

Q & A from LCA 4/18/13 Meeting

QUESTIONS:

(Collected in writing from audience and presubmitted via email)

Has either institute that will do the study ever had negative conclusions?

- It is our understanding that CVI has twice reached negative conclusions about proposed cities, but if the data suggests feasibility, then that is what is reported. To our knowledge, none of those cities that have been determined to be feasible subsequently failed.

Have all areas been polled?

- No polls have been done by LCA. Some polling could be conducted if sufficient funds are raised. Community meetings, in-person conversations, email and social-media interactions are being used to gather community feedback.

In terms of the financial viability of a new city, why should residents trust only one study (that of the Carl Vinson Institute)? Economists frequently look at the same facts and come to polar-opposite conclusions.

- House Rules Committee requires study must be done by either Carl Vinson or Andrew Young. We do not have the money to commission two studies; CVI has extensive experience with cityhood economic studies.

Why is Henderson Road the boundary instead of Midvale? By having Midvale the boundary, all Midvale Elementary students would be in Lakeside, not just some of them.

- Civic and political leadership in the Tucker areas forced the change of boundary. With regard to school attendance districts, proposed city boundaries and school attendance zones are exclusive of each other. (See section on school-related questions).

Why is the vote being planned during the 2014 preliminary rather than the November general election (as stated in bill)?

- The language in the bill was borrowed from the Dunwoody model. The election date will be determined by the General Assembly.

Will permitting be slowed or stopped during rezoning?

- While LCA cannot speak for the council of a new city, it is likely that the DeKalb County zoning code (the current or the proposed ones) would most likely be adopted immediately by the city council, and any needed changes would be made over time. A temporary moratorium could be imposed, if necessary.

This meeting did not get as much publicity as the Tucker Middle School meeting or as much notice. Will you be holding other meetings, particularly in Tucker?

- LCA promoted this meeting in the same channels as prior meetings (media contact list, email list to individuals, civic associations, neighborhood associations, FB, Yahoo Group, website, etc). The Tucker meeting was not an LCA meeting – it was scheduled and promoted by Commissioner Elaine Boyer’s office. We do anticipate several other meetings, including the Tucker area.

Are you aware that legislation passed last year allowing specific tax money to go to specific community needs such as police? If you utilized this tax allotment system you wouldn’t have to go through the cost of “Cityhood”.

- This is a different issue than local control or zoning from money raised through county taxation.

Could an umbrella study be done to include alternative maps (for example: all of Tucker, Smokerise, Briarcliff, Druid Hills, etc.)?

- While possible, it would be very expensive (perhaps cost-prohibitive), and possibly more work than the Carl Vinson Institute could handle at this time.

Are there any plans to meet with the other areas that are considering “cityhood”, e.g. Tucker, Briarcliff/Druid Hills?

- There are several other areas that are considering potential study of cityhood, including at least the following: Prosperity, Stonecrest, Briarcliff, Lavista Hills, Tri-Cities, and Fernbank. We have spoken to representatives of some of these groups and have offered to meet with others, but some have not replied to schedule a meeting. We remain willing to meet with these groups.

What about North DeKalb Mall?

- The mall is outside of the current boundary area but could be considered as part of the LCA map or another cityhood study.

Is there a possibility of one city with an eastern border of Gwinnett County Line and West border of North Druid Hills, including Smokerise? Can the district be extended to include Druid Hills?

- Final boundaries have not been determined, but it is possible. However, we believe that such a boundary area would be too large to be community of interest or to sustain a manageable cost-efficient city.

How would you advise Druid Hills to do the same (study cityhood)?

- The same way that LCA did – talk to interested neighbors, organize and move forward.

Why do you want to separate from DeKalb County?

- A new city would still be part of DeKalb County, so it would not be separating. A city would be a transfer of some of the services that the County currently provides, which could allow more local control of resources and governance.

Will seniors 70+, if citizens of a new city, still be exempt from paying school operations tax (as currently in DeKalb County)?

- Yes.

What happens to all of the money we have paid into reserves of DeKalb?

- The money would remain with DeKalb County

Does the County still control the property appraisal process?

- Yes.

If the residential tax rate doesn't increase, will this be true for commercial tax rate?

- Yes.

What does this mean for our home values?

- Ideally, home values would increase if the city is successful and considered an attractive place to live.

What of Tucker combining together with presently proposed city?

- That is possible, but it is up to the residents of Tucker to discuss within its community.

Do you have any comments or preferences on the "NPU" vs. Planning Commission for use in a small city such as Lakeside would be?

- This is part of the discussion that a zoning and land use task force would have. LCA has zoning attorneys, city planners and experienced community members who have volunteered to explore this.

What percentage of the tax base should be from commercial entities to insure financial success?

- We have been told a minimum of 50% commercial is ideal, but there are cities with as little as 20% (even none in one case) and others with as much as 65%.

What is the time frame for the research?

- We have been told 4-6 months.

Tucker has numerous civic and community organizations that have been active for years. Have you considered that your proposed boundaries would divide residents that have worked together for years into two separate communities, in spite of their living within a mile of each other?

- Residents in and around Tucker have differing opinions about their community of interest. That is why we host community meetings to find out what each area wants.

With various groups proposing different alternatives, why can't they (you all) get together, resolve your differences and reach consensus? It would allow for much more effective planning and fundraising by having a single entity that everyone supports. What is it going to take to make that happen?

- We are open and glad to meet with any group, but not all groups are in the same area or share similar visions. The meeting part is easy, we've offered at every meeting to meet with interested groups. We have met with some, while others have chosen to pursue their own process.

Is there enough potential revenue from taxes and other income to provide the required services to support the operating expenses? Has this analysis been done and if so, what's the basis for it?

- A preliminary examination of the total property tax digest appears to support this, based on discussions with other cities and former officials, but the Carl Vinson Institute study will provide a more definitive answer.

How does the current map's land area compare to other new cities?

- The current boundaries of the draft map submitted by LCA are about 20 square miles. By way of comparison, Brookhaven and Dunwoody are about 12 square miles. Sandy Springs is about 38 square miles.

What is the fit between the city and county government? Do we vote in city and county elections? How do voting precincts fit in the city map? How do we form our city code?

- In general terms, the city would provide certain services that the county is currently providing, and the city would receive the tax dollars dedicated to providing those services. Virtually everything else would remain the same. Fire, sanitation, water, courts, jail, sheriff and host of other services would remain with DeKalb County. Likewise, forming a new city would have no effect on the DeKalb County School System. City residents would remain a part of DeKalb and would continue to vote for the same elected office, with the exception that city residents would also vote for city council members and the mayor of the new city. City residents would also have the power to approve or disapprove of new city taxes by referendum vote. Another difference is that the new city would collect the revenue from business licenses, hotel/motel tax and a few other sources.

Would there be more than one fire/police precinct; how long would the county service the area until they would be incorporated?

- Under the LCA proposal, fire services would remain a function of the County. By definition, new police precincts would have to be created since no such precincts currently exist. The Public Safety Task Force will help determine how many precincts are needed and where they should be located and housed.

When is the blue area on the map going to be informed of this?

- To the extent that there are residents who remain unaware of LCA's draft map, we will continue our outreach to make sure that as many residents are informed as possible.

Have you considered something other than a city – a township, for example?

- Townships are not an option under current Georgia law.

Lakeside Alliance has been unclear about the services it would provide but has mentioned zoning. How does a city go about establishing a new zoning code for an area that is already well established? Do you begin with what you have and then create overlay zoning? So, is the goal to just lay down more and more zoning rules and laws that will be mandatory for even existing homeowner to comply with? Or do you start with a clean slate and zone the area in line with a vision of the future and what you want to see?

- Let me address the premise of your question first, which states that LCA has been "unclear about the services it would provide." First, LCA would not provide any services. Once and if the feasibility study is completed LCA would be dissolved and cease to exist. Second, LCA has been clear about the services it is recommending for study to be provided by a new city. Those are: Parks & Recreation, Public Safety and Zoning. As we have said at each and every meeting, we proposed those three services to meet the minimum requirement because members of the community have mentioned those most often. We have also said that further study and additional community input may warrant adding additional services to that list and/or removing the proposed services from the list. To answer the second part of question, having local control over zoning could yield at least two objectives. First, it would provide the opportunity for better notice to residents and business owners. Take the current revision to the County Zoning Ordinance. The draft of the Code did not become available until last week, but nevertheless it's being considered by the BOC at the end of May. It was presented to Community Councils this week. At two Community Council meetings this week (one of which one of board members attended), the Planning employees who were assigned to the meetings as staff had not even read the draft and thus could not meaningfully advise the Community Council members. The document took five years to draft but now is being rushed it into a public hearing cycle without first giving citizens and stakeholders a reasonable opportunity to review it. Take as another example, proposed changes to the Lavista-Oak Grove intersection. Affected businesses owners have complained that the community was not kept in the loop by officials about the design of the improvements. They are now being told that it is a fait accompli. As folks from here to Tucker will remember, late-night Clubs seemed to appear in our community overnight without any input from the communities affected by the traffic, noise or other related issues.

Several groups have included some of the exact same areas in their proposed maps. Will residents of the affected areas be given the option of joining City A versus City B or no city at all on their ballots? If not, how will these overlaps be resolved? Who decides which city "gets" the affected neighborhood?

- No, only one map would be voted upon. We will continue to have community meetings to discuss, etc. Ultimately the legislature will decide which map will be voted upon.

If it the desire of a majority of the residents of a clearly defined community within the boundaries of the proposed City of Lakeside to remain in unincorporated DeKalb, will the LCA agree to exclude them?

- Within limits; an area cannot be isolated to be unserviceable. Additionally, there are laws and rules that might also come into play in drawing boundaries. Example: a community that asked to be removed from a draft map is the DECA/Clairmont Terrace neighborhoods. The same can be said for excluded areas who want in.

In Tucker, it has been noted that the major areas you were looking to include were commercial, a park, three schools and their residential areas. The areas you did not claim are some of our more established neighborhoods where a large portion of retired citizens live. We are just curious if this is the same pattern of inclusion / exclusion you followed when drawing the LCA map boundaries into unincorporated Decatur, Atlanta and the other surrounding areas or if you included the entire population of Toco Hills, Sagamore Hills, Oak Grove, Leafmore, etc. when you evaluated those areas? If there were different methodologies used, please explain.

- This isn't really a question so much as a baseless assumption of facts, and to the extent that a question can be gleaned out of this statement: There have not been and will not be any considerations of age, race, ethnicity, or other demographics in considering appropriate boundary areas. While the majority of the population in this part of DeKalb is white, there is a significant minority population within the boundary area as well. The current map is about 64% white. As mentioned in the presentation, the fundamental consideration that drives the boundary-drawing is define an area where people generally shop at the same stores, where their children attend the same schools and play on the same sports teams, where worshipers gather to observe their religions, etc. What we believe to be Tucker proper was not included in our map because at various times—and now again—that area has considered pursuing its own path to cityhood.

Will the Vinson Institute contribute any financing for the political campaigns of the individuals who will seek the city commission or mayor seats?

- Although we cannot speak for the Carl Vinson Institute and are certainly not experts on campaign finance law, I do not believe that CVI could contribute to any candidate since it is affiliated with the University System of Georgia.

COMMENTS

[PLEASE NOTE: comments are reproduced as submitted and do not necessarily reflect the opinions of the Lakeside City Alliance, its board members or other volunteers]:

“Property value goes up based on perceptions, which leads to higher/more taxes.”

“Do we have to be a part of Georgia?”

“Please make the map easier to read.” [NOTE: The map itself is produced the State of Georgia, which we receive in an as-is condition. There is better view of the map available on our website (www.lakesidealliance.org).]

“As a resident of Tucker I would like to keep Tucker intact.”

QUESTIONS SPECIFICALLY FOR OLIVER PORTER:

(Collected in writing from audience and presubmitted via email)

I understand the model city you describe in your book has been very successful for Sandy Springs, but the residential makeup of that area is unique in many ways. What are the core attributes that you saw in Sandy Springs that made it a good candidate for this form of privatized government that you would say are critical for other areas to have if they wish to replicate that model?

- Sandy Springs is not unique. The cityhood and Public/Private Partnership (PPP) models are appropriate for a very wide range of communities. We have started cities of 2500 to 100,000 in populations, in rural to high density areas. The Lakeside area falls well within these parameters and is an excellent candidate for adopting the model.

Here in the metro Atlanta area, we have a wide variety of communities that intertwine and connect to each other as the city sprawl from Atlanta has grown over the years. These interconnecting streets are part of Atlanta's charm as well as part of the traffic congestion we are known for. As this apparent trend of city development begins to spread, we will become in theory more like separate "bubbles" bumping up against one another on a map. Instead of road improvement projects that help metro commuters, we could end up with a patchwork of roads at various stages of either decline or improvement. How would you suggest solving a problem like this one when cities are only charged with servicing their smaller bubble and do not influence the overall plan of the county in terms of transportation?

- It has been rare that a city has created new roads. While Sandy Springs has paved over 100 miles of roads, these have been existing streets. Major intercity roads are typically owned by the state, such as GA 400 and Hwy 19 (Roswell Road) in Sandy Springs. Intercity cooperation on all matters has been prevalent when needed.

If multiple cities are created in a large urban area like ours and they all start popping up in relatively short succession, then they will likely be competing with each other to retain the best services for the best price from a finite list of true quality, experienced providers. Doesn't that mean that as time goes on, the last few cities to form, like the one being presented here tonight, will not have the same access to the top in class providers like Sandy Springs and Dunwoody did when they incorporated? An increased number of providers would be necessary but they would lack the same experience level. So, aren't we fooling ourselves to think that Sandy Springs can truly be replicated here in Atlanta? Instead, what we are really talking about would be more akin to creating a "knock-off" version of the original. Do you have any evidence that a "generic" or "knock-off" would work just as well?

- Actually, the fact is that there are many more companies that are willing and able to bid on the work of new cities. Remember that the companies that earned the business in the new cities were all inexperienced at that time and have done terrific jobs.

Dunwoody made many of the same promises to its voters when they wanted to incorporate, but their city leaders have stated that property values actually went down every year after incorporation. In addition, the study they relied on had far underestimated the cost of implementing their own police force, which had been one of the primary concerns for their residents at the time. When you have a business model that is already looking at the likelihood of declining revenues due to

the overbuilt housing market like what we are experiencing right now, and you also have to project that costs could be as much as 2X what the feasibility study suggests, does that still sound to you like the right time to proceed anyway? Some might say that is a very risky investment that could lead to

- Property values did fall but it was because of the general economy and not cityhood. None of the new cities have had big financial problems such as many existing cities have experienced, primarily due to the efficiencies presented by the PPP model. It appears that property values have bottomed and I would suggest that this is a good time to start a city. As to expenses for various services, the elected officials will make the decisions on which ones should be funded. Dunwoody chose to expand police coverage to a higher level than originally planned.

Dunwoody has already stated that they were not able to outsource in the same manner as Sandy Springs because they had more limitations on their funds. Their solution was to hire fewer companies and allow them to provide more than one service. Is this still a government created in the spirit of the system you are advocating or are they cutting corners that could lead to some problems down the road, such as creating a private monopoly of sorts that could later hike up rates or lower the quality of their service, such as many customers have said happened when ATT started offering "bundled" services to customers, seeking to be their primary utility?

- Dunwoody and the other new cities definitely adopted the model. Each community has shaped certain aspects differently as is appropriate. Companies cannot create a monopoly since the contracts are all under competitive bidding. In every city there have been multiple companies engaged as either the "master contractor" or sub-contractors. The contracts can and have been terminated when it was to the city's advantage.

I understand when an area has grown in population over a long period of time, some maybe even as much as 120 or more years, and those residents have a shared history and sense of pride and they want to incorporate because they believe the establishment of a local government will be able to provide services in a cost efficient manner that will benefit their citizens or help attract more of the commercial base necessary for a downtown area to thrive and provide jobs for the people who live in the community. However, as we have witnessed in other areas in DeKalb, and as many here believe is the case with this proposal for a City of Lakeside, you now have a group of individuals who like the idea behind incorporation but do not live in an area that has naturally grown ripe for it. So instead of a large, unified group with a shared vision, we have a group that in some ways has just had a lasso thrown over it and not everyone is happy about being tied with the same rope. Brookhaven is the perfect example of what is going on here. In fact, I believe some of these same politicians were involved in that city movement. Their vote for incorporation was practically a 50/50 split. Do you have any advice for city planners who are going into the development stage with half of their new citizens already feeling that were taken against their will? This type of process appears to me to be extremely corrosive to the very unity and sense of community it seeks to provide.

- There will naturally be a "show me" element of the community. The best answer is a well planned implementation with a careful selection of contractors. At this point doubters should look to the success of the other cities. By the way, I think that Brookhaven had a 54/46 vote. Actually not that close.

It appears that your book offers a long-term vision of what "could" be possible. But, what is the "short-term" vision? And, how much of both of these plans do you think should be shared with the public in order to gain their buy-in to the process? I can tell you that a large portion of people whom this alliance has identified are unaware of any need that would necessitate another layer of government.

- This is not another layer of government. It is the replacement of services that are inefficient with more efficient and responsive Government.

Lakeside Alliance has been unclear about the services it would provide but has mentioned zoning. How does a city go about establishing a new zoning code for an area that is already well established? Do you begin with what you have and then create overlay zoning? So, is the goal to just lay down more and more zoning rules and laws that will be mandatory for even

existing homeowner to comply with? Or do you start with a clean slate and zone the area in line with a vision of the future and what you want to see?

- LCA is a study group – at this time they are not designing a city or a city’s structure and/or services. They have identified 3 services based on community input. Initially the city will probably adopt the zoning codes of the county, and then in a systematic way, address every code to determine the current applicability to the community. Through due process, it will change codes that are not appropriate.

Doesn't the removal of money from an area (like the county) that has grown to rely upon it cause major upheaval for that system? How do you suggest we balance the benefits of a city with the harmful effects that will surely come to the county system?

- There should be no harmful effects to the county. First, if the county has been servicing the area properly, there will be a reduction in cost commensurate with the reduction in revenue. However, it is likely that the county has been short changing your community to the benefit of others. In that case there will be a reduction in net income to the county. Experience has shown that this relatively small reduction can easily be offset by improvement in the efficiency of these large counties and by the reduction of now un-needed workers. When Sandy springs was incorporated, Fulton County failed to take such steps, but even with that, today is running a surplus.

Lakeside has stated the their city model has not taken the schools into consideration, which is clear from their lack of consideration for school attendance lines and school board districts which have already been delineated by the state. How do your outsourced cities work to advocate for the schools inside their attendance lines? Are they able to speak with school board members when the individual parents and stakeholders are being kept more at arm's length based on the SACS accreditation standards?

- You are correct that the cities are not currently allowed to create new school districts. We hope that that will change through future legislation. City governments are able to advocate for the citizens with school boards. A current example is Sandy Springs taking a position on the Heard's Ferry School issue.

If a city wanted to create its own separate school system, hypothetically speaking, and that was something permitted by law, would the standard Carl Vision feasibility study include the information that they would need in order to determine viability? Or would they need a separate feasibility study in order to determine if this task was something they could accomplish based on the tax dollars for education they would be claiming?

- I believe that a separate study would be in order.

SCHOOL RELATED QUESTIONS:

(Collected in writing from audience and presubmitted via email)

LCA has stated numerous times, unequivocally, that the study for cityhood and DeKalb County School System issues is unrelated. These were questions submitted regarding schools.

Will this help the school situation?

- **No. This IS NOT a reason for city incorporation.** Presently, our State Constitution provides that no new school system could be established in a newly created city. The question regarding the impact on schools keeps coming up. To clarify:
 - A new city cannot create a new school system. Georgia's Constitution does not allow this. City school systems such as Atlanta, Decatur and Marietta were formed prior to the constitutional prohibition.
 - A city's boundaries have NO effect on the DeKalb County School System's attendance districts. Attendance districts will change only if DeKalb County School System redistricts.
 - If an amendment is ever made to Georgia's Constitution (which could be difficult) to allow new school districts, a city could potentially create a new school system if they so desired. It goes without saying, however, that no city school system could be created in our area unless a new city is formed.

There was a recent announcement about Henderson Middle being designated as the first STEM middle school in Georgia. Evansdale has already been established as a magnet for Science and Technology but has been nearly impossible for children outside the immediate community to get into due to its immediate neighborhood being able to fill it near capacity, save only 2 - 3 total seats per year (not per grade level, that's per year) that must be given out via a lottery. It would appear that there is the beginning of a charter cluster with Evansdale feeding Henderson and then feeding to Lakeside High School which has a stated goal of being a technology centered high school. Dunwoody has been working on its own version of a charter cluster, which involves more than just one elementary school in order to qualify under the new state law. Can you tell us what other schools you are looking at for your charter cluster and how you plan to convince the DeKalb School Board to redistrict Livsey and Midvale for this purpose when you have stated that your desire for a city is unrelated to anything related to education.

- The Lakeside City Alliance – and any cityhood study at present – has nothing to do with schools. We have not discussed forming a city or cluster school system, and we think it would be a mistake for anyone to support cityhood because he or she wants a city school or even a cluster system. We certainly acknowledge that some people are open to considering cityhood, at least in part, because of their experiences with both the County Government and the County School System. For better or for worse, however, we do not see the school system changing anytime before or even soon after any incorporation, if at all. The reasons to consider cityhood are all of those we have outlined tonight and probably some more we have yet to think of, but schools are not among the many reasons that we suggest the study is worth pursuing.

Are you aware that you are allowed to create charter schools and charter school clusters right now since all our schools are in the county school system? Why would a city be necessary if you can achieve your goal of a charter cluster now, without a city?

- See above.

Are you aware that Dunwoody has commissioned a legal study to determine if there is a way to change the state constitution so that more cities can create smaller school districts limited to just their own boundaries?

- Yes.

If the constitution is changed, would Lakeside City also be interested in creating its own school system?

- Even assuming the hypothetical (which assumes a great deal), none of us can speak for what the residents and officials of Lakeside (or whatever the city is called) would do after incorporation. LCA would not exist then.

Isn't this issue about the school portion of our taxes really a much bigger issue than anything else you have covered in your analysis of cities when you consider how much of our tax dollars are allocated toward both of these aspects of incorporation? For example, if my annual taxes in DeKalb County are around \$2,000, then about \$1400 of those dollars are going toward the schools (supposedly) but not necessarily the schools in my immediate community and not necessarily in a manner that would make the schools acceptable to the parents whom we would like to encourage to move to our area.

That leaves only \$600 for the rest of the county's projects and the city services you have discussed, if only three are taken on, would realistically only be entitled to a fraction of that amount. That means we are here tonight discussing about \$100 - \$200 and how the LCA will be using that money if they convince us to vote yes on their plan if it is able to get onto a ballot, right? So, shouldn't we actually be more concerned about how that \$1400 is being used RIGHT NOW and what LCA would do with it if we started paying it to them?

- Please see above about the schools not being a part of the LCA study parameters, but you raise a fair point about the relative amount of money that would be shifted to the new city would be a tiny, tiny part of the county portion of tax bills. As we explained earlier, roughly 2% of the county portion of tax bills in the boundary area would be shifted to the new city. The County would no longer be responsible for providing the services assumed by city and would therefore have a direct offset.

More importantly, shouldn't we be worried about how much money would be removed from the entire school system as a whole if Dunwoody, Brookhaven, Lakeside and others remove the School portion of funding out of DeKalb County taxes? If you are planning to create a city school system, removing a significant portion of YOUR school taxes and TUCKER's school taxes (as the retired citizens do not pay the school portion of the property tax bill) and unincorporated DECATUR's school taxes... then have you considered what the effects might be on the remaining families in Tucker and elsewhere in the county whom you did not include in your boundaries? Do you have a plan that would ensure they are not being denied their rights as taxpayers and their children are not being denied their rights to a quality educational system?

- See above. First, the new city would remain a part of DeKalb and taxpayers would continue to pay the same county and school taxes. Only a minute amount of revenue would be shifted to the city in proportion to the services that it would provide, so your hypothetical begs a question that is not at issue. Second, this question asks whether we have prepared for a hypothetical situation with respect to a service that is neither a part of the LCA study nor a part of LCA's discussion.

If there will no longer be a need for Tucker Middle, Smoke Rise and Brockett, do you have a plan other than demolition of these schools? Do you plan to annex Tucker High as well, but still leave out the rest of Tucker's residents from being able to access the schools their tax dollars have helped to build?

- We have no idea what your assumptions are based on or how they relate to LCA. LCA has never proposed or discussed annexing any schools or doing anything else with respect to county schools.