Senate Bill 274
By: Senators Brown of the 26th and Staton of the 18th

A BILL TO BE ENTITLED
AN ACT

To provide for the restructuring of the governments of the City of Macon, the City of Payne City, and Bibb County; to create and incorporate a new political body corporate under the name Macon-Bibb County; to provide for the status, boundaries, and powers of the restructured government; to provide for the form, administration, and affairs of the restructured government; to provide for officers and employees, elections, courts, authorities, taxation, and finance; to provide for related matters; to provide for severability; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) The governmental and corporate powers, duties, and functions now vested in the City of Macon, a municipal corporation created by an Act of the General Assembly, approved March 23, 1977 (Ga. L. 1977, p. 3776), as amended, are restructured with the governmental and corporate powers, duties, and functions of the County of Bibb and the City of Payne City, such restructuring of the governments of the City of Macon, the City of Payne City, and the County of Bibb being pursuant to the constitutional power granted by Article IX, Section III, Paragraph II of the Constitution of Georgia, as amended. Said restructuring shall result in the establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Bibb County, which single government shall supersede and replace the governments of the City of Macon, the City of Payne City, and the County of Bibb, and, to the extent provided in this charter, shall also supersede and replace any public authorities and special service districts located and operating within Bibb County. Said county-wide government shall be a new political entity, a body politic and corporate, and a political subdivision of the State of Georgia, to be known as "Macon-Bibb County" (in this charter at times called "the restructured government"), having all of the governmental and corporate powers, duties, and functions heretofore held by and vested in the City of Macon, the City of Payne City, and the County of Bibb and, to the extent provided in this charter, shall also supersede and replace any public authorities and special service districts located and operating within Bibb County.
Macon, the City of Payne City, and Bibb County, and also the powers, duties, and functions provided in this charter. The restructured government shall be a public corporation; shall have perpetual existence; shall, without the necessity or formality of a deed, bill of sale, or other instrument of transfer, own, possess, and hold all properties of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and personal property theretofore owned, possessed, enjoyed, or held by the City of Macon, the City of Payne City, and the County of Bibb; by the name of Macon-Bibb County shall be able to contract and be contracted with, sue and be sued as provided by this charter, plead and be impleaded in all courts of this state, and do all other acts relating to its corporate capacity; and shall be able in law and equity to purchase, have and hold, receive, enjoy, accept, possess, and retain for the use and benefit of said Macon-Bibb County, in perpetuity or for any term of years, any estate or estates, real or personal, lands, tenements, or hereditaments of whatsoever kind or nature inside or outside the territorial limits of the restructured government, as may be devised, bequeathed, sold, or by any manner conveyed or dedicated to or otherwise acquired by the restructured government and to use, manage, improve, sell and convey, rent, or lease same; and to have and use a common seal. From and after the effective date of this charter, the political subdivision known as Bibb County, Georgia, and the municipal corporations known as the City of Macon and the City of Payne City shall be merged into the said new political entity created in this charter.

(b) The territory embraced in the restructured government shall be the total area of Bibb County, as the same may be now or hereafter fixed and established by law. Any portion of the City of Macon as it exists on December 31, 2015, which extends in to any other county shall not be included in the territory of the restructured government and shall on January 1, 2016, become unincorporated land of the county in which it is located.

SECTION 2.

(a) The restructured government shall have and be vested with, to the same extent as if repeated in this charter, all rights, powers, duties, privileges, and authority that the City of Macon, the City of Payne City, or Bibb County, or all collectively, have under the Constitution and general and special laws of Georgia at the time of the adoption of this charter, except as expressly modified in this charter.

(b) In addition to the foregoing, the restructured government shall have all rights, powers, duties, privileges, and authority conferred or enlarged by this charter, and such other rights, powers, duties, privileges, and authority as may be necessary and proper for carrying the same into execution, and also all rights, powers, duties, privileges, and authority, whether express or implied, that may now be vested in or hereafter granted to counties or municipal
corporations, or both, by the Constitution and laws of this state, including the powers vested
in the restructured government by this charter.

(c) The restructured government, in addition to the rights, duties, powers, privileges, and
authority expressly conferred upon it by this charter, shall have the right, duty, power,
privilege, and authority to exercise and enjoy all other powers, duties, functions, rights,
privileges, and immunities necessary and proper to promote or protect the safety, health,
peace, security, and general welfare of said government and its inhabitants and to exercise
all implied powers necessary to carry into execution all powers granted in this charter as fully
and completely as if such powers were fully enumerated in this charter and to do and perform
all of the acts pertaining to its local affairs, property, and government that are necessary or
proper in the legitimate exercise of its corporate powers and governmental duties and
functions.

(d) No enumeration of any right, power, privilege, or authority hereinafter made shall be
construed as limiting or abolishing any right, power, privilege, or authority set forth in this
charter.

(e) No repeal of any law under which the restructured government derives any right, power,
privilege, or authority, except by amendment of this charter as provided in this charter, shall
be construed as limiting or abolishing any such right, power, privilege, or authority set forth
in this charter.

(f) The general laws of the State of Georgia of a criminal nature shall be applicable to and
within the limits of the restructured government. General laws of local application through
classification by population, not in conflict with this charter:

(1) Which on the effective date of this charter apply to the City of Macon or Bibb County
shall be applicable to the restructured government; and

(2) Which apply to the restructured government as either a city or a county at the time
of their enactment or thereafter shall be effective, but those which did not apply to the
City of Macon or Bibb County or the restructured government at the time of their
enactment shall not become applicable to the restructured government except through the
adoption of a resolution to that effect by the council.

(g) Local Acts of the State of Georgia which apply specifically to Bibb County, the City of
Payne City, or the City of Macon, or all collectively, shall be applicable to the restructured
government.

(h) In construing the applicability of provisions of the Constitution and the general laws of
Georgia which apply in general terms to either counties or municipalities, or both, and local
Acts of the General Assembly that apply specifically to Bibb County, the City of Payne City,
or the City of Macon, or all collectively, the following terms as used in such laws shall be
construed to include the restructured government as follows:

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(1) "County" shall be construed to include Macon-Bibb County;
(2) "City," "town," "municipal corporation," or "municipality" shall be construed to include Macon-Bibb County;
(3) "Commissioners of roads and revenues" and "board of county commissioners" shall be construed to include the council of Macon-Bibb County;
(4) "Council," "mayor and council," "aldermen," and "board of aldermen" shall be construed to include the council of Macon-Bibb County, Georgia; and
(5) Any other terms and provisions as used in such Acts to refer specifically to Bibb County or the City of Macon, or both, and the officers, employees, departments, and agencies thereof shall be construed to mean Macon-Bibb County and its officers, employees, departments, and agencies.

(i) In construing the applicability of laws in force to the restructured government, the following order shall prevail:

(1) The Constitution of the State of Georgia;
(2) The general laws of uniform application now in force or hereafter enacted by the General Assembly, as distinguished from general laws of local application through classification by population, applicable to municipal corporations or counties, or both;
(3) The general laws of local application through classification by population as and to the extent provided in subsection (a) of this section;
(4) Special laws applicable to Bibb County, not in conflict with this charter;
(5) Special laws applicable to the City of Macon, not in conflict with this charter;
(6) Special laws applicable to the City of Payne City, not in conflict with this charter;
(7) This charter and all ordinances and resolutions passed pursuant thereto; and
(8) Existing ordinances and resolutions of the former City of Macon and City of Payne City and existing ordinances and resolutions of the former County of Bibb not in conflict with this charter.

(j) The tort and nuisance liability of the restructured government shall follow the law and rules of tort liability applicable to counties in Georgia.

(k) For purposes of all applicable laws, the restructured government shall constitute a municipality and a county, or both. Except as otherwise provided by this charter, if a law applicable to municipalities and the same or another law applicable to counties are in conflict, the law applicable to municipalities shall prevail.

(l) The restructured government shall have the power and authority to participate in, cooperate in, and take all necessary action with respect to any and all projects, programs, and undertakings of any nature authorized by any statute, rule, or regulation of the United States, the State of Georgia, or any federal or state agency or instrumentality, including, but not limited to, community development, highways, aviation, aviation terminals, airports, airport
facilities, municipal area or regional development, sewer and sewage disposal, public
housing, housing for the aged, and transportation or mass transit or any phase thereof; to
borrow money and issue promissory notes, general obligation bonds, or revenue bonds, or
a combination thereof, for any such purposes in accordance with the provisions of this
charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured
by property of which the restructured government is the legal or beneficial or equitable
owner, or in favor of any private agency where the loan is guaranteed by a federal agency.

SECTION 3.

(a) Prior to the effective date of this charter, all powers vested in Bibb County, the City of
Macon, or the City of Payne City, or any of their respective officers, agents, or agencies shall
remain in full force and effect. Upon such effective date, the board of commissioners of
Bibb County, the mayor and council of the City of Macon, the mayor and council of the City
of Payne City, and the offices of all members thereof shall stand abolished, and all
emoluments appertaining thereto shall cease. Thereupon, the governments of Bibb County,
the City of Macon, and the City of Payne City shall terminate as such separate political
entities and be merged into the government created by this charter.

(b) When an agency of the City of Macon, the City of Payne City, or Bibb County is
abolished or restructured by this charter, all books, papers, maps, charts, plans, records, other
equipment, and personal property in possession of the same shall be delivered to the agency
to which its rights, powers, duties, and obligations are transferred.

(c) Notwithstanding any other provision of this charter, any officer performing duties under
the government of the City of Macon, the City of Payne City, or Bibb County may continue
to perform the duties thereof until a successor, whether under the same title of office or
another, shall be elected or appointed and qualified to perform the duties, it being the
intention of this charter that no duty or service shall lapse or be abandoned because of lack
of an officer to perform same.

SECTION 4.

(a) All contracts, orders, leases, bonds, and other obligations or instruments entered into by
the City of Macon, the City of Payne City, or Bibb County or for its benefit prior to the
effective date of this charter shall continue in effect according to the terms thereof as
obligations and rights of Macon-Bibb County.

(b) No action or proceeding of any nature, whether civil or criminal, judicial or
administrative, or otherwise, pending on the effective date of this charter by or against the
City of Macon or its departments and agencies, the City of Payne City or its departments and
agencies, or Bibb County or its departments or agencies shall be abated or otherwise affected by the adoption of this charter. (c) The departmental organization of the cities existing immediately prior to adoption of this charter shall continue in effect upon the effective date of this charter until such organization is changed or reorganized as provided by ordinance of the council and administrative regulations consistent therewith. (d) The provisions of this charter notwithstanding, the annual compensation of the mayor and councilmembers of the City of Macon and the City of Payne City for the remainder of their present terms of office shall be the same annual compensation as such officers received in the calendar year immediately preceding the date of adoption of this charter.

SECTION 5. The governing authority of Macon-Bibb County shall consist of a mayor and a council of said county composed of 11 members. Said board is designated as the Macon-Bibb County Council, referred to in this charter as the "council." The members of said board are designated and referred to in this charter as "councilpersons." The council shall exercise and be subject to all of the rights, powers, duties, and obligations imposed by this charter or previously applicable to the governing authorities of the City of Macon, the City of Payne City, and Bibb County and to any general laws, local laws, or constitutional provisions applicable or effective within the former City of Macon, City of Payne City, and Bibb County. The council shall constitute a county as well as a municipality for the purpose of the application of the general laws and Constitution of this state. The council may exercise the powers vested in the governing authority of the municipality and municipalities generally as well as the powers vested in the former governing authority of the county and counties generally.

SECTION 6. The governing authority shall exercise the jurisdiction, powers, and authorities vested in such body by this charter and perform and discharge the duties, obligations, and responsibilities imposed upon it by law, either directly or through such officers, agents, and employees as it may from time to time ordain, constitute, and appoint in addition to those created and provided for in this charter; and the governing authority shall, except as otherwise provided in this charter, prescribe by ordinances or resolutions the manners and methods in which such jurisdiction, powers, authorities, duties, obligations, and responsibilities shall be exercised, performed, and discharged, and the respective officers, agents, and employees by whom the several portions thereof shall be exercised, performed, and discharged.
SECTION 7.

(a) The Superior Court of Bibb County, including the office of the district attorney, shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Superior Court of Macon-Bibb County.

(b) The State Court of Bibb County, including the office of the solicitor, shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the State Court of Macon-Bibb County.

(c) The Juvenile Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Juvenile Court of Macon-Bibb County.

(d) The Probate Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Probate Court of Macon-Bibb County.

(e) The Magistrate Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Magistrate Court of Macon-Bibb County.

(f) On the effective date of this charter, the operations and employees of the Municipal Court of the City of Macon shall continue its operations without interruption resulting from the adoption of this charter. The employees of such court shall become employees of the restructured government of Macon-Bibb County. The court shall be known as the Municipal Court of Macon-Bibb County. The judge of the Municipal Court of the City of Macon shall be authorized to serve as the judge of said court. Vacancies in the office of judge of the Municipal Court of Macon-Bibb County shall be filled by appointment of the mayor. Such court shall have jurisdiction over all traffic offenses and code violations occurring in Macon-Bibb County.

SECTION 8.

Except as otherwise provided in this charter, the duties of the sheriff, the tax commissioner, and the clerk of the superior court shall remain as such duties are presently imposed by law for such respective officers as county officers; provided, however, that such duties may be expanded and enlarged by the governing authority to include like duties and responsibilities in connection with the affairs of the restructured government. The compensation paid to any...
such officer shall be fixed as heretofore provided by law and may not be reduced during his or her term of office below the amount of such compensation as fixed at the commencement of such term, nor shall his or her compensation during his or her term of office in effect upon the effective date of this charter be reduced below the salary then being paid such officer. Such compensation as so fixed shall be the sole remuneration to such officers for their services and any and all other compensation for such services to Macon-Bibb County, the State of Georgia, or any agency thereof, including salaries, fees, commissions, fines, or forfeitures received from any source whatsoever, shall be the property of Macon-Bibb County and paid into its treasury.

SECTION 9.

(a) The territory of the restructured government shall consist of 11 election wards to be designated as Council Wards 1 through 11 and the boundaries of the initial wards shall be as described in the districting plan attached to and made a part of this charter and further identified as Plan Name: bibb11p2 Plan Type: Local User: staff Administrator: S026.

(b) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a "BG" heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. Any part of Macon-Bibb County which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of Macon-Bibb County which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia.

(c) The General Assembly shall adopt a new district plan for the election of members of the council utilizing the 2010 United States decennial census prior to the referendum provided for in Section 45 of this Act.

(d)(1) The council ward boundaries of the restructured government shall be reapportioned by the council following the publication of each official federal decennial census of the population of Macon-Bibb County. Such reapportionment of wards shall be effective for the election of members to council at the next regular general municipal election following the publication of the decennial census.
(2) The reapportionment of election wards shall comply with the following specifications:

   (A) Each election ward shall be formed of contiguous territory and its boundary lines shall be the center lines of streets or other well defined boundaries as utilized by the United States Bureau of the Census;

   (B) Such election wards shall be as nearly equal in population as practicable, and they shall comply with the requirements of the federal Voting Rights Act of 1965, as amended;

   (C) Any reapportionment of election wards shall apply to officials of the restructured government elected at the next regular election following such reapportionment; provided, however, that any reapportionment ordinance shall not apply to any regular election or special election held within six months after this charter becomes effective;

   (D) The reapportionment shall be limited to adjusting the boundary lines of the existing wards only to the extent reasonably necessary to comply with the requirements of this paragraph, and the number of members of the council and the manner of electing such members, except for the adjustment of ward boundary lines, shall not be changed by the council.

(e) In addition to the reapportionment following publication of the decennial census, the council shall reapportion election wards pursuant to this section if the annexation of additional territory to the corporate boundaries of Macon-Bibb County has the effect of denying electors residing within the newly annexed territory the right to vote for the election of members of the council on substantially the same basis that the other electors of Macon-Bibb County vote for members of the council. The reapportionment provided for in this subsection shall meet the criteria specified in paragraph (2) of subsection (d) of this section and shall be further limited to making only those adjustments in ward boundary lines as may be reasonably necessary to include the newly annexed territory within such wards. Reapportionment under this subsection shall be effective for the next regular general municipal election following the annexation.

(f) The council shall consist of 11 members. The members shall be elected from the 11 wards specified in subsection (a) of this section. All members of the council shall be full voting members of the council. The mayor shall not be a member of the council.

(g) No person shall be eligible to serve as a councilperson unless he or she:

   (1) Has been a resident of Macon-Bibb County for a period of one year immediately prior to the date of the election;

   (2) Continues to reside within the council ward from which elected during his or her term of office;
(3) Is a registered and qualified elector of Macon-Bibb County; and
(4) Meets the qualification standards required for members of the Georgia House of
Representatives as are now or may in the future be prescribed by the Georgia
Constitution.
(h)(1) Each councilmember shall be paid an annual salary of $15,000.00. Future changes
in the salary and expenses of the councilmembers shall be effected in accordance with the
provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the
procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any
increase in the salary or compensation of councilmembers shall equal no more than
one-half of the average percentage salary increase granted by such governing authority
to the restructured government employees over the preceding three years.
(2) Any action to increase the salary of councilmembers shall not become effective until
the date of commencement of the terms of those councilmembers elected at the next
regular election following such action.
(3) In addition to salary, councilmembers shall be reimbursed for all actual expenses
reasonably and necessarily incurred in carrying out the duties and responsibilities of the
restructured government.
(i) The council shall elect from among its members in January of each year a member to
serve as president of the council.

SECTION 10.
(a) Those members of the board of commissioners of Bibb County and the mayor and those
members of the city councils of the City of Macon and the City of Payne City who are
serving as such on the date the implementation of this charter is permissible under the federal
Voting Rights Act of 1965, as amended, and any persons filling vacancies in such offices
shall continue to serve as such members until January 1, 2016, and then all such offices shall
be abolished and all terms of office shall expire. On and after the date the requirements for
the implementation of this charter have been met and the implementation of this charter is
permissible under the federal Voting Rights Act of 1965, as amended, no further elections
shall be conducted to elect members of the board of commissioners of Bibb County and the
mayor and members of the city councils of the City of Macon and the City of Payne City and
all elections for the mayor and the members of the council shall be conducted pursuant to this
charter. Such members of the board of commissioners of Bibb County and the mayor and
members of the city councils of the City of Macon and the City of Payne City shall continue
to receive the compensation to which they were entitled pursuant to local law or Code
Section 36-35-4 of the O.C.G.A. until January 1, 2016.
(b)(1) One initial member of the council from each council ward shall be elected in a special election to be held on the Tuesday after the first Monday in November, 2015. Members elected in such special election shall take office on the second Tuesday of January immediately following their election. Each member shall serve for a term of office of four years and until a successor is elected and qualified. A special primary shall be conducted in accordance with law prior to such special election. Candidates shall be nominated and elected by majority vote as provided in this section. Thereafter, successors to members of the council shall be elected at a general municipal election to be held on the Tuesday following the first Monday in November immediately preceding the expiration of their respective terms of office, shall be nominated and elected as provided in this section, shall take office on the second Tuesday of January immediately following the date of their election, and shall have terms of office of four years and until their respective successors are elected and qualified. Each member of the council shall be elected by the electors residing within such member's council ward.

(2) The president of the council shall preside at all meetings of the council and possess and have all the rights, privileges, and responsibilities of other councilmembers. The president of the council shall serve as acting mayor with all the powers and duties of that office should the mayor temporarily be unable to serve, and the president shall act as mayor or succeed to the office of mayor as provided in Section 15 of this charter.

c) The initial mayor shall be elected in a special election to be held on the Tuesday after the first Monday in November, 2015. A special primary shall be conducted in accordance with law prior to such special election. Candidates shall be nominated and elected by majority vote as provided in this section. The person elected as mayor at such election shall take office on the second Tuesday of January, 2016, for a four-year term of office and until a successor is elected and qualified. Thereafter, each successor to the office of mayor shall be elected at a general municipal election to be held on the Tuesday following the first Monday in November immediately preceding the expiration of a term of office, shall take office on the second Tuesday of January immediately following the date of the election, and shall have a term of office of four years and until a successor is elected and qualified. The mayor shall be elected by a majority vote on a county-wide basis by the electors of the entire county.

d) To be eligible for election to the office of mayor, a person at the time of election shall:

(1) Have attained the age of 25 years;

(2) Reside in Macon-Bibb County;

(3) Be a qualified elector of the restructured government; and

(4) Meet any other requirements as may be established by general law.
Except as otherwise provided in this section, all primaries and elections for the mayor and members of the council shall be in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., known as the "Georgia Election Code," as now or hereafter amended. Any person who is a registered voter of Macon-Bibb County shall be eligible to vote in any election under this section.

SECTION 11.

(a) The council shall provide by ordinance for the execution of all powers, functions, rights, privileges, duties, and immunities of the restructured government and its officers, agencies, or employees as provided by this charter or general state law.

(b) Without limiting the general legislative powers of the council, it is empowered to:

1. Adopt all annual appropriations for the restructured government by ordinance and any supplements or amendments the council deems necessary from time to time during the fiscal year;
2. Adopt, by ordinance, a fiscal year for the restructured government and each of its departments, boards, or other agencies and any other ordinances for the regulation and management of the financial affairs of the restructured government it deems necessary;
3. Adopt, by ordinance, provisions for governmental reorganization including the establishment, alteration, or abolishment of any and all nonelective offices, positions, departments, and agencies of the restructured government unless otherwise established or provided by this charter;
4. Adopt ordinances establishing any and all personnel policies it deems necessary for an adequate and systematic handling of personnel affairs;
5. Make adjustments, by ordinance, to the boundaries of council wards of the restructured government as provided in Section 9 of this charter;
6. Establish committees of its members for legislative, investigative, and study purposes without the need for approval of the mayor;
7. Establish and appoint any board or commission of citizens to advise the council as it deems necessary without the need for approval by the mayor; provided, however, that the term of such boards or commissions shall automatically expire at the end of the term of office of the council who appointed same, if not earlier abolished by the council;
8. Provide for the collection of residential solid waste throughout Macon-Bibb County utilizing the equipment formerly utilized for residential solid waste collection by the former City of Macon; and
9. Adopt any other ordinance, resolution, or amendment to this charter as is allowed or not denied now or hereafter under general state law or this charter and exercise any other
power as may be provided now or hereafter under general state law, this charter, or ordinance.

(c)(1) The council shall, by a majority vote of all members, appoint a clerk of council who shall serve at the pleasure of the council. The clerk of council may also serve as clerk of the restructured government or on any other positions he or she may be appointed to in the restructured government.

(2) The clerk of council shall attend all meetings of council; keep the minutes, rules, and records of council; provide notice of meetings; and perform other duties required by the council or by ordinance. The compensation of the clerk shall be as fixed by the council.

SECTION 12.

The council shall, without the need for approval by the mayor, provide for an independent annual audit of all restructured government accounts and may provide for more frequent or continuing audits as it deems necessary. Audits shall be made by a certified public accountant or firm of certified public accountants who has no personal interest, direct or indirect, in the fiscal affairs of the restructured government or any of its officers. The council may, without requiring competitive bids, designate the accountant or firm annually, provided that the designation for any particular fiscal year shall be made no later than 30 days after the beginning of the fiscal year. The council may also provide for special independent audits of any office, department, board, commission, or other agency of the restructured government without the need for approval by the mayor.

SECTION 13.

The council, if authorized by a majority vote of the entire council, may, without the need for approval by the mayor, make inquiries and investigations into the affairs of the restructured government and the conduct of any department, office, or agency of the restructured government or any joint or independent commission, board, or authority of the restructured government. Such authority may be vested in a committee of not less than three members of council by a two-thirds' vote of the entire council. For this purpose, the council or its authorized committee may request or subpoena witnesses, administer oaths, take testimony, and require the production of evidence in the same manner as the Superior Court of Macon-Bibb County; provided, however, that, in the event the inquiry or investigation is being conducted by council's authorized committee, subpoenas of witnesses or evidence must be authorized by a two-thirds' vote of the entire council and issued by the chairperson of the authorized committee or authorized by a majority vote of the authorized committee and approved and issued by the president of council. Any person who fails or refuses to obey a subpoena issued in the exercise of this power by the council or its authorized committee may
be held in contempt of the council by a majority vote of all councilmembers and punished as provided for contempt of a municipal court. Appeals to the Superior Court of Macon-Bibb County from a council contempt conviction is allowed as for any conviction in the municipal court. Any participant in any hearing authorized may require that such hearing be closed to the public and all reports to council of the result of any inquiry or investigation by an authorized committee shall be closed to the public. Any action taken by council as a result of such inquiry or investigation shall be taken at and during an open meeting.

SECTION 14.

(a) All of the executive powers of the restructured government are vested in the mayor. The mayor shall be the chief executive officer of Macon-Bibb County and shall be responsible for execution of the laws and policies of the restructured government and applicable state and federal laws. The mayor shall possess and exercise the following executive and administrative powers and duties:

1. To see that the ordinances, resolutions, and regulations of the restructured government and laws of this state are faithfully executed and enforced;
2. To exercise supervision over the executive and administrative affairs of the restructured government and to provide for the coordination of executive and administrative activities;
3. To appoint department heads to serve at the pleasure of the mayor;
4. To sign and approve deeds, bonds, contracts, and other instruments and documents in any case in which the legal instruments must be in writing or where the general laws of this state or ordinance or resolution of the council so require;
5. To submit to the council annually a draft of the recommended appropriations ordinance, the budget message, and the budget report and to submit annually to the council a capital improvement program;
6. To conduct studies and investigations and to make recommendations to the council for legislation concerning all matters relating to the restructured government and the welfare of its citizens;
7. To represent the restructured government in its intergovernmental relations;
8. To appoint for information and assistance advisory boards, commissions, or committees which shall be answerable only to the mayor, but whose actions shall be advisory in nature; provided, however, that the term of such boards, commissions, or committees shall automatically expire at the end of the term of office of the mayor who appointed same, if not earlier abolished by the mayor;
9. To appoint the attorney for the restructured government who shall serve at the pleasure of the mayor;
(10) To provide an annual financial audit of all authorities and provide a report of such audit to the council; and

(11) To perform any other duties as may be required by law, ordinance, or resolution.

(b)(1) Every ordinance adopted by the councilmembers shall be presented promptly by the clerk of council to the mayor after its adoption.

(2) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk of council with or without the mayor's approval or with the mayor's disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the clerk of council; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the councilmembers through the clerk of council a written statement of the reasons for the veto. The clerk of council shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(3) Ordinances vetoed by the mayor shall be presented by the clerk of council to the councilmembers at their next meeting. If the councilmembers then or at their next meeting adopt the ordinance by an affirmative vote of eight members, it shall become law.

(4) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the councilmembers over the mayor's veto as provided in this subsection. The reduced part or parts shall be presented to the councilmembers as though disapproved and shall not become law unless overridden by the councilmembers as provided in paragraph (3) of this subsection.

(c) The mayor shall be considered full time and he or she shall receive an annual salary of $150,000.00. In addition, the mayor shall be reimbursed for all actual expenses reasonably and necessarily incurred in the performance of his or her official duties. Future changes in the salary and expenses of the mayor shall be effected in accordance with the provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any increase in the salary or compensation of the mayor shall equal no more than one-half of the average percentage salary increase granted by the governing authority to restructured government employees over the last preceding three years.

(d) An amount not exceeding 1 percent of the annual operating budget for Macon-Bibb County shall be appropriated as the annual operating budget for the office of the mayor, excluding the salaries for the mayor, two administrative assistants, one secretary, and one
receptionist. Any amount appropriated to the office of the mayor over the amount authorized by this subsection shall be approved by a majority of the members of the council.

SECTION 15.

(a) In the event that the office of mayor or any councilmember shall become vacant for any cause whatsoever, the council or those remaining shall, by resolution, order a special election to fill the balance of the unexpired term of that office.

(b) If, however, the vacancy in any council seat occurs within 12 months of the expiration of the term of that office, the council or those remaining may, within 20 days of the occurrence of the vacancy, appoint a successor for the remainder of the term.

(c) If, however, a vacancy in the office of the mayor occurs, the president of the council shall be acting mayor with all the powers and duties of that office until a successor is elected and qualified, and if the vacancy in the office of the mayor occurs within 12 months of expiration of the term of that office, the president shall succeed to the office of the mayor for the remainder of the term and the council seat of such person shall be filled in accordance with this section.

SECTION 16.

(a) The mayor shall appoint an officer whose title shall be chief administrative officer who shall serve at the pleasure of the mayor. The chief administrative officer shall be appointed solely on the basis of executive and administrative qualifications. The chief administrative officer shall hold a master's degree in public or business administration or a related field and shall have at least four years' experience in public administration or in business management in the private sector or shall hold a bachelor's degree in public or business administration or a related field and shall have at least eight years' experience in public administration or in business management in the private sector. Such person need not be a resident of Macon-Bibb County or the State of Georgia at the time of appointment.

(b) The chief administrative officer shall have the following powers, duties, and responsibilities:

1. To serve as director of the department of administration;
2. To advise and assist the mayor in the performance of designated duties;
3. To coordinate the activities of the departments of the restructured government;
4. To serve as a liaison between the mayor and the departments of the restructured government;
5. To carry out the written directives of the mayor; provided, however, that the mayor shall not be authorized to delegate to the chief administrative officer any of the powers or duties conferred upon the mayor by charter or by ordinance;

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(6) To make periodic reports with any recommendations to the mayor as required by the mayor or as he or she deems appropriate concerning the affairs of the restructured government; and

(7) To perform any other duties as shall be required by the mayor.

c) There shall be an attorney for the restructured government who shall be appointed by and serve at the pleasure of the mayor. Such person shall be an active member of the State Bar of Georgia in good standing and shall have been engaged in the active practice of law for at least five years prior to the date of appointment. The attorney shall be legal counsel to the restructured government and perform any other duties as may be provided by ordinance. Such person shall be responsible to the mayor and to the council. The compensation of the attorney shall be as prescribed by a duly adopted ordinance. The attorney shall recommend legal counsel to all authorities of the restructured government when needed except as otherwise instructed by the mayor.

d)(1) There shall be a finance officer who shall be appointed by and serve at the pleasure of the mayor.

(2) The finance officer shall perform financial duties for the restructured government and any other duties as may be provided by ordinance. Such person shall be responsible to the mayor and to the council.

SECTION 17.

(a) The newly elected mayor and councilmembers shall take office and meet for organization and swearing-in ceremonies on the second Tuesday of January following their election. All committees and the membership thereof shall be created, abolished, and appointed as directed by the council. The mayor shall not have the right to vote on the appointment of any member to a committee. The mayor shall not be a voting member of any committee established by the council. At this meeting, the newly organized council shall make any appointments and selections as may be required by this charter.

(b) At the meeting provided for in subsection (a) of this section, the newly elected mayor and councilmembers shall each qualify to take office by taking the oath of office for public officials as provided by state law and the following oath:

"I do solemnly swear or affirm that I will well and truly perform the duties of (mayor or councilmember, as the case may be) by adopting such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of Macon-Bibb County and the common interest thereof."
SECTION 18.

No person shall fill a vacancy for an unexpired term by appointment of the council unless that person receives a majority of the votes of the full council.

SECTION 19.

(a) Seven members of the council shall constitute a quorum for the transaction of ordinary business, but the affirmative vote of at least six members shall be required for the council to take official action. Official action of the council shall be entered upon its minutes. Any member of the council shall have the right to request a roll-call vote.

(b) The council may fix the date and time of regular meetings in the council rules of procedure but there shall be at least one regular meeting each month.

(c) Special meetings of the council may be held on call of the president of the council or a majority of all members of the council. The mayor shall also be authorized to call special meetings regarding fiscal affairs or emergencies involving public safety. Notice of a special meeting shall be served on all other members personally, or by telephone personally, at least 48 hours in advance of the meeting. If, after diligent effort, personal service is not possible, notice shall be deemed to have been served if delivered to the residence of record of the member by a police officer who certifies that such delivery was made at least 24 hours prior to the convening of the meeting. This notice to councilmembers shall not be required if all councilmembers are present when the special meeting is called. This notice of any special meeting may be waived by a councilmember in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in the councilmember's presence. Only the business stated in the call may be transacted at the special meeting.

(d) All meetings of the council shall be public to the extent required by general state law and notice to the public of special meetings shall be made fully as is reasonably possible 48 hours prior to the meetings.

(e)(1) To meet a public emergency affecting life, health, property, or public peace, the council may convene on call of the mayor, the president of the council, or a majority of all councilmembers and promptly adopt an emergency ordinance, but this ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. It shall
become effective upon adoption and approval or at any later time as it may specify.

Every emergency ordinance shall automatically stand repealed 30 days following the date
upon which it was adopted, but this shall not prevent reenactment of the ordinance in the
manner specified in this section if the emergency still exists. An emergency ordinance
may also be repealed by adoption of a repealing ordinance in the same manner specified
in this section for adoption of emergency ordinances.

(2) Such emergency meetings shall be open to the public to the extent required by law
and notice to the public of emergency meetings shall be made as fully as is reasonably
possible in accordance with Code Section 50-14-1 of the O.C.G.A. or such other
applicable laws as are or may hereafter be enacted.

SECTION 20.

(a) Elected and appointed officers and employees shall demonstrate by their example the
highest standards of ethical conduct, to the end that the public may justifiably have trust and
confidence in the integrity of government. They, as agents of public purpose, shall hold their
offices or positions for the benefit of the public, shall recognize that the public interest is
their primary concern, and shall faithfully discharge the duties of their offices regardless of
personal consideration.

(b) No elected official, appointed officer, or employee of the restructured government, any
authority of the restructured government, or any agency or political entity to which this
charter applies shall knowingly:

(1) Engage in any business or transaction in which the person has a financial interest
which is incompatible with the proper discharge of official duties;

(2) Disclose confidential information concerning the property, government, or affairs of
the governmental body by which such person is engaged or is a member of without
proper legal authorization or use that information to advance the financial or other private
interest of such person or others;

(3) Accept any valuable gift from any person, firm, or corporation which to his or her
knowledge is interested, directly or indirectly, in business dealings with the governmental
body he or she is a member of or by which such person is engaged; provided, however,
that an elected official who is a candidate for public office may accept campaign
contributions and services in connection with any campaign;

(4) Represent private interests, other than his or her own, in any action or proceeding
against the restructured government or any portion of its government; or

(5) Vote or otherwise actively participate in the negotiation or the making of any contract
between the restructured government and any business or entity in which he or she has
a substantial financial interest.
(c) Any elected or appointed officer or employee of the restructured government, any authority of the restructured government, or any agency or political entity to which this charter applies who possesses or who acquires any financial interest as might reasonably tend to create a conflict with the public interest shall make full disclosure in writing to the appointing authority or the council, in the case of a member of the council, at any time a conflict becomes apparent. The disclosure statement shall be made a matter of public record and be filed with the clerk of council. Any member of the council who has any personal or private interest, indirect, financial, or otherwise, in any proposal before the council shall disclose the interest in writing to the council. The disclosure shall be made a matter of public record prior to the taking of any vote on the proposal.

(d) No elected member of the governing authority of Macon-Bibb County nor any company or business in which such elected member presently has an interest or in which such elected member held an interest within the 12 month period immediately prior to such member's election shall do business with an authority associated with Macon-Bibb County nor an authority whose members in whole or in part are appointed by the governing authority of Macon-Bibb County nor shall any member of an authority of the restructured government do business with an authority associated with Macon-Bibb County or an authority whose members in whole or in part are appointed by the governing authority of Macon-Bibb County.

(e) No elected official, appointed officer, or employee of the restructured government, any authority of the restructured government, or any agency or entity to which this charter applies shall use property owned by the restructured government for financial benefit, convenience, or profit except in accordance with policies of the restructured government.

(f) Any violation of this charter which occurs with the knowledge, express or implied, of another party to a contract or sale shall render the contract or sale involved voidable and rescindable as to that party, at the option of the council.

(g) Except where authorized by law, neither the mayor nor any councilmember shall hold any other elective or compensated appointive office in the government of Macon-Bibb County or otherwise be employed by Macon-Bibb County or any agency thereof during the term for which such official was elected, provided that the provisions of this section shall not apply to any elective office holder in office on the effective date of this charter.

(h) No person shall be hereafter appointed by the mayor, council, or any member thereof, to any office, agency, or employment who is related within the third degree of consanguinity or affinity to the mayor or any member of the council, nor shall any other board created by this charter or the head of any department of the restructured government hereafter appoint or employ any person who is so related to any member of such board or head of such department; nor shall any person be hereafter appointed or employed in any capacity on

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behalf of the restructured government who is so related to the person so appointing or employing him or her.

(i) Employees of Macon-Bibb County may, individually exercise their right to vote and privately express their views as citizens, but no employee of Macon-Bibb County shall:

(1) Use his or her official authority or capacity for the purpose of interfering with or affecting the result of an election or nomination for office; or

(2) Directly or indirectly coerce, attempt to coerce, or command a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

(j)(1) A knowing violation of this section shall be a misdemeanor.

(2) Any officer or employee of Macon-Bibb County who knowingly violates any requirement of this section shall upon conviction be guilty of malfeasance in office or position and shall forfeit the office or position.

(3) The appointing authority may reprimand, put on probation, demote, suspend, or discharge an employee or appointed officer found to have violated the standards of conduct established by this section.

SECTION 21.

(a) The bonded indebtedness of the City of Macon which is outstanding on the effective date of this charter shall become the debt and obligation of a special tax district which shall correspond to and be conterminous with the corporate limits of the City of Macon as said corporate limits existed on the day immediately preceding the effective date of this charter. The ad valorem taxes imposed by the City of Macon prior to the effective date of this charter to retire such bonded indebtedness shall continue to be imposed within the special tax district in the same manner and to the same extent that such ad valorem taxes were previously imposed by the City of Macon in accordance with the terms of the obligations of such bonded indebtedness. The council, as the governing authority of Macon-Bibb County, shall be the successor to the previously existing governing authority of the City of Macon for all purposes relating to such bonded indebtedness, including the enforcement of rights and remedies of bondholders.

(b) The bonded indebtedness of the City of Payne City which is outstanding on the effective date of this charter shall become the debt and obligation of a special tax district which shall correspond to and be conterminous with the corporate limits of the City of Payne City as said corporate limits existed on the day immediately preceding the effective date of this charter. The ad valorem taxes imposed by the City of Payne City prior to the effective date of this charter to retire such bonded indebtedness shall continue to be imposed by the council within the special tax district in the same manner and to the same extent that such ad valorem taxes
were previously imposed by the City of Payne City in accordance with the terms of the
obligations of such bonded indebtedness. The council, as the governing authority of
Macon-Bibb County, shall be the successor to the previously existing governing authority
of the City of Payne City for all purposes relating to such bonded indebtedness, including the
enforcement of rights and remedies of bondholders.

(c) The bonded indebtedness of Bibb County outstanding on the effective date of this charter
shall not be affected by this charter, and the council, as the governing authority of
Macon-Bibb County, shall become the successor to the previously existing governing
authority of Bibb County for all purposes relating to such bonded indebtedness, including the
enforcement of rights and remedies of bondholders.

SECTION 22.

(a) Existing ordinances and resolutions of the board of commissioners of Bibb County and
existing rules and regulations of departments or agencies thereof not inconsistent with the
provisions of this charter shall continue to be effective as ordinances and resolutions of the
council and as rules and regulations of the appropriate department or agency thereof until
they are modified or repealed.

(b) Existing ordinances and resolutions of the board of commissioners of Bibb County and
existing rules and regulations of departments and agencies of Bibb County which, by their
terms or by their operation, were applicable prior to the effective date of this charter
throughout the territorial limits of Bibb County shall continue to be effective throughout the
territorial limits of Bibb County until such time as the council, by resolution or ordinance,
modifies or repeals such ordinances, resolutions, or regulations.

(c) Existing ordinances and resolutions of the city council of the City of Macon which are
not inconsistent with the provisions of this charter shall continue to be effective as ordinances
and resolutions of the council until they are modified or repealed.

(d) In the event of a conflict between any of the ordinances or resolutions continued by this
section, the provisions thereof shall apply only to the territory of the restructured government
that such ordinance or resolution applied to prior to the effective date of this charter and until
such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

(e) Twelve months after the effective date of this charter, all ordinances and resolutions shall
apply uniformly throughout the area of the restructured government. Prior to this date, the
transition task force created pursuant to Section 42 of this charter shall review all ordinances
and resolutions and take whatever action is needed to remove any conflicts between
ordinances and resolutions continued by this section in order to produce a uniform body of
ordinances and resolutions free of any conflicts or contradictions between such provisions.
SECTION 23.

(a) Until July 1, 2016, the restructured government shall operate under the funds remaining from the fiscal year 2015-2016 of the combined budgets of the City of Macon, the City of Payne City, and Bibb County.

(b)(1) The first full 12 month budget of the unified government for fiscal year 2016 shall not exceed an amount equal to the combined fiscal year general operating budgets of the City of Macon and Bibb County, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(2) The 12 month budget of the unified government for fiscal year 2017 shall not exceed an amount equal to 95 percent of the preceding year's fiscal year general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(3) The 12 month budget of the unified government for fiscal year 2018 shall not exceed an amount equal to 90 percent of the preceding year's fiscal year general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(4) The 12 month budget of the unified government for fiscal year 2019 shall not exceed an amount equal to 85 percent of the preceding year's fiscal year general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(5) The 12 month budget of the unified government for fiscal year 2020 shall not exceed an amount equal to 80 percent of the preceding year's fiscal year general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(c) The budget limits established by subsection (b) of this section may be exceeded by not more than 15 percent in any given year if extreme economic circumstances require or if additional expenditures for public safety purposes are needed but only by a vote of nine of the 11 councilmembers at an open meeting after notice on the official website of Macon-Bibb County once a week for two consecutive weeks prior to the meeting and the hearing of public comments.

(d) The tax assessments made by the board of tax assessors of Bibb County and the City of Macon and the City of Payne City as of the effective date of this charter shall constitute the basis for the assessment and collection of taxes of the council for the calendar year in which this charter becomes effective.

(e) It is the purpose of this section that property shall be subject to taxation in relation to services received.
(f) Within four years of the effective date of this charter, the restructured government shall adopt a service delivery plan that includes, but is not limited to, the following:

1. An administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of economic development. The program shall be responsible for identifying problems and needs that exist in the community and for identifying and securing resources needed to effectively address these problems and needs; and

2. An administrative mechanism with appropriate status and adequate budget to develop and implement adequate parks and recreation programs that will be available to all citizens of Macon-Bibb County.

SECTION 24.

The council may create special services tax districts and shall assess, levy, and collect ad valorem taxes and collect service charges and fees for the provision of district services within a special services district only in accordance with the kind, character, type, and degree of district services provided by the council within such special services tax district. The provisions of this section shall control ad valorem taxation and the collection of service charges and fees for the provision of district services within special services tax districts by the council. District services shall mean and include all of those governmental services enumerated in Article IX, Section II, Paragraph III of the Constitution.

SECTION 25.

(a) All employees and former employees of Bibb County, the City of Payne City, and the City of Macon and of every agency, instrumentality, commission, or authority thereof shall retain those pension rights, if any, which had accrued to them prior to the effective date of this charter under any pension plan adopted by law or by ordinance or resolution by the board of commissioners of Bibb County, the mayor and city councils of the City of Macon, or the governing authority of the City of Payne City. The council shall assume on the effective date of this charter all obligations arising under all such pension plans, but the assumption of such obligations by the council shall not create any obligation on the part of the council or create any right which did not exist prior to the effective date of this charter.

(b) The council is authorized and empowered to establish and maintain a new pension system or pension systems affecting new employees and such other employees as desire to be covered thereby and to revise, combine, and consolidate any pension system in effect on the effective date of this charter; provided, however, that in no event shall any revision, combination, or unification of any existing pension system in effect when this charter is adopted result in the curtailment or diminishment of any right accrued under any existing
pension system to any person heretofore employed by the City of Macon, the City of Payne
City, Bibb County, or of any agency of such former governments.

SECTION 26.

(a)(1) The mayor shall submit to the council at least six weeks prior to the start of the
fiscal year a budget message and a budget report, accompanied by a draft of the
recommended appropriations ordinance, in a form and manner as may be prescribed by
ordinance, which shall provide for the appropriation of the funds necessary to operate all
the various departments and to meet the current expenses of the restructured government
for the next fiscal year. Such ordinance must be approved by a two-thirds' majority vote
of the council.

(2) The council shall annually appropriate the funds necessary to operate all the various
departments and to meet the current expenses of the restructured government for the next
fiscal year. The fiscal year of Macon-Bibb County shall be as determined by ordinance.

(b)(1) Each appropriations ordinance, as enacted or as amended from time to time, shall
continue in force and effect for the next fiscal year after adoption and it shall then expire
except for any mandatory appropriations required to meet contractual obligations or the
continued appropriation and authorization of state or federal grants.

(2) The council shall not appropriate funds for any given fiscal year which, in aggregate,
 exceed a sum equal to the amount of unappropriated surplus expected to have accrued in
the city treasury at the beginning of the fiscal year, together with an amount not greater
than the total receipts from existing revenue sources anticipated to be collected in the
fiscal year as determined by the mayor, less refunds as estimated in the budget report and
amendments thereto.

(3) All appropriated funds, except for the mandatory appropriations required by law and
those required to meet contractual obligations or the continued appropriation and
authorization of state or federal grants, remaining unexpended and not contractually
obligated at the expiration of the appropriations ordinance shall lapse.

(4) All state or federal funds received by Macon-Bibb County are by this charter
continually appropriated in the exact amounts and for the purposes authorized and
directed by the state or federal government in making the grant.

(c)(1) In addition to the appropriations made by the appropriations ordinance and
amendments thereto, the council may make additional appropriations in the same manner
as provided in this charter, which shall be known as supplementary appropriations
ordinances, provided that no supplementary appropriation shall be made unless there is
an unappropriated surplus in the treasury of the restructured government or the revenue
necessary to pay the appropriation has been collected into the general fund of the treasury
as provided by law.

(2) In no event shall a supplementary appropriations ordinance continue in force and
effect beyond the expiration of the appropriations ordinance in effect when the
supplementary appropriations ordinance was adopted and approved.

(d)(1) The appropriation for each department, office, bureau, board, commission,
function, or line item for which appropriation is made shall be for a specific amount of
money and no appropriation shall allocate to any object the proceeds of any particular tax
or fund or a part or percentage thereof. All appropriations by function or line item shall
be lump sum by function or line item.

(2) Any appropriation made in conflict with the foregoing provisions shall be void.

SECTION 27.

(a) The council shall prescribe, by ordinance, the procedures to be followed in the making
of contracts which shall bind the restructured government. All contracts and all ordinances
which shall make or authorize contracts shall be approved as to form by the attorney for the
restructured government. The mayor shall sign and authorize all contracts; provided,
however, the council may authorize the mayor, by ordinance, to designate another
appropriate official to sign any type of contract. The clerk of council shall authenticate all
contracts. The original of all contracts shall be maintained on file in the office of the clerk
of council.

(b) The council shall prescribe, by ordinance, the procedures for all purchases of real and
personal property by the restructured government. Competitive bidding shall be required for
purchases and contracts and awards shall be made to the lowest or best bidder; provided,
however, that the council by ordinance may authorize the purchase of goods, materials,
supplies, equipment, and services without the receipt of formal sealed bids where the price
does not exceed a specified dollar amount. Prior to the making of purchases and contracts,
the availability of adequate funds shall be certified as provided by ordinance.

(c) The council shall prescribe, by ordinance, the procedures for all sales and other
disposition of real and personal property by restructured government.

SECTION 28.

(a) On the effective date of this charter, the Board of Public Education and Orphanage for
Bibb County established pursuant to an Act approved August 23, 1872 (Ga. L. 1872, p. 388),
as amended, shall continue in the exercise of its functions and duties, subject to the
provisions of law applicable thereto and subject to the provisions of subsections (b) and (c)
of this section.
(b) The Board of Public Education and Orphanage for Bibb County shall annually certify to the council of Macon-Bibb County a school tax for the support and maintenance of education in Macon-Bibb County. The council shall annually levy said tax upon the assessed value of all taxable property within Macon-Bibb County and collect the same like other taxes of the restructured government. The levy made by the board of education and certified to the council shall not exceed 22 mills per dollar unless such mill limitation shall be increased or removed in the manner provided by law.

(c) Notwithstanding any contrary provisions of local law, the Board of Public Education and Orphanage for Bibb County shall not be required to submit to the council of Macon-Bibb County a copy of the school budget which is prepared pursuant to the provisions of Part 4 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A. as the same is now or hereafter amended.

SECTION 29.

(a) Macon-Bibb County shall have power and authority to levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation and to levy and collect such other taxes as may be allowed now or in the future by law.

(b)(1) The council, by ordinance, shall establish a millage rate within the limits provided in subsection (a) of this section for the restructured government property tax; a due date; and in what length of time these taxes must be paid.

(2) The council, by ordinance, may provide for the payment of these taxes by installments or in one lump sum, as well as authorize the voluntary payment of taxes prior to the time when due and provide for interest on late installments.

(c)(1) Macon-Bibb County shall have the power to levy any occupation or business taxes as are not prohibited by general state law. These taxes may be levied on both individuals and corporations who transact business in Macon-Bibb County or who practice or offer to practice any profession or calling therein to the extent the persons have a constitutionally sufficient nexus to Macon-Bibb County to be so taxed. These taxes may be levied and imposed on a fixed rate or gross receipts basis or any combination thereof. The council may classify businesses, occupations, professions, or callings for the purpose of these taxes in any manner as is reasonable and payment of these taxes may be compelled as provided in subsection (i) of this section.

(2) Notwithstanding any other provisions of this section, no occupation or business tax based on gross receipts shall be levied and imposed prior to the holding of a special public hearing thereon, and in no event shall the total revenue received from the imposition of an occupation or business tax based on gross receipts exceed in its first year
the total revenue received the immediately preceding year from the occupation and
business taxes levied.

(d) Macon-Bibb County shall have the power to require individuals or corporations who
transact business in Macon-Bibb County or who practice or offer to practice any profession
or calling therein to obtain a license or permit for these activities from Macon-Bibb County
and to pay a reasonable fee for the license or permit where the activities are not now
regulated by general state law in such a way as to preclude regulation by Macon-Bibb
County. These fees may reflect the total cost to Macon-Bibb County of regulating the
activity and if unpaid shall be collected as provided in subsection (i) of this section. The
council by ordinance may establish reasonable requirements for obtaining or keeping licenses
as the public health, safety, and welfare necessitate.

(e) Macon-Bibb County shall have power and authority to impose and collect license fees
and taxes on life insurance companies in the manner provided by Code Section 33-8-8.1 of
the O.C.G.A. and on fire and casualty insurance companies in the manner provided by Code
Section 33-8-8.2 of the O.C.G.A., as now or hereafter amended.

(f) Macon-Bibb County shall have the power to assess and collect fees, charges, and tolls
for sewer, sanitary and health services, and garbage and solid waste collection and disposal
services, or any other services rendered inside and outside the corporate limits of
Macon-Bibb County for the total cost to Macon-Bibb County of providing these services.
If unpaid, these charges or fees shall be collected as provided in subsection (i) of this section.

(g) Macon-Bibb County shall have the power to assess and collect the cost of constructing,
reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters,
sewers, or other utility mains and appurtenances from the abutting property owners under any
terms and conditions as are reasonable. If unpaid, these charges shall be collected as
provided in subsection (i) of this section.

(h) Macon-Bibb County shall be empowered to levy any other tax allowed now or hereafter
by state law and the specific mention of any right, power, or authority in this charter shall not
be construed as limiting in any way the general powers of Macon-Bibb County to tax or
otherwise govern its local affairs.

(i) The council, by ordinance, may provide generally for the collection of delinquent taxes,
fees, or other revenue due Macon-Bibb County under this charter or general state law by
whatever reasonable means as are not precluded by general state law. This shall include
providing for the dates when the taxes, fees, or other revenues are due; late penalties or
interest; issuance and execution of fi.ta's.; creation and priority of liens; making delinquent
taxes, fees, and other revenues personal debts of the persons required to pay the taxes, fees,
or other revenues imposed; revoking licenses issued by Macon-Bibb County for failure to
pay any Macon-Bibb County taxes, fees, or other revenues; allowing exceptions for hardship;
providing for the assignment or transfer of executions and collection of transferred executions; providing for the billing and collecting of principal, interest, and costs of delinquent executions as an addition to and a part of the annual ad valorem tax bill issued by the Macon-Bibb County tax commissioner.

(j) The council, by ordinance, shall prescribe the amount and terms of surety bonds conditioned upon the faithful performance of the duties of office of any officer or employee of Macon-Bibb County charged with the responsibility of handling moneys on a regular basis.

(k) Macon-Bibb County shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the general laws of the state. This bonding authority shall be exercised in accordance with the laws governing bond issuances by municipalities in effect at the time the issue is undertaken.

(l) Revenue bonds may be issued by Macon-Bibb County as state law now or hereafter provides. Such bonds are to be repaid out of any revenue produced by the project, program, or venture for which they were issued.

(m) Macon-Bibb County may issue short-term notes as now or hereafter provided by state law.

(n)(1) In order to facilitate the financing of any improvements authorized by law, Macon-Bibb County may issue bonds of Macon-Bibb County in the aggregate amount of assessments for the improvement then unpaid, which bond or bonds and the interest thereon shall in no event become a liability of Macon-Bibb County or the mayor and council issuing them.

(2) These bonds shall mature at a date and bear an interest rate as the council may determine by ordinance but in no event shall the rate of interest exceed that which the assessments are to bear.

(3) These bonds shall be signed by the mayor and attested by the clerk of council, shall have the impression of the corporate seal of Macon-Bibb County thereon, and shall be payable at a place designated by ordinance.

(4) These bonds shall be designated as improvement bonds and shall, on the face thereof, recite the nature and location of the improvement for which they have been issued and shall recite that they are payable solely from assessments which have been levied upon the lots and tracts of land abutting upon or being the situs of the improvement made.

(5) These bonds shall be sold at not less than par and the proceeds thereof applied to the payment of the costs and expense of the improvement for which the bonds were issued, or the bonds, in the amount that shall be necessary for that purpose, may be turned over and delivered to the contractor, in respect to the improvement at par value, in payment of the amount due on the contract, and the portion thereof which shall be necessary to pay
other expenses, incident to and incurred in providing for the improvement, shall be sold
or otherwise disposed of as the council by ordinance shall direct.

SECTION 30.

(a) The sheriff of Bibb County in office upon the date the governing authority of the
restructured government is installed shall become the sheriff of Macon-Bibb County. He or
she shall serve for the same term and his or her compensation shall be fixed as heretofore
provided by law. Subsequent elections for sheriff shall be upon the basis provided by state
law for sheriffs generally. The sheriff of Macon-Bibb County shall execute the orders and
processes of the courts, shall enforce executions issued by any officer or agency of
Macon-Bibb County, shall maintain and operate the jail wherein state or federal prisoners are
incarcerated, be responsible for the transport of prisoners, and shall perform such other duties
as are provided for in Code Section 15-16-10 of the O.C.G.A. and the Constitution of this
state. Except as provided in this section, the law enforcement powers and duties of the
sheriff are transferred and vested in the chief of police of Macon-Bibb County.

(b) The chief of the Macon-Bibb County Police Department shall be appointed by and serve
at the pleasure of the mayor and shall be the chief law enforcement officer throughout the
entire limits of Macon-Bibb County.

(c) The council shall utilize the facilities, equipment, vehicles, records, and personnel of
both the former Macon Police Department and the Bibb County Sheriff's Department in such
manner as it shall deem necessary to ensure adequate protection of the lives and property of
all of the citizens of Macon-Bibb County.

(d) The chief of the Macon-Bibb County Fire Department shall be appointed by and serve
at the pleasure of the mayor and shall perform his or her official duties as the chief firefighter
throughout the entire limits of Macon-Bibb County.

(e) The council in cooperation with the chief shall utilize the facilities, equipment, vehicles,
records, and personnel of both the former Macon Fire Department and the Bibb County Fire
Department in such manner as it shall deem necessary to ensure the most advantageous rating
classification of the commercial, residential, and public property in Macon-Bibb County.

(f) Except as otherwise provided by this charter or by law, the administrative and service
departments of the restructured government shall be created and established by ordinance and
shall perform such functions, duties, services, and responsibilities as enumerated therein and
as prescribed by administrative regulations.

(g) The council may by ordinance reorganize, combine, consolidate, or discontinue any
department or agency of the restructured government subject to the jurisdiction of the council
and may by ordinance prescribe the functions and duties thereof and may establish, abolish,
or alter all nonelective offices and positions of employment as necessary for the proper
administration of the restructured government.

(h) Except as provided by this charter or prohibited by the general laws of this state, the
terms of office of all members of all boards, commissions, committees, panels, authorities,
or other entities who were appointed by the board of commissioners of Bibb County or the
governing authority of the City of Macon shall continue for not more than one year after the
members of the council take office under this charter unless extended by such council. Each
such member shall serve out the term of office to which such member was appointed. Except
as provided by this charter or prohibited by the general laws of this state, the positions of
director or administrative head, by whatever name known, of each department or entity of
the governments of Bibb County and the City of Macon shall be abolished 90 days after the
members of the council take office under this charter. Such departments may be abolished,
reestablished, reorganized, or restructured; new job descriptions shall be established as
appropriate; and a director or administrative head shall be appointed for each department by
the mayor. Any person who formerly occupied such position and any other person shall have
the right to apply for any position thus created. The provisions of this subsection shall not
result in the automatic termination from employment with the reorganized government of any
such person and the provisions of Section 14 of this charter shall be applicable to any such
person. On or after January 1, 2016, no person shall be eligible for appointment to any
position as the administrative head of any department or agency of the restructured
government unless such person meets such qualifications as may be established by the
mayor. Each person serving as the administrative head of any department or agency of the
restructured government shall serve at the pleasure of the mayor.

(i) Notwithstanding any provision of this charter to the contrary, the Macon-Bibb County
Hospital Authority shall continue to exist as provided by law and the ordinances and
resolutions activating such authority on the effective date of this charter except that
appointments and the filling of vacancies on such authority shall be made by the council of
Macon-Bibb County.

SECTION 31.

(a) The council shall establish by ordinance a system of civil service for sworn employees
of the police and fire departments which shall provide for the establishment of a civil service
board to orally interview and pass upon the qualifications of applicants and promotional
candidates. To provide for requirements for selections, training, promotion, physical
condition, and appeal procedures and other related matters, the council shall adopt civil
service rules and regulations to govern and control the police and fire departments.
(b) The council shall establish by ordinance a personnel management system based on merit principles that meets the social, economic, and program needs of the people of Macon-Bibb County. This system shall provide means to recruit, select, train, develop, and maintain an effective and responsive work force and shall include policies and guidelines for employing, hiring and advancement, training and career development, job classification, discharge, code of conduct, fringe benefits, and other related activities. All appointments and promotions in Macon-Bibb County shall be made without regard to sex, race, religion, national origin, age, or political affiliation and shall be based on merit and fitness.

SECTION 32.

(a) The mayor shall create a permanent citizens review board for the purpose of investigating police abuse or misconduct by executive order which shall provide for the number and qualifications of members of such board, the manner of filing complaints with such board, the manner of investigating such complaints by such board, and the method of reporting findings by the board.

(b) Each member of the board shall receive training on the issues of abusive language, false arrest, false imprisonment, harassment, use of excessive force, serious bodily injury, and death which is alleged to be the result of the actions of an employee of the police department.

(c)(1) Members of the board shall serve without compensation but shall be eligible for reimbursement for actual expenses reasonably and necessarily incurred in the performance of their duties.

(2) A member of the board shall not contract to provide goods and services to Macon-Bibb County in the ordinary course of the business or profession of such member. No member shall participate as a member in the review and recommendations of the board on any proposed work or work done by any such member or any corporation, partnership, or other legal entity in which such member has any financial interest.

(d)(1) The board shall have full access to relevant police department personnel for interview and to relevant documents.

(2) All employees of Macon-Bibb County shall fully cooperate with the board and shall, on request of the board, be available to meet with and be interviewed by the board or its representatives and to testify before the board.

(3) The board may exercise subpoena power by majority vote and compel access to or production of such materials or the appearance of such person as may be relevant to investigate or study or review matters within the board's authority and discretion.

(4) Police personnel who are designated the subject of a related criminal investigation by a local law enforcement agency may elect not to appear until the conclusion of that investigation. Hearings shall be informal and strict rules of evidence shall not be applied.
Testimony under oath shall be received from all persons who appear and purport to have information which is material to the complaint. A record shall be kept and shall be made available, upon payment of costs, to any person requesting such record.

(5) All hearings shall be open to the public, except when, in the opinion of the board, executive sessions are required and are authorized under Chapter 14 of Title 50 of the O.C.G.A.

(6) The board shall have the power to recommend that the chief of police make general reforms such as changes in training, changes in the preservation of records, and changes in counseling available to officers or specific actions directed at individual officers including, but not limited to, hiring, firing, promotion, demotion, punishment, or commendation; provided, however, that the chief of police shall retain full and ultimate authority, power, discretion, management prerogatives, and responsibility to set disciplinary policies or take other lawful actions he or she deems appropriate relative to the police department; and, provided, further, that nothing in this section shall be construed to limit the rights of members of the police department with respect to disciplinary action, including, but not limited to, the right to notice and a hearing, which may be established by any provision of law or otherwise. The provisions of this section shall not be construed to prevent or hinder the investigation or prosecution of members of the department for violations of law by any court of competent jurisdiction, a federal or state grand jury, a United States Attorney, the district attorney, or other authorized officer, agency, or body. The chief may not accept a recommendation from the board that shall punish the same officer more than once for the same act or omission that constitutes misconduct for which the officer has already been punished by the city.

(7) The board and its members shall not make public any confidential police document or information derived from any such confidential police document. The findings of the board as they may relate to conclusions drawn from interviews, study, and review of documents shall remain confidential until the board officially releases such findings.

SECTION 33.

(a) The council shall afford equal opportunities for employment and promotion to all persons regardless of sex, race, religion, national origin, age, or political affiliation. No reorganization of the delivery of services shall be undertaken that results in reduced employment or employment opportunities for any minority group.

(b) It shall be the policy of the council that all citizens shall have equal opportunity for employment, promotion, and appointment by the council. It shall further be the express policy of the council that all persons shall have equal opportunity for conducting business with the council to the greatest extent possible.
(c) In furtherance of the policies stated in subsection (b) of this section, there is created and established the Office of Small Business Affairs as an agency of the Macon-Bibb County Economic Development Authority as provided in Section 35 of this charter.

(d) The purposes for which the Office of Small Business Affairs is established shall include the following:

1. To promote, stimulate, develop, and advance the economic growth of small businesses and minority businesses within Macon-Bibb County and thereby promote, stimulate, develop, and advance the business, prosperity, and economic welfare of the entire county;

2. To stimulate and assist in the expansion of all kinds of small business activity which will tend to promote small business and minority business development;

3. To cooperate and act in conjunction with other organizations, public or private, in the promotion of small business and minority business development in Macon-Bibb County; and

4. To promote economic literacy among low wealth citizens of Macon-Bibb County.

(e) In furtherance of its purposes, the Office of Small Business Affairs shall have the following powers:

1. To provide technical advice and assistance for both public and private sources of contract opportunities for small businesses and minority businesses;

2. To monitor the progress and improvement of small business and minority business owners' access to business with local government authorities and other publicly financed entities;

3. To implement procedures and promulgate rules and regulations to increase procurement opportunities extended to the small business and minority business community and to provide direct assistance to small business and minority businesses on how government and private contracting processes work:

4. To encourage small business and minority business participation in the public sector;

5. To operate an economic development program designed to transition persons who are receiving public assistance to gainful employment;

6. To construct or establish the necessary legal mechanism to be able to apply for and to accept any gifts, bequests, or grants or loans of funds or property or financial or other aid in any form from the federal government or agency or instrumentality thereof or from the state or any agency or instrumentality thereof or from any other source for any or all of the purposes specified in this section and to comply with the terms and conditions thereof;

7. To review governmental policies and recommend changes to ensure fair participation by small businesses and minority businesses in contract bidding;
(8) To randomly and statistically review purchase orders and bids to ensure compliance with fair participation by small businesses and minority businesses in government contracts;

(9) To ensure that bid specifications do not discriminate against small businesses and minority businesses;

(10) To contact small businesses and minority businesses as to contracts available for bidding;

(11) To work with local agencies in assisting small businesses and minority businesses in bid application and funding available for doing business with the governing authority;

(12) To manage and recommend economic development assistance to small businesses and minority businesses from governing authority economic development funds;

(13) To work with local agencies in determining and coordinating all sources of education and financial assistance available to small business and minority business owners;

(14) To encourage contractors and large bidders to include small businesses and minority businesses among their subcontractors;

(15) To maintain statistical information to ensure that small business and minority business participation is improving in contracts with the council and issue an annual report; and

(16) To establish a mentor program where proactive businesses which have pledged increased minority business relationships can assist minority businesses in doing business with government and the private sector.

(f) The Office of Small Business Affairs shall be under the direction and supervision of the director of the Macon-Bibb County Economic Development Authority. The director shall have the following powers and duties:

(1) To appoint assistants, clerks, and other employees as the director may deem necessary within constraints of budget provided by authority, council, or other source of funds;

(2) To furnish technical advice and assistance with respect to small business economic development to further the purposes of this section;

(3) To render monthly written reports to the advisory board. The reports may contain recommendations of the director for legislative or other action to effectuate the purposes of this section;

(4) To act as a liaison between community based groups, small businesses and minority businesses, government agencies, community development corporations, and the private sector; and
(5) To request from any state or local governmental agency or department such reports and information at such times as it may deem reasonably necessary to carry out the purposes of this section.

(g)(1) There shall be an advisory board to the Office of Small Business Affairs, which shall be referred to in this charter as the "advisory board." The advisory board shall consist of six members as follows:

(A) A president of a bank licensed in the State of Georgia and doing business in Macon-Bibb County or such person's designee to be appointed by the mayor of Macon-Bibb County;

(B) A small or minority business owner doing business in Macon-Bibb County whose business has a net profit after taxes of the last two taxable years of less than $1 million and employs fewer than 50 people to be appointed by the Macon-Bibb County Chamber of Commerce;

(C) A big business owner or such person's designee doing business in Macon-Bibb County to be appointed by the council of Macon-Bibb County;

(D) A representative to be appointed by an organization that represents the interest of minority businesses that has been in existence in Macon-Bibb County for at least one year;

(E) A representative of the local chapter of the National Association for the Advancement of Colored People; and

(F) The executive director of the Macon-Bibb County Economic Opportunity Council.

(2) Members of the advisory board shall serve for terms of three years.

SECTION 34.

(a) Except as otherwise provided in this charter or applicable state law, all boards, commissions, and authorities of the City of Macon and Bibb County shall continue in the exercise of their functions and duties, subject to the provisions of laws applicable thereto and subject to the provisions of this charter. As used in the Acts and amendments creating the existing boards, commissions, and authorities of the City of Macon and Bibb County, the terms "Macon City Council" and "Bibb County Board of Commissioners" shall mean the council of Macon-Bibb County and the term "mayor of Macon" shall mean the "mayor of Macon-Bibb County."

(b) All boards, commissions, and authorities of the restructured government, including those boards, commissions, and authorities of the City of Macon and Bibb County which are continued under the restructured government pursuant to subsection (a) of this section, shall consist of seven members, three of whom shall be appointed by the council and four of whom shall be appointed by the mayor, except where other appointment authority, term of
office, or manner of appointment is prescribed by this charter or by applicable state law. Each member shall have been a resident of the area encompassed by Macon-Bibb County for a period of at least five years immediately prior to appointment.

(c) Any vacancy in the office of any member of a board, commission, or authority of the restructured government shall be filled for the unexpired term in the manner prescribed in subsection (b) of this section for original appointment, except as otherwise provided in this charter or by applicable state law.

d) Members of all boards, commissions, and authorities of the restructured government shall be limited to two consecutive full terms of office on such boards, commissions, and authorities. Filling more than one-half of an unexpired term of office shall constitute a full term of office.

e) Members of all boards, commissions, and authorities of the restructured government shall serve four years terms of office unless otherwise provided in this charter or applicable state law, provided that such members are subject to removal at any time by the appointing authority.

(f) No board, commission, or authority shall create any other entity or subsidiary whatsoever without first obtaining approval by a two-thirds' vote of the council of Macon-Bibb County and approval by the mayor.

(g) The mayor and council are authorized to review and dissolve at their discretion any entity to which this section is applicable that was created prior to the effective date of this charter.

SECTION 35.

(a) There is created as a subordinate branch of the restructured government an agency to be known as the Macon-Bibb County Economic Development Authority. Said authority shall be an instrumentality of the restructured government and a public corporation.

(b) The Macon-Bibb County Economic Development Authority shall consist of seven members, four of whom shall be citizen members who hold no elective or appointive office in the restructured government.

(c) On the effective date of this charter, the Macon-Bibb County Urban Development Authority established by an Act of the General Assembly approved March 22, 1974 (Ga. L. 1974, p. 3093), as amended, shall stand abolished. Thereupon, the Macon-Bibb County Economic Development Authority created pursuant to this section shall succeed, replace, and have the powers and duties in every respect and shall perform every function as was performed by the Macon-Bibb County Urban Development Authority, and all rights, privileges, obligations, and powers heretofore vested therein are transferred to and vested in the Macon-Bibb County Economic Development Authority and to such extent said local Act
of the General Assembly (Ga. L. 1974, p. 3093), as amended, is continued in unimpaired
force and effect.

(d) On the effective date of this charter, the Macon-Bibb County Industrial Authority
established by an Act of the General Assembly approved February 27, 1962 (Ga. L. 1962,
p. 2323), as amended, shall stand abolished. Thereupon, the Macon-Bibb County Economic
Development Authority created pursuant to this section shall succeed, replace, and have the
powers and duties in every respect and shall perform every function as was performed by the
Macon-Bibb County Industrial Authority, and all rights, privileges, obligations, and powers
heretofore vested therein are transferred to and vested in the Macon-Bibb County Economic
Development Authority and to such extent said local Act of the General Assembly (Ga. L.
1962, p. 2323), as amended, is continued in unimpaired force and effect.

SECTION 36.

On and after the effective date of this charter, the Middle Georgia Coliseum Authority
established by an Act of the General Assembly approved March 15, 1963 (Ga. L. 1963,
p. 2250), as amended, shall be known as the Macon Entertainment and Tourism Authority.
The entertainment and tourism authority shall succeed, replace, and have the powers and
duties in every respect and shall perform every function as was performed by the Middle
Georgia Coliseum Authority, and all rights, privileges, obligations, and powers heretofore
vested therein are transferred to and vested in the Macon Entertainment and Tourism
Authority. In addition to its other functions and powers, the Macon Entertainment and
Tourism Authority shall promote and support the film and music industry in Macon-Bibb
County.

SECTION 37.

(a) On the effective date of this charter, the housing authority of the City of Macon shall be
redesignated as the Housing Authority of Macon-Bibb County, and it shall continue its
operations without interruption resulting from the adoption of this charter. As of that date,
the provisions of Article 1 of Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities
Law," shall apply to the restructured government. As used in said article, as amended or as
may hereafter be amended, the terms "authority" or "housing authority" shall be construed
to mean the Housing Authority of Macon-Bibb County; the term "county" shall be construed
to include Macon-Bibb County; the term "governing body" shall be construed to include the
council of Macon-Bibb County; the term "mayor" shall be construed to include the mayor
of Macon-Bibb County; and the term "clerk" shall be construed to include the clerk of the
council of Macon-Bibb County.
(b) Every act of the City of Macon heretofore done or performed under Article 1 of
Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities Law," Article 2 of Chapter 3
of Title 8 of the O.C.G.A., the "Housing Cooperation Law," Chapter 4 of Title 8 of the
O.C.G.A., the "Redevelopment Law," or Chapter 61 of Title 36 of the O.C.G.A., the "Urban
Redevelopment Law," or laws amendatory thereof, or under any state or federal law relating
to the subject matters thereof is affirmed and ratified and is continued in unimpaired force
and effect to the same extent as if the respective governments of the City of Macon and Bibb
County had continued to exist and function as separate political entities, and nothing
contained in this charter shall affect the status of the housing authority created for the City
of Macon pursuant to said laws, or any of them, nor shall any cooperation agreement or other
obligation entered into or undertaking by the governing authorities of either of said
governments be impaired or otherwise affected. Any and all agreements made by such
housing authority are approved and ratified, including, without limiting the generality of the
foregoing, all bonds or notes or other monetary commitments issued or made by such
housing authority and including any and all agreements made by such housing authority with
the federal government, or any agency thereof, pertaining in any way to the functions of such
housing authority. By this section the corporate existence, functions, and powers of the
housing authority of the City of Macon are expressly recognized and are continued in
unimpaired force and effect notwithstanding anything contained elsewhere in this charter.
(c) The members of the Housing Authority of Macon-Bibb County shall be appointed by the
mayor and shall not be subject to council approval.

SECTION 38.
(a) The Macon-Bibb County Planning and Zoning Commission established pursuant to a
local constitutional amendment approved March 28, 1947 (Ga. L. 1947, p. 1240), and
continued in force and effect as a part of the Constitution by an Act approved March 28,
1986 (Ga. L. 1986, p. 5308), shall continue in the exercise of its functions and duties, subject
to the provisions of law applicable thereto and subject to the provisions of this charter.
(b) The Macon-Bibb County Planning and Zoning Commission shall consist of one member
from each council ward in Macon-Bibb County, each of whom shall be appointed by the
council. Those members of the Macon-Bibb County Planning and Zoning Commission
serving as such on the date the implementation of this charter is permissible under the federal
Voting Rights Act of 1965, as amended, shall continue to serve as such members until
January 31, 2016. On that date, the Macon-Bibb County council shall appoint eleven
members of the commission pursuant to this subsection who shall each reside within the
ward he or she is appointed to represent. The initial terms of office of members appointed
to represent odd-numbered wards shall be until December 31, 2017, and until a successor is
appointed and qualified. The initial terms of office of members appointed to represent even-numbered wards shall be until December 31, 2019, and until a successor is appointed and qualified. Thereafter, all members of the commission shall serve for terms of office of four years and until successors are appointed and qualified.

SECTION 39.

All officers, officials, and employees of the former City of Macon, City of Payne City, and Bibb County shall cooperate with and assist the council, mayor, and other officers of Macon-Bibb County:

1. In planning the restructuring of departments, boards, commissions, and agencies of said former governments and in transferring the functions, duties, and responsibilities of such departments, boards, commissions, authorities, and agencies to the appropriate agencies of the restructured government of Macon-Bibb County; and

2. In all other respects in order that the transfer of the governments be accomplished in the most orderly manner possible. The officers of the restructured government shall be entitled to examine all records, files, and other data in the possession of the former governments and of all officers, officials, employees, and departments thereof. The former governments shall to the extent possible provide working areas and facilities for the officers of the restructured government.

SECTION 40.

This charter may be modified, rescinded, changed, or amended by only the following methods:

1. An Act of the General Assembly of Georgia; or

2. An ordinance adopted by the council of Macon-Bibb County, Georgia, as provided for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

SECTION 41.

(a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and other obligations or instruments entered into by Bibb County or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the restructured government; provided, however, any obligation created by Bibb County to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the council of the restructured government within six months following the effective date of this charter.
(b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or the City of Payne City or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the restructured government; provided, however, any obligation created by the City of Macon or the City of Payne City to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the council of the restructured government within six months following the effective date of this charter.

(c) No pending action or proceeding of any nature, whether civil, criminal, judicial, administrative, or other, by or against the City of Macon, the City of Payne City, or Bibb County or an agency or department thereof shall be abated or otherwise affected by the adoption of this charter, and the restructured government shall stand substituted as a party in lieu thereof.

SECTION 42.

(a) Effective January 1, 2013, there is created a transition task force for the purpose of planning and preparing for the assumption of governmental powers by the restructured governing authority. The transition task force shall be composed of members as follows:

1. The chairperson of the board of commissioners of Bibb County who shall be the co-chief executive officer of the task force;
2. The chairperson of the finance committee of the board of commissioners of Bibb County;
3. The chairperson of the finance committee of the city council of the City of Macon;
4. The mayor of the City of Macon who shall be the co-chief executive officer of the task force;
5. The president of the city council of the City of Macon;
6. The president of the Bibb County League of Women Voters or such person's designee;
7. The president of the Macon-Bibb County branch of the National Association for the Advancement of Colored People or such person's designee;
8. The chairperson of the Bibb County delegation in the General Assembly who shall serve as chairperson of the transition task force; and
9. A member appointed by the members of the General Assembly whose districts include all or any portion of Bibb County from among themselves who is a member of a different political party than the chairperson of the delegation.
The transition task force shall meet upon the call of the chairperson of the transition task force for the purpose of planning and scheduling the initial organization of the government in accordance with the applicable provisions of this charter.

(b) The transition task force shall be authorized to make such recommendations as it deems appropriate for the assumption of governmental powers by the council on the second Tuesday in January, 2016. The transition task force is specifically charged with the responsibility of developing proposed ordinances which should be considered for adoption by the council at its first regular meeting held following the second Tuesday in January, 2016, or at a regular meeting of the council held as soon thereafter as practicable.

(c) All officers, officials, including elected officials, and employees of Bibb County, the City of Macon, and the City of Payne City shall cooperate with and assist the transition task force. The transition task force shall be entitled to examine all records, files, and other data in the possession of Bibb County, the City of Macon, and the City of Payne City and all officers, officials, and employees and departments thereof. Bibb County, the City of Macon, and the City of Payne City shall, to the extent possible, provide working areas and facilities for the transition task force.

(d) The transition task force shall be authorized to receive and expend appropriations from the board of commissioners of Bibb County and from the mayor and city council of the City of Macon and from the governing authority of the City of Payne City for the purpose of carrying out its duties, but members of the transition task force shall receive no compensation for their services as such members.

(e) During the period beginning on the date on which this charter is approved in the referendum provided for by Section 45 of this charter, it shall be the duty of the transition task force to recommend and the duty of the board of commissioners of Bibb County and the mayor and city council of the City of Macon to implement, where possible, such restructuring or reorganization of services, functions, powers, and duties as may be advantageous to the restructuring of such governments.

(f) The transition task force shall be abolished on the date specified by the council.

SECTION 43.

(a) Nothing contained in this charter shall be construed to affect the status of any incorporated municipality located within Bibb County other than the City of Macon and the City of Payne City, and the status or relationship that such incorporated municipality bears to Bibb County prior to the adoption of this charter shall continue to the same extent with the restructured government.
(b) On and after January 1, 2016, that portion of the City of Macon that is located in Jones County shall be treated as having been deannexed from the City of Macon and shall be an unincorporated area of Jones County.

SECTION 44.
In the event any section, subsection, sentence, clause, or phrase of this charter shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this charter, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly declares that it would have passed the remaining parts of this charter if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SECTION 45.
Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Bibb County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Bibb County for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November, 2012, and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Bibb County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act restructuring the governments of the City of Macon, the City of Payne City, and Bibb County and creating a single county-wide government to supersede and replace these governments and providing for the termination of the terms of office of members of the governing authorities of Bibb County, the City of Macon, and the City of Payne City be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes in the county as a whole cast on such question are for approval of the Act and if more than one-half of the votes cast in the City of Macon on such question are for approval of the Act, this charter shall become of full force and effect on January 1, 2013. If the Act is not so approved or if the election is not conducted as provided in this section, the remaining sections of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such
election shall be borne by Bibb County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 46.

(a) Section 45 of this Act and this section shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval.

(b) Except as provided in Section 45 of this Act, the remaining provisions of this Act shall become effective on January 1, 2013.

SECTION 47.

All laws and parts of laws in conflict with this Act are repealed.
Redistricting Plan Components Report

District 001
Bibb County

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Bibb County

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BG: 4

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Tract: 132.01
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Tract: 132.02
BG: 6

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Tract: 134.01
BG: 7

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Tract: 136.01
BG: 8

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Tract: 136.02
BG: 9

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Tract: 136.03
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Tract: 136.04
BG: 11

1999

District 003
Bibb County

Tract: 136.05
BG: 12

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1701   BG: 3

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District 007

Bibb County

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3018

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BG: 6

District 008

Bibb County

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Tract: 122

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Bibb County

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