOE. While EISA directs DOE to provide grants to cities and counties that qualify as eligible units of local government, EISA does not define “city” or “county.” DOE established the definitions of “city” and “county” in alignment with the eligibility criteria DOE used for the EECBG Program under the American Recovery and Reinvestment Act (ARRA), to the extent practicable.⁷

⁴ [42 U.S.C. 17151\(2\)](#).

⁵ [42 U.S.C. 17151\(3\)\(A\)](#).

⁶ [42 U.S.C. 17151\(3\)\(B\)](#).

⁷ [71 FR 17461, 17462](#) (Apr. 15, 2009).

Definition of “City”

For the purposes of the EECBG Program, DOE is defining “city” to include certain city-equivalent units of local government. Specifically, a city-equivalent unit of local government such as a town, village, or other municipality will be considered eligible if it is listed in the [2021 Census of Governments Survey](#) as a currently incorporated entity, has a governance structure consisting of an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA. DOE used the [2022 Boundary and Annexation Survey Code Lists](#) to identify eligible local governments within the Commonwealth of Puerto Rico. Additionally, a consolidated or unified city-county government in which a city and a county overlap geographically and govern as one consolidated government is considered a city by DOE.

DOE includes the following clarifications to the records used to calculate the universe of cities that are eligible for the EECBG Program:

- In the Commonwealth of Puerto Rico, Municipios are treated as cities. Though designated as counties by the [2020 Census: Redistricting File \(Public Law 94-171\) Dataset](#), governments of Municipios have the functionality of city governments.
- Towns, townships, and boroughs that are incorporated places are treated as cities. The governments of these places have the functionality of city governments.
- In the states of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin, minor civil divisions are treated as cities.⁸
- There are no eligible entities in the District of Columbia, U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

Definition of “County”

For the purposes of the EECBG Program, a county will be considered eligible for direct formula grants if it is listed in the [2021 Census of Governments Survey](#) as a currently incorporated county, has a governance structure with an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA.

For counties, all population figures are adjusted to reflect only the balance of their population, excluding the populations of any eligible cities therein. This population is referred to as the “county balance population.” In determining county balance populations, DOE identified a number of cities with geographic boundaries that cross the borders of multiple counties. In calculating county balance populations for those counties that contain only a part of an eligible city, DOE subtracted the portion of the eligible city’s population living within that county.

DOE includes the following clarifications to the records used to calculate the universe of counties that are eligible for the EECBG Program:

- Counties that are not a part of the [2021 Census of Governments Survey](#) and are without governmental authority are not a part of the database and are thus not eligible for direct EECBG Program formula grants. This pertains to some counties in Alaska and Massachusetts, as well as all counties in Connecticut and Rhode Island.

⁸ [United States Census Bureau Terms and Definitions – Minor Civil Divisions.](#)

- If one or more of the 10 most populated counties is ineligible or considered a city (i.e., a city-county consolidated government), the next largest county by population will be moved into the list of the 10 most populated counties for that state.
- Census areas in Alaska were not considered eligible counties because they have limited government functions.⁹
- There are no counties in the District of Columbia.

Indian Tribe Eligibility

As defined by [section 541\(4\)](#) of EISA, the term “‘Indian tribe’ has the meaning given the term” in [section 4](#) of the Indian Self-Determination and Education Assistance Act.”¹⁰ The Indian Self-Determination and Education Assistance Act states that the term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to [the Alaska Native Claims Settlement Act \(ANCSA\)](#),¹¹ which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

There are 774 Indian tribes eligible for a formula grant through the EECBG Program including: [574 federally recognized Indian tribes listed by the Bureau of Indian Affairs \(BIA\) in the 2022 Federal Register Notice](#);¹² six additional Indian tribes because eight bands of Indian tribes comprise two of the federally recognized Indian tribes, 12 Alaska Native Regional Corporations established under the [ANCSA](#);¹³ and 182 currently active Alaska Native Village Corporations, group corporations, and urban corporations. ANCSA defines “group corporation” and “urban corporation,” which are similar to village corporations except that they apply to established Native groups and urban communities of Alaska Native people. As such, “group corporations” and “urban corporations” are included in the definition of Indian tribes defined by DOE for the EECBG Program.

DOE includes the following clarifications to the records used to identify the Indian tribes that are eligible for the EECBG Program, in line with the BIA’s 2022 Federal Register Notice:

- Minnesota Chippewa is comprised of six separate bands of Indian tribes each eligible for a direct formula grant: Boise Forte Band, Fond Du Lac Band, Grand Portage Band, Leech Lake Band, Mille Lacs Band, and White Earth Band.
- Capitan Grande Band of Diegueno Mission Indians of California is comprised of two separate bands of Indian tribes both eligible for a direct formula grant: Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation and Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation.
- The Passamaquoddy Tribe is made up of Pleasant Point and Indian Township. There will be one formula allocation made to the Passamaquoddy Tribe that will be split proportionally between the two parts upon the grant being awarded.

2.2 ALLOWABLE ACTIVITIES

Under the EECBG Program, entities will develop various initiatives and projects that address one or more of the program purposes. Entities are encouraged to use their EECBG Program funds in a manner that is of maximum benefit to their population, in a manner that will leverage other sources of financing or

⁹ [Guide to the State and Local Census Geography – Alaska.](#)

¹⁰ [42 U.S.C. 17151\(4\)](#), referencing [25 U.S.C. 5304\(e\)](#).

¹¹ [Public Law 92-203, Dec. 18, 1971, 85 Stat. 688.](#)

¹² [87 FR 4636](#) (Jan. 28, 2022).

¹³ [33 U.S.C. 1602 et seq.](#)

funding, and will yield maximum benefits over time in terms of energy and emission reductions. DOE also encourages entities to consider investing the funding in ways that lead to equitable and just outcomes. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and the guidance. Eligible activities are listed below, and full details are described in section 544 of the EISA.¹⁴

An eligible entity may use its EECBG Program 2022 formula award to carry out activities to achieve the purposes of the program, including—

- (1) Development and implementation of an Energy Efficiency and Conservation Strategy;
- (2) Retaining technical consultant services to assist the eligible entity in the development of such a strategy, including—
 - (A) formulation of energy efficiency, energy conservation, and energy usage goals;
 - (B) identification of strategies to achieve those goals—
 - (i) through efforts to increase energy efficiency and reduce energy consumption; and
 - (ii) by encouraging behavioral changes among the population served by the eligible entity;
 - (C) development of methods to measure progress in achieving the goals;
 - (D) development and publication of annual reports to the population served by the eligible entity describing—
 - (i) the strategies and goals; and
 - (ii) the progress made in achieving the strategies and goals during the preceding calendar year; and
 - (E) other services to assist in the implementation of the energy efficiency and conservation strategy;
- (3) Conducting residential and commercial building energy audits;
- (4) Establishment of financial incentive programs for energy efficiency improvements;
- (5) The provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits;
- (6) Development and implementation of energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the eligible entity, including—
 - (A) design and operation of the programs;
 - (B) identifying the most effective methods for achieving maximum participation and efficiency rates;
 - (C) public education;
 - (D) measurement and verification protocols; and
 - (E) identification of energy efficient technologies;
- (7) Development and implementation of programs to conserve energy used in transportation, including—
 - (A) use of flex time by employers;
 - (B) satellite work centers;
 - (C) development and promotion of zoning guidelines or requirements that promote energy efficient development;
 - (D) development of infrastructure, such as bike lanes and pathways and pedestrian walkways;
 - (E) synchronization of traffic signals; and

¹⁴ [42 U.S.C. 17154.](#)

- (F) other measures that increase energy efficiency and decrease energy consumption;
- (8) Development and implementation of building codes and inspection services to promote building energy efficiency;
- (9) Application and implementation of energy distribution technologies that significantly increase energy efficiency, including—
 - (A) distributed resources; and
 - (B) district heating and cooling systems;
- (10) Activities to increase participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency;
- (11) The purchase and implementation of technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar sources;
- (12) Replacement of traffic signals and street lighting with energy efficient lighting technologies, including—
 - (A) light emitting diodes; and
 - (B) any other technology of equal or greater energy efficiency;
- (13) Development, implementation, and installation on or in any government building of the eligible entity of onsite renewable energy technology that generates electricity from renewable resources, including—
 - (A) solar energy;
 - (B) wind energy;
 - (C) fuel cells; and
 - (D) biomass; and
- (14) Programs for financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure) measures; and
- 15) Any other appropriate activity, as determined by the Secretary, in consultation with—
 - (A) the Administrator of the Environmental Protection Agency;
 - (B) the Secretary of Transportation; and
 - (C) the Secretary of Housing and Urban Development.¹⁵

2.3 EECBG PROGRAM FORMULA AWARDS: GRANTS AND VOUCHERS

To streamline the award process, DOE is providing local and Tribal governments applying for an EECBG Formula Program award with the option to select a grant or voucher. In addition, DOE is providing project blueprints, which are designed to help further streamline the award process. Blueprints may be used with either grants or vouchers. Entities selecting a grant should follow the application instructions shown in Section 7.0. Additional guidance will be forthcoming from DOE on the application process for Vouchers. The expected award period for vouchers is up to two years.

¹⁵ [42 U.S.C. 17154.](#)

IIJA grant awards will consist of a Project and Budget Period up to two years for local governments and Tribes, and up to three years for states, with options for extensions upon approval by the DOE Contracting Officer.

To assist applicants with planning, DOE is providing estimated award processing timeframes for each award type below. Note that these timeframes are estimates and are subject to change based on total volume of applications received, completeness of submitted applications, and award negotiation requirements. Applications may be subject to additional review prior to award or release of funds, including financial, legal, programmatic, or NEPA review.

Type of Award	Vouchers	Grants following Blueprints	Grants not following Blueprints
Typical award processing timeframe*	30-60 days	Up to 60 days	Minimum of 90 days
Additional application requirements or award conditions	Comply with Voucher Terms and Conditions	May be subject to additional review (e.g., indirect cost rates, sub-grants, accounting system and financial controls)	May be subject to additional review and award conditions (e.g., NEPA)**
Application method	Submit voucher application by January 31, 2024***	Submit grant application in Period 1 or 2 (select one or more blueprints)	Submit grant application in Period 3 or 4.

Table notes:

*Award processing times shown are estimates, based on submission of a complete application that is responsive to all required application materials and system registration requirements. Award processing times may vary depending on multiple factors, including the number of applications submitted, complexity of award applications, and additional review required to process applications (such as NEPA review and approval of proposed projects). The above timeframes do not include the time required for applicants to prepare and submit an application to DOE.

**Awards requiring NEPA review will require extended time to review applications, including completion of environmental assessment or an EIS, depending on the scope of the proposed activity. Awards may be partially or fully conditioned (funds restricted from expenditure) until completion of required NEPA reviews.

***Additional information on the Voucher application process will be forthcoming from the EECBG Program.

Local and Tribal entities will have the choice between a grant OR a voucher. The financial value of the voucher is expected to be equivalent to the formula award allocated to the eligible entity.¹⁶ Vouchers are subject to the same legislation and guidance that applies to EECBG Program formula grants, including Voucher Terms and Conditions. Vouchers will be available to formula-eligible local governments and Indian tribes for two purposes:

- technical assistance (TA) and
- equipment rebates.

A separate application process will be utilized for entities interested in applying for a voucher in lieu of a grant. The scope of activities eligible for vouchers and application procedures, and comparison of grant

¹⁶Administrative costs directly associated with the voucher, including contracting, reporting, site inspections and regulatory compliance are included as part of the total financial amount of the voucher. Recipients will be responsible for ongoing costs of installed equipment, such as operations and maintenance.

and voucher application requirements is provided in Section 9 to assist applicants in selecting whether to choose a grant or voucher for their formula award under the EECBG Program.

2.4 TEAMING AND PARTNERSHIPS

All EECBG Program formula-eligible entities are encouraged to team up with neighboring or peer entities that are also eligible for EECBG Program formula awards, to align EECBG Program 2022 plans and efforts. Pooling funds could allow jurisdictions to share the costs of analyses or programs in an efficient and mutually beneficial way. Opportunities for collaboration are vast, and could foster peer learning, reduced administrative burden, more effective use of limited grant dollars, and more impactful outcomes. Teams could collaborate on regional activities, create programs to serve multiple jurisdictions regardless of geography, or simply team up to work in parallel on similar proposals.

Below are illustrations of teaming opportunities:

- Create a regional clean energy infrastructure strategy and hire consultants to develop regional economic development analyses
- Stand up an energy efficiency workforce training program¹⁷ to serve several neighboring communities, and pool EECBG Program funds to hire a part-time program administrator
- Create a low-interest financing program for income-qualified residential energy retrofits and rooftop solar to serve community members across a state
- Design and establish a revolving loan fund¹⁸ to deploy virtual power plants (e.g., grid-interactive efficient buildings, battery storage systems) and building and transportation electrification projects across a utility territory
- Coordinate with peer municipalities to design and execute innovative programs to lower energy burdens in rural or urban settings
- Pursue energy audits and retrofits of municipal buildings across several communities and hire a shared energy manager to support projects across the state
- Develop a regional stretch energy code for new construction and a building performance standard for existing buildings and provide technical support and training for local code adoption and compliance

Each team will opt for either vouchers or grants. Each entity within a team will receive its own EECBG Program grant or voucher, and entities on a team may choose to jointly fund EECBG Program activities. However, each entity will be ultimately responsible for accounting and tracking the use of their own funds and for reporting outcomes of their own efforts. Teams may consist of any number of eligible entities, with two as the minimum.

Teams pursuing a grant award will submit a single joint application to DOE, with one eligible EECBG Program entity as the Prime Applicant. Team applications will describe the plan for the use of each entity's EECBG Program funds and list the primary point of contact for the team, as well as points of contact for all entities on the team. Each entity must submit and receive approval of its own EECS, as part of the team application.

Teaming partners should indicate their permission allowing the prime applicant to submit the application on their behalf. Teams may consider developing a separate partnership agreement, such as a

¹⁷ For more information on related BIL workforce development funding opportunities, see the [Career Skills Training Program](#) and the [Energy Auditor Training Grant Program](#).

¹⁸ For more information on related state Revolving Loan Fund formula allocations, see the [EE RLF Infrastructure Investment and Jobs Act Administrative and Legal Requirements Document \(ALRD\)](#).

Memorandum of Understanding, in which all parties agree in writing to how the funds will be spent, roles and responsibilities, and any other terms and conditions to ensure clear expectations and a mutually beneficial approach.

Partnerships

In addition to eligible entities teaming with other eligible entities to co-invest their awards, EECBG Program grantees may partner with other stakeholders that can help drive the progress and success of their programs and projects, including utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations.

3.0 LEGAL AUTHORITY

The EECBG Program is authorized under Title V, Subtitle E of the Energy Independence and Security Act of 2007 (EISA), as amended,¹⁹ and signed into Public Law (PL 110-140) on December 19, 2007. All awards made under this program shall comply with applicable laws and regulations including, but not limited to, the DOE financial assistance regulations at 2 CFR Part 200 as amended by 2 CFR Part 910 and Section 40552 of the [Infrastructure Investment and Jobs Act](#).

4.0 PROGRAM OVERVIEW & GOALS

Projects awarded under this ALRD will be funded, in whole or in part, with funds appropriated by IJA,²⁰ also known as the Bipartisan Infrastructure Law (BIL).

The BIL is a once-in-a-generation investment in infrastructure, designed to modernize and upgrade American infrastructure to enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities²¹. The BIL appropriates more than \$62 billion to the Department of Energy (DOE)²² to invest in American manufacturing and workers; expand access to energy efficiency and clean energy; deliver reliable, clean, and affordable power to more Americans; and demonstrate and deploy the technologies of tomorrow through clean energy demonstrations.

As part of and in addition to upgrading and modernizing infrastructure, DOE's BIL investments will support efforts to build a clean and equitable energy economy that achieves a zero-carbon electricity system by 2035, and to put the United States on a path to achieve net-zero emissions economy-wide by no later than 2050 to benefit all Americans.²³

Through this funding action, the BIL will invest appropriations of \$550,000,000 for fiscal year 2022, to remain available until expended to 2,708 eligible entities, in accordance with the [EECBG Program allocation formulas](#) issued on June 29, 2022. EECBG Program recipients may use funds for a diverse

¹⁹ 42 U.S.C. 17151 et seq.

²⁰ Infrastructure Investment and Jobs Act, Public Law 117-58 (November 15, 2021).
<https://www.congress.gov/bills/117/congress/house-bill/3684>

²¹ Pursuant to Executive Order (EO) 14008, "Tackling the Climate Crisis at Home and Abroad," January 27, 2021, and the Office of Management and Budget's Interim Justice40 Implementation Guidance M-21-28, DOE has developed a definition and tools to locate and identify disadvantaged communities. These resources can be located at <https://energyjustice.egs.anl.gov/>. DOE will also recognize disadvantaged communities as defined and identified by the White House Council of Environmental Quality's Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

²² U.S. Department of Energy. November 2021. "DOE Fact Sheet: The Bipartisan Infrastructure Deal Will Deliver For American Workers, Families and Usher in the Clean Energy Future." <https://www.energy.gov/articles/doe-fact-sheet-bipartisan-infrastructure-deal-will-deliver-american-workers-families-and-0>

²³ [EO14008](#).

range of eligible activities that support investments in programs, policies, and projects, including actions that: 1) reduce energy use and carbon emissions; 2) achieve ongoing energy and operational cost-savings for local governments and taxpayers; and 3) increase community investment/workforce development opportunities.

DOE seeks to deliver an efficient and effective EECBG Program designed to achieve sustained impacts that put communities on a pathway to reducing fossil fuel use and total energy use and improving energy efficiency while fulfilling Justice40 Initiative goals (see Section 4.2). As part of the whole-of-government approach to advance equity and encourage worker organizing and collective bargaining,^{24,25,26} this funding action and any related activities will seek to encourage meaningful engagement and participation of workforce organizations, including labor unions, as well as underserved communities and underrepresented groups, including consultation with Tribal Nations.^{27,28} Consistent with EO 14008,²⁹ this funding action is designed to help meet the goal that 40% of the overall benefits of certain investments in clean energy and climate solutions flow to disadvantaged communities (underserved, overburdened, and frontline communities) as defined by the Department pursuant to the EO and to drive the creation of good-paying jobs with the free and fair chance for workers to join a union.³⁰

4.1 DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY

It is the policy of the Administration that:

“[T]he Federal Government should pursue a comprehensive approach to advancing equity³¹ for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone.”³²

²⁴ EO 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” January 20, 2021.

²⁵ EO 14025, “Worker Organizing and Empowerment,” April 26, 2021.

²⁶ EO 14052, “Implementation of the Infrastructure Investment and Jobs Act,” November 18, 2021.

²⁷ EO 13175, “Consultation and Coordination with Indian Tribal Governments,” November 6, 2000, charges all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of federal policies that have Tribal implications.

²⁸ [Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships | The White House](#)

²⁹ EO 14008, “Tackling the Climate Crisis at Home and Abroad,” January 27, 2021.

³⁰ [EXEC-2022-004682 - FINAL S1 J40 Letter 7-25-2022.pdf \(energy.gov\)](#)

³¹ The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. EO 13985.

³² EO 13985.

As part of this whole-of-government approach, this funding action seeks to encourage eligible entities to include the participation of underserved communities³³ and underrepresented groups in the activities they undertake with these funds. EECBG Program eligible entities are highly encouraged to include contractors and sub-contractors from groups historically underrepresented^{34,35} in their project scoping. Further, Minority Serving Institutions³⁶, Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses, Veteran Owned Businesses, or entities located in an underserved community that meet the eligibility requirements (See Section III) are encouraged to be considered as sub-recipients for proposed EECBG Program-funded projects.

4.2 JUSTICE40 INITIATIVE

EECBG Program is a Justice40-covered program³⁷ and as such contributes to the President's goal that 40% of the overall benefits of Federal investments in clean energy and climate solutions flow to Disadvantaged Communities that for too long have faced disinvestment and underinvestment. DOE strongly encourages eligible entities to maximize project benefits and describe how these benefits will flow to Disadvantaged Communities to the greatest extent practicable. DOE has released [General Guidance on Justice40 Implementation](#) designed to help eligible entities and other interested parties incorporate Justice40 Initiative goals into DOE-funded projects. Information from the General Guidance on Justice40 Implementation is provided below.

³³ The Office of Management and Budget [Interim Implementation Guidance for Justice40](#) defines a disadvantaged community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.

³⁴ According to the National Science Foundation's 2019 report titled, "[Women, Minorities and Persons with Disabilities in Science and Engineering](#)", women, persons with disabilities, and underrepresented minority groups—blacks or African Americans, Hispanics or Latinos, and American Indians or Alaska Natives—are vastly underrepresented in the STEM (science, technology, engineering and math) fields that drive the energy sector. For example, in the U.S., Hispanics, African Americans and American Indians or Alaska Natives make up 24 percent of the overall workforce, yet only account for 9 percent of the country's science and engineering workforce. DOE seeks to inspire underrepresented Americans to pursue careers in energy and support their advancement into leadership positions. <https://www.energy.gov/articles/introducing-minorities-energy-initiative>

³⁵ Note that Congress recognized in section 305 of the American Innovation and Competitiveness Act of 2017, Public Law 114-329: "[I]t is critical to our Nation's economic leadership and global competitiveness that the United States educate, train, and retain more scientists, engineers, and computer scientists; (2) there is currently a disconnect between the availability of and growing demand for STEM-skilled workers; (3) historically, underrepresented populations are the largest untapped STEM talent pools in the United States; and (4) given the shifting demographic landscape, the United States should encourage full participation of individuals from underrepresented populations in STEM fields."

³⁶ Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities/Other Minority Institutions as educational entities recognized by the Office of Civil Rights (OCR), U.S. Department of Education, and identified on the [OCR's Department of Education U.S. accredited postsecondary minorities' institution list](#).

³⁷ [Justice40 Initiative | Department of Energy](#)

Identifying Benefits

Benefits include (but are not limited to) measurable direct or indirect investments or positive project outcomes that achieve or contribute to the following in Disadvantaged Communities:

- (1) a decrease in energy burden;
- (2) a decrease in environmental exposure and burdens;
- (3) an increase in access to low-cost capital;
- (4) an increase in job creation, the clean energy job pipeline, and job training for individuals;
- (5) increases in clean energy enterprise creation and contracting (e.g., minority-owned or disadvantaged business enterprises);
- (6) increases in energy democracy, including community ownership;
- (7) increased parity in clean energy technology access and adoption; and
- (8) an increase in energy resilience.

Not all eight policy priorities will be applicable to all DOE programs or funding opportunities. The matrix below provides **examples** of measurable benefits and how they map to the different DOE policy priorities mentioned above.

Policy Priorities	Benefit Metric and Units
1. N/A	Dollars spent [\$] by DOE Covered Programs [\$] in Disadvantaged Communities
2. Decrease energy burden in Disadvantaged Communities	Dollars saved [\$] in energy <i>expenditures</i> due to technology adoption in Disadvantaged Communities
	Energy saved [MMBTU or MWh] or reduction in fuel [GGe] by Disadvantaged Communities
3. Decrease environmental exposure and burdens for Disadvantaged Communities	Avoided air pollutants (CO2 equivalents, NOx, SO2, and/or PM2.5) in Disadvantaged Communities
	Remediation impacts on surface water, groundwater, and soil in Disadvantaged Communities
	Reduction of legacy contaminated waste in Disadvantaged Communities
4. Increase clean energy jobs, job pipeline, and job training for individuals from Disadvantaged Communities	Dollars spent [\$] and/or number of participants from Disadvantaged Communities in job training programs, apprenticeship programs, STEM education, tuition, scholarships, and recruitment.
	Number of hires from Disadvantaged Communities resulting from DOE job trainings
	Number of jobs created for Disadvantaged Communities because of DOE program
	Number of and/or dollar value [\$] of partnerships, contracts, or training with minority serving institutions (MSIs)
5. Increase clean energy enterprise creation and contracting for minority or disadvantaged businesses in Disadvantaged Communities	Number of contracts and/or dollar value [\$] awarded to businesses that are principally owned by women, minorities, disabled veterans, and/or LGBT persons
6. Increase energy democracy in Disadvantaged Communities	Number of stakeholder events, participants, and/or dollars spent to engage with organizations and residents of Disadvantaged Communities, including participation and notification of how input was used

	Number of tools, trainings for datasets/tools, people trained and/or hours dedicated to dataset/tool and technical assistance and knowledge transfer efforts to Disadvantaged Communities
	Dollars spent [\$] or number of hours spent on technical assistance for Disadvantaged Communities
	Dollar value [\$] and number of clean energy assets owned by Disadvantaged Communities members
7. Increase access to low-cost capital in Disadvantaged Communities	Dollars spent [\$] by source and purpose and location
	Leverage ratio of private to public dollars [%]
	Loan performance impact through dollar value [\$] of current loans and of delinquent loans (30-day or 90-day) and/or number of loans (30-day delinquent or 90-day default)
8. Increase parity in clean energy technology access and adoption in Disadvantaged Communities	Clean energy resource [MWh] adopted in Disadvantaged Communities
9. Increase reliability, resilience, and infrastructure to support reliability and resilience in Disadvantaged Communities	Increase in community resilience hubs in Disadvantaged Communities
	Number and size (MWh) of community resilience infrastructure deployed in Disadvantaged Communities (e.g., Distributed solar plus storage, utility scale, Distributed Energy Resources, microgrids)

Identifying Disadvantaged Communities

Justice40 directs that 40% of the overall benefits realized from Covered Programs flow to “disadvantaged communities.” OMB’s Interim Implementation Guidance defines a community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions. [M-21-28 \(whitehouse.gov\)](#).

Pursuant to the Interim Implementation Guidance, DOE has developed DOE’s working definition and tool to identify applicable Disadvantaged Communities at [Energy Justice Dashboard \(anl.gov\)](#). DOE will also recognize Disadvantaged Communities as defined and identified by the White House Council of Environmental Quality’s Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

DOE’s working definition of disadvantaged is based on cumulative burden and includes data for thirty-six (36) indicators collected at the census tract level.

To be considered a Disadvantaged Communities under the DOE definition, a census tract must rank in or above the 80th percentile of the cumulative sum of the 36 burden indicators for its state and have at least 30% of households classified as low-income.

Nationwide, 13,581 census tracts were identified as disadvantaged (18.6% of 73,056 total U.S. census tracts). Additionally, federally recognized Tribal lands and U.S. territories, in their entirety, are categorized as Disadvantaged Communities in accordance with OMB’s Interim Implementation Guidance “common conditions” definition of community

Please see [General Guidance on Justice40 Implementation](#) for more information regarding identifying Disadvantaged Communities with available tools.

Justice40 Implementation:

As a best practice, DOE recommends that recipients develop and sustain procedures and systems that can easily track what benefits are flowing to specific communities or locations (e.g., connecting benefits accrued with zip codes, and/or census tracts). Tracking benefits will allow funding recipients to measure progress and ensure programs are meeting intended goals. Further analysis of this data can also be used to empower program designers and lawmakers with information that is often needed to update or create new programs that better assist communities most in need.

To understand state, local, and Tribal government needs around equity and the Justice40 Initiative, DOE hosted listening sessions for state and local governments that discussed the Justice40 Initiative. The feedback received in those sessions informed this document and the IJA application materials for the EECBG Program.

DOE may provide eligible entities with support and training on tools and resources for implementing the Justice40 initiatives (e.g., Justice40 dashboard, EJ Screen, LEAD tool, etc.), along with other training opportunities, such as webinars and workshops.

4.3 JOB GROWTH AND QUALITY

As an agency whose mission is to help strengthen our country's energy prosperity, DOE strongly supports efforts to invest in the American workforce. This includes investments that expand quality jobs by adopting labor standards; ensure workers have a free and fair chance to join a union; engage responsible employers; reduce systemic barriers to accessibility of quality jobs; foster safe, healthy, and inclusive workplaces and communities; and develop a diverse workforce well-qualified to build and maintain the country's energy infrastructure and to grow domestic manufacturing.

Through the EECBG Program, DOE intends to support eligible entities in their efforts to support good-paying jobs with the free and fair choice to join a union and support labor-management training partnerships, such as registered apprenticeships. In their project planning, eligible entities are highly encouraged to engage with an inclusive collection of local stakeholders including labor unions and community-based organizations that support or work with Disadvantaged Communities. The DOE Justice40 Guidance provides a helpful template strategy for undertaking strategic stakeholder engagement.

Stakeholder engagement is a relatively small cost that delivers high value. Proactive and meaningful engagement with stakeholders ensures stakeholders' perspectives can be incorporated into the project plan, allows for transparency, and helps reduce or eliminate certain risks associated with the project. Eligible entities are encouraged to include information in their EECBG Program application about how they have engaged labor and community stakeholders in ways that foster the negotiation of new community and workforce agreements.

DOE will provide future guidance and resources to assist eligible entities in incorporating workforce and community agreements and other tools into their EECBG Program-funded programs and activities, including blueprints and technical assistance resources focused on workforce and economic development.

4.4 TECHNICAL ASSISTANCE

Local governments and Indian tribes have the option to select a voucher for technical assistance and/or an equipment rebate in lieu of applying for and administering an EECBG Program formula grant. The intent in offering this option is to 1) reduce the administrative burden associated with applying for and managing a federal grant and 2) provide additional resources and assistance needed to accomplish eligible entities' goals. Additional information on vouchers is provided in Section 9.0.

In addition to the technical assistance vouchers described above, DOE plans to provide technical assistance support to all entities, to help accelerate their efforts and preparations to leverage other IIJA funding. This assistance may include tools, online resources, access to experts, webinars, peer learning opportunities, and local and regional workshops. The technical resources will span a wide range of topic areas, with an emphasis on the blueprint topics described below.

4.5 BLUEPRINTS

Blueprints are step-by-step roadmaps of energy project and programs that guide EECBG Program entities to success. By no means an exclusive list, the blueprints are a select list of high-impact projects and programs based on proven practices that entities can choose to follow. While entities may use their EECBG Program funds for a wide array of energy-related activities, those that choose to spend their EECBG Program funds exclusively on “key activities” listed in the blueprints should expect a streamlined and expedited application review because these key activities fall within the NEPA bounded categories (See Section 6.3 G). DOE will provide resources such as webinars, trainings, tools, and additional support along these topic areas.

The blueprints are designed to achieve several goals: 1) guide grantees towards high-impact and effective projects and programs; 2) focus DOE’s technical assistance and support in key areas; 3) support grantees as they leverage other BIL and Inflation Reduction Act (IRA) investments; and 4) streamline the application review and approval process for eligible entities. The blueprints span a wide variety of topic areas: energy planning, energy efficiency, renewable energy, transportation infrastructure, workforce and economic development, and financing.

Blueprint Topics:³⁸

1. Energy Planning
2. Energy Efficiency
 - A. Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification
 - B. Energy Savings Performance Contracts for Efficiency & Electrification in Municipal Buildings
 - C. Building Efficiency & Electrification Campaign
 - D. Building Performance Standards for Existing Buildings and Stretch Codes for New Construction
3. Renewables
 - A. Solar (and battery storage) Power Purchase Agreement
 - B. Community Solar
 - C. Solarize Campaign
 - D. Renewable Resource Planning for Communities
4. Transportation
 - A. Electric Vehicles for Municipal Fleets
 - B. EV Charging Infrastructure for the Community
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs
6. Workforce Development

Key activities: Under each blueprint, DOE has identified key activities that are critical to successful program or project implementation. These activities have been reviewed and vetted as eligible uses of EECBG Program formula award funds. Activities within NEPA determination may not require additional NEPA review for initial approval, provided that the scope of proposed activities adheres to the NEPA determination, including Historic Preservation (see Section 6.3.G, NEPA Bounded Categories). Projects

³⁸ This list shows proposed Blueprints by topic area. Blueprint topic areas may be added or revised, based on grantee and stakeholder interests, and effectiveness in achieving program goals.

involving public works or infrastructure may be subject to Build America, Buy America and Davis Bacon Act requirements. **Entities may choose to follow one or more blueprints and spend their EECBG Program funds on the recommended activities, which are pre-determined as eligible uses of EECBG Program funding. Doing so may lead to an expedited process for reviewing applications.**

See “Appendix 2” for a chart that outlines blueprint topic areas and the key activities for a streamlined approval process. Streamlined approval means DOE has determined that these activities fall within categories of eligible EECBG Program activities, including NEPA determination of activities within Bounded Categories. Applicants must read their NEPA determination included in their award documents, which is DOE’s form that records DOE’s NEPA review of a project or activities. Applicants may be required to complete additional NEPA documentation.

5.0 FUNDING

Funding for all awards and future budget periods is contingent upon the availability of funds appropriated by Congress for the purpose of this program.

5.1 IIJA FORMULA ALLOCATIONS

The Infrastructure Investment and Jobs Act, Section 40552 provides \$550 million for EECBG Program for fiscal year 2022, to remain available until expended. DOE will distribute \$440 million in formula and competitive EECBG Program funding to eligible units of local government, states, and Indian tribes. Of the amount appropriated by IIJA, DOE will allocate funds as prescribed in section 543 of EISA:

- 34% to eligible units of local government-alternative 1 through formula grants;
- 34% to eligible units of local government-alternative 2 through formula grants;
- 28% to states through formula grants;
- 2% to Indian tribes through formula grants; and
- 2% for competitive grants to ineligible local governments and Indian tribes.³⁹

IIJA allocations for EECBG Program direct formula awards from the DOE, as adjusted, are based on the following funding amounts:

- \$299,200,000 for formula awards to eligible units of local government
 - \$149,600,000 to eligible units of local government-alternative 1
 - \$149,600,000 to eligible units of local government-alternative 2
- \$123,200,000 for formula awards to states
 - Each state (except for those noted as exempt in section 6.3 E) is required to pass not less than 60% of its allocation through to cities and counties within the state that are ineligible for direct formula grants from DOE
- \$8,800,000 for formula grants to eligible Indian tribes

Individual state, local and Tribal EECBG Program allocations are included as an attachment to this document. See the [Federal Register Notice 87 FR13859](#) issued on June 29, 2022, for the allocation formulas.

5.2 COST MATCH

Cost match is not required for the EECBG Program. DOE encourages eligible entities to consider how they may leverage philanthropic and private sector funding to advance their goals and amplify the impact

³⁹ 42 U.S.C. 17153(a).

of the IIJA funding and include strategies to facilitate it to the extent practicable in the plans they are submitting for IIJA Section 40552 funding. DOE may provide ideas and assistance toward eligible entities' efforts during the application phase and implementation of the IIJA EECBG funds.

5.3 PROGRAM INCOME

DOE allows eligible entities to earn income in connection with EECBG Program activities to defray program costs. If the Local strategy or program activities (e.g., loan funds) includes such activities, entities should include an estimated amount of earned income in the budget portion of their application for financial assistance. Program income is defined in federal regulations as gross income earned by the recipient that is directly generated by a supported activity or earned because of the award. Program income includes but is not limited to:

- Income from fees for services performed.
- The use or rental of real or personal property acquired with grant funds.
- The sale of commodities or items fabricated under a grant agreement.
- License fees and royalties on patents and copyrights.
- Payments of principal and interest on loans made with grant funds.

Program income does not include interest on grant funds except as otherwise provided in this subpart, program regulations, or the terms and conditions of the award. Nor does it include rebates, credits, discounts, refunds, etc., or interest earned on any of them.

(See [2 CFR Part 200.80](#) and [2 CFR Part 200.307](#) for further information.)

6.0 APPLICATION INSTRUCTIONS FOR IIJA EECBG PROGRAM FORMULA GRANTS

6.1 OVERVIEW

The application package for EECBG Program grants consists of the materials shown in Section 6.3, and includes the application for financial assistance, the budget, proposed energy efficiency and conservation strategy (if submitted at time of application) and required supporting documents. Applications must be submitted in accordance with the IIJA EECBG PROGRAM ALRD. Application due dates are identified on the cover page of the ALRD.

As a reminder, application documents, forms, and data submitted to the EECBG Program may be made available to the public at DOE's discretion, following all applicable laws and regulations that protect confidential or proprietary information.

6.2 APPLICATION REVIEW PROCESS

DOE will process EECBG Program applications for grants and vouchers on a rolling basis beginning January 18, 2023, and continuing through January 31, 2024.

Grant Award Application Reviews Prioritization and Phasing

To assist in planning and phasing the processing of award applications, DOE is establishing four application periods for submission of grant applications. Applicants that meet one or more of the priority categories (see below), including Indian tribes, may apply in Periods 1 or 2. All States must apply in Period 1 or 2. All other Applicants may apply in Periods 3 or 4.

Application Period	Application Submittal Timeframe	Applications Accepted
1	January 18, 2023 – April 28, 2023	State, Local and Tribal Government applications in one or more priority categories (see below)
2	June 1, 2023 – July 31, 2023	
3	Sept 1, 2023 – Oct 31, 2023	All Other Local and Tribal Government applications
4	December 1, 2023 – Jan 31, 2024	

Grant Applications will be accepted on a rolling basis, and DOE will prioritize its review of applications based on the order in which complete applications are received and as follows:

1. States⁴⁰
2. Entities following blueprints
3. Teams
4. Entities with activities benefitting disadvantaged communities
5. Entities with activities limited to Energy Efficiency and Conservation Strategy Development, Technical Consultant Services (or other activities strictly limited to planning, analysis, and stakeholder engagement).
6. All other

Applicants are strongly encouraged to review the application instructions and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

Note: Due to the volume of applications, DOE may not review an application immediately upon submittal. Once a complete application is received and reviewed by DOE, it typically takes up to 60 days to process a formula grant. Applications are not necessarily considered complete upon submission. For additional information on application requirements, see the application instructions, which includes a pre-award checklist.

6.3 EECBG PROGRAM GRANT AWARD APPLICATION

The EECBG Program Formula Application (for grant awards only) consists of:

- Standard Form 424 (Application form)
- Standard Form 424A (Budget summary)
- Budget Justification
- Energy Efficiency and Conservation Strategy
- EECBG Program Activity File
- Required certifications

⁴⁰ Expedited review of State applications will enable speedier subgrants to other local governments

- Electronic copy (or web link) to the applicant's latest single or program-specific audit as required by 2 CFR 200 Subpart F⁴¹
- An environmental questionnaire (if applicable)
- Pre-Award Information Sheet

Note: applicants choosing a Voucher do not need to submit a grant award application at this time. Additional Guidance on the Voucher application process will be forthcoming from DOE.

DOE financial assistance regulations govern all funds budgeted in the EECBG Program Application, whatever their source. All funds must be spent on the activities described in the Application and addressed in the financial and performance reports required under the grant.

6.3. A. STANDARD FORM 424 (APPLICATION)

A completed and signed Standard Form 424 (SF424) containing current information must be submitted. Please ensure all sections have been updated to reflect any changes, including changes to the person to be contacted on matters involving the application and the authorized representative. Applicants should select "New" in section 2.c.

The list of certifications and assurances referenced in Field 21 may be found [here](#). Please verify compliance with Intergovernmental Review ([SPOC List](#)).

Once the SF424 is completed, **add an attachment to the document with the name, title, phone number and email address for both the Principal Investigator and the Business Officer.**

6.3. B. STANDARD FORM 424A (BUDGET)

The budget includes Standard Form 424A Summary which includes a Budget Justification. Each of these forms should be completed following the guidelines set out below.

Standard Form 424A: Applications must include a budget for all funds. It should be completed as follows:

- Section A: Budget Summary Lines 1-4, Columns (a) through (g). On line 1, enter new DOE funds. Section B: Budget Categories. Separate column headings (with the same name as the rows in Section A) should be utilized for each funding source. The total in Column G, Section A, must equal the total of all columns in Section B.

Budget Justification: The Budget Justification consists of a detailed explanation of the object class categories listed in line 6, Section B, of Standard Form 424A. In preparing the Budget Justification, states should address the following as requested for each budget category.

Personnel: Identify all positions to be supported by title and the amounts of time (e.g., % of time) to be expended on EECBG Program activities, the base pay rate, and the total direct personnel compensation.

⁴¹ For additional information, see CFR § 200.501, Audit requirements. "A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part."

Personnel must be direct costs to the project and not duplicative of personnel costs included in the indirect pool that is the basis of any indirect rate applied for this project.

Fringe Benefits: If fringe cost rates are approved by a federal agency, identify the agency and date of latest rate agreement and include a copy of the rate agreement with the application. If fringe cost rates are not approved by a federal agency, explain how total fringe benefit costs were calculated. Your calculations should identify all rates used along with the base they were applied to (and how the base was derived), and a total for each (along with the grand total). established computation methodology approved for your jurisdiction, provide a copy with the SF424 Application.

Travel: Provide the purpose of travel, such as professional conference(s), DOE sponsored meeting(s), project monitoring, etc. Identify the number of trips, and the destination/location if known. Provide the basis for the travel estimate such as past trips, current quotations, federal or state travel regulations, etc. All listed travel must be necessary or beneficial to the performance of the EECBG Program. All foreign travel must be identified and requires pre-approval.

Equipment: Equipment is defined as an item with an acquisition cost greater than \$5,000 and a useful life expectancy of more than one year. List all proposed equipment and briefly justify its need as it applies to the objectives of this award. Provide a basis of cost such as vendor quotes, catalog prices, prior invoices, etc. If the equipment is being proposed as cost match and was previously acquired, provide the value of its contribution to the project and a rationale for the estimated value shown. If it is new equipment that will retain a useful life upon completion of the project, provide a rationale for the estimated value shown. Also, indicate whether the equipment is being used for other projects or is 100% dedicated to this project.

Supplies: Supplies are defined as items with an acquisition cost of \$5,000 or less or a useful life expectancy of less than one year. Supplies are generally consumed during the project performance. List all proposed supplies and the estimated cost and briefly justify the need for the supplies as they apply to the objectives of this award. Supply items must be direct costs to the project and not duplicative of supply costs included in the indirect pool that is the basis of any indirect rate applied for this project. Provide a basis of cost for each item listed. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

Contractual: All sub-recipients, vendors, contractors and consultants and their estimated costs should be identified. Use TBD if the entity is unknown. Provide a brief description of the work to be performed or the service to be provided and reference the individual activity the work or service falls under. Include the basis of cost for each item listed (competitive, historical, quote, catalog, etc.).

Other Direct Costs: Other direct costs are direct cost items required for the project that do not fit clearly into other categories. These direct costs must not be included in the indirect costs (if indirect costs are proposed for this project). Examples are conference fees, meetings within the scope of work, subscription costs, printing costs, etc. that can be directly charged to the project and are not duplicated in indirect (overhead) costs. Provide a general description, cost, and justification of need for each direct cost item. Provide a basis of cost for each item. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

Indirect Costs: If the indirect cost rate has been approved by a federal agency, identify the agency and the date of the latest rate agreement and submit a copy of the agreement with the application. If the indirect cost rate has not been approved by a federal agency, provide the basis for computation of rates including the types of benefits to be provided, the rate(s) used and the cost basis for each rate.

6.3. C. ENERGY EFFICIENCY AND CONSERVATION STRATEGY

Per [section 545 of EISA](#), each eligible unit of government that receives funding under this program must submit an Energy Efficiency and Conservation Strategy for approval by DOE that meets the guidelines outlined below.⁴²

Eligible Units of Local Governments and Indian Tribes: Proposed Energy Efficiency and Conservation Strategy (EECS)

Units of local government and Indian tribes must submit to the DOE a proposed EECS. The proposed strategy shall include:

- a description of the goals of the eligible unit of local government or Indian tribe for increased energy efficiency and conservation in the relevant jurisdiction; and
- a plan for the use of the grant to assist the eligible unit of local government or Indian tribe in achieving those goals in accordance with the eligible use of funds outlined in [section 544](#) of EISA.⁴³

The EECS can be submitted through one of two methods:

- a) submit the EECS with the application through the PAGE application system; or
- b) submit the EECS not later than 1 year after the effective date of the award.

If an entity chooses option B, the entity must submit an EECBG Program Activity File with their application and select Activity 1 (Energy Efficiency and Conservation Strategy). The EECS should be a comprehensive strategy that covers, at a minimum, all items detailed in the EECS Template provided by DOE. DOE will provide informational resources and technical assistance to support the development of comprehensive strategies.

Eligible Units of Local Government: Additional EECS Requirements

In developing the strategy, section 544 of EISA directs that an eligible unit of local government shall:

- take into account any plans for the use of funds by adjacent eligible units of local governments that receive grants under the EECBG Program; and
- coordinate and share information with the State in which the eligible unit of local government is located to maximize the energy efficiency and conservation benefits.⁴⁴

DOE has provided a streamlined EECS Template that local governments and Indian tribes may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the grantee the reasons for the disapproval, and the grantee may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

States and Territories: Revision of the State Energy Conservation Plan

⁴² 42 U.S.C. 17155(b).

⁴³ 42 U.S.C. 17155(b)(1)(B).

⁴⁴ 42 U.S.C. 17155(b)(1)(C).

DOE has determined that states are already meeting the requirement outlined in 42 U.S.C. 17155(c)(2)(A) through their annual reporting for the State Energy Program.

States and Territories: EECS Requirements

States and Territories must submit to DOE a proposed EECS that:

- 1) establishes a process for providing subgrants to units of local government that are not eligible for direct formula grants from DOE; and
- 2) includes a plan of the state for the use of funds received under the EECBG Program to assist the state in achieving the goals established in EISA, in accordance with [EISA section 545\(c\)\(2\)\(B\)](#).⁴⁵

DOE has provided a streamlined EECS Template that states and territories may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the state the reasons for the disapproval, and the state may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

6.3. D. EECBG PROGRAM ACTIVITIES FILE

As program-wide performance indicators are valuable to all EECBG Program stakeholders, metrics are an important element of formula grant reporting. For additional information, see the EECBG Program website for reporting guidance.

“Unpaired” metrics should be avoided. For example, if an eligible entity reports the number of buildings retrofitted, the square footage retrofitted must be included as well. DOE is working to identify metrics for future reporting on how EECBG Program-funded investments by recipients of DOE financial assistance impact additional topics including energy equity and environmental justice and how they relate to disadvantaged communities. DOE will provide guidance and technical assistance to assist eligible entities in addressing these metrics.

EECBG Program applicants are encouraged to consult with the EECBG Program to identify metrics that best capture the work they will be performing. EECBG Program activities that do not fit well into the metrics section should be reported in the Milestones section. Entities should list planned milestones in the Activity Milestones section in their applications. If entities are proposing use of EECBG Program funds to develop their EECS, the EECS should be listed as a separate activity with all subsequent project activities following the EECS completion milestone. Approval of the EECS by DOE is required prior to initiating any EECBG Program project activities.

For each Activity, applicants should identify the dollar amounts allocated. The sum of the budgets of each Activity must equal the totals in Section A of the SF424A.

6.3. E. LIMITATIONS

Administrative Expenses

Grantees should use their established definitions of “administrative expenses”. States may not use more than 10 percent of amounts provided under the program for administrative expenses⁴⁶). Units of local

⁴⁵ 42 U.S.C. 17155(c)(2)(B).

⁴⁶ 42 U.S.C. 17155(c)(4).

government and Indian tribes may not use more than 10 percent or \$75,000, whichever is greater, for administrative expenses.⁴⁷ EECBG Program funds may be used for compensation of employees or contractors. Whether or not the administrative cost cap applies depends on the nature of the responsibilities of the staff hired. Administrative activities are those that cannot be identified with any single program but are necessary to the general conduct of the activities of the entity organization; this could include such items as the overall direction of the organization, record keeping, budgeting, and business management.

States and Territories: Distribution of Subgrants

Each state that receives a grant under the program shall use not less than 60% of the amount received to provide subgrants to units of local government in the state that are not eligible for direct formula grants. The state shall provide the subgrants no later than 180 days after the date on which DOE approves the proposed energy efficiency and conservation strategy.⁴⁸

States are required to develop a subgranting process that expeditiously allocates funding, prevents fraudulent spending, generates robust reporting, and promotes the EECBG Program principles outlined in law.

The District of Columbia is explicitly included in the definition of a state, according to [section 541\(6\)\(B\)](#) of EISA.⁴⁹ Because the District of Columbia is a consolidated city-state government, it is not subject to the requirement applicable to states that not less than 60% of state funding must be subgranted to local units of government.

American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Hawaii, and the U.S. Virgin Islands have no eligible entities; these entities are exempt from having to provide subgrants.

Summary of Limitations on Use of Funds

	State	Formula-eligible unit of local government and Formula-eligible Indian tribe	Formula-ineligible unit of local government and Formula-ineligible Indian tribe
Limit on administrative expenses including the cost of the reporting requirements	Not more than 10% of the amounts provided to the State	Not more than the greater of a. 10% of the amount provided to the eligible unit of local gov't (or eligible Tribe); or b. \$75,000	None
Amount required to be provided as subgrants to formula-ineligible units of local government	Not less than 60% of the amount provided to the State (subgrantees must be within the jurisdiction of the State)	None	None

6.3. F. OTHER FORMS

The following files should be submitted as attachments with your application if applicable:

⁴⁷ 42 U.S.C. 17155(b)(3)(A).

⁴⁸ 42 U.S.C. 17155(c)(1).

⁴⁹ 42 U.S.C. 17151(6)(B).

1. Indirect Rate Agreement or Rate Proposal
2. [Certifications regarding Lobbying \(SF-LLL Disclosure Form to report lobbying\)](#)
3. A document providing the name, phone number and email address of the Program Manager and Business Officer
4. Pre-Award Information Sheet

6.3. G. NATIONAL ENVIRONMENTAL POLICY ACT INFORMATION

DOE must comply with NEPA prior to authorizing the use of Federal funds. DOE must also consider the effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act (NHPA). Additionally, DOE must consider the impacts to floodplains and wetlands, pursuant to 10 CFR Part 1022—Compliance with Floodplain and Wetland Environmental Review Requirements. To streamline these required reviews, DOE carries out each of these reviews under the umbrella of its NEPA review. Entities should review and follow the NEPA determination in their award documents for restrictions, and the list of activities that have been categorically excluded from further NEPA review.

DOE has developed a NEPA and Historic Preservation training website with PowerPoint presentations, sample template documents (including a NEPA log, project scope of work, and a project layout), word document of an Environmental Questionnaire-1 (EQ1) and an EQ1 submission guide. Applicants are responsible for completing mandatory online NEPA training and reviewing the sample documents provided at www.energy.gov/node/4816816 prior to initiating projects. Recipients may contact the NEPA team with any questions at NEPALogs@ee.doe.gov. Subgrantees and 3rd party loan administrators are also encouraged to review the NEPA training website prior to initiating projects.

All states and most territories have a DOE executed Historic Preservation Programmatic Agreement (PA) to assist DOE with historic preservation compliance. The territory of Guam and Indian tribes do not have a PA. EECBG Program applicants that do NOT have a PA must follow the added restrictions in the NEPA determination to ensure compliance with the National Historic Preservation Act. All PAs and amendments can be found [here](#).

For most applicants there are three paths to complete a NEPA review for EECBG Program activities covered by the ALRD-wide NEPA determination: 1) entities determine and document that a project falls within a Blueprint 2) entities determine and document that a project falls within a Bounded Category (see your NEPA determination for the complete list of Bounded Categories and restrictions, and documentation requirements), or 3) entities determine a project does not fit within a Bounded Category and submits an Environmental Questionnaire (EQ-1) in the Project Management Center for DOE to complete a NEPA review. Bounded Categories are activities listed in a NEPA determination that restrict the size, location, installation methods, or other elements to complete a project. EECBG Program recipients will receive approval from a DOE Contracting Officer with a NEPA determination for their records. All paths require a documented NEPA review. DOE has developed a NEPA log as a tool to assist entities in documenting that their projects fit within the Bounded Categories. A sample NEPA log can be found at www.energy.gov/node/4816816. For applicants who do not choose a voucher, a Blueprint activity, or activities within the Bounded Categories, they will need to submit an EQ-1.

The two lists of Bounded Categories (one list for applicants with a PA and one list for applicants that do not have a PA) detailed below apply to activities funded by the EECBG Program ALRD. Most Bounded Categories are more restrictive than the Categorical Exclusion. The restrictions must be followed for the Bounded Category to be applicable.

NEPA reviews must be completed prior to initiating project activities; this includes DOE NEPA reviews and entities' documentation of their review of Bounded Categories in a NEPA log. Project expenses incurred without either a DOE NEPA review or completion of an applicant's NEPA log, as applicable for

Bounded Categories activities, **may be deemed unallowable and entities may be required to repay any unallowable funds to DOE.**

The following list of Bounded Categories of activities is applicable to applicants applying with a DOE executed PA. The list of applicants and their PAs and amendments can be found [here](#). This list below may be slightly different than the NEPA determination. The NEPA determination included in each recipient's award documents must be followed.

Bounded Categories:

Administrative activities associated with management of the designated state, local government or Indian tribe, and management of programs and strategies to encourage energy efficiency and renewable energy, including energy audits.

1. Development of energy efficiency and conservation strategies, project-specific plans that may require feasibility studies, preparation of preliminary project design, outreach, and technical support to state agencies, local governments, Indian tribes and affected stakeholders. All project activities identified from these planning efforts and funded from this ALRD must be listed within the Bounded Categories. Projects not listed within these Bounded Categories would require submission of an Environmental Questionnaire (EQ-1).
2. Development and implementation of programs and strategies to encourage energy efficiency and renewable energy such as policy development and stakeholder engagement.
3. Development and implementation of classroom or virtual training programs.
4. Development and implementation of building codes including inspection services, and associated activities to support code compliance and promote building energy efficiency.
5. Implementation of financial incentive programs including rebates and energy savings performance contracts for existing facilities; grants and loans to support energy efficiency, renewable energy and energy/water saving projects. All project activities funded under a financial incentive program must be listed within the Bounded Categories or would require submission of an Environmental Questionnaire (EQ-1).
6. Funding commercially available energy or energy/water efficiency or renewable energy upgrades, provided that projects adhere to the requirements of the respective recipient's DOE executed Historic Preservation Programmatic Agreement, are installed in existing buildings, do not require structural reinforcement, no trees are removed, are appropriately sized and are limited to:
 - a. Installation of insulation.
 - b. Installation of energy efficient lighting.
 - c. HVAC upgrades (to existing systems).
 - d. Weather sealing.
 - e. Purchase and installation of energy efficient or water efficient appliances and equipment (including, but not limited to, energy or water monitoring and control systems, and thermostats).
 - f. Retrofit of energy efficient pumps and motors, for such uses as wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility.
 - g. Retrofit and replacement of windows and doors.
 - h. Installation of Combined Heat and Power Systems—systems sized appropriately for the buildings in which they are located, not to exceed peak electrical production at 300kW.

7. Development, implementation, and installation of onsite renewable energy technology from renewable resources, provided that projects are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, are appropriately sized, and are limited to:
 - a. Solar Electricity/Photovoltaic—appropriately sized system or unit not to exceed 60 kW.
 - b. Battery storage, if applicable, would be attached to a structure (e.g., inside a garage), or within the boundaries of a facility.
 - c. Wind Turbine—20 kW or smaller.
 - d. Solar Thermal (including solar thermal hot water)—system must be 200,000 BTU per hour or smaller.
 - e. Ground Source Heat Pump—5.5 tons of capacity or smaller, horizontal/vertical, ground, closed-loop system⁸
8. Biomass Thermal—3 MMBTUs per hour or smaller system with appropriate Best Available Control Technologies (BACT) installed and operated.
9. Installation of fueling pumps and systems for fuels such as compressed natural gas, hydrogen, ethanol, and other commercially available biofuels, (but not storage tanks) installed on the site of a current fueling station.
10. Purchase of alternative fuel vehicles.
11. Installation of electric vehicle supply equipment (EVSE), such as electric vehicle charging stations, including testing measures to assess the safety and functionality of the EVSE, restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.
12. Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

All EECBG Program applicants shall adhere to the restrictions of the relevant DOE executed Historic Preservation Programmatic Agreement, as applicable.

The following list of Bounded Categories of activities is applicable to applicants from Guam and Indian tribes-entities without a DOE executed Historic Preservation Programmatic Agreement (PA). This list may be slightly different than the NEPA determination. The NEPA determination included in each entities' award documents must be followed.

Bounded Categories:

1. Administrative activities associated with management of the designated entity and management of programs and strategies to encourage energy efficiency and renewable energy, including energy audits.
2. Development of plans that may require feasibility studies, preparation of preliminary project design, outreach and technical support to local governments, Indian Tribes and affected stakeholders. All project activities identified and funded from these planning efforts from this ALRD must be listed within the Bounded Categories. Projects not listed within these Bounded Categories would require submission of an Environmental Questionnaire (EQ-1).
3. Development and implementation of programs and strategies to encourage energy efficiency and renewable energy such as policy development and stakeholder engagement.
4. Development and implementation of training programs.
5. Development and implementation of building codes including inspection services, and associated activities to support code compliance and promote building energy efficiency.
6. Implementation of financial incentive programs including rebates and energy savings performance contracts for existing facilities; grants and loans to support energy efficiency, renewable energy and energy/water saving projects. All project activities funded under a financial incentive program must be listed within the Bounded Categories or will require submission of an Environmental Questionnaire (EQ-1).
7. Funding commercially available energy or energy/water efficiency or renewable energy upgrades, provided that projects are **installed in or on existing buildings less than 45 years old**, do not require structural reinforcement, remove no trees, are appropriately sized and are limited to:
 - a. Installation of insulation
 - b. Installation of energy efficient lighting
 - c. HVAC upgrades (to existing systems)
 - d. Weather sealing
 - e. Purchase and installation of energy efficient or energy/water efficient home and commercial appliances and equipment (including, but not limited to, energy or water monitoring and control systems, and thermostats)
 - f. Retrofit of energy efficient pumps and motors, for such uses as wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility
 - g. Retrofit and replacement of windows and doors
 - h. Installation of Combined Heat and Power System—systems sized appropriately for the buildings in which they are located, not to exceed peak electrical production at 300kW.
8. Development, implementation, and installation of onsite renewable energy technology from renewable resources, provided that projects are installed in or on an existing structure **less than 45 years old** or within the boundaries of a facility **less than 45 years old**, (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, are appropriately sized, and limited to:
 - a. Solar Electricity/Photovoltaic—appropriately sized roof mounted system or unit not to exceed 60 kW
 - b. Battery storage, if applicable, would be attached to a structure (e.g., inside a garage), or within the boundaries of a facility
 - c. Wind Turbine—20 kW or smaller

- d. Solar Thermal (including solar thermal hot water)—system must be 200,000 BTU per hour or smaller
 - e. Ground Source Heat Pump—5.5 tons of capacity or smaller, horizontal/vertical, ground, closed-loop system
 - f. Biomass Thermal—3 MMBTUs per hour or smaller system with appropriate Best Available Control Technologies (BACT) installed and operated.
9. Installation of fueling pumps and systems for fuels such as compressed natural gas, hydrogen, ethanol, and other commercially available biofuels, (but not storage tanks).
 10. Purchase of alternative fuel vehicles including but not limited to cars, buses, ferries, and other forms of transportation.
 11. Installation of electric vehicle supply equipment (EVSE), such as electric vehicle charging stations including testing measures to assess the safety and functionality of the EVSE, restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.
 12. Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

Recipients must document all activities (e.g., via a NEPA log) to ensure compliance with the restrictions of the Bounded Categories. The documentation must be available for DOE review upon request and submitted quarterly to NEPALogs@ee.doe.gov.

Recipients are responsible for identifying and promptly notifying DOE of extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular Project; compliance with Section 106 of the NHPA and 10 CFR Part 1022.4—Compliance with Floodplain and Wetland Environmental Review Requirements, as applicable.

Entities must adhere to the requirements included in the “Historic Preservation” term included in the Special Terms and Conditions of the financial assistance agreement.

DOE is required to consider floodplain management and wetland protection as part of its environmental review process (Subpart B of 10 CFR 1022). As part of this required review, DOE determined requirements set forth in Subpart B of 10 CFR 1022 are not applicable to the activities described in Bounded Categories 1–7g above that would occur in a floodplain or wetland because the activities would not have short-term or long-term adverse impacts to the floodplain or wetland. These activities are administrative or minor modifications of existing facilities to improve environmental conditions. All other

integral elements and environmental review requirements are still applicable. All projects (except those under Bounded Categories 1–7g) must document that project activities do not occur in a floodplain or wetland. If the project activities do occur in a floodplain or wetland (except those under Bounded Categories 1–7g), those project activities are subject to additional NEPA review and approval by DOE.

For activities/projects requiring additional DOE NEPA review, entities must complete the environmental questionnaire (<https://www.eere-pmc.energy.gov/NEPA.aspx>) for review by DOE.

7.0. APPLICATION FORMAT AND CHANGES (FORMULA GRANTS)

7.1. A. CONTENT AND FORM OF APPLICATION

The EECBG Program application must be submitted via the PAGE online system [here](#). All applicants must first establish an account in PAGE to submit an application. Instructions will be submitted to the authorized contact, as designated in the applicant’s pre-application information sheet.

The PAGE Help System has detailed instructions for creating and submitting an EECBG Program application. The Help instructions can be found in PAGE by selecting ‘help’ from the blue horizontal menu bar, and under the Contents in the left panel selecting ‘EECBG’ and the subtopic for ‘New Grant Application’.

From the Home PAGE, select ‘Create New Application.’ Then, select the ‘Add New Application Package’. Once the application has been completed, be sure to validate and submit the application.

7.1. B. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

Submission of application documents and award documents, including modifications, through electronic systems used by the DOE, including PAGE and FedConnect, constitutes the authorized representative’s approval and acceptance of the terms and conditions of the award. Award acknowledgement via FedConnect constitutes the authorized representative’s electronic signature.

7.1. C. QUESTIONS/AGENCY CONTACTS

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to the PAGE hotline at 866-492-4546, or page-hotline@ee.doe.gov. Entities should contact the EECBG Program with specific questions at the contacts provided below.

EECBG Program email: eecbg@hq.doe.gov.

For general information regarding the EECBG Program, please visit the EECBG Program website, at:

[Energy Efficiency and Conservation Block Grant Program | Department of Energy](#).

8.0 REPORTING REQUIREMENTS

Reporting requirements for each eligible entity are identified on the Financial Assistance Reporting Checklist (FARC), DOE EERE 355, attached to the award agreement.

Additional information and guidance that addresses the scope and purpose of reporting for EECBG Program formula grants and vouchers is available on the [EECBG program website](#).

Awards initiated since 10/1/2010 are subject to the requirement of Reporting Subawards and Executive Compensation at <https://www.fsr.gov>. Please see Part V.C. of the Administrative and Legal Requirements Document (ALRD) for additional information.

9.0 VOUCHERS

9.1 PURPOSE

DOE has sought to simplify and streamline the process for entities that choose a voucher in lieu of a grant. Entities that opt into a voucher are not required to apply for and administer a direct federal grant. Entities choosing vouchers will submit a separate application using a streamlined process with reduced documentation, monitoring and reporting requirements compared to applying for and administering a federal grant. For example, if an entity opts in for a voucher, entities that have never managed a federal grant before will not be required to establish the necessary financial management systems, including accounting for federal funds, invoicing, and internal audits typically needed to comply with federal grant management requirements as described in the following regulations:

- 2 CFR §200.302 Financial management
- 2 CFR §200.303 Internal controls
- 2 CFR § 200,305 Federal payment
- 2 CFR §200.232 Requirements for pass-through entities2 CFR §200.344 Closeout
- 2 CFR §200.345 Post-closeout adjustments and continuing responsibilities.
- 2 CFR § 200 Subpart F – Audit Requirements.

9.2 A. TECHNICAL ASSISTANCE VOUCHERS

Vouchers for technical assistance will be used to access support from experts, across a wide array of high-value opportunities in energy efficiency, renewable energy, transportation, and related areas. Activities will fit into the following broad categories:

- Policy, Planning & Program Design
- Building Retrofits Planning and Design
- Engineering and Modeling
- Community and Stakeholder Engagement
- Program Administration and Implementation Support

9.2 B. VOUCHERS FOR EQUIPMENT REBATES

Vouchers for equipment purchase and installation rebates will also be available to reimburse entities for the purchase of energy-related equipment used to meet the program goals. Equipment eligible for rebates will span a wide range of technologies that are deployed to lower fossil fuel use or increase energy efficiency. Examples include:

- Efficient materials and technologies used to retrofit buildings such as HVAC equipment, air source heat pumps, heat pump water heaters, windows, doors, insulation, and other weatherization materials;
- Electric vehicles and electric vehicle charging stations and equipment;
- Equipment for renewable energy installations, including wind, solar, and storage;
- Metering equipment; and
- Ancillary equipment such as electric system upgrades to accommodate technology installations.

Voucher applications must be reviewed and approved, including additional NEPA review and approval if activities are outside of the NEPA determination (i.e., the DOE form that documents DOE's NEPA review of a project or activities), prior to the completion of a purchase or installation of equipment to be eligible for reimbursement.

9.3 VOUCHER APPLICATION PROCESS

Voucher applications will be accepted on a rolling basis, and review of applications will be prioritized as follows:

- Teams opting into vouchers
- Voucher applicants following one or more EECBG Program Blueprints
- Entities opting for vouchers with >40% of their program benefits going to disadvantaged communities
- All other Local or Tribal entities choosing a voucher

In addition, applications that propose and prioritize activities that will benefit disadvantaged communities may be considered higher priority and may be reviewed before other applications.

Applicants are strongly encouraged to review the application and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

A comparison of the necessary application documents and some administrative steps needed for a grant vs. a voucher is shown in Appendix 1. While entities choosing a voucher must still submit and receive approval for their energy efficiency and conservation strategy as described below, they will follow a simplified application process to receive a voucher, which briefly describes their voucher selection, its intended use, and expected outcomes, such as energy savings, job creation, leveraged funds and benefits to disadvantaged communities.

DOE strongly encourages the following local and Tribal entities to consider the voucher option for their formula award:

1. Entities with limited or no experience managing federal grant awards
2. Entities with limited internal staff or local capacity to manage an EECBG Program formula grant over multiple years
3. Entities receiving EECBG Program award allocations of \$250,000 or less

Additional information on the voucher application process, scope of technical assistance services and administrative requirements for participating in the voucher program will be provided in forthcoming Guidance from the EECBG Program.

Applicants are strongly encouraged to review the application and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

10.0 CONCLUSION

The EECBG Program seeks to support communities on their path to clean energy and decarbonization. The EECBG Program will assist States, local governments, and Indian tribes as they advance efficient and effective programs to develop and deploy equitable and inclusive community energy savings strategies, clean energy infrastructure investments and projects. Through the EECBG Program, DOE will provide direct funding, technical assistance, and local, regional, and national coordination support to States, Local Governments and Indian tribes and their stakeholders to build a clean and equitable energy economy that enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities and promotes equity and inclusion in workforce opportunities and

deployment activities, as identified in the Biden Administration's Justice40, job growth and quality, and DEIA goals.

DOE looks forward to continuing to work with its State, Local and Tribal partners to implement new and innovative approaches that achieve sustained progress toward energy savings, carbon emissions reductions, and building more equitable and inclusive communities.

Henry McKoy, Director
Office of State and Community Energy Programs
Office of the Under Secretary for Infrastructure
U.S. Department of Energy

REFERENCE MATERIAL

IJA EECBG Administrative and Legal Requirements Document

IJA EECBG Program Formula Allocations

IJA EECBG Program Pre-Award Information Sheet

IJA EECBG Program Energy Efficiency and Conservation Strategy Templates

APPENDIX 1: APPLICATION MATERIALS CHECKLIST

Grant	Voucher ⁵⁰
Register in SAM (allow several weeks)	
Obtain DUNS number for all prime and sub awardees	
Obtain EIN and UEI number	
Register in FedConnect	
Register in PAGE	
Contact information for Principal Investigator and Business Officer	Contact information for Principal Investigator and Business Officer
Teaming partners (if applicable)	Teaming partners (if applicable)
Energy Efficiency and Conservation Strategy	Energy Efficiency and Conservation Strategy
EECBG Program Activity file	For TA voucher: Summary description of the technical assistance request, including a proposed scope of work and budget. For Rebate: Summary description of the requested equipment, proposed location and facility type (i.e., municipal building, school, commercial or residential building, or site) and estimated cost
Verify compliance with Intergovernmental Review SPOC list	
EECBG Program Pre-Award Information Sheet	EECBG Program Pre-Award Information Sheet (Voucher sections only)
Standard Form 424 (Application form)	EECBG Formula Program Voucher Application
Standard Form 424A (Budget summary)	
Budget Justification: - Personnel, fringe benefits, travel, equipment, supplies, contractual, other direct costs, indirect costs	
Authorized Applicant: (Assurance Letter or Tribal Resolution)	
Assurance Letter: Davis Bacon Act	
A link to the applicant's latest single audit as required by 2 CFR 200 Subpart F	
NEPA Statement of Work (for expedited reviews)	
NEPA Environmental Questionnaire (EQ-1), if directed to submit	NEPA environmental questionnaire (EQ-1), If directed to submit.
Indirect Rate Agreement or Rate Proposal (if applicable)	
Certifications regarding Lobbying (SF-LLL Disclosure Form to report lobbying)	

⁵⁰ Additional details on the voucher and rebate application process will be distributed to entities eligible for EECBG Program formula grants.

APPENDIX 2: BLUEPRINTS – TOPICS AND KEY ACTIVITIES WITH STREAMLINED REVIEWS

Blueprint Topic	Key Activities with Streamlined Reviews
1. Energy Planning	Energy data collection to assist in reducing fossil fuel emissions, reducing total energy use, or improving energy efficiency
	Develop energy vision, goals, and strategies
	Stakeholder engagement, education, and outreach
	Write, adopt, and publicize energy plan
2.A. Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification	Building energy assessments
	Energy audits
	Building upgrades, including energy efficiency, grid-interactivity, and electrification upgrades (as defined below)
2.B. Energy Savings Performance Contracts for Efficiency and Electrification in Municipal Buildings	Explore potential future financing options
	Procurement of energy savings performance contractor and legal support/technical assistance
2.C. Building Efficiency & Electrification Campaign	Develop energy retrofit goal and strategies, e.g., how to reach disadvantaged or low-income residents or small businesses
	Bulk procurement of building energy efficiency and electrification equipment (as described below) to be installed by for-profit and non-profit installers and contractors
	Procurement, legal and technical support and assistance
	Communications and website development
	Program education, outreach, and advertising
2.D. Building Performance Standards for Existing Buildings and Stretch Codes for New Construction	Stakeholder engagement, education, and outreach
	Data collection & benchmarking
	Metric selection and target setting
	Determine compliance and enforcement approach
3.A. Solar (and battery storage) Power Purchase Agreement	Site assessment
	Project savings assessment
	Procurement & legal support
	Installation of solar systems & battery storage (Limited to solar projects ≤60kW and 1,000kWh battery storage, with further restrictions defined below)
3.B Community Solar	Site assessment

	Stakeholder engagement, education, and outreach
	Procurement of developer, legal and technical support
	Communications, program education and promotion, including advertising and program website development
	Installation of solar panels (Limited to projects $\leq 60\text{kW}$ with further restrictions defined below)
3.C. Solarize Campaign	Design program details, including financing options for customers and how to support low-income customers and EJ communities
	Stakeholder engagement through education and outreach
	Procurement of developer & legal, technical support
	Program education, outreach, and advertising
3.D. Renewable Resource Planning for Communities	Stakeholder engagement through education and outreach
	Plan development & publication
	Preliminary resource planning and siting assessments
4.A. Electric Vehicles for Municipal Fleets	Develop fleet replacement plan, including stakeholder engagement and input
	Siting planning and preliminary assessments
	Develop utility data sharing agreement
	Develop charging plan including cost assessment of electric bill
	Procurement, legal, and technical support to purchase EVs and EVSE
	Installation of electric vehicle supply equipment (further restrictions listed below)
4.B. EV Charging Infrastructure for the Community	Procurement, legal and technical support to purchase EVSE
	Siting plan and site assessments
	Stakeholder engagement through education and outreach
	Installation of electric vehicle supply equipment (EVSE) (further restrictions listed below)
	Communications and program promotion
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs	Market analysis; programmatic research and design
	Stakeholder engagement through outreach and education
	Legal and technical support
	Program evaluation
6. Workforce Development	Program design, and curriculum development
	Stakeholder engagement through education, outreach, and program advertising
	Paying trainers and trainees including supplemental services

Limitations on Expedited Reviews: Recipients' proposed activities must fall within the activities listed above, with the below restrictions, in order to receive an expedited NEPA review.

Building Energy Efficiency: Commercially available energy or water efficiency or renewable energy upgrades, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation Programmatic Agreement (PA), or, if an applicant doesn't have a PA, projects are restricted to structures less than forty-five (45) years old, and all projects are installed in or on existing buildings, do not require structural reinforcement, are appropriately sized, and are limited to:

- a. Installation of insulation.
- b. Installation of energy efficient lighting.
- c. HVAC upgrades (to existing systems).
- d. Weather sealing.
- e. Purchase and installation of energy/water efficient residential and commercial appliances and equipment (including, but not limited to, grid-interactive building technologies, energy or water monitoring and control systems, thermostats, heat pumps, air conditioners, and related software).
- f. Retrofit of energy efficient pumps and motors, for such uses as (but not limited to) wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility.
- g. Retrofit and replacement of windows and doors.

A list of states and territories including their Programmatic Agreements and Executed Amendments can be found on the [DOE Historic Preservation – Executed Programmatic Agreements website](#).

Solar installations that will receive expedited NEPA review must be appropriately sized, are not to exceed 60kW, must be installed on existing buildings or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), must not require structural reinforcement, and must not remove any trees. Further, all activities must adhere to the requirements of the respective applicants' DOE executed Historic Preservation Programmatic Agreement, or if an applicant doesn't have a PA, projects are restricted to structures less than forty-five (45) years old.

Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

A list of states and territories including their PAs and amendments can be found [here](#).

Installation of EVSE, including testing measures to assess the safety and functionality of the EVSE, are restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.



STAFF REPORT

Department: Administration
Submitted By: Melissa Tracy
Meeting Date: April 17, 2023

AGENDA ITEM:

Memorandum of Understanding: National Opioid Settlement

Consideration of Approval of the State of Georgia and Local Governments Memorandum of Understanding Concerning National Settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., and Walgreen Co.

STAFF RECOMMENDATION:

Approve the Memorandum of Understanding: Concerning National Settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., and Walgreen Co.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

On February 27, 2023, Mayor and City Council approved opting-in to the National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart. The attached Memorandum of Understanding is the second step of the Teva, Allerga, et al., opioids settlement agreement. This Memorandum of Understanding memorializes how the funds will be divided among the state and local governments.

ALTERNATIVES:

Do not approve this Memorandum of Understanding and risk not receiving any settlement funds from the class action.

ATTACHMENTS:

1. MOU Opioid Settlement

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State of Georgia and Local Governments: Memorandum of Understanding Concerning National Settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., and Walgreen Co.

Foreword

This Memorandum of Understanding between the State of Georgia *ex rel.* Chris Carr, Attorney General (the “State”), and certain Georgia Local Government entities (“LGs”) concerns the harms visited upon Georgia’s citizens and the State itself by certain manufacturers, distributors, and pharmacies (“Opioid Defendants”) of prescription opioids.

To address these harms, the State and certain LGs separately initiated litigation meant to hold the Opioid Defendants accountable.

On December 31, 2021, the State entered into settlements with Opioid Defendants McKesson Corporation, AmerisourceBergen Corporation, Cardinal Health, Inc., Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (together, the “National Distributor and J&J Settlements”).

Thereafter, the State and participating LGs entered into a Memorandum of Understanding to memorialize an agreement that would enable them to maximize the monetary help received from the National Distributor and J&J Settlements to address harms visited upon Georgia’s citizens and the State itself in the opioid crisis (the “2022 MOU”).

During November and December of 2022, Teva Pharmaceutical Industries Ltd. (“Teva”), Allergan Finance, LLC (“Allergan”), Walmart Inc. (“Walmart”), CVS Health Corporation and CVS Pharmacy, Inc. (“CVS”), and Walgreen Co. (“Walgreens”), respectively, agreed to national settlement frameworks (collectively, “Opioid Settlements”) that the State of Georgia and LGs are eligible to join.

During December, 2022, the State entered into each of the Opioid Settlements. The LGs have until April 18, 2023 to opt in to the respective Opioid Settlements.

This Memorandum of Understanding (“Memorandum” or “2023 MOU”) aims to memorialize an agreement between the State and certain LGs that will enable them to maximize the monetary funds received from the Opioid Settlements to

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remediate the harms caused by the opioid crisis. The processes outlined in this Memorandum in large part replicate processes required under the 2022 MOU. Except where the terms are different, the processes used in administration of the 2022 MOU shall be utilized for administration as required under this Memorandum.

I. Definitions

Capitalized terms shall have the same definitions as in the 2022 MOU with the exception of:

- a. “Legislative Bar” means O.C.G.A. § 10-13B-1 *et seq.*
- b. “Local Government Opioid Funds” means the funds allocated to local governments pursuant to Section II of this Memorandum.
- c. “Opioid Funds” means the total monetary amounts obtained through the Opioid Settlements as defined in this 2023 MOU which are allocated to Georgia and its Participating Local Governments under the Opioid Settlements.
- d. “Opioid Settlement(s)” means the National Teva, Allergan, Walmart, CVS and Walgreens Settlements, dated November 22, 2022, November 22, 2022, November 14, 2022, December 9, 2022, and December 9, 2022, respectively.
- e. “Parties” shall mean the State and the Participating Local Governments.
- f. “Participating Local Governments” shall mean:
 - (i.) all litigating subdivisions listed on Exhibit “C” of the National Teva, Allergan, Walmart, CVS and Walgreens Settlements, and
 - (ii.) nonlitigating subdivisions listed on Exhibit “G” of the National Teva, Allergan, Walmart, CVS and Walgreens Settlementsthat choose to sign on to the Opioid Settlements and this Memorandum.

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- g. “Released Entities” means the entities defined as such in each respective Opioid Settlement.
- h. “State Opioid Funds” means the funds allocated to the State pursuant to Section II of this Memorandum.
- i. “Trust” means the Georgia Opioid Crisis Abatement Trust, approved by the Gwinnett County Superior Court on February 16, 2023.
- j. “Trustee” means the Trustee of the Georgia Opioid Crisis Abatement Trust.

II. Allocation between State and Local Governments

- a. The Participating Local Governments shall collectively receive 25% of the Opioid Funds as their full allocation of Local Government Opioid Funds for all claims past and future of the Participating Local Governments. Local Government Opioid Funds shall be paid to a national Settlement Administrator(s) as defined in each respective Opioid Settlement and distributed pursuant to each respective Opioid Settlement, with the following additional conditions:
 - (i) If a county which is a Participating Local Government under this Memorandum has a sheriff who is a Litigating Subdivision listed in an Opioid Settlement, at least 9.45% of the Opioid Funds paid to that county under the terms of any Opioid Settlement as to which the sheriff agreed to participate shall be allocated to that county’s sheriff to be used for Approved Purposes;
 - (ii.) If a county which is a Participating Local Government under this Memorandum has a hospital which is a Litigating Subdivision listed in an Opioid Settlement, at least 2% of the Opioid Funds paid to that county under the terms of any Opioid Settlement as to which the hospital agreed to participate shall be allocated to the hospital to be used for Approved Purposes; and
 - (iii.) If a county which is a Participating Local Government under this Memorandum has a school district which is a Litigating Subdivision listed in an Opioid Settlement, at least 1% of the

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Opioid Funds paid to that county under the terms of any Opioid Settlement as to which the school district agreed to participate shall be allocated to the school district to be used for Approved Purposes.

- b. The State shall receive 75% of the Opioid Funds as its full allocation of State Opioid Funds.
- c. Of the State's 75% share, after the payment of litigation fees and costs owed to the State's outside counsel pursuant to the agreement entered into on September 10, 2018 or as may be amended, 60% of the remaining funds shall be transferred by the receiving state agency through the Office of Planning and Budget to the State Treasury and spent at the direction of the State Legislature for Approved Purposes by appropriation and in compliance with the terms of the Opioid Settlements and this Memorandum. The remaining 40% after payment of fees and costs shall be transferred to the Trust by the receiving state agency and shall be expended by the Trustee on a regional basis ("Regional Distribution") as set forth in the Declaration of Trust, the 2022 MOU and this 2023 MOU.
 - (i.) For purposes of the Regional Distribution under the Opioid Settlements, the Regions shall be the same as established pursuant to the 2022 MOU, including Qualifying Block Grantees.
 - (ii.) Each Qualifying Block Grantee shall receive its allocation of the Regional Distribution via a direct block grant so long as it certifies that it has sufficient infrastructure to provide opioid abatement services.
 - (iii.) The Trustee shall use the same allocation model as used under the 2022 MOU for the Regional Distribution.
 - (iv.) The Regional Advisory Councils established pursuant to the 2022 MOU shall have the same duties and responsibilities in connection with the funds allocated to the Trust pursuant to this 2023 MOU as under the 2022 MOU, including reporting

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requirements and making themselves available to consult with the Government Participation Mechanism and with Participating Local Governments to best determine how funds will be spent for opioid remediation within the established Regions. In every instance the Trustee shall retain final authority over Regional Distributions.

III. Funds to be used for Approved Purposes; Clawback and Recoupment

- a. With the exception of administrative expenses as allowed under the Opioid Settlements, funds set aside for attorneys' fees and costs for State of Georgia outside counsel, and funds set aside for attorneys' fees for Local Government outside counsel pursuant to Section VI of this Memorandum, State Opioid Funds and Local Government Opioid Funds shall be used for Approved Purposes.
- b. Funds are to primarily (no less than 70 percent) be used for future abatement purposes. Funds used to reimburse the Parties for past abatement expenses may not be used to reimburse past Medicaid expenses or any other expense that would be subject to a federal clawback, recoupment, or similar mechanism.
- c. The State and Participating Local Governments shall work cooperatively to ensure the funds are spent within the spirit of this Memorandum and the Opioid Settlements, and shall further work cooperatively to actively defend the funds from federal clawback and/or recoupment, including, but not limited to, actively participating in any administrative procedure or other case or process related to defense of the funds from federal clawback and/or recoupment. In the event the federal government initiates and successfully claws back any Opioid Funds related to the Settlements, such amounts shall first be deducted from the total disbursements to be made to both the State and Local Governments in the calendar year the clawback claim is successfully made and shall thereafter be deducted from the total disbursements to be made in any subsequent calendar year if necessary. After such deduction, the allocation between the State and Participating Local Governments described in Section II of this Memorandum shall be applied to the remaining funds for the current calendar year or any subsequent calendar year if applicable. Deduction of amounts from the

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total disbursements shall include reimbursement of any amounts paid by the State or withheld from amounts due to the State as the result of a clawback and/or recoupment.

IV. Compliance and Reporting

- a. The Trustee shall provide an up-to-date accounting of payments into or out of the Trust and/or its subaccounts upon written request of the State or a Participating Local Government. The State, together with the Trustee, shall provide an annual report detailing: (1) the amounts received by the State and deposited into the State Treasury and the amounts remitted to the Trust; (2) the allocation of any awards approved, listing the recipient, amount awarded, programs funded, and disbursement terms; and (3) the amounts actually disbursed. The State and Trustee shall also include an assessment of how well resources have been used by the State and the Participating Local Governments to abate opioid addiction, overdose deaths, and the other consequences of the opioid crisis. The State shall publish its annual report and all Regional Advisory Council annual reports on its website.
- b. Expenses of the Trustee shall be deducted first from interest earned on funds held by the Georgia Opioid Crisis Abatement Trust, and then, if necessary, may be deducted from the corpus of Trust funds. Administrative expenses of the State shall be paid from or reimbursed out of State Opioid Funds as allowed under the terms of the Opioid Settlements.
- c. The Trustee and the State shall endeavor to keep such expenses reasonable in order to maximize the funding available for opioid abatement.
- d. Each Regional Advisory Council shall provide a report annually to the Trustee and Government Participation Mechanism detailing: (1) the amount received by each local government within the Region; (2) the allocation of any awards approved, listing the recipient, amount awarded, programs funded, and disbursement terms; and (3) the amounts actually disbursed and approved allocations. Each Participating Local Government within each Region shall provide any

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information necessary to facilitate such reporting to a single regional delegate selected by the Region to provide its annual report.

- e. If the State believes that any Participating Local Government has used funds for a non-approved purpose, it may request in writing the documentation underlying such alleged improper use of funds. If any ten (10) Participating Local Governments believe the State has used funds for a non-approved purpose, they may request jointly in writing the documentation underlying such alleged improper use of funds.
- f. The State and Participating Local Governments may object in writing to the Trustee to an allocation or expenditure on the basis that the allocation or Trust expenditure is inconsistent with Section III of this Memorandum or violates Section IV.c of this Memorandum regarding reasonable expenses of the Trustee.
- g. Any party to this Memorandum who receives a written request sent pursuant to IV.f or IV.e shall have 21 days to respond to such request, which may be extended by mutual consent.
- h. A party who makes a written request pursuant to IV.f may file an action in the Superior Court of Gwinnett County within one year of its objection seeking a determination as to the validity of the objection.
- i. If, after a written objection made pursuant to IV.e, it appears to the State that a Participating Local Government has spent funds on non-approved purposes, the State may seek and obtain an injunction in the Superior Court of Gwinnett County prohibiting the Participating Local Government from spending further funds on non-approved purposes, and ordering the return of monies spent on non-approved purposes. So long as any such action is pending, distribution of any funds to the relevant Participating Local Government shall be suspended and held in trust by the Trustee or national Settlement Administrator(s) and shall only resume after the action is resolved. Once the action is resolved, suspended payments to the Participating Local Government shall resume, less any amounts ordered returned that have not yet been returned as of the date of the resumption of suspended payments.

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- j. Attorney's fees and costs are not recoverable in actions brought under this Section.

V. Litigation Bar

- a. All Parties expressly acknowledge that this 2023 MOU qualifies under O.C.G.A. § 10-13B-2(a)(4)(E) and that each of the Opioid Settlements is a state-wide opioid settlement as that term is defined in O.C.G.A. § 10-13B-2(4).

VI. Attorney's Fees; Costs and Expenses

- a. Section VII of the 2022 MOU is incorporated by reference as though fully set forth herein.

VII. Future Agreements and Negotiations

- a. Nothing in this Memorandum shall bind the Parties concerning any future opioid settlements other than the ones expressly contemplated in (1) this Memorandum or (2) any amendments to this Memorandum made pursuant to Section VIII.b. Other than those Released Entities who are parties to the Opioid Settlements, the Parties are free to engage in settlement negotiations with any Opioid Defendants without prior consent or participation of any other party to this Memorandum.
- b. The Parties shall endeavor, insofar as is reasonably practicable, to keep each other apprised of future negotiations concerning future opioid settlements. Nothing in this provision shall require the parties to violate any duty, obligation, or promise of confidentiality, non-disclosure agreement, common interest agreement, court order concerning non-disclosure, or similar non-disclosure obligation concerning negotiations regarding future opioid settlements. For the avoidance of doubt, LGs shall not be required to disclose, among other things, any information relating to negotiations between groups of local governments and Opioid Defendants, and the State shall not be required to disclose, among other things, any information relating to negotiations between states or groups of states and Opioid Defendants.

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VIII. Miscellaneous

- a. This Memorandum shall be governed by Georgia law.
- b. The Parties may make amendments to this Memorandum as necessary. Amendments shall be in writing and shall require the consent of all Parties to this Memorandum. Proposed amendments shall be circulated to all Parties through designated contacts provided in their Acknowledgement, after which Parties shall have 30 days to agree or object to the proposed amendment. Parties who do not respond shall be deemed to have consented to the amendment for purposes of this Section VIII.b.
- c. Jurisdiction and venue regarding any disputes between or among the Parties concerning this Memorandum or the interpretation thereof shall lie in the Superior Court of Gwinnett County, Georgia.
- d. This Memorandum terminates automatically with respect to any Opioid Settlement in the event such Opioid Settlement(s) is(are) terminated by the parties to them.
- e. By entering into this Memorandum, a local government agrees to participate in each of the five Opioid Settlements, provided, however, an LG that has bellwether claims as described in O.C.G.A. § 10-13B-3(b) may choose to participate only in Opioid Settlements against non-bellwether defendants.¹
- f. If less than 65% of the litigating LGs participate in the Opioid Settlements, this Memorandum is voidable by the State.

* * * * *

¹ In the event an LG elects to participate in the Memorandum and in Opioid Settlement(s) against non-bellwether defendants as permitted under this Section VIII.e, the Memorandum shall apply to that LG only as to the Opioid Settlement(s) in which it is participating.

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ATTACHED EXHIBITS:

EXHIBIT 1: ACKNOWLEDGEMENT AND AGREEMENT TO BE
 BOUND TO MEMORANDUM OF UNDERSTANDING

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EXHIBIT 1

**ACKNOWLEDGEMENT AND AGREEMENT
TO BE BOUND BY MEMORANDUM OF UNDERSTANDING**

WHEREFORE, the undersigned, as a duly-appointed representative of the below-referenced entity, acknowledges the following:

- _____ [NAME OF ENTITY] has received the **State of Georgia and Local Governments: Memorandum of Understanding Concerning National Settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., and Walgreen Co.**
- The undersigned is a duly-appointed representative of _____ [NAME OF ENTITY], and has the authority to execute this document and bind _____ [NAME OF ENTITY] to the Memorandum.
- _____ [NAME OF ENTITY] is either represented by legal counsel, or has the ability to obtain advice from legal counsel, concerning the contents and implication of the Memorandum.
- The undersigned, on behalf of _____ [NAME OF ENTITY], understands and acknowledges the terms of the Memorandum, and _____ [NAME OF ENTITY] agrees to be bound by its terms.
- No party is under duress or undue influence.

/s/ _____

Name: _____

Title: _____

Date: _____

Entity: _____

Designated Contact for Purposes of Section VIII.b:

Name: _____

Title: _____

Address: _____

Email: _____