

City Council Meeting
10 N. Public Square
August 5, 2021
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:02 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Wren made a motion to enter into Closed Session for the purposes of Personnel and Property. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini closed Work Session at 7:07 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:14 PM.

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Fox.

The City Council met in Regular Session with Matthew Santini, Mayor presiding and the following present: Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk and David Archer, City Attorney.

Absent: Kari Hodge, Council Member Ward One

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. July 15, 2021

A motion was made by Council Member Roth to approve the July 15, 2021 Council Meeting Minutes. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

APPOINTMENTS

2. Historic Preservation Commission

David Hardegree, City Planner, stated Vandí White is currently serving on the Historic Preservation Commission. Her current term will expire on September 7, 2021 and she would like to continue serving. Her new term would expire on September 7, 2024 if she were re-appointed.

Council Member Fox made a motion to approve Vandí White to continue to serve on the Historic Preservation Commission. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

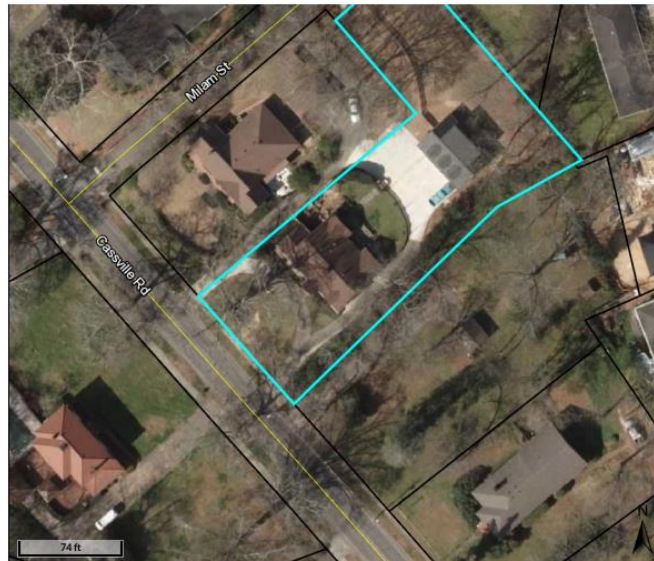
3. COP21-18: 15 Cassville Rd (HPC Appeal)

Mr. Hardegree stated HPC denied the painting of unpainted brick exterior of entire house per *Ordinance Sec. 9.25-55, Cherokee-Cassville Historic District, Part I Maintaining, Repairing and Replacing Existing Structures, (B) Masonry, Item 9 and (D) Paint, Item 2*. The recommendation to Mayor and Council was to deny painting of unpainted brick exterior of entire house.

Mayor Santini reminded Council members that decision made by the Historic Preservation Commission are based on the guidelines set forth by Council. Furthermore, he urged Council members to keep that in mind when making their motions.

Andrea Wallace, 15 Cassville Road, came forward to speak on behalf of her application.

Council Member Fox made a motion to approve COP21-18: 15 Cassville Rd. Council Member Wren seconded the motion. Vote: 4-1 Council Member Roth opposed.



4. MEAG Questionnaire and Single Audit Engagement Letters

Tom Rhinehart, Finance Director, stated the audit firm reviews and verifies the information that Finance provides for the annual MEAG questionnaire. The questionnaire, provided by MEAG, is completed partially by the electric department and partially by the finance department. In addition, the audit firm will be performing a single audit for FY 2021. This is due to the city's federal grant expenditures exceeding \$750,000. The MEAG questionnaire will cost \$3,500 to \$5,000, and the single audit will cost about \$9,000.

The letters attached indicate the expectations of the city along with the expectations of Mauldin & Jenkins in regards to the MEAG questionnaire and the single audit and are standard to the auditing industry. If approved, the request would allow the Mayor, City Manager, and Finance Director to sign both letters.

Council Member Fox made a motion to approve MEAG Questionnaire and Single Audit Engagement Letters. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS

Council Member Stepp made a motion to add four items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

FIRST READING

5. City of Cartersville M&O Millage Rate Set at 2.910 Mills for 2021

Mr. Rhinehart stated the property taxes received from Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.785 mills). As a result, the rate of 2.910 mills is a property tax increase of 4.49% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$6.25.

Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing will be on August 12, 2021 at 5:00 P.M. The second public hearing will be on August 19, 2021 at 8:00 A.M., and the third public hearing will be on August 19, 2021 at 7:00 P.M.

6. Cartersville Business Improvement District Millage Rate Set at 1.233 Mills for 2021

Mr. Rhinehart stated the Cartersville Business Improvement District (BID) is comprised of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with the local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended

BID's property tax millage of 1.233 mills for 2021. This is the rollback rate.

Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing will be on August 12, 2021 at 5:00 P.M. The second public hearing will be on August 19, 2021 at 8:00 A.M., and the third public hearing will be on August 19, 2021 at 7:00 P.M.

7. GO Parks & Recreation Property Tax Millage Rate Set at 0.713 Mills for 2021

Mr. Rhinehart stated the citizens of Cartersville approved a referendum in November 2014 authorizing the city to issue bonds used to pay for renovations and improvements to the parks and recreation buildings and properties. The bonds were issues with a ten-year payback period. In order to make the scheduled bond payments, the city is assessing a property tax millage of 0.713 mills (below the rollback rate of .737 mills) for 2021, also approved by the citizens. The millage rate for this will fluctuate over the ten years and will need to be set with a millage large enough to cover the semi-annual bond payments.

Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing will be on August 12, 2021 at 5:00 P.M. The second public hearing will be on August 19, 2021 at 8:00 A.M., and the third public hearing will be on August 19, 2021 at 7:00 P.M.

8. Cartersville School System Millage Rate Set at 13.906 Mills for 2021

Mr. Rhinehart stated the Cartersville City School System has recommended to their Board to adopt the 2021 rollback rate of 13.906 mill. The City Council approves the School Board's recommended tax millage rate for city residents where the Cartersville City School System uses the property taxes collected.

Furthermore, the city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing will be on August 12, 2021 at 5:00 P.M. The second public hearing will be on August 19, 2021 at 8:00 A.M., and the third public hearing will be on August 19, 2021 at 7:00 P.M.

RESOLUTIONS

9. MEAG Solar Agreement/Resolution

Derek Hampton, Electric Department Director, stated as a MEAG participant, an opportunity to take part in an upcoming solar generation project was presented to the Electric Department. This will give the City an opportunity to add more green energy to our portfolio, while benefitting from the cheaper wholesale power costs. As with our current generation sources, there will be no upfront cost to the City for participating in this project.

The Electric System sees this as a good option for us in every way, and recommended approval of the resolution and the MEAG Solar Power Purchasing Contract. Furthermore, Mr. Hampton stated the solar energy used would supplement the existing sources used currently.

Council Member Stepp made a motion to approve MEAG Solar Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTION 14-21

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE APPROVING AND AUTHORIZING THE EXECUTION OF A POWER PURCHASE CONTRACT BETWEEN THE SOLAR PARTICIPANT AND THE MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA, THE PLEDGE OF THE FULL FAITH AND CREDIT OF THE SOLAR PARTICIPANT TO SECURE ITS PAYMENT OBLIGATIONS THEREUNDER, AND FOR SUCH OTHER PURPOSES.

WHEREAS, pursuant to the Municipal Electric Authority Act (the “**Act**”), the City of Cartersville (the “**Solar Participant**”) has previously entered into one or more Power Sales Contracts (each, as amended, a “**Power Sales Contract**”) with the Municipal Electric Authority of Georgia (the “**Authority**”) for provision of the Solar Participant’s bulk electric power supply needs by the Authority from defined projection projects and sources; and

WHEREAS, under one such Power Sales Contract, the Project One Power Sales Contract (the “**Project One Power Sales Contract**”), the Authority further agreed to provide or cause to be provided additional power needs of the Solar Participant in excess of its entitlement to power supplied under the Project One Power Sales Contract (“**Supplemental Power**”); and

WHEREAS, the Project One Power Sales Contract provides that the Solar Participant may elect to procure an alternate source of Supplemental Power other than that provided by the Authority from the output of an Authority project; and

WHEREAS, the Authority adopted a Supplemental Power Policy (the “**Supplemental Power Policy**”) under which the Solar Participant and the Authority may make elections regarding provision and procurement of Supplemental Power; and

WHEREAS, the Solar Participant has determined that, in order to meet the growing and diverse energy needs of its customers, it has need for an additional type of economical, reliable source of electric power and energy beyond that provided from the sources available resources of the Authority under the Project One Power Sales Contract and other contracts between the City and the Authority; and

WHEREAS, the Authority has informed the Solar Participant that the Authority has an opportunity to procure a substantial amount of Supplemental Power for a multi-year term through a Power Purchase Agreement with Pineview Solar LLC (the “**Company**”) for the output and services of approximately 80 MWac from a photovoltaic solar energy generation facility located in Wilcox County, Georgia (the “**Facility**”) to be constructed, owned, operated, and maintained by the Company (such agreement, the “**Supplemental Power Purchase Agreement**” or “**SPPA**”); and

WHEREAS, in accordance with the Supplemental Power Policy, the Solar Participant has requested that the Authority purchase from the Company power, output and services of the Facility to cause to be provided to the City its Supplemental Power; and

WHEREAS, the Authority has agreed to cause to be provided the Solar Participant's Supplemental Power from the power, output and services of the Facility pursuant to the terms of a Power Purchase Contract (the "PPC") in substantially the form attached as Exhibit A hereto; and

WHEREAS, the Solar Participant finds, and the Solar Participant and the Authority agree that the PPC is supplemental to, and is authorized by, the Project One Power Sales Contract and that the Products (as defined in the SPPA) constitute Supplemental Power as defined in the Supplemental Power Policy; and

WHEREAS, the Solar Participant determines that the Solar Participant's payment obligations for Supplemental Power under the PPC authorized thereby shall constitute the general obligations of the Solar Participant for the payment of which the full faith and credit of the Solar Participant is pledged, obligating the Solar Participant to provide for the assessment and collection of an annual tax sufficient in amount to provide funds annually to make all payments due thereunder; and

WHEREAS, the Mayor and City Council desire to approve the PPC; to authorize the execution and delivery of the PPC and other such documents, certificates, and opinions described therein; and authorize such further actions as necessary for the Solar Participant to procure Supplemental Power as provided thereby.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the Solar Participant as follows:

1. Incorporation of Recitals. The recitals set forth above are hereby incorporated in the body of this Resolution.
2. Findings and Determinations. All findings and determinations contained in the PPC, including the recitals thereto, are hereby incorporated herein by reference, and are hereby adopted as findings and determinations of the Mayor and City Council of the Solar Participant.
3. Defined Terms. All capitalized terms used herein but not otherwise defined herein shall have the meanings set forth in the PPC.
4. Supplemental Power Purchase Agreement. The Mayor and City Council of the Solar Participant acknowledge receipt of the form of the SPPA to be executed by the Authority and Company.
5. Authorization to Execute PPC. The Mayor and City Council of the Solar Participant hereby authorize the Solar Participant to enter, as a Solar Participant (defined therein) into the PPC in substantially the form attached as Exhibit A hereto, and to perform the same, and the Mayor of the Solar Participant is hereby authorized on behalf of the Solar Participant to execute and deliver the PPC. The Mayor, with the advice of Counsel to the Solar Participant, is authorized to agree to such changes to the PPC as may be necessary prior to execution thereof, and the execution and delivery of the PPC shall be conclusive evidence of such approval. The City Clerk of the Solar Participant is authorized to attest the execution by the Mayor of the PPC and to affix the seal of the Solar Participant to such documents.


6. Further Authority. The Mayor and City Council hereby authorize, empower and direct the Mayor and any necessary representatives of the Solar Participant to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions and intent of this Resolution and the PPC.

7. Authorized Representative. The Mayor and Deputy Mayor of the Solar Participant are each hereby each designated as Authorized Representatives of the Solar Participant, and may execute notices, certificates, requests, estimates and other documents contemplated by the PPC, subject to the limitations contained herein.


8. Repeal of Conflicting Resolutions. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

9. Effective Date. This Resolution (including the recitals first above written, which are hereby incorporated into this Resolution) shall take effect immediately upon its adoption; a copy of this Resolution may be filed in such offices as the undersigned or such development authority may elect to file this Resolution. All resolutions, or parts of resolutions, in conflict herewith are repealed.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE (Solar Participant), this 5th day of August, 2021.

/s/ 
Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia



10. Electric System Trimming Contract

Mr. Hampton stated as a service provided by them, Electric Cities of Georgia (ECG) bids out the Tree Trimming and Right-Of-Way clearing service contract and awards a three-year contract to the lowest, qualified bidders. One of the two selected bidders, Trees Unlimited, is located in Cave Springs, Georgia and has been doing work for Cartersville for over a decade. With all of the rain we have seen this year, it is very important that we stay on top of trimming to prevent outages and damage to our system.

The Electric Department has budgeted \$156,000 in FY21-22 for Tree Trimming and Right-Of-Way Clearing.

The Electric Department is recommending that Council approve the execution of the Trees Unlimited contract to continue with their Tree Trimming and Right-Of-Way Clearing contract, and to approve the amount not to exceed \$156,000 for FY21-22.

Dan Porta, City Manager, took a moment to thank Mr. Hampton for the continued efforts to negotiate the final price, ensuring the city receives the most competitive pricing.

Council Member Roth made a motion to approve Electric System Trimming Contract. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

11. Creation of Festival Zone

Lillie Read, Downtown Development Authority Director, stated the DDA would like permission to create a festival zone for September 4, 2021. Ingles Grocery has approached the DDA about sponsoring a concert in the plaza, which would take place on that date.

Council Member Roth made a motion to approve Creation of Festival Zone. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Resolution No. 15-21

of the

City of Cartersville, Georgia

WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and

WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown:

September 4 – Joe Lasher Jr. presented by Ingles Grocery (4pm-10pm)

WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and


WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband or other means of identification, be allowed to consume purchased alcoholic beverages within the Festival Zone; and

WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses or caterer.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the above listed events be designated a Community Festival Zone.

ADOPTED this the 5th day of August 2021.


Matt Santini
Mayor

ATTEST:

Julia Drake
City Clerk



CONTRACTS/AGREEMENTS

12. EPD Lab Contract

Sidney Forsyth, Water Department Director, stated the Water Department received an invoice for water quality testing performed by the Department of Natural Resources Environmental Protection Division (EPD) Drinking Water Program. The EPD laboratory has performed this annual testing for the City for many years. The fee is based on the population served by a water system and has been \$9,200 for the past eight years. Using the EPD laboratory has the benefit of streamlined reporting and being 100% method compliant.

The invoice is to contract with EPD for drinking water analysis for the period 7/1/2021 to 6/30/2022. This is a budgeted item and paid through account 505.3310.52.1600 – Other Services and Fees.

Council Member Fox made a motion to approve EPD Lab Contract. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

13. Bartow County Utility Reimbursement

Mr. Forsyth stated during a records review by the Bartow County Water Department, that the County had been paying the electric utility bill for the City's water storage tank located at 423 Center Road. This tank originally belonged to the Bartow County Water System, but the city began ownership in July 2007.

It was recommended to pay Bartow County \$12,857.91, which was the amount that Bartow County had paid in error. This is not a budgeted cost and is to be paid from the Utilities account #505-3320-52-2100.

Council Member Fox made a motion to approve Bartow County Utility Reimbursement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

BID AWARD/PURCHASES

14. RAS Check Valve Repair

Mr. Forsyth stated each of the two return activated sludge pumps has a 30-inch check valve on the discharge side to prevent the running pump from recirculating to the other pump. One of these check valves is completely inoperable and the other operates poorly, so both need repair and/or rebuilding.

Bids were solicited for this repair from three contractors. Only one contractor, Goforth Williamson, Inc., inspected the valves before submitting bids and were the only responsive and responsible bidder with a submitted bid of \$19,620.00.

Approval was recommended for Goforth Williamson, Inc. bid at a not-to-exceed cost of \$25,000.00. This is a budgeted maintenance item to be paid from account #505-3330-52-2361.

Council Member Roth made a motion to approve RAS Check Valve Repair. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

15. Dumpster Purchase

Tommy Sanders, Public Works Director, stated Solid Waste is seeking approval to purchase 28 additional dumpsters due to an increase in customers and replacement of older units. The best bid is from Baker Waste Equipment, Lenoir, NC at \$43,100.00. This item was budgeted.

Council Member Fox made a motion to approve Dumpster Purchase. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

16. Annual Firefighter Clearance Physicals

Tim McClung, Battalion Chief, stated that approval was requested for the annual Firefighter clearance physicals. The physicals will occur on site at the Public Safety Headquarters in two phases. Phase 1 will be baseline blood draws, weight, BMI and vision. Phase 2 will be cardiac stress, respiratory function, core strength and flexibility. In addition, there will be a one on one consultation with a physician discussing the results and ways to improve the firefighters overall health and wellness. All of this complies with NFPA 1582 and OSHA 1910.

The Hazardous Materials team members will receive additional lab testing for heavy metals. Beyond the annual testing, they also assist in returning firefighters back to duty after an injury or illness. The Fire Department is seeking to stay with Site Med out of Marietta. The rates remain the same as FY 2020/21. Legal has reviewed and approved. The request made was for an amount, up to, and not to exceed, \$26,000.

Council Member Stepp made a motion to approve Annual Firefighter Clearance Physicals. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

17. Annual Membership in the Northwest GA Regional

Mr. Porta stated these are the annual dues for membership and participation in the Northwest Georgia Regional Commission. The total is \$21,760.00 for fiscal year July 1, 2021 through June 30, 2022.

Council Member Stepp made a motion to approve the Annual Membership in the Northwest GA Regional. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

18. 2021 Motorola Radio Quarterly Invoice

Mr. Porta stated Bartow County had submitted the second quarter 2021 quarterly invoice for the Motorola radio system that is used by our Police, Fire, FiberCom, Gas, Electric, Public Works, and Recreation Departments. This is a budgeted item approval was recommended to pay the invoice for \$37,542.13.

Council Member Stepp made a motion to approve 2021 Motorola Radio Quarterly Invoice. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

GRANT APPLICATION/ACCEPTANCE

19. GDOT Airport Grants

Mr. Porta stated the Cartersville-Bartow Airport Authority received \$69,000 last October from CARES Act Funding, and is in the process of receiving \$23,000 from the Coronavirus Response and Relief Supplemental Appropriation Act and an additional \$59,000 from the American Rescue Plan Act. These are all 100% funded grants with no local match and approval was requested of these grant applications.

Council Member Stepp made a motion to approve GDOT Airport Grant. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTIONS

20. Civic Youth Day

Mr. Porta stated the time change for the September 16, 2021 Council meeting is necessary to accommodate Civic Youth Day. The time of the meeting will change from 7:00PM to 9:00AM.

Council Member Roth made a motion to approve Civic Youth Day. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Resolution No. 16-21

WHEREAS, The Mayor and City Council have determined that it is in the best interest of the City of Cartersville and its inhabitants and their general health, safety and welfare to reschedule the below referenced meeting of the Mayor and City Council pursuant to the authority provided by the CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA; and

THEREFORE, NOW BE IT RESOLVED, by the Mayor and City Council of the City of Cartersville that the meeting of the Mayor and City Council scheduled on the 16th day of September, 2021 at 7 PM in pursuant to Section 2-17 of the City of Cartersville Code of Ordinances is hereby rescheduled to the 16th day of September, 2021 at 9 AM.

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this August 5, 2021

/s/ 
Matthew J. Santini
Mayor

ATTEST: 
/s/ _____
Julia Drake
City Clerk



21. School Board Resolution

Mr. Porta stated this resolution is regarding the Cartersville City School System approval of the First Amendment to the Redevelopment Plan, the First Amendment to the Development Agreement, and the First Amendment to the Intergovernmental Agreement related to the Main Street Project/TAD.

Council Member Stepp made a motion to approve School Board Resolution. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTION 17-21

WHEREAS, the City of Cartersville, Georgia (the "City"), by a resolution adopted on October 9, 2014 (the "City Resolution"), determined that a portion of the City (the "East Main Street TAD #1 Urban Redevelopment Area") be established as a "redevelopment area" pursuant to O.C.G.A. § 36-44-1, *et seq.* (the "Redevelopment Powers Law"); and

WHEREAS, pursuant to the City Resolution, a redevelopment plan (attached as an exhibit to the City Resolution) (the "Redevelopment Plan") was adopted and approved for the East Main Street TAD #1 Urban Redevelopment Area (the "East Main Street TAD"); and

WHEREAS, the Redevelopment Plan provides that the East Main Street TAD shall be redeveloped as a shopping center comprised of retail shops and restaurants; and

WHEREAS, pursuant to the City Resolution, the City designated itself as redevelopment agency for purposes of implementing the Redevelopment Plan for the East Main Street TAD; and

WHEREAS, the City Resolution, as supplemented, provided that the East Main Street TAD was created pursuant to the City's redevelopment powers contained in the Redevelopment Powers Law, and became effective on December 31, 2015; and

WHEREAS, the Redevelopment Powers Law provides that county and school district ad valorem property taxes may be included in the computation of the tax allocation increments of the East Main Street TAD if the local legislative body of the county and/or school district consents to such inclusion by resolution duly adopted; and

WHEREAS, the City of Cartersville School Board (the "School Board") adopted its resolution on October 9, 2014, as supplemented (collectively, the "School Board Resolution"), which authorized among other things, the approval of the Redevelopment Plan, the execution and delivery of the Intergovernmental Agreement, dated as of April 1, 2015, among the City, Bartow County (the "County") and the City of Cartersville School District (the "School District") relating to the East Main Street TAD, and the inclusion of School District's tax allocation increment in the East Main Street TAD; and

WHEREAS, in accordance with the Development Agreement, dated as of May 21, 2015 (the "Development Agreement"), between the City and Cherokee Main Street III, LLC (the "Developer"), regarding the development of the East Main Street TAD as a commercial shopping center project (the "Main Street Project"), a copy of which is attached as an exhibit to the Intergovernmental Agreement, the City agreed to issue tax allocation bonds to pay or reimburse certain Eligible Redevelopment Costs (as defined in the Development Agreement) in two tranches; and

WHEREAS, on December 1, 2016, the City issued its Tax Allocation Bond (East Main Street Project), Series 2016 in the principal amount of \$2,128,680 in connection with Phase 1 of the Main Street Project (the "Phase 1 Bond"); and

WHEREAS, pursuant to a resolution adopted by the City on June 17, 2021, the City approved an amendment to the Redevelopment Plan (the "First Amendment to Redevelopment Plan") to provide that the East Main Street TAD may be developed as a shopping center comprised of retail shops and restaurants and for multi-family housing; and

WHEREAS, the City and the Developer propose entering into a First Amendment to Development Agreement, dated as of June 17, 2021 (the "First Amendment to Development Agreement") to provide that (1) Phase 2 of the Main Street Project shall be developed for multi-family housing and (2) the City will not issue a second tax allocation bond in connection with Phase 2 of the Main Street Project; and

WHEREAS, the School District desires to approve the First Amendment to Redevelopment Plan and the First Amendment to Development Agreement to allow for Phase 2 of the Main Street Project to be developed for multi-family housing; and

WHEREAS, the City, the County and the School District desire to amend the Intergovernmental Agreement to (1) define the Project (as defined therein) to include multifamily housing, (2) continue to include the County's and the School District's tax allocation increment in the East Main Street TAD and (3) allow for the disbursement of tax allocation increments generated from Phase 2 of the Main Street Project to the City, the County and the School District on an annual basis.

NOW, THEREFORE, BE IT RESOLVED by the City of Cartersville School Board (the "School Board"), and it is hereby resolved by the authority of the same as follows:

Section 1. The First Amendment to Redevelopment Plan and First Amendment to Development Agreement are hereby approved by the School District.

Section 2. The execution, delivery and performance of the First Amendment to Intergovernmental Agreement are hereby authorized. The Chairman of the School Board is hereby authorized to execute and deliver the First Amendment to Intergovernmental Agreement on behalf of the School District, which First Amendment to Intergovernmental Agreement shall be in substantially the form attached hereto as Exhibit A with such minor changes, insertions or omissions as may be approved by the Chairman of the School Board, and the execution of the First Amendment to the Intergovernmental Agreement by the Chairman of the School Board as hereby authorized shall be conclusive evidence of any such approval.

Section 3. All acts and doings of the officers, agents and employees of the School District which are in conformity with the purposes and intents of this resolution and the execution, delivery and performance of the First Amendment to Intergovernmental Agreement shall be, and the same hereby are, in all respects, approved and confirmed.

Section 4. No stipulation, obligation or agreement herein contained or contained in the First Amendment to Intergovernmental Agreement shall be deemed to be a stipulation, obligation or agreement of the Chairman or the Secretary of the School Board in their individual capacity, and neither the Chairman or the Secretary of the School Board shall be personally liable under the Intergovernmental Agreement, as amended.

Section 5. All resolutions and parts of resolutions in conflict with this Resolution are hereby rescinded to the extent to such conflict.

PASSED AND ADOPTED by the City of Cartersville School Board, this 12th day of July, 2021

CITY OF CARTERSVILLE SCHOOL BOARD



Chairman, Kelley Dial

ATTEST:

A. Pat Broadnax
Secretary

Approved by the Mayor and City Council of the City of Cartersville on the 5 day of August, 2021.

Matthew J. Santini
Matthew J. Santini, Mayor

ATTEST:

Julia Drake
Julia Drake, City Clerk



SURPLUS EQUIPMENT

22. Surplus Equipment

Freddy Morgan, Assistant City Manager, stated a list of vehicles and equipment deemed as surplus by various departments. The request made was to approve this list as surplus and sell on GovDeals.com.

Council Member Stepp made a motion to approve Surplus Equipment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

TABLED ITEMS

Council Member Stepp made a motion to remove the tabled items. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

23. Urban Geode Temporary Art Installation

Ms. Read stated the DDA would like permission to pursue a temporary art installation downtown. They have shown our plans to Tommy Sanders, as well as the Historic Preservation Commission, and received approval from both parties.

Council Member Stepp made a motion to approve Urban Geode Temporary Art Installation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

24. Friendship Plaza Capital Project

Ms. Read stated Friendship Plaza is the center of our downtown district but it is in need of some sprucing up. The following memo (Exhibit 'A') details some suggested changes that the DDA would like to make, with Council's approval.

Council Member Fox made a motion to approve Friendship Plaza Capital Project. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Council Member Wren made a motion to adjourn.

Meeting Adjourned at 7:45 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk