Small town. Big difference.

City of Lilburn

76 Main Street
Lilburn, GA 30047

City Council
Meeting Agenda

Auditorium
Monday, July 11, 2016
7:30 p.m.

Council

Johnny Crist, Mayor
Brian Burchik, Post 1
Scott Batterton, Post 2
Eddie Price, Post 3
Tim Dunn, Post 4

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. Doug Stacks, 76 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 13.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

The City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to Doug Stacks, 76 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.

I. **CALL TO ORDER**
II. **ROLL CALL**
III. **PLEDGE TO THE FLAG**
IV. **APPROVAL OF AGENDA**
V. **ANNOUNCEMENTS**
VI. **CEREMONIAL MATTER**
VII. **PUBLIC COMMENT – NONE**
VIII. **APPROVAL OF MINUTES**

- Consideration of the **City Council Regular meeting minutes from June 13, 2016.**

IX. **PUBLIC HEARING**
X. **AGENDA**

1. **LILBURN EXXON LLC – APPEAL OF ARB HEARING AND SUPERVISED ACTION PLAN – FINANCE DIRECTOR**

The Alcohol Review Board met on May 19th and Mohammed Moshin, on behalf of Lilburn Exxon did not appear for the Show Cause Hearing. The ARB imposed a Supervised Action Plan that included three day suspension. On May 24th the location was observed selling alcohol during their suspension. On May 31st a special called meeting was held concerning Lilburn Exxon violating the Supervised Action Plan. At that time the ARB suspended the location for thirty days. As a result of the afore-mentioned, Mohammed Moshin on behalf of Lilburn Exxon filed an appeal to be heard by the Mayor and Council.

No staff recommendation. Mayor and Council to hear appeal and render a decision.

Attachment: *Supervised Action Plan, Show Cause Letter, Exxon Appeal Letter*

2. **SET 2016 TAX YEAR MILLAGE RATE FOR THE CITY OF LILBURN – RESOLUTION #2016-04 – FINANCE DIRECTOR**

The Code of Georgia requires the City Council to set its millage rate annually for the upcoming year as it applies to real and personal property within the City's corporate limits. At 4.43 mills, the 2016 millage will remain the same as the 2015 millage rate of 4.43.
Staff recommends a motion to approve Resolution #2016-04 setting the annual millage rate for 2016 at 4.43 mills.

Attachment: *Resolution #2016-04, PT-38 Millage rate certification for tax year 2016, PT-32.1 Computation Form*

3. **GOLF CART DESIGNATION (PERSONAL TRANSPORTATION VEHICLES) – CITY OF LILBURN – CITY MANAGER**

As discussed last month, please find attached applicable state laws regarding the use of Personal Transportation Vehicles.

Staff has no recommendation. Per the direction of Mayor and Council.

Attachment: *Personal Transportation vehicle – State Law (Part 1 & 2)*

4. QUIT CLAIM DEED – 98 & 104 FIRST AVENUE FROM CITY OF LILBURN TO LILBURN DOWNTOWN DEVELOPMENT AUTHORITY – DIRECTOR OR PLANNING & ECONOMIC DEVELOPMENT

As part of the redevelopment efforts of downtown Lilburn, the City proposes to transfer to the DDA ownership of two parcels of land on First Avenue – the Planning & Economic Development Office and the vacant lot it adjoins. Combined, the properties total approximately 1 acre and were recently rezoned to Mixed Use.

Sewer is in the right-of-way adjoining the properties and, with over 300' of road frontage, should be easily developed.

Staff recommends a motion to authorize the Mayor to execute the appropriate documents to transfer ownership to the Lilburn Downtown Development Authority.

Attachment: *Site Plan & Detail, Quit Claim Deed's*

5. INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM – CITY MANAGER

State statute requires an Intergovernmental Agreement between the Municipalities within Gwinnett County and Gwinnett County regarding the distribution of proceeds related to the 2016 SPLOST referendum.

The City of Lilburn will receive an estimated total of **$11, 593,456**

Public Safety facilities and equipment - $6,376,401 (55%)
Recreation facilities - $811,542 (7%)
Roads, Streets and Bridges - $4,405,513 (38%)

Additionally, the City will receive funding for joint City/County projects in the amount of **$1,909,228**. Of which $1,400,000 will be utilized for Transportation (19% City match); $509,228 will be utilized for Recreation (24.6% City match).

Staff recommends a motion to approve an Intergovernmental Agreement for use and distribution of proceeds generated by the 2016 Special Purpose Local Options Sales Tax Referendum. Further, authorize the Mayor to execute all documents on behalf of the City of Lilburn.

Attachment: *2016 SPLOST IGA*

6. ACCEPTANCE OF DONATION MADE TO LILBURN POLICE DEPARTMENT – CHIEF OF POLICE

D & P Auto Body Collision Repair, Inc. presented a donation of $500.00 to Lilburn Police Department for appreciation of service and community partnership to be spent on behalf of the Police Department.

Staff recommends a motion to accept donation and increase budget expenditure and revenue by $500.00

XI. ADJOURNMENT

CITY OF LILBURN
AGENDA ITEM 1

Date:	06/13/2016	**To:**	**Mayor and Council**
From:	Sheila McGaughey	**Department:**	Finance
Work Session/Regular Meeting Date Requested:	06/13/2016	**Presenter:**	Angela Couch
Agenda Title:	**Lilburn Exxon LLC - Appeal of ARB hearing and Supervised Action Plan**		
Audio/Visual Requirements:	n/a	**Deadline Date:**	n/a

Agenda Item (Background/History/Details):
The Alcohol Review Board met on May 19th and Mohammed Moshin, on behalf of Lilburn Exxon did not appear for the Show Cause Hearing. The ARB imposed a Supervised Action Plan that included three day suspension. On May 24th the location was observed selling alcohol during their suspension. On May 31st a special called meeting was held concerning Lilburn Exxon violating the Supervised Action Plan. At that time the ARB suspended the location for thirty days. As a result of the afore-mentioned, Mohammed Moshin on behalf of Lilburn Exxon filed an appeal to be heard by the Mayor and Council.

Staff Recommendations:
No staff recommendation. Mayor and Council to hear appeal and render a decision.

Department Head Approval:	

Mayor's Signature Required:	**YES**	no

List Attachments:
1. Supervised Action Plan 2. Show Cause Letter 3. Exxon Appeal Letter

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
n/a				

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City Hall (770) 921-2210 • Fax (770) 921-8942
Police Department (770) 921-2211 • Fax (770) 923-6871
Court Services (770) 921-2505 • Fax (770) 921-7723
Planning (770) 279-3710 • Fax (770) 921-9822

May 25, 2016

VIA HAND DELIVERY
Exxon Food Mart
Attn: Mohammed Moshin
5355 Lawrenceville Highway
Lilburn, Georgia 30047

Re: ORDER TO SHOW CAUSE AND APPEAR DUE TO VIOLATION OF SUPERVISED ACTION PLAN AND LICENSE SUSPENSION

Mr. Moshin:

Pursuant to the City of Lilburn Alcohol Beverage Ordinance Section 6-71 (b), the Lilburn Alcohol Review Board reviewed matters presented at a May 19, 2016 hearing concerning a City-wide compliance check. It is noted that neither you nor anyone on behalf of Exxon Food Mart appeared, even though Exxon Food Mart was personally served with notice of the hearing. No prior request for a continuance was made. After consideration of all matters, the Board determined that a violation of the Alcohol Beverage Ordinance regarding the sale of alcohol to minors had occurred. A Supervised Action Plan and a suspension of the alcohol license for your business was imposed. On May 20, 2016, a copy of the Board's decision was hand delivered to Exxon.

Specifically, the 2016 alcohol license of Exxon Food Mart was suspended for three (3) consecutive days beginning May 24, 2016. During this time, Exxon Food Mart was not to sell any alcoholic beverages. It has come to the Board's attention that there has been an apparent violation of the suspension in that alcohol was sold by Exxon on May 24, 2016.

Therefore, Exxon Food Mart is hereby ORDERED to show cause why its City of Lilburn alcohol beverage license should not be revoked, suspended further and/or subjected to a modified supervised action plan for the remaining period of said license for the year 2016 and to appear before the ARB on May 31, 2016 at 6:30 p.m. at Lilburn City Hall, 76 Main Street, Lilburn, Georgia 30047. Exxon has the right in such hearing to be represented by an attorney and to present evidence on its behalf.

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Planning (770) 279-3710 • Fax (770) 921-9822

Exxon is hereby notified that failure to appear at the May 31, 2016 meeting will result in an automatic suspension of the alcohol beverage license issued by the City for the remaining period of said license for the year 2016 without further hearing.

Do not contact the Alcohol Review Board prior to the hearing regarding the merits of the case. If you have any questions or concerns, please put them in writing and forward them to me via email at: angela.couch@carmitch.com.

Regards,

Angela C. Couch

Angela C. Couch, Assistant City Attorney
ON BEHALF OF
Kathy Rall, Chairman
City of Lilburn Alcohol Review Board

cc: Bill Johnsa, City Manager (via email only)
Bruce Hedley, Chief of Police (via email only)
Richard A. Carothers, City Attorney (via email only)
Kaleigh Frederick, Licensing and Revenue Manager (via email only)

From:	Kaleigh Frederick
To:	Melissa L. Penate
Subject:	FW: Exxon Show Cause Letter
Date:	Monday, June 27, 2016 12:58:08 PM
Attachments:	EXXON SHOW CAUSE LETTER.pdf image001.jpg

Kaleigh Frederick
Licensing & Revenue Manager
770-279-3708

From: Angela Couch [mailto:angela.couch@carmitch.com]
Sent: Wednesday, May 25, 2016 3:36 PM
To: Kaleigh Frederick; Bruce Hedley
Cc: Bill Johnsa; Richard Carothers
Subject: Exxon Show Cause Letter

Please see attached.

We do have a quorum for Tuesday evening, so please proceed to publish as needed. I will need someone from P.D. familiar with the situation to attend, in case there are questions.

Let me know if you have any questions or concerns.

Thanks.

Angela C. Couch
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, Georgia 30518
770/932-3552 ext. 114
678/730-0444 (direct dial)
770/932-6348 (fax)

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From: Kaleigh Frederick
To: Melissa L. Penate
Subject: FW: Exxon Violation
Date: Monday, June 27, 2016 12:57:49 PM
Attachments: image001.jpg

Kaleigh Frederick
Licensing & Revenue Manager
770-279-3708

From: Angela Couch [mailto:angela.couch@carmitch.com]
Sent: Wednesday, May 25, 2016 3:08 PM
To: Kathy Rall ; Jimi Taylor; Margot Ashley; John Lazenby
Cc: Kaleigh Frederick; Chris Dusik; Bill Johnsa; Richard Carothers
Subject: RE: Exxon Violation

It appears that we can have a quorum on **Tuesday, May 31, 2016 at 6:30**. If I do not hear from you by 4:00 today that you are UNAVAILABLE, then we will have a Special Called Meeting at that time at City Hall. There will be no emergency suspension of the license at this time. The Board can discuss their options on the 31st.

I will draft the needed documents and will sign on Kathy's behalf so that Kaleigh and I can get the procedural requirements accomplished.

Chief, in a bit, I'll send you a document that needs to be hand-delivered to Exxon letting them know about this hearing.

Please let me know if you have any questions or concerns.

Thanks!

Angela C. Couch
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, Georgia 30518
770/932-3552 ext. 114
678/730-0444 (direct dial)
770/932-6348 (fax)

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From: Angela Couch
Sent: Wednesday, May 25, 2016 12:07 PM
To: Kathy Rall <jhrkjr@aol.com>; Jimi Taylor <mtaylor@bellsouth.net>; 'Margot Ashley' <mradla827@gmail.com>; John Lazenby <jorlaz@comcast.net>
Cc: Kaleigh Frederick <KFrederick@cityoflilburn.com>; Chris Dusik <CDusik@cityoflilburn.com>; Bill Johnsa <BJohnsa@cityoflilburn.com>; richard.carothers@carmitch.com
Subject: Exxon Violation

Good afternoon. I have been advised by Chief Hedley that the Exxon on Lawrenceville Highway has violated the supervised action plan entered by the Board last week. You will recall that no one appeared at the meeting on behalf of Exxon, and the Board imposed a 3-day suspension period to begin May 24, 2016.

Yesterday, the first day of the suspension, Exxon was selling alcohol. Please see the attached report. If you wish to see the picture, please let me know and I'll email separately (it is a large file).

I would request that each Board member please call me to discuss further. My cell is going to be the best way to reach me: 678-986-9172. I am generally available all day today until about 5:30 p.m. Tomorrow morning, I am in Court, but I should be done around lunch and will be free for the rest of the day and into the evening. I am available all day and into the evening on Friday.

Thanks!

Angela C. Couch
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, Georgia 30518
770/932-3552 ext. 114
678/730-0444 (direct dial)
770/932-6348 (fax)

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any part of it. If you have received this message in error, please notify the sender immediately by telephone (770-932-3552) or by e-mail and delete all copies and backups of the message. Thank you.

From:	Kaleigh Frederick
To:	Melissa L. Penate
Subject:	FW: Letter of appeal
Date:	Monday, June 27, 2016 12:56:50 PM
Attachments:	Lilburn Exxon Appeal check & receipt.pdf image003.jpg image001.jpg

---

Kaleigh Frederick
Licensing & Revenue Manager
770-279-3708

From: Kathy Hill
Sent: Friday, June 03, 2016 4:51 PM
To: Kaleigh Frederick
Cc: Bill Johnsa; angela.couch@carmitch.com; Chris Dusik; Bruce Hedley; moemohsin916@yahoo.com
Subject: FW: Letter of appeal

Kaleigh,

See below e-mail from Lilburn Exxon. The below e-mail serves as their written notice requesting an appeal on the Alcohol Review Board's decision to suspend the sale of Beer and Wine for 30 days.

They've paid the $500 Appeal Fee. Please see attached copy of check and receipt. They were notified that they will be on the Agenda for the July 11, 2016 City Council Meeting. They were also informed that this would delay their 30 suspension until heard by the City Council.

Thank you

Kathy Hill
Administrative Clerk
770-921-2210

From: moe mohsin [mailto:moemohsin916@yahoo.com]
Sent: Friday, June 03, 2016 4:20 PM
To: Kathy Hill
Subject: Fw: Letter of appeal

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Thursday, June 2, 2016, 10:15 PM, moe mohsin <moemohsin916@yahoo.com> wrote:

To whom it may concern, at Lilburn City Alcohol Review Board.
I Mohammed Mohsin would like to appeal for the decision has been made not to allow me to sell any beer and wine for 30 days. I beg the committee to reconsider its decision to 10 days instead of 30 days. I guarantee that all my employees will be properly trained to check ID at all time.

Sincerely, Mohammed Mohsin

Sent from Yahoo Mail for iPhone

LILBURN EXXON LLC
OPERATING ACCOUNT
5355 LAWRENCEVILLE HWY NW
LILBURN GA 30047-5940

1915

64-5/610 GA
15477

DATE 6-3-16

PAY TO THE ORDER OF City of Lilburn $ 500.00

Five hundred Only DOLLARS

Bank of America

ACH R/T 061000052

FOR ARB 5-31-16 Appeal

⑈001915⑈ ⑆061000052⑆ 3340431401 77⑈

City of Lilburn
(770)921-2010

RECD: 00127141 6/03/2016 4:29 PM
OPER: KNILL TERM: 018
REF#: 1915

TRAN: 199.0000 MISCELLANEOUS
LILBURN EXXON LLC
ALCOHOL LICENSE APPEAL
100-41032.1910
ALCOHOL LICENSE APP 500.0000

TENDERED: 500.00 CHECK
APPLIED: 500.00-

CHANGE: 0.00

CITY OF LILBURN
AGENDA ITEM 2

Date:	07/06/2016	**To: Mayor and Council**	
From:	Bill Johnsa	**Department:**	City Manager
Work Session Date Requested:	07/11/2016	**Presenter:**	Bill Johnsa
Agenda Title:	**Set 2016 Tax Year Millage Rate for the City of Lilburn Resolution #2016-04**		
Audio/Visual Requirements:	n/a	**Deadline Date:**	n/a

Agenda Item (Background/History/Details):
The Code of Georgia requires the City Council to set its millage rate annually for the upcoming year as it applies to real and personal property within the City's corporate limits. At 4.43 mills, the 2016 millage will remain the same as the 2015 millage rate of 4.43.

Staff Recommendations:
Staff recommends the following: **"Motion to approve Resolution #2016-04 setting the annual millage rate for 2016 at 4.43 mills."**

Department Head Approval:	**B. Johnsa**

Mayor's Signature Required:	**YES**	**NO**

List Attachments:
1. City of Lilburn Resolution #2016-04 2. PT-38 Millage rate certification for tax year 2016 (3 signed copies needed) 3. PT-32.1 Computation form

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
Yes	General Fund, etal			

City Hall (770) 921-2210 • Fax (770) 921-8942
Police Department (770) 921-2211 • Fax (770) 923-6871
Court Services (770) 921-2505 • Fax (770) 921-7723
Planning (770) 279-3710 • Fax (770) 921-9822

June 30, 2016

2016 Millage rate and Tax Increase Public Hearing – 6:00 p.m.

I. CALL TO ORDER - Sheila McGaughey opened the Public Hearing regarding the proposed 2016 millage rate.

II. ROLL CALL – Present: Finance Director, Sheila McGaughey & City Manager, Bill Johnsa

III. PUBLIC HEARING – NONE
No members of the public were present; therefore, the public hearing was closed at 6:16 p.m. and the meeting was adjourned.

IV. ADJOURNMENT

Approved this _____ day of _____, 2016.

_____
Johnny D. Crist, Mayor

ATTEST:

_____
Melissa L. Penate, City Clerk

City Hall (770) 921-2210 • Fax (770) 921-8942
Police Department (770) 921-2211 • Fax (770) 923-6871
Court Services (770) 921-2505 • Fax (770) 921-7723
Planning (770) 279-3710 • Fax (770) 921-9822

June 30, 2016

2016 Millage rate and Tax Increase Public Hearing – 10:00 a.m.

I. CALL TO ORDER - Sheila McGaughey opened the Public Hearing regarding the proposed 2016 millage rate.

II. ROLL CALL – Present: Finance Director, Sheila McGaughey & City Manager, Bill Johnsa

III. PUBLIC HEARING – NONE
No members of the public were present; therefore, the public hearing was closed at 10:16 a.m. and the meeting was adjourned.

IV. ADJOURNMENT

Approved this _____ day of _____, 2016.

_____
Johnny D. Crist, Mayor

ATTEST:

_____
Melissa L. Penate, City Clerk

City of Lilburn
Lilburn, Georgia

Resolution #2016-04

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LILBURN

Date of Reading and Adoption: July 11, 2016
At the meeting of the Lilburn City Council held at 76 Main Street Lilburn, Georgia.

A RESOLUTION TO SET THE CITY OF LILBURN 2016 MILLAGE RATE

WHEREAS: The Mayor and Council of the City of Lilburn wish to adopt a Resolution levying a millage rate, which is established for purposes of financing, in whole or in part, the City's expenses for the fiscal year 2016-2017; and

WHEREAS: The Mayor and Council of the City of Lilburn have studied and reviewed the City's existing millage rate of 4.43 mills and have concluded that it is considered in the best interest of the City to keep the millage rate the same.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lilburn, Georgia, sitting in regular session on July 11, 2016, that the 2016 millage rate is set at **4.43 mills** for tax year 2016.

SO RESOLVED this the 11th day of July, 2016.

APPROVED:

_____
Johnny D. Crist, Mayor

ATTEST/AUTHENTICATED:

_____
Melissa L. Penate, City Clerk
(Seal)

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2016

COUNTY	Gwinnett	TAXING JURISDICTION	City of Lilburn

INFORMATION FOR THE SHADED PORTIONS OF THIS SECTION MUST BE ENTERED

This information will be the actual values and millage rates certified to the Department of Revenue for the applicable tax years.

DESCRIPTION	2015 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2016 DIGEST
REAL	331,325,360	23,894,160	1,113,080	356,332,600
PERSONAL	34,475,640		-975,640	33,500,000
MOTOR VEHICLES	14,957,030		-3,767,520	11,189,510
MOBILE HOMES	11,640		-6,600	5,040
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	29,470		29,930	59,400
GROSS DIGEST	380,799,140	23,894,160	-3,606,750	401,086,550
EXEMPTIONS	16,072,065	0	127,935	16,200,000
NET DIGEST	364,727,075	23,894,160	-3,734,685	384,886,550
FLPA Reimbursement Value			0	
Adjusted NET DIGEST	364,727,075	23,894,160	-3,734,685	384,886,550
	(PYD)	(RVA)	(NAG)	(CYD)
2015 MILLAGE RATE >>>	4.430	**2016 PROPOSED MILLAGE RATE >>>**		4.430

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2015 Net Digest	**PYD**	364,727,075	
Net Value Added-Reassessment of Existing Real Property	**RVA**	23,894,160	
Other Net Changes to Taxable Digest	**NAG**	-3,734,685	
2016 Net Digest	**CYD**	384,886,550	**(PYD+RVA+NAG)**
2015 Millage Rate	**PYM**	4.430	
Millage Equivalent of Reassessed Value Added	**ME**	0.275	**(RVA/CYD) * PYM**
Rollback Millage Rate for 2016	**RR**	4.155	**PYM - ME**

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2016 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)	**Rollback Millage Rate**	4.155
	2016 Millage Rate	4.430
	Percentage Increase	6.62%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

_____ Chairman, Board of Tax Assessors _____ Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

_____ Tax Collector or Tax Commissioner _____ Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2016 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2016 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2016 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2016 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

_____ Signature of Responsible Party _____ Title _____ Date

PT-38 (Rev 01/15)
City Millage Rate Certification

CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION FOR TAX YEAR 2016

http://www.dor.ga.gov

Complete this form once the levy is determined, and if zero, report this information in Column 1. Mail a copy to the address below or fax to (404)724-7011 and distribute a copy to your County Tax Commissioner and Clerk of Court. This form also provides the Local Government Service Division with the millage rates for the distribution of Railroad Equipment Tax and Alternative Ad Valorem Tax.

Georgia Department of Revenue
Local Government Services Division
4125 Welcome All Road
Atlanta, Georgia 30349
Phone: (404) 724-7003 Fax: (404) 724-7011

CITY NAME	ADDRESS	CITY, STATE, ZIP
City of Lilburn	76 Main Street	Lilburn, Ga. 30047

FEI #	CITY CLERK	PHONE NO.	FAX	EMAIL
58-1088461	Melissa Penate	770-638-2226	770-921-8142	mpenate@cityoflilburn.com

OFFICE DAYS / HOURS	ARE TAXES BILLED AND COLLECTED BY THE ( ) CITY OR ( ) COUNTY TAX COMMISSIONER? LIST VENDOR, CONTACT PERSON AND PHONE NO.
Mon-Fri 8:30 am to 5:00 pm	Gwinnett County Tax Commissioner, Suzanne Hood 770-822-7338

List below the amount & qualifications for each LOCAL homestead exemption granted by the City and Independent School System.

CITY		INDEPENDENT SCHOOL	
Exemption Amount	Qualifications	Exemption Amount	Qualifications
5,000	own and reside		

If City and School assessment is other than 40%, enter percentage millage is based on _____%. List below the millage rate in terms of mills.
EXAMPLE: 7 mills (or .007) is shown as 7.000. PLEASE SHOW MILLAGE FOR EACH TAXDING JURISDICTION EVEN IF THERE IS NO LEVY.

CITY DISTRICTS	DISTRICT NO.	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
List Special Districts if different from City District below such as CID's, BID's, or DA's	List District Numbers	Gross Millage for Maintenance & Operations	**Less Rollback for Local Option Sales Tax	Net Millage for Maintenance & Operation Purposes (Column 1 less Column 2)	Bond Millage (If Applicable)	Total Millage Column 3 + Column 4
City Millage Rate	7	4.430		4.430		4.430
Independent School System						0.000
Special Districts						0.000
						0.000
						0.000
						0.000

Local Option Sales Tax Proceeds must be shown as a mill rate rollback if applicable to Independent School.

Name of County(s) in which your city is located: Gwinnett

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2016

_____ Date

_____ Mayor or City Clerk

CITY OF LILBURN
AGENDA ITEM 3

Date:	7/5/16	**To: Mayor and Council**	7/6/16
From:	Bill Johnsa	**Department:**	City Manager
Work Session/Reg. Mtg. Date Requested:	7/11/16	**Presenter:**	Bill Johnsa
Agenda Title:	**Golf Cart designation (Personal Transportation Vehicles) – City of Lilburn**		
Audio/Visual Requirements:	n/a	**Deadline Date:**	n/a

Agenda Item (Background/History/Details):
As discussed last month, please find attached applicable state laws regarding the use of Personal Transportation Vehicles.

Staff Recommendations:
Staff recommends the following: **"Per the direction of Mayor and Council".**

Department Head Approval:	**B. Johnsa**

Mayor/Council Signature Required:	YES	**NO**

List Attachments:
1. Personal Transportation vehicle – State law (parts 1 &2).

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	**Fund Name & Code**	**Current Balance**	**Requested Allocation**	**City Manager's Initials**
N/A				BJ

Ga. Code Ann., § 40-6-330

§ 40-6-330. Establishment of operating standards

Effective: July 1, 2014
Currentness

Any local authority desiring to establish operating standards for personal transportation vehicles shall comply with Part 6 of this article.

Credits
Laws 2014, Act 629, § 10, eff. July 1, 2014.

Ga. Code Ann., § 40-6-330, GA ST § 40-6-330
The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-330.1

§ 40-6-330.1. Daylight operation

Effective: July 1, 2014
Currentness

(a) All personal transportation vehicles shall be equipped with:

(1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;

(2) A reverse warning device functional at all times when the directional control is in the reverse position;

(3) A main power switch. When the switch is in the 'off' position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the 'off' position;

(4) Head lamps;

(5) Reflex reflectors;

(6) Tail lamps;

(7) A horn;

(8) A rearview mirror;

(9) Safety warning labels; and

(10) Hip restraints and hand holds or a combination thereof.

(b) The requirements of subsection (a) of this Code section shall not apply to any personal transportation vehicles operated during daylight hours authorized by local ordinances enacted prior to January 1, 2012.

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Credits

Laws 1973, p. 598, § 2; Laws 1974, p. 633, § 1; Laws 1990, p. 2048, § 5; Laws 2000, p. 951, § 5A-9; Laws 2002, p. 506, § 5; Laws 2002, p. 512, § 10; Laws 2005, Act 68, § 18-13, eff. July 1, 2005; Laws 2014, Act 629, § 10, eff. July 1, 2014.

Formerly Code 1933, § 68A-1401; Code 1981, § 40-6-330.

Ga. Code Ann., § 40-6-330.1, GA ST § 40-6-330.1

The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-331

§ 40-6-331. Authority to operate on streets granted by ordinance

Effective: July 1, 2015
Currentness

(a) A local authority may, by ordinance, designate certain public streets or portions thereof or PTV paths that are under its regulation and control for the combined use of PTVs and regular vehicular traffic or the use of PTVs and no other types of motor vehicles and establish the conditions under which PTVs may be operated upon such streets or portions thereof or PTV paths, including without limitation the conditions under which a person may operate PTVs on such designated streets or portions thereof or PTV paths. All operators of PTVs shall be required to possess a valid driver's license except when operating a PTV within a locality whose local authority has enacted an ordinance permitting the use of PTVs or motorized carts on streets without possession of a driver's license prior to January 1, 2012.

(b) Local authority ordinances may establish operating standards but shall not require PTVs to meet any requirements of general law as to registration, inspection, certificate of title, or licensing; provided, however, that a local authority may, by ordinance, require the local registration and licensing of PTVs operated within its boundaries at least once every five years for a fee not to exceed $15.00. No local authority shall be liable for losses that result from exercising or not exercising inspection powers or functions, including failure to make an inspection or making an inadequate or negligent inspection of a PTV. The provisions of this subsection and the authority granted by this subsection shall not apply to PTVs owned by golf courses, country clubs, or other such organized entities which own such PTVs and make them available to or for use by members or the public on a rental or licensed basis, provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities.

(c) Each local authority permitting the use of PTVs upon the public streets within its jurisdiction shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality or boundaries of the county. Such signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that PTVs are authorized for use on public streets. All costs associated with such signs shall be funded entirely by the local authority. Ordinances establishing operating standards for PTVs shall not be effective unless appropriate signs giving notice are posted as required by this subsection.

(d)(1) In jurisdictions where PTVs are permitted or otherwise allowed by state law, PTVs may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both directions by vehicles traversing the highway which is being crossed or intersected by PTVs.

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(2) PTVs may cross streets and highways that are part of a municipal street system or county road system and used by other types of motor vehicles only at crossings or intersections designated for that purpose by the local authority having jurisdiction over such system.

(e)(1) Regardless of whether a local ordinance has been approved regarding the use of PTVs, delivery personnel for a commercial delivery company which has at least 10,000 persons employed in this state may operate PTVs within a residential subdivision with speed limits of 25 miles per hour or less, provided that any PTV utilized by a commercial delivery company shall:

(A) Include the equipment required in subsection (a) of Code Section 40-6-330.1;

(B) Be marked in a conspicuous manner with the name of the commercial delivery company;

(C) Be operated by a person with a valid driver's license; and

(D) Be utilized only for the delivery of envelopes and packages with a maximum size of 130 inches for the combined length and girth and with a weight no greater than 150 pounds per package.

(2) Any commercial delivery company utilizing PTVs under this subsection shall remit a $50.00 fee every five years to each local authority where a PTV is operated along with a signed statement that such commercial delivery company operates PTVs within the jurisdiction of such local authority.

(3) Notwithstanding any other provision of law to the contrary, any person operating a PTV under this subsection shall be granted all the rights and shall be subject to all the duties applicable to a driver of any other vehicle under this chapter; provided, however that subsection (b) of Code Section 40-6-315 shall not be applicable to the operator of a PTV under this subsection.

(4) Any PTV authorized to operate pursuant to this subsection shall not pull multiple trailers. Such PTVs shall be limited to pulling one trailer or cargo platform and be limited to hauling weight no greater than the carrying capacity of the PTV as determined by the manufacturer.

Credits

Laws 1973, p. 598, § 2; Laws 1974, p. 633, § 1; Laws 1990, p. 1241, § 2; Laws 1990, p. 2048, § 5; Laws 2002, p. 506, § 6; Laws 2002, p. 512, § 11; Laws 2004, Act 442, § 3, eff. April 22, 2004; Laws 2013, Act 277, § 1, eff. July 1, 2013; Laws 2014, Act 629, § 10, eff. July 1, 2014; Laws 2015, Act 184, § 6, eff. July 1, 2015.

Formerly Code 1933, § 68A-1402.

Ga. Code Ann., § 40-6-331, GA ST § 40-6-331

The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-363

§ 40-6-363. Purpose of part

Effective: July 1, 2014
Currentness

The purpose of this part shall be to authorize any local authority to establish a personal transportation vehicle transportation plan for roadways and streets within the local authority's jurisdiction. It is the intent of the General Assembly that these plans be designed and developed to best serve the functional travel needs of the jurisdiction and to have the physical safety of the personal transportation vehicle occupants and their property as a major planning component. No local authority shall be liable for losses resulting from exercising or not exercising its authority to adopt a personal transportation vehicle transportation plan, failing to adopt such plan, making an inadequate plan, or negligently adopting such plan.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-363, GA ST § 40-6-363
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Ga. Code Ann., § 40-6-364

§ 40-6-364. Definitions

Effective: July 1, 2014
Currentness

As used in this part, the term:

(1) "Personal transportation vehicle lane" or "PTV lane" means a portion of the roadway that has been designated by striping, pavement markings, or signage for the exclusive or preferential use of persons operating personal transportation vehicles. Such PTV lanes shall at a minimum meet accepted guidelines, recommendations, and criteria with respect to planning, design, operation, and maintenance as set forth in the American Association of State Highway and Transportation Officials Safety Manual.

(2) "Personal transportation vehicle transportation plan" or "PTV plan" means a detailed guide for the operation of personal transportation vehicles upon local streets and road segments passed by a local authority through ordinance or resolution.

(3) "Plan area" means the territory designated by a local authority in a personal transportation vehicle transportation plan that provides for use of personal transportation vehicles and may include privately owned land upon the consent of the landowner.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-364, GA ST § 40-6-364
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Ga. Code Ann., § 40-6-365

§ 40-6-365. Personal transportation vehicle plans; adoption; enactment

Effective: July 1, 2014
Currentness

(a) A local authority may, by ordinance or resolution, adopt a PTV plan.

(b) Prior to the enactment of a PTV plan, a local authority shall submit the plan to any agency having traffic law enforcement responsibilities in the plan area and allow for input and comment upon the PTV plan.

(c) A PTV plan shall:

(1) Establish minimum general design criteria for the development, planning, and construction of separated PTV lanes, including, but not limited to, the design speed of the facility, the space requirements of the personal transportation vehicle, and roadway design criteria. This paragraph shall not apply if a local authority's governing body and the law enforcement agency with primary traffic jurisdiction over the street in question concludes that the street or roadway segment is suitable to safely accommodate both regular vehicular traffic and personal transportation vehicles but shall be governed by the requirements listed in Code Section 40-6-368;

(2) Establish uniform specifications and symbols for signs, markers, and traffic control devices consistent with the most current version of the Manual on Uniform Traffic Control Devices to control personal transportation vehicle traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right of way between personal transportation vehicles, other motor vehicles, and bicycles; to state the nature and destination of the PTV lane; and to warn pedestrians, bicyclists, and motorists of the presence of personal transportation vehicle traffic;

(3) Include a permitting process for personal transportation vehicles operating within the plan area. Such permitting process may include, but is not limited to, requirements regarding permit posting, permit renewal, operator education, and liability insurance. Local authorities may require a personal transportation vehicle to be permitted at least once every five years for a fee not to exceed $15.00;

(4) Establish minimum safety criteria for personal transportation vehicle operators, including, but not limited to, requirements relating to personal transportation vehicle maintenance and personal transportation vehicle safety. Unless otherwise allowed by law under local ordinance established prior to January 1, 2012, as authorized by Part 3 of this article, operators shall be required to possess a valid driver's license and comply with the financial responsibility requirements for passenger vehicle operators;

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(5) Establish restrictions limiting the operation of personal transportation vehicles to PTV lanes, paths, or other approved streets or road segments in the plan area; and

(6) Provide that any person operating a personal transportation vehicle in the plan area in violation of the PTV plan is guilty of an infraction punishable by a fine as established by law.

(d) A PTV plan may include, but is not limited to, the following elements:

(1) Route selection, which includes a finding that the route will accommodate personal transportation vehicles without an adverse impact upon traffic safety, and will consider, among other things, the travel needs of commuters and other users;

(2) Transportation interfacing, which shall include, but not be limited to, coordination with other modes of transportation;

(3) Community involvement in planning;

(4) Flexibility and coordination with long-range transportation planning;

(5) Provision for personal transportation vehicle related facilities including, but not limited to, special access points, charging stations, and personal transportation vehicle crossings;

(6) Provisions for parking facilities, including, but not limited to, community commercial centers, golf courses, public areas, parks, and other destination locations; and

(7) Provisions for special paving, road markings, signage and striping for PTV lanes, road crossings, parking, and circulation.

(e) A PTV plan shall not include the use of any state highway, or any portion thereof, or the operation of personal transportation vehicles except that a crossing of, or a PTV lane along, a state highway may be included in the plan if consistent with accepted guidelines, recommendations, and criteria with respect to planning, design, signage, operation, and maintenance of shared use paths or PTV lanes as set forth in the Manual on Uniform Traffic Control Devices and the American Association of State Highway and Transportation Officials Safety Manual.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-365, GA ST § 40-6-365
The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-366

§ 40-6-366. PTV lanes

Effective: July 1, 2014
Currentness

A local authority that adopts a PTV plan may establish PTV lanes through the acquisition of property, including easements or rights of way, by dedication, purchase, or condemnation.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-366, GA ST § 40-6-366
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Ga. Code Ann., § 40-6-367

§ 40-6-367. Application

Effective: July 1, 2014
Currentness

This part shall have no application to any county or municipality that has enacted prior to January 1, 2012, an ordinance authorizing the operation of PTVs.

Credits
Laws 2011, Act 59, § 2, eff. Jan. 1, 2012; Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-367, GA ST § 40-6-367
The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-368

§ 40-6-368. Requirements for jointly used streets or highways

Effective: July 1, 2014
Currentness

Any street or highway segment upon which the joint use by regular vehicle traffic and personal transportation vehicles is permitted shall:

(1) Have speed limits of 25 miles per hour or less, as established by an engineering and traffic survey; and

(2) Have been determined by a qualified traffic engineer to accommodate personal transportation vehicles without adversely impacting traffic safety or the travel needs of commuters and other users.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-368, GA ST § 40-6-368
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Ga. Code Ann., § 40-6-369

§ 40-6-369. Use of lanes

Effective: July 1, 2014
Currentness

(a) All personal transportation vehicles authorized by a PTV plan to operate on a street, road segment, or PTV lane are entitled to full use of a lane, and no motor vehicle shall be driven in such manner as to deprive a personal transportation vehicle of the full use of a lane.

(b) The operator of a personal transportation vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(c) No person shall operate a personal transportation vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

(d) Personal transportation vehicles shall not be operated two or more abreast in a single lane.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-369, GA ST § 40-6-369
The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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Ga. Code Ann., § 40-6-369.1

§ 40-6-369.1. Operation on highways; speed limit

Effective: July 1, 2014
Currentness

Personal transportation vehicles shall only be operated on highways where the posted speed limit does not exceed 25 miles per hour. The operator of a personal transportation vehicle shall not operate such vehicle on any highway where the posted speed limit exceeds 25 miles per hour.

Credits
Laws 2014, Act 629, § 11, eff. July 1, 2014.

Ga. Code Ann., § 40-6-369.1, GA ST § 40-6-369.1
The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

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CITY OF LILBURN
AGENDA ITEM 4

Date:	May 31, 2016	**To:**	**Mayor and Council**
From:	Doug Stacks	**Department:**	Planning & Econ Dev't
Work Session Date:	July 11, 2016	**Presenter:**	Doug Stacks
Agenda Title:	**Quit Claim Deed – 98 & 104 First Avenue From City of Lilburn to Lilburn Downtown Development Authority**		
Audio/Visual Req'ts:	n/a	**Meeting Date:**	July 11, 2016

Agenda Item (Background/History/Details):

As part of the redevelopment efforts of downtown Lilburn, the City proposes to transfer to the DDA ownership of two parcels of land on First Avenue – the Planning & Economic Development Office and the vacant lot it adjoins. Combined, the properties total approximately 1 acre and were recently rezoned to Mixed Use.

Sewer is in the right-of-way adjoining the properties and, with over 300' of road frontage, should be easily developed.

Staff Recommendation:

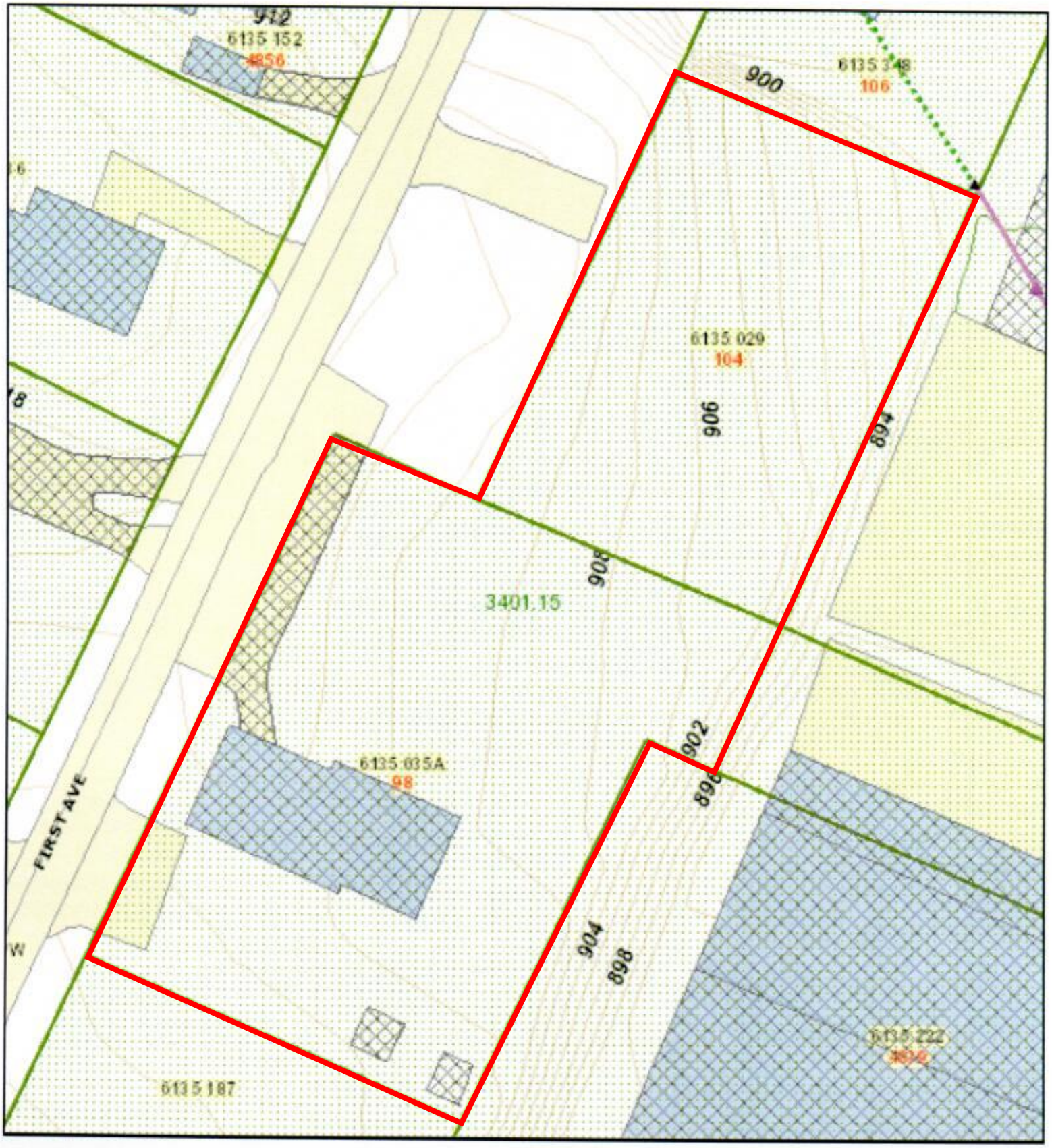
Staff recommends a motion to "authorize the Mayor to execute the appropriate documents to transfer ownership to the Lilburn Downtown Development Authority".

Department Head Approval:	

Mayor's Signature Required:	**YES**	**NO**

List Attachments:

1. Site Plan and detail.
2. Quit Claim Deed's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After Recording Return to:
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, Georgia 30518

QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE made this _____ day of _____ in the year Two Thousand Sixteen between

CITY OF LILBURN,
a Georgia municipal corporation

of the State of Georgia, County of Gwinnett, hereinafter referred to as "Grantor", and

THE CITY OF LILBURN DOWNTOWN DEVELOPMENT AUTHORITY,

hereinafter referred to as "Grantee," (the words "Grantor" and "Grantee" to include their respective representatives, agents and assigns where the context hereof requires or permits).

WITNESSETH: That the said Grantor, for and in consideration of the sum of Ten and NO/100 ($10.00) DOLLAR and other valuable consideration, delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, has and hereby does remise, release, convey and forever quitclaim unto Grantee, its representatives, agents and assigns all the right, title, interest, claim or demand which the said Grantor has or may have had in and to

> ALL THOSE TRACTS OR PARCELS of land lying and being in Land Lot 135, 6th District, Gwinnett County, Georgia, being designated as Tract A, and Tract B, as more particularly described in Exhibit A, attached hereto and incorporated herein by reference.
>
> Said property is known as 98 First Avenue, Lilburn, Georgia, Tax Map No. R6135 035A.

TO HAVE AND TO HOLD the said tract or parcel of land in order that neither the Grantor nor any person or entity claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and affixed its seal the day and year above written.

CITY OF LILBURN

By: _____
Johnny D. Crist, Mayor

Attest: _____
Melissa Penate, City Clerk

(SEAL)

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public, State of Georgia

My Commission Expires: _____

EXHIBIT "A"

TRACT A:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 135, 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBE ACCORDING TO PLAT AND SURVEY OF S. R. FIELDS, SURVEYOR, DATED SEPTEMBER 18, 1961, AND RECORDED IN PLAT BOOK I, PAGE 222A, GWINNETT COUNTY, GEORGIA RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERN CORNER OF THE INTERSECTION OF FIRST STREET AND A FORTY FOOT UNNAMED PROPOSED STREET SHOWN ON SAID PLAT WHICH WHEN OPENED WILL BE AN EXTENSION OF FIRST STREET; THENCE RUN ALONG THE SOUTHERLY SIDE OF SAID FIRST STREET SOUTH 68 DEGREES EAST 130 FEET TO A POINT; THENCE RUN ALONG THE PROPERTY OF NORRIS J. NASH SOUTH 22 DEGREES 30 MINUTES WEST 260 FEET TO A POINT; THENCE RUN ALONG THE PROPERTY OF NORRIS J. NASH NORTH 68 DEGREES WEST 130 FEET TO A POINT; THENCE RUN ALONG THE EASTERN SIDE OF SAID FORTY FOOT PROPOSED STREET NORTH 22 DEGREES 30 MINUTES EAST 260 FEET TO THE POINT OF BEGINNING.

AND:

TRACT B:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 135, 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, AND BEING LOCATED WITHIN THE CITY OF LILBURN, GEORGIA, AND BEING DESIGNATED AS TRACT B, CONTAINING 0.14897 ACRES ON A PLAT OF SURVEY SHOWING WHAT WAS FORMERLY A 100 FOOT RIGHT OF WAY OF FIRST STREET, SAID PLAT BEING PREPARED ON APRIL 25, 1973, BY BENNIE L. BRUNER, REGISTERED LAND SURVEYOR OF LILBURN, GEORGIA, SAID PLAT BEING RECORDED AT PLAT BOOK __, PAGE ___, GWINNETT COUNTY RECORDS, AND INCORPORATED HEREIN. SAID PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF SOUTHEASTERLY RIGHT OF WAY LINE OF FIRST AVENUE WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SAID FIRST STREET; THENCE NORTH 23 DEGREES 11 MINUTES 20 SECONDS EAST ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE SAID FIRST AVENUE 50 FEET TO AN IRON PIN; THENCE SOUTH 67 DEGREES 18 MINUTES 40 SECONDS EAST ALONG THE CENTER LINE OF SAID FIRST STREET, 129.56 FEET TO AN IRON PIN; THENCE SOUTH 22 DEGREES 41 MINUTES 20 SECONDS WEST 50 FEET TO AN IRON PIN LOCAT3ED ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SAID FIRST STREET; THENCE NORTH 67 DEGREES 18 MINUTES 40 SECONDS WEST ALONG THE SOUTHWESTERLY RIGHT OF WAY OF THE SAID FIRST STREET 130 FEET TO THE IRON PIN AT THE POINT OF BEGINNING.

After Recording Return to:
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, Georgia 30518

QUITCLAIM DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE made this _____ day of _____ in the year Two Thousand Sixteen between

CITY OF LILBURN,
a Georgia municipal corporation

of the State of Georgia, County of Gwinnett, hereinafter referred to as "Grantor", and

THE CITY OF LILBURN DOWNTOWN DEVELOPMENT AUTHORITY,

hereinafter referred to as "Grantee," (the words "Grantor" and "Grantee" to include their respective representatives, agents and assigns where the context hereof requires or permits).

WITNESSETH: That the said Grantor, for and in consideration of the sum of Ten and NO/100 ($10.00) DOLLAR and other valuable consideration, delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, has and hereby does remise, release, convey and forever quitclaim unto Grantee, its representatives, agents and assigns all the right, title, interest, claim or demand which the said Grantor has or may have had in and to

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 135, 6th District of the City of Lilburn, Gwinnett County, Georgia, and said property being 0.33 acres, according to a plat of survey prepared for Robert Lamb on January 11, 1985 by North Metropolitan Land Surveyors, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at an iron pin found on the southeasterly right of way line of First Avenue (100 foot right of way), said iron pin being located at the northwesterly right of way of property now or formerly

owned by W.J. Haney; thence South 69 degrees 14 minutes 00 seconds East 55.07 feet to an iron pin and the TRUE POINT OF BEGINNING; thence North 21 degrees 52 minutes 00 seconds East 147.33 feet to an iron pin; thence South 67 degrees 49 minutes 00 seconds East 98.40 feet to an iron pin; thence South 21 degrees 52 minutes 00 seconds West along the line of property now or formerly owned by Thompson, 144.9 feet to an iron pin; thence North 69 degrees 14 minutes 00 seconds West along the property now or formerly owned by W. J. Haney, 98.42 feet to an iron pin and the TRUE POINT OF BEGINNING.

Said property is known as 104 First Avenue, Lilburn, Georgia, Tax Map No. R6135 029.

TO HAVE AND TO HOLD the said tract or parcel of land in order that neither the Grantor nor any person or entity claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said land or any of the rights, members and appurtenances thereof.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and affixed its seal the day and year above written.

CITY OF LILBURN

By: _____
Johnny D. Crist, Mayor

Attest: _____
Melissa Penate, City Clerk

(SEAL)

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public, State of Georgia

My Commission Expires: _____

CITY OF LILBURN
AGENDA ITEM 5

Date:	7/6/16	**To: Mayor and Council**	7/6/16
From:	Bill Johnsa	**Department:**	City Manager
Work Session/Reg. Mtg. Date Requested:	7/11/16	**Presenter:**	Bill Johnsa
Agenda Title:	**Intergovernmental Agreement for use and distribution of proceeds generated by the 2016 Special Purpose Local Option Sales Tax Referendum.**		
Audio/Visual Requirements:	n/a	**Deadline Date:**	n/a

Agenda Item (Background/History/Details):

State statute requires an Intergovernmental Agreement between the Municipalities within Gwinnett County and Gwinnett County regarding the distribution of proceeds related to the 2016 SPLOST referendum.

The City of Lilburn will receive an estimated total of **$11, 593,456**

Public Safety facilities and equipment - $6,376,401 (55%)
Recreation facilities - $811,542 (7%)
Roads, Streets and Bridges - $4,405,513 (38%)

Additionally, the City will receive funding for joint City/County projects in the amount of **$1,909,228**. Of which $1,400,000 will be utilized for Transportation (19% City match); $509,228 will be utilized for Recreation (24.6% City match).

Staff Recommendations:

Staff recommends the following: **"Motion to approve an Intergovernmental Agreement for use and distribution of proceeds generated by the 2016 Special Purpose Local Option Sales Tax Referendum. Further, Authorize the Mayor to execute all documents on behalf of the City of Lilburn".**

Department Head Approval:	**B. Johnsa**

Mayor/Council Signature Required:	YES	**NO**

List Attachments:

1. 2016 SPLOST IGA

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	**Fund Name & Code**	**Current Balance**	**Requested Allocation**	**City Manager's Initials**
N/A				BJ

STATE OF GEORGIA

COUNTY OF GWINNETT

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

THIS AGREEMENT is made and entered into this _____ day of August, 2016 by and between **GWINNETT COUNTY, GEORGIA**, a political subdivision of the State of Georgia headquartered at 75 Langley Drive, Lawrenceville, Georgia 30046 (hereinafter referred to as "**County**"); the **CITY of AUBURN**, a municipal corporation chartered by the State of Georgia and headquartered at 1369 Fourth Avenue, Auburn, Georgia (hereinafter referred to as "**Auburn**"); the **CITY OF BERKELEY LAKE**, a municipal corporation chartered by the State of Georgia and headquartered at 4040 S. Berkeley Lake Road NW, Berkeley Lake, Georgia (hereinafter referred to as "**Berkeley Lake**"); the **TOWN OF BRASELTON**, a municipal corporation chartered by the State of Georgia and headquartered at 4982 Highway 53, Braselton, Georgia (hereinafter referred to as **"Braselton"**); the **CITY OF BUFORD**, a municipal corporation chartered by the State of Georgia and headquartered at 2300 Buford Highway, Buford, Georgia (hereinafter referred to as "**Buford**"); the **CITY OF DACULA**, a municipal corporation chartered by the State of Georgia and headquartered at 442 Harbins Road, Dacula, Georgia (hereinafter referred to as **"Dacula"**); the **CITY OF DULUTH,** a municipal corporation chartered by the State of Georgia and headquartered at 3167 Main Street, Duluth, Georgia (hereinafter referred to as **"Duluth"**); the **CITY OF GRAYSON,** a municipal corporation chartered by the State of Georgia and headquartered at 475 Grayson Parkway, Grayson, Georgia (hereinafter referred to as **"Grayson"**); the **CITY OF LAWRENCEVILLE,** a municipal

corporation chartered by the State of Georgia and headquartered at 70 South Clayton Street, Lawrenceville, Georgia (hereinafter referred to as **"Lawrenceville"**); the **CITY OF LILBURN,** a municipal corporation chartered by the State of Georgia and headquartered at 76 Main Street, Lilburn, Georgia (hereinafter referred to as **"Lilburn"**); the **CITY OF LOGANVILLE,** a municipal corporation chartered by the State of Georgia and headquartered at 4385 Pecan Street, Loganville, Georgia (hereinafter referred to as **"Loganville"**); the **CITY OF NORCROSS,** a municipal corporation chartered by the State of Georgia and headquartered at 65 Lawrenceville Street, Norcross, Georgia (hereinafter referred to as **"Norcross"**); the **CITY OF PEACHTREE CORNERS**, a municipal corporation chartered by the State of Georgia and headquartered at 147 Technology Parkway, Suite 200, Peachtree Corners, Georgia (hereinafter referred to as **"Peachtree Corners"**); the **CITY OF REST HAVEN,** a municipal corporation chartered by the State of Georgia and headquartered at 428 Thunder Road, Buford, Georgia (hereinafter referred to as **"Rest Haven"**); the **CITY OF SNELLVILLE,** a municipal corporation chartered by the State of Georgia and headquartered at 2342 Oak Road, Snellville, Georgia (hereinafter referred to as **"Snellville"**); the **CITY OF SUGAR HILL,** a municipal corporation chartered by the State of Georgia and headquartered at 5039 West Broad Street, Sugar Hill, Georgia (hereinafter referred to as **"Sugar Hill"**); and the **CITY OF SUWANEE,** a municipal corporation chartered by the State of Georgia and headquartered at 330 Town Center Avenue, Suwanee, Georgia (hereinafter referred to as **"Suwanee"**); each of which has been duly authorized to enter into this Agreement.

WITNESSETH

WHEREAS, the parties to this Agreement consist of Gwinnett County and all Municipalities (hereinafter referred to as "Cities,") located wholly or partially within Gwinnett County, Georgia; and

WHEREAS, the parties anticipate that Gwinnett County will approve and sign a Resolution authorizing the Gwinnett County Board of Registrations and Elections to call a Referendum on the issue of the imposition of a Special Purpose Local Option Sales Tax to begin on April 1, 2017 immediately following the expiration of the Special Purpose Local Option Sales Tax presently in effect in Gwinnett County; and

WHEREAS, the law authorizing the call of a Referendum on the issue of the imposition of a Special Purpose Local Option Sales Tax was amended during the 2004 Legislative Session of the Georgia General Assembly; and

WHEREAS, Official Code of Georgia Annotated Section 48-8-115 now authorizes the execution of an Intergovernmental Agreement controlling the distribution and use of Special Purpose Local Option Sales Tax proceeds by the County and one or more qualified municipalities located within the Special District containing a combined total of not less than fifty percent of the aggregate municipal population located within the Special District; and

WHEREAS, for the purposes of this Intergovernmental Agreement and the distribution of proceeds for the April 1, 2017 through March 31, 2023 Special Purpose Local Option Sales Tax, the Special District shall be known as the boundaries of Gwinnett County; and

WHEREAS, the sixteen Cities located wholly or partially within Gwinnett County have certified they are qualified municipalities based upon the Official Code of Georgia Annotated and are eligible to receive distributions of Special Local Option Sales Tax Proceeds; and

WHEREAS, the County and all Cities located wholly or partially within Gwinnett County have determined that it is in their best interest to enter into an Intergovernmental Agreement authorized by Official Code of Georgia Annotated Sections 48-8-110 et seq.; and

WHEREAS, the parties hereto are interested in serving the needs of the residents of Gwinnett County by planning and performing capital outlay projects within the County and Cities which are parties to this Agreement; and

WHEREAS, the parties intend that the capital outlay projects which are the subject of this Agreement shall benefit residents of Gwinnett County and all of its Cities; and

WHEREAS, capital outlay projects funded from past Special Purpose Local Option Sales Tax proceeds have benefited residents of Gwinnett County and all of its Cities, and

WHEREAS, past Special Purpose Local Option Sales Tax proceeds have allowed Gwinnett County to purchase an unprecedented number of acres of land for parks and greenspace; and

WHEREAS, past Special Purpose Local Option Sales Tax proceeds have funded new libraries, public safety facilities, and road improvements to serve the needs of the County's residents and businesses; and

WHEREAS, the County and all Cities located within Gwinnett County have worked together to improve the County's infrastructure as a result of the collection of past Special Purpose Local Option Sales Tax proceeds; and

WHEREAS, the County and all its Cities have identified capital needs that are important to the current and future well-being of their residents and have determined that proceeds from the Special Purpose Local Option Sales Tax should be used to address a portion of these needs;

NOW, THEREFORE, in consideration of the mutual promises and understandings herein made and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do consent and agree as follows:

1.

This Intergovernmental Agreement is approved prior to the issuance of the call of the Referendum and prior to the vote of the Gwinnett County Board of Commissioners to impose a Special Purpose Local Option Sales Tax which Tax will commence on April 1, 2017 and continue through and including March 31, 2023 pursuant to Official Code of Georgia Annotated Sections 48-8-110 et seq.

2.

Pursuant to Official Code of Georgia Annotated § 48-8-115, one percent (1.0%) of the amount of Special Purpose Local Option Sales Tax proceeds collected beginning April 1, 2017 shall be paid into the General Fund of the State of Georgia Treasury in order to defray the costs of administration.

3.

The remaining ninety-nine percent (99.0%) of the amount collected from the Special Purpose Local Option Sales Tax proceeds (hereinafter known as the "net proceeds") collected beginning April 1, 2017 and ending March 31, 2023 shall be distributed by the State of Georgia to the Gwinnett County Board of Commissioners for distribution as follows:

(A) To facilitate the distribution of net proceeds, the parties agree that the sum of Nine Hundred Fifty Million Dollars ($950,000,000.00) shall represent an estimate of the proceeds to be derived from the subject Special Purpose Local Option Sales Tax during its six-year term.

(B) The parties agree that there shall be no Level I or Level II County-Wide Projects as defined by the Act for the Special Purpose Local Option Sales Tax covered by this Agreement.

(C) The parties agree that the aggregated total distribution received by the Cities shall amount to twenty one and twenty four-hundredths percent (21.24%) of the net proceeds distributed by the State, with the remaining seventy eight and seventy six-hundredths percent (78.76%) of the net proceeds to be received by the County.

(D) An amount representing sixty percent (60%) of the net proceeds of the subject Special Purpose Local Option Sales Tax shall be allocated between the County and the Cities proportionally on the basis of estimated lane miles of road network. As a result, an amount equal to eighty one percent (81%) of the sixty percent (60%) portion shall be allocated to the County, with the remaining nineteen percent (19%) being allocated to the Cities on an aggregate basis. The Cities have agreed that their portion of these proceeds shall be allocated among themselves on the basis of the ratio that the population each City bears to the total population of all incorporated areas within Gwinnett County. For purposes of calculating the distribution share for each City, population figures from the Population Table listed in Section 3(E) below shall be utilized.

(E) An amount representing the remaining forty percent (40%) of the net proceeds of the subject Special Purpose Local Option Sales Tax, shall be allocated on the basis of the portion of the total population of Gwinnett County that resides in each jurisdiction. For the County, its portion shall be assumed to be based on the population of the unincorporated area of the County. The share of the forty percent (40%) of net proceeds to be allocated to each jurisdiction shall be based on the percentages shown in the table below.

POPULATION TABLE

City of Auburn (part)	230	0.0257%
City of Berkeley Lake	2,024	0.2259%
Town of Braselton (part)	3,831	0.4277%
City of Buford (part)	12,700	1.4177%
City of Dacula	5,330	0.5950%
City of Duluth	29,193	3.2588%
City of Grayson	3,147	0.3513%
City of Lawrenceville	30,493	3.4039%
City of Lilburn	12,655	1.4127%
City of Loganville (part)	2,732	0.3050%
City of Norcross	16,634	1.8568%
City of Peachtree Corners	40,978	4.5743%
City of Rest Haven (part)	34	0.0038%
City of Snellville	19,733	2.2028%
City of Sugar Hill	21,747	2.4276%
City of Suwanee	18,694	2.0868%
Gwinnett County	675,668	75.4242%
Total	895,823	100.00000%

(F) The percentage of total net proceeds calculated for each City based on the combination of (D) and (E) above shall be adjusted proportionally, if necessary, to ensure that

the Cities on an aggregate basis receive the full twenty one and twenty four-hundredths percent (21.24%) of net proceeds distributed by the State, as agreed to by the parties.

(G) Based upon above provisions, the net proceeds of the Special Purpose Local Option Sales Tax which the County receives on a monthly basis from the State shall be distributed to the Cities and the County in such a way that each jurisdiction receives an amount equal to the percentage shown for it in the table below:

DISTRIBUTION OF NET PROCEEDS TABLE

Auburn	.22%
Berkeley Lake	.195%
Braselton	.370%
Buford	1.225%
Dacula	.514%
Duluth	2.816%
Grayson	.304%
Lawrenceville	2.942%
Lilburn	1.221%
Loganville	.264%
Norcross	1.605%
Peachtree Corners	3.953%
Rest Haven	.003%
Snellville	1.904%
Sugar Hill	2.098%
Suwanee	1.804%
Subtotal – Cities	21.24%
Gwinnett County (Unincorporated)	78.76%
Grand Total	100.0000%

(H) No projects will be given preference in the funding and distribution process in such a way that the monthly distribution formula is affected.

(I) Should any City cease to exist as a legal entity prior to all funds being distributed under this Agreement, such City's share of the funds subsequent to dissolution shall be paid to the County as part of the County's share unless an act of the Georgia Legislature makes all of the defunct City part of another successor City. If such an act is passed, the defunct City's remaining share shall be paid in addition to all other funds to which such successor City would otherwise be entitled.

(J) The County will pay the funds described herein to each City, based upon the actual net proceeds received and the percentages outlined above, within thirty (30) days after funds have been received from the State.

4.

(A) In recognition of the need for transportation improvements across the County and its Cities, the parties agree that a minimum of fifty seven percent (57%) of their respective shares of the total net proceeds shall be utilized for transportation projects. In the case of the Cities, it is sufficient for them to reach the fifty seven percent (57%) threshold on an aggregate basis.

(B) To further provide for transportation improvements and encourage partnership projects between the County and the Cities, the County agrees to set aside the sum of Thirty Million Eight Hundred Forty Five Thousand Seven Hundred Seventy Dollars ($30,845,770.00) from its allocated share of the estimated net proceeds for the purpose of funding transportation projects jointly with the Cities. Of these County funds for joint transportation projects, ten percent (10%) shall be reserved for Gwinnett Cities having a population of less than 6,000

Gwinnett residents. The joint transportation funds will be utilized in accordance with eligibility and selection criteria jointly defined by the County and the Cities. Cities will submit proposed projects to the County for review and recommendation by the County's Citizens Project Selection Committee, based on the criteria defined by the County and the Cities. The use of the funds will be approved by Gwinnett County, based upon the recommendation from the County's Citizens Project Selection Committee. Each sponsoring City shall provide at least nineteen percent (19%) matching funds from its own sources for its projects which are approved pursuant to this paragraph. Separate Intergovernmental Agreements, which control the specific provisions and funding arrangements for each of these joint projects, shall be executed between the County and each respective individual City. Cities shall have until December 31, 2017 to enter agreements with the County for allocation of the joint transportation funds.

(C) To further provide for parks and recreation improvements and encourage partnership projects between the County and the Cities, the County agrees to set aside the sum of Three Million One Hundred Fifty Four Thousand Two Hundred Thirty Dollars ($3,154,230.00) from its allocated share of the estimate net proceeds for the purpose of funding parks and recreation projects jointly with the Cities. Of these County funds for joint parks and recreation projects, ten percent (10%) shall be reserved for Gwinnett Cities having a population of less than 6,000 Gwinnett residents. The joint parks and recreation funds will be utilized in accordance with eligibility and selection criteria jointly defined by the County and the Cities. These funds may be utilized for joint projects in City parks or any public property. Cities will submit proposed projects to the County for review and recommendation by the County's Recreation Authority. Each sponsoring City shall provide at least twenty five percent (25%) matching funds from its own sources for its projects which are approved pursuant to this paragraph. Separate

Intergovernmental Agreements, which control the specific provisions and funding arrangements for each of these joint projects shall be executed between the County and each respective individual City. Cities shall have until December 31, 2017 to enter agreements with the County for allocation of the joint parks and recreation funds.

5.

The capital outlay projects to be funded from the proceeds of the Special Purpose Local Option Sales Tax pursuant to this Agreement and the estimated dollar amounts allocated for each project category are as follows:

Gwinnett County	Estimated Total		$ _____
_____		$ _____	
_____		$ _____	
_____		$ _____	
_____		$ _____	
_____		$ _____	
City of Auburn	Estimated Total		$ 210,707
Roads Street and Bridges		$126,424	
Water & Sewer Capital Improvements		$ 84,283	
City of Berkeley Lake	Estimated Total		$ 1,854,220
Administrative Facilities		$ 259,591	
Public Safety Facilities & Equipment		$ 64,898	
Roads, Streets & Bridges		$1,529,732	

Town of Braselton	Estimated Total		$ 3,509,643
Roads, Streets & Bridges		$ 3,509,642.87	

City of Buford	Estimated Total		$ 11,634,681
Parking Facilities		$ 3,763,819	
Recreational Facilities		$ 6,929,616	
Roads, Streets & Bridges		$ 941,246	

City of Dacula	Estimated Total		$ 4,882,902
Administrative Facilities		$ 717,787	
Public Safety Facilities & Equipment		$ 170,902	
Recreational Facilities		$ 195,316	
Roads, Streets & Bridges		$2,849,661	
Water & Sewer Capital Improvements		$ 949,236	

City of Duluth	Estimated Total		$ 26,744,193
Parking Facilities		$ 2,406,977	
Public Safety Facilities & Equipment		$ 5,081,397	
Recreational Facilities		$ 1,604,652	
Roads, Streets & Bridges		$17,651,168	

City of Grayson	Estimated Total		$ 2,883,019
Recreational Facilities		$1,153,208	
Roads, Streets & Bridges		$1,729,811	

City of Lawrenceville	Estimated Total		$ 27,935,145
Administrative Facilities		$ 126,686	
Cultural Facilities		$15,833,640	
Parking Facilities		$ 3,905,613	
Recreational Facilities		$ 1,055,669	
Roads, Streets & Bridges		$ 7,013,537	

City of Lilburn	Estimated Total		$ 11,593,456
Public Safety Facilities & Equipment		$ 6,376,401	
Recreational Facilities		$ 811,542	
Roads, Streets & Bridges		$ 4,405,513	

City of Loganville	Estimated Total		$ 2,502,831
Recreational Facilities		$1,196,353	
Roads, Streets & Bridges		$ 926,047	
Water & Sewer Capital Improvements		$ 380,430	
City of Norcross	Estimated Total		$ 15,238,684
Parking Facilities		$ 1,523,868	
Recreational Facilities		$ 7,619,342	
Roads, Streets & Bridges		$ 6,095,474	
City of Peachtree Corners	Estimated Total		$ 37,540,628
Roads, Streets & Bridges		$37,540,628	
City of Rest Haven	Estimated Total		$ 31,148
Roads, Streets & Bridges		$ 31,148	
City of Snellville	Estimated Total		$ 18,077,730
Administrative Facilities		$ 108,828	
Parking Facilities		$ 6,384,693	
Recreational Facilities		$ 3,009,942	
Roads, Streets & Bridges		$ 8,574,267	
City of Sugar Hill	Estimated Total		$ 19,922,789
Cultural Facilities		$ 1,836,249	
Recreational Facilities		$ 8,236,540	
Roads, Streets & Bridges		$ 9,850,000	
City of Suwanee	Estimated Total		$ 17,125,885
Administrative Facilities		$ 2,568,883	
Recreational Facilities		$ 2,568,883	
Roads, Streets & Bridges		$11,988,119	

6.

The priority and order in which Special Purpose Local Option Sales Tax projects will be fully or partially funded is as follows: All projects shall be funded concurrently.

7.

The Special Purpose Local Option Sales Tax which is the subject of the November 8, 2016 Referendum shall continue for a period of six years from April 1, 2017 until March 31, 2023.

8.

All capital outlay projects included in this Intergovernmental Agreement shall be funded in whole or in part from proceeds from the Special Purpose Local Option Sales Tax authorized by Official Code of Georgia Annotated Sections 48-8-110 et seq. except as otherwise agreed.

9.

The net proceeds from the Special Purpose Local Option Sales Tax shall be maintained in the parties' separate accounts and utilized exclusively for the purposes specified in this Agreement. Proceeds over and above the amount estimated in the Referendum question shall be allocated in accordance with the percentages set forth in this Agreement and shall be used solely for the purposes listed herein. Each jurisdiction shall expend its portion of excess proceeds from the 2017 SPLOST Program on the categories of projects, and in the same percentages, outlined in Paragraphs 3(G) and 5 of this Agreement.

10.

The parties acknowledge that Special Local Option Sales Tax funds are not guaranteed. Proceeds under the amount estimated in the Referendum question shall be allocated in accordance with the percentages set forth in this Agreement and shall be used solely for the purposes listed herein.

11.

At the end of each party's fiscal year wherein proceeds from the Special Purpose Local Option Sales Tax are distributed, each party shall cause an audit of the distribution and use of its portion of the net proceeds from the Special Purpose Local Option Sales Tax to be completed. Each party to this Agreement shall pay the cost of each such annual audit that it conducts. Each party shall publish each of its annual audits as required by law.

12.

In addition to the audit required by paragraph 11 of this Agreement, at the end of each calendar year wherein proceeds from the Special Purpose Local Option Sales Tax are distributed, all parties to this Agreement shall participate in a joint annual audit of the entire Special Purpose Local Option Sales Tax program approved by the voters during the November 8, 2016 Referendum. The purpose of this joint annual audit is to ensure compliance with the Resolution that resulted in the call of the Special Purpose Local Option Sales Tax Referendum. The governmental entity that receives the largest share of Special Local Option Sales Tax proceeds shall choose the auditor to conduct the annual audit, and each party to this Agreement shall pay the cost of such audit based upon such party's percentage of Special Local Option Sales Tax proceeds allocated pursuant to this Agreement.

13.

Each party to this Agreement shall maintain thorough and accurate records concerning receipt of Special Purpose Local Option Sales Tax proceeds and expenditures for each project to be undertaken by the respective City or County as described herein.

14.

Not later than December 31 of each year, each City and the County shall publish annually, in a newspaper of general circulation in the boundaries of each City and the County and in a prominent location on each City's and the County's website, a simple nontechnical report which shows the following for each project or purpose outlined in this Agreement:

A. Current estimated cost if it is not the original estimated cost.

B. Amounts expended in prior years.

C. Amounts expended in the current year.

D. Any excess proceeds which have not been expended for a project or purpose.

E. Estimated completion date, and the actual completion cost of a project completed during the current year.

F. For road, street, and bridge purposes, such information shall be in the form of a consolidated schedule of the total original estimated cost, the total current estimated cost if it is not the original estimated cost, and the total amounts expended in prior years and the current year for all such projects and not a separate enumeration with respect to each individual road, street, or bridge project.

G. A statement of what corrective action the City or County intends to implement with respect to each project which is underfunded or behind schedule.

15.

The parties shall establish a Citizen Review Committee within ninety (90) days of the November 8, 2016 Referendum, if such Referendum is approved by the electors of Gwinnett County. The Citizen Review Committee shall receive and review periodic status reports

concerning all projects to be funded from the net proceeds of the 2017 Special Purpose Local Option Sales Tax Program. The County Administrator and City Managers or City Administrators, as applicable, of the parties to this Agreement shall determine the appropriate number of members and shall establish procedures by which the Committee shall operate. The County Administrator and City Managers or City Administrators shall also determine the length of time during which the Committee shall continue to operate.

16.

This Agreement constitutes all of the understandings and agreements of whatsoever nature or kind existing between the parties with respect to distribution and use of the proceeds from the Special Purpose Local Option Sales Tax.

17.

This Agreement shall not be changed or modified except by agreement in writing executed by all parties hereto.

18.

This Agreement shall be deemed to have been made and shall be construed and interpreted in accordance with the laws of the State of Georgia.

19.

It is agreed that the illegality or invalidity of any term or clause of this Agreement shall not affect the validity of the remainder of the Agreement, and the Agreement shall remain in full force and effect as if such illegal or invalid term or clause were not contained herein.

20.

Each party to this Agreement shall comply with all applicable local, State, and Federal statutes, ordinances, rules and regulations.

21.

No consent or waiver, express or implied, by any party to this Agreement to any breach of any covenant, condition or duty of another party shall be construed as a consent to or waiver of any future breach of the same.

22.

All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given if, and only if, delivered personally or sent by registered or certified United States mail, postage prepaid, as follows:

a. **If to the City of Auburn:**

Mayor
City of Auburn
1369 Fourth Avenue
Auburn, Georgia 30011

b. **If to the City of Berkeley Lake:**

Mayor
City of Berkeley Lake
4040 S. Berkeley Lake Road
Berkeley Lake, Georgia 30096

c. **If to the Town of Braselton:**

Mayor
Town of Braselton
4982 Highway 53
Braselton, Georgia 30517

d. **If to the City of Buford:**

Chairman
City of Buford
2300 Buford Highway
Buford, Georgia 30518

e. **If to the City of Dacula:**

Mayor
City of Dacula
442 Harbins Road
Dacula, Georgia 30019

f**.** **If to the City of Duluth:**

Mayor
City of Duluth
3167 Main Street
Duluth, Georgia 30096

g**.** **If to the City of Grayson:**

Mayor
City of Grayson
475 Grayson Parkway
Grayson, Georgia 30017

h**.** **If to the City of Lawrenceville**:

Mayor
City of Lawrenceville
70 South Clayton Street
Lawrenceville, Georgia 30045

i. **If to the City of Lilburn:**

Mayor
City of Lilburn
76 Main Street
Lilburn, Georgia 30047

j. **If to the City of Loganville:**

Mayor
City of Loganville
4385 Pecan Street
Loganville, Georgia 30052

k. **If to the City of Norcross:**

Mayor
City of Norcross
65 Lawrenceville Street
Norcross, Georgia 30071

l. **If to the City of Peachtree Corners**

Mayor
City of Peachtree Corners
147 Technology Parkway, Suite 200
Peachtree Corners, Georgia 30092

m. **If to the City of Rest Haven:**

Mayor
City of Rest Haven
428 Thunder Road
Buford, Georgia 30518

n. **If to the City of Snellville:**

Mayor
City of Snellville
2342 Oak Road
Snellville, Georgia 30078

o. **If to the City of Sugar Hill:**

Mayor
City of Sugar Hill
5039 West Broad Street
Sugar Hill, Georgia 30518

p. **If to the City of Suwanee:**

Mayor
City of Suwanee
330 Town Center Avenue
Suwanee, Georgia 30024

q. **If to Gwinnett County:**

County Administrator
Gwinnett Justice & Administration Ctr.
75 Langley Drive
Lawrenceville, Georgia 30046

Any party may at any time change the address where notices are to be sent or the person to whom such notices should be directed by the delivery or mailing to the above persons a notice stating the change.

23.

This Agreement shall become effective on September 1, 2016. If the November 8, 2016 Referendum concerning the imposition of the Special Purpose Local Option Sales Tax is not approved by a majority of the voters of Gwinnett County, this Agreement shall be of no force and effect after November 8, 2016.

24.

Notwithstanding the parameters of paragraph 23, this Agreement shall continue in full force and effect until July 1st of the year following completion of the last project funded from the net proceeds from the 2017 Special Purpose Local Option Sales Tax Program.

25.

The parties agree that all appropriate public facilities and buildings constructed from the 2017 Special Purpose Local Option Sales Tax Program net proceeds shall be available at no fee to the County as polling places, if needed.

26.

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.

IN WITNESS WHEREOF, the parties hereto acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered for final execution by the County on the date indicated herein.

(SIGNATURE PAGES FOLLOW) (Executed in Counterparts)

ATTEST:

BY:_____
JOYCE BROWN
CITY CLERK

[SEAL]

THE CITY OF AUBURN

BY:_____
LINDA BLECHINGER, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
ROBERT JACKSON WILSON
ROBERT JACKSON WILSON, P.C.
10 LUMPKIN STREET
LAWRENCEVILLE, GEORGIA 30046

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
TOM ROZIER
CITY ADMINISTRATOR

[SEAL]

THE CITY OF BERKELEY LAKE

BY:_____
LOIS SALTER, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
RICHARD A. CAROTHERS
CAROTHERS & MITCHELL, LLC
278 WEST MAIN STREET
BUFORD, GEORGIA 30518

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
JENNIFER DEES
TOWN MANAGER/
CLERK

[SEAL]

THE TOWN OF BRASELTON

BY:_____
BILL ORR, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
GREGORY DAVID JAY
CHANDLER, BRITT & JAY, LLC
P. O. BOX 1749
BUFORD, GEORGIA 30515-1749

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
KIM WOLFE
CITY CLERK

[SEAL]

THE CITY OF BUFORD

BY:_____
PHILLIP BEARD
COMMISSION CHAIRMAN

DATE:_____

APPROVED AS TO FORM:

BY:_____
GREGORY DAVID JAY
CHANDLER, BRITT & JAY, LLC
P. O. BOX 1749
BUFORD, GEORGIA 30515-1749

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
JOEY MURPHY
CITY ADMINISTRATOR

[SEAL]

THE CITY OF DACULA

BY:_____
JIMMY WILBANKS, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
DENNIS T. STILL
GARNER & STILL
250 CONSTITUTION BLVD.
P. O. BOX 707
LAWRENCEVILLE, GEORGIA 30046

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

THE CITY OF DULUTH

BY:_____
TERESA LYNN
CITY CLERK

BY:_____
NANCY HARRIS, MAYOR

[SEAL]

DATE:_____

APPROVED AS TO FORM:

BY:_____
V. LEE THOMPSON, JR.
THOMPSON, SWEENY, KINSINGER & PEREIRA PC
P.O. BOX 1250
LAWRENCEVILLE, GA 30046-1250

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

THE CITY OF GRAYSON

BY:_____
LAURA PAUL-CONE
CITY ADMINISTRATOR/
CITY CLERK

BY:_____
ALLISON WILKERSON, MAYOR

[SEAL]

DATE:_____

APPROVED AS TO FORM:

BY:_____
V. LEE THOMPSON, JR.
THOMPSON, SWEENY, KINSINGER & PEREIRA PC
P.O. BOX 1250
LAWRENCEVILLE, GA 30046-1250

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

THE CITY OF LAWRENCEVILLE

BY:_____
KAREN PIERCE
CITY CLERK

BY:_____
JUDY JORDAN JOHNSON, MAYOR

[SEAL]

DATE:_____

APPROVED AS TO FORM:

BY:_____
V. LEE THOMPSON, JR.
THOMPSON, SWEENY, KINSINGER & PEREIRA PC
P.O. BOX 1250
LAWRENCEVILLE, GA 30046-1250

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
MELISSA L. PENATE
CITY CLERK

[SEAL]

THE CITY OF LILBURN

BY:_____
JOHNNY CRIST, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
RICHARD A. CAROTHERS
CAROTHERS & MITCHELL, LLC
278 WEST MAIN STREET
BUFORD, GEORGIA 30518

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
BILL JONES
CITY MANAGER

[SEAL]

THE CITY OF LOGANVILLE

BY:_____
DANNY W. CURRY, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
ROBYN WEBB
CRUSER & MITCHELL, LLP
MERIDIAN, II, SUITE 2000
275 SCIENTIFIC DRIVE
NORCROSS, GEORGIA 30092

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

THE CITY OF NORCROSS

BY:_____
MONIQUE LANG
CITY CLERK

BY:_____
BUCKY JOHNSON, MAYOR

[SEAL]

DATE:_____

APPROVED AS TO FORM:

BY:_____
J. PATRICK O'BRIEN
THOMPSON, O'BRIEN, KEMP & NASUTI, P.C.
40 TECHNOLOGY PARKWAY SOUTH, SUITE 300
NORCROSS, GEORGIA 30092

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
KYM CHERECK
CITY CLERK

[SEAL]

THE CITY OF PEACHTREE CORNERS

BY:_____
MIKE MASON, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
WILLIAM F. RILEY, JR.
RILEY MCCLENDON, LLC
315 WASHINGTON AVE.
MARIETTA, GA 30060

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
MONICA JACOBS
CITY CLERK

[SEAL]

THE CITY OF REST HAVEN

BY:_____
KENNETH WAYCASTER
MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
GREGORY DAVID JAY
CHANDLER, BRITT & JAY, LLC
P. O. BOX 1749
BUFORD, GEORGIA 30515-1749

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
MELISA ARNOLD
CITY CLERK

[SEAL]

THE CITY OF SNELLVILLE

BY:_____
TOM WITTS, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
ANTHONY O.L. POWELL
WEBB, TANNER & POWELL PC
P.O. BOX 1390
LAWRENCEVILLE, GEORGIA 30046

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

THE CITY OF SUGAR HILL

BY:_____
JANE WHITTINGTON
CITY CLERK

BY:_____
STEVE EDWARDS, MAYOR

[SEAL]

DATE:_____

APPROVED AS TO FORM:

BY:_____
V. LEE THOMPSON, JR.
THOMPSON, SWEENY, KINSINGER & PEREIRA PC
P.O. BOX 1250
LAWRENCEVILLE, GA 30046-1250

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
ELVIRA ROGERS
CITY CLERK

[SEAL]

THE CITY OF SUWANEE

BY:_____
JIMMY BURNETTE, MAYOR

DATE:_____

APPROVED AS TO FORM:

BY:_____
GREGORY DAVID JAY
CHANDLER, BRITT & JAY, LLC
P. O. BOX 1749
BUFORD, GEORGIA 30515-1749

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

ATTEST:

BY:_____
DIANE KEMP
COUNTY CLERK

[SEAL]

GWINNETT COUNTY, GEORGIA

BY:_____
CHARLOTTE J. NASH
CHAIRMAN
GWINNETT COUNTY BOARD OF COMMISSIONERS
75 LANGLEY DRIVE
LAWRENCEVILLE, GEORGIA 30046

DATE:_____

APPROVED AS TO FORM:

BY:_____
VAN STEPHENS
CHIEF ASSISTANT COUNTY ATTORNEY
GWINNETT COUNTY DEPARTMENT OF LAW
75 LANGLEY DRIVE
LAWRENCEVILLE, GEORGIA 30046

INTERGOVERNMENTAL AGREEMENT FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM

(Executed in Counterparts)

CITY OF LILBURN
AGENDA ITEM 6

Date:	6/22/16	**To: Mayor and Council**	7/11/16
From:	Chief Bruce Hedley	**Department:**	Police Department
Work Session Date Requested:	7/11/16 W/S and REG MTG.	**Presenter:**	
Agenda Title:	**Acceptance of Donation Made to Lilburn Police Department**		
Audio/Visual Requirements:		**Deadline Date:**	

Agenda Item (Background/History/Details):
D & P Auto Body Collision Repair, Inc. presented a donation of $500.00 to Lilburn Police Department for appreciation of service and community partnership to be spent on behalf of the Police Department.

Staff Recommendations:
Staff recommends the following: Staff recommends approval to accept donation and increase budget expenditure and revenue by $500.00.

Department Head Approval:	

Mayor's Signature Required:	YES	NO

List Attachments:

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
NO	General Fund		$500.00	
	5503200.53.1730			