

CITY OF PINE LAKE
AGENDA
March 28, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA

NOTE: All attendees are reminded to silence cellular phones and other devices that may cause interruption of the session proceedings.

Call to Order

Announcements/Communication

Adoption of Agenda of the Day

Adoption of the Minutes

- Regular Meeting – March 14, 2023

Public Comments – 3 minutes each please

Old Business

New Business

1. Call for City of Pine Lake 2023 General Municipal Election
2. Resolution R-08-2023 – A Resolution Appointing the DeKalb County Board of Registrations and Elections to Conduct the City of Pine Lake, GA 2023 General Municipal Election
3. Engineering Proposal – Survey, Geotechnical, Construction Documents Creation and Construction Administration for the Replacement of Two (2) Pedestrian Bridges at the Lake in the City of Pine Lake – Clark Patterson Lee – \$28,937.00

REPORTS AND OTHER BUSINESS

Public Comments – 3 minutes each please

Staff Reports

Administration
Public Safety
Public Works

Reports/Comments

Mayor
City Council

Information for “The Pine Lake News” eblast.

Adjournment

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COUNCIL MEETING MINUTES
March 14, 2023 at 7:00 PM
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Call to Order Mayor Melanie Hammet called the meeting to order at 7:00pm.

Present: Mayor Melanie Hammet, Mayor pro tem Jean Bordeaux and Council members Brandy Hall, Tracey Brantley, and Nivea Castro. City Manager ChaQuias Miller-Thornton, Chief of Police Sarai Y’Hudah-Green and Administrative Coordinator Missye Varner. Council Member Augusta Woods and City Attorney Susan Moore were not present.

Announcements/Communication

Mayor Hammet announced that the P.L.A.I.N. Mardi Gras Breakfast was well attended with great food and music.

Mayor Hammet communicated that she had a late-night canoe trip on Saturday, March 11th. The mayor said that the that the guide stated that the development of wetlands creates a climate mitigator. The city currently has constructed wetlands.

Adoption of Agenda of the Day

Council Member Hall motioned to adopt the agenda, seconded by Mayor pro tem Bordeaux, the adoption of the agenda passed unanimously.

Adoption of the Minutes

- Regular Meeting – February 28, 2023

Mayor pro tem Bordeaux motioned to adopt the minutes; Council Member Castro seconded; the adoption of the February 28, 2023 meeting minutes passed unanimously.

Public Comments – 3 minutes each please

Copies of the Public Comments are on file in City Hall for reviewing. Please email missyeverner@pinelakega.net to request copy or call 404-999-4931 to schedule an appointment to review the copy on file.

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Old Business

There was not any Old Business.

New Business

1. Resolution R-06-2023 – Recognition of Chief Sarai Y’hudah-Green

Mayor Hammet read Resolution R-06-2023 – Recognition of Chief Sarai Y’hudah-Green and presented the resolution to Chief Green. Mayor pro tem Bordeaux motioned to adopt Resolution R-06-2023; seconded by Council Member Hall; the adoption of R-06-2023 – Recognition of Chief Sarai Y’hudah-Green passed unanimously. The Chief received a standing ovation for her 20 years of service to the City as Police Chief. The resolution will also be presented at the Georgia Legislature to Chief Green in the coming weeks.

2. Resolution R-07-2023 – Adoption of the 2022 DeKalb Countywide Hazard Mitigation Plan

City Manager Miller-Thornton presented Resolution R-07-2023 – Adoption of the 2022 DeKalb Countywide Hazard Mitigation Plan. Mayor Hammet read the preamble of the Resolution. Council Member Hall motioned to adopt Resolution R-07-2023; seconded by Mayor pro tem Bordeaux; the adoption of Resolution R-07-2023 – Adoption of the 2022 DeKalb Countywide Hazard Mitigation Plan passed unanimously.

3. Designation of Official City Liaisons to the DeKalb (GA) Emergency Management Agency Contact List

City Manager Miller-Thornton presented the Designation of Official City Liaisons to the DeKalb (GA) Emergency Management Agency Contact List. Mayor Hammet stated that this is the first official city liaisons listing for Pine Lake.

Mayor pro tem Bordeaux motioned to approve the DeKalb Emergency Management Agency Liaison Contact List; seconded by Council Member Castro, the Designation of

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Official City Liaisons to the DeKalb (GA) Emergency Management Agency Contact List was approved unanimously.

4. Plan and Preparation - Beach and Lake Opening 2023

City Manager Miller-Thornton presented the Plan and Preparation - Beach and Lake Opening 2023. Following discussion of the Beach and Lake Opening 2023; the season was approved for June 2, 2023 through September 24, 2023 with swimming Monday-Friday from Dawn to Dusk and Saturday and Sunday from Dawn to Noon and from 3:00PM to dusk. The vote was 3-2 with Mayor pro team Bordeaux and Council Member Hall voting in favor, Council Members Brantley and Castro voting against, and Mayor Hammet breaking the tie with a yay vote for the approval of June 2, 2023 through September 24, 2023 with swimming Monday-Friday from Dawn to Dusk and Saturday and Sunday from Dawn to Noon and from 3:00PM to dusk.

5. Structure Demolition – Gazebo and Nearby Bridge – 4580 Lakeshore Drive – Project No. Pine Lake PW2023-01 – Proposal Award

City Manager Miller-Thornton presented the Structure Demolition – Gazebo and Nearby Bridge – 4580 Lakeshore Drive – Project No. Pine Lake PW2023-01 – Proposal Award. Council Member Brantley motioned to approve the award of proposal Project No. Pine Lake PW2023-01 to Taylor Means Designs and Build in the amount of \$6,800.00; seconded by Council Member Castro and the approval passed unanimously.

REPORTS AND OTHER BUSINESS

Public Comments – 3 minutes each please

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Staff Reports

Administration – City Manager’s Report – ChaQuias Miller Thornton

Municipal Court

Employment Position:

Interview sessions have begun for the position of Municipal Court Clerk. A training proposal is also being composed that summarizes the level of training that is anticipated to be needed upon any potential hire of either applicant.

Public Works

The Administration received letter from the Georgia Department of Natural Resources, dated 02/27/2023, and confirming that the City’s 2021-2022 Phase I MS4s Annual Report has been accepted by the Environmental Protection Division. The Administration extends ‘thank you’ to Amanda Corr-Russell (Clark Patterson Lee – City Environmental Engineer) for compiling, informing, and issuing report response and Public Works, Chief Green, and the Administration Office for assistance in informing the report

Current City Projects:

- Demolition of the gazebo and nearby bridge solicitation packet was posted for public view and was submitted to contractors in hopes of receiving proposals for completion of the project. Summary of proposal(s) received and City Manager recommendation will be presented to Council following the closing date and time for proposal acceptance. The closing date/time is March 13th, 2023 at 3:00pm.
- At 03/07/2023 CPL provided update that CPL is waiting for a survey and geotechnical services proposal from its subcontractors on the project scope.
- Clark Patterson Lee has been working to communicate with Georgia Soil and Water Conservation Commission (GSWCC) regarding plan review for the Dam project. Update received on 03/07/2023 is as follows:

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- CPL made a submittal to GSWCC on 03/06/2023 and GSWCC received the plans resubmittal on 03/07/2023. CPL and the City are awaiting GSWCC review.
- CPL has received approval for the plans from GA Environmental Protection Division (EPD).
- CPL and the City are awaiting feedback from the environmental specialist on whether we will need an extension for the Army Corps of Engineers (ACOE) permit.

Administrative Matters

Internal Communications – Retention of Information

The retention of employees is important to an organization, and so is the retention of information when an employee transitions out of the organization. Both are especially true with top level/management level employees. My office is preparing to present to Council information and plan suggestions that will service to protect the retention of information held by employees of the City.

Financials and Audits:

FY2022 Budget Reconciliation and FY2022 Audit Preparation

The Administration Office continues to work to prepare financials and reports for the 2022 audit. The City has entered into a letter of engagement with James Whitaker, PC to conduct the 2022 audit. Audit dates have not yet been scheduled. The scheduled date(s) will consider current, extended 6-10 week leave of the City's Accounting Clerk.

Applications/Licenses:

The Administration has processed 19 business license renewals and 2 alcohol license renewals for the 2023 year.

Policy/Procedures Drafts:

Personnel Policy draft is nearing completion. The Administration Office expects presentation to Council in March 2023.

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Required Reporting: No report.

Other City Matters

Council retreat is scheduled for Saturday, March 25th, 2023. I would like to thank Council for beginning to submit its suggested retreat topics. The Administration Office asked that March 10th, 2023 be the cutoff for receipt of discussion topics, in an attempt to have adequate time to prepare and to publish the retreat agenda.

Public Safety

Chief Green reported that the Police Department are working on new initiatives and have three new reserve officers to be sworn in at a later date.

Chief Green reported that some of the disabled residents have indicated that the beach area was not easily accessible.

City Manager Miller-Thornton commented that the City has a waiver for swimming outside of the ropes and that the current ramp to the beach is ADA compliant and that the ramp passed inspections. Mrs. Miller-Thornton stated that sand drop ramps will be provided this year for a smoother transition.

Reports/Comments

Mayor

Mayor Hammet thanked City Manager Miller-Thornton and Chief Green for the newly revised Black Lives Matter banners that includes Mr. Tyre Nichols name. Mr. Nichols was murdered by police officers recently in Memphis, Tennessee.

Mayor Hammet commented that she had a good meeting with a representative of Blueprint Church and that they will be leasing their kitchen to a group from Ducks Kitchen in April 2023. The Mayor also stated that community integration was occurring between the city and church.

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City Council

Council Member Castro commented that City Manager Miller-Thornton need to be addressed as the City Manager and not by her name of ChaQuias as a means of respect.

Information for “The Pine Lake News” eblast.

Resolution Passed Recognizing Police Chief Sarai Y’hudah-Green as she Celebrates 20 years of service to the City of Pine Lake

The unanimously passed resolution formally recognizes Chief Green for her long-standing service to the community of Pine Lake, but also for her appointment to the position of Chief of Police deeming her the first Afro-American female municipal police chief to be appointed in the history of both Pine Lake and DeKalb County, GA.

Chief Green celebrates her 20th anniversary with the City on March 23rd. Be sure to congratulate her and let her know how much we all appreciate her.

Lake will open for swimming June 2nd, 2023, through September 24th, 2023.

For the 2023 swimming season the lake will be open for swimming Monday – Friday Dawn to Dusk and Saturday and Sunday from Dawn to Noon and from 3:00 PM to Dusk. The beach continues to be open for sunning, relaxing, and playing.

Bid Approved for Demolition of the Gazebo

Scope of work for this project is to demolish and remove the remainder of the gazebo including the concrete support piers beneath the structure and the small bridge behind and slightly NE of the structure. Work will be scheduled as soon as possible.

How Does Washing Your Car Affect the Lake?

Take a moment to find out the most responsible ways to wash your car.

Food Assistance Available to Pine Lake Neighbors

PLAIN’s Neighbor to Neighbor (N2N) program assists Pine Lake neighbors in need. If you or someone you know is food insecure or needs other assistance, please call 404

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491-0774 and leave a message. A volunteer will call back to discuss needs and help available. All contacts are kept confidential.

Adjournment Mayor pro tem Bordeaux motioned to adjourn at 8:16 pm; seconded by Council Member Brantley and passed unanimously.

Missye Varner, Administrative Coordinator

DRAFT

**CALL FOR AND NOTICE OF ELECTION
CITY OF PINE LAKE**

NOVEMBER 7, 2023 GENERAL ELECTION

TO THE QUALIFIED VOTERS OF CITY OF PINE LAKE, WITHIN DEKALB COUNTY,
GEORGIA:

YOU ARE HEREBY NOTIFIED that on the 7th day of November 2023, a municipal general election will be held in the CITY OF PINE LAKE, for the purpose of electing a Mayor and two (2) Council Members. Candidates who are elected in said election shall serve for a term of four years. Persons eligible to become candidates for said elections shall have been a resident of the city for the period of 12 continuous months immediately prior to the date of the election and be a qualified elector in the city.

Each candidate will file notice of his or her candidacy and the appropriate affidavit in the office of the Election Superintendent (City Clerk) at City Hall, 425 Allgood Road, Pine Lake, Georgia. Qualifying shall open at 8:30 a.m. on the 21st day of August 2023 and shall close at 4:30 p.m. on the 23rd day of August 2023.

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

The special election will be held in the regular polling place, City of Pine Lake Clubhouse, 300 Clubhouse Drive, Pine Lake, Georgia 30072. The polls will open at 7:00 AM and close at 7:00 PM.

This call is issued by the City of Pine Lake.

RESOLUTION# R-08-2023

A Resolution Appointing the DeKalb County Board of Registrations and Elections to Conduct the City of Pine Lake, GA 2023 General Municipal Election

WHEREAS, the City of Pine Lake, Georgia, will hold a General Municipal election on Tuesday, November 7, 2023; and

WHEREAS, the Mayor and City Council of the City of Pine Lake, Georgia hereby in agreement that it would be in the best interest of its citizens, pursuant to O.C.G.A. §21-2-45(c), to allow the DeKalb County Board of Registrations and Elections staff, equipment, and expertise to conduct the City of Pine Lake 2023 election; and,

WHEREAS, the individual duties and responsibilities of both City and DeKalb County staff shall be set forth in more detail in an Intergovernmental Agreement between the City and DeKalb County.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, by the City Council of the City of Pine Lake, Georgia, that the DeKalb County Board of Registrations and Elections conduct the City of Pine Lake election for 2023.

1. \$ 108.00 for the position of Mayor.
2. \$18.00 for the position of Council Member.

ADOPTED by the Mayor and Council of the City of Pine Lake, this **28th**, day of **March 2023**.

Melanie Hammett
Mayor
City of Pine Lake, Georgia

ATTEST:

ChaQuias Miller-Thornton
City Manager/Acting City Clerk
City of Pine Lake, Georgia



March 21, 2023

Ms. ChaQuias Miller-Thornton, City Administrator
PO Box 1325
Pine Lake, GA 30072

Re: Lake Bridges Replacement Proposal

Dear Ms. Miller-Thornton:

CPL Architecture, Engineering, and Planning is pleased to provide this proposal to create construction documents for the replacement of two pedestrian bridges in the city of Pine Lake, as follows:

Scope of Work

1. Obtain topographic survey of the bridges and adjacent areas.
2. Obtain bridge foundation investigation/soil borings of the proposed footing areas for each bridge (four areas total).
3. Create construction documents and specifications to replace the bridges with new timber pedestrian bridges.
4. Provide bidding administration.
5. Provide construction administration.

Fee Proposal

CPL will perform the above referenced scope of work as indicated below:

1. Phase 1 – Survey	\$ 3,047.50	(estimated - Direct Expense)
2. Phase 2 – Geotechnical	\$ 8,889.50	(estimated - Direct Expense)
3. Phase 3 – Construction Documents	\$12,000.00	(Lump Sum)
4. Phase 4 – Construction administration	\$ 5,000.00	(estimated – billed hourly)
Total	\$28,937.00	

Our construction administration effort will use the hourly rates listed in Appendix ‘B’. We will not exceed the estimated budget without authorization from the City.

Direct expenses will be billed at cost plus 15%. Direct expenses include, but are not limited to, subconsultant fees, reproduction cost, courier service, mileage, telephone/fax cost, etc.

TERMS AND CONDITIONS:

This agreement shall be administered in accordance with the Terms and Conditions listed in Appendix "A" and the hourly rates listed in Appendix "B" attached hereto.

This document together with the exhibits and/or appendices identified herein constitutes the entire understanding between Pine Lake and CPL with respect to the work to be performed by CPL for the benefit of Pine Lake and may only be modified in writing signed by both parties. Please sign and return the enclosed copy of this letter if this document satisfactorily sets forth the understanding of the arrangement between Pine Lake and CPL. Receipt of the signed agreement



Ms. ChaQuias Miller-Thornton
City of Pine Lake, GA
March 21, 2023
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will serve as our notice to proceed. This Contract will be open for acceptance for sixty days from the date of this letter.

We look forward to working with you on this project.

Sincerely,

CPL ARCHITECTURE ENGINEERING & PLANNING

A handwritten signature in black ink, appearing to read "Richard J. Edinger".

Richard J. Edinger, P.E.
Vice President

cc: file

Accepted by: _____ Date: _____

ChaQuias Miller-Thornton



Ms. ChaQuias Miller-Thornton
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APPENDIX "A" TERMS AND CONDITIONS

1. CPL Architecture, Engineering, and Planning (hereinafter CPL) shall perform the services defined in this Letter Agreement and Client agrees to pay CPL for said services as set forth in the agreement. In providing services under this Agreement, CPL shall perform in a manner consistent with and limited to that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality. CPL makes no warranty, express or implied, as to its professional services rendered under this Agreement. Accordingly, the Client should prepare and plan for clarifications and modifications, which may impact both the cost and schedule of the Project.
2. All documents including Drawings and Specifications prepared by CPL are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by Client or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by CPL for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to CPL; and Client shall indemnify and hold harmless CPL from all claims, damages, losses, and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle CPL to further compensation at rates to be agreed upon by Client and CPL.
3. Client agrees to additionally compensate CPL for services resulting from significant changes in general scope of Project, for revising previously accepted reports, studies, design documents, or Contract Documents, or for delays caused by others rather than CPL.
4. Construction cost estimates prepared by CPL represents CPL's best judgment as professionals familiar with the construction industry. It is recognized, however, that CPL has no control over cost of labor, materials, or equipment, over contractors' methods of determining bid prices, or over competitive bidding or market conditions. CPL cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from cost estimates prepared by CPL.
5. If requested by Client or if required by the scope of services of the Agreement, CPL shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the work and to determine in general if the work is proceeding in accordance with the Contract Documents. However, CPL shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work. CPL shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the Work, for the acts or omissions of the contractor, subcontractors, or any other persons performing any of the work, or for the failure of any of them to carry out the work in accordance with the Contract Documents.
6. Surveying will be provided as stated in the Agreement. Surveying provided on an hourly basis will be charged with a 4-hour minimum at the hourly rates in effect at the time the service is performed. Replacement of survey markers resulting from contractor disturbance or vandalism will be accomplished on an hourly basis.
7. The cost of permits, fees, toll telephone calls, courier service, reproduction of reports, Drawings, and Specifications, transportation in connection with the Project, and other out of pocket expenses will be reimbursed to CPL by Client at cost plus 15%.
8. CPL shall submit monthly statements for services rendered and for reimbursable expenses incurred. Statements will be based upon CPL's time of billing. Payment is due upon receipt of CPL's Statement. If Client fails to make any payment due CPL for services and expenses within 30 days after the date of CPL's statement therefore, the amounts due CPL shall include a charge at the rate of 1.5% per month (18% per annum), or portion thereof, from said 30th day, and, in addition, CPL may, after giving 7 days' written notice to Client, suspend services under this Agreement until CPL has been paid in full all amounts due CPL are collected through an attorney or collection agency, Client shall pay all fees and costs of collection.
9. This Agreement may be terminated by either party upon 7 days' written notice should the other party fail substantially to perform in accordance with its terms through no fault to the party initiating termination, or in the event Project is cancelled. In the event of termination, CPL shall be paid the compensation plus Reimbursable Expenses due for services performed to termination date.
10. This Agreement shall be governed by the laws of the State Georgia. In recognition of the relative risks and benefits of the Project to both the Client and the Consultant, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Consultant and Consultant's officers, directors, partners, employees, shareholders, owners and subconsultants for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert-witness fees and costs, so that the total aggregate liability of the Consultant and Consultant's officers, directors, partners, employees, shareholders, owners and subconsultants shall not exceed \$15,000 or the Consultant's total fee for services rendered on this Project, whichever is greater. It is intended that this limitation apply to any and all liability or cause of action, including without limitation active and passive negligence, however alleged or arising, unless otherwise prohibited by law. In no event shall the Consultant's liability exceed the amount of available insurance proceeds. In the event the Client does not wish to limit the Consultant's professional liability, the Consultant agrees to waive this limitation upon written notice from the Client and agreement of the Client to pay 25% of the Consultant's total fee within five (5) calendar days after this agreement is fully executed. This additional fee is in consideration of the greater risk involved in performing work for which there is no limitation of liability.



Ms. ChaQuias Miller-Thornton
City of Pine Lake, GA
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11. The services to be performed by CPL under this Agreement are intended solely for the benefit of the Client. Nothing contained herein shall confer any rights upon or create any duties on the part of CPL toward any persons not a party to this Agreement including, but not limited to, any contractor, subcontractor, supplier, or the agents, officers, employees, insurers, or sureties of any of them.

12. Client and CPL each binds himself and his partners, successors, executors, administrators, and assigns to the other party to this Agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement. Neither Client nor CPL shall assign, sublet, or transfer his interest in this Agreement without the written consent of the other; however, CPL may employ others to assist in the carrying out of duties under this Agreement.

13. In the event the Client, the Client's contractors or subcontractors, or anyone for whom the Client is legally liable makes or permits to be made any changes to any reports, plans, specifications or other construction documents, including electronic files, prepared by CPL without obtaining CPL's prior written consent, the Client shall assume full responsibility for the results of such changes. Therefore, the Client agrees to waive any claim against CPL and to release CPL from any liability arising directly or indirectly from such changes. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless CPL from any damages, liabilities or costs, including reasonable attorneys' fees and costs of defense, arising from such changes. The Client also agrees to include in any contracts for construction appropriate language that prohibits the Contractor or any subcontractors of any tier from making any changes or modifications to CPL's construction documents, including electronic files, without the prior written approval of CPL and that further requires the Contractor to indemnify both CPL and the Client from any liability or cost arising from such changes made without such proper authorization.



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APPENDIX "B"
CPL HOURLY RATES

PRINCIPAL ENGINEER	\$240 - \$290/HR
PROJECT MANAGER	\$190 - \$220/HR
SR. STAFF ENGINEER / SR. ARCHITECT / SR. PLANNER	\$ 145 - 165/HR
STAFF ENGINEER / ARCHITECT / PLANNER	\$ 125 - 150/HR
JR. ENGINEER / JR. ARCHITECT / JR. PLANNER	\$ 85 - \$125/HR
DESIGNER / DRAFTPERSON	\$ 60 - \$70/HR
JR. DESIGNER / JR. DRAFTPERSON / JR. PLANNER	\$ 50 - \$55/HR
SECRETARIAL	\$ 45/HR
AUTO MILEAGE	IRS RATE + 15%
MISCELLANEOUS	COST PLUS 15%

Last revised January 1, 2023