

Senate Bill 274

By: Senators Brown of the 26th and Staton of the 18th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

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

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

SECTION 1.

10
11 (a) The governmental and corporate powers, duties, and functions now vested in the City of
12 Macon, a municipal corporation created by an Act of the General Assembly, approved
13 March 23, 1977 (Ga. L. 1977, p. 3776), as amended, are restructured with the governmental
14 and corporate powers, duties, and functions of the County of Bibb and the City of Payne City
15 (if consolidated with the governments of Bibb County and the City of Macon as provided in
16 this Act), such restructuring of the governments of the City of Macon, the City of Payne City
17 (if consolidated with the governments of Bibb County and the City of Macon as provided in
18 this Act), and the County of Bibb being pursuant to the constitutional power granted by
19 Article IX, Section III, Paragraph II of the Constitution of Georgia, as amended. Said
20 restructuring shall result in the establishment of a single county-wide government with
21 powers and jurisdiction throughout the territorial limits of Bibb County, which single
22 government shall supersede and replace the governments of the City of Macon, the City of
23 Payne City (if consolidated with the governments of Bibb County and the City of Macon as
24 provided in this Act) , and the County of Bibb, and, to the extent provided in this charter,
25 shall also supersede and replace any public authorities and special service districts located
26 and operating within Bibb County. Said county-wide government shall be a new political

27 entity, a body politic and corporate, and a political subdivision of the State of Georgia, to be
 28 known as "Macon-Bibb County" (in this charter at times called "the restructured
 29 government"), having all of the governmental and corporate powers, duties, and functions
 30 heretofore held by and vested in the City of Macon, the City of Payne City (if consolidated
 31 with the governments of Bibb County and the City of Macon as provided in this Act), and
 32 Bibb County, and also the powers, duties, and functions provided in this charter. The
 33 restructured government shall be a public corporation; shall have perpetual existence; shall,
 34 without the necessity or formality of a deed, bill of sale, or other instrument of transfer, own,
 35 possess, and hold all properties of whatsoever kind or nature, assets, contracts, franchises,
 36 things, rights, privileges, immunities, and real and personal property theretofore owned,
 37 possessed, enjoyed, or held by the City of Macon, the City of Payne City (if consolidated
 38 with the governments of Bibb County and the City of Macon as provided in this Act), and
 39 the County of Bibb; by the name of Macon-Bibb County shall be able to contract and be
 40 contracted with, sue and be sued as provided by this charter, plead and be impleaded in all
 41 courts of this state, and do all other acts relating to its corporate capacity; and shall be able
 42 in law and equity to purchase, have and hold, receive, enjoy, accept, possess, and retain for
 43 the use and benefit of said Macon-Bibb County, in perpetuity or for any term of years, any
 44 estate or estates, real or personal, lands, tenements, or hereditaments of whatsoever kind or
 45 nature inside or outside the territorial limits of the restructured government, as may be
 46 devised, bequeathed, sold, or by any manner conveyed or dedicated to or otherwise acquired
 47 by the restructured government and to use, manage, improve, sell and convey, rent, or lease
 48 same; and to have and use a common seal. From and after the effective date of this charter,
 49 the political subdivision known as Bibb County, Georgia, and the municipal corporations
 50 known as the City of Macon and the City of Payne City (if consolidated with the
 51 governments of Bibb County and the City of Macon as provided in this Act) shall be merged
 52 into the said new political entity created in this charter.

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

58

SECTION 2.

59 (a) The restructured government shall have and be vested with, to the same extent as if
 60 repeated in this charter, all rights, powers, duties, privileges, and authority that the City of
 61 Macon, the City of Payne City (if consolidated with the governments of Bibb County and the
 62 City of Macon as provided in this Act) or Bibb County, or all collectively, have under the

63 Constitution and general and special laws of Georgia at the time of the adoption of this
64 charter, except as expressly modified in this charter.

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

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

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

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

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

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

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

99 (g) Local Acts of the State of Georgia which apply specifically to Bibb County, the City of
 100 Payne City (if consolidated with the governments of Bibb County and the City of Macon as
 101 provided in this Act), or the City of Macon, or all collectively, shall be applicable to the
 102 restructured government.

103 (h) In construing the applicability of provisions of the Constitution and the general laws of
 104 Georgia which apply in general terms to either counties or municipalities, or both, and local
 105 Acts of the General Assembly that apply specifically to Bibb County, the City of Payne City
 106 (if consolidated with the governments of Bibb County and the City of Macon as provided in
 107 this Act), or the City of Macon, or all collectively, the following terms as used in such laws
 108 shall be construed to include the restructured government as follows:

109 (1) "County" shall be construed to include Macon-Bibb County;

110 (2) "City," "town," "municipal corporation," or "municipality" shall be construed to
 111 include Macon-Bibb County;

112 (3) "Commissioners of roads and revenues" and "board of county commissioners" shall
 113 be construed to include the council of Macon-Bibb County;

114 (4) "Council," "mayor and council," "aldermen," and "board of aldermen" shall be
 115 construed to include the council of Macon-Bibb County, Georgia; and

116 (5) Any other terms and provisions as used in such Acts to refer specifically to Bibb
 117 County or the City of Macon, or both, and the officers, employees, departments, and
 118 agencies thereof shall be construed to mean Macon-Bibb County and its officers,
 119 employees, departments, and agencies.

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

122 (1) The Constitution of the State of Georgia;

123 (2) The general laws of uniform application now in force or hereafter enacted by the
 124 General Assembly, as distinguished from general laws of local application through
 125 classification by population, applicable to municipal corporations or counties, or both;

126 (3) The general laws of local application through classification by population as and to
 127 the extent provided in subsection (a) of this section;

128 (4) Special laws applicable to Bibb County, not in conflict with this charter;

129 (5) Special laws applicable to the City of Macon, not in conflict with this charter;

130 (6) Special laws applicable to the City of Payne City (if consolidated with the
 131 governments of Bibb County and the City of Macon as provided in this Act), not in
 132 conflict with this charter;

133 (7) This charter and all ordinances and resolutions passed pursuant thereto; and

134 (8) Existing ordinances and resolutions of the former City of Macon and City of Payne
 135 City (if consolidated with the governments of Bibb County and the City of Macon as

136 provided in this Act) and existing ordinances and resolutions of the former County of
 137 Bibb not in conflict with this charter.

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

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

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

156 **SECTION 3.**

157 (a) Prior to the effective date of this charter, all powers vested in Bibb County, the City of
 158 Macon, or the City of Payne City (if consolidated with the governments of Bibb County and
 159 the City of Macon as provided in this Act), or any of their respective officers, agents, or
 160 agencies shall remain in full force and effect. Upon such effective date, the board of
 161 commissioners of Bibb County, the mayor and council of the City of Macon, the mayor and
 162 council of the City of Payne City (if consolidated with the governments of Bibb County and
 163 the City of Macon as provided in this Act), and the offices of all members thereof shall stand
 164 abolished, and all emoluments appertaining thereto shall cease. Thereupon, the governments
 165 of Bibb County, the City of Macon, and the City of Payne City (if consolidated with the
 166 governments of Bibb County and the City of Macon as provided in this Act) shall terminate
 167 as such separate political entities and be merged into the government created by this charter.

168 (b) When an agency of the City of Macon, the City of Payne City (if consolidated with the
 169 governments of Bibb County and the City of Macon as provided in this Act), or Bibb County
 170 is abolished or restructured by this charter, all books, papers, maps, charts, plans, records,

171 other equipment, and personal property in possession of the same shall be delivered to the
172 agency to which its rights, powers, duties, and obligations are transferred.

173 (c) Notwithstanding any other provision of this charter, any officer performing duties under
174 the government of the City of Macon, the City of Payne City (if consolidated with the
175 governments of Bibb County and the City of Macon as provided in this Act), or Bibb County
176 may continue to perform the duties thereof until a successor, whether under the same title of
177 office or another, shall be elected or appointed and qualified to perform the duties, it being
178 the intention of this charter that no duty or service shall lapse or be abandoned because of
179 lack of an officer to perform same.

180

SECTION 4.

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

186 (b) No action or proceeding of any nature, whether civil or criminal, judicial or
187 administrative, or otherwise, pending on the effective date of this charter by or against the
188 City of Macon or its departments and agencies, the City of Payne City (if consolidated with
189 the governments of Bibb County and the City of Macon as provided in this Act) or its
190 departments and agencies, or Bibb County or its departments or agencies shall be abated or
191 otherwise affected by the adoption of this charter.

192 (c) The departmental organization of the cities existing immediately prior to adoption of this
193 charter shall continue in effect upon the effective date of this charter until such organization
194 is changed or reorganized as provided by ordinance of the council and administrative
195 regulations consistent therewith.

196 (d) The provisions of this charter notwithstanding, the annual compensation of the mayor
197 and councilmembers of the City of Macon and the City of Payne City (if consolidated with
198 the governments of Bibb County and the City of Macon as provided in this Act) for the
199 remainder of their present terms of office shall be the same annual compensation as such
200 officers received in the calendar year immediately preceding the date of adoption of this
201 charter.

202 (e) The provisions of this charter notwithstanding, the annual compensation of the board of
203 commissioners of Bibb County for the remainder of their present terms of office shall be the
204 same annual compensation as such officers received in the calendar year immediately
205 following the adoption of this charter.

206

SECTION 5.

207 The governing authority of Macon-Bibb County shall consist of a mayor and a council of
 208 said county composed of 11 members. Said board is designated as the Macon-Bibb County
 209 Council, referred to in this charter as the "council." The members of said board are
 210 designated and referred to in this charter as "councilpersons." The council shall exercise and
 211 be subject to all of the rights, powers, duties, and obligations imposed by this charter or
 212 previously applicable to the governing authorities of the City of Macon, the City of Payne
 213 City (if consolidated with the governments of Bibb County and the City of Macon as
 214 provided in this Act), and Bibb County and to any general laws, local laws, or constitutional
 215 provisions applicable or effective within the former City of Macon, City of Payne City (if
 216 consolidated with the governments of Bibb County and the City of Macon as provided in this
 217 Act), and Bibb County. The council shall constitute a county as well as a municipality for
 218 the purpose of the application of the general laws and Constitution of this state. The council
 219 may exercise the powers vested in the governing authority of the municipality and
 220 municipalities generally as well as the powers vested in the former governing authority of
 221 the county and counties generally.

222

SECTION 6.

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

232

SECTION 7.

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

239 charter shall be construed as affecting the status of said court. The court shall be known as
 240 the State Court of Macon-Bibb County.

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

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

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

253 (f) On the effective date of this charter, the operations and employees of the Municipal Court
 254 of the City of Macon shall continue its operations without interruption resulting from the
 255 adoption of this charter. The employees of such court shall become employees of the
 256 restructured government of Macon-Bibb County. The court shall be known as the Municipal
 257 Court of Macon-Bibb County. The judge of the Municipal Court of the City of Macon shall
 258 be authorized to serve as the judge of said court. Vacancies in the office of judge of the
 259 Municipal Court of Macon-Bibb County shall be filled by appointment of the mayor. Such
 260 court shall have jurisdiction over all traffic offenses and code violations occurring in
 261 Macon-Bibb County and the same jurisdiction as provided for other municipal courts under
 262 general law.

263 **SECTION 8.**

264 Except as otherwise provided in this charter, the duties of the sheriff, the tax commissioner,
 265 and the clerk of the superior court shall remain as such duties are presently imposed by law
 266 for such respective officers as county officers. The compensation paid to any such officer
 267 shall be fixed as heretofore provided by law and may not be reduced during his or her term
 268 of office below the amount of such compensation as fixed at the commencement of such
 269 term, nor shall his or her compensation during his or her term of office in effect upon the
 270 effective date of this charter be reduced below the salary then being paid such officer. Such
 271 compensation as so fixed shall be the sole remuneration to such officers for their services and
 272 any and all other compensation for such services to Macon-Bibb County, the State of
 273 Georgia, or any agency thereof, including salaries, fees, commissions, fines, or forfeitures

274 received from any source whatsoever, shall be the property of Macon-Bibb County and paid
275 into its treasury.

276

SECTION 9.

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

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

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

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

303 (2) The reapportionment of election wards shall comply with the following
304 specifications:

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

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

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

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

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

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

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

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

338 (2) Continues to reside within the council ward from which elected during his or her term
339 of office;

340 (3) Is a registered and qualified elector of Macon-Bibb County; and

341 (4) Meets the qualification standards required for members of the Georgia House of
342 Representatives as are now or may in the future be prescribed by the Georgia
343 Constitution.

344 (h)(1) Each councilmember shall be paid an annual salary of \$15,000.00. Future changes
345 in the salary and expenses of the councilmembers shall be effected in accordance with the
346 provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the
347 procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any
348 increase in the salary or compensation of councilmembers shall equal no more than
349 one-half of the average percentage salary increase granted by such governing authority
350 to the restructured government employees over the preceding three years.

351 (2) Any action to increase the salary of councilmembers shall not become effective until
352 the date of commencement of the terms of those councilmembers elected at the next
353 regular election following such action.

354 (3) In addition to salary, councilmembers shall be reimbursed for all actual expenses
355 reasonably and necessarily incurred in carrying out the duties and responsibilities of the
356 restructured government.

357 (i) The council shall elect from among its members in January of each year a member to
358 serve as president of the council.

359 **SECTION 10.**

360 (a) Those members of the board of commissioners of Bibb County and the mayor and those
361 members of the city councils of the City of Macon and the City of Payne City (if
362 consolidated with the governments of Bibb County and the City of Macon as provided in this
363 Act) who are serving as such on the date the implementation of this charter is permissible
364 under the federal Voting Rights Act of 1965, as amended, and any persons filling vacancies
365 in such offices shall continue to serve as such members until the second Tuesday in January,
366 2016, and then all such offices shall be abolished and all terms of office shall expire. On and
367 after the date the requirements for the implementation of this charter have been met and the
368 implementation of this charter is permissible under the federal Voting Rights Act of 1965,
369 as amended, no further elections shall be conducted to elect members of the board of
370 commissioners of Bibb County and the mayor and members of the city councils of the City
371 of Macon and the City of Payne City (if consolidated with the governments of Bibb County
372 and the City of Macon as provided in this Act) and all elections for the mayor and the
373 members of the council shall be conducted pursuant to this charter. Such members of the
374 board of commissioners of Bibb County and the mayor and members of the city councils of
375 the City of Macon and the City of Payne City (if consolidated with the governments of Bibb
376 County and the City of Macon as provided in this Act) shall continue to receive the
377 compensation to which they were entitled pursuant to local law or Code Section 36-35-4 of
378 the O.C.G.A. until the second Tuesday in January, 2016.

379 (b)(1) One initial member of the council from each council ward shall be elected in a
380 special election to be held on the Tuesday after the first Monday in November, 2015.
381 Members elected in such special election shall take office on the second Tuesday of
382 January immediately following their election. Each member shall serve for a term of
383 office of four years and until a successor is elected and qualified. A special primary shall
384 be conducted in accordance with law prior to such special election. Candidates shall be
385 nominated and elected by majority vote as provided in this section. Thereafter,
386 successors to members of the council shall be elected at a general municipal election to
387 be held on the Tuesday following the first Monday in November immediately preceding
388 the expiration of their respective terms of office, shall be nominated and elected as
389 provided in this section, shall take office on the second Tuesday of January immediately
390 following the date of their election, and shall have terms of office of four years and until
391 their respective successors are elected and qualified. Each member of the council shall
392 be elected by the electors residing within such member's council ward.

393 (2) The members of council shall elect from their membership a member to serve as
394 president of the council and a member to serve as vice president of the council. The
395 president of the council shall preside at all meetings of the council and possess and have
396 all the rights, privileges, and responsibilities of other councilmembers. The president of
397 the council shall serve as acting mayor with all the powers and duties of that office should
398 the mayor temporarily be unable to serve, and the president shall act as mayor or succeed
399 to the office of mayor as provided in Section 15 of this charter. The vice president of the
400 council shall preside in the president's absence and have all the rights, privileges, and
401 responsibilities of other councilmembers.

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

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

415 (1) Have attained the age of 25 years;

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

424 **SECTION 11.**

- 425 (a) The council shall provide by ordinance for the execution of all powers, functions, rights,
 426 privileges, duties, and immunities of the restructured government and its officers, agencies,
 427 or employees as provided by this charter or general state law.
 428 (b) Without limiting the general legislative powers of the council, it is empowered to:
 429 (1) Adopt all annual appropriations for the restructured government by ordinance and
 430 any supplements or amendments the council deems necessary from time to time during
 431 the fiscal year;
 432 (2) Adopt, by ordinance, a fiscal year for the restructured government and each of its
 433 departments, boards, or other agencies and any other ordinances for the regulation and
 434 management of the financial affairs of the restructured government it deems necessary;
 435 (3) Adopt, by ordinance, provisions for governmental reorganization including the
 436 establishment, alteration, or abolishment of any and all nonelective offices, positions,
 437 departments, and agencies of the restructured government unless otherwise established
 438 or provided by this charter;
 439 (4) Adopt ordinances establishing any and all personnel policies it deems necessary for
 440 an adequate and systematic handling of personnel affairs;
 441 (5) Make adjustments, by ordinance, to the boundaries of council wards of the
 442 restructured government as provided in Section 9 of this charter;
 443 (6) Establish committees of its members for legislative, investigative, and study purposes
 444 without the need for approval of the mayor;
 445 (7) Establish and appoint any board or commission of citizens to advise the council as
 446 it deems necessary without the need for approval by the mayor; provided, however, that
 447 the term of such boards or commissions shall automatically expire at the end of the term
 448 of office of the council who appointed same, if not earlier abolished by the council;
 449 (8) Provide for the collection of residential solid waste throughout Macon-Bibb County
 450 utilizing the equipment formerly utilized for residential solid waste collection by the
 451 former City of Macon; and

452 (9) Adopt any other ordinance, resolution, or amendment to this charter as is allowed or
 453 not denied now or hereafter under general state law or this charter and exercise any other
 454 power as may be provided now or hereafter under general state law, this charter, or
 455 ordinance.

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

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

463 **SECTION 12.**

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

474 **SECTION 13.**

475 The council, if authorized by a majority vote of the entire council, may, without the need for
 476 approval by the mayor, make inquiries and investigations into the affairs of the restructured
 477 government and the conduct of any department, office, or agency of the restructured
 478 government or any joint or independent commission, board, or authority of the restructured
 479 government. Such authority may be vested in a committee of not less than three members
 480 of council by a two-thirds' vote of the entire council. For this purpose, the council or its
 481 authorized committee may request or subpoena witnesses, administer oaths, take testimony,
 482 and require the production of evidence in the same manner as the Superior Court of
 483 Macon-Bibb County; provided, however, that, in the event the inquiry or investigation is
 484 being conducted by council's authorized committee, subpoenas of witnesses or evidence must
 485 be authorized by a two-thirds' vote of the entire council and issued by the chairperson of the
 486 authorized committee or authorized by a majority vote of the authorized committee and

487 approved and issued by the president of council. Any person who fails or refuses to obey a
 488 subpoena issued in the exercise of this power by the council or its authorized committee may
 489 be held in contempt of the council by a majority vote of all councilmembers and punished
 490 as provided for contempt of a municipal court. Appeals to the Superior Court of Macon-Bibb
 491 County from a council contempt conviction is allowed as for any conviction in the municipal
 492 court. Any participant in any hearing authorized may require that such hearing be closed to
 493 the public and all reports to council of the result of any inquiry or investigation by an
 494 authorized committee shall be closed to the public. Any action taken by council as a result
 495 of such inquiry or investigation shall be taken at and during an open meeting.

496 **SECTION 14.**

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

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

- 523 (9) To appoint the attorney for the restructured government who shall serve at the
524 pleasure of the mayor;
- 525 (10) To provide an annual financial audit of all authorities and provide a report of such
526 audit to the council; and
- 527 (11) To perform any other duties as may be required by law, ordinance, or resolution.
- 528 (b)(1) Every ordinance adopted by the councilmembers shall be presented promptly by
529 the clerk of council to the mayor after its adoption.
- 530 (2) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the
531 clerk of council with or without the mayor's approval or with the mayor's disapproval.
532 If the ordinance has been approved by the mayor, it shall become law upon its return to
533 the clerk of council; if the ordinance is neither approved nor disapproved, it shall become
534 law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is
535 disapproved, the mayor shall submit to the councilmembers through the clerk of council
536 a written statement of the reasons for the veto. The clerk of council shall record upon the
537 ordinance the date of its delivery to and receipt from the mayor.
- 538 (3) Ordinances vetoed by the mayor shall be presented by the clerk of council to the
539 councilmembers at their next meeting. If the councilmembers then or at their next
540 meeting adopt the ordinance by an affirmative vote of eight members, it shall become
541 law.
- 542 (4) The mayor may disapprove or reduce any item or items of appropriation in any
543 ordinance. The approved part or parts of any ordinance making appropriations shall
544 become law, and the part or parts disapproved shall not become law unless subsequently
545 passed by the councilmembers over the mayor's veto as provided in this subsection. The
546 reduced part or parts shall be presented to the councilmembers as though disapproved and
547 shall not become law unless overridden by the councilmembers as provided in
548 paragraph (3) of this subsection.
- 549 (c) The mayor shall be considered full time and he or she shall receive an annual salary of
550 \$150,000.00. In addition, the mayor shall be reimbursed for all actual expenses reasonably
551 and necessarily incurred in the performance of his or her official duties. Future changes in
552 the salary and expenses of the mayor shall be effected in accordance with the provisions of
553 Code Section 36-35-4 of the O.C.G.A. and in accordance with the procedures of Code
554 Section 36-5-24 of the O.C.G.A.; provided, however, that any increase in the salary or
555 compensation of the mayor shall equal no more than one-half of the average percentage
556 salary increase granted by the governing authority to restructured government employees
557 over the last preceding three years.
- 558 (d) An amount not exceeding 1 percent of the annual operating budget for Macon-Bibb
559 County shall be appropriated as the annual operating budget for the office of the mayor,

560 excluding the salaries for the mayor, two administrative assistants, one secretary, and one
 561 receptionist. Any amount appropriated to the office of the mayor over the amount authorized
 562 by this subsection shall be approved by a majority of the members of the council.

563

SECTION 15.

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

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

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

576 (d) While serving as acting mayor, the president of the council shall not be a voting member
 577 of the council. Upon the president of the council ceasing to be acting mayor, the president
 578 of the council shall return to the council with all of the rights, privileges, and responsibilities
 579 of a councilmember.

580

SECTION 16.

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

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

- 592 (1) To serve as director of the department of administration;
- 593 (2) To advise and assist the mayor in the performance of designated duties;
- 594 (3) To coordinate the activities of the departments of the restructured government;

595 (4) To serve as a liaison between the mayor and the departments of the restructured
596 government;

597 (5) To carry out the written directives of the mayor; provided, however, that the mayor
598 shall not be authorized to delegate to the chief administrative officer any of the powers
599 or duties conferred upon the mayor by charter or by ordinance;

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

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

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

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

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

618 **SECTION 17.**

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

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

629 "I do solemnly swear or affirm that I will well and truly perform the duties of (mayor or
630 councilmember, as the case may be) by adopting such measures as in my judgment shall

631 be best calculated to promote the general welfare of the inhabitants of Macon-Bibb County
632 and the common interest thereof."

633 **SECTION 18.**

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

636 **SECTION 19.**

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

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

643 (c) Special meetings of the council may be held on call of the president of the council or a
644 majority of all members of the council. The mayor shall also be authorized to call special
645 meetings regarding fiscal affairs or emergencies involving public safety. Notice of a special
646 meeting shall be served on all other members personally, or by telephone personally, at least
647 48 hours in advance of the meeting. If, after diligent effort, personal service is not possible,
648 notice shall be deemed to have been served if delivered to the residence of record of the
649 member by a police officer who certifies that such delivery was made at least 24 hours prior
650 to the convening of the meeting. This notice to councilmembers shall not be required if all
651 councilmembers are present when the special meeting is called. This notice of any special
652 meeting may be waived by a councilmember in writing before or after such a meeting, and
653 attendance at the meeting shall also constitute a waiver of notice on any business transacted
654 in the councilmember's presence. Only the business stated in the call may be transacted at
655 the special meeting.

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

659 (e)(1) To meet a public emergency affecting life, health, property, or public peace, the
660 council may convene on call of the mayor, the president of the council, or a majority of
661 all councilmembers and promptly adopt an emergency ordinance, but this ordinance may
662 not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public
663 utility for its services; or authorize the borrowing of money except for loans to be repaid
664 within 30 days. An emergency ordinance shall be introduced in the form prescribed for
665 ordinances generally, except that it shall be plainly designated as an emergency ordinance

666 and shall contain, after the enacting clause, a declaration stating that an emergency exists
 667 and describing it in clear and specific terms. An emergency ordinance may be adopted
 668 with or without amendment or rejected at the meeting at which it is introduced. It shall
 669 become effective upon adoption and approval or at any later time as it may specify.
 670 Every emergency ordinance shall automatically stand repealed 30 days following the date
 671 upon which it was adopted, but this shall not prevent reenactment of the ordinance in the
 672 manner specified in this section if the emergency still exists. An emergency ordinance
 673 may also be repealed by adoption of a repealing ordinance in the same manner specified
 674 in this section for adoption of emergency ordinances.

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

679

SECTION 20.

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

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

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

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

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

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

702 (5) Vote or otherwise actively participate in the negotiation or the making of any contract
703 between the restructured government and any business or entity in which he or she has
704 a substantial financial interest.

705 (c) Any elected or appointed officer or employee of the restructured government, any
706 authority of the restructured government, or any agency or political entity to which this
707 charter applies who possesses or who acquires any financial interest as might reasonably tend
708 to create a conflict with the public interest shall make full disclosure in writing to the
709 appointing authority or the council, in the case of a member of the council, at any time a
710 conflict becomes apparent. The disclosure statement shall be made a matter of public record
711 and be filed with the clerk of council. Any member of the council who has any personal or
712 private interest, indirect, financial, or otherwise, in any proposal before the council shall
713 disclose the interest in writing to the council. The disclosure shall be made a matter of public
714 record prior to the taking of any vote on the proposal.

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

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

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

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

736 (h) No person shall be hereafter appointed by the mayor, council, or any member thereof,
737 to any office, agency, or employment who is related within the third degree of consanguinity
738 or affinity to the mayor or any member of the council, nor shall any other board created by

739 this charter or the head of any department of the restructured government hereafter appoint
 740 or employ any person who is so related to any member of such board or head of such
 741 department; nor shall any person be hereafter appointed or employed in any capacity on
 742 behalf of the restructured government who is so related to the person so appointing or
 743 employing him or her.

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

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

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

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

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

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

758 **SECTION 21.**

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

771 (b) The bonded indebtedness of the City of Payne City (if consolidated with the
 772 governments of Bibb County and the City of Macon as provided in this Act) which is
 773 outstanding on the effective date of this charter shall become the debt and obligation of a
 774 special tax district which shall correspond to and be conterminous with the corporate limits

775 of the City of Payne City (if consolidated with the governments of Bibb County and the City
 776 of Macon as provided in this Act) as said corporate limits existed on the day immediately
 777 preceding the effective date of this charter. The ad valorem taxes imposed by the City of
 778 Payne City (if consolidated with the governments of Bibb County and the City of Macon as
 779 provided in this Act) prior to the effective date of this charter to retire such bonded
 780 indebtedness shall continue to be imposed by the council within the special tax district in the
 781 same manner and to the same extent that such ad valorem taxes were previously imposed by
 782 the City of Payne City (if consolidated with the governments of Bibb County and the City
 783 of Macon as provided in this Act) in accordance with the terms of the obligations of such
 784 bonded indebtedness. The council, as the governing authority of Macon-Bibb County, shall
 785 be the successor to the previously existing governing authority of the City of Payne City (if
 786 consolidated with the governments of Bibb County and the City of Macon as provided in this
 787 Act) for all purposes relating to such bonded indebtedness, including the enforcement of
 788 rights and remedies of bondholders.

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

794 **SECTION 22.**

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

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

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

809 (d) In the event of a conflict between any of the ordinances or resolutions continued by this
 810 section, the provisions thereof shall apply only to the territory of the restructured government

811 that such ordinance or resolution applied to prior to the effective date of this charter and until
 812 such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.
 813 (e) Twelve months after the effective date of this charter, all ordinances and resolutions shall
 814 apply uniformly throughout the area of the restructured government. Prior to this date, the
 815 transition task force created pursuant to Section 42 of this charter shall review all ordinances
 816 and resolutions and take whatever action is needed to remove any conflicts between
 817 ordinances and resolutions continued by this section in order to produce a uniform body of
 818 ordinances and resolutions free of any conflicts or contradictions between such provisions.

819 **SECTION 23.**

820 (a) Until July 1, 2016, the restructured government shall operate under the funds remaining
 821 from the fiscal year 2015-2016 of the combined budgets of the City of Macon, the City of
 822 Payne City (if consolidated with the governments of Bibb County and the City of Macon as
 823 provided in this Act) and Bibb County.

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

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

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

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

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

845 (c) The budget limits established by subsection (b) of this section may be exceeded by not
 846 more than 15 percent in any given year if extreme economic circumstances require or if

847 additional expenditures for public safety purposes are needed but only by a vote of nine of
 848 the 11 councilmembers at an open meeting after notice on the official website of Macon-Bibb
 849 County once a week for two consecutive weeks prior to the meeting and the hearing of public
 850 comments.

851 (d) The tax assessments made by the board of tax assessors of Bibb County and the City of
 852 Macon and the City of Payne City (if consolidated with the governments of Bibb County and
 853 the City of Macon as provided in this Act) as of the effective date of this charter shall
 854 constitute the basis for the assessment and collection of taxes of the council for the calendar
 855 year in which this charter becomes effective.

856 (e) It is the purpose of this section that property shall be subject to taxation in relation to
 857 services received.

858 (f) Within four years of the effective date of this charter, the restructured government shall
 859 adopt a service delivery plan that includes, but is not limited to, the following:

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

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

868 **SECTION 24.**

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

877 **SECTION 25.**

878 (a) All employees and former employees of Bibb County, the City of Payne City (if
 879 consolidated with the governments of Bibb County and the City of Macon as provided in this
 880 Act) and the City of Macon and of every agency, instrumentality, commission, or authority
 881 thereof shall retain those pension rights, if any, which had accrued to them prior to the

882 effective date of this charter under any pension plan adopted by law or by ordinance or
 883 resolution by the board of commissioners of Bibb County, the mayor and city councils of the
 884 City of Macon, or the governing authority of the City of Payne City (if consolidated with the
 885 governments of Bibb County and the City of Macon as provided in this Act). The council
 886 shall assume on the effective date of this charter all obligations arising under all such pension
 887 plans, but the assumption of such obligations by the council shall not create any obligation
 888 on the part of the council or create any right which did not exist prior to the effective date of
 889 this charter.

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

899 **SECTION 26.**

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

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

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

914 (2) The council shall not appropriate funds for any given fiscal year which, in aggregate,
 915 exceed a sum equal to the amount of unappropriated surplus expected to have accrued in
 916 the treasury at the beginning of the fiscal year, together with an amount not greater than
 917 the total receipts from existing revenue sources anticipated to be collected in the fiscal

918 year as determined by the mayor, less refunds as estimated in the budget report and
919 amendments thereto.

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

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

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

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

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

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

943

SECTION 27.

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

952 (b) The council shall prescribe, by ordinance, the procedures for all purchases of real and
953 personal property by the restructured government. Competitive bidding shall be required for

954 purchases and contracts and awards shall be made to the lowest or best bidder; provided,
 955 however, that the council by ordinance may authorize the purchase of goods, materials,
 956 supplies, equipment, and services without the receipt of formal sealed bids where the price
 957 does not exceed a specified dollar amount. Prior to the making of purchases and contracts,
 958 the availability of adequate funds shall be certified as provided by ordinance.

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

961 **SECTION 28.**

962 (a) On the effective date of this charter, the Board of Public Education and Orphanage for
 963 Bibb County established pursuant to an Act approved August 23, 1872 (Ga. L. 1872, p. 388),
 964 as amended, shall continue in the exercise of its functions and duties, subject to the
 965 provisions of law applicable thereto and subject to the provisions of subsections (b) and (c)
 966 of this section.

967 (b) The Board of Public Education and Orphanage for Bibb County shall annually certify
 968 to the council of Macon-Bibb County a school tax for the support and maintenance of
 969 education in Macon-Bibb County. The council shall annually levy said tax upon the assessed
 970 value of all taxable property within Macon-Bibb County and collect the same like other taxes
 971 of the restructured government. The levy made by the board of education and certified to the
 972 council shall not exceed 22 mills per dollar unless such mill limitation shall be increased or
 973 removed in the manner provided by law.

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

979 **SECTION 29.**

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

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

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

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

998 (2) Notwithstanding any other provisions of this section, no occupation or business tax
999 based on gross receipts shall be levied and imposed prior to the holding of a special
1000 public hearing thereon, and in no event shall the total revenue received from the
1001 imposition of an occupation or business tax based on gross receipts exceed in its first year
1002 the total revenue received the immediately preceding year from the occupation and
1003 business taxes levied.

1004 (d) Macon-Bibb County shall have the power to require individuals or corporations who
1005 transact business in Macon-Bibb County or who practice or offer to practice any profession
1006 or calling therein to obtain a license or permit for these activities from Macon-Bibb County
1007 and to pay a reasonable fee for the license or permit where the activities are not now
1008 regulated by general state law in such a way as to preclude regulation by Macon-Bibb
1009 County. These fees may reflect the total cost to Macon-Bibb County of regulating the
1010 activity and if unpaid shall be collected as provided in subsection (i) of this section. The
1011 council by ordinance may establish reasonable requirements for obtaining or keeping licenses
1012 as the public health, safety, and welfare necessitate.

1013 (e) Macon-Bibb County shall have power and authority to impose and collect license fees
1014 and taxes on life insurance companies in the manner provided by Code Section 33-8-8.1 of
1015 the O.C.G.A. and on fire and casualty insurance companies in the manner provided by Code
1016 Section 33-8-8.2 of the O.C.G.A., as now or hereafter amended.

1017 (f) Macon-Bibb County shall have the power to assess and collect fees, charges, and tolls
1018 for sewer, sanitary and health services, and garbage and solid waste collection and disposal
1019 services, or any other services rendered inside and outside the corporate limits of
1020 Macon-Bibb County for the total cost to Macon-Bibb County of providing these services.
1021 If unpaid, these charges or fees shall be collected as provided in subsection (i) of this section.

1022 (g) Macon-Bibb County shall have the power to assess and collect the cost of constructing,
1023 reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters,
1024 sewers, or other utility mains and appurtenances from the abutting property owners under any

1025 terms and conditions as are reasonable. If unpaid, these charges shall be collected as
1026 provided in subsection (i) of this section.

1027 (h) Macon-Bibb County shall be empowered to levy any other tax allowed now or hereafter
1028 by state law and the specific mention of any right, power, or authority in this charter shall not
1029 be construed as limiting in any way the general powers of Macon-Bibb County to tax or
1030 otherwise govern its local affairs.

1031 (i) The council, by ordinance, may provide generally for the collection of delinquent taxes,
1032 fees, or other revenue due Macon-Bibb County under this charter or general state law by
1033 whatever reasonable means as are not precluded by general state law. This shall include
1034 providing for the dates when the taxes, fees, or other revenues are due; late penalties or
1035 interest; issuance and execution of fi.fa's.; creation and priority of liens; making delinquent
1036 taxes, fees, and other revenues personal debts of the persons required to pay the taxes, fees,
1037 or other revenues imposed; revoking licenses issued by Macon-Bibb County for failure to
1038 pay any Macon-Bibb County taxes, fees, or other revenues; allowing exceptions for hardship;
1039 providing for the assignment or transfer of executions and collection of transferred
1040 executions; providing for the billing and collecting of principal, interest, and costs of
1041 delinquent executions as an addition to and a part of the annual ad valorem tax bill issued by
1042 the Macon-Bibb County tax commissioner.

1043 (j) The council, by ordinance, shall prescribe the amount and terms of surety bonds
1044 conditioned upon the faithful performance of the duties of office of any officer or employee
1045 of Macon-Bibb County charged with the responsibility of handling moneys on a regular
1046 basis.

1047 (k) Macon-Bibb County shall have the power to issue bonds for the purpose of raising
1048 revenue to carry out any project, program, or venture authorized under this charter or the
1049 general laws of the state. This bonding authority shall be exercised in accordance with the
1050 laws governing bond issuances by municipalities in effect at the item the issue is undertaken.

1051 (l) Revenue bonds may be issued by Macon-Bibb County as state law now or hereafter
1052 provides. Such bonds are to be repaid out of any revenue produced by the project, program,
1053 or venture for which they were issued.

1054 (m) Macon-Bibb County may issue short-term notes as now or hereafter provided by state
1055 law.

1056 (n)(1) In order to facilitate the financing of any improvements authorized by law,
1057 Macon-Bibb County may issue bonds of Macon-Bibb County in the aggregate amount
1058 of assessments for the improvement then unpaid, which bond or bonds and the interest
1059 thereon shall in no event become a liability of Macon-Bibb County or the mayor and
1060 council issuing them.

1061 (2) These bonds shall mature at a date and bear an interest rate as the council may
1062 determine by ordinance but in no event shall the rate of interest exceed that which the
1063 assessments are to bear.

1064 (3) These bonds shall be signed by the mayor and attested by the clerk of council, shall
1065 have the impression of the corporate seal of Macon-Bibb County thereon, and shall be
1066 payable at a place designated by ordinance.

1067 (4) These bonds shall be designated as improvement bonds and shall, on the face thereof,
1068 recite the nature and location of the improvement for which they have been issued and
1069 shall recite that they are payable solely from assessments which have been levied upon
1070 the lots and tracts of land abutting upon or being the situs of the improvement made.

1071 (5) These bonds shall be sold at not less than par and the proceeds thereof applied to the
1072 payment of the costs and expense of the improvement for which the bonds were issued,
1073 or the bonds, in the amount that shall be necessary for that purpose, may be turned over
1074 and delivered to the contractor, in respect to the improvement at par value, in payment
1075 of the amount due on the contract, and the portion thereof which shall be necessary to pay
1076 other expenses, incident to and incurred in providing for the improvement, shall be sold
1077 or otherwise disposed of as the council by ordinance shall direct.

1078 (o)(1) The council shall have the power to grant franchises for the use of the streets and
1079 alleys of Macon-Bibb County for the purposes of railroads, street railways, telephone
1080 companies, electric companies, electric membership corporations, cable television and
1081 other telecommunications companies, gas companies, transportation companies, and
1082 other similar organizations. The council shall determine the duration, terms, whether the
1083 same shall be exclusive or nonexclusive, and the consideration for such franchises;
1084 provided, however, no franchise shall be granted for a period in excess of 35 years and
1085 no franchise shall be granted unless Macon-Bibb County receives just and adequate
1086 compensation therefor. The council shall provide for the registration of all franchises
1087 with the clerk in a registration book kept by the clerk. The council may provide, by
1088 ordinance, for the registration within a reasonable time of all franchises previously
1089 granted.

1090 (2) If no franchise agreement is in effect, the council has the authority to impose a tax
1091 on gross receipts for the use of the streets and alleys of Macon-Bibb County for the
1092 purposes of railroads, street railways, telephone companies, electric companies, electric
1093 membership corporations, cable television and other telecommunication companies, gas
1094 companies, transportation companies, and other similar organizations.

SECTION 30.

1095

1096 (a) The sheriff of Bibb County in office upon the date the governing authority of the
1097 restructured government is installed shall become the sheriff of Macon-Bibb County. He or
1098 she shall serve for the same term and his or her compensation shall be fixed as heretofore
1099 provided by law. Subsequent elections for sheriff shall be upon the basis provided by state
1100 law for sheriffs generally. The sheriff of Macon-Bibb County shall execute the orders and
1101 processes of the courts, shall enforce executions issued by any officer or agency of
1102 Macon-Bibb County, shall maintain and operate the jail wherein state or federal prisoners are
1103 incarcerated, be responsible for the transport of prisoners, and shall perform such other duties
1104 as are provided for in Code Section 15-16-10 of the O.C.G.A. and the Constitution of this
1105 state.

1106 (b) The chief of the Macon-Bibb County Police Department shall be appointed by and serve
1107 at the pleasure of the mayor and shall be the chief law enforcement officer throughout the
1108 entire limits of Macon-Bibb County.

1109 (c) The council shall utilize the facilities, equipment, vehicles, records, and personnel of the
1110 former Macon Police Department in such manner as it shall deem necessary to ensure
1111 adequate protection of the lives and property of all of the citizens of Macon-Bibb County.

1112 (d) The chief of the Macon-Bibb County Fire Department shall be appointed by and serve
1113 at the pleasure of the mayor and shall perform his or her official duties as the chief firefighter
1114 throughout the entire limits of Macon-Bibb County.

1115 (e) The council in cooperation with the chief shall utilize the facilities, equipment, vehicles,
1116 records, and personnel of both the former Macon Fire Department and the Bibb County Fire
1117 Department in such manner as it shall deem necessary to ensure the most advantageous rating
1118 classification of the commercial, residential, and public property in Macon-Bibb County.

1119 (f) Except as otherwise provided by this charter or by law, the administrative and service
1120 departments of the restructured government shall be created and established by ordinance and
1121 shall perform such functions, duties, services, and responsibilities as enumerated therein and
1122 as prescribed by administrative regulations.

1123 (g) The council may by ordinance reorganize, combine, consolidate, or discontinue any
1124 department or agency of the restructured government subject to the jurisdiction of the council
1125 and may by ordinance prescribe the functions and duties thereof and may establish, abolish,
1126 or alter all nonelective offices and positions of employment as necessary for the proper
1127 administration of the restructured government.

1128 (h) Except as provided by this charter or prohibited by the general laws of this state, the
1129 terms of office of all members of all boards, commissions, committees, panels, authorities,
1130 or other entities who were appointed by the board of commissioners of Bibb County or the
1131 governing authority of the City of Macon shall continue for not more than one year after the

1132 members of the council take office under this charter unless extended by such council.
 1133 Except as provided by this charter or prohibited by the general laws of this state, the
 1134 positions of director or administrative head, by whatever name known, of each department
 1135 or entity of the governments of Bibb County and the City of Macon shall be abolished 90
 1136 days after the members of the council take office under this charter. Such departments may
 1137 be abolished, reestablished, reorganized, or restructured; new job descriptions shall be
 1138 established as appropriate; and a director or administrative head shall be appointed for each
 1139 department by the mayor. Any person who formerly occupied such position and any other
 1140 person shall have the right to apply for any position thus created. The provisions of this
 1141 subsection shall not result in the automatic termination from employment with the
 1142 reorganized government of any such person and the provisions of Section 14 of this charter
 1143 shall be applicable to any such person. On or after January 1, 2016, no person shall be
 1144 eligible for appointment to any position as the administrative head of any department or
 1145 agency of the restructured government unless such person meets such qualifications as may
 1146 be established by the mayor. Each person serving as the administrative head of any
 1147 department or agency of the restructured government shall serve at the pleasure of the mayor.
 1148 (i) Notwithstanding any provision of this charter to the contrary, the Macon-Bibb County
 1149 Hospital Authority shall continue to exist as provided by law and the ordinances and
 1150 resolutions activating such authority on the effective date of this charter except that
 1151 appointments and the filling of vacancies on such authority shall be made by the council of
 1152 Macon-Bibb County.

1153 **SECTION 31.**

1154 (a) The council shall establish by ordinance a system of civil service for sworn employees
 1155 of the police and fire departments which shall provide for the establishment of a civil service
 1156 board to orally interview and pass upon the qualifications of applicants and promotional
 1157 candidates. To provide for requirements for selections, training, promotion, physical
 1158 condition, and appeal procedures and other related matters, the council shall adopt civil
 1159 service rules and regulations to govern and control the police and fire departments.
 1160 (b) The council shall establish by ordinance a personnel management system based on merit
 1161 principles that meets the social, economic, and program needs of the people of Macon-Bibb
 1162 County. This system shall provide means to recruit, select, train, develop, and maintain an
 1163 effective and responsive work force and shall include policies and guidelines for employing,
 1164 hiring and advancement, training and career development, job classification, discharge, code
 1165 of conduct, fringe benefits, and other related activities. All appointments and promotions in
 1166 Macon-Bibb County shall be made without regard to sex, race, religion, national origin, age,
 1167 or political affiliation and shall be based on merit and fitness.

SECTION 32.

1168

1169 (a) The mayor shall create a permanent citizens review board for the purpose of
1170 investigating police abuse or misconduct by executive order which shall provide for the
1171 number and qualifications of members of such board, the manner of filing complaints with
1172 such board, the manner of investigating such complaints by such board, and the method of
1173 reporting findings by the board.

1174 (b) Each member of the board shall receive training on the issues of abusive language, false
1175 arrest, false imprisonment, harassment, use of excessive force, serious bodily injury, and
1176 death which is alleged to be the result of the actions of an employee of the police department.

1177 (c)(1) Members of the board shall serve without compensation but shall be eligible for
1178 reimbursement for actual expenses reasonably and necessarily incurred in the
1179 performance of their duties.

1180 (2) A member of the board shall not contract to provide goods and services to
1181 Macon-Bibb County in the ordinary course of the business or profession of such member.
1182 No member shall participate as a member in the review and recommendations of the
1183 board on any proposed work or work done by any such member or any corporation,
1184 partnership, or other legal entity in which such member has any financial interest.

1185 (d)(1) The board shall have full access to relevant police department personnel for
1186 interview and to relevant documents.

1187 (2) All employees of Macon-Bibb County shall fully cooperate with the board and shall,
1188 on request of the board, be available to meet with and be interviewed by the board or its
1189 representatives and to testify before the board.

1190 (3) The board may exercise subpoena power by majority vote and compel access to or
1191 production of such materials or the appearance of such person as may be relevant to
1192 investigate or study or review matters within the board's authority and discretion.

1193 (4) Police personnel who are designated the subject of a related criminal investigation
1194 by a local law enforcement agency may elect not to appear until the conclusion of that
1195 investigation. Hearings shall be informal and strict rules of evidence shall not be applied.
1196 Testimony under oath shall be received from all persons who appear and purport to have
1197 information which is material to the complaint. A record shall be kept and shall be made
1198 available, upon payment of costs, to any person requesting such record.

1199 (5) All hearings shall be open to the public, except when, in the opinion of the board,
1200 executive sessions are required and are authorized under Chapter 14 of Title 50 of the
1201 O.C.G.A.

1202 (6) The board shall have the power to recommend that the chief of police make general
1203 reforms such as changes in training, changes in the preservation of records, and changes
1204 in counseling available to officers or specific actions directed at individual officers

1205 including, but not limited to, hiring, firing, promotion, demotion, punishment, or
 1206 commendation; provided, however, that the chief of police shall retain full and ultimate
 1207 authority, power, discretion, management prerogatives, and responsibility to set
 1208 disciplinary policies or take other lawful actions he or she deems appropriate relative to
 1209 the police department; and, provided, further, that nothing in this section shall be
 1210 construed to limit the rights of members of the police department with respect to
 1211 disciplinary action, including, but not limited to, the right to notice and a hearing, which
 1212 may be established by any provision of law or otherwise. The provisions of this section
 1213 shall not be construed to prevent or hinder the investigation or prosecution of members
 1214 of the department for violations of law by any court of competent jurisdiction, a federal
 1215 or state grand jury, a United States Attorney, the district attorney, or other authorized
 1216 officer, agency, or body. The chief may not accept a recommendation from the board that
 1217 shall punish the same officer more than once for the same act or omission that constitutes
 1218 misconduct for which the officer has already been punished by the city.

1219 (7) The board and its members shall not make public any confidential police document
 1220 or information derived from any such confidential police document. The findings of the
 1221 board as they may relate to conclusions drawn from interviews, study, and review of
 1222 documents shall remain confidential until the board officially releases such findings.

1223

SECTION 33.

1224 (a) The council shall afford equal opportunities for employment and promotion to all persons
 1225 regardless of sex, race, religion, national origin, age, or political affiliation. No
 1226 reorganization of the delivery of services shall be undertaken that results in reduced
 1227 employment or employment opportunities for any minority group.

1228 (b) It shall be the policy of the council that all citizens shall have equal opportunity for
 1229 employment, promotion, and appointment by the council. It shall further be the express
 1230 policy of the council that all persons shall have equal opportunity for conducting business
 1231 with the council to the greatest extent possible.

1232 (c) In furtherance of the policies stated in subsection (b) of this section, there is created and
 1233 established the Office of Small Business Affairs as an agency of the Macon-Bibb County
 1234 Economic Development Authority as provided in Section 35 of this charter.

1235 (d) The purposes for which the Office of Small Business Affairs is established shall include
 1236 the following:

1237 (1) To promote, stimulate, develop, and advance the economic growth of small
 1238 businesses and minority businesses within Macon-Bibb County and thereby promote,
 1239 stimulate, develop, and advance the business, prosperity, and economic welfare of the
 1240 entire county;

- 1241 (2) To stimulate and assist in the expansion of all kinds of small business activity which
1242 will tend to promote small business and minority business development;
- 1243 (3) To cooperate and act in conjunction with other organizations, public or private, in the
1244 promotion of small business and minority business development in Macon-Bibb County;
1245 and
- 1246 (4) To promote economic literacy among low wealth citizens of Macon-Bibb County.
- 1247 (e) In furtherance of its purposes, the Office of Small Business Affairs shall have the
1248 following powers:
- 1249 (1) To provide technical advice and assistance for both public and private sources of
1250 contract opportunities for small businesses and minority businesses;
- 1251 (2) To monitor the progress and improvement of small business and minority business
1252 owners' access to business with local government authorities and other publicly financed
1253 entities;
- 1254 (3) To implement procedures and promulgate rules and regulations to increase
1255 procurement opportunities extended to the small business and minority business
1256 community and to provide direct assistance to small business and minority businesses on
1257 how government and private contracting processes work;
- 1258 (4) To encourage small business and minority business participation in the public sector;
- 1259 (5) To operate an economic development program designed to transition persons who
1260 are receiving public assistance to gainful employment;
- 1261 (6) To construct or establish the necessary legal mechanism to be able to apply for and
1262 to accept any gifts, bequests, or grants or loans of funds or property or financial or other
1263 aid in any form from the federal government or agency or instrumentality thereof or from
1264 the state or any agency or instrumentality thereof or from any other source for any or all
1265 of the purposes specified in this section and to comply with the terms and conditions
1266 thereof;
- 1267 (7) To review governmental policies and recommend changes to ensure fair participation
1268 by small businesses and minority businesses in contract bidding;
- 1269 (8) To randomly and statistically review purchase orders and bids to ensure compliance
1270 with fair participation by small businesses and minority businesses in government
1271 contracts;
- 1272 (9) To ensure that bid specifications do not discriminate against small businesses and
1273 minority businesses;
- 1274 (10) To contact small businesses and minority businesses as to contracts available for
1275 bidding;
- 1276 (11) To work with local agencies in assisting small businesses and minority businesses
1277 in bid application and funding available for doing business with the governing authority;

- 1278 (12) To manage and recommend economic development assistance to small businesses
 1279 and minority businesses from governing authority economic development funds;
- 1280 (13) To work with local agencies in determining and coordinating all sources of
 1281 education and financial assistance available to small business and minority business
 1282 owners;
- 1283 (14) To encourage contractors and large bidders to include small businesses and minority
 1284 businesses among their subcontractors;
- 1285 (15) To maintain statistical information to ensure that small business and minority
 1286 business participation is improving in contracts with the council and issue an annual
 1287 report; and
- 1288 (16) To establish a mentor program where proactive businesses which have pledged
 1289 increased minority business relationships can assist minority businesses in doing business
 1290 with government and the private sector.
- 1291 (f) The Office of Small Business Affairs shall be under the direction and supervision of the
 1292 director of the Macon-Bibb County Economic Development Authority. The director shall
 1293 have the following powers and duties:
- 1294 (1) To appoint assistants, clerks, and other employees as the director may deem
 1295 necessary within constraints of budget provided by authority, council, or other source of
 1296 funds;
- 1297 (2) To furnish technical advice and assistance with respect to small business economic
 1298 development to further the purposes of this section;
- 1299 (3) To render monthly written reports to the advisory board. The reports may contain
 1300 recommendations of the director for legislative or other action to effectuate the purposes
 1301 of this section;
- 1302 (4) To act as a liaison between community based groups, small businesses and minority
 1303 businesses, government agencies, community development corporations, and the private
 1304 sector; and
- 1305 (5) To request from any state or local governmental agency or department such reports
 1306 and information at such times as it may deem reasonably necessary to carry out the
 1307 purposes of this section.
- 1308 (g)(1) There shall be an advisory board to the Office of Small Business Affairs, which
 1309 shall be referred to in this charter as the "advisory board." The advisory board shall
 1310 consist of six members as follows:
- 1311 (A) A president of a bank licensed in the State of Georgia and doing business in
 1312 Macon-Bibb County or such person's designee to be appointed by the mayor of
 1313 Macon-Bibb County;

1314 (B) A small or minority business owner doing business in Macon-Bibb County whose
 1315 business has a net profit after taxes of the last two taxable years of less than \$1 million
 1316 and employs fewer than 50 people to be appointed by the council of Macon-Bibb
 1317 County;

1318 (C) A big business owner or such person's designee doing business in Macon-Bibb
 1319 County to be appointed by the council of Macon-Bibb County;

1320 (D) A representative of an organization that represents the interest of minority
 1321 businesses that has been in existence in Macon-Bibb County for at least one year to be
 1322 appointed by the mayor;

1323 (E) A representative of a nonpartisan civil rights or nonpartisan advocacy group to be
 1324 appointed by the mayor; and

1325 (F) The executive director of the Macon-Bibb County Economic Opportunity Council.

1326 (2) Members of the advisory board shall serve for terms of three years.

1327

SECTION 34.

1328 (a) Except as otherwise provided in this charter or applicable state law, all boards,
 1329 commissions, and authorities of the City of Macon and Bibb County shall continue in the
 1330 exercise of their functions and duties, subject to the provisions of laws applicable thereto and
 1331 subject to the provisions of this charter. As used in the Acts and amendments creating the
 1332 existing boards, commissions, and authorities of the City of Macon and Bibb County, the
 1333 terms "Macon City Council" and "Bibb County Board of Commissioners" shall mean the
 1334 council of Macon-Bibb County and the term "mayor of Macon" shall mean the "mayor of
 1335 Macon-Bibb County."

1336 (b) All boards, commissions, and authorities of the restructured government, including those
 1337 boards, commissions, and authorities of the City of Macon and Bibb County which are
 1338 continued under the restructured government pursuant to subsection (a) of this section, shall
 1339 consist of seven members, three of whom shall be appointed by the council and four of
 1340 whom shall be appointed by the mayor, except where other appointment authority, term of
 1341 office, or manner of appointment is prescribed by this charter or by applicable state law. The
 1342 council may submit to the mayor a list of nominees for the mayor's appointments to a board,
 1343 commission, or authority and the mayor may choose one or more of such nominees for his
 1344 or her appointments to such board, commission, or authority. The mayor shall not appoint
 1345 more than one person from a council ward in making his or her appointments to a board,
 1346 commission, or authority. Each member shall have been a resident of the area encompassed
 1347 by Macon-Bibb County for a period of at least five years immediately prior to appointment.

1348 (c) Any vacancy in the office of any member of a board, commission, or authority of the
 1349 restructured government shall be filled for the unexpired term in the manner prescribed in

1350 subsection (b) of this section for original appointment, except as otherwise provided in this
1351 charter or by applicable state law.

1352 (d) Members of all boards, commissions, and authorities of the restructured government
1353 shall be limited to two consecutive full terms of office on such boards, commissions, and
1354 authorities. Filling more than one-half of an unexpired term of office shall constitute a full
1355 term of office.

1356 (e) Members of all boards, commissions, and authorities of the restructured government
1357 shall serve four years terms of office unless otherwise provided in this charter or applicable
1358 state law, provided that such members are subject to removal at any time by the appointing
1359 authority.

1360 (f) No board, commission, or authority shall create any other entity or subsidiary whatsoever
1361 without first obtaining approval by a two-thirds' vote of the council of Macon-Bibb County
1362 and approval by the mayor.

1363 (g) The mayor and council are authorized to review and dissolve at their discretion any
1364 entity to which this section is applicable that was created prior to the effective date of this
1365 charter.

1366

SECTION 35.

1367 (a) There is created as a subordinate branch of the restructured government an agency to be
1368 known as the Macon-Bibb County Economic Development Authority. Said authority shall
1369 be an instrumentality of the restructured government and a public corporation.

1370 (b) The Macon-Bibb County Economic Development Authority shall consist of seven
1371 members, four of whom shall be citizen members who hold no elective or appointive office
1372 in the restructured government.

1373 (c) On the effective date of this charter, the Macon-Bibb County Urban Development
1374 Authority established by an Act of the General Assembly approved March 22, 1974 (Ga. L.
1375 1974, p. 3093), as amended, shall stand abolished. Thereupon, the Macon-Bibb County
1376 Economic Development Authority created pursuant to this section shall succeed, replace, and
1377 have the powers and duties in every respect and shall perform every function as was
1378 performed by the Macon-Bibb County Urban Development Authority, and all rights,
1379 privileges, obligations, and powers heretofore vested therein are transferred to and vested in
1380 the Macon-Bibb County Economic Development Authority and to such extent said local Act
1381 of the General Assembly (Ga. L. 1974, p. 3093), as amended, is continued in unimpaired
1382 force and effect.

1383 (d) On the effective date of this charter, the Macon-Bibb County Industrial Authority
1384 established by an Act of the General Assembly approved February 27, 1962 (Ga. L. 1962,
1385 p. 2323), as amended, shall stand abolished. Thereupon, the Macon-Bibb County Economic

1386 Development Authority created pursuant to this section shall succeed, replace, and have the
 1387 powers and duties in every respect and shall perform every function as was performed by the
 1388 Macon-Bibb County Industrial Authority, and all rights, privileges, obligations, and powers
 1389 heretofore vested therein are transferred to and vested in the Macon-Bibb County Economic
 1390 Development Authority and to such extent said local Act of the General Assembly (Ga. L.
 1391 1962, p. 2323), as amended, is continued in unimpaired force and effect.

1392 **SECTION 36.**

1393 On and after the effective date of this charter, the Middle Georgia Coliseum Authority
 1394 established by an Act of the General Assembly approved March 15, 1963 (Ga. L. 1963,
 1395 p. 2250), as amended, shall be known as the Macon Entertainment and Tourism Authority.
 1396 The entertainment and tourism authority shall succeed, replace, and have the powers and
 1397 duties in every respect and shall perform every function as was performed by the Middle
 1398 Georgia Coliseum Authority, and all rights, privileges, obligations, and powers heretofore
 1399 vested therein are transferred to and vested in the Macon Entertainment and Tourism
 1400 Authority. In addition to its other functions and powers, the Macon Entertainment and
 1401 Tourism Authority shall promote and support the film and music industry in Macon-Bibb
 1402 County.

1403 **SECTION 37.**

1404 (a) On the effective date of this charter, the housing authority of the City of Macon shall be
 1405 redesignated as the Housing Authority of Macon-Bibb County, and it shall continue its
 1406 operations without interruption resulting from the adoption of this charter. As of that date,
 1407 the provisions of Article 1 of Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities
 1408 Law," shall apply to the restructured government. As used in said article, as amended or as
 1409 may hereafter be amended, the terms "authority" or "housing authority" shall be construed
 1410 to mean the Housing Authority of Macon-Bibb County; the term "county" shall be construed
 1411 to include Macon-Bibb County; the term "governing body" shall be construed to include the
 1412 council of Macon-Bibb County; the term "mayor" shall be construed to include the mayor
 1413 of Macon-Bibb County; and the term "clerk" shall be construed to include the clerk of the
 1414 council of Macon-Bibb County.

1415 (b) Every act of the City of Macon heretofore done or performed under Article 1 of
 1416 Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities Law," Article 2 of Chapter 3
 1417 of Title 8 of the O.C.G.A., the "Housing Cooperation Law," Chapter 4 of Title 8 of the
 1418 O.C.G.A., the "Redevelopment Law," or Chapter 61 of Title 36 of the O.C.G.A., the "Urban
 1419 Redevelopment Law," or laws amendatory thereof, or under any state or federal law relating
 1420 to the subject matters thereof is affirmed and ratified and is continued in unimpaired force

1421 and effect to the same extent as if the respective governments of the City of Macon and Bibb
1422 County had continued to exist and function as separate political entities, and nothing
1423 contained in this charter shall affect the status of the housing authority created for the City
1424 of Macon pursuant to said laws, or any of them, nor shall any cooperation agreement or other
1425 obligation entered into or undertaking by the governing authorities of either of said
1426 governments be impaired or otherwise affected. Any and all agreements made by such
1427 housing authority are approved and ratified, including, without limiting the generality of the
1428 foregoing, all bonds or notes or other monetary commitments issued or made by such
1429 housing authority and including any and all agreements made by such housing authority with
1430 the federal government, or any agency thereof, pertaining in any way to the functions of such
1431 housing authority. By this section the corporate existence, functions, and powers of the
1432 housing authority of the City of Macon are expressly recognized and are continued in
1433 unimpaired force and effect notwithstanding anything contained elsewhere in this charter.
1434 (c) The members of the Housing Authority of Macon-Bibb County shall be appointed by the
1435 mayor and shall not be subject to council approval.

1436

SECTION 38.

1437 (a) The Macon-Bibb County Planning and Zoning Commission established pursuant to a
1438 local constitutional amendment approved March 28, 1947 (Ga. L. 1947, p. 1240), and
1439 continued in force and effect as a part of the Constitution by an Act approved March 28,
1440 1986 (Ga. L. 1986, p. 5308), shall continue in the exercise of its functions and duties, subject
1441 to the provisions of law applicable thereto and subject to the provisions of this charter.

1442 (b) The Macon-Bibb County Planning and Zoning Commission shall consist of one member
1443 from each council ward in Macon-Bibb County, each of whom shall be appointed by the
1444 council. Those members of the Macon-Bibb County Planning and Zoning Commission
1445 serving as such on the date the implementation of this charter is permissible under the federal
1446 Voting Rights Act of 1965, as amended, shall continue to serve as such members until
1447 January 31, 2016. On that date, the Macon-Bibb County council shall appoint eleven
1448 members of the commission pursuant to this subsection who shall each reside within the
1449 ward he or she is appointed to represent. The initial terms of office of members appointed
1450 to represent odd-numbered wards shall be until December 31, 2017, and until a successor is
1451 appointed and qualified. The initial terms of office of members appointed to represent
1452 even-numbered wards shall be until December 31, 2019, and until a successor is appointed
1453 and qualified. Thereafter, all members of the commission shall serve for terms of office of
1454 four years and until successors are appointed and qualified.

1455

SECTION 39.

1456 All officers, officials, and employees of the former City of Macon, City of Payne City (if
 1457 consolidated with the governments of Bibb County and the City of Macon as provided in this
 1458 Act) and Bibb County shall cooperate with and assist the council, mayor, and other officers
 1459 of Macon-Bibb County:

1460 (1) In planning the restructuring of departments, boards, commissions, and agencies of
 1461 said former governments and in transferring the functions, duties, and responsibilities of
 1462 such departments, boards, commissions, authorities, and agencies to the appropriate
 1463 agencies of the restructured government of Macon-Bibb County; and

1464 (2) In all other respects in order that the transfer of the governments be accomplished in
 1465 the most orderly manner possible. The officers of the restructured government shall be
 1466 entitled to examine all records, files, and other data in the possession of the former
 1467 governments and of all officers, officials, employees, and departments thereof. The
 1468 former governments shall to the extent possible provide working areas and facilities for
 1469 the officers of the restructured government.

1470

SECTION 40.

1471 (a) This charter may be modified, rescinded, changed, or amended by only the following
 1472 methods:

1473 (1) An Act of the General Assembly of Georgia; or

1474 (2) An ordinance adopted by the council of Macon-Bibb County, Georgia, as provided
 1475 for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

1476 (b) In the twentieth year following the implementation of this charter, there shall be created
 1477 a charter review commission for the purpose of reviewing the operation and functioning of
 1478 the consolidated government and to recommend changes or improvements to the
 1479 consolidated government. The commission shall be composed of 11 members. Six shall be
 1480 appointed by the mayor, one from each odd-numbered council ward. Five shall be appointed
 1481 by the council, one from each even-numbered council ward. The members of the
 1482 commission shall select from among their number a member to serve as chairperson and a
 1483 member to serve as vice chairperson. The members of the commission shall be reimbursed
 1484 for their actual expenses incurred while performing the business of the commission. The
 1485 commission shall meet upon the call of the chairperson. The commission shall also appoint
 1486 a secretary who shall not be required to be a member of the commission. All departments,
 1487 agencies, boards, authorities, and commissions of Macon-Bibb County shall cooperate with
 1488 the commission in its work of reviewing the operation and functioning of the consolidated
 1489 government. The commission shall be authorized to make recommendations to the mayor
 1490 and council for changes to this charter. Such changes, if adopted by a two-thirds' vote of the

1491 council and approved by the mayor, shall be submitted to the electors of Macon-Bibb County
 1492 for ratification in a referendum. If approved by the electors of Macon-Bibb County in such
 1493 referendum, such changes shall become a part of this charter. Upon making its
 1494 recommendations, the commission shall be dissolved.

1495 **SECTION 41.**

1496 (a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and
 1497 other obligations or instruments entered into by Bibb County or for its benefit prior to the
 1498 effective date of this charter shall continue in effect according to the terms thereof as
 1499 obligations and rights of the restructured government; provided, however, any obligation
 1500 created by Bibb County to become effective after the date of approval of this charter and
 1501 prior to the effective date of this charter shall be subject to ratification and approval by the
 1502 council of the restructured government within six months following the effective date of this
 1503 charter.

1504 (b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other
 1505 obligations or instruments entered into by the City of Macon or the City of Payne City (if
 1506 consolidated with the governments of Bibb County and the City of Macon as provided in this
 1507 Act) or for its benefit prior to the effective date of this charter shall continue in effect
 1508 according to the terms thereof as obligations and rights of the restructured government;
 1509 provided, however, any obligation created by the City of Macon or the City of Payne City
 1510 (if consolidated with the governments of Bibb County and the City of Macon as provided in
 1511 this Act) to become effective after the date of approval of this charter and prior to the
 1512 effective date of this charter shall be subject to ratification and approval by the council of the
 1513 restructured government within six months following the effective date of this charter.

1514 (c) No pending action or proceeding of any nature, whether civil, criminal, judicial,
 1515 administrative, or other, by or against the City of Macon, the City of Payne City (if
 1516 consolidated with the governments of Bibb County and the City of Macon as provided in this
 1517 Act) or Bibb County or an agency or department thereof shall be abated or otherwise affected
 1518 by the adoption of this charter, and the restructured government shall stand substituted as a
 1519 party in lieu thereof.

1520 **SECTION 42.**

1521 (a) Effective January 1, 2013, there is created a transition task force for the purpose of
 1522 planning and preparing for the assumption of governmental powers by the restructured
 1523 governing authority. The transition task force shall be composed of members as follows:

1524 (1) The chairperson of the board of commissioners of Bibb County who shall be the
 1525 co-chief executive officer of the task force;

- 1526 (2) The chairperson of the finance committee of the board of commissioners of Bibb
 1527 County;
- 1528 (3) The chairperson of the finance committee of the city council of the City of Macon;
- 1529 (4) The mayor of the City of Macon who shall be the co-chief executive officer of the
 1530 task force;
- 1531 (5) The president of the city council of the City of Macon;
- 1532 (6) The president of the Bibb County League of Women Voters;
- 1533 (7) An appointee by the mayor of the City of Macon of a representative of a nonpartisan
 1534 civil rights organization or nonpartisan advocacy group. Such groups may submit the
 1535 names of proposed appointees to the mayor for use in making his or her appointment;
- 1536 (8) A representative of the Macon-Bibb County Chamber of Commerce appointed by the
 1537 chairperson of the board of commissioners of Bibb County;
- 1538 (9) A representative of the Central Georgia Labor Council appointed by the mayor of the
 1539 City of Macon;
- 1540 (10) The chairperson of the Bibb County delegation in the General Assembly who shall
 1541 serve as chairperson of the transition task force; and
- 1542 (11) A member appointed by the members of the General Assembly whose districts
 1543 include all or any portion of Bibb County from among themselves who is a member of
 1544 a different political party than the chairperson of the delegation.
- 1545 The transition task force shall meet upon the call of the chairperson of the transition task
 1546 force for the purpose of planning and scheduling the initial organization of the government
 1547 in accordance with the applicable provisions of this charter.
- 1548 (b) The transition task force shall be authorized to make such recommendations as it deems
 1549 appropriate for the assumption of governmental powers by the council on the second
 1550 Tuesday in January, 2016. The transition task force is specifically charged with the
 1551 responsibility of developing proposed ordinances which should be considered for adoption
 1552 by the council at its first regular meeting held following the second Tuesday in January,
 1553 2016, or at a regular meeting of the council held as soon thereafter as practicable.
- 1554 (c) All officers, officials, including elected officials, and employees of Bibb County, the City
 1555 of Macon, and the City of Payne City (if consolidated with the governments of Bibb County
 1556 and the City of Macon as provided in this Act) shall cooperate with and assist the transition
 1557 task force. The transition task force shall be entitled to examine all records, files, and other
 1558 data in the possession of Bibb County, the City of Macon, and the City of Payne City (if
 1559 consolidated with the governments of Bibb County and the City of Macon as provided in this
 1560 Act) and all officers, officials, and employees and departments thereof. Bibb County, the
 1561 City of Macon, and the City of Payne City (if consolidated with the governments of Bibb

1562 County and the City of Macon as provided in this Act) shall, to the extent possible, provide
 1563 working areas and facilities for the transition task force.

1564 (d) The transition task force shall be authorized to receive and expend appropriations from
 1565 the board of commissioners of Bibb County and from the mayor and city council of the City
 1566 of Macon and from the governing authority of the City of Payne City (if consolidated with
 1567 the governments of Bibb County and the City of Macon as provided in this Act) for the
 1568 purpose of carrying out its duties, but members of the transition task force shall receive no
 1569 compensation for their services as such members.

1570 (e) During the period beginning on the date on which this charter is approved in the
 1571 referendum provided for by Section 45 of this charter, it shall be the duty of the transition
 1572 task force to recommend and the duty of the board of commissioners of Bibb County and the
 1573 mayor and city council of the City of Macon to implement, where possible, such
 1574 restructuring or reorganization of services, functions, powers, and duties as may be
 1575 advantageous to the restructuring of such governments.

1576 (f) The transition task force shall be abolished on the date specified by the council.

1577 **SECTION 43.**

1578 (a) Nothing contained in this charter shall be construed to affect the status of any
 1579 incorporated municipality located within Bibb County other than the City of Macon and the
 1580 City of Payne City (if consolidated with the governments of Bibb County and the City of
 1581 Macon as provided in this Act), and the status or relationship that such incorporated
 1582 municipality bears to Bibb County prior to the adoption of this charter shall continue to the
 1583 same extent with the restructured government.

1584 (b) On and after January 1, 2016, that portion of the City of Macon that is located in Jones
 1585 County shall be treated as having been deannexed from the City of Macon and shall be an
 1586 unincorporated area of Jones County.

1587 **SECTION 44.**

1588 In the event any section, subsection, sentence, clause, or phrase of this charter shall be
 1589 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect
 1590 the other sections, subsections, sentences, clauses, or phrases of this charter, which shall
 1591 remain of full force and effect as if the section, subsection, sentence, clause, or phrase so
 1592 declared or adjudged invalid or unconstitutional were not originally a part hereof. The
 1593 General Assembly declares that it would have passed the remaining parts of this charter if
 1594 it had known that such part or parts hereof would be declared or adjudged invalid or
 1595 unconstitutional.

SECTION 45.

1596
 1597 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
 1598 superintendent of Bibb County shall call and conduct an election as provided in this section
 1599 for the purpose of submitting this Act to the electors of Bibb County for approval or
 1600 rejection. The election superintendent shall conduct that election on the Tuesday after the
 1601 first Monday in November, 2012, and shall issue the call and conduct that election as
 1602 provided by general law. The superintendent shall cause the date and purpose of the election
 1603 to be published once a week for two weeks immediately preceding the date thereof in the
 1604 official organ of Bibb County. The ballot shall have written or printed thereon the words:

1605 " YES Shall the Act restructuring the governments of the City of Macon, the City
 1606 of Payne City, and Bibb County and creating a single county-wide
 1607 NO government to supersede and replace these governments and providing for
 1608 the termination of the terms of office of members of the governing
 1609 authorities of Bibb County, the City of Macon, and the City of Payne City
 1610 be approved?"

1611 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 1612 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 1613 in the county as a whole cast on such question are for approval of the Act and if more than
 1614 one-half of the votes cast in the City of Macon on such question are for approval of the Act,
 1615 this charter shall become of full force and effect on January 1, 2013. If the Act is not so
 1616 approved or if the election is not conducted as provided in this section, the remaining
 1617 sections of this Act shall not become effective and this Act shall be automatically repealed
 1618 on the first day of January immediately following that election date. If the Act is approved
 1619 by the electors of Bibb County and the electors of the City of Macon as provided in this
 1620 section, but less than one-half of the votes cast in the City of Payne City are for approval,
 1621 then the Act shall be effective as to Bibb County and the City of Macon, but shall not be
 1622 effective for the City of Payne City. In such event, the City of Payne City shall remain an
 1623 independent municipality within Macon-Bibb County. The expense of such election shall
 1624 be borne by Bibb County. It shall be the election superintendent's duty to certify the result
 1625 thereof to the Secretary of State.

SECTION 46.

1626
 1627 (a) Section 45 of this Act and this section shall become effective upon the approval of this
 1628 Act by the Governor or upon its becoming law without such approval.
 1629 (b) Except as provided in Section 45 of this Act, the remaining provisions of this Act shall
 1630 become effective on January 1, 2013.

1631

SECTION 47.

1632 All laws and parts of laws in conflict with this Act are repealed.

1633 Plan Name: bibb11p2 Plan Type: Local User: staff Administrator: S026

1634 Redistricting Plan Components Report

1635 District 001

1636 Bibb County

1637 Tract: 126

1638 BG: 1

1639 1000 1001 1002 1003 1004 1008 1009 1010 1011 1012 1013 1014

1640 1015 1016 1017 1018 1019 1020 1021 1022

1641 BG: 2

1642 BG: 3

1643 BG: 4

1644 BG: 5

1645 Tract: 127

1646 BG: 1

1647 BG: 2

1648 Tract: 128

1649 BG: 1

1650 Tract: 129

1651 BG: 1

1652 BG: 2

1653 2006 2007 2008 2009 2010 2011 2015 2016 2017 2018 2019 2020

1654 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032

1655 2033

1656 Tract: 130

1657 BG: 2

1658 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2223

1659 2224 2225

1660 Tract: 131.01

1661 BG: 1

1662 1000 1001

1663 BG: 5

1664 5000 5003 5005 5006 5007 5008 5036

1665 Tract: 131.02

1666 BG: 1

1667 BG: 2

1668 BG: 3

 1669 District 002
 1670 Bibb County
 1671 Tract: 131.01
 1672 BG: 4
 1673 BG: 5
 1674 5039 5040 5041 5042 5043 5044 5045
 1675 Tract: 131.02
 1676 BG: 4
 1677 Tract: 132.01
 1678 BG: 1
 1679 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
 1680 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
 1681 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036
 1682 1037 1038 1039 1040 1999
 1683 BG: 2
 1684 BG: 3
 1685 BG: 4
 1686 Tract: 132.02
 1687 Tract: 134.01
 1688 BG: 1
 1689 1036
 1690 Tract: 136.01
 1691 BG: 2
 1692 2000 2002 2003 2004
 1693 BG: 4
 1694 4000 4001 4002 4003 4004 4005 4006 4008 4009 4039 4040
 1695 Tract: 136.02
 1696 BG: 1
 1697 BG: 2
 1698 2000

 1699 District 003
 1700 Bibb County

1701 Tract: 101
 1702 BG: 1
 1703 Tract: 102
 1704 BG: 1
 1705 1000 1001 1002 1003 1004 1015 1016 1017 1018 1019
 1706 Tract: 103
 1707 BG: 1
 1708 1000 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
 1709 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
 1710 1025 1026 1027 1028
 1711 Tract: 104
 1712 BG: 1
 1713 1000 1001
 1714 Tract: 105
 1715 Tract: 106
 1716 Tract: 107
 1717 Tract: 108
 1718 BG: 1
 1719 BG: 2
 1720 2004 2005 2006 2007 2008 2010 2011 2012 2013 2014 2015 2016
 1721 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028
 1722 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
 1723 2997 2998
 1724 Tract: 114
 1725 Tract: 115
 1726 Tract: 127
 1727 BG: 3
 1728 Tract: 128
 1729 BG: 2
 1730 BG: 3
 1731 Tract: 129
 1732 BG: 2
 1733 2000 2001 2002 2003 2004 2005 2012 2013 2014
 1734 Tract: 130
 1735 BG: 1
 1736 BG: 2
 1737 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

1738 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
 1739 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035
 1740 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047
 1741 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059
 1742 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071
 1743 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083
 1744 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095
 1745 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107
 1746 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119
 1747 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131
 1748 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143
 1749 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155
 1750 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167
 1751 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179
 1752 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191
 1753 2192 2193 2194 2195 2196 2197 2198 2199 2226 2227 2228 2229
 1754 2230 2231 2232 2233 2234 2992 2993 2994 2995 2996 2997 2998
 1755 2999

1756 District 004
 1757 Bibb County
 1758 Tract: 110
 1759 BG: 1
 1760 BG: 2
 1761 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 1762 2012 2013 2014 2015 2016 2017 2999
 1763 BG: 3
 1764 BG: 4
 1765 BG: 5
 1766 Tract: 111
 1767 Tract: 112
 1768 Tract: 113
 1769 Tract: 117.01
 1770 Tract: 117.02
 1771 BG: 2
 1772 2000 2001 2002 2003 2004 2005 2007 2010 2011

1773 BG: 4
 1774 Tract: 133.01
 1775 BG: 1
 1776 1046 1047 1048 1049 1050 1051 1992 1993

 1777 District 005
 1778 Bibb County
 1779 Tract: 102
 1780 BG: 3
 1781 3015
 1782 Tract: 103
 1783 BG: 2
 1784 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014
 1785 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026
 1786 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038
 1787 Tract: 104
 1788 BG: 1
 1789 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013
 1790 1014 1015 1016 1017 1018 1019 1020 1021
 1791 BG: 2
 1792 BG: 3
 1793 BG: 4
 1794 Tract: 122
 1795 BG: 1
 1796 1008 1009 1010 1011 1012
 1797 Tract: 123
 1798 BG: 1
 1799 BG: 2
 1800 BG: 3
 1801 3000 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019
 1802 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031
 1803 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041
 1804 Tract: 124
 1805 BG: 1
 1806 1007
 1807 BG: 3

1808 BG: 4
 1809 BG: 5
 1810 Tract: 125
 1811 Tract: 126
 1812 BG: 1
 1813 1005 1006 1007

 1814 District 006
 1815 Bibb County
 1816 Tract: 101
 1817 BG: 2
 1818 BG: 3
 1819 Tract: 102
 1820 BG: 1
 1821 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014
 1822 BG: 2
 1823 BG: 3
 1824 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
 1825 3012 3013 3014 3016 3017 3018
 1826 Tract: 103
 1827 BG: 1
 1828 1001
 1829 BG: 2
 1830 2000 2001 2002
 1831 Tract: 108
 1832 BG: 2
 1833 2000 2001 2002 2003 2009 2999
 1834 Tract: 110
 1835 BG: 2
 1836 2018 2019 2020 2021 2998
 1837 Tract: 118
 1838 Tract: 119
 1839 Tract: 120
 1840 Tract: 121
 1841 BG: 3
 1842 3000 3001 3002 3003 3004 3005

1843 Tract: 122
 1844 BG: 1
 1845 1000 1001 1002 1003 1004 1005 1006 1007
 1846 Tract: 123
 1847 BG: 3
 1848 3001 3002 3003 3004 3005 3006 3007 3008

 1849 District 007
 1850 Bibb County
 1851 Tract: 121
 1852 BG: 2
 1853 BG: 3
 1854 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017
 1855 3018
 1856 BG: 4
 1857 Tract: 134.02
 1858 BG: 1
 1859 BG: 2
 1860 BG: 3
 1861 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3012 3013
 1862 3014 3015 3016 3026
 1863 BG: 4
 1864 BG: 5
 1865 BG: 6

 1866 District 008
 1867 Bibb County
 1868 Tract: 121
 1869 BG: 1
 1870 Tract: 122
 1871 BG: 2
 1872 Tract: 124
 1873 BG: 1
 1874 1000 1001 1002 1003 1004 1005 1006
 1875 BG: 2

1876 Tract: 132.01
 1877 BG: 1
 1878 1000
 1879 Tract: 134.01
 1880 BG: 1
 1881 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1882 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 1883 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 1884 1037 1998 1999
 1885 BG: 2
 1886 BG: 3
 1887 Tract: 134.02
 1888 BG: 3
 1889 3010 3011 3017 3018 3019 3020 3021 3022 3023 3024 3025 3027
 1890 3028 3029
 1891 Tract: 136.01
 1892 BG: 3
 1893 3000 3001 3002 3003 3004 3034 3035 3036

1894 District 009
 1895 Bibb County
 1896 Tract: 134.01
 1897 BG: 4
 1898 Tract: 136.01
 1899 BG: 1
 1900 BG: 2
 1901 2001 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 1902 2998 2999
 1903 BG: 3
 1904 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
 1905 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
 1906 3029 3030 3031 3032 3033 3994 3995 3996 3997 3998 3999
 1907 BG: 4
 1908 4007 4010 4011 4012 4013 4014 4015 4016 4017 4018 4019 4020
 1909 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4031 4032
 1910 4033 4034 4035 4036 4037 4038 4041 4042 4999

1911 Tract: 136.02
 1912 BG: 2
 1913 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 1914 2013 2014 2015 2016 2017
 1915 BG: 3
 1916 3004
 1917 BG: 4
 1918 4000 4001 4002 4003 4004 4010 4011 4012 4013 4014 4999
 1919 BG: 5
 1920 BG: 6

 1921 District 010
 1922 Bibb County
 1923 Tract: 130
 1924 BG: 2
 1925 2214 2218
 1926 Tract: 131.01
 1927 BG: 1
 1928 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013
 1929 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
 1930 BG: 2
 1931 BG: 3
 1932 BG: 5
 1933 5001 5002 5004 5009 5010 5011 5012 5013 5014 5015 5016 5017
 1934 5018 5019 5020 5021 5022 5023 5024 5025 5026 5027 5028 5029
 1935 5030 5031 5032 5033 5034 5035 5037 5038
 1936 Tract: 135.01
 1937 BG: 1
 1938 1000 1001 1002 1003 1004 1005 1006 1008 1009 1010 1011 1012
 1939 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
 1940 1025 1026 1027 1028 1029 1999
 1941 BG: 2
 1942 BG: 3
 1943 BG: 4
 1944 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4997 4999
 1945 Tract: 136.02

1946 BG: 3
 1947 3000 3001 3002 3003 3005 3006 3007 3008 3009 3010 3011 3012
 1948 3013 3014 3015 3016 3017 3018 3019 3020 3999
 1949 BG: 4
 1950 4005 4006 4007 4008 4009

 1951 District 011
 1952 Bibb County
 1953 Tract: 117.02
 1954 BG: 1
 1955 BG: 2
 1956 2006 2008 2009 2999
 1957 BG: 3
 1958 BG: 5
 1959 BG: 6
 1960 Tract: 130
 1961 BG: 2
 1962 2200 2201 2202 2215 2216 2217 2219 2220 2221 2222 2235 2236
 1963 2990 2991
 1964 Tract: 133.01
 1965 BG: 1
 1966 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1967 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 1968 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 1969 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1052 1053
 1970 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065
 1971 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077
 1972 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089
 1973 1090 1091 1994 1995 1996 1997 1998 1999
 1974 Tract: 133.02
 1975 Tract: 135.01
 1976 BG: 1
 1977 1007
 1978 BG: 4
 1979 4000 4001 4012 4013 4014 4015 4016 4017 4018 4996 4998
 1980 BG: 5

- 1981 Tract: 135.02
- 1982 BG: 1
- 1983 BG: 2
- 1984 2000 2001 2002 2005 2006 2007 2008 2009 2010 2011 2012 2013
- 1985 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
- 1986 2026 2027 2028 2999