Tuesday, March 25, 2014
OPERATION AND FINANCE COMMITTEE

Committee Members
Commissioner Bechtel - Chairman
Commissioner Lucas - Vice Chairman
Commissioner Shepherd
Commissioner Schlesinger
Commissioner Watkins
Charles Coney - Staff Contact

1. Approval of Minutes

Subject: A. Approval of Minutes from the March 11, 2014 Meeting
Meeting: Mar 25, 2014 - OPERATION AND FINANCE COMMITTEE
Category: 1. Approval of Minutes
Access: Public
Type: Minutes

File Attachments
3-11-2014.pdf (16 KB)

2. Authorization for Mayor to Name Representative for General Obligation or Revenue Bond Funds

Subject: A. Resolution to Authorize the Mayor to Appoint Representatives as Custodians of Funds for General Obligation or Revenue Bond Funds, All Lease Purchase Agreements with Georgia Municipal Association and All Intergovernmental Contracts, Notes or Obligations
Meeting: Mar 25, 2014 - OPERATION AND FINANCE COMMITTEE
Category: 2. Authorization for Mayor to Name Representative for General Obligation or Revenue Bond Funds
Access: Public
Type: Action
Recommended Action: Approval

File Attachments
3-25-2014 - Authorization for Mayor to Designate County and City Representatives for Bond Issues.pdf (99 KB)
3. Approval of DABC 2012 Bond Funds

Subject: A. Request from Urban Development Concepts, LLC (UDC) for approval to draw up to $417,500 from DABC 2012 Bond Fund for pre-construction design and engineering expenses on property at 552 - 580 Cherry Street

Meeting: Mar 25, 2014 - OPERATION AND FINANCE COMMITTEE

Category: 3. Approval of DABC 2012 Bond Funds

Access: Public

Type: Action

File Attachments
3-25-2014 - Development Authority Bond Funds.pdf (171 KB)

4. Ordinance to Provide Local Preference for Procurement Services

Subject: A. Ordinance to Provide a Local Preference in Procurement of Consulting Services to Qualified Macon-Bibb County Persons, Firms or Corporations

Meeting: Mar 25, 2014 - OPERATION AND FINANCE COMMITTEE

Category: 4. Ordinance to Provide Local Preference for Procurement Services

Access: Public

Type: Action

Recommended Action: Approval

File Attachments
3-25-2014 - Local Preference in Procurement of Consultants.pdf (218 KB)
OPERATIONS AND FINANCE COMMITTEE

MINUTES

March 11, 2014

The Operations and Finance Committee was called to order at 9:00 a.m. by Committee Chairman Gary Bechtel.

COMMITTEE MEMBERS PRESENT:

Commissioner Gary Bechtel
Commissioner Elaine Lucas
Commissioner Scotty Shepherd
Commissioner Larry Schlossinger
Commissioner Virgil Watkins

COMMISSIONER ABSENT

Mayor Pro Tem Bert Bivins

NEWS MEDIA:

Anita Oh, 13 WMAZ
Jim Gaines, The Telegraph

VISITORS/GUESTS:

Theron Ussery, SPLOST Advisory Committee
David Cooke, District Attorney
Jeanette Watson, Election Supervisor
Wanzina Jackson, ECD
Charlotte Woody, ECD

OTHERS PRESENT:

Mayor Robert A. B. Reichert
Commissioner Al Tillman
Commissioner Ed DeFore
Commissioner Mallory Jones
Chief Deputy Russell Nelson, Sheriff's Office
Dale Walker, County Manager
Charles Coney, Asst. County Manager
Steve Layson, Asst. County Manager
Chris Floore, Assistant to the County Manager
Julie Moore, Assistant to the County Manager
Judd Drake, County Attorney
Sheila Thurmond, Clerk of the Commission
Jean Howard, Asst. Clerk of the Commission
Janice Ross, Training and Events Coordinator
Chris Johnson, Sr. Asst. County Attorney
Crystal Jones, Asst. County Attorney
Sam Henderson, Exec. Asst. to the Mayor
Danny Thompson, Sheriff's Office
Dave Fortson, County Engineer
Ben Hubbard, Director of Human Resources
Karen PENNYCUFF, Human Resources
Christy LULUCCI, Finance Director

1. Approval of Minutes

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Shepherd and carried unanimously with Commissioners Bechtel, Watkins and Lucas voting in the affirmative, the minutes of the February 25, 2014 meeting were approved.

2. Resolution for Self Insurer Certification for Workers Compensation.

Ben Hubbard explained that the purpose of the resolution is to combine both the City and County's self-insurance program.

March 11, 2014
ACTION:

On motion of Commissioner Lucas, seconded by Commissioner Watkins, and carried unanimously with Commissioners Bechtel, Shepherd and Schlesinger voting in the affirmative, the resolution to obtain certification as a Workers' Compensation Self-Insurer with the Georgia State Board of Workers' Compensation was approved.

Commissioner Bechtel stated that he would like a report regarding the balance in the account and the number of claims. Commissioner Lucas asked for a report on the Wellness Program.

3. Ordinance to Amend FY 14 Parks and Recreation Budget for Freedom Park

Commissioner Watkins updated the Committee on the changes at Freedom Park where the basketball court has been renovated for boxing which includes an 800 seat pavilion. There is a need to hire four part time boxing coaches. He continued that there needs to be strong oversight of these employees. Commissioner Lucas commented on her concerns regarding boxing and Commissioner Watkins responded that there is a difference between organized boxing and fighting. It was the consensus of the Committee that there needed to be more information gathered regarding the boxing coaches and it was agreed that Julie Moore and Charles Coney would do further investigation and report back to the Committee on their findings.

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, this item was removed from the agenda to give staff an opportunity to further investigate the hiring of boxing coaches.

4. Ordinance to Appropriate Funds to the District Attorney's Office

David Cooke addressed his concerns regarding the pay for Assistant District Attorneys in his office. He requested that an additional $60,000 be added to this year's budget to bring the Asst. DAs in line with the Solicitor's office. Dale Walker commented that this money would come from the General Fund. Commissioner Lucas stated that she would like to have a pay scale presented for all employees at the same time. Mayor Reichert asked how long the $60,000 would cover and Mr. Cooke responded for two months. Mayor Reichert then asked if that means that his FY15 budget would need to be increased by $240,000 and Mr. Cooke responded that it would. This pay increase would affect 20 employees.

ACTION:

Commissioner Schlesinger moved that the District Attorney's request for an increase of $60,000 for additional salary for his staff be approved. The motion failed for lack of a second.

5. Construction Award for Jeffersonville Road at Millerfield Road

David Fortson addressed the need to repair the rough intersection. There was only one bid and although a little higher than he expected, he thought the bid was reasonable and the work needed to be done.
**ACTION:**

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the resolution authorizing the Mayor to execute an agreement with Reeves Construction Company for the Jeffersonville Road at Millerfield Road milling and resurfacing project was approved.

6. Resolution Recognizing March as Purchasing Month

**ACTION:**

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the resolution to recognize the month of March 2014 as Purchasing Month was approved.

7. Supplemental Budget Requests

A. Ordinance to appropriate funds for Special Litigation

**ACTION:**

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the Ordinance to appropriate $500,000 from fund balance to Superior Court to fund special litigation occurring prior to June 30, 2014, was approved.

B. Ordinance to appropriate funds for requested salary, travel and dues within Clerk of Superior Court’s office.

**ACTION:**

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the Ordinance to appropriate $14,600 from FY 2014 General Fund balance to Clerk of Superior Court to fund salary, dues and travel was approved.

C. Ordinance to appropriate Commissary Funds for equipment for the jail.(Six Food Carts)

**ACTION:**

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordnance to appropriate $3,800 from Commissary Fund Balance to provide equipment for the jail was approved.

D. Ordinance to Fund Outstanding Purchase Orders from Bibb County and City of Macon-Bibb
ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordinance to appropriate from fund balances to the following funds to account for outstanding purchase orders from Bibb County and the City of Macon was approved.

E. Ordinance to appropriate funds for temporary workers in State Court Clerk's Office

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the Ordinance to appropriate $3,500 from FY2014 General Fund Balance to State Court Clerk Office for Temporary workers was approved.

F. Ordinance to appropriate funding to FY 2014 budget to account for the 2012 SPLOST Fund

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the Ordinance to appropriate $1,245,581 from 2012 SPLOST Fund Balance to account for activity for FY 2014 was approved.

G. Ordinance to appropriate funding to FY 14 budget to account for the MBC-UDA Bond Fund

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordinance to appropriate from MBC-UDA 2013 Bond Fund Balance to create FY 2014 budget was approved.

H. Ordinance to appropriate funds to the Airport to secure FAA grants for Taxiway lights

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordinance to appropriate $13,000 from FY2014 general fund balance to the FY 2014 Airport Fund to provide for the match amount to secure an FAA Grant for “Taxiway Lights” was approved.

I. Ordinance to appropriate funds for uniforms for Facilities Management

ACTION:

On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordinance to appropriate $7,700 from FY 2014 general fund balance to Facilities Management to provide for uniform purchases was approved.
J. Ordinance to appropriate funds for payment of taxable revenue bonds

**ACTION:**

*On motion of Commissioner Schlesinger, seconded by Commissioner Lucas, and carried unanimously with Commissioners Bechtel, Shepherd, and Watkins voting in the affirmative, the ordinance to appropriate $2,250 from FY 2014 General Fund balance to Debt Service to pay taxable revenue on the 2007 UDA bonds (Convention Center Hotel Project) was approved.*

There being no further business and on motion duly made and seconded, the meeting was adjourned.

______________________________
Sheila Thurmond, CCC
Clerk of the Commission
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION, TO AUTHORIZE THE MAYOR TO APPOINT COUNTY REPRESENTATIVES OR PROJECT SUPERINTENDENTS, CITY REPRESENTATIVES OR PROJECT SUPERINTENDENTS, CUSTODIANS OF FUNDS, PERSONS AUTHORIZED TO MAKE INVESTMENTS, AND OTHER PERSONS NECESSARY TO ACT ON BEHALF OF MACON-BIBB COUNTY WITH REGARD TO (A) ALL OUTSTANDING GENERAL OBLIGATION BONDS ISSUED BY BIBB COUNTY OR THE CITY OF MACON, (B) ALL REVENUE BONDS OF ANY PUBLIC AUTHORITY THE PAYMENT OF WHICH IS SECURED BY AN INTERGOVERNMENTAL CONTRACT WHICH OBLIGATED THE CITY OF MACON OR BIBB COUNTY TO PROVIDE MONEY FOR THE PAYMENT OF SUCH BONDS OR REQUIRED THE CITY OF MACON OR BIBB COUNTY TO AUTHORIZE THE EXPENDITURE OF BOND PROCEEDS OR THE INVESTMENT OF FUNDS, (C) ALL LEASE OR LEASE PURCHASE AGREEMENTS BETWEEN THE CITY OF MACON OR BIBB COUNTY AND THE GEORGIA MUNICIPAL ASSOCIATION, (D) ALL INTERGOVERNMENTAL CONTRACTS, NOTES OR OBLIGATIONS; AND FOR OTHER PURPOSES.

WHEREAS, GA. L. 2012, P.5595, as amended by GA.L.2013, p. (together, the “Act”) restructured the governmental and corporate powers, duties and functions vested in the City of Macon and Bibb County under a new charter which became effective on January 1, 2014, establishing a single county-wide government with powers and jurisdiction throughout the territorial limits of Bibb County, superseding and replacing the governments of the City of Macon and the Bibb County under the name Macon-Bibb County, the governing body for which is the Macon-Bibb County Commission (the “Commission”); and

WHEREAS, Section 4 of the Act provides that all contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or Bibb County or for their benefit prior to the effective date of the charter shall continue in effect according to the terms thereof as obligations and rights of Macon-Bibb County; and

WHEREAS, Section 21 of the Act provides that the Commission, as the governing authority of Macon-Bibb County, shall be the successor to the previously existing governing authorities of the City of Macon and Bibb County for all purposes relating to bonded indebtedness previously incurred by the City of Macon and Bibb County, including the enforcement of rights and remedies of bondholders; and

WHEREAS, there are (a) outstanding general obligation sales tax bonds issued by the City of Macon and Bibb County (b) outstanding revenue bonds issued by public authorities the security for payment of which are intergovernmental contracts or leases entered into between the City of Macon and such public authorities or Bibb County and such public authorities, (c) multi-
year lease or lease purchase agreements between the City of Macon or Bibb County and the Georgia Municipal Association, (d) notes between Bibb County and the Georgia Environmental Finance Authority, all the benefits and burdens of which bonds, intergovernmental contracts, leases, notes and similar obligations are now vested in Macon- Bibb County, a list of which obligations are attached to this resolution and made a part hereof as Exhibit A; and

WHEREAS, it is necessary and desirable that the Commission authorize the Mayor to take such actions to name such project superintendents, authorized Bibb County or City of Macon representatives or agents described in the public documents authorizing such obligations who are or may be required to lawfully approve and sign requisitions for the expenditure of funds, approve plans and specifications for projects, name custodians of funds, make investments, and perform all other duties for which an agent or representative may be required as described in the bond resolutions, indentures, contracts, leases, and other documents executed and delivered by or for the City of Macon or Bibb County in connection with all outstanding obligations listed on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by authority of the same, as follows:

1. The Mayor is authorized to appoint project superintendents, authorized Bibb County or City of Macon representatives or agents described in the public documents authorizing any of the obligations described on Exhibit A who are or may be required to lawfully approve and sign requisitions for the expenditure of funds, approve plans and specifications for projects, name custodians of funds, make investments, and perform all other duties for which an agent or representative may be required as described in the bond resolutions, indentures, contracts, leases, and other documents executed and delivered by or for the City of Macon or Bibb County in connection with such outstanding obligations.

2. The Mayor is authorized to change the title of such positions so as to make it clear that the persons appointed are representatives or agents of Macon- Bibb County and is further authorized to appoint replacements for any such representatives or agents named in any documents executed or delivered by the City of Macon or Bibb County with regard to any of the obligations described in Exhibit A and to approve all requisitions or other documents authorized or signed by any officers or agents of
Macon- Bibb County after the effective date of the charter but before the appointment of any such replacement.

3. The Mayor, the Clerk of Commission, the County Manager, Finance Director, County Attorney and other proper officials of Macon- Bibb County are authorized and directed to take such further actions and to make such certifications to public authorities and other governmental bodies, financial institutions, and other persons as may be required for the proper appointment or replacement of representatives or agents as authorized by this resolution.

4. All resolutions of the City of Macon or Bibb County which conflict with the provisions of this resolution are repealed to the extent of such conflict.

SO RESOLVED this _____ day of March, 2014.

ROBERT A.B. REICHERT, MAYOR

Attest: SHELIA THURMOND, CLERK OF COMMISSION

[SEAL]
Macon Issues

$7,860,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (City of Macon Projects), Series 2002A

$4,165,000 Macon-Bibb County Urban Development Authority (Georgia) Taxable Revenue Bonds (City of Macon Projects), Series 2002B

$3,600,000 Macon-Bibb County Industrial Authority (Georgia) Airport Improvement Revenue and Refunding Bonds (Atlantic Southeast Airline, Inc. Project), Series 2002

$10,945,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (Convention Center Hotel Public Contribution Project), Series 2007

$18,000,000 City of Macon (Georgia) General Obligation Sales Tax Bonds, Series 2012

Bibb County Issues

$11,700,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue and Refunding Bonds (Bibb County Public Facilities Project), Series 2002A

$1,210,000 Macon-Bibb County Urban Development Authority (Georgia) Taxable Revenue Bonds (Riverside Drive Project), Series 2002B

$6,240,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (Bibb County Public Projects), Series 2009

$11,500,000 Macon-Bibb County Industrial Authority (Georgia) Adjustable Rate Refunding and Improvement Revenue Bonds (Bass Pro and Sofkee Park Projects), Series 2009

$11,175,000 Macon-Bibb County Urban Development Authority (Georgia) Refunding Revenue Bonds (Bibb County Projects), Series 2010

$20,000,000 Bibb County (Georgia) General Obligation Sales Tax Bonds, Series 2012

$5,000,000 Development Authority of Bibb County Revenue Bonds (Urban Development Concepts Project), Series 2012
Development Authority of Bibb County Series 2012 Bonds

Summary Information

**Amount:**
$5,000,000.00 bonds issued by DABC at June 1, 2012

**Purpose:**
Provide gap style partial financing for the acquisition and substantial rehabilitation of residential and mixed use property developments in downtown Macon.

**Management:**
Projects under Management Agreement with Urban Development Concepts LLC., a subsidiary of NewTown Macon.

**Borrower's Equity Requirements:**
In each project the developer/borrower is required to have a bank loan of at least forty percent (40%) and an equity position composed of his own money equal to at least ten percent (10%) of the cost of such project.

Such minimums may be changed to higher or lower percentages with the consent of the Board of Bibb County Commissioners.

**Funds Committed to Date:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuance Costs</td>
<td>$ 81,500.00</td>
</tr>
<tr>
<td>Capitalized Interest</td>
<td>$ 67,986.34</td>
</tr>
<tr>
<td>377 Cotton Avenue</td>
<td>$ 60,000.00</td>
</tr>
<tr>
<td>Dannenberg Building</td>
<td>$1,969,940.00</td>
</tr>
<tr>
<td>Lofts at 401 Cherry</td>
<td>$ 470,000.00</td>
</tr>
<tr>
<td>Lofts at Poplar</td>
<td>$ 393,500.00</td>
</tr>
<tr>
<td>Sports Hall of Fame</td>
<td>$ 125,000.00</td>
</tr>
<tr>
<td>Lamar Drug Building</td>
<td>$ 800,000.00</td>
</tr>
<tr>
<td><strong>Total in Projects</strong></td>
<td><strong>$3,974,926.34</strong></td>
</tr>
</tbody>
</table>

Additional conditional commitments And June 2014 Interest

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td><strong>$4,735,726.34</strong></td>
</tr>
</tbody>
</table>
March 3, 2014
Mr. Charles Coney
Macon Bibb Finance
Macon, Georgia

Dear Mr. Coney,

Urban Development Concepts, LLC (UDC) is requesting approval to draw up to $417,500.00 of funds from DABC 2012 Bond Fund for pre-construction design and engineering expenses of property at 552-580 Cherry Street.

UDC was approved on November 25, 2013 to use $382,500.00 for the transitional purchase of this strategic property in our downtown revitalization plan. UDC has a contract to sell the property to Millworks Holdings, LLC with closing no later than June 24, 2014. Millworks Holdings, LLC would financially structure their purchase and renovation project within the guidelines of the DABC 2012 Bond fund including minimum 10% equity and 40% conventional bank loan.

On February 25, 2014, NewTown Macon/UDC Board approved the request to fund the pre-construction design and engineering expenses with bond funds as an increase of the purchase price to be paid by Millworks Holdings LLC. The total bond draw of $800,000.00 would become a permanent loan to Millworks Holdings LLC in the final funding structure.

The purpose of funding the pre-construction design and engineering at this time is to have the project shovel ready at the time of the June closing. This will accelerate the beginning of construction by six months and move the completion of the project forward as well.

Thank you for your assistance in the funding of this transaction.

Hal Baskin
Urban Development Concepts LLC
Lamar Drug Store - 552 Cherry Street

<table>
<thead>
<tr>
<th>Bond Amount Invested</th>
<th>$382,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Apartments</td>
<td>30 - 40</td>
</tr>
<tr>
<td>Commercial Spaces</td>
<td>5,000 sqft - 15,000 sqft</td>
</tr>
</tbody>
</table>

**Project Financial Structure**

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owners Equity</td>
<td>$ 600,000.00</td>
<td>10.00%</td>
</tr>
<tr>
<td>Bank Loan</td>
<td>$4,600,000.00</td>
<td>76.67%</td>
</tr>
<tr>
<td>DABC Bond Loan</td>
<td>$ 800,000.00</td>
<td>13.33%</td>
</tr>
<tr>
<td>Totals</td>
<td>$6,000,000.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

**Project Update**

- Property was foreclosed by Hamilton State Bank and placed on the market for sale.
- UDC closed on the transitional purchase for $425,000 on December 11, 2013.
- Funding of the transitional purchase was $42,500 UDC cash and a $382,500 bond loan.
- UDC has a contract to sell the property to Millworks Holdings LLC for $425,000 plus all holding costs up to $30,000 with sale closing by June 24, 2014.
- Millworks Holdings, LLC has requested a bond loan total of $800,000.00.
- The intent of Millworks Holdings LLC is to pursue Historic Tax Credits that would be used to reduce total debt of project.
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION TO AMEND SEC. 19-10 (B) OF THE CODE OF ORDINANCES FOR MACON-BIBB COUNTY, GEORGIA, SO AS TO PROVIDE A LOCAL PREFERENCE IN THE PROCUREMENT OF CONSULTING SERVICES TO QUALIFIED MACON-BIBB COUNTY PERSONS, FIRMS, OR CORPORATIONS; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, Macon-Bibb County has an interest in the development and support of locally owned businesses which may employ local residents and purchase materials, supplies, and equipment from other local businesses, both of which increase local tax revenues and promote economic growth in Macon-Bibb County; and

WHEREAS, promoting local economic development by encouraging businesses to locate within Macon-Bibb County and directing Macon-Bibb County funds for the benefit of local taxpayers, to include local businesses, is a legitimate purpose of local legislation; and

WHEREAS, in procuring consultants, providing a preference to local Macon-Bibb County persons and firms could reasonably be expected to achieve the above objectives and is anticipated to be of benefit to Macon-Bibb County; and

WHEREAS, the Macon-Bibb County Commission finds that it is in the best interest of the citizens of Macon-Bibb County to provide a preference in the procurement of consulting services to qualified Macon-Bibb County persons, firm, or corporations.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same:

Section 1.

That section 19-10 (b) of the Code of Ordinances of Macon-Bibb County, Georgia is hereby amended by adding the underlined text to read as follows:

“(b) All procurements of consultants, regardless of dollar amount, must be approved by resolution of mayor and commission after a review of the experience and qualifications of the proposed consultant to successfully perform the tasks for which the contract, procurement or appointment is made. Competitive procurement for such consultants shall be made when required by the mayor or resolution of mayor and commission. For purposes of this section, consultant shall include professionals and advisors (other than Macon-Bibb County employees and attorneys) whose
services are procured to give advice or provide professional services or to develop specific programs or design specific guidelines or policies. In the procurement of consulting services, preference shall be given to qualified Macon-Bibb County persons, firms, or corporations whenever practicable provided that the local preference established in this section shall in no way be construed to inhibit, limit or restrict the right and obligation of Macon-Bibb County to consider costs and to compare the experience and qualifications of the proposed consultant to successfully perform the tasks for which the contract, procurement, or appointment is made."

Section 2.

This Ordinance, to the extent necessary, shall be codified in a manner consistent with the laws of the State of Georgia and Macon-Bibb County.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.
Section 5.

This Ordinance shall become effective immediately upon its approval by the Mayor.

SO ORDAINED this ___ day of ____________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST:__________________________________________

SHELIA THURMOND, CLERK