

City Council of Peachtree City
Agenda
August 17, 2017
7:00 p.m.

- I. Call to Order
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Proclamation for National Payroll Week
 - Recognition of PTC Little League All Stars – 2017 Georgia State Champions
- IV. Public Comment
- V. Agenda Changes
- VI. Minutes
 - August 3, 2017, Regular Meeting Minutes
- VII. Consent Agenda
 - 1. Consider Bids for Detention Pond #11 Rehabilitation – McLeRoy, Inc.
 - 2. Consider Budget Adjustments – Protective Inspections
 - 3. Consider Authorization for Concrete Repairs (Fire Stations) – Frontier
- VIII. Old Agenda Items
- IX. New Agenda Items
 - 08-17-03 Public Hearing – Consider Transmittal Resolution, 2017 Capital Improvement Element (CIE) Annual Update *(Mike Warrix)*
 - 08-17-04 Consider Adoption of 2017 Millage Rate *(Paul Salvatore)*
 - 08-17-05 Consider WASA Enabling Legislation Resolution *(Jon Rorie)*
 - 08-17-06 Consider Bid for Right-of-Way Mowing Contract – Yellowstone Landscape *(Scott Hicks)*
 - 08-17-07 Consider Contract for Spillway Construction – North Georgia Concrete, Inc. *(Dan Davis)*
 - 08-17-08 Consider Authorization for Mayor to Execute GEFA Loan for Financing Lake Peachtree Spillway *(Jon Rorie)*
 - 08-17-09 Consider Award to ISE for Spillway Construction Management *(Jon Rorie)*
- X. Council/Staff Topics
 - Ordinance Amendment Preview – Adjustments in Organization and Department Responsibility *(Betsy Tyler)*
- XI. Executive Session
- XII. Adjourn

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting

City Council of Peachtree City
Meeting Minutes
August 3, 2017
7:00 p.m.

The Mayor and Council of Peachtree City met in regular session on Thursday, August 3, 2017. Mayor Vanessa Fleisch called the meeting to order at 7:00 p.m. Others attending: Terry Ernst, Mike King, Kim Learnard, and Phil Prebor.

Announcements, Awards, Special Recognition

Mayor Fleisch recognized Chris Hyatt, Justin Arnzen, Scott Verock, Joshua Marich, Darrel Davis, and Roger Chaney of the Police Department's Bravo Team and Gary Meier, Heather Scott, Andrew Ward, and Ryan MacCallum from the Criminal Investigation Division for their work leading to the arrest of five suspects believed to be responsible for over 60 counts of entering auto, burglaries, and stolen golf carts. Corporal Stephen Stoyell of the Police Department was recognized as the Employee of the Month, and Jeff Felmet of the Fire Department was recognized as the Supervisor of the Quarter. Fleisch commended Public Works Supervisor Scott Hicks on earning the Advanced Certificate of Public Works Management from the University of Georgia Carl Vinson Institute of Government in cooperation with the American Public Works Association.

Minutes

July 11, 2017, Budget Workshop

July 20, 2017, Regular Meeting

King moved to approve the July 11, 2017, budget workshop minutes as written. Learnard seconded. Motion carried unanimously.

King moved to approve the July 20, 2017, regular meeting minutes as written. Ernst seconded. Motion carried 4-0-1 (Learnard).

Consent Agenda

- 1. Consider Renewal of MOU with Board of Education (School Resource Officers)**
- 2. Consider FY 2017 Budget Amendment**
- 3. Consider Change Order – LMIG Paving Project**

Learnard moved to approve Consent Agenda items 1, 2, and 3. Ernst seconded. Motion carried unanimously.

Old Agenda Items

07-17-03 Consider FY 2018 Budget Resolution

Financial Services Director Paul Salvatore briefly reviewed the budget process, which included the City Council Retreat workshops held May 2 and June 6, budget workshops held June 26 and July 11, and public hearing on July 20.

The various funds in the FY 2018 proposed budget included the General Fund (\$34.878 million), Capital Improvement Program budget (CIP) (\$1.553 million), Stormwater Operations (\$2.353 million), Amphitheater Operations (\$1.054 million), Hotel/Motel Tax (\$1.522 million), and General Obligation (GO) Bond Fund (\$629,000).

Staff had received the property digest from the County the week prior to this meeting, and Salvatore discussed two kinds of digest growth – reassessment of existing property and new added growth (NAG). The majority of the growth was the reassessment of existing property, and the budget estimates had been based on those numbers. NAG was anything else that caused an increase in the net taxable digest, such as the value of new construction, but it did not provide as much

growth in the digest as reassessments. He explained that the term "rollback" applied only to changes in the current assessed value of existing properties. Revenue increases from NAG were not required to be calculated for the rollback calculation because of the new expenses, providing services, for the new growth. The digest also included any changes in exemptions.

Staff had estimated 7% growth in the tax digest for reassessments for the budget, Salvatore continued. The FY 2018 budget was based upon 3% property digest growth, and a 0.25 mil reduction had been proposed to roll back 4% of that estimated growth. The net digest had grown by 12.7%, including 3.75% from new growth. The new growth would support the 3% increase needed for the FY 2018 budget. Staff now proposed a full rollback of 0.524 mils. Salvatore added this had been the biggest growth in the digest that he had seen in 17 years. The proposed rollback completely negated the assessments, which meant there would not be a tax increase.

There were no changes proposed to the FY 2018 budget because of the higher than estimated growth that would be offset by a higher rollback. Fayette County had over 2,000 appeals still pending due to the high increase in assessments, and Salvatore did not know how many were from City property owners. As a result, the City might not realize the projected \$411,000 increase in the cash reserves, he said, adding the \$411,000 was approximately 3% of the Maintenance & Operations (M&O) tax levy (\$13,882,000).

The millage rates would be set at the August 17 City Council meeting, Salvatore announced. No hearings would be required due to the full rollback. The M&O rate would be reduced by 0.524 mils from 6.746 to 6.232. The bond rate would be reduced by 0.036 mils from 0.309 to 0.273. The total millage rate would decrease by 0.56 mils from 7.065 to 6.505.

Salvatore asked Council to take action on the budget resolution and supporting schedules as presented. Prebor said this had been all good news.

King moved to approve and adopt the FY 2018 budget as presented for \$34,466,930. Learnard seconded. Motion carried unanimously.

New Agenda Items

08-17-01 Consider Bids – SR 54/Planterra Way Intersection Improvements – AM Construction
City Engineer Dave Borkowski said staff had been working with the Georgia Department of Transportation (GDOT) on the improvements for the corridor for some time. The issues at this intersection included cars backing up in the left turn lanes on SR 54 and the split-phasing of the traffic signals. The improvements would create a dual left turn out of Walmart/Home Depot by removing the landscaped islands. A dedicated left lane, straight lane, and right turn lane would be created on Planterra Way, which would help get rid of the split-phasing. The length of the left turn lanes from SR 54 to Planterra Way and to Walmart/Home Depot would be extended 150 feet, and these improvements would be funded by the GDOT via a Quick Response Grant, Borkowski reported.

Staff recommended the bid be awarded to AM Construction, the low bidder, for \$852,628.12. Borkowski noted that the company's project manager had worked on projects in Fayette County previously and had good recommendations. There was no perfect time to do construction in a heavily travelled corridor, but by working with the contractor, Borkowski said they had a solid plan to mitigate the traffic impact. Some parts of the project had to be done during the day, but the majority of the work would be done at night. The work would also be phased, Borkowski said. The left-turn lanes on SR 54 would be done right away and completed by October 31. The remaining improvements would be done after the holiday shopping season had ended.

Funds were available in the Special Purpose Local Option Sales Tax (SPLOST), \$702,728.50; and GDOT would provide \$150,000 for the left-turn lanes on SR 54.

King asked what the estimated completion date was. Borkowski said the project, with the phasing, would be done in March 2018, reiterating that the left turn lanes on SR 54 would be done by October 31. Ernst agreed it was best to stop the work during the shopping season.

City Manager Jon Rorie said that, without phasing, they would have tried to do all the work at one time with "substantial completion" by October 31, noting that was another way of saying "not completed." Barrels and barricades would remain in the area through the holidays. He continued that staff would issue the bid for the SR 54/MacDuff Parkway intersection by the end of September, with a plan of starting work on that project as soon as SR 54/Planterra Way was completed. Rorie emphasized there was no good time to do a transportation project on an active road, and they were trying to mitigate the effects on the public.

Learnard moved to award the bid to AM Construction for the amount of \$852,628.12 for intersection improvements at SR 54/Planterra Way as presented. Prebor seconded. Motion carried unanimously.

08-17-02 Consider Resolution of Support for Fayette County TIP Funding Application

Borkowski said Fayette County was attempting to leverage federal money for the maintenance of the longer collector roads in the next round of Transportation Improvement Projects (TIP) grants administered through the Atlanta Regional Commission (ARC). The City had submitted approximately nine miles of roads, specifically Peachtree Parkway and Robinson Road from SR 54 south to the City limits. Part of the process required Council approval of a resolution of financial commitment to the project. The City would need to have a 20% match (\$975,445.80) for the funding given for its collector roads. The preliminary award determinations would start in the fall, with the grants given out in Spring 2018. Construction would likely begin in 2019. The funding would be available in the General Fund resurfacing line items, if awarded to the City.

Prebor asked how this type of funding had come about. Borkowski noted that federal money had not been readily available in several years, and the County and municipalities had come together to provide a list after the call for projects had come out.

Learnard moved to approve the resolution of support for the Fayette County TIP funding application and authorize the Mayor to sign the resolution of commitment. King seconded. Motion carried unanimously.

Council/Staff Topics

Lake Peachtree Spillway Project Update

Rorie asked Public Information Officer/City Clerk Betsy Tyler to discuss how the public would be kept informed about the project.

Tyler said there was a scrolling image on the left-hand side of the City's homepage with the link "Lake Peachtree Spillway Replacement." The link took people to the page with the information on the project. Six of the nine phases of the replacement had been completed. Tyler said updates would also be available in the weekly **UPDATES** newsletter.

Rorie said this was a large project, with a lot of moving pieces that required quite a bit of coordination. The project was in Phase 7, which was bidding, and bids were due August 10. The design was complete, and the bid documents were out. Permits had been issued by the Army Corps of Engineers. The City had applied for the State Waters Buffers Encroachment Permit, and

the public notice would expire on August 7. The City should receive the permit after the notice expired. The land disturbance permit had been issued by the City, and Borkowski was working an encroachment permit for the 100-foot reservoir buffer.

The bids were sent out on July 11, and all the bidders were pre-qualified. Eight bidders had been prequalified, and seven had attended the pre-bid conference. Bids were due on August 10, and the bid would be awarded at the August 17 meeting. Assuming Council accepted staff's recommendation for the bid, the notice of award would be done on August 21, and the lake would start the lowering process on Monday, August 28.

Everything was on target, Rorie said. Integrated Science & Engineering (ISE) would serve as the project managers and liaison working with Schnabel Engineering, basically serving as an extension of staff. The Notice to Proceed would be issued to the contractor on September 1, and the contractor was expected to begin installation of erosion control, tree save fencing, cart path detour signs, and miscellaneous items within two weeks of the Notice to Proceed.

Rorie continued that the contractor would be allowed to work some nights when there were significant concrete pours, with three days advanced notice and permission. The piano key weir was a 160-foot concrete spillway that would be broken down into eight sections. Each section must be poured in one day, with work beginning early in the morning and going into the night. The contractor's deadline for substantial completion was May 1, 2018. Substantial completion was the point when the lake could begin to fill. There were substantial liquidated damages in the contract should the contractor not meet the schedule, Rorie said.

The lake would be lowered eight feet (the amount done periodically so people could work on their docks) so the cofferdam could be constructed. After the first few months, the lake would go up two feet.

In addition, the land bridge to the island and the bridge from All Children's Playground to Drake Field would be built in the dry areas while the lake was lowered. They were working on the engineering for the bridges, so they could be put out to bid and built while the lake was lowered. The lake would begin going back to full pool around May 1. Money would be moved from Cash Reserves to start the work, then would be reimbursed as the SPLOST funds came in.

The cart path detour plan would also be posted on the City's website. The paths on the bridge on Kelly Drive could not be used during construction. A gravel path next to the Community Garden was part of the detour. The asphalt should be down by August 15. Site signage, including detour signage, would go up well before the lake was lowered and the paths were closed.

Fleisch noted that many trees would be taken down, and the look of McIntosh Trail would change.

Ernst asked how many concerts at The Fred would be affected by the path closing. Recreation Administrator Quinn Bledsoe there were concerts scheduled on August 26 and September 10. Rorie said the paths would close on August 29, so only one of the concerts would be affected.

Marianne Dias asked how the construction and path closings would affect Huddleston Elementary School. Rorie said he did not think the school traffic would be impacted, but staff would check with the school. He did not want to emphasize the trucks going in and out, but it was not smart to have 10 trucks lined up on Kelly Road at 7:30 a.m., and there was some control over that.

Rorie continued that the City had applied for a Georgia Environmental Finance Authority (GEFA) loan, which allowed the project to launch and created cash flow. The spillway was a SPLOST

project, and those projects would generally be on a pay-as-you-go basis. The first revenue check from SPLOST was not expected until September. The reimbursement resolution would allow the City to reimburse itself for the funds spent on the project. The application would go to the GEFA board on August 22 for consideration. Staff would bring a resolution to Council on August 17 that would authorize the Mayor to sign any documents necessary should the City's application be accepted.

Rorie said there had been some issues with the ingress and egress of the Fire Department's rescue boat into Lake Peachtree due to the incline of the boat ramps. The grade was too steep, and holes had been created at both the Battery Way and Pinecrest ramps. It was not a huge concern, but the issue was worthy of consideration while the lake was lowered, as long as it was cost effective to correct the problem.

Learnard said this had been a great update, adding that people would still be upset when the lake went down and think it was out of control again. This would be a scheduled, controlled, well-managed project, and people could be referred to the website.

Fleisch noted that having seven of the eight pre-qualified bidders attend the meeting was a very high percentage. Borkowski added it was a prestigious project, and companies were excited about it. This would be the first piano key weir in the United States. Rorie noted the interest rate on the GEFA loan was projected to be 0.81%. It would cost the City \$107,000 in interest if the loan were carried for 10 years, but the cash flow created for the rest of the SPLOST projects was huge. The City could also pay off the loan at any time without penalty.

King announced that the Peachtree City 12 and under Little League team won the state championship, and they had gone to Warner Robbins to participate in the regional tournament. Fleisch added the regional high school drone competition held at Riley Field the previous weekend had been a huge success.

Executive Session

Learnard moved to convene in executive session for threatened or pending litigation at 8:00 p.m. Ernst seconded. Motion carried unanimously.

King moved to reconvene in regular session at 8:13 p.m. Learnard seconded. Motion carried unanimously.

There being no further business, King moved to adjourn. Ernst seconded. Motion carried unanimously. The meeting adjourned at 8:14 p.m.

Pamela Dufresne, Deputy City Clerk

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jon Rorie, City Manager ✓
Paul Salvatore, Financial Services Director P.S.
Angela Egan, Purchasing Agent

FROM: Mike Madison, Stormwater Manager MM

DATE: August 7, 2017

SUBJECT: Detention Pond #11 Rehabilitation
August 17, 2017 City Council Consent Agenda

Recommendation: Staff recommends that City Council award the quote for the Detention Pond #11 Rehabilitation to McLeRoy, Inc. for their unit cost quote amount of \$55,320.00.

Discussion: During an inspection of Detention Pond #11, staff observed that the existing corrugated metal outlet control structure for the detention pond was leaning to one side indicating that the outlet structure was beginning to fail. Subsequent to the inspection, the outlet structure completely failed and the pond drained through the outlet pipe. In response to the issues, staff developed rehabilitation plans and solicited unit cost quotes from qualified contractors to perform the rehabilitation work. Quote results are as follows:

- | | |
|--------------------------------------|--------------------|
| 1. McLeRoy, Inc. | \$55,320.00 |
| 2. Ronnie D. Jones Enterprises, Inc. | \$69,100.00 |
| 3. Brent Scarbrough and Company | No Quote Submitted |

Budget Impact: Sufficient funds are available in Stormwater Contractual Services 521-4250-521245.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *P.S.*
Kelly Bush, Assistant Finance Director *KB*

DATE: August 7, 2017

SUBJECT: Budget Amendments – Protective Inspections
August 17, 2017 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment to amend the 2017 budget resolution by increasing the general fund budget revenues by \$208,000 and the general fund budget expenditures by \$208,000.

Discussion:

Attached please find the budget amendment for fiscal year FY17 submitted for your approval.

The requested amendment increases both the revenue and the expenditures for building permits. The City has a contract with Safe Built Georgia, Inc. for certain Building Department Services. This contract outlines the services provided and the payment for those services are based on 75% of the collected permit fees. To date revenues and expenditures are exceeding the budget. The request for a budget increase in revenues of \$208,000 and a budget increase in expenditures of \$208,000 is based on current year-to-date activity.

Budget Impact:

The proposed budget amendment will increase both the revenues and the expenditures in the General Fund by \$208,000 amending the Fiscal Year 2017 Budget Resolution.

Attachments
Budget Amendment

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

17-014

08/07/2017

[illegible]

NOW, THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2017 Budget Resolution for increased revenue and expense for protective inspections (building permits).

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 
Paul Salvatore, Director of Financial Services
Angela Egan, Purchasing Agent 

FROM: Joe O'Connor, Fire Chief 

DATE: August 11, 2017

SUBJECT: Request Authorization for Concrete Repairs
August 17, 2017 City Council Meeting

RECOMMENDATION:

Staff requests authorization from the Mayor and City Council to proceed with the repair/replacement of concrete driveway sections at three fire station by Frontier for a total price of \$75,180.00.

DISCUSSION:

The Fire Department has requested price quotes from local concrete contractors for the repair of concrete at three fire stations as described within the 2014 Facilities Bond project list. The repairs must be made in compliance with the recommendations as specified by the City Engineer following an evaluation completed by United Consulting on October 30, 2009. The projects include a total of ~8,500 square feet of area located at Station 81, 82 and 84.

	<u>Quoted Price</u>
Boss Construction	\$ 77,500.00
Frontier	\$ 75,180.00

BUDGET IMPACT:

This project was identified as a 2014 Facilities Bond project. Funding will be drawn from Facilities Bond 381-3510-541200.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager

FROM: Michael Warrix, AICP
Planning and Development Director 

DATE: August 10, 2017

SUBJECT: Consider Transmittal Resolution - 2017 Capital Improvements Element (CIE) Annual Update
August 17, 2017 City Council Meeting

Recommendation:

Staff recommends that Council approve the attached Transmittal Resolution and authorize staff to submit the 2017 Capital Improvements Element Annual Update draft report to the Atlanta Regional Commission and Georgia Department of Community Affairs for review and approval.

Discussion:

Staff has completed preparation of a draft 2017 Capital Improvements Element (CIE) Annual Update. The update consists of a Financial Report and an addendum to the city's recently adopted Community Work Program component of the Comprehensive Plan. This update is required by the Georgia Development Impact Fee Act and the Georgia Planning Act.

Budget Impact:

There are no budget impacts associated with this request.

ATTACHMENT

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PEACHTREE CITY
AUTHORIZING THE TRANSMITTAL OF THE
2017 CAPITAL IMPROVEMENTS ELEMENT (CIE) ANNUAL UPDATE
OF THE PEACHTREE CITY COMPREHENSIVE PLAN
TO THE ATLANTA REGIONAL COMMISSION FOR REVIEW.**

WHEREAS, the City of Peachtree City has prepared an annual update to a Capital Improvements Element; and

WHEREAS, the annual update of the Capital Improvements Element was prepared in accordance with the Development Impact Fee Compliance Requirements established by the Georgia Department of Community Affairs (DCA), and a Public Hearing was held on August 17, 2017 at 7:00 P.M. in the City Hall Council Chambers at 151 Willowbend Road in Peachtree City; and

BE IT THEREFORE RESOLVED, that the Mayor and Council of the City of Peachtree City does hereby submit the annual update of the Capital Improvements Element (CIE) covering the five-year period 2017 – 2021 to the Atlanta Regional Commission for review, as per the requirements of the Georgia Planning Act of 1989.

SO RESOLVED, this ____ day of _____, 2017.

Vanessa Fleisch, Mayor

Attest: _____
City Clerk

Capital Improvements Element

2017 Annual Update

Financial Report &
Community Work Program

Peachtree City, Georgia

August 17, 2017

Introduction

This Capital Improvements Element (CIE) Annual Update has been prepared based on the rules and regulations pertaining to impact fees in Georgia, as specified by the *Development Impact Fee Act* (DIFA) and the Department of Community Affairs (DCA) documents *Development Impact Fee Compliance Requirements and Standards and Procedures for Local Comprehensive Planning*. These three documents dictate the essential elements of an Annual Update, specifically the inclusion of a financial report and a schedule of improvements.

According to the *Compliance Requirements*, the Annual Update:

"...must include: 1) the Annual Report on impact fees required under O.C.G.A. 36-71-8; and 2) a new fifth year schedule of improvements, and any changes to or revisions of previously listed CIE projects, including alterations in project costs, proposed changes in funding sources, construction schedules, or project scope." (Chapter 110-12-2-.03(2)(c))

This Annual Update itself is based on the Peachtree City Capital Improvements Element, as adopted by the City on April 9, 2017.

Financial Report

The Financial Report included in this document is based on the requirements of DIFA, specifically:

"As part of its annual audit process, a municipality or county shall prepare an annual report describing the amount of any development impact fees collected, encumbered, and used during the preceding year by category of public facility and service area." (O.C.G.A. 36-71-8(d)(1))

The City's fiscal year runs from October 1 to September 30. Thus, the financial report included here is based on the audit prepared for FY 2016. The required financial information is summarized in Table 1, and detailed information for each public facility category appears in tables 3 through 5.

Schedule of Improvements

In addition to the financial report, the City has prepared a five-year schedule of improvements (Community Work Program (CWP), as specified in the *Compliance Requirements* (Chapter 110-12-2-.03(2)(c)), which states that local governments that have a CIE must "update their entire Short Term Work Program (Community Work Program) annually." The required annual CWP update addendum is presented as Table 6.

City of Peachtree City TABLE 2 PARKS & RECREATION Annual Impact Fee Financial Report										
Project Description	Public Facility: Service Area:	Parks/Recreation			Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2016	Impact Fees Encumbered through FY 2016	Status/ Remarks
		Project Start Date	Project End Date							
Parks & Recreation		FY 2010	FY 2027		\$ 3,021,612	98.44%	Property Taxes	\$ 14,224	\$ 417,448	
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED					\$ 3,021,612			\$ 14,224	\$ 417,448	

City of Peachtree City							
TABLE 1 SUMMARY							
Annual Impact Fee Financial Report FY 2016							
Public Facility	Parks/Recreation	Libraries	Police	Fire	Administrative Fees	TOTAL	
Service Area							
Impact Fee Fund Balance at September 30, 2015	\$ 344,206	\$ 36,161	\$ 106,301	\$ 689,919	\$ -	\$ 1,176,587	
Impact Fees Collected in Fiscal Year 2016	87,059	9,315	15,390	105,914	6,766	224,444	
Accrued Interest	407	43	115	751		1,316	
FY 2015							
(Administrative/Other Costs)	-	-	-	-	(6,766)	(6,766)	
(Impact Fee Refunds)	-	-	-	-		-	
(Project Expenditures)	(14,224)	(7,637)	-	-	-	(21,861)	
Impact Fee Fund Balance at September 30, 2016	\$ 417,448	\$ 37,882	\$ 121,806	\$ 796,584	\$ -	\$ 1,373,720	
Impact Fees Encumbered	\$ 417,448	\$ 37,882	\$ 121,806	\$ 796,584	\$ -	\$ 1,373,720	

City of Peachtree City TABLE 3 LIBRARIES Annual Impact Fee Financial Report										
Project Description	Public Facility: Service Area:	Libraries			Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2016	Impact Fees Encumbered through FY 2016	Status/ Remarks	
		Project Start Date	Project End Date	Estimated Cost of Project						
Libraries		FY 2010	FY 2027	\$ 318,766	99.84%	Property Taxes	\$ 7,637	\$ 37,882		
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED				\$ 318,766			\$ 7,637	\$ 37,882		

TABLE 4 POLICE										
Annual Impact Fee Financial Report										
Project Description	Public Facility: Service Area:		Police		Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2016	Impact Fees Encumbered through FY 2016	Status/ Remarks
	Project Start Date	Project End Date								
Police	FY 2010	FY 2027	\$	450,910	100.00%	N/A	\$	-	\$	121,806
								-		
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED					\$	450,910			\$	-
									\$	121,806

City of Peachtree City									
TABLE 5 FIRE PROTECTION									
Annual Impact Fee Financial Report									
Project Description	Public Facility: Service Area:	Fire		Estimated Cost of Project	Percentage of Funding from Impact Fees	Other Funding Sources	Expenditures for FY 2016	Impact Fees Encumbered through FY 2016	Status/ Remarks
		Project Start Date	Project End Date						
Fire Protection		FY 2010	FY 2027	\$ 3,166,507	96.82%	Property Taxes	\$ -	\$ 796,584	
								-	
TOTAL OF COSTS, EXPENDITURES & IMPACT FEES ENCUMBERED				\$ 3,166,507			\$ -	\$ 796,584	

TABLE 6
COMMUNITY WORK PROGRAM
SCHEDULE OF IMPROVEMENTS/CWP ADDENDUM
2017 - 2021

PROJECT DESCRIPTION	SERVICE AREA	2017	2018	2019	2020	2021	ESTIMATED PROJECT COST	PORTION CHARGEABLE TO IMPACT FEES	SOURCES OF FUNDS & SHARE	RESPONSIBLE PARTY
<i>Fire Protection & EMS</i>										
Purchase Heavy Vehicle Fire Apparatus	City-wide	X					\$526,503	100%	100% Impact Fees On-Hand	City Council/Fire Department
Construct Fire Station 85	City-wide	X	X	X			\$1,810,070	100%	86.3% New Impact Fees/13.7% Impact Fees On-Hand	City Council/Fire Department
<i>Police Services</i>										
Building Expansion	City-wide					X	691,738	100%	100% Impact Fees	City Council/Police Department
<i>Recreation Facilities</i>										
Annual Expansion of Multi-Use Path System	City-wide	X	X	X	X	X	\$609,156 Average Per Year	58.8%	55.7% New Impact Fees/3.4% Impact Fees on-Hand/40.9% General Fund	Recreation & Special Events Department & Public Works

Notes:

- All figures are Net Present Value.
- For projects that are not 100% impact fee funded, funding may be provided from the General Fund, the Capital Projects Fund, or other local taxation sources, as determined during the annual budget adoption process.
- Impact fee eligible projects for which impact fees are not on-hand when needed may receive interim financing from the General Fund or other taxation sources, including debt instruments, pending recoupment by the city as impact fees are collected.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: Jonathan N. Rorie, City Manager 
FROM: Paul J. Salvatore, Financial Services Director *P.S.*
DATE: August 7, 2017
SUBJECT: Adopt 2017 Millage Rates
August 17, City Council Meeting

Recommendation

Staff recommends that Council take action to adopt a Maintenance and Operation millage rate of 6.232 and a Bond millage rate of 0.273.

Discussion:

As previously presented at the August 3 City Council meeting, staff is in receipt of the property tax digest for tax year 2017. The net tax digest for Peachtree City grew by 12.47%, with 8.72% of that growth coming from reassessments of existing property and 3.75% coming from new added growth. As the property tax revenue from new added growth is sufficient to meet our budget estimates, staff recommends a full rollback of any property tax revenue increase that would result from the increased assessments. The rollback millage rate for Maintenance and Operation (M&O) is calculated at 6.232 mills. This is a decrease of 0.524 mills from the current M&O rate of 6.756 and represents 'no tax increase' for existing property owners.

The Bond millage rate should be set at 0.273 mills, which is a decrease of 0.036 mills from the current rate of 0.309. This levy will cover the amount needed to pay the remaining debt service on the Series 2003 Refunding General Obligation Bonds, which is due to be paid off in FY 2018. It will also cover debt service for FY 2018 on the Series 2011 Library Bond, due to be paid off in FY 2019.

If adopted as recommended, the total millage rate will decrease by 0.56 mills from 7.065 to 6.505.

Budget Impact

The 2017 M&O tax levy is expected to generate \$13,882,318 towards funding of FY 2017 - 2018 General Fund operations and the Bond levy should generate approximately \$608,281 towards funding of G.O. Bond debt service.



CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION FOR TAX YEAR 2017

<http://www.dor.ga.gov>

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

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

CITY NAME		ADDRESS		CITY, STATE, ZIP		
Peachtree City		151 Willowbend Road		Peachtree City, GA 30269		
FBI #	CITY CLERK	PHONE NO.	FAX	EMAIL		
58-1079955	Anne E. (Betsy) Tyler	(770) 487-7657	(770) 631-2505	psalvatore@peachtree-city.org		
OFFICE DAYS / HOURS		ARE TAXES BILLED AND COLLECTED BY THE () CITY OR (X) COUNTY TAX COMMISSIONER? LIST VENDOR, CONTACT PERSON AND PHONE NO.				
Mon. - Fri., 8AM - 5PM						
List below the amount & qualifications for each <u>LOCAL</u> homestead exemption granted by the City and Independent School System.						
CITY		INDEPENDENT SCHOOL				
Exemption Amount	Qualifications	Exemption Amount		Qualifications		
5,000	Age 65 or older & Federal AGI <\$30,000					
If City and School assessment is other than 40%, enter percentage millage is based on _____%. List below the millage rate in terms of mills. EXAMPLE: 7 mills (or .007) is shown as 7.000. PLEASE SHOW MILLAGE FOR EACH TAXING JURISDICTION EVEN IF THERE IS NO LEVY.						
CITY DISTRICTS	DISTRICT NO.	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
List Special Districts if different from City District below such as CID's, BID's, or DA's	List District Numbers	Gross Millage for Maintenance & Operations	**1 Less Rollback for Local Option Sales Tax	Net Millage for Maintenance & Operation Purposes (Column 1 less Column 2)	Bond Millage (If Applicable)	Total Millage Column 3 + Column 4
City Millage Rate	5	9.310	3.078	6.232	0.273	6.505
Independent School System						
Special Districts						
**Local Option Sales Tax Proceeds must be shown as a mill rate rollback if applicable to Independent School.						

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

Favette

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2017

Date _____

Mayor or City Clerk

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2017

COUNTY **FAYETTE**

TAXING JURISDICTION **City of Peachtree City (#5)**

INFORMATION FOR THE SHADED PORTIONS OF THIS SECTION MUST BE ENTERED

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

DESCRIPTION	2016 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2017 DIGEST
REAL	1,769,889,213	172,618,023	44,840,025	1,987,347,261
PERSONAL	257,820,160		35,023,996	292,844,156
MOTOR VEHICLES	50,957,040		-14,245,610	36,711,430
MOBILE HOMES	0		0	0
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	23,481		-3,137	20,344
GROSS DIGEST	2,078,689,894	172,618,023	65,615,274	2,316,923,191
EXEMPTIONS	98,124,702	0	-8,787,775	89,336,927
NET DIGEST	1,980,565,192	172,618,023	74,403,049	2,227,586,264
FLPA Reimbursement Value			0	
Adjusted NET DIGEST	1,980,565,192	172,618,023	74,403,049	2,227,586,264
	(PYD)	(RVA)	(NAG)	(CYD)
2016 MILLAGE RATE >>>	6.756	2017 PROPOSED MILLAGE RATE >>>		6.232

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2016 Net Digest	PYD	1,980,565,192	
Net Value Added-Reassessment of Existing Real Property	RVA	172,618,023	
Other Net Changes to Taxable Digest	NAG	74,403,049	
2017 Net Digest	CYD	2,227,586,264	(PYD+RVA+NAG)
2016 Millage Rate	PYM	6.756	
Millage Equivalent of Reassessed Value Added	ME	0.524	(RVA/CYD) * PYM
Rollback Millage Rate for 2017	RR	6.232	PYM - ME

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2017 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)

Rollback Millage Rate	6.232
2017 Millage Rate	6.232
Percentage Increase	0.00%

CERTIFICATIONS

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

Chairman, Board of Tax Assessors

Date

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

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2017 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2017 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2017 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2017 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

Signature of Responsible Party

Title

Date

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2017

COUNTY **FAYETTE**

TAXING JURISDICTION **City of Peachtree City Bond (#5)**

INFORMATION FOR THE SHADED PORTIONS OF THIS SECTION MUST BE ENTERED

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

DESCRIPTION	2016 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2017 DIGEST
REAL	1,769,889,213	172,618,023	44,840,025	1,987,347,261
PERSONAL	257,820,160		35,023,996	292,844,156
MOTOR VEHICLES	50,957,040		-14,245,610	36,711,430
MOBILE HOMES	0		0	0
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	23,481		-3,137	20,344
GROSS DIGEST	2,078,689,894	172,618,023	65,615,274	2,316,923,191
EXEMPTIONS	97,404,702	0	-8,617,775	88,786,927
NET DIGEST	1,981,285,192	172,618,023	74,233,049	2,228,136,264
FLPA Reimbursement Value			0	
Adjusted NET DIGEST	1,981,285,192	172,618,023	74,233,049	2,228,136,264
	(PYD)	(RVA)	(NAG)	(CYD)
2016 MILLAGE RATE >>>	0.309	2017 PROPOSED MILLAGE RATE >>>		0.273

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2016 Net Digest	PYD	1,981,285,192	
Net Value Added-Reassessment of Existing Real Property	RVA	172,618,023	
Other Net Changes to Taxable Digest	NAG	74,233,049	
2017 Net Digest	CYD	2,228,136,264	(PYD+RVA+NAG)
2016 Millage Rate	PYM	0.309	
Millage Equivalent of Reassessed Value Added	ME	0.024	(RVA/CYD) * PYM
Rollback Millage Rate for 2017	RR	0.285	PYM - ME

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2017 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)	Rollback Millage Rate	0.285
	2017 Millage Rate	0.273
	Percentage Increase	-4.21%

CERTIFICATIONS

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

Chairman, Board of Tax Assessors

Date

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

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2017 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2017 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2017 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

____ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2017 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

Signature of Responsible Party

Title

Date

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: Jonathan N. Rorie, City Manager 

DATE: August 11, 2017

SUBJECT: Resolution
August 17, 2017, City Council Meeting

Recommendation

That Council consider the attached Resolution of Support for the Georgia General Assembly to adopt changes to the enabling legislation for the Peachtree City Water & Sewerage Authority.

Background

At the July 20 meeting, Staff and Council reviewed options available to Council to retain control over the Water & Sewerage Authority's (WASA) ability to expand service beyond the boundaries of Peachtree City. The four options presented were:

- 1) Petition the General Assembly to amend the WASA enabling legislation to expressly require Council approval of extra-territorial expansion;
- 2) Amend the WASA enabling legislation to reconstitute the WASA board with a majority or all of its members constituting the membership of the City Council;
- 3) Amend the WASA enabling legislation to fold WASA into the City of Peachtree City as a department; and
- 4) Enter into a separate agreement with WASA limiting system expansion.

At the meeting, Council expressed interest in pursuing options one and two. The corresponding amendment language, along with a resolution of adoption and transmittal to the Fayette County Delegation for introduction in the 2018 session of the Georgia General Assembly, is attached.

Budgetary Impact

This item would have no direct or immediate budgetary impact.

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION No. _____

A RESOLUTION TO AMEND THE ACT CREATING THE PEACHTREE CITY WATER AND SEWERAGE AUTHORITY SO AS TO AMEND MEMBERS OF THE AUTHORITY AND REMOVE THE EXISTING MEMBERS OF SAID AUTHORITY; TO REQUIRE THE APPROVAL OF THE COUNCIL OF PEACHTREE CITY FOR CERTAIN AGREEMENTS OF THE AUTHORITY; TO APPROVE THE PROPOSED LEGISLATION TO BE INTRODUCED IN THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA SO AS TO AMEND SAID ACT; TO REPEAL CONFLICTING LAWS AND RESOLUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Peachtree City, Fayette County, Georgia, was duly incorporated by an act appearing at 1959 Ga. Laws, p. 2049, as amended by Ordinance No. 770, adopted September 6, 2001, et. seq.; and

WHEREAS, pursuant to the request by the Council of the City of Peachtree City, Georgia, the Peachtree City Water and Sewerage Authority was created in 1987, 1984 Ga. Laws, page 4935, as amended by 1996 Ga. Laws, page 3828; and

WHEREAS, the Council of Peachtree City has determined that it appears to be in the best interest of the citizens of Peachtree City, Georgia to amend the provisions of the Act creating the Peachtree City Water and Sewerage Authority so as appoint the Council of Peachtree City as ex-officio members of the Board of said Authority and to remove the existing members of the Authority; and

WHEREAS, the Council of Peachtree City has determined that it appears to be in the best interest of the citizens of Peachtree City, Georgia to amend the provisions of the Act creating the Authority so as to require the approval of the Council of Peachtree City for any agreement between the Authority any other political subdivision or

municipal corporation of the state with respect to acquiring a source of water supply, providing sewerage service, preparing engineering data, plans and specifications for a water and sewerage system, extending water mains, apportioning the costs of constructing, extending, and maintaining a water or sewerage system, or both, providing for the testing and inspection of facilities constructed, providing for rates to be charged for water and sewerage services furnished to users of the said system, providing for the reading of meters and keeping of pertinent records, apportioning, or designating the responsibility for any functions normally maintained by a water or sewerage system at the most reasonable cost possible.

THEREFORE BE IT RESOLVED, the proposed legislation attached hereto as Exhibit "A", to amend members of the authority and remove the existing members of the Authority, and to require the approval of the Council of Peachtree City for certain agreements of the Authority, is hereby approved and is to be presented to the Fayette County Delegation of the General Assembly of the State of Georgia so as to amend the Act creating the Peachtree City Water and Sewerage Authority in the form attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that said Fayette County Delegation of the General Assembly of the State of Georgia be and is hereby authorized to introduce said legislation in the General Assembly of the State of Georgia, in accordance with applicable State law.

BE IT FURTHER RESOLVED, that said member of the Fayette County Delegation of the General Assembly of the State of Georgia, to be selected by said Delegation, shall be authorized to advertise said intention to introduce legislation to

amend the Act creating the Peachtree City Water and Sewerage Authority so as to
amend the membership of said authority and provide for Peachtree City Council
approval of certain agreements with

IT IS SO RESOLVED, this _____ day of August, 2017.

ATTEST:

Betsy Tyler, City Clerk

Vanessa Fleisch, Mayor

Phil Prebor, Council-member, Post 1

Mike King, Council-member, Post 2

Kim Learnard, Council-member, Post 3

Terry Ernst, Council-member, Post 4

Exhibit A

Section 1. - Short title.

This act may be cited as the "Peachtree City Water and Sewerage Authority Act."

Section 2. - Water and sewerage authority [created; membership; organization].

(a) There is created the Peachtree City Water and Sewerage Authority as a public body corporation and by such name, style, and title, said body may contract and be contracted with, sue and be sued, implead and be pleaded, complain and defend in all courts of law or equity, except that the authority or the trustee acting under any trust indenture shall in no event be liable for any torts committed by any of its officers, agents, or employees.

(b) ~~The Peachtree City Water and Sewerage Authority~~ Upon the approval of this act, the sole members of the Authority shall be the members of the Council of Peachtree City, who shall be ex-officio members, and all members of the Board of the Authority in office upon approval of the Act are hereby removed. The membership, or any interest in such office, shall not be assignable or otherwise transferable. Membership in the Authority shall not confer upon any member any benefits or any rights or interests in or to any of the assets or properties of the Authority. ~~shall be composed of five (5) members. Within sixty (60) days after the approval of this act it shall be the duty of the mayor and council of the City of Peachtree City to appoint the membership of the authority, one (1) of whom shall be appointed for a term of one (1) year, ending December 31, 1987; one (1) for a term of two (2) years, ending December 31, 1988; one (1) for a term of three (3) years, ending December 31, 1989; one (1) for a term of four (4) years, ending December 31, 1990; and one (1) for a term of five (5) years, ending December 31, 1991. All subsequent appointments shall be for a term of five (5) years and until their successors shall have been duly appointed and shall be made by the mayor and council of the City of Peachtree City. No person shall be appointed to membership on the authority unless he or she has the same qualifications as are required for a person to vote in Peachtree City, Georgia. Members are removed from office by the city council of Peachtree City only for misconduct or in the event they move their residence from Peachtree City.~~

(c) Immediately after the passage of this act and the appointment of the members, the members of the authority shall enter upon their duties and as soon as is practicable thereafter they shall hold an organizational meeting. The Mayor of Peachtree City shall be the chairman and the members of the Authority shall elect one (1) of their number as vice-chairman. ~~The members of the authority shall elect one (1) of their number as chairman and another as vice-chairman. The members shall also elect a secretary and a treasurer, or a secretary-treasurer, who need not be a member of the authority. An assistant secretary may also be elected at the discretion of the authority. Four (4)~~ Three (3) members of the authority shall constitute a quorum. No vacancy on the authority shall impair the authority of the quorum to exercise all of the rights and powers of and perform all of the duties and obligations of the authority. The members of the authority shall not be entitled to any compensation for their services but shall be reimbursed for their actual expenses necessarily

Exhibit A

incurred in the performance of their duties. The authority may make rules and regulations and adopt bylaws for its own government. The authority shall have perpetual existence.

Section 3. - Definitions.

(a) As used in this act, the term:

(1) *Authority* means the Peachtree City Water and Sewerage Authority created in section 2 of this act.

(2) *Cost of the project* means and embraces, the cost of construction, the cost of all lands, properties, rights, easements, and franchises acquired, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction, the cost of engineering, architectural, fiscal, and legal expenses, and of plans and specifications, and other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expense, the cost of acquiring capital stock described in paragraph (7.1) of section 4 of this act, and such other expenses as may be necessary or incident to the financing authorized in this act, the construction of any project, the placing of same in operation, and the condemnation of property necessary for such construction and operation. The cost of any project may also include a fund or funds for the creation of a debt service reserve, a renewal and replacement reserve, and such other reserves as may be reasonably required by the authority with respect to the financing and operating of its projects and as may be authorized by any bond resolution or trust agreement or indenture pursuant to the provisions of which the issuance of any bonds may be authorized. Any obligation or expense incurred for any of the foregoing purposes shall be regarded as part of the cost of the project and may be paid or reimbursed as such out of the proceeds of revenue bonds issued under the provisions of this act for such project.

(3) *Project* means and includes the acquisition and construction of systems, plants, works, instrumentalities, and properties:

(a) Used or useful in connection with the obtaining of a water supply and the conservation, treatment, distribution, and sale of water for public and private uses;

(b) Used or useful in connection with the collection, treatment, disposal of sewage and waste;

together with all parts of any such system, plant, work, instrumentality, and property and all appurtenances thereto, including lands, easements, rights in land, water rights, contract rights, franchises, approaches, dams, reservoirs, generating stations, sewerage disposal plants, intercepting sewers, trunk connecting, and other sewers and water mains, filtration works, pumping stations, and equipment.

Exhibit A

(4) *Revenue bonds* and *bonds* mean revenue bonds authorized to be issued pursuant to this act and revenue bonds may be issued by the authority as authorized herein without any other actions or proceedings.

(b) Any project shall be deemed "self-liquidating" if, in the sole judgment of the authority, the revenues and earnings to be derived by the authority therefrom, including but not limited to any contractual payments, and properties used, leased, and sold in connection therewith, together with any grants, will be sufficient to pay the cost of operating, maintaining, repairing, improving, and extending the project and to pay the principal of and interest on the revenue bonds which may be issued for the cost of such projects.

Section 4. - Powers.

The authority shall have the power:

- (1) To have a seal and alter the same at its pleasure;
- (2) To acquire by purchase, lease, gift, or otherwise, and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes;
- (3) To acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, or by condemnation in accordance with the provisions of any and all existing laws applicable to the condemnation of property for public use, real property, rights, or easements therein, or franchises necessary or convenient for its corporate purposes, and to use the same so long as its corporate existence shall continue; and to lease or make contracts with respect to the use of or disposition of the same in any manner it deems to the best advantage of the authority, the authority being under no obligation to accept and pay for any property condemned under this act except from the funds provided under the authority of this act and in any proceedings to condemn, such orders may be made by the court having jurisdiction of the suit, action, or proceedings as may be just to the authority and to the owners of the property to be condemned, provided no property shall be acquired under the provisions of this act upon which any lien or other encumbrance exists unless, at the time such property is acquired, a sufficient sum of money be deposited in trust to pay and redeem the fair value of such lien or encumbrance;
- (4) To enter into an agreement with any other political subdivision or municipal corporation of the state with respect to acquiring a source of water supply, providing sewerage service, preparing engineering data, plans, and specifications for a water and sewerage system, extending water mains, apportioning the costs of constructing, extending, and maintaining a water or sewerage system, or both, providing for the testing and inspection of facilities constructed, providing for rates to be charged for water and sewerage services furnished to users of the said system, providing for the reading of meters and keeping of pertinent records, apportioning, or designating the responsibility for any functions normally maintained by a water and sewerage system

Exhibit A

at the most reasonable cost possible; provided, however, that any such agreement must be approved by the Council of Peachtree City;

(5) To appoint, select, and employ officers, agents and employees, including engineering, architectural, and construction experts, fiscal agents, and attorneys and fix their respective compensations;

(6) To make contracts and leases and to execute all instruments necessary or convenient, including contracts for construction of projects and leases of projects or contracts with respect to the use of projects which it causes to be erected or acquired, and any and all persons, firms, and corporations and any and all political subdivisions, departments, institutions, or agencies of the state and all special districts located in the City of Peachtree City are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they deem advisable;

(7) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects as hereinabove defined, the cost of any such project to be paid in whole or in part from the proceeds of revenue bonds of the authority or from such proceeds and any agency or instrumentality thereof or from the State of Georgia or any agency, instrumentality, or political subdivision thereof;

(7.1) To acquire projects as defined in this act by acquiring all of the issued and outstanding capital stock of any corporation primarily engaged in owning and operating projects for the purpose of promptly dissolving such corporation and transferring the assets of such corporation to the authority.

(8) To make loans with, and accept loans or grants of money or materials or property of any kind from, the United States of America or any agency or instrumentality thereof, upon such terms and conditions as the United States of America or such agency or instrumentality may impose;

(9) To make loans with, and accept loans or grants of money, materials, or property of any kind from, the State of Georgia or any agency, instrumentality, or political subdivision thereof, upon such terms and conditions as the State of Georgia or such agency, instrumentality, or political subdivision may impose;

(10) To borrow money for any of its corporate purposes, to issue negotiable revenue bonds payable solely from funds pledged for that purpose, and to provide for the payment of the same and for the rights of the holders thereof;

(11) To exercise any power usually possessed by private corporations performing similar functions, including the power to make short-term loans and to approve, execute, and deliver appropriate evidence of any such indebtedness, providing no such power is in conflict with the constitution or general laws of this state; and

(12) To do all things necessary or convenient to carry out the powers expressly given in this act.

Section 5. - Financing projects.

Exhibit A

The authority or any authority or body which has or which may in the future succeed to the powers, duties, and liabilities vested in the authority created by this act shall have power and is authorized at one time, or from time to time, to borrow money for the purpose of paying all or any part of the cost, as herein defined, of any one (1) or more projects and to provide by resolution for the issuance of negotiable revenue bonds for that purpose. The principal and interest of such revenue bonds shall be payable solely from the special fund herein provided for such payment. The bonds of each issue shall be dated, shall mature at such time or times not exceeding forty (40) years from their date or dates, shall be payable in such medium of payment as to both principal and interest as may be determined by the authority, and may be redeemable before maturity, at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority in the resolution providing for the issuance of the bonds. The interest rate or rates to be borne by any bonds and the time of payment of such interest shall be fixed and, with respect to any interest rate which floats in response to a variable, the method of calculation shall be fixed by the authority in the resolution providing for the issuance of the bonds. Any bonds issued by the authority shall be exempt from all laws of the State of Georgia governing usury or prescribing or limiting interest rates to be borne by bonds or other obligations.

Section 6. - Revenue bonds—Form; denominations; registration; place of payment.

The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company inside or outside the state. The bonds may be issued in coupon or registered form, or both, as the authority may determine, and provisions may be made for registration, conversion, and exchangeability privileges, rights of redemption, and may contain such other terms, covenants, assignments, and conditions as the resolution or resolutions authorizing the issuance of such bonds may provide.

Section 7. - Same—Signatures; seals.

All such bonds shall bear the manual or facsimile signature of the chairman or vice-chairman of the authority, the attesting manual or facsimile signature of the secretary, assistant secretary, or secretary-treasurer of the authority, and the official seal of the authority shall be affixed thereto, either manually or by facsimile. Any coupons attached thereto shall bear the manual or facsimile signatures of the chairman or vice-chairman and the secretary, assistant secretary, or secretary-treasurer of the authority. Any coupon may bear the facsimile signature of and may be manually signed, sealed, and attested on behalf of the authority, by such persons as at the actual time of the execution of such bonds shall be duly authorized or hold the proper office although at the date of issuance of such bonds, such persons may not have been so authorized or shall not have held such office. In case

Exhibit A

any officer whose signature shall appear on any bond or on any coupon shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

Section 8. - Same—Negotiability; exemption from taxation.

All revenue bonds issued under the provisions of this act shall have and are declared to have all the qualities and incidents of negotiable instruments under the laws of the State of Georgia pertaining to negotiable instruments. Such bonds are declared to be issued for an essential public and governmental purpose and said bonds, their transfer, and the income therefrom shall be exempt from all taxation within the state.

Section 9. - Same—Sale; price.

The authority may sell such bonds in such manner and for such price as it may determine to be for the best interest of the authority.

Section 10. - Same—Proceeds of bonds.

The proceeds of such bonds shall be used solely for the payment of the cost of the project or projects, and unless otherwise provided in the resolution authorizing the issuance of the bonds or in any trust indenture, additional bonds may in like manner be issued to provide the amount of deficit which, unless otherwise provided in the resolution authorizing the issuance of the bonds or in any trust indenture, shall be deemed to be of the same issue and shall be entitled to pay from the same funds without preference or priority of the bonds first issued for the same purpose. If the proceeds of the bonds of any issue shall exceed the amount required for the purpose for which such bonds are issued, the surplus shall be used for paying the principal of and the interest on such bonds.

Section 11. - Same—Interim receipts and certificates or temporary bonds.

Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue interim receipts, interim certificates, or temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter.

Section 12. - Same—Replacement of lost or mutilated bonds.

The authority may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost.

Section 13. - Same—Conditions precedent to issuance; object of issuance.

Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions, and things which are specified or required by this act. In the discretion of the authority, revenue bonds of a single

Exhibit A

issue may be issued for the purpose of any particular project. Any resolution providing for the issuance of revenue bonds under the provisions of this act shall become effective immediately upon its passage and need not be published or posted and any such resolution may be passed at any regular, special, or adjourned meeting of the authority by a majority of the quorum as provided in this act.

Section 14. - Same—Credit not pledged.

Revenue bonds issued under the provisions of this act shall not be deemed to constitute a debt of the State of Georgia, nor a pledge of the faith and credit of the said state, city, or county, but such bonds shall be payable solely from the fund hereinafter provided for and the issuance of such revenue bonds shall not directly, indirectly, or contingently obligate said state, city, or county to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment, and all such bonds shall contain recitals on their face covering substantially the foregoing provisions of this section.

Section 15. - Same—Trust indenture as security.

In the discretion of the authority, any issue of such revenue bonds may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank inside or outside the state having the powers of a trust company. Such trust indenture may pledge or assign fees, tolls, charges, revenues, and earnings to be received by the authority. Either the resolution providing for the issuance of revenue bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the acquisition of property, the construction of the project, the maintenance, operation, repair, and insurance of the project, and the custody, safeguarding, and application of all moneys, and may also provide that any project shall be constructed and paid for under the supervision and approval of consulting engineers or architects employed or designated by the authority, and satisfactory to the original purchasers of the bonds issued therefor, and may also require that the security given by contractors and by any depository of the proceeds of the bonds or revenues or other moneys be satisfactory to such purchasers, and may also contain provisions concerning the conditions, if any, upon which additional revenue bonds may be issued. It shall be lawful for any bank or trust company incorporated under the laws of this state to act as such depository and to furnish such indemnifying bonds or pledge such securities as may be required by the authority. Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of private

Exhibit A

corporations. In addition to the foregoing, such trust indenture may contain such other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation, and repair of the project affected by such indenture.

Section 16. - Same—To whom proceeds of bonds shall be paid.

The authority shall, in the resolution providing for the issuance of revenue bonds or in any trust indenture, provide for the payment of the proceeds of the sale of the bonds to any officer or person who, or any agency, bank, or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes hereof subject to such regulations as this act and such resolution or trust indenture may provide.

Section 17. - Same—Sinking fund.

The revenues, fees, tolls, charges, and earnings derived from any particular project or projects, regardless of whether or not such fees, tolls, charges, earnings, and revenues were produced by a particular project for which bonds have been issued, unless otherwise pledged and allocated, together with any grant funds, may be pledged and allocated by the authority to the payment of the principle [principal] of and interest on revenue bonds of the authority as the resolution authorizing the issuance of the bonds or the trust instrument may provide, and such funds so pledged, from whatever source received, which said pledge may include funds received from one (1) or more or all sources, shall be set aside at regular intervals as may be provided in the resolution or trust indenture into a sinking fund which shall be pledged to and charged with the payment of:

- (1) The interest on such revenue bonds as such interest shall fall due;
 - (2) The principal of the bonds as the same shall fall due;
 - (3) The necessary charges of paying agents for paying principal and interest;
- and
- (4) Any premium upon bonds retired by call or purchase as hereinabove provided.

The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of the revenue bonds or in any trust indenture, but, except as may otherwise be provided in such resolution or trust indenture, such sinking fund shall be a fund for the benefit of all revenue bonds without distinction or priority of one over another. Subject to the provisions of the resolution authorizing the issuance of the bonds or in any trust indenture, surplus moneys in the sinking fund may be applied to the purchase or redemption of bonds and any such bonds so purchased or redeemed shall forthwith be canceled and shall not again be issued.

Section 18. - Same—Remedies of bondholders.

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Any holder of revenue bonds issued under the provisions of this act or any of the coupons appertaining thereto, and the trustee under the trust indenture, if any, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by any trust indenture, may, either at law or in equity, by suit, action, mandamus, or other proceedings, protect and enforce any and all rights under the laws of the State of Georgia or granted hereunder or under such resolution or trust indenture, to be performed by the authority, or any officer thereof, including the fixing, charging, and collecting of revenues, fees, tolls, and other charges for the use of the facilities and services furnished.

Section 19. - Same—Refunding bonds.

The authority is authorized to provide by resolution for the issuance of refunding bonds of the authority for the purpose of refunding any revenue bonds issued under the provisions of this act and then outstanding, together with accrued interest thereon and to refund any revenue bonds issued by any city, county, or authority with respect to any facilities to be acquired by the authority from any such city, county, or authority. The issuance of such revenue refunding bonds, the maturities and all other details thereof, the rights of the holders thereof, and the duties of the authority in respect to the same shall be governed by the foregoing provisions of this act insofar as the same may be applicable.

Section 20. - Same—Venue and jurisdiction.

Any action to protect or enforce any rights under the provisions of this act or any suit or action against such authority shall be brought in the superior court of Fayette County, Georgia, and any action pertaining to validation of any bonds issued under the provisions of this act shall likewise be brought in said court which shall have exclusive original jurisdiction of such actions.

Section 21. - Same—Validation.

Bonds of the authority shall be confirmed and validated in accordance with the procedure of article 3 of chapter 82 of title 36 of the Official Code of Georgia Annotated, known as the "Revenue Bond Law [O.C.G.A. § 36-82-60 et seq.]." The petition for validation shall also make party defendant to such action any municipality, county, authority, political subdivision, or instrumentality of the State of Georgia or any other party which has contracted with the authority to furnish or receive the services and facilities of the water and sewerage system for which bonds are to be issued and sought to be validated and such municipality, county, authority, subdivision, or instrumentality or other party shall be required to show cause, if any exists, why such contract or contracts and the terms and conditions thereof should not be inquired into by the court and the validity of the terms thereof to be determined and the contract or contracts adjudicated as security for the payment of any such bonds of the authority. The bonds, when validated, and the judgment of validation shall be

Exhibit A

final and conclusive with respect to such bonds against the authority issuing the same, and any municipality, county, authority, subdivision, instrumentality, or other party contracting with the said authority.

Section 22. - Same—Interest of bondholders protected.

While any of the bonds issued by the authority remain outstanding, the powers, duties, or existence of said authority or of its officers, employees, or agents shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such bonds, and no other entity, department, agency, or authority will be created which will compete with the authority to such an extent as to affect adversely the interests and rights of the holders of such bonds. The provisions of this act shall be for the benefit of the authority and the holders of any such bonds and, upon the issuance of bonds under the provisions hereof, shall constitute a contract with the holders of such bonds.

Section 23. - Moneys received considered trust funds.

All moneys received pursuant to the authority of this act, whether as proceeds from the sale of revenue bonds, as proceeds of short-term loans, as grants or other contributions, or as revenues, fees, and earnings shall be deemed to be trust funds to be held and applied solely as provided in this act.

Section 24. - Purpose of the authority.

Without limiting the generality of any provisions of this act, the general purpose of the authority is declared to be that of acquiring, equipping, constructing, maintaining, and operating adequate water supply, treatment, and distribution facilities and sewage collection, treatment, and distribution facilities, making such facilities and the services thereof available to public and private consumers and users located in the City of Peachtree City and its environs, extending and improving such facilities, and doing all things deemed by the authority necessary, convenient, and desirable for and incident to the efficient and proper development and operation for such type of undertakings.

Section 25. - Rates, charges, and revenues; use.

The authority is authorized to prescribe, fix, and collect rates, fees, tolls, or charges and to revise from time to time and collect such rates, fees, tolls, or charges for the services, facilities, or commodities furnished and, in anticipation of the collection of the revenues of such undertaking or project, to issue revenue bonds as herein provided to finance in whole or in part the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of the water and sewerage system, and to pledge to the punctual payment of said bonds and interest thereon all or any part of the revenues of such undertaking or project, including the revenues of improvements, betterments, or extensions thereto thereafter made.

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Section 26. - Tax-exempt status of authority.

The properties of the authority, both real and personal, are declared to be public properties used for the benefit and welfare of the people of the State of Georgia and not for purposes of private or corporate benefit and income, and such properties and the authority shall be exempt from all taxes and special assessments of any city, county, or the state or any political subdivision thereof.

Section 27. - Rules and regulations for operation of projects.

It shall be the duty of the authority to prescribe rules and regulations for the operation of the project or projects constructed under the provisions of this act.

Section 28. - Powers declared supplemental and additional.

The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing.

Section 29. - Liberal construction of act.

This act being for the welfare of the City of Peachtree City, its inhabitants, and surrounding environs shall be liberally construed to effect the purposes thereof.

Section 30. - Effect of partial invalidity of act.

The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of any competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 31. - Effect on other political subdivisions.

This act does not in any way take from Fayette County or any other political subdivision or municipality located therein the authority to own, operate, and maintain water systems or issue revenue bonds as is provided by the "Revenue Bond Law" of Georgia.

Section 32. - Specific repealer.

An act creating the Peachtree City Water, Sewerage, and Recreation Authority, approved April 17, 1973 (1973 Ga. Laws, page 2989), is repealed in its entirety.

Section 33. - Effective date.

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This act shall become effective upon its approval by the governor or upon its becoming law without his approval.

Section 34. - General repealer.

All laws and parts of laws in conflict with this act are repealed.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan Rorie, City Manager
Paul Salvatore, Financial Services Director P.S.
Kelly Bush, Ass't Finance Director
Angela Egan, Purchasing Agent

FROM: Scott Hicks, Public Services Superintendent

DATE: August 8, 2017

SUBJECT: Grass Cutting and Right-of-Way Mowing
August 17, 2017, Council Meeting

Recommendation:

Staff recommends the City Council approve Yellowstone Landscape for the grass cutting and right of way mowing throughout the City for the proposed annual price of \$259,000.00 for calendar year 2018 with the option to extend the contract for two additional calendar years.

Discussion:

The Request for Proposals (RFP) was posted on the City's website and emailed to all known landscaping/landcare vendors. A mandatory pre-proposal meeting was held in mid-March. Any potential proposer was required to visit the sites, acquaint themselves with the area and ask questions of staff. Staff also used this time to emphasize the weighted criteria upon which the proposals would be evaluated. Six (6) firms were represented at the mandatory pre-proposal meeting.

Three firms submitted proposals. The following is the weighted criteria used for evaluation:

- | | |
|------------------|-----|
| • Price proposal | 40% |
| • References | 10% |
| • Equipment | 25% |
| • Experience | 25% |

Staff members who reviewed the proposals included Scott Hicks, Public Services Superintendent, Kelly Bush, Assistant Finance Director and Angela Egan, Purchasing Agent. Clearly the pricing was the easiest to evaluate. Price proposals were as follows:

Aabby Group, Inc.	\$360,224.00
Landcare, LLC	\$273,025.60
Yellowstone Landscape	\$259,000.00

As this was not a bid, pricing represented only 40% of the evaluation criteria. Because Yellowstone's pricing was the lowest and because staff was less familiar with them, we started evaluating them first. All three evaluators agreed Yellowstone should receive full credit (highest score possible) for the detail they supplied for references, equipment listing and experience.

Landcare is the City's current provider. The City is very familiar with the quality of the service they provide. Aabby is a local company and staff is also very familiar with the quality of service they provide.

However, the evaluators agreed that Yellowstone had the highest overall score when all four evaluation criteria were considered.

Budget Impact:

The City has budgeted \$259,000.00 in Public Works Budget under Contractual Service line 4100-100-521245 for mowing contract in the fiscal year 2018 general fund budget.



TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager *JNR*
Paul Salvatore, Financial Services Director *P.S.*
Kelly Bush, Assistant Finance Director
Angela Egan, Purchasing Agent *AE*
David A. Borkowski, P.E., M. ASCE, City Engineer *DB*

FROM: L.H. (Dan) Davis, P.E.

DATE: August 11, 2017

SUBJECT: Lake Peachtree Spillway Replacement Project
August 17, 2017, City Council Meeting

Recommendation:

ISE recommends that Council award the bid to the **North Georgia Concrete Inc.** for the bid amount of **\$4,387,730.50**, for Lake Peachtree Spillway Replacement Project.

Discussion:

Integrated Science and Engineering (ISE), Schnabel Engineering (Schnabel) and Peachtree City staff issued an invitation to pre-qualify for the Lake Peachtree Spillway Replacement Project on May 11, 2017. Eight firms submitted qualifications. ISE, Schnabel and City staff reviewed the submittals. It was determined that all eight contractors met the minimal qualifications and all eight contractors were issued the invitation to bid for the Lake Peachtree Spillway Replacement Project.

A mandatory pre-bid meeting was held July 19; seven of the eight pre-qualified contractors were in attendance. City staff was represented and in addition, both ISE and Schnabel attended and presented at this meeting. Attendees were encouraged to ask questions. The pre-bid meeting concluded with an on-site visit. Contractors submitted additional questions which were addressed in three addendums. Bids were received from four of the seven pre-bid attendees. Those base bids and alternates are as follows:

1039 Sullivan Road
Suite 200
Newnan, Georgia 30265
T: 678.552.2106

22 Barnard Street
Suite 240
Savannah, Georgia
31401
T: 912.480.6935

1290 Main Street
Suite C
Daphne, Alabama 36526
T: 251.210.2544

BIDDER	TOTAL
Crowder	\$5,973,890.00
Kiewit	\$5,716,449.00
Morgan Corp	\$7,081,060.00
North Georgia Concrete	\$4,387,730.50

ISE, Schnabel and City staff have reviewed the bids submittals for completeness. In addition, a review of the unit prices and calculated prices was completed. The calculations associated with the lowest qualified bidder, North Georgia Concrete, Inc. (NGC) bid were correct. ISE has managed more than 20 projects for Cities where NCG was the Contractor, and all projects were completed on schedule and within budget. These include two projects for Peachtree City, the Rockspray Pond dam as well as the Willow Bend project. Other projects completed with NGC include two Category I dams, Pye Lake dam in Fayetteville, and the Hatcher Dam for Clayton County Water Authority. NGC was the Contractor for Lake McIntosh as well, built for the Fayette County Water System.

Budget Impact:

\$2,000,000 will be funded through contractual agreement with Fayette County and the remaining \$2,387,730.50 will be funded through SPLOST revenues from SPLOST 2017 Project #28.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: Jonathan N. Rorie, City Manager 

DATE: August 11, 2017

SUBJECT: Authorization to sign GEFA Loan Docs
August 17, 2017, City Council Meeting

Recommendation:

Staff recommends authorization for the Mayor to sign the GEFA loan documents based on the following financial parameters:

GEFA Loan of \$3,154,200.00 at 0.81% interest rate for a ten-year amortization schedule.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager
Paul Salvatore, Financial Services Director *PS.*
Kelly Bush, Assistant Financial Services Director
Angela Egan, Purchasing Agent *AE*

FROM: David A. Borkowski, P.E., M. ASCE, City Engineer

DATE: August 10, 2017

SUBJECT: Lake Peachtree Spillway Replacement – Construction Management Services
August 17, 2017, City Council Meeting

Recommendation:

Staff recommends that City Council authorize the City Manager to sign Task Order 223 from Integrated Science and Engineering (ISE) for the amount of \$358,850 for construction management services.

Discussion:

Due to the size and complexity of this spillway replacement project, a dedicated project manager is needed to oversee the many project activities. In addition, detailed routine inspections and testing are needed on various critical components of the construction. ISE has teamed with Schnabel Engineering to perform these management, testing and inspection services. ISE will serve as the project manager and Schnabel will perform the detailed inspections and testing of the work as it progresses.

Due to the critical nature of this project and the absolute need to build the spillway correctly, staff is recommending contracting the construction management services to ISE.

Budget Impact:

Funds for this work will come from SPLOST project 38 (SPLOST17-038).

CITY OF PEACHTREE CITY – TASK ORDER FORM #223
Lake Peachtree Spillway Project- Contract Documents to Close-out
August 1, 2017

BACKGROUND INFORMATION

Integrated Science and Engineering . (ISE) has prepared this Task Order Form (TOF) to assist Peachtree City (City) with the bidding and construction of the “Lake Peachtree Spillway Project” (the Project). ISE shall serve as the City of Peachtree City’s Project Manager, as defined in the Contract Documents for the Project (The Project Contract Documents) between the Owner (the City of Peachtree City) and the Contractor (to be determined). The Peachtree City – Project Manager (PC-PM) will be Owner’s representative during the construction period. The duties and responsibilities and the limitations of authority of PC-PM as Owner’s representative during construction are set forth in the Contract Documents. Schnabel Engineering will serve as the Engineer of Record (EOR) and assist with the daily on-site inspection and testing services, further defined herein.

SCOPE OF WORK

Task 1. Contract Documents

PC-PM, assisted by the EOR, will complete the bid documents, prepare front end documents and the bid advertisement. PC-PM will also complete permitting and update the construction schedule.

Task 2. Bidding, Contractor Selection

PC-PM, assisted by the EOR, will coordinate and attend the pre-bid conference, the required site visit, prepare for Owner’s use responses to Request for Information and addenda to the Bidding Documents.

Task 3. Construction Administration/Observation/Inspection

For ease of understanding, the following tasks and description are consistent with the Project Manual for the Lake Peachtree Spillway Project.

3. 1. Visits to Site

PC-PM will make visits to the Site at intervals appropriate to the various stages of construction as PC-PM deems necessary in order to observe as an experienced and qualified design professional the progress that has been made and the quality of the various aspects of Contractor’s executed Work. Based on information obtained during such visits and observations, PC-PM, for the benefit of Owner, will determine, in general, if the Work is proceeding in accordance with the Contract Documents. PC-PM will not be required to make exhaustive or continuous inspections on the Site to check the quality or quantity of the Work. PC-PM’s efforts will be directed toward providing for Owner a greater degree of confidence that the completed Work will conform generally to the Contract Documents. On the basis of such visits and observations, PC-PM will keep Owner informed of the progress of the Work and will endeavor to guard Owner against defective Work.

PC-PM’s visits and observations are subject to all the limitations on PC-PM’s authority and responsibility set forth in Paragraph 9.09 of the Project Contract Documents. Particularly, but without limitation, during or as a result of PC-PM’s visits or observations of Contractor’s Work, PC-PM will not supervise,

direct, control, or have authority over or be responsible for Contractor's means, methods, techniques, sequences, or procedures of construction, or the safety precautions and programs incident thereto, or for any failure of Contractor to comply with Laws and Regulations applicable to the performance of the Work.

3. 2. Project Representative

As part of this scope of services, Owner and PC-PM agree that PC-PM will furnish a Resident Project Representative (through the EOR) to assist PC-PM in providing more extensive observation of the Work. The authority and responsibilities of any such Resident Project Representative and assistants will be as provided in the Supplementary Conditions of the Project Contract Documents, and limitations on the responsibilities thereof will be as provided in Paragraph 9.09 of the Project Contract Documents.

- 3.2.1. Review the Work at the Site during the periods as stipulated in the Owner-Peachtree City - Project Manager Agreement, and in accordance with Paragraph 9.02.
- 3.2.2. Communicate between the Owner, Contractor and Peachtree City - Project Manager.
- 3.2.3. Retain a copy of shop drawing submittals, testing results, Applications for Payment, Change Orders, Claims, and other correspondence at the Site.
- 3.2.4. Review Contractor's Application for Payment and Change Orders prior to submission to Peachtree City - Project Manager in accordance with Paragraph 9.06.
- 3.2.5. Perform the preliminary determination of the actual quantities and classifications of Unit Price Work performed by Contractor for the Peachtree City - Project Manager in accordance with Paragraph 9.07.
- 3.2.6. RPR will not participate in specialized field or laboratory tests or inspections conducted by others, except as specifically authorized by Peachtree City - Project Manager.

3. 3. Authorized Variations in Work

PC-PM may authorize minor variations in the Work from the requirements of the Project Contract Documents which do not involve an adjustment in the Contract Price or the Contract Times and are compatible with the design concept of the completed Project as a functioning whole as indicated by the Project Contract Documents. These may be accomplished by a Field Order and will be binding on Owner and also on Contractor, who shall perform the Work involved promptly. If Owner or Contractor believes that a Field Order justifies an adjustment in the Contract Price or Contract Times, or both, and the parties are unable to agree on entitlement to or on the amount or extent, if any, of any such adjustment, a Claim may be made therefor as provided in Paragraph 10.05 of the Project Contract Documents.

3. 4. Rejecting Defective Work

PC-PM will have authority to reject Work which PC-PM believes to be defective, or that PC-PM believes will not produce a completed Project that conforms to the Contract Documents or that will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. PC-PM will also have authority to require special inspection or testing of the Work as provided in Paragraph 13.04, whether or not the Work is fabricated, installed, or completed.

3. 5. Shop Drawings, Change Orders and Payments

- 3.5.1. In connection with PC-PM's authority, and limitations thereof, as to Shop Drawings and Samples, see Paragraph 6.17 of the Project Contract Documents.
- 3.5.2. In connection with PC-PM's authority, and limitations thereof, as to design calculations and design drawings submitted in response to a delegation of professional design services, if any, see Paragraph 6.21 of the Project Contract Documents.
- 3.5.3. In connection with PC-PM's authority as to Change Orders, see Articles 10, 11, and 12 of the Project Contract Documents.
- 3.5.4. In connection with PC-PM's authority as to Applications for Payment, see Article 14 of the Project Contract Documents.

3. 6. Determinations for Unit Price Work

PC-PM will determine the actual installed quantities and classifications of Unit Price Work performed by Contractor. PC-PM will review with Contractor the PC-PM's preliminary determinations on such matters before rendering a written decision thereon (by recommendation of an Application for Payment or otherwise). PC-PM's written decision thereon will be final and binding (except as modified by PC-PM to reflect changed factual conditions or more accurate data) upon Owner and Contractor, subject to the provisions of Paragraph 10.05 of the Project Contract Documents.

3. 7. Decisions on Requirements of Contract Documents and Acceptability of Work

PC-PM will be the initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the Work thereunder. All matters in question and other matters between Owner and Contractor arising prior to the date final payment is due relating to the acceptability of the Work, and the interpretation of the requirements of the Contract Documents pertaining to the performance of the Work, will be referred initially to PC-PM in writing within 30 days of the event giving rise to the question.

PC-PM will, with reasonable promptness, render a written decision on the issue referred. If Owner or Contractor believes that any such decision an adjustment in the Contract Price or Contract Times or both, a Claim may be made under Paragraph 10.05 of the Project Contract Documents. The date of PC-PM's decision shall be the date of the event giving rise to the issues referenced for the purposes of Paragraph 10.05.B of the Project Contract Documents.

PC-PM's written decision on the issue referred will be final and binding on Owner entitles them to and Contractor, subject to the provisions of Paragraph 10.05 of the Project Contract Documents.

When functioning as interpreter and judge under this Paragraph 9.08, PC-PM will not show partiality to Owner or Contractor and will not be liable in connection with any interpretation or decision rendered in good faith in such capacity.

3. 8. Limitations on PC-PM's Authority and Responsibilities

- 3.8.1. Neither PC-PM's authority or responsibility under Article 9 of the Project Contract

Documents or under any other provision of the Project Contract Documents nor any decision made by PC-PM in good faith either to exercise or not exercise such authority or responsibility or the undertaking, exercise, or performance of any authority or responsibility by PC-PM shall create, impose, or give rise to any duty in contract, tort, or otherwise owed by PC-PM to Contractor, any Subcontractor, any Supplier, any other individual or entity, or to any surety for or employee or agent of any of them.

- 3.8.2. PC-PM will not supervise, direct, control, or have authority over or be responsible for Contractor's means, methods, techniques, sequences, or procedures of construction, or the safety precautions and programs incident thereto, or for any failure of Contractor to comply with Laws and Regulations applicable to the performance of the Work. PC-PM will not be responsible for Contractor's failure to perform the Work in accordance with the Contract Documents.
- 3.8.3. PC-PM will not be responsible for the acts or omissions of Contractor or of any Subcontractor, any Supplier, or of any other individual or entity performing any of the Work.
- 3.8.4. PC-PM's review of the final Application for Payment and accompanying documentation and all maintenance and operating instructions, schedules, guarantees, bonds, certificates of inspection, tests and approvals, and other documentation required to be delivered by Paragraph 14.07.A of the Project Contract Documents will only be to determine generally that their content complies with the requirements of, and in the case of certificates of inspections, tests, and approvals that the results certified indicate compliance with, the Contract Documents.
- 3. 9. The limitations upon authority and responsibility set forth in Paragraph 9.09 of the Project Contract Documents shall also apply to the Resident Project Representative, if any, and assistants, if any.
- 3. 10. Compliance with Safety Program

While at the Site, PC-PM's employees and representatives shall comply with the specific applicable requirements of Contractor's safety programs of which PC-PM has been informed pursuant to Paragraph 6.13.D. of the Project Contract Documents.

3. 11. Testing

The PC_PM, through the EOR, will perform testing. The following testing services are required for this project:

- 1. Section 02201 - Earthfill: Compaction Testing.
- 2. Section 02202 – Select Fill
- 3. Section 03300 - Cast-in-Place Concrete: Field Quality Control.

Testing and source quality control may occur on or off the project site.

Reports will be submitted by the EOR to the PC-PM and Contractor, indicating observations and results of tests and indicating compliance or non-compliance with Contract Documents. Testing does not relieve Contractor from performing quality Work to contract requirements.

Re-testing required because of non-conformance to specified requirements shall be performed by the EOR in collaboration with the PC-PM. Payment for re-testing will be charged to the Contractor by deducting such testing charges from the Contract Sum/Price.

Task 4. Project Close-out

PC-PM will provide record drawings of the completed construction to the Owner as part of this Task. A quality control summary report and an operations manual are also included as part of this task.

SCHEDULE

It is anticipated that all work can be completed within a 34 weeks construction period (NTP to Substantial Completion) for Task 3.

FEE ESTIMATE

In accordance with our Engineering Design Services Contract dated May 1, 2003, ISE anticipates that the scope of work detailed above can be performed on a lump sum / hourly basis for the not to exceed fees detailed below:

Fee Estimate

Task 1 – Contract Documents	\$10,750 (Lump Sum)
Task 2 – Bidding, Contractor Selection	\$5,700 (Lump Sum)
Task 3 – Construction Administration/Observation/Inspection*	\$300,900 (Hourly)**
Task 4 – Project Closeout	\$41,500 (Lump Sum)
	Total = \$358,850

*predicated on 34 weeks of construction

** The hourly rates for the EOR are attached.

AUTHORIZATION

The Scope of Services outlined herein will be performed in accordance with ISE's Master Services Agreement with Peachtree City dated May 1, 2003. As our authorization, please sign in the space provided below.

City of Peachtree City

Signature: _____

Name: _____

Date: _____

Integrated Science & Engineering, Inc.

Signature: _____

Name: L.H. (Dan) Davis, Jr., P.E.

Date: August 2, 2017

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: August 10, 2017

SUBJECT: Ordinance Amendments Preview
August 17, 2017, City Council Meeting

Staff is bringing forward several housekeeping amendments reflecting how the City is currently operating.

City Organization

This amendment to the Administration Ordinance reflects the elimination of the Community Services and subsequent Community Development Divisions, as well as changes in reporting for code enforcement, municipal court, the City Hall receptionist/cashier, building maintenance, and the Amphitheater.

Taxation – Department of Responsibility

The Financial Services Division oversees both the software and operations in collecting the Occupational Tax, Insurance Tax, Bank Tax, and Hotel/Motel Tax. This amendment clarifies the department of responsibility in accordance with current operations.

Golf Cart Registration – Department of Responsibility

With the change in the golf cart registration process (and corresponding software system) to a regular billing cycle, Financial Services has assumed oversight of this function. This amendment reflects that change in oversight.

Barring any concerns from Council, staff anticipates placing these three amendments on the September 7 agenda.

ORDINANCE AMENDMENT PREVIEW

City Organization

Sec. 2-126. - Organization.

- (a) The municipal government workforce shall be organized into ~~six divisions~~ and departments reporting to the city manager as follows:
- (1) The administrative services division, headed by the administrative services director, city clerk, or city manager, shall be responsible for the ~~municipal court~~, public information, city clerk, and library functions.
 - (2) The ~~community services planning and development~~ division, headed by the ~~community services planning and development~~ director, shall be responsible for planning, zoning, building inspection, and code enforcement ~~library, recreation, and special events~~ functions.
 - (3) The financial services division, headed by the financial services director, shall be responsible for the financial, accounting, treasury, information technology, municipal court, city hall customer service, purchasing, payroll, accounts receivable, accounts payable and budgeting functions.
 - (4) The human resources and risk management division, headed by the director of human resources and risk management, shall be responsible for human resources and risk management, including workers' compensation and safety functions.
 - (5) The public safety division shall be divided into two separate departments, each of which shall be regarded as a division:
 - a. The police department, headed by the police chief, shall be responsible for law enforcement, security, and safety education ~~and code enforcement~~ functions.
 - b. The fire department, headed by the fire chief, shall be responsible for fire suppression, fire prevention, fire inspections, fire investigations, public fire and life safety education, technical rescue, hazardous materials response and mitigation, emergency planning and management, and emergency medical services functions.
 - (6) The public services division, headed by the public services director, shall be responsible for the stormwater and public works functions including ~~buildings and grounds maintenance~~ and the maintenance of city buildings, facilities, properties, infrastructure, vehicles and equipment, engineering services, stormwater, signage, and recycling functions.
 - (7) The recreation and special events department, headed by the recreation director, shall be responsible for recreation, special events, amphitheater, and grounds maintenance and landscaping functions. ~~director of the city's amphitheater will report directly to the city manager.~~
- (b) Each director or chief oversees the operations of the respective division and supervises the department heads within the division. The directors/chiefs report directly to the city manager, serving in the capacity of chief administrative officer, and, along with the city manager and his department head designees, comprise the city's senior management executive leadership team.

ORDINANCE AMENDMENT PREVIEW

Taxation Functions under Financial Services

Chapter 74 - TAXATION^[1]

ARTICLE II. - OCCUPATIONAL TAXES

Sec. 74-36. - Required; occupation tax required for business dealings in the city.

- (a) Each person engaged in any business, trade, profession or occupation in the city, whether with a location in the city or in the case of an out-of-state business with no location in the state exerting substantial efforts within the state pursuant to O.C.G.A. § 48-13-7, shall pay an occupation tax for the business, trade, profession or occupation, which tax and any applicable registration shall be displayed in a conspicuous place in the place of business if the taxpayer has a permanent business location in the city. If the taxpayer has no permanent business location in the city, such occupational tax registration shall be shown to the ~~city clerk~~ financial services director or designee, code enforcement officer and/or police officers of the city, upon request.
- (b) The following businesses are not covered by the provisions of this article but may be assessed an occupation tax or other type of tax pursuant to the provisions of other general laws of the state or by act of local law:
 - (1) Those businesses regulated by the Georgia Public Service Commission.
 - (2) Those electrical service businesses organized under O.C.G.A. Chapter 3 of Title 46.
 - (3) Any farm operation for the production from or on the land of agricultural products, but not including agribusiness.
 - (4) Cooperative marketing associations governed by O.C.G.A. § 2-10-105.
 - (5) Insurance companies governed by O.C.G.A. § 33-8-8.
 - (6) Motor common carriers governed by O.C.G.A. § 46-7-15.
 - (7) Those businesses governed by O.C.G.A. § 48-5-355.
 - (8) Agricultural products and livestock raised in the state governed by O.C.G.A. § 48-5-356.
 - (9) Depository financial institutions governed by O.C.G.A. § 48-6-93.
 - (10) Facilities operated by a charitable trust governed by O.C.G.A. § 48-13-55.
 - (11) Persons engaged in recreation activities sponsored by the parks and recreation department of the city.
 - (12) The following classes of persons may peddle, conduct business, or practice the professions and semiprofessions without paying an occupation tax, administrative fee, or regulatory fee for the privilege of so doing:
 - a. Any disabled veteran of any war or armed conflict in which any branch of the armed forces of the United States engaged, whether under United States command or otherwise;
 - b. Any blind person; or
 - c. Any veteran of peace-time service in the United States armed forces who has a physical disability incurred during the period of such service;

provided such person receives a certificate of exemption issued by the commissioner of veterans service, has furnished proof of disability, and provides documentation that the person making application is a resident of this state and that the income of such person is such that he or she is not liable for the payment of state income taxes, subject to O.C.G.A. § 43-12-1, et. seq.

Sec. 74-38. - Administration.

The ~~city clerk~~ financial services director shall administer and enforce the provisions of this chapter for the levying and assessment and collection of the occupational tax and penalties. The clerk shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with this chapter or other laws of the city and the state, or the constitution of the state or the United States, for the administration and enforcement of the provisions of this chapter and the collection of the occupational tax fees.

Sec. 74-39. - Occupation tax levied.

An occupational tax shall be levied upon those businesses and practitioners of professions and occupations with one or more locations or offices in the corporate limits of the city and/or upon the applicable out-of-state businesses with no location or office in Georgia pursuant to O.C.G.A. 48-13-7 based on the number of employees of the business or practitioner. The tax rate shall be that rate adopted by the city council and maintained by the ~~city clerk~~ financial services director.

Sec. 74-48. - License transferable.

All occupational tax registrations shall be transferable for a business moving from one location to another if such person or business notifies the ~~city clerk~~ finance division in writing of such new address no later than the day of moving.

Sec. 74-58. - Appeals.

Any person who desires to contest the determination of the ~~city clerk~~ financial services director with respect to any provision of this chapter shall so notify the mayor in writing within ten days of such determination, specifying the reasons such person believes the determination of the clerk is incorrect. The mayor shall thereupon notify such person of the time and place of the next meeting of the council, or of an occupational tax review board consisting of not less than three members of the council; and such aggrieved person may appear at such time and place to present arguments as to why the determination of the clerk is incorrect. The determination of the council or of the review board appointed by the council, as the case may be, with respect to the contested determination of the ~~clerk~~ financial services director shall be binding and conclusive upon such person.

ARTICLE III. - INSURERS^[2]

Sec. 74-91. - Gross premiums tax.

(a) *Imposition.*

- (1) Gross premiums tax imposed on life insurers. There is levied an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the city in an amount equal to one percent of the gross direct premiums received during the calendar year in accordance with O.C.G.A. § 33-8-8.1. "Gross direct premiums," as used in this section, shall mean gross direct premiums as used in O.C.G.A. § 33-8-4. The premium tax levied by this section is in addition to the license fees imposed by this article.
- (2) Gross premiums tax, all other insurers. There is levied an annual tax upon each insurer insuring risks within the city in an amount equal to 2½ percent of the gross direct premiums received during the calendar year, excluding premiums tax imposed on life insurers, in accordance with O.C.G.A. § 33-8-8.2. "Gross direct premiums" as used in this section shall mean gross direct premiums as used in O.C.G.A. § 33-8-4. The premium tax levied by this section is in addition to the license fees imposed by the city.
- (b) *Due date.* The premium taxes levied by subsection (a) of this section are due and payable on January 15 each year. Gross premium taxes not paid by January 15 following the end of each calendar year shall be delinquent. The city council shall add the sum of 20 percent of the total amount of such tax for failure to pay the taxes on or before January 15 of each calendar year.
- (c) *Report.* Every insurance company doing business within the city and subject to the taxes imposed in this section shall file on or before January 15 following the calendar year with the ~~city clerk~~ finance division a report setting out complete information regarding the classes of insurance written, and the premiums received by class from policies written on risks residing or located within the city. Such report shall be made over affidavit of an officer of such company. It is declared to be a violation of this Code for any person or any person's agent to knowingly give false or incomplete information on any such report.
- (d) *Confidentiality.* All reports required to be filed under this section shall be confidential, and the information contained in such reports shall be solely for the use of the city council for administering this section.
- (e) *Enforcement.* The taxes levied by this section may be enforced by execution in the same manner as other taxes of the city.

ARTICLE IV. - FINANCIAL INSTITUTIONS^[3]

Sec. 74-128. - Filing of return.

Pursuant to O.C.G.A. § 48-6-93(c), each depository financial institution subject to the tax levied in this article shall file a return of its gross receipts with the ~~city clerk~~ financial services director on March 1 of the year following the year in which such gross receipts are measured. Such return shall be in the manner and in the form prescribed by the commissioner of the department of revenue based on the allocations method set forth in O.C.G.A. § 48-6-93(d). The ~~city clerk~~ financial services director shall assess and collect the tax levied pursuant to this article based upon the information provided in the return.

ARTICLE V. - LODGING TAX^[4]

Sec. 74-167. - Determination, returns and payments.

- (a) *Due date of taxes.* All amounts of taxes levied in this article shall be due and payable monthly on or before the 20th day of every month next succeeding each respective monthly period.

- (b) *Return; time of filing; persons required to file; contents.* On or before the 20th day of the month following each monthly period, a return for the preceding monthly period shall be filed with the ~~city clerk~~ finance division showing the gross rent, rent from permanent residence, taxable rent, amount of tax collected or otherwise due for the related period, and such other information as may be required by the ~~city clerk~~ financial services director.
- (c) *Collection fee allowed operators.* Operators collecting the tax shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting and payment of the amount due if the amount is not delinquent at the time of payment. The rate of deduction shall be as established and as authorized for deduction by O.C.G.A. § 48-13-52.

Sec. 74-168. - Deficiency determinations.

- (a) *Recomputation of tax; authority to make; basis of recomputation.* If the ~~city clerk~~ financial services director is not satisfied with the return of the tax or the amount of the tax required to be paid to the city by any person, he may compute and determine the amount required to be paid upon the basis of any information within his possession or that may come into his possession. One or more deficiency determinations may be made of the amount due for one or more monthly periods.
- (b) *Interest and penalties on deficiency.* The amount of the determination shall incur penalties and bear interest at the rate established by the state law of Excise Tax on Rooms, Lodgings, and Accommodations found at O.C.G.A. §§ 48-13-50 et seq.
- (c) *Notice of determination; service of.* The ~~city clerk~~ financial services director or his designated representative shall give to the operator written notice of his determination. The notice may be served personally or by mail; if by mail, such service shall be addressed to the operator at his address as it appears in the records of the ~~city clerk~~ financial services director. Service by mail is complete when delivered by certified mail with a receipt signed by the addressee.
- (d) *Time within which notice of deficiency determination to be mailed.* Except in the case of failure to make a return, every notice of a deficiency determination shall be mailed within three years after the 20th day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three years after the return is filed, whichever period should last expire.

Sec. 74-169. - Determination if no return made.

- (a) *Estimate of gross receipts.* If any person fails to make a return, the ~~city clerk~~ financial services director shall make an estimate of the amount of the gross receipts of the person, or as the case may be, of the amount of the total rentals in this city which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make the return and shall be based upon any information which is or may come into the possession of the ~~city clerk~~ financial services director. Written notice shall be given in the manner prescribed in this article.
- (b) *Interest and penalties on amount found due.* The amount of the determination shall include penalties and bear interest at the rate established by the state law of Excise Tax on Rooms, Lodgings, and Accommodations found at O.C.G.A. §§ 48-13-50 et seq.

Sec. 74-170. - Administration of article.

- (a) *Authority of ~~city clerk~~ financial services director.* The ~~city clerk~~ financial services director shall administer and enforce the provisions of this article for the collection of the tax imposed by this article.

- (b) *Records required from operators.* Every operator renting guest rooms in this city to a person shall keep such records, receipts, invoices and other pertinent papers in such form as the ~~city clerk~~ financial services director may require.
- (c) *Examination of records; audits.* The ~~city clerk~~ financial services director or any person authorized in writing by the ~~city clerk~~ financial services director may examine the books, papers, records, financial reports, equipment and other facilities of any operator renting guest rooms to a person and any operator liable for the tax, in order to verify the accuracy of any return made, or if no return is made by the operator, to ascertain and determine the amount required to be paid.
- (d) *Authority to require reports; contents.* In administration of the provisions of this article, the ~~city clerk~~ financial services director may require the filing of reports of any persons having in such persons' possession or custody information relating to rentals of guest rooms which are subject to the tax. The reports shall be filed with the ~~city clerk~~ finance division when required by the ~~city clerk~~ financial services director and shall set forth the rental charge for each occupancy, the dates of occupancy, and such other information as the ~~city clerk~~ financial services director may require.

ORDINANCE AMENDMENT PREVIEW

Golf Cart Registration (Responsible Department)

Sec. 78-92. - Registration/decal/transfer requirements.

- (a) *Motorized carts.* It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the recreation paths and streets and those areas accessible by the public within the corporate limits of the city to register the cart with the city within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the ~~city clerk's office~~ finance division. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to have a current registration and decal on a motorized cart shall be a violation of this section and subject the owner of such cart to the penalties set forth in section 1-11.
- (1) *Registration fee.* The registration fee shall be \$15.00 per year for each cart. Registered carts shall display the required numbered decal issued by the ~~office of the city clerk~~ finance division.
- (2) *Nonresident user fee.* In addition to the registration fee, an annual path system user fee shall be established by the mayor and city council and be charged for each cart registered by nonresidents of the city. The nonresident fee is due by January 31 each year and shall be paid annually until such time as the cart is released and decals are returned to the city.
- (3) *Assessment and proration of fees.*
- a. Resident registration fees shall be assessed as follows:
1. Registration year: \$45.00 (for the subsequent three-calendar year period);
 2. Year 1 - \$45.00 (\$30.00 on or after July 1);
 3. Year 2 - \$30.00 (\$15.00 on or after July 1);
 4. Year 3/new registration year - \$15.00 (\$45.00 for subsequent three-year period after registration renewals commence).
- b. Nonresident fees shall be assessed annually and shall be due by January 31 of the calendar year covered. The nonresident fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership as follows:
1. Registration on or after April 1 - 75 percent;
 2. Registration on or after July 1 - 50 percent;
 3. Registration on or after October 1 - 25 percent.
- Failure to pay the annual registration and nonresident user fee by January 31 will result in a \$20.00 penalty and the cart shall be considered an unregistered cart after January 31 until such time as the annual fees and penalties are paid.
- c. Golf cart rental companies located within the city limits may register rental fleet carts annually.
- d. Assessed registration and nonresident user fees shall remain with the cart and attached decals. Recovery of these fees upon the sale of a cart shall be part of the negotiated price between seller and buyer.
- (4) *Registration and payment deadline.* If a cart is not registered within ten business days of purchase, a \$20.00 penalty will be applied in addition to the registration fee; and the cart shall be

considered an unregistered cart after the ten-business-day period. If the registration is not renewed within the designated renewal period of a registration year, a \$20.00 penalty will be applied in addition to the registration fee.

- (5) *Transfers.* Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of \$15.00. If the new owner is not a city resident, the nonresident fees for the balance of the year shall be prorated as described in paragraph (3) above. If the registration is not transferred within ten business days, a \$20.00 penalty will be applied in addition to the \$15.00 transfer charge; and the cart shall be considered an unregistered cart after the ten-business-day period. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the city of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale.

- (6) *Special tourism events.* Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

Registration requirements will be waived for a five-day period beginning July 2 and ending July 6 for the annual 4th of July activities.

- (7) *Homeowner relocation.* In the event that a registered motorized cart owner changes his/her address or contact information after the motorized cart is registered, that owner shall have 60 days to provide their new contact information to the ~~city clerk's office~~ finance division. If the ownership information is not updated within 60 days of relocation, a \$20.00 penalty will be applied and the cart shall be considered an unregistered cart after the 60-day period.

City residents relocating outside the corporate city limits shall be responsible for the annual nonresident user fee for all registered carts. The fee shall be prorated for the first year of payment as described in paragraph (3) above.

(b) *Gasoline carts.*

- (1) Every gasoline powered motorized cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

- a. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.
- b. The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
- c. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.

- (2) It shall be unlawful for the owner of any gasoline powered motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, to render the device unserviceable by removal, alteration or which interferes with its operation.

- (c) *Rental carts.* Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the recreation paths and streets and those areas accessible by the public of the city. Each such establishment renting carts shall be required to register each such rental cart in accordance with subsections (a) and (b) of this section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a) and (b).

- (d) *Electric personal assistive mobility device (EPAMD).* EPAMDs shall be subject to the same registration requirements outlined above in subsections (a) and (c).

- (e) *Age, number of registrants limited.* Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person.
- (f) *LSMV.* No LSMV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the city unless it is legally registered and insured according to laws of the state.