



Administrative Services Committee Commission Chamber- 10/29/2012- 1:05 PM
Meeting

ADMINISTRATIVE SERVICES

1. Discuss Augusta Youth Center Lease Agreement. **(Requested by Commissioner Matt Aitken)** ☐ [Attachments](#)
2. Motion to approve FTA EEOP Submission for Augusta, Georgia. (Referred from October 16 Commission meeting) ☐ [Attachments](#)
3. Motion to approve increasing the Disadvantaged Business Enterprise Department expenditure level, funding source will be provided by contributions from 5th Annual Business Expo Platinum Sponsors. ☐ [Attachments](#)
4. Motion to approve the minutes of the Administrative Services Committee held on September 24, 2012. ☐ [Attachments](#)
5. Motion to approve ordinance to protect the children of Augusta, Georgia by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child inside. ☐ [Attachments](#)

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**Administrative Services Committee Meeting
10/29/2012 1:05 PM
Augusta Youth Center**

Department:

Caption: Discuss Augusta Youth Center Lease Agreement. **(Requested by Commissioner Matt Aitken)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Administrative Services Committee Meeting
10/29/2012 1:05 PM
FTA EEOP**

Department: Law Department

Caption: Motion to approve FTA EEOP Submission for Augusta, Georgia.
(Referred from October 16 Commission meeting)

Background: In accordance with the Federal Transit Administration (“FTA”) Circular 4704.1, any applicant, recipient, or sub-recipient is required to comply with FTA’s Equal Employment Opportunity Program (“EEOP”) if it: (a) employs 50 or more transit-related employees; and (b) requests or receives FTA capital or operating assistance in excess of \$1 million or planning assistance in excess of \$250,000. FTA C. 4704.1, Ch. II, ¶ 2. Although Augusta, Georgia receives FTA assistance in excess of the threshold requirements, Augusta, Georgia does not employ 50 or more transit-related employees. This EEOP has been prepared to provide an overview of Augusta, Georgia’s EEO Program.

Analysis: n/a

Financial Impact: n/a

Alternatives:

Recommendation: Approve motion

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

**EQUAL EMPLOYMENT OPPORTUNITY SUBMISSION
AUGUSTA GEORGIA PUBLIC TRANSIT DEPARTMENT
AUGUSTA, GEORGIA**

October 2011 – October 2014

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AUGUSTA, GEORGIA PUBLIC TRANSIT DEPARTMENT
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM COMPONENTS

AUGUSTA, GEORGIA

Overview

In accordance with the Federal Transit Administration ("FTA") Circular 4704.1, any applicant, recipient, or subrecipient is required to comply with FTA's Equal Employment Opportunity Program ("EEOP") if it: (a) employs 50 or more transit-related employees; and (b) requests or receives FTA capital or operating assistance in excess of \$1 million or planning assistance in excess of \$250,000. FTA Cir. 4704.1, Ch. II, ¶ 2. Although Augusta, Georgia receives FTA assistance in excess of the threshold requirements, Augusta, Georgia does not employ 50 or more transit-related employees. This EEOP has been prepared to provide an overview of Augusta, Georgia's EEO Program.

A. EEO Policy Statement

1. Augusta, Georgia is an Equal Opportunity Employer. We value and respect the diversity of our employees, directors, consultants, representatives, suppliers, vendors, customers, and communities. As part of our culture of respect and appreciation we believe that people with varied backgrounds and perspectives add vitality and creativity to Augusta, Georgia and we encourage diversity in the workplace. To that end, Augusta, Georgia provides equal employment opportunities regardless of race, color, gender, pregnancy status, marital status, genetic information, national origin, age, religion, disability, veteran status, or any other characteristic protected by federal, state, or local law. Augusta, Georgia is committed to providing equal opportunity in all our employment practices. Augusta will hire, evaluate, transfer, compensate, and promote employees based on skills and performance, and not on any unlawful consideration.
2. In addition, Augusta, Georgia is committed to administering an ongoing commitment to Equal Employment Opportunities. In accordance with §14(c) of the Augusta, Georgia Consolidation Act, the EEO, DBE, and Small Business Director shall have the responsibility for implementing the Augusta, Georgia EEO policies and procedures.
3. The EEO, DBE, and Small Business Director is responsible for ensuring Augusta, Georgia EEO compliance. All management personnel of Augusta, Georgia share in the responsibility of ensuring EEO compliance and may be assigned specific tasks, by the Augusta, Georgia Commission or Administrator, to assure that compliance is achieved.
4. In accordance with Augusta, Georgia policy, Augusta, Georgia employees have the right to file complaints alleging discrimination with the Augusta, Georgia EEO Office.
5. Through the successful achievement of established EEO policies and procedures, a fuller utilization and development of previously underutilized human resources will be obtained by the Augusta, Georgia EEO Office in accordance with FTA Cir. 4704.1

Mayor Deke S. Copenhaver

Date

B. Dissemination

Several formal communication mechanisms are used to disseminate the Augusta, Georgia EEO Policy and Procedures to Augusta, Georgia employees, applicants, and the general public, including the following internal and external processes:

Internally:

- Augusta, Georgia's EEO policies and procedures are set out in their entirety in Chapter Two of Augusta, Georgia Personnel Policy and Procedures Manual.
- The EEO, DBE, and Small Business Director shall initiate and conduct regular training sessions regarding Augusta, Georgia's EEO policies and procedures and their application.
- Official EEO posters are posted in the employee break room areas.
- All new-hire employees are required to attend an orientation program at which the Augusta, Georgia Personnel Policy and Procedures Manual is reviewed. The review includes the Equal Employment Opportunity and Non-Discrimination chapter of the manual.

Externally:

- Augusta, Georgia's Equal Employment Opportunity Office has its own page on the Augusta, Georgia website, which contains Augusta, Georgia's commitment to equal employment opportunities and non-discrimination and provides links to Augusta, Georgia's EEO policies and procedures.
- The Augusta, Georgia Personnel Policy and Procedures Manual, including the equal employment opportunities chapter, is available on Augusta, Georgia's official website.

C. Designation of Personnel Responsibility

The EEO, DBE, and Small Business Director reports directly to the Mayor and Commission of Augusta, Georgia in accordance with FTA Cir. 4704.1. The EEO Office is responsible for implementing policies and procedures, approved by the Commission, which will ensure equal employment opportunities in the hiring and promotion processes and recommending changes in the employment processes to the Mayor and Commission.

Augusta, Georgia's EEO Policy prohibits employees and applicants from being subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged in, or may have engaged in, EEO-related activities, such as filing a complaint or assisting or participating in an investigation, compliance review or hearing. The Augusta, Georgia EEO Office has the overall responsibility for implementing Augusta, Georgia's EEO

Policy. The Augusta, Georgia Commission and Mayor have given the EEO Office the primary management responsibility for ensuring that Augusta, Georgia is in full compliance with equal employment opportunity mandates and goals.

D. Utilization Analysis

Augusta, Georgia has completed an underutilization analysis of its workforce and has identified the following underutilizations:

1. Females (white and black) are significantly underutilized in the following job categories: professionals; technicians; and service/maintenance;
2. White females were significantly underutilized in the protective service: non-sworn job category;
3. Males (white and black) were significantly underutilized in the administrative support job category; and
4. White and Latino males were significantly underutilized in the position of skilled craft.

A copy of Augusta, Georgia's utilization analysis is attached hereto as Appendix A.

Augusta, Georgia is committed to correcting any underutilization. The established goals will be meaningful, measurable and realistic. They will be attainable and flexible targets, not quotas, which are prohibited by law. Goals may be revised to accommodate changes that impact Augusta, Georgia workforce.

E. Goals and Timetables

1. To establish and maintain employment level goals pursuant to joint Federal Equal Employment Opportunity Commission, U.S. Department of Justice, Georgia Department of Labor, Office of Federal Contract Compliance and U.S. Census Bureau, for racial minorities and women.
2. To distribute minority and female employment proportionately throughout job classes in service with Augusta, Georgia.
3. To make continuous effort to eliminate artificial barriers to employment and to prevent occurrence of arbitrary discrimination practices relating to employment or access to promotion within Augusta, Georgia.
4. To provide an atmosphere of acceptance and understanding in which differences of race, gender, creed, religion, color, national origin, age or sexual orientation contribute to, rather than distract from effective job relations.

F. Assessment of Employment Practices to Identify Causes of Underutilization; Affirmative Action to Remedy Problems areas

1. Recruitment and Employment Selection Procedures

Augusta, Georgia recruitment methods are focused upon drawing candidates from the largest available source of candidates possible. Augusta, Georgia's policy of being an EEO employer is included in every job announcement. Further, the Augusta, Georgia human resources department provides application assistance to those individuals with need.

2. Seniority Practices and Provisions

Augusta, Georgia currently does not have a seniority practices or provisions in place. Open positions are posted for all Augusta, Georgia employees to see and to apply. Any interested candidate who applies is provided the same opportunity to prove their capabilities of being the best candidate for the open position.

Augusta, Georgia's promotion practices are conducted following the guidelines spelled out in the Augusta, Georgia's Personnel Policy and Procedures Manual, including a statement that Augusta, Georgia will not unlawfully discriminate on the basis of race, color, religion, gender, pregnancy status, marital status, genetic information, veteran status, national origin, ancestry, age, and disability.

3. Procedures and Practices Regarding Wages, Salary Levels

Information regarding the distribution of wages and salary levels is spelled out in Augusta, Georgia's Personnel Policy and Procedures Manual's compensation chapter.

4. Disciplinary Procedures; Discharge; and Termination

Augusta, Georgia's disciplinary process and procedures are spelled out in Augusta, Georgia's Personnel Policy and Procedures Manual. No disciplinary or termination decision should be on the basis of race, color, religion, gender, pregnancy status, marital status, genetic information, national origin, age, or disability.

5. Accessibility of Employment Opportunities to Minorities and Women

Augusta, Georgia is an Equal Opportunity employer. Job announcements for available positions are posted on www.augustaga.gov.

G. Augusta, Georgia EEO Monitoring and Reporting System

Augusta, Georgia has developed an internal and workable monitoring and reporting system which measures the effectiveness of its EEO Policies in accordance with FTA Cir. 4704.1.

1. Quarterly updates of EEO Information/Review of goals will be created by the Augusta, Georgia EEO Office.
 - The Augusta, Georgia EEO Office will continue to monitor records of applicants flow, referrals, placements, rejected offers, training, transfers, promotions, terminations and any layoffs or recalls to ensure that Augusta, Georgia's non-discriminatory policy is carried out.
 - Augusta, Georgia recognizes its responsibility to affirmative action and is committed to fulfilling this responsibility by complying with all government regulations and laws pertaining to equal employment opportunity. As part of this commitment, management will be kept abreast of developments in the affirmative action area. The primary vehicle for communication with management will be through quarterly reporting.
 - The Augusta, Georgia EEO Office will generate internal reports annually and on a regular basis throughout the year to evaluate the degree to which the Augusta, Georgia EEO/Affirmative Action objectives are being obtained.
 - Progress on the Augusta, Georgia Affirmative Action Plan will be discussed at supervisors meetings, and relevant information will be communicated to employees during regular departmental meetings as appropriate.
 - The EEO, DBE, and Small Business Director will periodically report information in relation to the Augusta, Georgia EEO progress to the Mayor and the Augusta, Georgia Commission through the quarterly statistical data report. The Augusta, Georgia EEO Office will oversee the effectiveness of the Augusta, Georgia EEO policies and procedures and will submit annual recommendations for improvements to the Augusta, Georgia Mayor and Commission. The Augusta, Georgia EEO plan will be examined every three years in accordance with FTA Cir. 4704.1.
2. Monitoring of Sub-Contractor. Augusta, Georgia will require each of its transit-related sub-contracting providers to prepare and share their prospective EEO Plans. The sub-contractor EEO plans are designed to be effective for approximately the same period as Augusta, Georgia EEO Plan, every three years

in accordance with FTA Cir. 4704.1. Thus, at the time that Augusta, Georgia revises/updates its own EEO Plan and analysis, it will require similar updates from each of its subcontractors.

- The separate sub-contractor EEO plans will be provided to FTA office via email as attachments to Augusta, Georgia's EEO plan.

Utilization Analysis Chart Relevant Labor Market: Richmond County, Georgia

Appendix A

Job Categories	Male										Female					
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races		
Officials/Administrators																
Workforce #/%	19/41%	1/2%	12/26%	0/0%	1/2%	0/0%	0/0%	6/13%	0/0%	6/13%	0/0%	1/2%	0/0%	0/0%	0/0%	
CLS #/%	3,210/38%	40/0%	1,135/14%	40/0%	95/1%	4/0%	40/0%	2,110/25%	70/1%	1,415/17%	30/0%	120/1%	0/0%	55/1%		
Utilization #/%	3%	2%	13%	-0%	1%	-0%	-0%	-12%	-1%	-4%	-0%	1%	0%	55/1%		
Professionals																
Workforce #/%	63/43%	1/1%	38/28%	0/0%	3/2%	0/0%	0/0%	22/15%	1/1%	16/11%	0/0%	1/1%	0/0%	0/0%	0/0%	
CLS #/%	4,165/29%	115/1%	1,370/10%	10/0%	170/1%	0/0%	4/0%	4,710/33%	125/1%	3,570/25%	10/0%	130/1%	4/0%	25/0%		
Utilization #/%	15%	-0%	17%	-0%	1%	0%	-0%	-18%	-0%	-14%	-0%	-0%	-0%	25/0%		
Technicians																
Workforce #/%	103/47%	4/2%	55/25%	0/0%	0/0%	0/0%	0/0%	31/14%	2/1%	22/10%	0/0%	0/0%	0/0%	0/0%	0/0%	
CLS #/%	460/14%	50/2%	490/15%	10/0%	0/0%	0/0%	0/0%	760/24%	34/1%	1,350/42%	15/0%	30/1%	0/0%	10/0%		
Utilization #/%	33%	0%	10%	-0%	0%	0%	0%	-9%	-0%	-32%	-0%	-1%	0%	10/0%		
Protective Services: Sworn																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	
CLS #/%	715/33%	14/1%	1,010/46%	4/0%	0/0%	0/0%	0/0%	120/6%	0/0%	300/14%	0/0%	10/0%	0/0%	0/0%		
Utilization #/%																
Protective Services: Non-sworn																
Workforce #/%	122/42%	7/2%	123/42%	0/0%	2/1%	0/0%	0/0%	14/5%	0/0%	23/8%	0/0%	0/0%	0/0%	0/0%	0/0%	
Civilian Labor Force #/%	0/0%	0/0%	25/28%	0/0%	0/0%	0/0%	0/0%	55/61%	0/0%	10/11%	0/0%	0/0%	0/0%	0/0%	0/0%	
Utilization #/%	42%	2%	14%	0%	1%	0%	0%	-56%	0%	-3%	0%	0%	0%	0%	0%	
Administrative Support																
Workforce #/%	30/8%	2/1%	32/9%	0/0%	1/0%	0/0%	0/0%	119/32%	2/1%	179/48%	1/0%	4/1%	0/0%	0/0%	0/0%	
CLS #/%	2,835/14%	210/1%	2,450/12%	0/0%	70/0%	0/0%	25/0%	6,900/34%	320/2%	7,095/35%	50/0%	150/1%	20/0%	110/1%		
Utilization #/%	-6%	-0%	-3%	0%	-0%	0%	-0%	-2%	-1%	13%	0%	0%	-0%	-1%		
Skilled Craft																
Workforce #/%	60/46%	0/0%	54/41%	1/1%	0/0%	0/0%	0/0%	14/11%	0/0%	2/2%	0/0%	0/0%	0/0%	0/0%	0/0%	
CLS #/%	4,700/56%	270/3%	2,455/30%	60/1%	70/1%	15/0%	60/1%	295/4%	15/0%	330/4%	0/0%	40/0%	0/0%	10/0%		

Job Categories	Male								Female					
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races
Utilization #%	-11%	-3%	12%	0%	-1%	-0%	-1%	7%	-0%	-2%	0%	-0%	0%	-0%
Service/Maintenance														
Workforce #%	92/28%	3/1%	182/56%	2/1%	1/0%	0/0%	0/0%	14/4%	1/0%	30/9%	0/0%	0/0%	0/0%	0/0%
CLS #%	5,730/21%	445/2%	8,135/33%	25/0%	180/1%	25/0%	50/0%	3,695/13%	305/1%	7,610/27%	35/0%	435/2%	10/0%	55/0%
Utilization #%	8%	-1%	23%	1%	-0%	-0%	-0%	-9%	-1%	-18%	-0%	-2%	-0%	-0%



Administrative Services Committee Meeting
10/29/2012 1:05 PM
Increasing Expenditure Level

Department: Disadvantaged Business Enterprise

Caption: Motion to approve increasing the Disadvantaged Business Enterprise Department expenditure level, funding source will be provided by contributions from 5th Annual Business Expo Platinum Sponsors.

Background: The DBE Department will be hosting the 5th Annual Business Expo on November 14, 2012 at the Boathouse Center. This event is designed to bring Augusta businesses and resources together under one roof for an exciting day of education and networking. The theme this year is "Opening the Door to Opportunity". Research shows businesses are the backbone of ARC's economy. The EXPO has been designed to provide resources and opportunities for entrepreneurs in every phase of a business lifecycle: start-up, launch, growth and sustainability. The department will provide lunch and educational information brochures to all attendees.

Analysis: The approval of this item will be a savings to the city due to using funds being supplied by Platinum Sponsors.

Financial Impact: Increase the DBE Department's expenditure level to include an estimated \$1,200.00 in contributions from Platinum Sponsors.

Alternatives: The department would use funds from 2012 budget which will cause a decrease in those funds.

Recommendation: Approve increasing the Disadvantaged Business Enterprise expenditure level, funding source will be provided by contributions from the 5th Annual Business EXPO Platinum Sponsors.

Funds are Available in the Following Accounts: 101077110

REVIEWED AND APPROVED BY:

Finance.

Law.

Administrator.

Clerk of Commission



**Administrative Services Committee Meeting
10/29/2012 1:05 PM
Minutes**

Department: Clerk of Commission

Caption: Motion to approve the minutes of the Administrative Services Committee held on September 24, 2012.

Background:

Analysis:

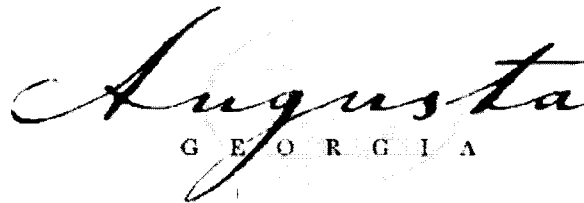
Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting Commission Chamber - 9/24/2012

ATTENDANCE:

Present: Hons. Lockett, Chairman; Aitken, Vice Chairman; Mason and Brigham, members.

ADMINISTRATIVE SERVICES

1. Approve a request from the Housing and Community Development Department for a budget transfer of \$18,370.00 from the Permanent Part-time Salaries & Wages to the Temporary Workers Account. This action is needed to cover current staff shortages. This transfer will cover assistance through the end of this calendar year. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Matt Aitken	Commissioner Jerry Brigham	Passes

2. Discuss the functions of the Equal Employment Opportunity Office: Jurisdiction "The internal Augusta-Richmond County Equal Employment Opportunity Office covers employees and departments in the Augusta-Richmond County Government operating under the authority of the Mayor and the Commission." Charter Article 5. Section 140(c). "In furtherance of the policies stated in subsections (a) and (b) of this section, the Commission shall employ a person to serve as equal employment opportunity director and as director of minority and small business opportunities. The director shall develop and subject to the approval of the Commission, implement such policies, procedures, and guidelines as the director deems necessary or appropriate to ensure equal employment opportunities for all citizens. The director, subject to the approval of the Commission, shall propose and implement such policies, procedures and guidelines as are necessary and appropriate to ensure equal opportunities for all businesses and citizens in contracting with the Commission **Item Action:** Approved

and all departments, agencies, authorities, and other entities of local government and to encourage the development of minority and small businesses within Richmond County. In addition, said director shall have such other powers and duties as may from time to time be afforded by action of the Commission." (Requested by Commissioner Lockett)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Delete	Motion to delete this item from the agenda. Motion Passes 4-0.	Commissioner Matt Aitken	Commissioner Jerry Brigham	Passes

3. Motion to approve the minutes of the Administrative Services Committee held on September 10, 2012. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Matt Aitken	Commissioner Jerry Brigham	Passes

4. Discuss Powers and Duties of the Mayor and Council Members: Handbook for Georgia Mayors and Council Members, 5th Edition. "Legislative responsibilities involve setting policy for the government by enacting various ordinance, resolutions, and regulations." "Administrative responsibilities deal with the implementation of the policies and procedures established by the governing body. In many cities, the administrative burden is too great to be borne solely by the mayor and council, so these powers are delegated to a professional manager and policies are carried out by various departments, boards and commissions in the city." (Requested by Commissioner Lockett) **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Matt Aitken	Commissioner Jerry Brigham	Passes

5. Update on current status of progress made on code enforcement violations at Regency Mall in light of news report which reflected fires and possible vandalism on the inside of at least one building at the mall. Provide information substantiating how a clean, safe, and healthy environment is maintained at the mall. Ascertain whether code enforcement goals are being met as relates to improving both the appearance and value of residential and business properties in the area. Discuss License and Inspection Report. (Requested by Commissioner Lockett)
- Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Motion Passes 4-0.	Commissioner Jerry Brigham	Commissioner Matt Aitken	Passes

6. Discuss termination of transit management agreement (June 7, 2011) between Augusta, Georgia and Mobility Transit Services, LLC. (Requested by Commissioner Lockett)
- Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information. Mr. Brigham votes No. Motion Passes 3-1.	Commissioner Matt Aitken	Commissioner Alvin Mason	Passes

7. Motion to approve going into a Legal Meeting.
- Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve going into legal for pending and potential litigation. Mr. Brigham votes No. Motion Passes 3-1.	Commissioner Alvin Mason	Commissioner Matt Aitken	Passes

8. Motion to authorize execution by the Chairman of the affidavit of compliance with Georgia's Open Meeting Act.

Item
Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to add and approve the execution of the affidavit. Motion Passes 4-0.	Commissioner Jerry Brigham	Commissioner Alvin Mason	Passes

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**Administrative Services Committee Meeting
10/29/2012 1:05 PM
Unsupervised Children In Motor Vehicles**

Department: Law

Caption: Motion to approve ordinance to protect the children of Augusta, Georgia by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child inside.

Background: Augusta, Georgia has a significant interest in maintaining and assuring public safety for its community and the citizens of Augusta, Georgia related to unsupervised or unattended children in motor vehicles. Augusta, Georgia declares that it is the policy in Augusta, Georgia that small children and infants should never be left unattended in vehicles under any circumstances.

Analysis: N/A

Financial Impact: N/A

Alternatives: Deny Motion

Recommendation: Approve Motion

**Funds are Available
in the Following
Accounts:** N/A

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AUGUSTA, GA CODE TITLE THREE, CHAPTER SEVEN, SECTION 3-7-14 RESERVED SECTION; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.

WHEREAS, Augusta, Georgia has a significant interest in maintaining and assuring public safety for its community and the citizens of Augusta, Georgia related to unsupervised or unattended children in motor vehicles; and

WHEREAS, Augusta, Georgia finds that leaving a young child unattended in a car can too often have tragic consequences, either because the child suffers from exposure to excessive heat or cold, is injured or kidnapped when the car is stolen, or releases the emergency brake, inadvertently starts the car, or puts the car in gear; and

WHEREAS, Augusta, Georgia notes that with an outside temperature of approximately eighty-five degrees, the inside air temperature in a car can reach over one hundred degrees. Under those conditions, a small child, whose body temperature increases three to five times faster than an adult's, can succumb to the heat in as short a time as fifteen minutes. Cold temperatures can also be deadly to small children and infants in a short period of time; and

WHEREAS, Augusta, Georgia declares that it is the policy in Augusta, Georgia that small children and infants should never be left unattended in vehicles under any circumstances; and

WHEREAS, It is the purpose of this Ordinance to protect the children of Augusta, Georgia by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child inside. Although the State of Georgia has criminal laws that can be used to sanction this behavior when injury or death results, it will be too late for the child in that case. Augusta, Georgia needs a way to deter this conduct when the child is not injured or killed, but before the ultimate tragedy happens; and

WHEREAS, Augusta, Georgia desires to update and amend the Code as related to unsupervised or unattended small children in motor vehicles;

THE AUGUSTA, GEORGIA BOARD OF COMMISSIONERS ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Section 3-7-14 as set forth in the AUGUSTA, GA. CODE, readopted July 10, 2007, is hereby amended by striking this section in its entirety as set forth in "Exhibit A" hereto and inserting in lieu thereof new Code Section 3-7-14 as set forth in "Exhibit B" hereto.

SECTION 2. This ordinance shall become effective upon its adoption in accordance with applicable laws.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this _____ day of October, 2012.

David S. Copenhaver
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission

Seal:

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on _____, 2012 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: _____

First Reading _____

Second Reading _____

Exhibit A

STRIKE:

~~Sec. 3-7-14 Reserved.~~

Exhibit B

REPLACE WITH:

Sec. 3-7-14 Unsupervised or unattended children in motor vehicles.

- (a) A person responsible for a child six years of age or younger shall not leave that child in a passenger car, without direct supervision in the car by a person at least twelve years of age, regardless of whether the operator or adult passenger is charged with the care or custody of the child.
- (b) Any law enforcement officer, firefighter, or rescue team personnel who observes a child left unsupervised or unattended in a motor vehicle may use whatever means are reasonably necessary to protect the minor child and to remove him or her from the vehicle. The law enforcement officer, firefighter, or rescue team personnel should then leave notification for the driver of the vehicle after the child is removed from the vehicle. The law enforcement officer, firefighter, or rescue team personnel may remand the child to the custody of Division of Family and Children Services of the Department of Human Services if the law enforcement officer, firefighter, or rescue team personnel is unable to locate the parents or legal guardian or other person responsible for the child or if the circumstances in which the child was found posed an imminent danger to the child.
- (c) Law enforcement officers, firefighters, and rescue team personnel shall not be liable in any civil action to any party for any act performed in good faith under this section.
- (d) As used in this section:

"Child" means a person under the age of six.

"Rescue team personnel" means physicians, basic life support personnel, advanced life support personnel, surgeons, nurses, volunteers, or employees of the owners or operators of a hospital or authorized emergency vehicle, who have been trained in basic or advanced life support and have been charged by the owners or operators of the hospital or authorized emergency vehicle, with providing life support and resuscitation to persons who are in immediate danger of loss of life in cases of emergency.

"Unattended" means leaving a child:

Alone in a motor vehicle without direct supervision in the car by a person at least twelve years of age.

- (e) Penalty for violation of article. Leaving a child unsupervised or unattended is a misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment in the Augusta, Georgia jail for a period not in excess of sixty (60) days.