



LAWRENCEVILLE

GEORGIA

CITY COUNCIL WORK SESSION AGENDA

Wednesday, April 17, 2024
5:00 PM

Council Chambers
70 S. Clayton St, GA 30046

Call to Order

Prayer

Pledge of Allegiance

Agenda Additions / Deletions

Discussion of General City Business

There is no public comment during this section of the agenda unless formally requested by the Mayor and the Council.

- [1.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 1 Districts
- [2.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions
- [3.](#) Purchase of Natural Gas Materials on a Six-Month Contract
- [4.](#) Lawrenceville Public Works Building Renovations Project Phase II
- [5.](#) Hurricane Shoals @ Hwy 316 Gas Pipeline Department of Transportation Project
- [6.](#) ReCast Yr 3 Contract Addendum Approval
- [7.](#) Purchase of new Data Center Servers and Consolidation Services
- [8.](#) Discussion to amend chapter 1 of the code of ordinances to update provisions related to General Provisions
- [9.](#) Discussion to amend chapter 2 of the code of ordinances to update provisions related to Administration

- [10.](#) Discussion to amend chapter 14 of the code of ordinances to update provisions related to Court
- [11.](#) Discussion to amend chapter 16 of the code of ordinances to update provisions related to Elections
- [12.](#) Resolution for Open Records Officer Designation Update
- [13.](#) Round-up Presentation
- [14.](#) Presentation of Fiscal Year 2025 Proposed Budget
- [15.](#) Presentation of FY 2023 Annual Comprehensive Financial Report

Executive Session - Personnel, Litigation, Real Estate

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION
AGENDA CATEGORY: DISCUSSION OF NEW BUSINESS

Item: An Ordinance to Amend the Zoning Ordinance, ARTICLE 1 Districts

Department: Planning and Development

Date of Meeting: Wednesday, April 17, 2024

Applicant Request: Approval of Amendments

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Table to June 2024**

Planning Commission Recommendation: **Table to June 2024**

Summary: Request to table the decision to the Amendment to ARTICLE 1 Districts, to include two new zoning districts to address infill development.

Attachments/Exhibits:

- No attachment



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AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION
AGENDA CATEGORY: DISCUSSION OF NEW BUSINESS

Item: An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions

Department: Planning and Development

Date of Meeting: Wednesday, April 17, 2024

Applicant Request: Approval of Amendments

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Table to June 2024**

Planning Commission Recommendation: **Table to June 2024**

Summary: Request to table indefinitely the Amendment to ARTICLE 10 Definitions is necessary to clarify language that is consistent with Georgia State Law.

Attachments/Exhibits:

- No attachments



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, APRIL 29, 2024

AGENDA CATEGORY: CONSENT AGENDA

- Item:** Purchase of Natural Gas Materials on a Six-Month Contract
- Department:** Gas
- Date of Meeting:** Monday, April 29, 2024
- Fiscal Impact:** \$440,430.95
- Presented By:** Todd Hardigree, Gas Director
- Action Requested:** Award Purchase of Natural Gas Materials on a Six-Month Contract to low overall bidder submitting all items, Consolidated Pipe & Supply Co., Inc., amount not to exceed \$440,430.95.

Summary: This contract provides the City Gas Department with the most commonly used natural gas materials. This is the initial award and the contract will have eight (8) options to renew.

Fiscal Impact: Amount not to exceed \$440,430.95. This contract is funded by the Repairs & Maintenance-Equipment Fund (5154700.522240) the Specialty Supplies Fund (5154700.531122), the Cathodic Supplies Fund (5154700.531129), the Pipe & Fitting Fund (5154700.531170), the Regulator Stations Fund (5154700.531171), and the Capital Outlay Fund (5164700.541000). Project 11-029.

Attachments/Exhibits: Bid Tabulation

SB029-24
 Natural Gas Materials on a Six-Month Contract
 Gas Department

				Consolidated Pipe & Supply Co., Inc.		Kerotest Manufacturing Corp.		Stuart Steel Protection LLC.		United Supply Int. Inc. d/b/a Utilities Supply, Inc.	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	#12 YELLOW TRACING WIRE PE 30, SOLID COPPER, 500 FEET - PROLINE	#####	FT	\$0.18	\$18,000.00	N/B	N/B	\$0.25	\$25,000.00	N/B	N/B
2	#12 YELLOW TRACING WIRE PE 30, SOLID COPPER, 2500 FEET - PROLINE	10,000	FT	\$0.18	\$1,800.00	N/B	N/B	\$0.25	\$2,500.00	N/B	N/B
3	#12/#10 YELLOW WIRE CONNECTORS WITH SEALANT - PROLINE	2,000	FT	\$3.15	\$6,300.00	N/B	N/B	\$3.40	\$6,800.00	N/B	N/B
4	½” CTS .090 PE 2708 6500 GAS TUBING 500 FEET ROLL - PERFORMANCE PIPE	35,000	FT	\$0.36	\$12,600.00	N/B	N/B	N/B	N/B	N/B	N/B
5	¾” IPS .090 PE 2406 6500 GAS TUBING 500 FEET ROLL - PERFORMANCE PIPE	6,000	FT	\$0.63	\$3,780.00	N/B	N/B	N/B	N/B	N/B	N/B
6	2” IPS SDR 11 PE2406 6500 GAS PIPE 500 FEET ROLL - PERFORMANCE PIPE	60,000	FT	\$1.30	\$78,000.00	N/B	N/B	N/B	N/B	N/B	N/B
7	4” IPS SDR 11 PE2406 6500 GAS PIPE 40 FOOT STICK - PERFORMANCE PIPE	2000	FT	\$4.60	\$9,200.00	N/B	N/B	N/B	N/B	N/B	N/B
8	4” IPS SDR 11 PE2406 6500 GAS PIPE TUBING 500 FEET ROLL - PERFORMANCE PIPE	7500	FT	\$4.85	\$36,375.00	N/B	N/B	N/B	N/B	N/B	N/B
9	6” IPS SDR 11 PE2406 6500 GAS PIPE 40 FOOT STICK - PERFORMANCE PIPE	1000	FT	\$10.55	\$10,550.00	N/B	N/B	N/B	N/B	N/B	N/B
10	6” IPS SDR 11 PE2406 6500 GAS PIPE 250 OR 500 FEET ROLL - PERFORMANCE PIPE	500	FT	\$10.90	\$5,450.00	N/B	N/B	N/B	N/B	N/B	N/B
11	2” IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	500	FT	\$11.25	\$5,625.00	\$9.03	\$4,515.00	N/B	N/B	\$8.50	\$4,250.00
12	2” x 5/8” E-FUSE TAP TEE KIT W/800 EFV INSTALLED - IPEX OR FRIALEN	500	EA	\$75.00	\$37,500.00	\$44.28	\$22,140.00	N/B	N/B	N/B	N/B
13	2” IPS SDR11 PE 2708 BFUSE 90 EL - PERFORMANCE PIPE	5	EA	\$6.75	\$33.75	N/B	N/B	N/B	N/B	\$7.00	\$35.00
14	2” IPS SDR11 PE 2708 BFUSE TEE - PERFORMANCE PIPE	15	EA	\$7.75	\$116.25	N/B	N/B	N/B	N/B	\$8.00	\$120.00

BID TABULATION

15	2" IPS SDR11 PE 2708 BFUSE CAP - PERFORMANCE PIPE	30	EA	\$3.95	\$118.50	N/B	N/B	N/B	N/B	\$5.00	\$150.00
16	2" IPS SDR11 PE 2708 POLY VALVE , FULL PORT, 1.90" MINIMUM PORT, BW x BW, 2" SQUARE HEAD, POSITION INDICATION, OVER-TORQUE PROTECTION - KEROTEST	20	EA	\$68.00	\$1,360.00	\$65.00	\$1,300.00	N/B	N/B	\$76.00	\$1,520.00
17	3" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	6	EA	\$25.00	\$150.00	\$18.98	\$113.88	N/B	N/B	\$25.00	\$150.00
18	4" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	60	EA	\$36.00	\$2,160.00	\$25.74	\$1,544.40	N/B	N/B	\$29.00	\$1,740.00
19	4" IPS SDR 11 PE 2708 BFUSE 90 EL - PERFORMANCE PIPE	5	EA	\$18.00	\$90.00	N/B	N/B	N/B	N/B	\$21.00	\$105.00
20	4" IPS SDR 11 PE 2708 BFUSE TEE - PERFORMANCE PIPE	20	EA	\$22.00	\$440.00	N/B	N/B	N/B	N/B	\$22.00	\$440.00
21	4" IPS SDR 11 PE 2708 BFUSE CAP - PERFORMANCE PIPE	10	EA	\$12.00	\$120.00	N/B	N/B	N/B	N/B	\$12.00	\$120.00
22	4"x2" IPS SDR 11 PE 2708 BFUSE REDUCER	20	EA	\$12.00	\$240.00	N/B	N/B	N/B	N/B	\$13.00	\$260.00
23	4" IPS SDR11 PE 2708 POLY VALVE , FULL PORT, 3.63" MINIMUM PORT, , BW x BW, 2" SQUARE HEAD, POSITION INDICATION, OVER-TORQUE PROTECTION - KEROTEST	15	EA	\$265.00	\$3,975.00	\$209.74	\$3,146.10	N/B	N/B	\$249.00	\$3,735.00
24	6" IPS PE 3408/4710 ELECTROFUSE CPLG - IPEX OR FRIALEN	25	EA	\$90.00	\$2,250.00	\$63.21	\$1,580.25	N/B	N/B	\$81.00	\$2,025.00
25	6" SDR11 IPS PE 2708, BFUSE TEE	15	EA	\$40.00	\$600.00	N/B	N/B	N/B	N/B	\$55.00	\$825.00
26	6"x4" SDR11 IPS PE 2708, BFUSE REDUCER	10	EA	\$27.00	\$270.00	N/B	N/B	N/B	N/B	\$31.00	\$310.00
27	¾" x 5/8" PE 2708 GAS RISER PIGTAIL - PERFECTION	400	EA	\$30.00	\$12,000.00	N/B	N/B	N/B	N/B	N/B	N/B
28	¾" x ¾" PE 2708 GAS RISER WITH PIGTAIL - PERFECTION	50	EA	\$44.00	\$2,200.00	N/B	N/B	N/B	N/B	N/B	N/B
29	½" CTS METFIT STYLE COUPLING - METFIT	1500	EA	\$10.60	\$15,900.00	N/B	N/B	N/B	N/B	\$10.10	\$15,150.00
30	½" CTS METFIT STYLE DEAD END - METFIT	50	EA	\$9.20	\$460.00	N/B	N/B	N/B	N/B	\$9.50	\$475.00
31	¾" IPS METFIT STYLE COUPLING - METFIT	500	EA	\$20.60	\$10,300.00	N/B	N/B	N/B	N/B	\$19.75	\$9,875.00
32	¾" IPS METFIT STYLE DEAD END - METFIT	25	EA	\$16.00	\$400.00	N/B	N/B	N/B	N/B	\$17.00	\$425.00

BID TABULATION

33	3/4" X 5/8" METFIT STYLE REDUCER - METFIT	25	EA	\$26.00	\$650.00	N/B	N/B	N/B	N/B	\$26.50	\$662.50
34	1/2" CTS METFIT STYLE TEE - METFIT	25	EA	\$25.50	\$637.50	N/B	N/B	N/B	N/B	\$24.00	\$600.00
35	3/4" CTS METFIT STYLE TEE - METFIT	10	EA	\$37.00	\$370.00	N/B	N/B	N/B	N/B	\$39.00	\$390.00
36	2" x 5/8" NO EFV TAP TEE - IPEX OR FRIALEN	25	EA	\$28.00	\$700.00	\$19.50	\$487.50	N/B	N/B	N/B	N/B
37	2" x 3/4" NO EFV ELECTROFUSE TAP TEE BF OUTLET - IPEX OR FRIALEN	50	EA	\$31.00	\$1,550.00	\$19.50	\$975.00	N/B	N/B	N/B	N/B
38	4" x 5/8 NO EFV TAP TEE - IPEX OR FRIALEN - IPEX OR FRIALEN	100	EA	\$34.00	\$3,400.00	\$22.33	\$2,233.00	N/B	N/B	N/B	N/B
39	4" x 3/4" NO EFV ELECTROFUSE TAP TEES BF OUTLET - IPEX OR FRIALEN	50	EA	\$46.00	\$2,300.00	\$22.33	\$1,116.50	N/B	N/B	N/B	N/B
40	1" ELECTROFUSE COUPLING - IPEX OR FRIALEN	5	EA	\$10.25	\$51.25	\$7.16	\$35.80	N/B	N/B	\$9.00	\$45.00
41	3/4" ELECTROFUSE COUPLING - IPEX OR FRIALEN	5	EA	\$9.00	\$45.00	\$6.90	\$34.50	N/B	N/B	\$8.00	\$40.00
42	5/8" ELECTROFUSE COUPLING - IPEX OR FRIALEN	5	EA	\$8.75	\$43.75	\$6.72	\$33.60	N/B	N/B	\$6.50	\$32.50
43	5/8" 800 CFH PE STICK EFV - UMAC	50	EA	\$25.00	\$1,250.00	\$18.31	\$915.50	N/B	N/B	\$28.00	\$1,400.00
44	3/4" 800 CFH PE STICK EFV - UMAC	50	EA	\$33.00	\$1,650.00	\$38.45	\$1,922.50	N/B	N/B	\$31.00	\$1,550.00
45	3/4" PE BUTT FUSE FULL PORT CURB VALVE (KEROTEST P/N 99047511)	50	EA	\$38.00	\$1,900.00	\$24.79	\$1,239.50	N/B	N/B	\$39.00	\$1,950.00
46	3/4" MERCH STEEL BLK SQ HEAD PLUG-DOMESTIC OR SMITH COOPER	200	EA	\$1.25	\$250.00	N/B	N/B	N/B	N/B	\$1.56	\$312.00
47	3/4" STD MI BLK COUPLING - DOMESTIC OR SMITH COOPER	300	EA	\$2.50	\$750.00	N/B	N/B	N/B	N/B	\$5.72	\$1,716.00
48	3/4" x CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	400	EA	\$1.70	\$680.00	N/B	N/B	N/B	N/B	\$1.16	\$464.00
49	3/4"X 2" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$2.50	\$250.00	N/B	N/B	N/B	N/B	\$1.23	\$123.00
50	3/4" X 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$3.00	\$300.00	N/B	N/B	N/B	N/B	\$1.41	\$141.00

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51	3/4" X 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$3.50	\$350.00	N/B	N/B	N/B	N/B	\$1.73	\$173.00
52	3/4" X 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$4.50	\$900.00	N/B	N/B	N/B	N/B	\$2.45	\$490.00
53	3/4" x 7" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$4.75	\$950.00	N/B	N/B	N/B	N/B	\$4.09	\$818.00
54	3/4" X 8" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$4.95	\$495.00	N/B	N/B	N/B	N/B	\$4.09	\$409.00
55	3/4" X 12" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	400	EA	\$4.95	\$1,980.00	N/B	N/B	N/B	N/B	\$5.30	\$2,120.00
56	3/4" x 18" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$11.25	\$562.50	N/B	N/B	N/B	N/B	\$10.38	\$519.00
57	1" STD MI BLK COUPLING - DOMESTIC OR SMITH COOPER	300	EA	\$4.00	\$1,200.00	N/B	N/B	N/B	N/B	\$8.64	\$2,592.00
58	1" STD MI BLK 90 EL - DOMESTIC OR SMITH COOPER	600	EA	\$3.50	\$2,100.00	N/B	N/B	N/B	N/B	\$7.60	\$4,560.00
59	1" X CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$1.90	\$190.00	N/B	N/B	N/B	N/B	\$1.66	\$166.00
60	1" X 2" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$1.65	\$82.50	N/B	N/B	N/B	N/B	\$1.82	\$91.00
61	1" X 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	300	EA	\$1.85	\$555.00	N/B	N/B	N/B	N/B	\$1.94	\$582.00
62	1" X 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$2.70	\$270.00	N/B	N/B	N/B	N/B	\$2.39	\$239.00
63	1" X 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	200	EA	\$3.75	\$750.00	N/B	N/B	N/B	N/B	\$3.34	\$668.00
64	1" x 7" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$8.25	\$825.00	N/B	N/B	N/B	N/B	\$5.55	\$555.00
65	2" STD MI BLK STL COUPLING - DOMESTIC OR SMITH COOPER	10	EA	\$11.15	\$111.50	N/B	N/B	N/B	N/B	\$21.53	\$215.30
66	2" STD MI BLK STL 90 EL - DOMESTIC OR SMITH COOPER	25	EA	\$12.50	\$312.50	N/B	N/B	N/B	N/B	\$27.74	\$693.50
67	2" x CLOSE STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	25	EA	\$4.20	\$105.00	N/B	N/B	N/B	N/B	\$3.57	\$89.25
68	2" x 3" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	25	EA	\$4.25	\$106.25	N/B	N/B	N/B	N/B	\$4.08	\$102.00

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69	2" x 4" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	25	EA	\$4.25	\$106.25	N/B	N/B	N/B	N/B	\$4.95	\$123.75
70	2" x 6" STD BLK STL NIPPLE - DOMESTIC OR SMITH COOPER	25	EA	\$6.95	\$173.75	N/B	N/B	N/B	N/B	\$6.67	\$166.75
71	¾" BRASS MTR STOP BALL VALVE W/LOCKWING (RUB)	600	EA	\$16.05	\$9,630.00	N/B	N/B	N/B	N/B	\$13.50	\$8,100.00
72	1" PITT METER SWIVEL SETS (1-1/4" NUT, 1"PITT SWIVEL) - CENTRAL	1200	EA	\$18.60	\$22,320.00	N/B	N/B	N/B	N/B	\$2.25	\$2,700.00
73	1" PITT METER SWIVEL SETS (1"PITT SWIVEL) – CENTRAL (Price #72 as nut only if not sold in sets)	1200	EA	\$0.00	\$0.00	N/B	N/B	N/B	N/B	\$9.50	\$11,400.00
74	1" PITT METER WASHERS	1200	EA	\$0.64	\$768.00	N/B	N/B	N/B	N/B	\$0.35	\$420.00
75	45 LT METER SWIVEL SETS (NUT AND SWIVEL) - CENTRAL	200	EA	\$35.00	\$7,000.00	N/B	N/B	N/B	N/B	\$20.00	\$4,000.00
76	45 LT METER WASHERS	350	EA	\$0.60	\$210.00	N/B	N/B	N/B	N/B	\$0.60	\$210.00
77	BARREL LOCKS FOR GAS L/W - BROOKS	500	EA	\$4.00	\$2,000.00	N/B	N/B	N/B	N/B	N/B	N/B
78	BARREL LOCK KEYS - BROOKS	10	EA	\$82.00	\$820.00	N/B	N/B	N/B	N/B	N/B	N/B
79	16 OZ. PIPE THREAD SEALANT - JOMAR GIMME THE GREEN	48	EA	\$18.90	\$907.20	N/B	N/B	N/B	N/B	N/B	N/B
80	4" x 5/8" EF TAP TEE W/EFV 800 - IPEX OR FRIALEN	100	EA	\$80.00	\$8,000.00	\$47.10	\$4,710.00	N/B	N/B	N/B	N/B
81	1" x ¾" BLK BELL REDUCER - DOMESTIC OR SMITH COOPER	250	EA	\$5.00	\$1,250.00	N/B	N/B	N/B	N/B	\$8.85	\$2,212.50
82	2" INSULATED UNIONS - DOMESTIC OR SMITH COOPER	25	EA	\$44.00	\$1,100.00	N/B	N/B	N/B	N/B	\$60.20	\$1,505.00
83	1" NO BLO TEE - MUELLER	10	EA	\$105.00	\$1,050.00	N/B	N/B	N/B	N/B	N/B	N/B
84	#79344 STEM O-RING 1" (NO-BLO GASKET) - MUELLER	25	EA	\$3.50	\$87.50	N/B	N/B	N/B	N/B	N/B	N/B
85	#79345 CAP O-RING 1" (NO-BLO GASKET) - MUELLER	25	EA	\$4.75	\$118.75	N/B	N/B	N/B	N/B	N/B	N/B
86	¾" STEEL SOCKET WELD 3000# COUPLING - WELDBEND OR DOMESTIC	5	EA	\$4.00	\$20.00	N/B	N/B	N/B	N/B	\$4.00	\$20.00

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87	1" STEEL SOCKET WELD 3000# COUPLING - WELDBEND OR DOMESTIC	5	EA	\$5.00	\$25.00	N/B	N/B	N/B	N/B	\$5.00	\$25.00
88	3/4" WPHY52 STD WELD CAP STEEL - WELDBEND OR DOMESTIC	25	EA	\$23.00	\$575.00	N/B	N/B	N/B	N/B	\$15.11	\$377.75
89	1" WPHY52 STD WELD CAP STEEL - WELDBEND OR DOMESTIC	25	EA	\$29.00	\$725.00	N/B	N/B	N/B	N/B	\$27.50	\$687.50
90	2" WPHY-52 STEEL WELD CAPS - WELDBEND OR DOMESTIC	25	EA	\$84.00	\$2,100.00	N/B	N/B	N/B	N/B	\$103.95	\$2,598.75
91	2" WPHY-52 STEEL WELD 90 DEGREE ELL. - WELDBEND OR DOMESTIC	25	EA	\$71.00	\$1,775.00	N/B	N/B	N/B	N/B	\$38.58	\$964.50
92	3/4" x 6" SCH80 TOE NIPPLE (WLED END BEVELED) - DOMESTIC OR SMITH COOPER	50	EA	\$10.50	\$525.00	N/B	N/B	N/B	N/B	\$12.96	\$648.00
93	3/4" x 12" SCH80 TOE NIPPLE (WELD END BEVELED) - DOMESTIC OR SMITH COOPER	50	EA	\$25.00	\$1,250.00	N/B	N/B	N/B	N/B	\$16.49	\$824.50
94	3/4" STEEL WELD BY WELD 800 EFV - PERFECTION	10	EA	\$53.00	\$530.00	N/B	N/B	N/B	N/B	N/B	N/B
95	25"-36" PLASTIC VALVE BOX W/ CAST IRON COLLAR	100	EA	\$105.00	\$10,500.00	N/B	N/B	N/B	N/B	\$171.00	\$17,100.00
96	CAST IRON COLLAR FOR VALVE BOX	100	EA	\$35.00	\$3,500.00	N/B	N/B	N/B	N/B	\$39.00	\$3,900.00
97	20" EXTENSION FOR PLASTIC VALVE BOX	50	EA	\$36.00	\$1,800.00	N/B	N/B	N/B	N/B	\$34.00	\$1,700.00
98	5 -1/4 " "GAS" LID FOR VALVE BOX	50	EA	\$20.00	\$1,000.00	N/B	N/B	N/B	N/B	\$18.00	\$900.00
99	2" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	20	EA	\$27.50	\$550.00	N/B	N/B	N/B	N/B	\$29.00	\$580.00
100	4" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	20	EA	\$39.75	\$795.00	N/B	N/B	N/B	N/B	\$48.00	\$960.00
101	6" CAST IRON COLLAR RISER FOR 5 1/4 VALVE LID	20	EA	\$52.85	\$1,057.00	N/B	N/B	N/B	N/B	\$58.00	\$1,160.00
102	2" CASE H-35 TAPECOAT GRAY WRAP - TAPECOAT	5	CS	\$342.00	\$1,710.00	N/B	N/B	\$474.24	\$2,371.20	N/B	N/B
103	4" CASE H-35 TAPECOAT GRAY WRAP - TAPECOAT	5	CS	\$352.00	\$1,760.00	N/B	N/B	\$474.36	\$2,371.80	N/B	N/B
104	4-1/2" x 6' SCH 40 A500 GRADE B DOMESTIC STEEL PIPE BOLLARD - DOMESTIC	50	EA	\$170.00	\$8,500.00	N/B	N/B	N/B	N/B	N/B	N/B

BID TABULATION

105	4" SCH 40 PVC BOLLARD CAPS	50	EA	\$16.00	\$800.00	N/B	N/B	N/B	N/B	N/B	N/B
106	RHINO TRIVIEW TEST STATION: 66", YELLOW, UV STABLE, WITH TWO INSIDE TERMINALS AND A BLACK CAP (P/N TVTI66YB2) WITH LAWRENCEVILLE GAS DECAL (SD-9546); 2 7/8" X 16", WHITE, 5-BLK/YLW/811, 107WARNING GAS PIPELINE, 811, IN EMERGENCY CALL CITY OF LAWRENCEVILLE 770-963-3332 - RHINO	200	EA	\$47.00	\$9,400.00	N/B	N/B	\$56.17	\$11,234.00	N/B	N/B
107	RHINO TRIVIEW PIPELINE MARKER: 66" WITH BLACK CAP, UV STABLE YELLOW, (P/N TVF66YB) WITH LAWRENCEVILLE GAS DECAL (SD9546) - RHINO	200	EA	\$36.00	\$7,200.00	N/B	N/B	\$51.64	\$10,328.00	N/B	N/B
108	1" x 8" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$7.50	\$750.00	N/B	N/B	N/B	N/B	\$5.49	\$549.00
109	1" x 12" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	100	EA	\$9.00	\$900.00	N/B	N/B	N/B	N/B	\$7.33	\$733.00
110	1" x 18" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$11.50	\$575.00	N/B	N/B	N/B	N/B	\$13.31	\$665.50
111	1" BRASS MTR STOP BALL VALVE W/LOCKWING (RUB)	50	EA	\$23.50	\$1,175.00	N/B	N/B	N/B	N/B	\$26.00	\$1,300.00
112	1" STD MI BLK INSULATED UNION - DOMESTIC OR SMITH COOPER	50	EA	\$65.00	\$3,250.00	N/B	N/B	N/B	N/B	\$18.00	\$900.00
113	2" IPS SDR 11 PE2406 6500 GAS PIPE 40 FOOT STICK - PERFORMANCE PIPE	4000	FT	\$1.75	\$7,000.00	N/B	N/B	N/B	N/B	N/B	N/B
114	4" x 2", 4MM PINS ELECTROFUSE HIGH VOLUME TAP TEES BF OUTLET - IPEX OR FRIALEN	10	EA	\$98.00	\$980.00	N/B	N/B	N/B	N/B	N/B	N/B
115	6" x 4", 4MM PINS, ELECTROFUSE HIGH VOLUME TAP TEES BF OUTLET - IPEX OR FRIALEN	6	EA	\$185.00	\$1,110.00	N/B	N/B	N/B	N/B	N/B	N/B
116	2" STD MI BLK TEE - DOMESTIC OR SMITH COOPER	50	EA	\$21.00	\$1,050.00	N/B	N/B	N/B	N/B	\$39.92	\$1,996.00
117	2" STD MI BLK STREET 90 EL - DOMESTIC OR SMITH COOPER	50	EA	\$19.00	\$950.00	N/B	N/B	N/B	N/B	\$34.29	\$1,714.50
118	6" IPS SDR 11 PE 2708 BFUSE CAP - PERFORMANCE PIPE	25	EA	\$28.00	\$700.00	N/B	N/B	N/B	N/B	N/B	N/B
119	2" x 8" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	50	EA	\$15.00	\$750.00	N/B	N/B	N/B	N/B	\$11.21	\$560.50

BID TABULATION

120	2" x 12" STD BLK NIPPLE - DOMESTIC OR SMITH COOPER	25	EA	\$18.25	\$456.25	N/B	N/B	N/B	N/B	\$15.16	\$379.00
121	2" x 2" PE 2708 PB PT GAS RISER PIGTAIL – PERFECTION 78403	12	EA	\$180.00	\$2,160.00	N/B	N/B	N/B	N/B	N/B	N/B
TOTAL				\$440,430.95		\$48,043.03		\$60,605.00		\$138,299.55	
Will vendor hold pricing firm? Renewal Option 1				5% Increase		Manf. Increase		No		5% Increase	
Will vendor hold pricing firm? Renewal Option 2				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 3				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 4				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 5				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 6				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 7				5% Increase		Manf. Increase		No		No	
Will vendor hold pricing firm? Renewal Option 8				5% Increase		Manf. Increase		No		No	

Recommended vendor:

Consolidated Pipe & Supply Co., Inc.
 194 Hurricane Shoals Road
 Lawrenceville, GA 30045
 P: 770-822-9664
paul.root@cspipe.com



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, APRIL 29, 2024

AGENDA CATEGORY: CONSENT AGENDA

- Item:** Lawrenceville Public Works Building Renovations Project Phase II
- Department:** Public Works
- Date of Meeting:** Monday, April 29, 2024
- Fiscal Impact:** \$48,132.00
- Presented By:** Brian Osborne, Facilities & Grounds Maintenance Manager
- Action Requested:** Award Lawrenceville Public Works Building Renovations Project Phase II to low bidder, Hollandsworth Construction LLC, amount not to exceed \$48,132.00.

Summary: This project consists of enclosing a large open conference area with a glass wall to reduce the noise impact on the surrounding areas. This conference room will be used by all departments at the Lawrenceville Public Works Building and maintain the natural light to the office and cubicle area so the space still feels open and keeps with the original design of the area. This project is within budget.

Background: Lawrenceville Public Works Building Renovations Project Phase I was awarded to Beatty Construction, Inc. on May 24, 2023 under City Manager Authority in the amount of \$95,417.70. Change Order 1 for final closeout was issued on December 14, 2023 in the amount of \$2,042.23. Phase one added three new offices and put up a firewall between the Gas Department area and the new Damage Prevention area. This also included one new office in the Gas Department area, converted an existing conference room into two offices and converted one storage room into two offices. This phase included all the HVAC & Electrical modifications needed.

Fiscal Impact: Amount not to exceed \$48,132.00. This project is funded by the Capital Outlay Fund (3551565.541000). Project 15-030. Total project value is \$145,591.93.

Attachments/Exhibits: Phase II quotations.

Contact:
 Ryan Hollandsworth
ryan@hollandsworthconstruction.com
 404-557-8260

Job:	Lawrenceville Pub Works
Location:	Conference Room
Address:	435 W. Pike St, 30046
Square Feet:	1,056

Div.	Description	Qty	U/M	Material		Labor		Subcontract		Total
				U/C	Subtotal	U/C	Subtotal	U/C	Subtotal	
1000	GENERAL REQUIREMENTS									
1001	Project Manager	1	wk	\$0	\$0	\$2,000	\$2,000	\$0	\$0	\$2,000
1003	Superintendent	2	wk	\$0	\$0	\$2,000	\$4,000	\$0	\$0	\$4,000
1530	Dumpster Rental	1	ea	\$0	\$0	\$0	\$0	\$550	\$550	\$550
1750	Final Cleaning	1,056	sf	\$0	\$0	\$0	\$0	\$1	\$528	\$528
Subtotal - General Conditions					\$0		\$6,000		\$1,078	\$7,078

8000	DOORS & WINDOWS									
8200	Interior Doors	1	ls	\$0	\$0	\$0	\$0	\$847	\$847	\$847
8450	Interior Glass	1	ls	\$0	\$0	\$0	\$0	\$3,350	\$3,350	\$3,350
8700	Door Hardware	1	ls	\$0	\$0	\$0	\$0	\$524	\$524	\$524
8850	Frames	1	ls	\$0	\$0	\$0	\$0	\$4,642	\$4,642	\$4,642
Subtotal - Doors/Frames/Hardware					\$0		\$0		\$9,363	\$9,363

9000	FINISHES									
9250	Drywall Partition	1	ls	\$0	\$0	\$0	\$0	\$6,100	\$6,100	\$6,100
9550	Rubber Base	1	ls	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal - Finishes					\$0		\$0		\$6,100	\$6,100

16000	ELECTRICAL									
16400	Electrical	1	ls	\$0	\$0	\$0	\$0	\$17,300	\$17,300	\$17,300
Subtotal - Electrical					\$0		\$0		\$17,300	\$17,300

Subtotal - Division & General Conditions				\$0		\$6,000		\$36,481	\$42,481
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Sales Tax	7%		\$0						\$0
Labor Burden	30%					\$1,800			\$1,800

Subtotal - Before Fees									\$44,281
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Fee	8.00%								\$3,851
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TOTAL									\$48,132
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JOB NAME PUBLIC WORKS RENOVATIONS

DATE 2/15/2024

ESTIMATOR DB/SW

Beatty Construction, Inc.
6945 Oak Ridge Parkway, 209
Austell, Georgia 30168
(O) 678.391.4501
(C) 770.789.3827

Item City of Lawrenceville/PP1/2nd FL Conf. Rm

Code	Quantity	Unit	Unit Mat's	Mat's Cost	Unit Lab	Labor Cost	Unit Sub	Sub Cost	Totals	Remarks
DIVISION 1										
	GENERAL CONDITIONS									
Super WC	2	wk.	0	0	1716	3,432	0	0	3,432.00	Supervision - Labor
			0	0	0	0	0	0	0.00	Safety
	2	wk	25	50	0	0	0	0	50.00	First Aid
			0	0	0	0	0	0	0.00	Mobile Phones - Field
	0.5	mo	50	25	0	0	0	0	25.00	Mobile Phone - Superintendent
			0	0	0	0	0	0	0.00	Trucks and Fuel
	0.5	mo	992	496	0	0	0	0	496.00	Superintendent - Truck Expense
	1	wk	50	50	0	0	0	0	50.00	Project Manager - Fuel & Maintenance
			0	0	0	0	0	0	0.00	Continuous Clean-Up
			0	0	0	0	0	0	0.00	Clean-Up-Labor
	1	wk	15	15	680	680	0	0	695.00	Dumpster 30 cyd
	1	lds	700	700	0	0	0	0	700.00	Final Clean
	1	ls	0	0	750	750	750	750	750.00	
			0	0	0	0	0	0	0.00	
DIVISION 6			0	0	0	0	0	0	0.00	6,198.00
			0	0	0	0	0	0	0.00	CARPENTRY
	1	ls	200	200	200	200	0	0	400.00	FT wood blocking
			0	0	0	0	0	0	0.00	
DIVISION 8			0	0	0	0	0	0	0.00	400.00
			0	0	0	0	0	0	0.00	DOORS/FRAMES/HARDWARE
			0	0	0	0	0	0	0.00	CONFERENCE ROOM
	1		930	930	505	505	0	0	1,435.00	30X70 SCWD factory prefinished
	1		2300	2,300	0	0	0	0	2,300.00	welded hollow metal frame
	8	MH	0	0	0	0	175	1,400	1,400.00	field weld HM sections
	129	SF	10.7	1,380	4.3	555	0	0	1,935.00	glazing
	50	LF	7.18	359	2.4	120	0	0	479.00	surface tube stock
			0	0	0	0	0	0	0.00	hardware
	3		9.5	29	0	0	0	0	28.50	hinges
	1		570	570	0	0	0	0	570.00	mortise lock-office function
	1		175	175	0	0	0	0	175.00	closer
	1		8	8	0	0	0	0	8.00	wall stop
	3		0.15	0	0	0	0	0	0.45	silencers
	1	LS	75	75	0	0	0	0	75.00	FREIGHT
			0	0	0	0	0	0	0.00	
ALTERNATE-CONFERENCE ROOM			0	0	0	0	0	0	0.00	
7-0 X 24-10 STOREFRONT W/ GLASS	1	EA	0	0	0	0	4910	4,910	4,910.00	surface tube stock
	50	LF	7.18	359	2.4	120	0	0	479.00	30X70 SCWD factory prefinished
	1		891	891	505	505	0	0	1,396.00	hardware
			0	0	0	0	0	0	0.00	hinges
	3		9.5	29	0	0	0	0	28.50	mortise lock-office function
	1		570	570	0	0	0	0	570.00	closer
	1		175	175	0	0	0	0	175.00	wall stop
	1		8	8	0	0	0	0	8.00	silencers
	3		0.15	0	0	0	0	0	0.45	FREIGHT
	1	LS	75	75	0	0	0	0	75.00	
			0	0	0	0	0	0	0.00	
			0	0	0	0	0	0	0.00	
			0	0	0	0	0	0	0.00	
			0	0	0	0	0	0	0.00	16,047.90
DIVISION 9			0	0	0	0	0	0	0.00	FINISHES

Item City of Lawrenceville/PPI/2nd FL Conf. Rm

Code	Quantity	Unit	Unit Mat's	Mat's Cost	Unit Lab	Labor Cost	Unit Sub	Sub Cost	Totals	Remarks
Painting			0	0	0	0	0	0	0.00	
CONFERENCE ROOM			0	0	0	0	0	0	0.00	
wall	834	SF	0	0	0	0	0	0	0.00	
frame	6	EA	0	0	0	78	767	468	767.28	
Flooring			0	0	0	0	0	0	0.00	
CONFERENCE ROOM			0	0	0	0	0	0	0.00	
carpet tile-none indicated	1	LS	0	0	0	3752.45	3752	3,752	3,752.45	
4" cove base	120	LF	0	0	0	0	0	0	0.00	in above carpet price
Drywall & Acoustical			0	0	0	0	0	0	0.00	
CONFERENCE ROOM	1	LS	2123	2,123	2200	2,200	0	0	4,323.00	
DIVISION 15			0	0	0	0	0	0	0.00	9,310.73
MECHANICAL			0	0	0	0	0	0	0.00	
HVAC			0	0	0	0	0	0	0.00	
EXCLUDED	1	LS	0	0	0	0	950	950	950.00	
Plumbing			0	0	0	0	0	0	0.00	
EXCLUDED			0	0	0	0	0	0	0.00	
Sprinkler			0	0	0	0	0	0	0.00	
EXCLUDED	1	LS	0	0	0	0	0	0	0.00	
DIVISION 16			0	0	0	0	0	0	0.00	950.00
ELECTRICAL			0	0	0	0	0	0	0.00	
duplex outlets	5	EA	0	0	0	0	175	875	875.00	
dedicated power ckts	2	EA	0	0	0	0	385	770	770.00	
data-3/4" conduit	1	EA	0	0	0	0	125	125	125.00	
data drops	3	ea	0	0	0	0	500	1,500	1,500.00	
occupancy light controls	1	LS	0	0	0	0	2280	2,280	2,280.00	
floor data/voice	2	EA	0	0	0	0	3335	6,670	6,670.00	
demo floor box	1	LS	484	484	0	0	65	65	549.00	
install wall mount TV rough-in	1	EA	0	0	0	0	270	270	270.00	
fire alarm rough-in	1	EA	0	0	0	0	120	120	120.00	
fire alarm device	1	EA	0	0	0	0	2200	2,200	2,200.00	
permits	1	LS	0	0	0	0	750	750	750.00	
TOTALS				12,076		8,317		28,623	49,016	16,109.00

TOTALS				12,076		8,317		28,623	49,016	16,109.00
Difference in Totals										
Emp. Tax	8.29%									
Sales Tax	7.00%									
SUBTOTAL										
INSURANCE,FEE										
PERMITS-EXCLUDED										
BONDS-EXCLUDED										
ALUM STOREFRONT-ALT.										
CONTINGENCY										
									Remark Totals	
									\$689.45	
									\$845.33	
									\$50,550.42	
									\$8,410.00	
									\$0.00	
									\$0.00	
									(\$7,642.00)	
									\$1,000.00	
									\$52,318.00	

Revised Proposal

Bid Date: 5/15/23



Owner Information		Contractor Information	
Name	City of Lawrenceville	Company	Bayne Development Group
Address	70 South Clayton St	Name	Brett Williams
City:	Lawrenceville	Address	1551 Jennings Mill Road
Phone	770-294-2244	City, State ZIP	Watkinsville, GA 30677
Email	brian.osborne@lawrencevillega.org	Phone	706-254-9478
Project name	Lawrenceville Public Works 2nd Floor Renovations	Email	est@baynedg.com
		Project Duration	30 Days

Proposed Scope:

Bid is based upon the Bid Documents of the Project of the same name as above - Dated 05-11-2023.
 Base bid includes \$500 for Permit and Plan Review Fees. Actual costs will be corrected with add/credit change order.
 Interior Buildout per Floor Plan shown on A2.1.
 New Doors, Hardware, and Glazing per Details shown on A2.1.
 HVAC to include new distribution of service per M2.1 utilizing existing units.
 New HVAC diffusers and grilles as shown on M1.0 and M2.1.
 New Electrical fixtures, switches, and receptacles as shown on E1.0 and E2.1.
 Electrical service to utilize existing panels as shown on E2.1.
 An add to the base bid has been provided for Fire Alarm Scope as detailed in General Note 8 on E2.1.
 An add to the base bid has been provided for GC provided P&P Bonds if required.

Bid Amount:

Base Bid: \$95,373.00

Add for Fire Alarm Scope: + \$3,250.00

Add for P&P Bonds: + \$2,580.00

**** Please see attached Base Bid Breakdown on Page 2**

Brett Williams

5/15/2023

Submitted by : Representative of Bayne Development

Date

Breadown of Bid Proposal
Bid Date: 5/15/23



Project: Lawrenceville Public Works 2nd Floor Renovations

Base Bid Breakdown	
<u>Base Bid</u>	
Building Permit	\$500.00
General Conditions	\$10,793.00
Taxes, Insurance	\$1,450.00
Overhead and Profit	\$17,000.00
Doors and Hardware	\$13,000.00
Demo, Framing, and Drywall	\$9,000.00
Carpet and Vinyl Base	\$7,750.00
Acoustical Ceilings	\$2,000.00
Paint	\$2,000.00
HVAC	\$8,730.00
Electical	\$23,150.00
Base Bid Total:	\$95,373.00

Add to Base Bid Breakdown	
<u>Adds to Base Bid</u>	
Add for Fire Alarm Scope	\$3,250.00
Add for P&P Bond	\$2,580.00
Adds to Base Bid Total:	\$5,830.00

Brett Williams 5/15/23



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: REGULAR SESSION, APRIL 29, 2024

AGENDA CATEGORY: CONSENT AGENDA

- Item:** Hurricane Shoals @ Hwy 316 Gas Pipeline Department of Transportation Project
- Department:** Gas
- Date of Meeting:** Monday, April 29, 2024
- Fiscal Impact:** \$233,515.00
- Presented By:** Todd Hardigree, Gas Director
- Action Requested:** Award Hurricane Shoals @ Hwy 316 Gas Pipeline Department of Transportation Project to low bidder, Southern Fiber Company d/b/a Southern Utility Group, amount not to exceed \$233,515.00. Authorization for Mayor or City Manager to execute contracts subject to approval by the City Attorney. Contracts to follow award.

Summary: This project consists of the installation of approximately 2,310 feet of 8-inch steel main pipe at Reynolds Rd. at Wimberly Way, US Auto Sales Blvd. and Hosea Rd., installation of approximately 520 feet of 6-inch PE pipe on Hi-Hope Rd., and installation of 2-inch PE pipe and 400 feet of 4-inch PE pipe on Hurricane Shoals Rd. This will also include tie-over or replacement of three services. This is for work that has to be completed outside of the project limits in anticipation of the project. This project is within budget.

Fiscal Impact: Amount not to exceed \$233,515.00. This project is funded by the Capital Outlay Fund (3644700.541000). Project 11-047.

Attachments/Exhibits:
Bid Tabulation

SB027-24
Hurricane Shoals @ HWY 316 Gas Pipeline DOT Project
Gas Department

				Gunter Construction Company		Southern Fiber Company d/b/a Southern Utility Group		Southern Pipeline	
ITEM #	DESCRIPTION	APPROX. QTY		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Base Project									
1	Warranties & Bonds	1	LS	\$5,760.00	\$5,760.00	\$5,500.00	\$5,500.00	\$30,000.00	\$30,000.00
2	Remobilization	1	LS	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$25,000.00	\$25,000.00
3	2" Polyethylene Open Trench	2,030	LF	\$15.90	\$32,277.00	\$12.00	\$24,360.00	\$26.75	\$54,302.50
4	2" Polyethylene Bore	70	LF	\$20.48	\$1,433.60	\$25.00	\$1,750.00	\$35.25	\$2,467.50
5	4" Polyethylene Open Trench	240	LF	\$34.77	\$8,344.80	\$16.00	\$3,840.00	\$36.75	\$8,820.00
6	4" Polyethylene Bore	160	LF	\$47.08	\$7,532.80	\$35.00	\$5,600.00	\$46.00	\$7,360.00
7	6" Polyethylene Open Trench	320	LF	\$47.70	\$15,264.00	\$25.00	\$8,000.00	\$52.25	\$16,720.00
8	6" Polyethylene Bore	200	LF	\$52.61	\$10,522.00	\$42.00	\$8,400.00	\$72.00	\$14,400.00
9	8" Steel Open Trench	1,595	LF	\$88.74	\$141,540.30	\$35.00	\$55,825.00	\$97.00	\$154,715.00
10	8" Steel Bore	715	LF	\$124.14	\$88,760.10	\$56.00	\$40,040.00	\$130.49	\$93,300.35
11	6" Polyethylene Tie-in	1	EA	\$3,059.38	\$3,059.38	\$3,500.00	\$3,500.00	\$2,000.00	\$2,000.00
12	4" Polyethylene Tie-in	2	EA	\$3,059.38	\$6,118.76	\$2,500.00	\$5,000.00	\$1,750.00	\$3,500.00
13	2" Polyethylene Tie-in	1	EA	\$3,059.38	\$3,059.38	\$1,500.00	\$1,500.00	\$1,250.00	\$1,250.00
14	Service Replacement Insert/Re-dig Longside	3	EA	\$5,998.94	\$17,996.82	\$3,500.00	\$10,500.00	\$2,500.00	\$7,500.00
15	Locate Station Installation	10	EA	\$50.00	\$500.00	\$100.00	\$1,000.00	\$150.00	\$1,500.00
16	Valve Box	4	EA	\$50.00	\$200.00	\$1,200.00	\$4,800.00	\$125.00	\$500.00
17	6" Steel Tap and Stop	2	EA	\$6,600.00	\$13,200.00	\$13,000.00	\$26,000.00	\$20,000.00	\$40,000.00
18	Add for Rock Bore 4"	200	FT	\$84.67	\$16,934.00	\$60.00	\$12,000.00	\$237.50	\$47,500.00
19	8" Casing with a 2" vent stack	120	LF	\$85.31	\$10,237.20	\$60.00	\$7,200.00	\$110.00	\$13,200.00
20	12" Casing with a 2" vent stack	120	LF	\$131.52	\$15,782.40	\$60.00	\$7,200.00	\$140.00	\$16,800.00

BID TABULATION

21	Cost Plus/Crew with Welder	1	Daily Rate	\$354.90		\$6,500.00		\$600.00	
22	Cost Plus/Crew without Welder	1	Daily Rate	\$266.18		\$5,000.00		\$400.00	
Total				\$399,522.54		\$233,515.00		\$540,835.35	

Recommended Vendor:
Southern Fiber Company d/b/a Southern Utility Group
1563 Calvary Church Rd.
Gainesville, GA 30507
andrew.bell@southernutilitygroup.com



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: COUNCIL WORK SESSION, APRIL 17, 2024

AGENDA CATEGORY: GENERAL DISCUSSION

- Item:** Approve ReCAST Year 3 Contract Addendum
- Department:** Community Relations
- Date of Meeting:** Monday, April 17, 2024
- Fiscal Impact:** \$0
- Presented By:** Marcus Thorne, Program Manager and Jasmine Billings, Community & Economic Development Director
- Action Requested:** Approve contract addendum for each of the ReCAST Sub-recipient partners, Impact46 upon review and approval of the City Attorney and authorize the City Manager to adjust contract allocations within his approved threshold limit.

Summary: Council will hear a request from Impact46 for additional funding for Year 3 of the ReCAST grant. This request is not projected into future years and is anticipated to address an opportunity to amplify the student leadership work of ReCAST.

Attachments:
I46 Request Summary.pdf



RECAST

LAWRENCEVILLE

Sub-recipient Partner Carryover Requests / April 2024

ReCAST requested carryover for Year 3 of the grant. Of the carryover dollars allocated in Year 3, \$35,000 was made available to split between ReCAST sub-recipient partners (Families First, Georgia Center for Opportunity, and Impact46) to address challenges and/or to seize opportunities to innovate or grow existing programming. These dollars were offered as a one-time allocation and are not projected into future years. Both Impact46 and GCO made requests ahead of the deadline. Below are both requests for your consideration.

GCO (\$2,500 Total Requested)

Gap funding to help ReCAST participants getting started in a new job –

- Sometimes newly hired participants need gas cards, bus passes, Lyft or Uber gift cards (for those who don't qualify for the Heirborn Servants program), and gift cards for work-appropriate clothing.
- These resources would be given directly to committed job seekers to address needs.
- Committed job seekers are those who are following the steps and coaching GCO provides.

Impact46 (\$7,000 Total Requested)

Education and recruitment videos to be housed on Students46.org – contracted services with videographer

- A video for business recruitment for Summer of Impact – to provide quality, paid internships for students
- A video for student recruitment for all Students46 programs
- Filming student, partner, business, and community testimonies – also for recruitment

If Council approves these allocations, the remainder (\$25,500) will be directed toward other ReCAST needs by the Community & Economic Development Department with input from the ReCAST program staff.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: WORK SESSION, APRIL 17, 2024

AGENDA CATEGORY: GENERAL DISCUSSION ITEM

Item: Purchase of new Data Center Servers and Consolidation Services

Department: Information Technology

Date of Meeting: Wednesday, April 17, 2024

Fiscal Impact: \$202,790.00

Presented By: Kyle Parker, Information Technology Director

Action Requested: Approval of a 5-year lease for Dell Servers in the amount of \$77,035 per year, the purchase of network switches from Cira Infotech for \$36,435, the purchase of professional services for data center migration for \$56,520, and the addition of Microsoft software licenses to the Enterprise Agreement for an annual cost of \$32,800 for a total first-year cost of \$202,790. Additionally, authorize the Mayor or City Manager to execute any necessary agreements pending the City Attorney’s review.

Summary: Staff seeks approval for replacing the current servers used by the Police Department and City Hall and consolidating them within the City Hall Data Center.

Background: The lease for Police Department servers expires by the end of Fiscal Year 2024, while City Hall servers will reach their expiration in the subsequent fiscal year. Staff proposes consolidating primary servers within the City Hall Data Center. This initiative aims to streamline IT operations by centralizing server management and transitioning from dual server systems to a unified infrastructure. Benefits include:

- Simplified control and infrastructure management.
- Cost reduction through consolidated resources.
- Enhanced risk and security management.
- Improved compliance adherence.
- Streamlined disaster recovery processes.

To achieve these goals, staff proposes:

- 1) The lease of Dell servers utilizing the Azure Stack Hyperconverged Infrastructure in a five-year lease through Dell Financial Services at a cost of \$77,035 per year.
- 2) The purchase of two HP/Aruba network switches and configuration from Cira Infotech, Inc. to support the connection of the server nodes at a cost of \$36,435.
- 3) Utilization of professional services from Cira Infotech, Inc. to perform the server migration at a cost of \$56,520.
- 4) Addition of the necessary Microsoft software server licenses to our Enterprise Agreement at an annual cost of \$32,800. (Azure Stack HCI Subscription and Domain Controller Servers)

All prices are from cooperative contracts (Georgia State Contract or TIPS for Technology Solutions, Products and Services Agreement.)

Fiscal Impact: \$202,790.00. This project is funded by the Contingency Funds.

Attachments/Exhibits:

- Cira_Switch Quote.pdf
- Cira_Data Center Consolidation.pdf
- DELL_DFS Proposal.pdf
- DELL_Datacenter Consolidation Quote.pdf



HPE Aruba - Quote

CITY OF LAWRENCEVILLE

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PURPOSE:

The City of Lawrenceville needs robust networking solutions to enhance its infrastructure and ensure seamless connectivity for its operations. In response to your requirements, we are pleased to present a comprehensive proposal for HP Aruba networking equipment.

CIT is proposing these Switches for Core Data Center Servers.

Furthermore, we are a current participating TIPS Vendor for Technology Solutions, Products and Services Agreement # 230105. We provide discounted technology products and services including the services presented in this proposal

The proposed HP Aruba networking solutions offer the City of Lawrenceville a reliable, scalable, and high-performing infrastructure that ensures uninterrupted connectivity and efficient data transfer across departments. With comprehensive service coverage, robust security features, and intuitive management interfaces, these solutions provide quick issue resolution, protection against cyber threats, and simplified network administration. Coupled with competitive pricing and future-proofing capabilities, the City of Lawrenceville can confidently invest in a networking infrastructure that enhances efficiency, security, and adaptability, laying a resilient foundation for future growth and technological advancements.

Furthermore, our pricing is competitive, and we are committed to delivering exceptional value and customer satisfaction. We assure you of the quality and reliability of HP Aruba products, backed by our years of expertise in the networking industry.

ABOUT PRODUCTS

JL702C#ABA- Aruba 8360-16Y2C v2 FB 3F 2AC Bdl U.S

The Aruba CX 8360 v2 Switch Series offers a flexible and innovative approach to addressing the application, security, and scalability demands of the mobile, cloud, and IoT era. These switches serve the needs of the next generation core and aggregation layer of campuses, as well as virtual and cloud data center environments. The first switch in this series is the Aruba CX 8360-48Y6C v2 switch.

- Ports 16 ports of 1GbE/10GbE/25GbE (SFP/SFP+/SFP28) 2 ports of 40GbE/100GbE (QSFP+/QSFP28) (optional 1GBASE-T SFP and 10GBASE-T SFP+ transceivers and 4x10G/25G breakout cables supported)
- 48-port 1/10/25G with 4 MACsec, 6-port of 40/100G with 2 MACsec.
- MACsec secured connectivity over untrusted domains.
- Intelligent monitoring and visibility with Aruba Network Analytics Engine.
- High availability with industry leading VSX redundancy.



Aruba 3Y FC NBD Exch 8360 12/16/24p SVC [for JL702C]

- Extended service agreement - replacement – 3 years - shipment - response time: 4 h - availability: 24 hours a day / Monday-Sunday
- Technical support - remote diagnosis - 3 years
- Technical support - phone consulting - 3 years - availability: 24 hours a day / Monday-Sunday
- New releases update - 3 years



Hewlett Packard Enterprise

COMPLETION CRITERIA

CIT Resource shall have fulfilled its obligations when any one of the following first occurs:

- ✓ CIT resource accomplishes the activities described within this SOW, including delivery to Client of the materials in line with the scope of work and Client accepts such activities and materials without unreasonable objections.
- ✓ CIT resource will perform its best to identify and troubleshoot the issues in a reasonable time frame as agreed mutually and will escalate any unresolved issues to obtain help from the Product Vendor and will closely work with the Product support team while keeping COL informed of progress.
- ✓ CIT does not guarantee or be responsible for any product features nonfunctional due to limitations from the Product/Service Manufacturer.

Terms and Conditions

All terms, conditions, provisions, and definitions set forth in the Master Service Agreement between Cira & COL (except to the extent expressly modified by this Statement of Work) are incorporated herein by reference with the same force and effect as though fully set forth herein. To the extent that any term set forth in this quote/Statement of Work is inconsistent with the terms of the Master Service Agreement, the terms set forth in this Statement of Work shall apply.

SWITCH-PRICING

PART NUMBER	DESCRIPTION	QTY	EXT. PRICE
JL702C#ABA	Aruba 8360-16Y2C v2 FB 3F 2AC Bdl U. S- SWITCHES	2	\$20,470.36
H65Q3E	Aruba 3Y FC NBD Exch 8360 12/16/24p SVC [for JL702C]- Support for Switches	2	\$10,029.54
Subtotal for Switches:			\$30,499.90

SFP-PRICING

PART NUMBER	DESCRIPTION	QTY	EXT. PRICE
AXI-JL484A-AX	AXIOM:25GBASE-SR SFP28 Transceiver for HP - JL484- 25 G SFPs for Server Connectivity	12	\$3,698.40
AXI-J9150D-AX	AXIOM: Axiom 10GBASE-SR SFP+ Transceiver for Aruba - J9150D- 10 G SFPs for Server Connectivity	12	\$1,846.92
AXI-JH235A-AX	AXIOM: Axiom 40GBASE-CR4 QSFP+ Passive DAC Cable HP Compatible 3m- Stacking Cables for Switches	2	\$386.94
Subtotal for Accessories:			\$5,932.26

STATEMENT OF WORK ACCEPTANCE

The project scope, terms and conditions are as outlined in this document. Once fully executed, this document will become the Statement of Work for the project defined in this document. The Customer's signature below authorizes CIT to begin the services described above and indicates the Customer's agreement to process and pay the invoices associated with these services.

DISCLOSURE

This Statement of Work (SOW) is governed by the terms and conditions outlined in the Master Service Agreement (MSA) signed between Cira Infotech and City of Lawrenceville. Any terms defined in the MSA shall have the same meaning in this SOW unless otherwise stated. For clarity, the MSA includes but is not limited to provisions regarding confidentiality, payment terms, dispute resolution, and intellectual property rights. The specific services, deliverables, timelines, and pricing detailed in this SOW are supplementary too and should be read in conjunction with the MSA.

Cira Infotech	City of Lawrenceville
Signature:	Signature:
Print Name:	Print Name:
Title:	Title
Date:	Date:



COL- Datacenter Consolidation

CITY OF LAWRENCEVILLE

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Purpose:

This Scope of work and quote is for CIT to provide a Data Center consolidation effort to the City of Lawrenceville. Data center consolidation can benefit the city by making its facilities and equipment more efficient and using fewer resources to achieve the same technology goals. This can take the form of consolidating servers, downsizing, or consolidating data center sites.

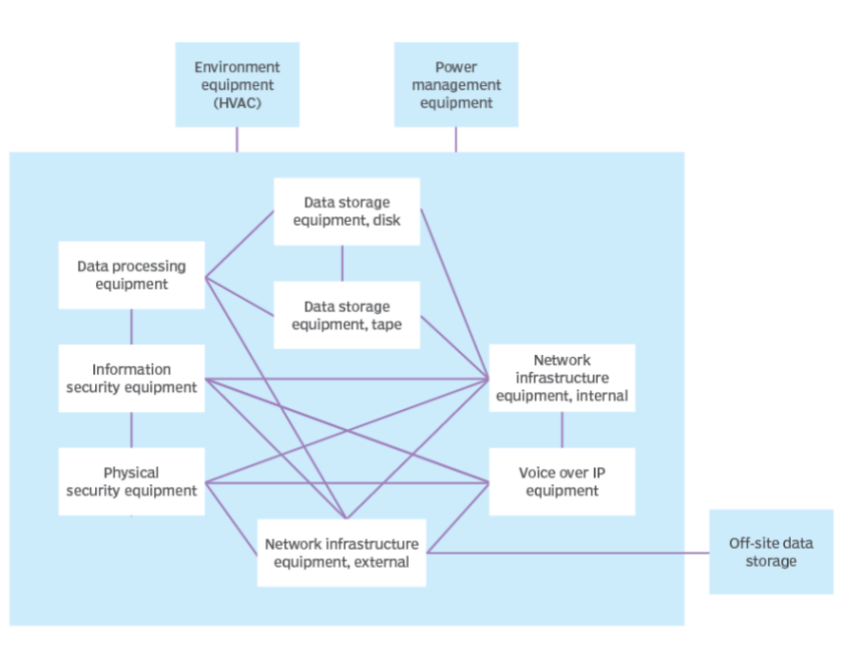
The CIT team will review the assets that are not at their full capacity and help consolidate them in between the city and PD. The benefits of data center consolidation include simplified risk management, easier compliance with regulatory measures, and easier disaster recovery (DR) processes.

Furthermore, we are a current participating TIPS vendor for Technology Solutions, Products and Services Agreement Number 230105. We provide discounted technology products and services including the services presented in this proposal.

CIT believes that Data Center Consolidation will help with the below benefits to the City,

- Simplified control and infrastructure management
- Cost reductions
- Easier risk and security management
- Energy efficiency and environmental benefits
- Improved compliance
- Easier disaster recovery

Traditional Data Center topology



Scope of Work

- Consolidate two separate hypervisor clusters from different domains into one hypervisor cluster.
- Migrate virtual machines (VMs) from the existing clusters to the new hypervisor cluster in the target data center.
- Deploy new hardware infrastructure in the target data center to support the consolidated hypervisor cluster.
- Ensure minimal downtime and data loss during the migration process.
- Handle all areas of migration including design, configurations, and testing that are out of the scope of manufacturer implementation support.

Phase-Wise Plan

Phase 1: Assessment

- Conduct a comprehensive inventory of existing VMs, their dependencies, and resource requirements.
- Design the architecture for the new hypervisor cluster in the target data center.
- Establish connectivity between the source and target data centers.
- Define roles and responsibilities for the migration team.

Phase 2: Migration Execution

- Prioritize VMs based on criticality and dependencies.
- Perform test migrations to validate the migration process and identify any potential issues.
- Coordinate with application owners for scheduled downtime windows.
- Execute the live migration of VMs from the source clusters to the target cluster using tools like Microsoft Hyper-V Live Migration.
- Validate VM functionality post-migration.

Phase 3: Validation and Optimization

- Conduct post-migration validation tests to ensure all VMs are functioning as expected.
- Optimize resource allocation and performance tuning on the new hypervisor cluster.
- Update documentation and configuration management databases with the new infrastructure details.

Assumptions

- The project will be executed remotely.
- Sufficient resources and budget allocated for the design, implementation, and maintenance of the DR solution.
- Required access and privileges for accessing and performing the project.
- Sufficient network bandwidth between the source and target data centers for data migration.
- Hands and eye support must be arranged by the customer at the data center.
- Compatibility of VMs with the new hypervisor environment.
- Cooperation and support from application owners for scheduling downtime and validating application functionality post-migration.
- Required network equipment and configurations to be available as per design.
- All work will be performed Remotely.
- Client to provide additional design documentation as needed for Cira’s understanding.
- CIT is to have access to all individual devices listed in the scope. No screen share or RDP support will be provided.

Out of Scope

- Major enhancements in network or design related are out of scope.
- Application-level migrations or reconfigurations (limited to VM migration only).
- Datacenter facility-related tasks such as physical relocation of equipment or power/cooling considerations.
- Licensing costs associated with third-party software installed on VMs (e.g., Microsoft SQL Server, Oracle Database).
- Any design changes will be out of scope.
- Onsite hands/Eyes support.
- Any changes on Routers and Switches will be out of scope.
- Any further changes in the Client environment will be assessed for change in CIT effort/cost and such changes will be communicated to the Client in writing and shall be implemented subject to Client approval.

Estimated Timeline

Key Phases	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6
Project Kick off	█					
Planning and Preparation	█	█				
Migration Execution			█	█	█	█
Validation and Optimization					█	█

Completion Criteria

- Contractor shall have fulfilled its obligations when any one of the following first occurs:
- The contractor accomplishes the Contractor activities described within this SOW, including delivery to the Client of the materials in line with the scope of work and the Client accepts such activities and materials without unreasonable objections.
- CIT resource will perform its best to identify and troubleshoot the issues in a reasonable time frame as agreed mutually and will escalate any unresolved issues to obtain help from the Product Vendor and will closely work with the Product Support team while keeping the client informed of progress.
- CIT does not guarantee or be responsible for any product features nonfunctional due to limitations from Product/Service from the Manufacturer

Pricing

CIT SERVICE	COST TO COL
One Time implementation and Migration Service	\$ 49,320.00
Managed Services- L3 engineer – 80 hours -Post migration support -Hours can be used 90 days after the migration/project completion	\$7,200.00
Total Cost	\$56,520.00

STATEMENT OF WORK ACCEPTANCE

The project scope, terms, and conditions are as outlined in this document. Once fully executed, this document will become the Statement of Work for the project defined in this document. The Customer's signature below authorizes CIT to begin the services described above and indicates the Customer's agreement to process and pay the invoices associated with these services.

The CIT assigned project manager and your account executive will be in touch to schedule a Project Kickoff meeting and confirm desired start and completion dates as soon as possible after SOW acceptance. Before the Project Kickoff, the CIT project manager and the CIT Practice Manager will allocate project resources in our best attempt to satisfy your scheduling desires. At the Project Kickoff, the CIT Project Manager will review the SOW, and present the proposed timeline, resource requirements, and project deliverables. The project manager will also review the change control process to be followed, confirm the Customer Contact information, and any other project administrative items.

DISCLOSURE

This Statement of Work (SOW) is governed by the terms and conditions outlined in the Master Service Agreement (MSA) signed between Cira Infotech and the City of Lawrenceville. Any terms defined in the MSA shall have the same meaning in this SOW unless otherwise stated. For clarity, the MSA includes but is not limited to provisions regarding confidentiality, payment terms, dispute resolution, and intellectual property rights. The specific services, deliverables, timelines, and pricing detailed in this SOW are supplementary to and should be read in conjunction with the MSA.

City of Lawrenceville	Cira Infotech
Signature:	Signature:
Print Name:	Print Name:
Title:	Title
Date:	Date:



February 20, 2024

Thank you for giving Dell Financial Services L.L.C. ("DFS") the opportunity to provide a technology financing solution. Enclosed is a financing proposal for your new technology needs. We look forward to discussing this opportunity in further detail with you. If you have any questions, please contact me at the phone number or email address below.

Term	60
Option	TELP
Payments:	Annual
Consolidation:	Monthly
Payments Due:	Advance
Interim Rent:	None

Proposal Expiration Date: March 31, 2024

Quote Number	Summary Product Description	Product Price	Quantity	Extended Price	Rate Factor	5 Annual Payments
005018	AX750	\$309,365.00	1	\$309,365.00	0.22547	\$69,752.53
005018	R450	\$12,077.00	1	\$12,077.00	0.22547	\$2,723.00
005018	APC	\$20,213.00	1	\$20,213.00	0.22547	\$4,557.43
TOTALS				\$341,655.00		\$77,032.95

Comments:

Leasing and financing provided by Dell Financial Services L.L.C. or its affiliate or designee ("DFS") to qualified customers. Offers may not be available or may vary in certain countries. Where available, offers may be changed without notice and are subject to product availability, credit approval, execution of documentation provided by and acceptable to DFS, and may be subject to minimum transaction size. Offers not available for personal, family or household use. Dell and the Dell logo are trademarks of Dell Inc. Proposal is property of DFS, contains confidential information and shall not be duplicated or disclosed in whole or part. Proposal is not a firm offer of financing. Pricing and rates based upon the final amount, configuration and specification of the supplied equipment, software, services or fees. Prorata payment may be due in the first payment cycle. Proposal excludes additional costs to customer such as shipping, maintenance, filing fees, applicable taxes, insurance and similar items. Proposal valid through the expiration date shown above, or if none is specified, for 30 calendar days from date of presentation.

End of Term Options:

Technology Rotation:

- Exercise the option to purchase the products at the then fair market value.
- Return all products to lessor at the lessee's expense.
- Renew the lease on a month to month or fixed term basis.

Finance Lease/Lease Purchase:

- Exercise the option to purchase the products for \$1.00.
- Return all products to lessor at the lessee's expense.

Tax Exempt Lease Purchase (TELP):

- Exercise the option to purchase the products for \$1.00.
- Return all products to lessor at the lessee's expense.

Purchase Agreement (PA):

- When Customer fulfills all payment obligations including any applicable sales, use, property taxes, fees, and performance requirements under the PA terms, the contract will end.

Elizabeth Marlatt

Account Manager - Southeast

Dell | Dell Financial Services

Additional Information:

LEASE QUOTE: The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items which shall be for Lessee's account. Lessee will pay payments and all other amounts without set-off, abatement or reduction for any reason whatsoever. Additionally, Lessee shall declare and pay all sales, use and personal property taxes to the appropriate taxing authorities. **If you are sales tax exempt, please provide a copy of your Exemption Certificate with the Lease Contract.** If Lessee provides the appropriate tax exemption certificates to DFS, sales and use taxes will not be collected by DFS. However, if your taxing authority assesses a **personal property tax** on leased equipment, and if DFS pays that tax under your lease structure, Lessee must reimburse DFS for that tax expense in connection with the Lessee's lease.

PURCHASE ORDER: The Purchase Order must be made out to Dell Financial Services L.L.C., One Dell Way, RR8-23, Round Rock, TX 78682. The Purchase Order will need to include the quote number, quantity and description of the equipment. Please be sure to indicate that the PO is for a lease order and shows the type of lease, the term length, and payment frequency. The date of the lease quote referenced should be included. Please be sure to include any applicable shipping costs as a line item and include your address as the SHIP TO destination.

INSURANCE: The risk of loss on the equipment is borne solely by the Lessee. Lessee shall be required to purchase and maintain during the Term (i) comprehensive public liability insurance naming Lessor as additional insured; and (ii) "all-risk" physical damage insurance in a minimum amount of the Purchase Price, naming DFS as first loss payee.

APPROPRIATION COVENANT: The Lease will contain an appropriation of funds clause. The Lessee will covenant that it shall do all things legally within its power to obtain and maintain funds from which the payments may be paid.

DOCUMENTATION: In addition to a duly executed Agreement, other documents as reasonably requested by DFS may be required, such as but not limited to, opinions of counsel, IRS tax exemption forms (if applicable), and audited financials.

PROPOSAL VALIDITY / APPROVALS: This is a proposal based upon market conditions and is valid for 30 days, is subject to final credit approval, review of the economics of the transaction, and execution of mutually acceptable documentation. Upon expiration, lease rates may be changed in the event that market rates change.

Datacenter Consolidation

City of Lawrenceville

AX750

Description		Price	Qty	Ext. Price
BUILD	(5) Node Azure Stack HCI AX750 Cluster with 60 Months ProSupport Plus	\$309,365.00	1	\$309,365.00
379-BDSZ	3.5 Chassis		5	
379-BDSS	SAS/SATA Backplane		5	
379-BDTE	No Rear Storage		5	
379-BDSR	No GPU Enablement		5	
210-BBSN	Dell EMC AX-750		5	
379-BEHV	Azure Stack HCI Operating System		5	
350-BCBR	Luggage Tag Label, Azure Stack HCI		5	
350-BCBT	Hybrid Node, Azure Stack HCI		5	
350-BCGU	Lug Tag, Azure Stack HCI AX-750		5	
350-BCKG	IDM, AX-750		5	
461-AAIG	Trusted Platform Module 2.0 V3		5	
321-BGEK	3.5" Chassis with up to 12 Hard Drives (SAS/SATA) with Adapter PERC		5	
338-CBXQ	Intel Xeon Gold 6342 2.8G, 24C/48T, 11.2GT/s, 36M Cache, Turbo, HT (230W) DDR4-3200		5	
338-CBXQ	Intel Xeon Gold 6342 2.8G, 24C/48T, 11.2GT/s, 36M Cache, Turbo, HT (230W) DDR4-3200		5	
379-BDCO	Additional Processor Selected		5	
412-AAVB	Heatsink for 2 CPU configuration (CPU greater than or equal to 165W)		5	
370-AAIP	Performance Optimized		5	
370-AEVR	3200MT/s RDIMMs		5	
370-AEVP	64GB RDIMM, 3200MT/s, Dual Rank, 16Gb		80	
780-BCDI	No RAID		5	
405-AAZG	Dell HBA355i Adapter, Full Height		5	
345-BCUW	3.84TB SSD vSAS Mixed Use 12Gbps 512e 2.5in w/3.5in HYB CARR ,AG Drive SED, 3DWPD		10	
400-BEJR	12TB Hard Drive SAS 12Gbps 7.2K 512e 3.5in Hot-Plug		30	

Description	Price	Qty	Ext. Price
800-BBDM	UEFI BIOS Boot Mode with GPT Partition	5	
750-ADGJ	Very High Performance Fan x6	5	
450-AJHG	Dual, Hot-Plug,Power Supply Redundant (1+1), 1400W, Mixed Mode	5	
492-BBDH	Jumper Cord - C13/C14, 0.6M, 250V, 13A (North American, Guam, North Marianas, Philippines, Samoa)	10	
330-BBRV	Riser Config 1, 6x8, 2x16 slots	5	
329-BFGT	R750 Motherboard with Broadcom 5720 Dual Port 1Gb On-Board LOM	5	
528-CRVW	iDRAC9 Datacenter 15G	5	
528-CJIT	OpenManage Integration with MS Windows Admin Center Premium License for MSFT HCI Solutions, Perpetual	5	
540-BDJL	Nvidia ConnectX-6 Lx Dual Port 10/25GbE SFP28, No Crypto, OCP NIC 3.0	5	
540-BDJO	Nvidia ConnectX-6 Lx Dual Port 10/25GbE SFP28, No Crypto, PCIe Low Profile	10	
325-BEEY	Azure Stack HCI, 2U Standard Bezel	5	
403-BCMG	BOSS-S2 controller card + with 2 M.2 240GB (RAID 1)	5	
470-AERR	BOSS Cables and Bracket for R750 (Riser 1)	5	
350-BBYX	No Quick Sync	5	
379-BCSG	iDRAC,Legacy Password	5	
379-BCQY	iDRAC Group Manager, Disabled	5	
634-BZYZ	Microsoft Azure Stack HCI OS 22H2	5	
605-BBFN	No Media Required	5	
770-BBBQ	ReadyRails Sliding Rails	5	
770-BDRQ	Cable Management Arm, 2U	5	
750-ACOM	Fan Foam, HDD 2U	5	
631-AACK	No Systems Documentation, No OpenManage DVD Kit	5	
340-CULS	PowerEdge R750 Shipping	5	
481-BBFG	PowerEdge R750 Shipping Material	5	

Description	Price	Qty	Ext. Price
405-AAZB	PERC H755 SAS Front	2	
750-ACFR	Front PERC Mechanical Parts, front load	2	
400-AXTV	480GB SSD SATA Read Intensive 6Gbps 512 2.5in Hot-plug AG Drive, 1 DWPD	4	
750-AABF	Power Saving Dell Active Power Controller	2	
800-BBDM	UEFI BIOS Boot Mode with GPT Partition	2	
387-BBEY	No Energy Star	2	
384-BCTZ	Standard Fan x5	2	
450-AKMP	Dual, Hot-Plug, Redundant Power Supply (1+1), 600W	2	
492-BBDI	C13 to C14, PDU Style, 12 AMP, 6.5 Feet (2m) Power Cord, North America	4	
330-BBVF	Riser Config 0, 1xOCP 3.0(x16)+ 1x16LP	2	
329-BGHZ	PowerEdge R450 Motherboard with Broadcom 5720 Dual Port 1Gb On-Board LOM	2	
540-BCOD	Broadcom 57416 Dual Port 10GbE BASE-T Adapter, OCP NIC 3.0	2	
325-BECJ	LCD Bezel	2	
350-BCFL	Dell EMC Luggage Tag (x8)	2	
634-BYJY	Windows Server 2022 Standard,16CORE,FI,No Med,No CAL, Multi Language	2	
528-CSCP	Windows Server 2022 Standard,16CORE,DF Recovery Image, Multi Lang, (Downgrade not included)	2	
634-BYLJ	Windows Server 2022 Standard,16CORE,Media Kit, Multi Lang, (Downgrade not included)	2	
528-C_SCL	Windows Server 2022 Standard,No Media,WS2016 Std Downgrade DF Media, Multi Language	2	
634-BYLP	Windows Server 2022 Standard,No Media, WS2016 Std Downgrade w/DVD Media,Multi Lang	2	
528-CSCQ	Windows Server 2022 Standard,No Media,WS2019 Std Downgrade DF Media, Multi Language	2	
634-BYLQ	Windows Server 2022 Standard,No Media, WS2019 Std Downgrade w/DVD Media,Multi Lang	2	

Description	Price	Qty	Ext. Price
528-CJIZ	OpenManage Integration with MS Windows Admin Center Premium License for PowerEdge, Perpetual	2	
385-BBQV	iDRAC9, Enterprise 15G	2	
350-BCEM	No Quick Sync	2	
379-BCSF	iDRAC,Factory Generated Password	2	
379-BCQX	iDRAC Service Module (ISM), NOT Installed	2	
379-BCQY	iDRAC Group Manager, Disabled	2	
770-BBBM	ReadyRails Static Rails for 2/4-post Racks	2	
429-AAIQ	No Internal Optical Drive	2	
631-AACK	No Systems Documentation, No OpenManage DVD Kit	2	
340-CVKF	PowerEdge R450 Shipping	2	
343-BBRQ	PowerEdge R450 x8 Short Drive Shipping Material	2	
389-DYLZ	PowerEdge 1U CCC Marking, No CE Marking	2	
389-DYMB	Dell/EMC label (BIS) for Chassis	2	
859-3804	Dell Hardware Limited Warranty Plus Onsite Service	2	
885-3736	ProSupport 4-Hour 7x24 Technical Support and Assistance 5 Years	2	
885-3749	ProSupport 4-Hour 7x24 Onsite Service 3 Years	2	
885-3751	ProSupport 4-Hour 7x24 Onsite Service 2 Years Extended	2	
975-3462	Dell Limited Hardware Warranty Plus Service, Extended Year(s)	2	
989-3439	Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	2	
825-8623	Certified Deployment Partner T1 or Distributors	2	
Subtotal:			\$12,077.00

APC

Description	Price	Qty	Ext. Price
BUILD	(2) APC 6kVA UPS with (4) Basic PDUs	1	\$20,213.00
A7438688	Rack PDU, Basic, 1U, 30A, 208V, -10 C13	4	

Description	Price	Qty	Ext. Price
A7799183 APC Smart-UPS SRT 192V 5kVA and 6kVA Battery Pack - Battery enclosure - 2 x battery - Lead Acid - Black		2	
A8163064 APC Smart-UPS SRT 6000VA RM 4U On-Line UPS Battery Backup (SRT6KRMXLT)		2	
Subtotal:			\$20,213.00

Implementation

Description	Price	Qty	Ext. Price
IMPLEM White Glove Implementation Services Included	\$0.00	1	\$0.00
Subtotal:			\$0.00

Incentive

Description	Price	Qty	Ext. Price
Q4 Incentive	(\$9,000.00)	1	(\$9,000.00)
Subtotal:			(\$9,000.00)

Contract Code

Description	Qty
NCPA NCPA 01-143 Contract Code C000001105509	1

Datacenter Consolidation

Prepared by:
The [RE]DESIGN Group
Bobby Mock
Territory Manager
bmock@redesign-group.com

Prepared for:
City of Lawrenceville
70 South Clayton Street
Lawrenceville, GA 30046
Kyle Parker
kyle.parker@lawrencevillega.org

Quote Information:
Quote #: 005018
Version: 1
Delivery Date: 02/16/2024
Expiration Date: 03/15/2024

Quote Summary

Description	Amount
AX750	\$309,365.00
R450	\$12,077.00
APC	\$20,213.00
Implementation	\$0.00
Incentive	(\$9,000.00)
Subtotal: \$332,655.00	
Estimated Tax: \$19,761.47	
Total: \$352,416.47	

Acceptance and Incorporation by Reference

Acceptance of this Quote is binding and the above item(s) will be purchased in reliance thereon. All sales are final. Payment Terms are Net 30. After orders are placed, a final invoice will be provided that shall include all applicable taxes and shipping charges not included herein.

This Order together with the Master Services Agreement and Service Attachments and other terms and conditions identified on Exhibit A, all of which are incorporated herein by reference (collectively, the "Agreement") is between REDESIGN Group (sometimes referred to as "we," "us," "our," or "Provider"), and the customer found on the signature block at the end of this Order (sometimes referred to as "you," "your," or "Client"). This Agreement is effective as of the date both parties have signed below (the "Effective Date"). Both Provider and Client are sometimes referred to individually as a "Party", or together as the "Parties". Any capitalized terms in this Order not directly defined are referred to in the applicable document identified on Exhibit A of this Order. If there is a conflict between this Order, the Master Services Agreement, any Service Attachment, or Exhibit, this Order will control.

By signing or accepting this Order, Client acknowledges, represents, and warrants that it has read and agrees to the terms and conditions identified on Exhibit A to this Order which are incorporated as if fully set forth herein.

The parties hereby agree that electronic signatures to this Order shall be relied upon and will bind them to the obligations stated herein. Each party hereby warrants and represents that it has the express authority to execute this Agreement(s). This Order supersedes all prior negotiations, proposals, orders, agreements and communications between the parties regarding Provider's Services.

Provider may make changes to the Agreement at any time. If there are changes, Provider will revise the date at the top of the document. Provider may or may not provide Client with additional notice regarding such changes. Client should review the terms and conditions regularly. Unless otherwise noted, the amended terms and conditions will be effective immediately, and your continued use of the Services thereafter constitute your acceptance of the changes. If you do not agree to the amended terms and conditions, you must stop using the Services immediately. Please note, you may incur a termination fee or other third-party fees, if applicable. You may access the current version of the terms and conditions at any time by visiting <http://redesign-group.com/legal>.

The parties, acting through their authorized officers, hereby execute this Agreement.

Signature: _____

Name: _____

Title: _____

Date: _____

Signature: _____

Name: _____

Title: _____

Date: _____

Exhibit A

Agreement	Description
Master Services Agreement	General terms and conditions applicable to all Provider products and services
Services Attachment for Managed Services	Core managed services including monitoring, remote management, and help-desk
Data Processing Agreement	Data security and privacy agreement including statutorily required terms
Service Level Objectives	Targeted response times by tier of severity
Schedule of Services	Description of managed services offered by Provider
Schedule of 3rd Party Services	Notice of third-party services and waiver of claims

The Future Belongs to the Curious

redesign-group.com



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: COUNCIL BUSINESS

- Item:** Discussion to amend chapter 1 of the code of ordinances to update provisions related to General Provisions
- Department:** City Manager
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** N/A
- Presented By:** Michael Fischer – Assistant City Manager - Operations
- Action Requested:** Discuss Ordinance to Amend Chapter 1 of the Code of Ordinances of the City of Lawrenceville, Georgia related to General Provisions to update provisions related to definitions, amending code, penalty where no penalty provided, applicability, complaints regarding violations, enforcement, penalties and for other purposes

Summary: The purpose of this amendment is to update Chapter 1 of the code of ordinances to increase clarity, update definitions, and update enforcement authorities.

Background: Chapter 1 of the code of ordinances focuses on General Provisions. From time-to-time city staff review the code sections to update for legality, clarification, typographical errors and to align operations for increased efficiency. This amendment is an update to clarify general provisions, update definitions and add proper authority to enforcement personnel.

Concurrences: City Manager, City Clerk, City Executive Team, City Attorney

Attachments/Exhibits: Chapter 1 redlined draft amended code
Chapter 1 clean draft amended code

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - How Code designated and cited.

The provisions embraced in the following chapters and sections shall constitute and be designated "The Code of the City of Lawrenceville, Georgia," and may be so cited.

(Code 2005, § 1-101)

Sec. 1-2. - Rules of construction.

In the construction of this Code and of all ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the Council:

(1) *General rule.* All words and phrases shall be construed and understood to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(2) *Gender; singular and plural.* Every word in any Code provision or ordinance importing the masculine gender shall extend to and be applied to females as well as males; and every word importing the singular number only shall extend and be applied to several persons or things as well as to one person or thing; and every word importing the plural number only shall extend and be applied to one person or thing as well as to several persons or things.

(3) *Tenses.* The use of any verb in the present tense shall include the future when applicable.

(4) *Joint authority.* All words purporting to give a joint authority to three or more City officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise declared in the law giving the authority.

(5) *Delegation of authority.* Whenever a provision requires the head of a department or other officer of the City to do some act or perform some duty, it shall be construed to authorize the delegation of said act or performance to subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.

(6) *Computation of time.* The time within which an act is to be done as provided in any Code provision or ordinance or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day be a Saturday, a Sunday, or a holiday it shall be excluded; and when any such time is expressed in hours the whole of Saturday and Sunday, from 12:00 midnight to ~~12:00 midnight~~11:59 p.m., shall be excluded.

(7) *Overlapping provision.* Where any provision of this Code imposes greater restrictions upon the subject matter than any general provisions imposed by this Code, the provision imposing the greater restriction or regulation shall be applicable.

(Code 2005, § 1-102)

Sec. 1-3. - Definitions.

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advice and consent. Whenever the term "advice and consent" of the City Council is used in this Code, it shall be construed to mean an affirmative vote of the majority of the entire City Council.

Budget Year. The term "Budget Year" or "Fiscal Year" means a 12 month period starting at 12:00 a.m. midnight July 1 and ending at 11:59:59 p.m. June 30.

City. The term "the City" or "this City" means the City of Lawrenceville, Georgia.

~~*City Council, Council.* The term "City Council" or "the Council" means the City Council of the City of Lawrenceville, Georgia. *City council, mayor and city council, or council.* The terms "city council," "mayor and city council," or "council" means the governing authority of the City of Lawrenceville, Georgia, consisting of the duly elected and qualified mayor and the four (4) duly elected and qualified councilmembers.~~

City Hall. The term "City Hall" means the building which houses the Municipal Court of the City, the offices of the Mayor and Council, the Council Chambers and serves as the primary administrative offices of the City.

City Official, City Officer. The term "City Official" or "City Officer" shall mean the City Manager, Assistant City Manager(s), City Attorney, Chief Financial Officer, and such other Officials as may be specifically designated from time to time by the Mayor and Council.

~~*Clerk.* The term "Clerk" means the City Clerk of the City of Lawrenceville, Georgia, or his designee.~~

Code. The term "Code" ("the Code" or "this Code") shall mean the Code of Ordinances of the City of Lawrenceville, Georgia.

County. The term "the County" or "this County" means the County of Gwinnett, Georgia.

~~*Court or Municipal Court.* The term "Court" or "Municipal Court" means the Municipal Court of the City of Lawrenceville, Georgia.~~

~~*Court Administrator.* The term "Court Administrator" means the Court Administrator or Clerk of Court of the City of Lawrenceville-Municipal Court.~~

Electronic Signature. The term "Electronic Signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic Record. The term "Electronic Record" means a record created, generated, sent, communicated, received, or stored by electronic means.

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Governing authority, governing body. The "governing authority" or "governing body" means the ~~Mayor and~~ City Council of the City ~~of Lawrenceville, Georgia~~.

Judge or Recorder. The term "Judge" or "Recorder" means the Judge of the Municipal Court ~~of the City of Lawrenceville, Georgia~~. The terms "Recorder's Court" and "Municipal Court," as used in this Code, mean the ~~City of Lawrenceville~~ Municipal Court.

Manager. The term "Manager" means the City Manager of the City or his or her designee of Lawrenceville, Georgia, or his designee.

May. The term "may" is to be construed as being permissive.

Mayor. The term "Mayor" means the Mayor of the City ~~of Lawrenceville, Georgia~~.

Mayor and Council. The term "Mayor and Council" means the ~~Mayor and~~ City Council of the City ~~of Lawrenceville, Georgia~~.

Misdemeanor. The term "misdemeanor" means a violation of the State criminal law, punishable by a fine not in excess of \$1,000.00 not including added surcharges or fines authorized by state law or confinement in a County or other jail for a term not exceeding 12 months, or by both such fine and imprisonment.

Municipality. The term "Municipality" is synonymous with the term "City," "Town," or "Municipal Corporation."

Oath. The term "oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the terms "affirm" and "affirmed" shall be equivalent to the terms "swear" and "sworn."

O.C.G.A. The abbreviation "O.C.G.A." or "OCGA" refers to the Official Code of Georgia Annotated, as amended.

Ordinance. The term "ordinance" means a legislative act of the City of a general and permanent nature.

Owner. The term "owner," when applied to a building or to land, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

Person. The term "person" includes a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

Personal property. The term "personal property" includes every piece of property except real property, as defined in this section.

Police Chief or Chief of Police. The term "Police Chief" or "Chief of Police" means the head or chief law enforcement official in charge of the City of Lawrenceville Police Department.

Preceding, following. The terms "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes real, personal, and mixed estates and interests.

Real property. The term "real property" includes lands, tenements, and hereditaments.

Reasonable time or notice. The term "reasonable time or notice" means only such time as may be necessary for the prompt performance of the act required.

Resolution. The term "resolution" means a legislative act of the City of a special or temporary character.

Shall. The term "shall" is to be construed as being mandatory.

Sidewalk. The term "sidewalk" means any portion of a street between the curblin and the adjacent property line, intended for the use of pedestrians, but shall not include any unimproved areas between the curblin and improved walkways.

Signature, subscription. The term "signature" or "subscription" includes a mark intended as such when the person cannot write.

State. The term "State" or "this State" means the State of Georgia.

Street. The term "street" means and includes any public way, road, highway, street, avenue, boulevard, parkway, alley, viaduct or bridge, and the approaches thereto, within the City.

Tenant or occupant. The term "tenant" or "occupant," when applied to a building or to land, includes any person holding a written or oral lease of, or who occupies the whole or a part of, such building or land, either alone or with others.

Town. See *Municipality*.

Week. The term "week" means seven days.

Writing or written. The term "writing" or "written" includes printing and any other mode of representing words and letters.

Year. The term "year" means a calendar year.

(Code 2005, § 1-103)

Sec. 1-4. - Section headings.

The ~~underlined~~ headings of the several sections and subsections of this Code are intended as mere captions to indicate the contents of the section or subsection and shall not be deemed or taken to be titles of such sections, nor as any part of the section or subsection, nor, unless expressly so provided, shall they be so deemed when any of such sections or subsections, including the headings, is amended or reenacted.

(Code 2005, § 1-104)

Sec. 1-5. - Effect of repeal or expiration of Code section.

- (a) The repeal of a Code section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

(b) When any ordinance repealing a former Code section, ordinance, clause, or provision, shall be itself repealed, such repeal shall not be construed to revive such former Code section, ordinance, clause, or provision, unless it shall be expressly so provided.

(Code 2005, § 1-105)

Sec. 1-6. - Amending Code.

(a) All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed chapters, sections, and subsections, or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as the Code and subsequent ordinances omitted are readopted as a new Code by the City Council.

(b) Amendments to any of the provisions of this Code may be made by specific reference to the section number of this Code in the following language: "That section of the Code ~~of Ordinances of the~~, City of Lawrenceville, Georgia, is hereby amended to read as follows:...." The new provisions may then be set out in full as desired.

(c) In the event a new section not heretofore existing in the Code is to be added, the following language may be used: "The Code ~~of Ordinances~~ of the City of Lawrenceville, Georgia, is hereby amended by adding a section (or subsection or chapter) to be numbered _____, which section reads as follows:...." The new provision shall then be set out in full as desired.

(d) All sections, chapters, or provisions sought to be repealed must be specifically repealed by section, chapter, or provision number, as the case may be.

(Code 2005, § 1-106)

Sec. 1-7. - Altering Code.

It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the ~~Mayor and~~ City Council.

(Code 2005, § 1-107)

Sec. 1-8. - Penalty where no penalty provided.

(a) Whenever in this Code or in any ordinance of the City any act is prohibited or is declared to be unlawful, or whenever in such Code or ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of such provision of this Code or any ordinance shall subject the person committing the violation to a fine not exceeding \$1,000.00 not including added surcharges or fines authorized by state law and costs or to imprisonment for a term not exceeding six

months, or to both such fine and imprisonment, any or all of such penalties to be imposed at the discretion of the Judge of the Municipal Court.

(b) The infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the City's Charter or Code.

(Code 2005, § 1-108)

Sec. 1-9. - Severability.

It is hereby declared to be the intention of the governing body that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining clauses, sentences, paragraphs and sections of this Code.

Sec. 1-10. - Supplementation of Code.

(a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the Council. A supplement to the Code shall include all substantive, permanent and general parts of ordinances passed by the Council or adopted by initiative and referendum during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete. The new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement. Charter amendments may be included in like manner.

(b) In the preparation of a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, non substantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code, provided that such changes are approved by the City Clerk. For example, the codifier may:

- (1) Organize the ordinance material into appropriate subdivisions;
- (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ through _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

(5) Make other non substantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but, in no case, shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-11. - Certain ordinances not affected by Code.

Nothing in this Code, as of its date of adoption, or the ordinance adopting this Code, shall be construed to repeal or otherwise affect the validity of any of the following ordinances otherwise in effect upon the date of adoption of the Code:

- (1) Any rates, fees or charges consistent with this Code;
- (2) Any ordinance promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds for the city or any evidence of the city's indebtedness, or any contract or obligation assumed by the city;
- (3) Any ordinance consistent with this Code prescribing traffic regulations for specific locations, such as prescribing through streets, parking limitations, parking prohibitions, one-way traffic or limitations on loads of vehicles or loading zones;
- (4) Any ordinance consistent with this Code fixing salaries of officials, officers or employees of the city;
- (5) Any budget ordinance or appropriation ordinance; any ordinance levying any tax;
- (6) Any right or franchise granted by any ordinance or resolution to any person;
- (7) Any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening or vacating any street or public way in the city;
- (8) Any ordinance establishing and prescribing the street grades of any street in the city;
- (9) Any ordinance providing for local improvements or assessing taxes therefor;
- (10) Any ordinance dedicating or accepting any plat or subdivision in the city or providing regulations for platting or subdividing of property;
- (11) Any ordinance establishing or changing the boundary of the city;

(12) Any ordinance regulating zoning or land use in the City, including, but not limited to, the Planning and Zoning Code of Ordinances, the Development Regulations and the Landscape Ordinance.

All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 1-12. - Applicability.

Notwithstanding any provision contained herein to the contrary, the enforcement of the provisions contained in this Code ~~of the City of Lawrenceville, Georgia,~~ shall be enforced via the methods enumerated in this chapter.

(Code 2005, § 49-101)

Sec. 1-13. - Complaints regarding violations.

Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the administrative official or City Clerk. He/she shall record properly such complaint, immediately investigate, and take action thereon as provided by this chapter.

(Code 2005, § 49-102)

Sec. 1-14. - Enforcement.

This Code shall be enforced by the Director of ~~the Department of Planning and Zoning~~ Planning and Development, by the Director's duly authorized representative, by the City Manager, by the City Manager's duly authorized representative, by the City Clerk, by the City Clerk's duly authorized representative, by the City of Lawrenceville Code Enforcement Department, by the Public Works Director, by the City Engineer or by the City of Lawrenceville Police Department, by the duly authorized representative of the City of Lawrenceville Police Chief.

(Code 2005, § 49-103)

Sec. 1-15. - Unlawful acts.

(a) It shall be unlawful for a person, firm, or corporation to be in conflict with, or in violation of, any provision contained in this Code.

(b) The owner and tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(Code 2005, § 49-104)

Sec. 1-16. - Penalties.

(a) *Fines and/or sentence.* Unless otherwise specifically stated herein, any person convicted by a court of competent jurisdiction of violating any provision of this Code shall be guilty of violating a duly adopted ordinance of the City and shall be punished either by a fine ~~not less than \$250.00 per day and~~ not to exceed \$1,000.00 per day not

[including added surcharges or fines authorized by state law](#), or by a sentence of imprisonment not to exceed six months in jail, or both a fine and jail or work alternate. Each day that violation continues after due notice has been served shall be deemed a separate offense.

(b) *Powers of the Court.* The Court shall have the power and authority to order the violation corrected in compliance with this Code ~~of Ordinances~~ and the Court may require payment of restitution or impose other punishment allowed by law.

(c) *Lien imposition.* If, after 30 days from the date of the Municipal Court-imposed fine, any person or entity has not paid said fine in full, the City ~~of Lawrenceville~~ shall have the authority to file a lien on the property in violation for the amount of the imposed fine and shall record it with the [Office of the Gwinnett County Clerk of Superior Court's Clerk's Office](#).

(d) *Other legal remedies.*

(1) In any case in which a violation of this Code ~~of Ordinances~~ has occurred, the City, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity.

(2) Where a determination is made that the property is in violation of this Code and any other codes and laws enforced by the City ~~of Lawrenceville~~, and all reasonable efforts and means to obtain compliance having been exhausted, the City ~~of Lawrenceville~~ is authorized to affect such compliance at public expense. The cost of effectuating compliance shall constitute a lien upon the property and said lien shall be recorded by the City ~~of Lawrenceville~~ with the Gwinnett County Clerk's ~~of Superior Court Office~~

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - How Code designated and cited.

The provisions embraced in the following chapters and sections shall constitute and be designated "The Code of the City of Lawrenceville, Georgia," and may be so cited.

(Code 2005, § 1-101)

Sec. 1-2. - Rules of construction.

In the construction of this Code and of all ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the Council:

(1) *General rule.* All words and phrases shall be construed and understood to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(2) *Gender; singular and plural.* Every word in any Code provision or ordinance importing the masculine gender shall extend to and be applied to females as well as males; and every word importing the singular number only shall extend and be applied to several persons or things as well as to one person or thing; and every word importing the plural number only shall extend and be applied to one person or thing as well as to several persons or things.

(3) *Tenses.* The use of any verb in the present tense shall include the future when applicable.

(4) *Joint authority.* All words purporting to give a joint authority to three or more City officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise declared in the law giving the authority.

(5) *Delegation of authority.* Whenever a provision requires the head of a department or other officer of the City to do some act or perform some duty, it shall be construed to authorize the delegation of said act or performance to subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.

(6) *Computation of time.* The time within which an act is to be done as provided in any Code provision or ordinance or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day be a Saturday, a Sunday, or a holiday it shall be excluded; and when any such time is expressed in hours the whole of Saturday and Sunday, from 12:00 midnight to 11:59 p.m., shall be excluded.

(7) *Overlapping provision.* Where any provision of this Code imposes greater restrictions upon the subject matter than any general provisions imposed by this Code, the provision imposing the greater restriction or regulation shall be applicable.

(Code 2005, § 1-102)

Sec. 1-3. - Definitions.

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advice and consent. Whenever the term "advice and consent" of the City Council is used in this Code, it shall be construed to mean an affirmative vote of the majority of the entire City Council.

Budget Year. The term "Budget Year" or "Fiscal Year" means a 12 month period starting at 12:0001 a.m. midnight July 1 and ending at 11:5912 p.m. June 30.

City. The term "the City" or "this City" means the City of Lawrenceville, Georgia.

City council, mayor and city council, or council. The terms "city council," "mayor and city council," or "council" means the governing authority of the City, consisting of the duly elected and qualified mayor and the four (4) duly elected and qualified councilmembers.

City Hall. The term "City Hall" means the building which houses the Municipal Court of the City, the offices of the Mayor and Council, the Council Chambers and serves as the primary administrative offices of the City.

Clerk. The term "Clerk" means the City Clerk of the City.

Code. The term "Code" ("the Code" or "this Code") shall mean the Code of Ordinances of the City of Lawrenceville, Georgia.

County. The term "the County" or "this County" means the County of Gwinnett, Georgia.

Court or Municipal Court. The term "Court" or "Municipal Court" means the Municipal Court of the City of Lawrenceville, Georgia.

Court Administrator. The term "Court Administrator" means the Court Administrator or Clerk of Court of the Municipal Court.

Electronic Signature. The term "Electronic Signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic Record. The term "Electronic Record" means a record created, generated, sent, communicated, received, or stored by electronic means.

Governing authority, governing body. The "governing authority" or "governing body" means the City Council of the City.

Judge or Recorder. The term "Judge" or "Recorder" means the Judge of the Municipal Court. The terms "Recorder's Court" and "Municipal Court," as used in this Code, mean the Municipal Court.

Manager. The term "Manager" means the City Manager of the City or his or her designee.

May. The term "may" is to be construed as being permissive.

Mayor. The term "Mayor" means the Mayor of the City.

Mayor and Council. The term "Mayor and Council" means the City Council of the City.

Misdemeanor. The term "misdemeanor" means a violation of the State criminal law, punishable by a fine not in excess of \$1,000.00 not including added surcharges or fines authorized by state law or confinement in a County or other jail for a term not exceeding 12 months, or by both such fine and imprisonment.

Municipality. The term "Municipality" is synonymous with the term "City," "Town," or "Municipal Corporation."

Oath. The term "oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the terms "affirm" and "affirmed" shall be equivalent to the terms "swear" and "sworn."

O.C.G.A. The abbreviation "O.C.G.A." or "OCGA" refers to the Official Code of Georgia Annotated, as amended.

Ordinance. The term "ordinance" means a legislative act of the City of a general and permanent nature.

Owner. The term "owner," when applied to a building or to land, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

Person. The term "person" includes a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

Personal property. The term "personal property" includes every piece of property except real property, as defined in this section.

Police Chief or Chief of Police. The term "Police Chief" or "Chief of Police" means the head or chief law enforcement official in charge of the City of Lawrenceville Police Department.

Preceding, following. The terms "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes real, personal, and mixed estates and interests.

Real property. The term "real property" includes lands, tenements, and hereditaments.

Reasonable time or notice. The term "reasonable time or notice" means only such time as may be necessary for the prompt performance of the act required.

Resolution. The term "resolution" means a legislative act of the City of a special or temporary character.

Shall. The term "shall" is to be construed as being mandatory.

Sidewalk. The term "sidewalk" means any portion of a street between the curblineline and the adjacent property line, intended for the use of pedestrians, but shall not include any unimproved areas between the curblineline and improved walkways.

Signature, subscription. The term "signature" or "subscription" includes a mark intended as such when the person cannot write.

State. The term "State" or "this State" means the State of Georgia.

Street. The term "street" means and includes any public way, road, highway, street, avenue, boulevard, parkway, alley, viaduct or bridge, and the approaches thereto, within the City.

Tenant or occupant. The term "tenant" or "occupant," when applied to a building or to land, includes any person holding a written or oral lease of, or who occupies the whole or a part of, such building or land, either alone or with others.

Town. See *Municipality*.

Week. The term "week" means seven days.

Writing or written. The term "writing" or "written" includes printing and any other mode of representing words and letters.

Year. The term "year" means a calendar year.

(Code 2005, § 1-103)

Sec. 1-4. - Section headings.

The headings of the several sections and subsections of this Code are intended as mere captions to indicate the contents of the section or subsection and shall not be deemed or taken to be titles of such sections, nor as any part of the section or subsection, nor, unless expressly so provided, shall they be so deemed when any of such sections or subsections, including the headings, is amended or reenacted.

(Code 2005, § 1-104)

Sec. 1-5. - Effect of repeal or expiration of Code section.

(a) The repeal of a Code section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

(b) When any ordinance repealing a former Code section, ordinance, clause, or provision, shall be itself repealed, such repeal shall not be construed to revive such former Code section, ordinance, clause, or provision, unless it shall be expressly so provided.

(Code 2005, § 1-105)

Sec. 1-6. - Amending Code.

(a) All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed chapters, sections, and subsections, or any part thereof, by subsequent ordinances, such repealed portions

may be excluded from the Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as the Code and subsequent ordinances omitted are readopted as a new Code by the City Council.

(b) Amendments to any of the provisions of this Code may be made by specific reference to the section number of this Code in the following language: "That section of the Code of the City of Lawrenceville, Georgia, is hereby amended to read as follows:...." The new provisions may then be set out in full as desired.

(c) In the event a new section not heretofore existing in the Code is to be added, the following language may be used: "The Code of the City of Lawrenceville, Georgia, is hereby amended by adding a section (or subsection or chapter) to be numbered _____, which section reads as follows:...." The new provision shall then be set out in full as desired.

(d) All sections, chapters, or provisions sought to be repealed must be specifically repealed by section, chapter, or provision number, as the case may be.

(Code 2005, § 1-106)

Sec. 1-7. - Altering Code.

It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the City Council.

(Code 2005, § 1-107)

Sec. 1-8. - Penalty where no penalty provided.

(a) Whenever in this Code or in any ordinance of the City any act is prohibited or is declared to be unlawful, or whenever in such Code or ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of such provision of this Code or any ordinance shall subject the person committing the violation to a fine not exceeding \$1,000.00 not including added surcharges or fines authorized by state law and costs or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment, any or all of such penalties to be imposed at the discretion of the Judge of the Municipal Court.

(b) The infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the City's Charter or Code.

(Code 2005, § 1-108)

Sec. 1-9. - Severability.

It is hereby declared to be the intention of the governing body that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase,

clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining clauses, sentences, paragraphs and sections of this Code.

Sec. 1-10. - Supplementation of Code.

(a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the Council. A supplement to the Code shall include all substantive, permanent and general parts of ordinances passed by the Council or adopted by initiative and referendum during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete. The new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement. Charter amendments may be included in like manner.

(b) In the preparation of a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, non substantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code, provided that such changes are approved by the City Clerk. For example, the codifier may:

- (1) Organize the ordinance material into appropriate subdivisions;
- (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ through _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and
- (5) Make other non substantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but, in no case, shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-11. - Certain ordinances not affected by Code.

Nothing in this Code, as of its date of adoption, or the ordinance adopting this Code, shall be construed to repeal or otherwise affect the validity of any of the following ordinances otherwise in effect upon the date of adoption of the Code:

- (1) Any rates, fees or charges consistent with this Code;
- (2) Any ordinance promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds for the city or any evidence of the city's indebtedness, or any contract or obligation assumed by the city;
- (3) Any ordinance consistent with this Code prescribing traffic regulations for specific locations, such as prescribing through streets, parking limitations, parking prohibitions, one-way traffic or limitations on loads of vehicles or loading zones;
- (4) Any ordinance consistent with this Code fixing salaries of officials, officers or employees of the city;
- (5) Any budget ordinance or appropriation ordinance; any ordinance levying any tax;
- (6) Any right or franchise granted by any ordinance or resolution to any person;
- (7) Any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening or vacating any street or public way in the city;
- (8) Any ordinance establishing and prescribing the street grades of any street in the city;
- (9) Any ordinance providing for local improvements or assessing taxes therefor;
- (10) Any ordinance dedicating or accepting any plat or subdivision in the city or providing regulations for platting or subdividing of property;
- (11) Any ordinance establishing or changing the boundary of the city;
- (12) Any ordinance regulating zoning or land use in the City, including, but not limited to, the Planning and Zoning Code of Ordinances, the Development Regulations and the Landscape Ordinance.

All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 1-12. - Applicability.

Notwithstanding any provision contained herein to the contrary, the enforcement of the provisions contained in this Code shall be enforced via the methods enumerated in this chapter.

(Code 2005, § 49-101)

Sec. 1-13. - Complaints regarding violations.

Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the administrative official or City Clerk. He/she shall record properly such complaint, immediately investigate, and take action thereon as provided by this chapter.

(Code 2005, § 49-102)

Sec. 1-14. - Enforcement.

This Code shall be enforced by the Director of Planning and Development, by the Director's duly authorized representative, by the City Manager, by the City Manager's duly authorized representative, by the City Clerk, by the City Clerk's duly authorized representative, by the City of Lawrenceville Code Enforcement Department, by the Public Works Director, by the City Engineer or by the City of Lawrenceville Police Department, by the duly authorized representative of the City of Lawrenceville Police Chief.

(Code 2005, § 49-103)

Sec. 1-15. - Unlawful acts.

- (a) It shall be unlawful for a person, firm, or corporation to be in conflict with, or in violation of, any provision contained in this Code.
- (b) The owner and tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(Code 2005, § 49-104)

Sec. 1-16. - Penalties.

- (a) *Fines and/or sentence.* Unless otherwise specifically stated herein, any person convicted by a court of competent jurisdiction of violating any provision of this Code shall be guilty of violating a duly adopted ordinance of the City and shall be punished either by a fine not to exceed \$1,000.00 per day not including added surcharges or fines authorized by state law, or by a sentence of imprisonment not to exceed six months in jail, or both a fine and jail or work alternate. Each day that violation continues after due notice has been served shall be deemed a separate offense.
- (b) *Powers of the Court.* The Court shall have the power and authority to order the violation corrected in compliance with this Code and the Court may require payment of restitution or impose other punishment allowed by law.
- (c) *Lien imposition.* If, after 30 days from the date of the Municipal Court-imposed fine, any person or entity has not paid said fine in full, the City shall have the authority to file a lien on the property in violation for the amount of the imposed fine and shall record it with the Office of the Gwinnett County Clerk of Superior Court.
- (d) *Other legal remedies.*
 - (1) In any case in which a violation of this Code has occurred, the City, in addition to other remedies provided by law, may petition for a restraining

order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity.

(2) Where a determination is made that the property is in violation of this Code and any other codes and laws enforced by the City, and all reasonable efforts and means to obtain compliance having been exhausted, the City is authorized to affect such compliance at public expense. The cost of effectuating compliance shall constitute a lien upon the property and said lien shall be recorded by the City with the Gwinnett County Clerk of Superior Court.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: COUNCIL BUSINESS

Item: Discussion to amend chapter 2 of the code of ordinances to update provisions related to Administration

Department: City Manager

Date of Meeting: Wednesday, April 17, 2024

Fiscal Impact: N/A

Presented By: Michael Fischer – Assistant City Manager - Operations

Action Requested: Discuss Ordinance to Amend Chapter 2 of the Code of Ordinances of the City of Lawrenceville, Georgia related to Administration to update provisions for clarify, efficiency and alignment of operations and for other purposes.

Summary: The purpose of this amendment is to update Chapter 2 of the code of ordinances to increase clarity, increase efficiency and align operations and the code of ordinances.

Background: Chapter 2 of the code of ordinances focuses on Administration. From time-to-time city staff review the code sections to update for legality, clarification, typographical errors and to align operations for increased efficiency. This amendment is an update to clarify Administration of the General Government Operations.

Concurrences: City Manager, City Clerk, City Executive Staff, City Attorney

Attachments/Exhibits: Chapter 2 redlined draft amended code
Chapter 2 clean draft amended code

Chapter 2 ADMINISTRATION¹

ARTICLE I. IN GENERAL

Sec. 2-1. Exercise of governmental authority.

The corporation governmental powers of the City shall be exercised by the ~~Mayor and~~ Council in the manner provided by the Charter and by the provisions of this chapter.

(Code 2005, § 3-101)

Sec. 2-2. Code of Ethics.

(a) *Code of Ethics for City employees.*

- (1) *Prohibited conduct.* Employees of the City shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts between their private self-interest and the public interest. Prohibited conduct of each such employee shall include, but not be limited to, the following:
 - a. Requesting, using, or permitting the use of any publicly owned or publicly supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of themselves or any other person, except as otherwise allowed by law;
 - b. Engaging in private employment with, or rendering services for, any private person who has business transactions with the City, unless they have notified their Department Director and the Human Resources Director in writing of the nature and extent of such employment or services;
 - c. Appearing on behalf of any private person, other than themselves, before any public body in the City;
 - d. Accepting gifts with a value of more than \$100.00, whether in the form of money, things, favors, loans, or promises, that would not be offered or given to them if they were not an employee;¹ ~~A gift of \$25.00 or less is exempt from reporting. A gift of \$25.01 to \$99.99 is only exempt if the gift is reported in writing to the City Clerk within 30 days of receipt. The Clerk shall disclose all such gifts in a consent agenda report published on a quarterly basis.~~

¹Editor's note(s)—Articles II and III of the city Charter exhaustively set the administrative and governmental structure of the city.

State law reference(s)—Supplemental powers of municipalities and counties enumerated, Ga. Const. art. IX, § II, ¶ III; municipal corporations generally, O.C.G.A. § 36-3-1 et seq.; powers of municipal corporations generally, O.C.G.A. § 36-34-1 et seq.; powers relating to administration of municipal government generally, O.C.G.A. § 36-34-2; provisions applicable to counties and municipalities, O.C.G.A. § 36-60-1 et seq.; provisions applicable to counties and municipal corporations, O.C.G.A. § 36-80-1 et seq.

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- e. Disclosing any confidential information concerning any official or employee, or any other person, or any property or governmental affairs of the City, without prior formal authorization of the governing body;
- f. Using or permitting the use of confidential information to advance the financial or personal interest of themselves or any other person; or
- g. Appointing of any person related to them by blood or marriage to fill an office, position, employment, or duty, when the salary, wages, pay, or compensation is to be paid out of public funds.

(2) *Hearings and determinations.* If an employee is found guilty of an ethics violation, a name clearing hearing shall be held as described in the City of Lawrenceville Personnel Policy.

(b) *Code of Ethics for City Officials.*

(1) Definitions. As used in this section, the following words shall have the meaning ascribed to them below (unless otherwise required by context):

a. Benefit means anything of monetary value that a reasonably prudent person would recognize as being likely to be intended to influence a City of Lawrenceville Official in the performance or non-performance of an official action.

b. Confidential information means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as a public servant, and which information is not available to members of the public under the Georgia Open Records Act or other law or regulation and which the public servant is not authorized to disclose, including:

1. Any written information that could lawfully be exempted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or pursuant to some other pertinent law, policy or procedure;

2. Any non-written information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure; and

3. Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy or procedure; however, when such information is also available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels.

c. Entity means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.

d. Immediate family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City of Lawrenceville Official related by blood, adoption, or marriage. The relationship by marriage shall include in-laws.

e. City of Lawrenceville Official means the members of the City Council, Municipal Court Judges (including substitute judges), City Manager, , Assistant City Manager(s), Public Works Director, Police Chief, Chief Communications Officer, City Clerk, Assistant City Clerk, City Attorney, Chief Financial Officer and all other persons holding positions designated by the City Charter. The term City Official also includes all individuals appointed by the City Council to all City authorities.

boards, commissions, committees, task forces, or other bodies unless specifically exempted from this article by the City Council.

f. *Interest* means any personal pecuniary benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the City.

g. *Incidental interest* means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.

h. *Partner in interest* means, when used in this article in connection with a public servant, as in the phrase "a public servant or a partner in interest," any and all of the following:

1. A member of the public servant's immediate family;
2. A business with which the public servant or a member of the public servant's immediate family is associated;
3. Any other person with whom the public servant or a member of their immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the subject of an official action by or with the City. The term "partner in interest" does not imply or require any form of legal partnership or formal agreement; or
4. When used in the phrase "a public servant or partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.

i. *Remote interest* means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general City fees, City utility charges, comprehensive zoning ordinance, or similar matters is deemed remote to the extent that the official would be affected in common with the general public.

j. *Substantial interest* means an interest, either directly or through a member of the immediate family, in another person or entity, where:

1. The interest is as follows:
 - (a) Ownership of five percent or more of the voting stock, shares or equity of the entity; or
 - (b) Ownership of \$5,000.00 or more of the equity or market value of the entity.
2. The funds received by the person from the other person or entity during the previous 12 months either equal or exceed:
 - (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or ten percent of the recipient's gross income during that period, whichever is less;
 - (b) The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity

owned or created by the City Council; or which entity receives an amount of \$5,000.00 or more; or

(c) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

Principal policies. The public trust requires public servants to fulfill their duties faithfully and honestly and to subordinate any personal interest, which conflicts with the public interest. A public servant is a trustee of the people and should strive to further the general welfare and not use his/her public office or position to unethically improve their own private standing. The principal policies that form the foundation of this Code of Ethics are as follows:

- a. The trust of citizens in their government is cultivated when individual public servants act with integrity and when the public is aware that its servants act with integrity.
- b. The constitutions, laws and regulations of the United States and the State of Georgia and ordinances of the City of Lawrenceville should be upheld as a minimum standard of conduct.
- c. The most effective way to eradicate unethical practices is to consistently act with the highest moral principles and react appropriately to the ethical decisions of others.
- d. City Officials should exercise sound judgment and apply ethical principles in making decisions that in any manner reflect upon their elected office.
- e. All citizens should be treated with courtesy, impartiality and equality.

(2) *Principal policies.* The public trust requires public servants to fulfill their duties faithfully and honestly and to subordinate any personal interest, which conflicts with the public interest. A public servant is a trustee of the people and should strive to further the general welfare of the public and not use his/her public office or position to unethically improve their own private standing. The principal policies that form the foundation of this Code of Ethics are as follows:

- a. The trust of citizens in their government is cultivated when individual public servants act with integrity and when the public is aware that its servants act with integrity.
- b. The constitutions, laws and regulations of the United States and the State of Georgia and ordinances of the City of Lawrenceville should be upheld as a minimum standard of conduct.
- c. The most effective way to eradicate unethical practices is to consistently act with the highest moral principles and react appropriately to the ethical decisions of others.
- d. City of Lawrenceville Officials should exercise sound judgment and apply ethical principles in making decisions that in any manner reflect upon their elected office.
- e. All citizens should be treated with courtesy, impartiality and equality.

Intent. It is the intent of this Code of Ethics that City officials shall not knowingly engage in any activity that is incompatible with the proper discharge of their official duties or which would tend to impair their judgment or actions in the performance of their official duties. Furthermore, City Officials should avoid any action that might result in or create the appearance of:

- a. Using public office or position in an unethical manner for private gain;
- b. Impeding City efficiency or economy; or
- c. Affecting adversely the confidence of the public in the integrity of those who conduct the affairs and business of the City.

(3) *Intent.* It is the intent of this Code of Ethics that City of Lawrenceville officials shall not knowingly engage in any activity that is incompatible with the proper discharge of their official duties or which

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would tend to impair their judgment or actions in the performance of their official duties. Furthermore, City of Lawrenceville Officials should avoid any action that might result in or create the appearance of:

- a. Using public office or position in an unethical manner for private gain;
- b. Impeding City of Lawrenceville efficiency or economy; or
- c. Affecting adversely the confidence of the public in the integrity of those who conduct the affairs and business of the City of Lawrenceville.

Definitions: As used in this section, the following words shall have the meaning ascribed to them below (unless otherwise required by context):

- a. *Benefit* means anything of monetary value that a reasonably prudent person would recognize as being likely to be intended to influence a City Official in the performance or non-performance of an official action.
- b. *Confidential information* means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as a public servant, and which information is not available to members of the public under the Georgia Open Records Act or other law or regulation and which the public servant is not authorized to disclose, including:
 - 1. Any written information that could lawfully be exempted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or pursuant to some other pertinent law, policy or procedure;
 - 2. Any non-written information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure; and
 - 3. Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy or procedure; however, when such information is also available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels.
- c. *Entity* means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.
- d. *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City Official related by blood, adoption, or marriage. The relationship by marriage shall include in-laws.
- e. *City of Lawrenceville Official* means the members of the City Council, Municipal Court Judges (including substitute judges), City Manager, Deputy City Manager, Assistant City Manager, Public Works Director, (s) Police Chief, Community Relations Director & City Clerk, Assistant City Clerk, City Attorney, Chief Financial Officer and all other persons holding positions designated by the City Charter. The term City Official also includes all individuals appointed by the City Council to all City authorities, boards, commissions, committees, task forces, or other bodies unless specifically exempted from this article by the City Council.
- f. *Interest* means any personal pecuniary benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business

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from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the City.

g. ~~Incidental interest means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.~~

h. ~~Partner in interest means, when used in this article in connection with a public servant, as in the phrase "a public servant or a partner in interest," any and all of the following:~~

- ~~1. A member of the public servant's immediate family;~~
- ~~2. A business with which the public servant or a member of the public servant's immediate family is associated;~~
- ~~3. Any other person with whom the public servant or a member of their immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the subject of an official action by or with the City. The term "partner in interest" does not imply or require any form of legal partnership or formal agreement; or~~
- ~~4. When used in the phrase "a public servant or partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.~~

i. ~~Remote interest means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general City fees, City utility charges, comprehensive zoning ordinance, or similar matters is deemed remote to the extent that the official would be affected in common with the general public.~~

j. ~~Substantial interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:~~

- ~~1. The interest is as follows:

 - ~~(a) Ownership of five percent or more of the voting stock, shares or equity of the entity; or~~
 - ~~(b) Ownership of \$5,000.00 or more of the equity or market value of the entity.~~~~
- ~~2. The funds received by the person from the other person or entity during the previous 12 months either equal or exceed:

 - ~~(a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or ten percent of the recipient's gross income during that period, whichever is less;~~
 - ~~(b) The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or which entity receives an amount of \$5,000.00 or more; or~~
 - ~~(c) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.~~~~

~~(4) Prohibited Conduct.~~

~~1. Expected~~

~~a. City of Lawrenceville Officials shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and;~~

b. City of Lawrenceville Officials shall avoid both actual and potential conflicts between their private self-interest and the public interest.

c. Disclosure. City of Lawrenceville Officials shall disclose the nature of any substantial interest they have in a matter at the time such matter is presented to the City Council for discussion and/or action. Such disclosure shall be recorded into the minutes of the meeting and become part of the public record.

d. Duty to leave meeting. To avoid the appearance of impropriety, after any member of the City Council or Council appointed Board or Committee member is determined to have a substantial interest or a potential substantial interest in any matter, they shall leave their regular seat as a member of the City Council or Council appointed Board or Committee and not return to it until deliberation and action on the matter is completed. Provided, however, that such official shall not be precluded from addressing an appointed Council Board or Committee or the City Council during the discussion of any agenda item or any official act or action in the same manner as a member of the general public.

2. Prohibited conduct of each City Official shall include the following:

- a. City of Lawrenceville Officials shall not have a substantial interest that conflicts with their responsibilities and duties as trustees of the public good; or
 - b. City of Lawrenceville Officials shall not directly or indirectly engage in financial transactions as a result of, or primarily rely upon, confidential information obtained in the course of their office or received due to their position.
 - c. Acceptance of gifts. City of Lawrenceville Officials shall not solicit or accept, directly or indirectly, any benefit or payment from any person, corporation or group that has, or is seeking to obtain, a contractual or other business or financial relationship with the City of Lawrenceville.
1. The above prohibitions shall not apply in the case of:

- (a) Occasional nonmonetary gift(s) of insignificance or trinkets or gifts, such as a calendar, memento or pen, received in the normal course of business with a value of/or less than \$100.00.³

~~A gift of \$25.00 or less is exempt from reporting. A gift of \$25.01 to \$99.99 is only exempt if the gift is reported in writing to the City Clerk within 30 days of receipt. The Clerk shall disclose all such gifts in a consent agenda report published on a quarterly basis.~~

- (b) Award publicly presented in recognition of public service;
- (c) Transaction authorized by and performed in accordance with O.C.G.A. § 16-10-6 as now or hereafter amended;
- (d) A commercially reasonable loan or other financial transaction made in the ordinary course of business by an institution or individual authorized by the laws of the State of Georgia to engage in the making of such loan or financial transaction;
- (e) Campaign contributions made and reported in accordance with State of Georgia laws;
- (f) Items listed under O.C.G.A. § 16-10-2 that are specifically itemized as "a thing of value shall not include" as now or hereafter amended;

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- (g) Promotional items generally distributed to the general public or to public officials; or
 - (h) Food, beverage, admission or expenses afforded City Officials, members of their immediate families, or others that are associated with normal and customary business or social functions, activities, or events.
- d. *Use of public property.* City of Lawrenceville Officials shall not use City of Lawrenceville property of any kind for other than officially approved activities, nor shall they direct a City of Lawrenceville employee to use such property for other than official purposes.
- e. *Use of confidential information.* City of Lawrenceville Officials shall not directly make use of, or permit others to make use of, for the purpose of furthering a private interest, City of Lawrenceville information not made available to the general public.
- f. *Coercion.* City of Lawrenceville Officials shall not use their position in any way to coerce, or give the appearance of coercing:
- 1. Another person to provide any benefits to themselves or to their immediate family as defined herein;
 - 2. A City of Lawrenceville employee, an appointed official of the City of Lawrenceville, or a contract employee to provide any benefit to themselves or to their immediate family as defined herein; or
 - 3. Any judge in the outcome of matters before the court.
- g. *Purchases.* City of Lawrenceville Officials shall not order any goods or services for the City of Lawrenceville or on behalf of the City of Lawrenceville without proper authorization in compliance with the City of Lawrenceville Code.
- h. *Conflicts of interest.* City of Lawrenceville Officials shall not represent private interests, other than their own, in any action or proceeding against the City of Lawrenceville or any portion of its government; or vote or otherwise actively participate in the negotiation or the making of any contract between the City of Lawrenceville government and any business or entity in which they have a substantial interest. City of Lawrenceville Officials shall not enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law.
- 1. This prohibition shall not be applicable to the professional activities of the City Attorney in their work as an independent contractor and legal advisor on behalf of the City.
 - 2. This prohibition shall not be applicable to an otherwise valid employment contract between the City and a City Official who is not elected (such as, by way of example, a City Manager).
 - 3. Any official who has a proprietary interest in an entity doing business with the City shall make that interest known in writing to the City Council and the City Clerk.
- i. *City of Lawrenceville employees.* City of Lawrenceville Officials shall not use a City of Lawrenceville employee for personal or private business during regular business hours or during the employee's scheduled shift.
- j. *Travel expenses.* City of Lawrenceville Officials shall not draw per diem or expense money from the City of Lawrenceville to attend a seminar, convention, conference or similar meeting and then fail to attend the seminar, conference, convention or similar meeting without promptly reimbursing the City thereafter.

- k. *Commitments.* City of Lawrenceville Officials shall not act or create the appearance of acting on behalf of the City of Lawrenceville by promising to authorize or prevent any future official action of any nature, without proper authorization.
- l. *False statements.* City of Lawrenceville Officials shall not make an intentionally false or materially misleading statement or in any manner commit fraud in relation to any City of Lawrenceville or public business.
- ~~m. *Disclosure.* City Officials shall disclose the nature of any substantial interest they have in a matter at the time such matter is presented to the City Council for discussion and/or action. Such disclosure shall be recorded into the minutes of the meeting and become part of the public record.~~
- m. *Deliberation and vote prohibited.* City of Lawrenceville Officials shall not participate in a City of Lawrenceville Council appointed Board, Committee or Council meeting during the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item, or any official act or action in which he or she has a substantial interest. Provided, however, that such officials shall not be precluded from addressing a Council appointed Board, Committee or the City Council during the discussion of any agenda item or any official act or action in the same manner as a member of the general public. Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City Official may participate in the vote or decision and need not disclose the interest.
- ~~o. *Duty to leave meeting.* To avoid the appearance of impropriety, after any member of the City Council or Council appointed Board or Committee member is determined to have a substantial interest or a potential substantial interest in any matter, they shall leave their regular seat as a member of the City Council or Council appointed Board or Committee and not return to it until deliberation and action on the matter is completed. Provided, however, that such official shall not be precluded from addressing an appointed Council Board or Committee or the City Council during the discussion of any agenda item or any official act or action in the same manner as a member of the general public.~~

(5) Ethics Hearings

- a. *Ethics hearing officer.* The Chief Judge of Municipal Court, or, in their absence, their designee who shall be another municipal court judge, or if no municipal court judge is available, the City Attorney, is hereby designated as the Ethics Hearing Officer. The Ethics Hearing Officer shall serve without compensation and may be removed for cause by a majority vote of the City Council. If the hearing officer is removed for cause, the next most senior Municipal Court Judge or the City Attorney shall serve as hearing officer.
- b. *Receipt of complaints.* All complaints against a City of Lawrenceville Official shall be filed in writing with the City Clerk to be referred to the Ethics Hearing Officer in such form as may be prescribed by the Ethics Hearing Officer. All complaints shall be submitted and signed under oath, shall be legibly drawn, and shall clearly address matters within the scope of this ordinance. Upon receipt of a complaint in proper form, the City Clerk will deliver a copy of the complaint to the Ethics Hearing Officer, who shall:
 1. Review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke disciplinary action or is to be considered for further investigation.
 2. Be empowered to dismiss those complaints that are unjustified, frivolous, patently unfounded or that fail to state facts sufficient to constitute a violation of this article; provided, however, that a rejection of such complaint by the Ethics Hearing Officer shall

not deprive the complaining party of any action he or she might otherwise have at law or in equity against the City of Lawrenceville Official.

3. Notify the City of Lawrenceville Official charged in the complaint as soon as practicable but in no event later than seven calendar days after receipt of a verified complaint.
4. Be empowered to collect evidence and information concerning any complaint and to add to the findings and results of its investigation to the file containing such complaint.
5. Be empowered to conduct probable cause investigations, to take evidence and hold hearings. The Ethics Hearing Officer shall give the City of Lawrenceville Official notice and an opportunity for a hearing.
6. Be empowered to recommend to the City Council that any City of Lawrenceville Official found to have violated any provision of this article receive a reprimand, censure or be requested to resign their office.
7. Be empowered to refer a complaint to the appropriate law enforcement agent or agency for investigation and possible prosecution.
8. Take action within 60 days of receipt of the complaint. The decision by the Ethics Hearing Officer shall be reduced to writing and served upon all parties of interest within five days of reaching a decision.
9. The Ethics Hearing Officer shall appear in a public hearing before the City Council to present argument and evidence to justify the recommendation contained in paragraph (6) above and make a recommendation of the proper penalty to be imposed. The City Council shall have the final authority to act on or reject the recommendation within 30 days of the presentation by the Hearing Officer.

cf. *City Council action.* Within 30 days following the presentation of the findings of the Ethics Hearing Officer, the City Council shall have the final authority to act on or reject the recommendations of the Ethics Hearing Officer. If the subject of the complaint is a member of the City Council, he or she will not be allowed to vote pursuant to this section or participate in any discussion related thereto. Nor shall such position be counted for the purpose of establishing a quorum for this particular purpose.

ds. *Penalties.* Upon majority vote of the City Council, any violation of this Code of Ethics shall subject the offender to disciplinary action including reprimand, censure, or a request to the offending City of Lawrenceville Official that he or she resign their office.

et. *Right to appeal.* Any City of Lawrenceville Official adversely affected by a disciplinary action taken by the City Council may appeal the decision to the Gwinnett County Superior Court in accordance with the laws of the State of Georgia. Provided, however, that no action of the Hearing Officer refusing or failing to take action pursuant to this Code of Ethics shall be reviewable by the Superior Court.

ft. *Election tolling.* To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a City official, whether currently serving as a City official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

(Code 2005, § 3-102; Ord. No. 2018-4 , 3-21-2018; Ord. No. 2021-10 , 10-25-2021)

~~* A gift of \$25.00 or less is exempt from reporting.~~

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Sec. 2-3. Administrative policy and procedures.

- (a) *Officers.* Each employee shall perform all duties required of his office by State law, the Charter, and this Code, and such other duties not in conflict therewith as may be required by the City Manager, or such other official as designated by the Council or in the Charter.
- (b) *Department directors.* All department directors shall:
 - (1) Be responsible to the City Manager for the effective administration of their respective department and all activities assigned thereto;
 - (2) Keep informed as to the latest practices in their particular field and inaugurate, with the approval of the City Manager, such new practices as appear to be of benefit to the service and to the public;
 - ~~(3) Submit quarterly and annual reports of the activities of their respective department to the City Manager;~~
 - ~~(4) Establish and maintain a system of filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of departmental activities and to form a basis for the periodic reports to the City Manager;~~
 - (35) Have power, when authorized by the City Manager, to appoint and remove, subject to personnel regulations, all subordinates under him; and
 - (46) Be responsible for the proper maintenance of all City property and equipment used in their respective departments.
- (c) *Departments.* Each department shall cooperate with every other department and shall furnish, upon the direction of the City Manager, any other department such service, labor, and materials as may be requisitioned by the director of each department, as its own facilities permit.
- (d) *Records.* All municipal records, except those which by order of a State court are prohibited from being open to public inspection, shall be open for public inspection as provided by the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq.

(Code 2005, § 3-1013)

Secs. 2-4—2-25. Reserved.

ARTICLE II. THE MAYOR AND CITY COUNCIL GENERALLY

Sec. 2-26. Qualifications for office.

The qualification fee for candidates filing a notice of candidacy in any general or special election shall be set by the Mayor and Council in accordance with State law. Fees are covered in Elections portion of the Code, Chapter 16. Qualifications for office are set out in the City of Lawrenceville Charter.

Sec. 2-27. Meetings.

The City Council shall hold regular meetings as prescribed annually by ordinance ordered by the City Council on the fourth Monday of every month at 7:00 p.m., unless otherwise ordered by the City Council. The City Council shall hold work session meetings as prescribed annually by ordinance ordered by the City Council on the second Wednesday of every month at 5:00 p.m., unless otherwise ordered by the City Council. A special called

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meeting of the City Council may be convened at any time in accordance with Georgia law. All meetings at which official actions are to be taken shall be open to the public in accordance with the Open Meetings Act, O.C.G.A. § 50-14-1 et seq.

(Code 2005, § 3-203; Ord. of 11-13-2019(1))

Sec. 2-28. Standing committees.

The Mayor shall appoint standing committees to be composed of members of the City Council should he so desire.

(Code 2005, § 3-204)

Sec. 2-29. Rules for the conduct of business.

Robert's Rules of Order, ~~may be used as a guide to most recent edition, shall~~ govern the conduct of Council meetings.

(Code 2005, § 3-205)

Sec. 2-30. Compensation.

The Mayor and Councilmembers shall be compensated in the amount as established from time to time pursuant to law.

(Code 2005, § 3-207)

Secs. 2-31—2-48. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES²

Sec. 2-49. City Attorney.

- (a) *Appointment and qualifications.* The City Attorney shall be appointed by City Council, and shall serve at the pleasure of the City Council. No person shall be so appointed unless he is a member in good standing of the State Bar of Georgia and has been actively engaged in the practice of law for at least three years preceding his appointment.
- (b) *Oath.* Before entering upon the duties of his office, the City Attorney shall take the oath prescribed by this Code for City officers.
- (c) *Powers and duties.* The City Attorney shall be the legal advisor and representative of the City and in such capacity shall:

²Editor's note(s)—Ord. No. 2018-5, adopted May 7, 2018, repealed former Art. III, §§ 2-49—2-52, and enacted a new Art. III as set out herein. Former Art. III pertained to similar subject matter and derived from Code 2005, §§ 3-204, 3-401; Ord. of 8-1-2011.

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- (1) Advise the City Council or its committees or any City ~~Official~~fficer, when thereto requested, upon all legal questions arising in the conduct of City business;
 - (2) Prepare or revise ordinances when so requested by the City Council or any City Official~~ee~~er;
 - (3) Give his opinion upon any legal matter or question submitted to him by the City Council, or any of its committees, or by any City Official~~ee~~er;
 - (4) Prepare for execution all contracts and instruments to which the City is a party and approve, as to form, all bonds required to be submitted to the City;
 - (5) Prepare, when authorized by the City Council, all charges and complaints against, and appear in the Municipal Court in the prosecution of, every person charged with a violation of this Code or of a City ordinance or of any regulations adopted under authority of the Charter, and see to the full enforcement of all judgments or decrees rendered or entered in favor of the City;
 - (6) Defend any and all suits and actions at law or equity brought against the City unless otherwise directed by the City Council;
 - (7) Make immediate report to the City Council of the outcome of any litigation in which the City has an interest;
 - (8) Make an annual report to the City Council of all pending litigation in which the City has an interest and the status thereof;
 - (9) Keep complete and accurate records of the following, which records shall forever remain the property of the City:
 - a. All suits in which the City had or has an interest, giving the names of the parties, the nature of the action, the disposition of the case or its status, if pending, and the briefs of counsel; and
 - b. All written opinions prepared by the City Attorney and all certificates or abstracts of titles furnished by him to the City, or any department or official thereof; and
 - (10) Render such other legal services as may be required by the City Council.
- (d) *Compensation.* The City Attorney shall submit to the City Clerk bills on a regular basis, itemizing the type of work performed, date, and number of hours he/she was so engaged.
- (Ord. No. 2018-5, 5-7-2018)

Sec. 2-50. City Manager.

The City Manager shall have the following powers and duties:

- (1) To be responsible for supervising all paid employees of the City.
 - a. The City Manager shall have the authority to supervise all City employees, and this authority shall include the ability to hire, discipline or dismiss any such employee within the limits created under the City's personnel policies.
 - b. The City Manager shall be responsible for the supervision and control of the City Clerk, and all employees reporting to the City Clerk. Actions of the City Manager regarding hiring, disciplinary and termination decisions related to the City Clerk shall be submitted for prior approval by the City Council.
- (2) To sign and execute deeds and bonds of the City duly authorized by the City Council and permitted by the City Charter or by State law.

- (3) To investigate, examine, or inquire into, either personally or by any employee or person designated by the City Manager for that purpose, the affairs or operation of any department of the City, including the power to employ consultants and other professionals, when so authorized by the City Council, to aid in such investigations, examinations or inquiries.
- (4) To set aside, in his discretion, any action taken by a department head and supersede the department head in the functions of that office.
- (5) To direct any department to perform the work for any other department and to authorize any department head or officer responsible to him to appoint and remove subordinates serving under such person.
- (6) To examine all proposed contracts to which the City may be a party, and to sign and execute or to have signed and executed on behalf of the City any contracts authorized by the City Council, except where the City Council directs that some other office or officer shall do so.
- (7) To assist all boards, authorities, commissions and committees created by the City Council, as requested by the City Council.
- (8) To perform such other tasks as may be delegated or assigned by the City Council.

(Ord. No. 2018-5, 5-7-2018)

Sec. 2-51. City Clerk.

The City Clerk shall have the following powers and duties:

- (1) To prepare and distribute City Council agenda packets, provide notice of all City Council meetings and publish other public notices as required by law, including notifying the news media of the same.
- (2) To attend all meetings of the City Council and to take and transcribe minutes of all City Council meetings.
- (3) To catalog and publish City Council minutes and City ordinances and ensure Code books are revised to reflect City Council action.
- (4) To maintain the City Charter.
- (5) To serve as the Municipal Election Superintendent.
- (6) To provide administrative support to the City Council.
- (7) To support the maintenance of City records and public documents and perform certification and recording for the City as required on legal documents.
- (8) To maintain all records and invoices on City quality of life, nuisance and abatement cases and to coordinate with the City Attorney on the filing of liens and collection of payments.
- (9) To provide public records and information to citizens, civic groups, the media and other agencies as requested.
- ~~(10) To oversee the administration of hotel/motel, occupation tax and alcohol licenses for the City, including processing and approving applications, calculating applicable taxes, coordinating the annual renewal process and ensuring compliance with the City's ordinances.~~
- (10) Shall be custodian of the official city seal.

(Ord. No. 2018-5, 5-7-2018)

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Secs. 2-52—2-77. Reserved.

ARTICLE IV. BOARDS AND COMMISSIONS

Sec. 2-78. Municipal Planning Commission.

- (a) *Regulations.* The Municipal Planning Commission shall be bound by the rules and ordinances of the Zoning Ordinance of the City of Lawrenceville, as amended. The Municipal Planning Commission shall also abide by the terms and provisions of the Official Code of Georgia Annotated as amended which define the function and regulations of the Municipal Planning Commission.
- (b) *Composition, appointment, and tenure period.* The Municipal Planning Commission shall consist of five members appointed by the Mayor, by and with the consent ~~advice~~ of the City Council. The terms of the members shall be for four years each.
- (c) *Vacancies.* Vacancies shall be filled by appointments for unexpired terms only and in the same manner as for original appointments.
- (d) *Removal.* ~~Any~~ Any members of the Planning Commission serve at the pleasure of ~~may be removed by the City Council and may be removed for any reason at any time, for cause.~~ Any member who misses more than three meetings in any one calendar year without excuse shall be removed from the Commission by the Council. The Chairman of the Commission shall keep an attendance record and report attendance to the Mayor's office on a monthly basis.
- (e) *Compensation.* All members of the Municipal Planning Commission shall receive compensation in an amount to be determined by the Council.
- (f) *Officers and rules of procedure.* The Planning Commission shall elect ~~for~~ one of its members as Chairperson, who shall serve for one year or until such person is reelected or a successor is elected. A second appointive member shall be elected as Vice-chairperson and shall serve for one year or until such person is reelected or a successor is elected. The Commission shall appoint a Secretary, who may be an employee of the City or a member of the Planning Commission. The Planning Commission shall meet at least once each month as required at the call of the Chairperson and at such other times as the transaction of business requires. The Planning Commission shall keep a record of its proceedings, which record shall be open to public inspection.
- (g) *Powers and duties.* The Municipal Planning Commission shall make careful and comprehensive surveys and studies of existing conditions and probable future developments and prepare plans for physical, social, and economic growth in an effort to promote the public health, safety, morals, convenience, prosperity, or general welfare of the Municipality. In carrying out its objectives, the Planning Commission shall have the following specific powers and duties:
 - (1) To prepare a master plan or parts thereof for the development of the City;
 - (2) To prepare and recommend for adoption a zoning ordinance and map for the City;
 - (3) To prepare and recommend for adoption regulations for the subdivisions of land within the City limits to administer the regulations that may be adopted; and
 - (4) To prepare and recommend for adoption a plat or an official map showing the exact location of the boundary lines of existing, proposed, extended, unlined or narrowed streets, public open spaces, or public building sites and provide for the regulation of construction of buildings or other structures within such lines.

- (h) *Meetings.* The meetings of the Municipal Planning Commission shall be held once a month as determined by the Planning and Development Director on the second Monday at 7:00 p.m., provided that notification of such is given to the members of the commission by the Director of Planning and Zoning Development Zoning Meeting dates shall be available online and in person at the Planning and Development Department.
- (i) *Quorum.* For the purpose of transacting business, a quorum of the Municipal Planning Commission shall be deemed to be three of the five members.
- (j) *City appointment to Municipal-County Planning Commission.*
 - (1) There is hereby determined and declared to be a present and future need for the City of Lawrenceville to participate in the Municipal-County Planning Commission established under the Code of Gwinnett County, Georgia.
 - (2) There is hereby created and activated in the City a position titled "Representative of the City of Lawrenceville to the Municipal-County Planning Commission."
 - (3) The appointed representative for the City of Lawrenceville shall be the Director of Planning and Development. be a person who is a resident of the City of Lawrenceville and be a person who has demonstrated special interest, experience or education in issues affecting the City of Lawrenceville and County of Gwinnett. The position shall be filled by appointment of the City Council.
 - (4) The representative shall serve for four years from the date of appointment. In the event a vacancy shall occur in this position other than by expiration of the representative's regular four-year term, the vacancy shall be filled by appointment by the City Council for the unexpired portion of the term remaining.The Board of Commissioners of Gwinnett County shall have the power to remove the representative appointed under this section for cause, after written charges have been drawn and after a public hearing has been held.
 - (5) The representative ~~appointed~~ may participate in all discussions before the Municipal-County Planning Commission to represent the interest of the City of Lawrenceville and is hereby empowered to vote in the City's best interest on any issue which affects property within the City limits.
 - (6) The representative shall receive all rights and privileges of this position provided by law and shall be reimbursed for expenses incurred in connection with official duties on behalf of the City of Lawrenceville while serving on the Municipal-County Planning Commission. Compensation shall be set by the Council.

(Code 2005, § 3-601; Ord. of 2-5-2011; Ord. No. 2015-6, 1-5-2015)

Sec. 2-79. Vacancies created by appointed officials qualifying for elected office.

The office of any appointed official of this City shall be declared vacant upon such appointed official qualifying, in a general primary or general election, or special primary or special election, for any state, county, or municipal elective office or qualifying for the House of Representatives or the Senate of the United States if the term of the office for which such official is qualifying begins more than 30 days prior to the expiration of such official's present term of office. The vacancy created shall be filled as provided by this Code. The provisions of this section shall not apply to members of the Downtown Development Authority of Lawrenceville, Georgia.

(Ord. No. 2015-27 , 8-3-2015)

Editor's note(s)—Ord. No. 2015-27 , adopted Aug. 3, 2015, repealed the former section and enacted a new section as set out herein. The former section pertained to similar subject matter and derived from Code 2005, § 3-603.

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Secs. 2-80—2-101. Reserved.

ARTICLE V. IDENTITY THEFT PREVENTION PROGRAM

Sec. 2-102. Purpose.

The purpose of this article is to comply with 16 CFR 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red flags in a manner that will prevent identity theft.

(Code 2005, § 3-701; Ord. of 10-15-2008)

Sec. 2-103. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Covered account means:

- (1) An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and
- (2) Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefor.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies.

Customer means a person that has a covered account with a creditor.

Identity theft means fraud committed or attempted using identifying information of another person without authority.

Person means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

Personal identifying information means a person's credit card account information, debit card information, bank account information and drivers' license information and for a natural person includes their social security number, mother's birth name, and date of birth.

Red flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Service provider means a person that provides a service directly to the City.

(Code 2005, § 3-702; Ord. of 10-15-2008)

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Sec. 2-104. Findings.

- (a) The City is a creditor pursuant to 16 CFR 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears.
- (b) A covered account offered to customers for the provision of City services ~~may include water, gas, sanitation, general billing, and/or~~ electric accounts.
- (c) The City's previous experience with identity theft related to covered accounts is as follows: Minimal complaints only.
- (d) The processes of opening a new covered account, restoring an existing covered account, making payments on such accounts, unauthorized entry to the storage room where applications are kept, and verifying the social security number when provided have been identified as potential processes in which identity theft could occur.
- (e) The City limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts. Information provided to such employees is entered directly into the city's computer system or on a hard copy stored in a locked room.

(Code 2005, § 3-703; Ord. of 10-15-2008)

Sec. 2-105. Process of establishing a covered account.

- (a) As a precondition to opening a covered account in the city, each applicant shall provide the city with personal identifying information of the customer, including a valid driver's license and social security number. Such information shall be entered directly into the city's computer system and shall not otherwise be recorded.
- (b) Each account shall be assigned an account number.

(Code 2005, § 3-704; Ord. of 10-15-2008)

Sec. 2-106. Access to covered account information.

- (a) Access to customer accounts shall be ~~password protected and shall be~~ limited to authorized city personnel based on software privileges managed by the Information Technology Staff.
- (b) Any unauthorized access to or other breach of customer accounts is to be reported immediately to the City Manager and Chief Financial Officer. Software system and user access shall be updated by changing passwords and access to system modules, the password changed immediately.
- (c) Personal identifying information included in customer accounts is considered confidential and any request or demand for such information shall be immediately forwarded to the City Manager, Chief Financial Officer and the City Attorney.

(Code 2005, § 3-705; Ord. of 10-15-2008; Ord. No. 2015-39, § 7(b), 11-2-2015)

Sec. 2-107. Credit card payments.

- (a) In the event that credit card payments that are made over the Internet are processed through a third-party service provider, such third-party service provider shall certify that it has an adequate identity theft prevention program in place that is applicable to such payments.
- (b) All credit card payments made over the telephone or the City's website shall be entered directly into the customer's account information in the computer [data-basedatabase](#).
- (c) Account statements and receipts for covered accounts shall include only the last four digits of the credit or debit card or the bank account used for payment of the covered account.

(Code 2005, § 3-706; Ord. of 10-15-2008)

Sec. 2-108. Sources and types of red flags.

All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting payment for a covered account shall check for red flags as indicators of possible identity theft, and such red flags may include:

- (1) *Alerts from consumer reporting agencies, fraud detection agencies or service providers.* Examples of alerts include, but are not limited to:
 - a. A fraud or active duty alert that is included with a consumer report;
 - b. A notice of credit freeze in response to a request for a consumer report;
 - c. A notice of address discrepancy provided by a consumer reporting agency;
 - d. Indications of a pattern of activity in a consumer report that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
 - 1. A recent and significant increase in the volume of inquiries;
 - 2. An unusual number of recently established credit relationships;
 - 3. A material change in the use of credit, especially with respect to recently established credit relationships; or
 - 4. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.
- (2) *Suspicious documents.* Examples of suspicious documents include:
 - a. Documents provided for identification that appear to be altered or forged;
 - b. Identification on which the photograph or physical description is inconsistent with the appearance of the applicant or customer;
 - c. Identification on which the information is inconsistent with information provided by the applicant or customer;
 - d. Identification on which the information is inconsistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check; or
 - e. An application that appears to have been altered or forged, or appears to have been destroyed and reassembled.

-
- (3) *Suspicious personal identification, such as suspicious address change.* Examples of suspicious identifying information include:
- a. Personal identifying information that is inconsistent with external information sources used by the financial institution or creditor. For example:
 - 1. The address does not match any address in the consumer report; or
 - 2. The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
 - b. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer, such as a lack of correlation between the SSN range and date of birth.
 - c. Personal identifying information or a phone number or address is associated with known fraudulent applications or activities as indicated by internal or third-party sources used by the financial institution or creditor.
 - d. Other information provided, such as fictitious mailing addresses, mail drop addresses, jail addresses, invalid phone numbers, pager numbers or answering services, is associated with fraudulent activity.
 - e. The SSN provided is the same as that submitted by other applicants or customers.
 - f. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of applicants or customers.
 - g. The applicant or customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - h. Personal identifying information is not consistent with personal identifying information that is on file with the financial institution or creditor.
 - i. The applicant or customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- (4) *Unusual use of or suspicious activity relating to a covered account.* Examples of suspicious activity include:
- a. Shortly following the notice of a change of address for an account, the City receives a request for the addition of authorized users on the account.
 - b. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.
 - c. An account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
 - 1. Nonpayment when there is no history of late or missed payments;
 - 2. A material change in purchasing or spending patterns.
 - d. An account that has been inactive for a long period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
 - e. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
 - f. The City is notified that the customer is not receiving paper account statements.

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- g. The City is notified of unauthorized charges or transactions in connection with a customer's account.
- h. The City is notified by a customer, law enforcement or another person that it has opened a fraudulent account for a person engaged in identity theft.
- i. Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft or phishing relating to covered accounts.

(Code 2005, § 3-707; Ord. of 10-15-2008)

Sec. 2-109. Prevention and mitigation of identity theft.

- (a) In the event that any City employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered accounts, such employee shall use his discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the ~~Account Clerk of Utilities or the~~ Chief Financial Officer~~City Manager~~. If, in his discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to a supervisor, who may, in his discretion, determine that no further action is necessary. If the supervisor, in his discretion, determines that further action is necessary, a City employee shall perform one or more of the following responses, as determined to be appropriate by the ~~Account Clerk of Utilities or the~~ Chief Financial Officer~~City Manager~~:
 - (1) Contact the customer;
 - (2) Make the following changes to the account if, after contacting the customer, it is apparent that someone other than the customer has accessed the customer's covered account:
 - a. Change any account numbers, passwords, security codes, or other security devices that permit access to an account; or
 - b. Close the account;
 - (3) Cease attempts to collect additional charges from the customer and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
 - (4) Notify a debt collector within two business days of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the likelihood or probability of identity theft relating to such account;
 - (5) Notify law enforcement, in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue or accessing personal identifying information; or
 - (6) Take other appropriate action to prevent or mitigate identity theft.
- (b) In the event that any City employee responsible for or involved in opening a new covered account becomes aware of red flags indicating possible identity theft with respect to an application for a new account, such employee shall use his discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the ~~Account Clerk of Utilities or the~~ Chief Financial Officer~~City Manager~~. If, in his discretion, such employee deems that

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identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the supervisor, who may, in his discretion, determine that no further action is necessary. If the supervisor, in his discretion, determines that further action is necessary, a City employee shall perform one or more of the following responses, as determined to be appropriate by the ~~Account Clerk of Utilities or the Chief Financial Officer~~ City Manager:

- (1) Request additional identifying information from the applicant;
- (2) Deny the application for the new account;
- (3) Notify law enforcement of possible identity theft; or
- (4) Take other appropriate action to prevent or mitigate identity theft.

(Code 2005, § 3-708; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-110. Updating the program.

The City ~~Manager~~ Council shall ~~from time to time annually have reviewed and~~, as deemed necessary ~~and by the Council~~, update the Identity Theft Prevention Program along with any relevant red flags in order to reflect changes in risks to customers or to the safety and soundness of the City and its covered accounts from identity theft. In so doing, the City ~~Manager~~ Council shall ~~have considered~~ the following factors and exercise ~~his~~ discretion in amending the program:

- (1) The City's experiences with identity theft;
- (2) Updates in methods of identity theft;
- (3) Updates in customary methods used to detect, prevent, and mitigate identity theft;
- (4) Updates in the types of accounts that the City offers or maintains; and
- (5) Updates in service provider arrangements.

(Code 2005, § 3-709; Ord. of 10-15-2008)

Sec. 2-111. Program administration.

- (a) The City Manager is responsible for oversight of the program and for program implementation. The ~~Account Clerk of Utilities or the Chief Financial Officer~~ City Manager is responsible for reviewing reports prepared by staff regarding compliance with red flag requirements and with recommending material changes to the program, as necessary in the opinion of the ~~Account Clerk of Utilities or the Chief Financial Officer~~ City Manager, to address changing identity theft risks and to identify new or discontinued types of covered accounts. Any recommended material changes to the program shall be submitted to the City Council for consideration ~~by the council~~.
- (b) The ~~Account Clerk of Utilities will report to the Chief Financial Officer~~ City Manager at least annually, in compliance with the red flag requirements ~~will review and~~. ~~The report will~~ address material matters related to the program and evaluate issues such as:
 - (1) The effectiveness of the policies and procedures of City in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - (2) Service provider arrangements;
 - (3) Significant incidents involving identity theft and management's response; and

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(4) Recommendations for material changes to the program.

(c) The ~~Chief Financial Officer~~~~City Manager~~ is responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of the Identity Theft Prevention Program. The ~~Chief Financial Officer~~~~City Manager~~ shall exercise his discretion in determining the amount and substance of training necessary.

(Code 2005, § 3-710; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-112. Outside service providers.

In the event that the City engages a service provider to perform an activity in connection with one or more covered accounts, the ~~Chief Financial Officer~~~~City Manager~~ shall exercise his discretion in reviewing such arrangements in order to ensure, to the best of his ability, that the service provider's activities are conducted in accordance with policies and procedures, agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate identity theft.

(Code 2005, § 3-711; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-113. Treatment of address discrepancies.

(a) *Purpose.* Pursuant to 16 CFR 681.1, the purpose of this section is to establish a process by which the City will be able to form a reasonable belief that a consumer report relates to the consumer about whom it has requested a consumer credit report when the City has received a notice of address discrepancy.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Notice of address discrepancy means a notice sent to a user by a consumer reporting agency pursuant to 15 USC 1681(c)(h)(1), that informs the user of a substantial difference between the address for the consumer that the user provided to request the consumer report and the address in the agency's file for the consumer.

(c) *Policy.* In the event that the City receives a notice of address discrepancy, the City employee responsible for verifying consumer addresses for the purpose of providing the municipal service or account sought by the consumer shall perform one or more of the following activities, as determined to be appropriate by such employee:

- (1) Compare the information in the consumer report with:
 - a. Information the City maintains in its own records, such as applications for service, change of address notices, other customer account records or tax records; or
 - b. Information the City obtains from third-party sources that are deemed reliable by the relevant City employee; or
- (2) Verify the information in the consumer report with the consumer.

(d) *Methods of confirming consumer addresses.* The City employee charged with confirming consumer addresses may, in his discretion, confirm the accuracy of an address through one or more of the following methods:

- (1) Verifying the address with the consumer;
- (2) Reviewing the city's records to verify the consumer's address;

- (3) Verifying the address through third-party sources; or
- (4) Using other reasonable processes.

(Code 2005, § 3-712; Ord. of 10-15-2008)

Secs. 2-114—2-139. Reserved.

ARTICLE VI. GENERAL PROVISIONS FOR CITY EMPLOYMENT

Sec. 2-140. Public benefits.

In order to receive State or local benefits provided by the City as part of compensation for employment, each new employee must submit a sworn affidavit attesting to the affiant's immigration status. The status of employees who swear by affidavit to be a qualified alien or nonimmigrant under the federal Immigration and Nationality Act will also be verified through the Systematic Alien Verification of Entitlement (SAVE) program.

(Code 2005, § 3-801)

Sec. 2-141. State income tax withholding.

The City will withhold ~~a six~~ percent of an employee's compensation for State income tax if the employee fails to provide a taxpayer identification number, fails to provide a correct taxpayer identification number, or provides a taxpayer identification number issued for nonresident aliens. The percentage shall be consistent with Georgia Code 48-7-20.

(Code 2005, § 3-802)

Secs. 2-142—2-165. Reserved.

ARTICLE VII. ECONOMIC DEVELOPMENT

Sec. 2-166. Recognition of beneficial qualities.

The City recognizes that certain targeted businesses in fields, such as healthcare, advanced manufacturing, ~~and technology, and trade/distribution~~ bring high level jobs to the City and are especially beneficial to the community.

(Ord. No. 2013-10, § 1, 7-1-2014)

Sec. 2-167. Interest of City.

In order to compete for targeted businesses, it is in the City's best interest to have the availability of offering strategic inducements.

(Ord. No. 2013-10, § 2, 7-1-2014)

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Sec. 2-168. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Targeted business means any preferred business or industry type as identified by the City, Partnership Gwinnett or a special impact project of such magnitude as may be determined by the City Council.

(Ord. No. 2013-10, § 3, 7-1-2014)

Sec. 2-169. Eligibility for inducements.

Targeted businesses meeting defined threshold levels, as outlined in section 2-171, may be eligible for inducements as determined by the City Council.

(Ord. No. 2013-10, § 4, 7-1-2014)

Sec. 2-170. Possible inducements for businesses.

The City Council, at the recommendation of City management and economic development staff, shall be authorized to offer inducements to targeted businesses meeting threshold requirements and those inducements may include the following:

- (1) Reduction of development permit fees.
- (2) Reduction of building permit fees.
- (3) Reduction of inspection and re-inspection fees.
- (4) Reduction of application fees for public hearings.
- (5) Reduction of any current or future impact fees.
- (6) Reduction of utilities deposit and/or incremental financing on rates based on forecasted load and/or consumption.
- (7) Acceleration of the plan review and permitting process.

(8) Reduction in Occupation Tax pursuant to O.C.G.A. 48-13-10(f)

(Ord. No. 2013-10, § 5, 7-1-2014)

Sec. 2-171. Business tier levels and thresholds.

Inducements may be offered to targeted businesses which meet the following threshold levels:

- (1) *Tier 1.* Targeted business adds at least 25 new jobs and the jobs pay an average salary at least three times the most recently published Federal Poverty Guidelines as calculated and prepared by the Office of Health Planning, Georgia Department of Community Health. For the purpose of this calculation use a Family Size of two for the Federal Poverty Guideline.~~1.25 times the County average for that industry.~~
- (2) *Tier 2.* Targeted business adds at least 100 new jobs and the jobs pay an average annual salary of at least three times the most recently published Federal Poverty Guidelines as calculated and prepared by the Office of Health Planning, Georgia Department of Community Health. For the purpose of this

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~~calculation use a Family Size of two for the Federal Poverty Guideline 1.25 times the County average for that industry or \$60,000.00 plus health benefits, whichever is greater.~~

(Ord. No. 2013-10, § 6, 7-1-2014)

Sec. 2-172. Consideration of State funding.

In determining whether to offer inducements, the City Manager may consider whether the targeted business has received a funding commitment from the State of Georgia contingent upon the business' relocation or expansion within the State of Georgia.

(Ord. No. 2013-10, § 7, 7-1-2014)

Sec. 2-173. Requirement for targeted business.

The targeted business must build a new building, purchase an existing building and renovate or make a lease commitment of at least three years for space within the City.

(Ord. No. 2013-10, § 8, 7-1-2014)

Sec. 2-174. Inducement conditional upon not relocating from City.

Any targeted business which receives any inducement under the provisions of this article shall agree to not relocate out of the City for the entire period during which the inducement is granted. Should the targeted business relocate outside the City or fall below 80 percent of any threshold requirement, the targeted business shall immediately reimburse the City for the full value of all inducements it received.

(Ord. No. 2013-10, § 9, 7-1-2014)

Sec. 2-175. Authority to sign agreements.

The City Manager or his designee is authorized to sign confidentiality agreements with prospective businesses pursuant to this article, provided that those confidentiality agreements are made subject to the provisions of the Georgia Open Records Act.

(Ord. No. 2013-10, § 10, 7-1-2014)

Secs. 2-176—2-203. Reserved.

ARTICLE VIII. BUDGET³

³Editor's note(s)—Ord. No. 2018-18, adopted Aug. 6, 2018, amended Art. VIII in its entirety to read as herein set out. Former Art. VIII, §§ 2-204—2-219, pertained to similar subject matter and derived from Code 2005, §§ 6-101—6-118; Ord. of 12-1-2008; Ord. No. 2017-1, 1-4-2017.

Sec. 2-204. Purpose.

The purpose of this article is to provide for a system of financial administration, accounting, fiscal, and budgetary control which conforms to generally accepted accounting practices.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-205. Responsibility.

The responsibility for the proper execution of the provisions of this article shall be with the City Manager or designee, except where the responsibility is explicitly given to the governing authority.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-206. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accrual basis means the basis of accounting under which revenues are recorded when earned or when levies are made, and expenditures are recorded as soon as the result in liabilities, notwithstanding that the receipt of the revenue or payment of the expenditure may take place, in whole or in part, in another accounting period.

Appropriation means an authorization granted by the legislative body to make expenditures or to incur obligations for specific purposes.

Appropriation balance means an unencumbered balance of appropriation or allotment, and unexpended balance of appropriation or allotment.

Assets means property of all kinds of a government, including both current assets and fixed assets.

Audit means the examination of records, documents, reports, systems of internal control, accounting and financial procedures, and other evidence for one or more of the following purposes:

- (1) To ascertain whether the statements prepared from the accounts present fairly the financial position and the results of financial operations of the constituent funds and balanced account groups of the governmental unit in accordance with generally accepted accounting principles applicable to governmental units and on a basis consistent with that of the preceding year;
- (2) To determine the propriety, legality and mathematical accuracy of a governmental unit's financial transactions;
- (3) To ascertain whether all financial transactions have been properly recorded; and
- (4) To ascertain the stewardship of public officials who handle and are responsible for the financial resources of a governmental unit.

Balance sheet means a statement ordinarily prepared from books kept by double entry showing assets, liabilities, reserves and surplus of a fund of a governmental unit at a specified date properly classified to exhibit financial position of the fund or unit at that date.

Budget means a plan of financial operation embodying an estimate of proposed expenditures for a given time and the proposed means of financing them. The annual budget refers to a period of one year.

Budgetary control means the control of management of a governmental unit in accordance with an approved budget and keeping expenditures within the limitations of available appropriations or revenues.

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Cash basis means the system of accounting under which revenues are accounted for only when received in cash, and expenditures are accounted for only when paid.

Contingent account means an appropriation to provide for unforeseen expenditures.

Current surplus means the excess of the current assets of a fund over its current liabilities and reserves.

Debit and *credit* are terms commonly used to indicate the manner in which a transaction is to be recorded. Every entry on the left side of the ledger sheet is called a debit. Every entry on the right side of the ledger sheet is called a credit.

Debt service means the amount of money necessary annually to pay the interest on the outstanding debt and the principal of maturing bonded debt not payable from a sinking fund and to provide a fund for the redemption of bonds payable from a sinking fund.

Delinquent taxes means taxes remaining unpaid on and after the date on which a penalty for non-payment is attached. Even though the penalty may be subsequently waived and a portion of the taxes may be abated or canceled, the unpaid balances continue to be delinquent taxes until abated, cancelled or converted into tax liens.

Encumbrances means obligations in the form of purchase orders, contracts or salary commitments which are chargeable to an appropriation and for which a part of the appropriations is reserved.

Fund means a sum of money or other resources (gross or net) set aside for the purpose of carrying on specific activities or to attain certain objectives in accordance with special regulations, restrictions, or limitations.

Internal audit means an audit made by persons on the staff on the governmental unit whose accounts are being audited primarily for the purpose of internal control. An internal audit is usually a continuous audit.

Liabilities refers to debts owed.

Millage.

- (1) The term "millage" is used to express the property tax rate. The term "millage" is derived from the term "mill," which is one-tenth of a cent. Thus, ten mills equals one cent or one percent.

0.001 = 1 mill or 1/10 cent

0.010 = 10 mills or 1 cent = 1%

0.100 = 100 mills or 10 cents = 10%

- (2) Millage is determined by dividing the total amount of money to be raised by the total assessed value of the Municipality.

Example:

Taxes needed: \$100,000.00

Assessed value: \$8,000,000.00

\$100,000.00 = 0.0125 or 12½ mills; or

\$8,000,000.00 = 1.25% or assessed valuation.

Taxes receivable means the uncollected portion of taxes which a governmental unit has levied.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-207. Fiscal year.

The fiscal year shall begin on July 1 and end on June 30.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-208. Date of adoption; balanced budget.

An annual budget will be adopted by the City Council prior to the first day of the fiscal year. If the budget is not adopted prior to the beginning of the fiscal year, a resolution authorizing the continuation of necessary and essential expenditures to operate the City shall be adopted prior to the beginning of the fiscal year. The proposed budget shall be prepared by the City Manager or designee and transmitted to members of the City Council for its review no later than May 1, before the required date of adoption. The budget shall be adopted by the City Council, in accordance with the City Charter. The budget, as adopted, shall be adopted in accordance with Georgia Law.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-209. Inspection.

At the time the proposed budget is transmitted to members of the governing authority, a copy of the proposed budget shall be made available for public inspection in the Office of the City Clerk during regular office hours.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-210. Public hearing.

A public hearing shall be held to give the public the opportunity to present written and oral comments upon a proposed budget. Notice of such public hearing shall be in accordance with Georgia Law.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-211. Adoption and amendment.

The adoption of the budget shall be accomplished by the approval of a budget resolution or ordinance which specified the anticipated revenues by appropriate categories and the appropriated expenditures for each department and each non-departmental expense and for each fund covered by the budget. Amendments to the budget shall be approved by resolution or ordinance.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-212. Publication.

Upon completion, a statement of revenues and expenditures shall be made available for public inspection on the City's website and in the Office of the City Clerk during regular business hours.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-213. Post-adoption changes.

Any increase in appropriation in a department budget or in a non-departmental expense category, whether accomplished through a change in anticipated revenues or through a transfer of appropriations among departments and non-department expenses, shall require the approval of the City Council.

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(Ord. No. 2018-18, 8-6-2018)

Sec. 2-214. Sinking funds.

No appropriation transfer shall be made from a sinking fund or debt retirement fund until all the legal obligations and requirements of such fund have been satisfied.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-215. Anticipated revenues.

The City Manager or designee shall present the statement of anticipated revenues on the basis of the ordinary and reasonable revenues which can be expected for the fiscal year. Property tax revenue estimates shall be based upon the anticipated tax digest, less a stated discount for delinquent taxes based on a consideration of the taxes which were delinquent at the close of the three prior fiscal years, plus a stated amount of delinquent taxes, including penalties and interest, to be collected in the fiscal year based on consideration of the actual experience in the collection of delinquent taxes in the three prior fiscal years.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-216. Surplus.

All appropriations, which are not obligated and not allocated in a Capital Fund, encumbered, or expended at the end of the fiscal year, shall lapse. Funds above the City's Reserve Policy may be appropriated for the next fiscal year.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-217. Accounting.

The City shall maintain financial records in accordance with Generally Accepted Accounting Practices (GAAP) as established by the Governmental Accounting Standards Board (GASB).

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-218. Financial reports.

Financial reports showing the current conditions of budgetary and proprietary accounts shall be prepared and presented to the governing authority at least every three months. No later than six months after the close of the fiscal year, a comprehensive annual financial report covering all funds and financial operations shall be prepared. A summary of this report containing at least a statement of revenues and expenditures as of the close of the preceding fiscal year and the combined balance sheet for all funds and account groups will be published in a newspaper of general circulation.

(Ord. No. 2018-18, 8-6-2018)

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Sec. 2-219. Audit.

All the funds, accounts and financial transactions of the City shall be subjected to an annual audit by an independent certified public accountant who is to be selected by the City Council. The audit shall be conducted according to the standards for local governments set forth in the American Institute of Certified Public Accountants.

(Ord. No. 2018-18, 8-6-2018)

Secs. 2-220—2-250. Reserved.

ARTICLE IX. PROCUREMENT⁴

DIVISION 1. GENERALLY

Sec. 2-251. Purpose.

The purpose of the City of Lawrenceville Procurement Ordinance is to:

- (1) Manage the procurement process in accordance with the law;
- (2) Spend tax payers' money wisely, efficiently, and fairly;
- (3) Meet the needs of City departments through continuous improvement of purchasing systems and procedures;
- (4) Establish a comprehensive plan for the purchase of goods and services for the City and its departments;
- (5) Protect against fraud and favoritism by providing fair and equitable treatment of all persons and entities involved in public purchasing;
- (6) Ensure that all segments of the business community are encouraged to contract with the City for goods and services;
- (7) Maximize the purchasing value of public funds in procurement, to the fullest extent practicable, while giving consideration to the lifetime cost as well as other factors needed to determine the best overall interest to the City;
- (8) Provide safeguards for the maintenance of a procurement system of quality and integrity; and
- (9) Provide guidelines for purchasing equipment, materials, supplies, and services for the operational requirements of the City of Lawrenceville that insure competitive and unbiased selection of vendors.

⁴Editor's note(s)—Ord. No. 2018-6 , adopted May 7, 2018, repealed former Art. IX, §§ 2-251—2-282, and enacted a new Art. IX as set out herein. Former Art. IX pertained to similar subject matter and derived from Ord. No. 2016-18; Ord. No. 2016-29, 12-5-2016; Ord. No. 2017-32, 12-4-2017.

State law reference(s)—Contracts by political subdivision concerning procurement of federal equipment, supplies or property, O.C.G.A., § 50-16-81; local political subdivisions purchased through state, O.C.G.A., § 50-5-100 et seq.; local authorities' preference for products produced in Georgia, O.C.G.A. § 50-5-61.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-252. Definitions.

Absolute value means the numerical value of an acquisition or change order request without regard to its sign.

Best and final offer means, in competitive negotiation, the final proposal submitted after negotiations are completed that contains the vendor's most favorable terms for price and services or products to be delivered.

Bid means submission of information from a bidder that describes the bidder's commodities or services, and any other information necessary to respond to the specifications and other requirements set forth in an Invitation to Bid.

Brand name or equal specification means a specification limited to one or more items by manufacturer's names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet City requirements, and which provides for the submission of equivalent products.

Brand name specifications means a specification limited to one or more items by manufacturers' names or catalogue numbers.

Business means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.

Change order means a written order signed by a person authorized to act on behalf of the City directing the contractor to make changes that the "Changes" clause of the contract authorizes.

Commodity means a discrete and distinct item of tangible personal property, including, without limitation, any such item which is intended to become an integrated part of another item of tangible personal property or of any improvement to real property.

Confidential information means any information which is available to an employee only because of the employee's status as an employee of the City and is not a matter of public knowledge or available to the public on request.

Contract means any agreement, purchase order, lease, or other document which creates or is intended to create binding reciprocal obligations including, without limitation, any document evidencing a bid or proposal award which has been accepted by the bidder.

Contractor means any person who is party to a contract.

Cooperative purchase means an arrangement whereby two or more public procurement units purchased from the same supplier using a single Invitation to Bid or Request for Proposal.

Intangible means incapable of being perceived by the senses.

Invitation to bid means all information and documentation disseminated by the City to solicit bids.

Offeror means any person who has submitted a bid or proposal to the City or otherwise offered to form a contract with the City.

Person means any individual or legal entity.

Professional service means a service consisting in material part of advice, evaluation, planning, design, or other effort involving the exercise of judgement, discretion, and knowledge, including, without limitation, a service provided by a person whose profession is licensed or regulated by the state or federal government.

Proposal means submission of information from a proposer (including a consultant) which states how that proposer intends to fulfill the specifications and other requirements described in a Request for Proposal.

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Qualified products list means an approved list of supplies, services or construction items described by model or catalogue numbers, which prior to competitive solicitation, the City has determined will meet the applicable specification requirements.

Request for Proposals means all information and documentation disseminated by the City to solicit proposals.

Responsible bidder means a person who has the capability in all respects to perform fully the contract requirements, and the experience, reliability, capacity, facilities, equipment and credit which will assure good faith performance.

Responsible bidder means a person who has submitted a bid or proposal that conforms in all material respects to the requirements set forth in the invitation to bids or Request for Proposals.

Services means the furnishing of labor, time or effort by a contractor that is not intended to accomplish the delivery of a specified tangible product other than reports which are merely incidental to the required performance, including, without limitation, a professional or consulting service.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-253. Eligibility.

Every new contractor, and any subcontractor that a contractor hires, must register with the Employment Eligibility Verification (EEV)/Basic Pilot Program, or E-Verify, in order to be eligible to perform work for the City. Contracts between the City and contractors, and between the contractors and their subcontractors, must be accompanied by sworn affidavits attesting to the affiant's registration with E-Verify and compliance with E-Verify's citizenship requirements. This requirement shall apply to all contracts for the physical performance of services for all labor or service contracts that exceed \$2,499.99 except for services performed by an individual who is licensed pursuant to Title 26, Title 43, or the State Bar of Georgia.

(Ord. No. 2018-6, 5-7-2018)

State law reference(s)—Political subdivisions required to use E-Verify, O.C.G.A. § 13-10-91.

Sec. 2-254. State income tax withholding.

The City will withhold six percent of any contractor or subcontractor's compensation for State income tax if the contractor or subcontractor fails to provide a taxpayer identification number, fails to provide a correct taxpayer identification number, or provides a taxpayer identification number issued for nonresidents.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-255. Competitive sealed bidding.

- (a) *Conditions for use.* All contracts of the City over \$100,000.00 shall be awarded by competitive sealed bidding except as otherwise provided in sections 2-256 through 2-263.
- (b) *Invitation for bids.* An invitation for bids shall be issued and shall include specifications, and all contractual terms and conditions applicable to the procurement.
- (c) *Public notice.* Adequate public notice of the invitation for bids shall be given a reasonable time, not less than 15 calendar days prior to the date set forth therein for the opening of bids. Such notice may include publication in a newspaper of general circulation a reasonable time prior to the bid opening. The public notice shall state the place, date, and time of the bid opening.

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- (d) *Receipt of bid.* No written bid shall be eligible for consideration by the City unless it is placed in a sealed envelope or package and actually received by the Purchasing Department by the date and time specified in the Invitation to Bid. All bids shall be stamped or annotated with the date and time of receipt and secured until the designated opening time. A bid delivered late shall under no circumstances be eligible for consideration by the City.
- (e) *Bid opening.* Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid together with the name of each bidder shall be recorded. The record shall be open to public inspection in accordance with state law.
- (f) *Bid acceptance and bid evaluation.* Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation unless it is set forth in the invitation for bids.
- (g) *Correction or withdrawal of bids; cancellation of awards.* Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for the bid opening. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. In lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:
 - (1) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
 - (2) The bidder submits evidence which clearly and convincingly demonstrates that a mistake was made. The bidder shall give notice in writing of his claim of right to withdraw his bid due to an error within two business days after the conclusion of the bid opening procedure.

All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Purchasing Manager.

- (h) *Award.* The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsive and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. In the event the low responsive and responsible bid exceeds available funds as certified by the appropriate fiscal officer, and such bid does not exceed such funds by more than five percent, the Purchasing Manager is authorized, when time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds. Any such negotiated adjustment shall be based only upon eliminating independent deductive items specified in the invitation for bids.
- (i) *Multi-step sealed bidding.* When it is considered impractical to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.
- (j) *Tie bids.* In the event two responsive bids are tied for the lowest price and the other terms and conditions of the two bids are substantially the same, the bid shall be awarded to the local firm if only one of the bidders has a current City business license and office located within the boundaries of the City of Lawrenceville. If both or neither of the tied bidders are local firms, the Purchasing staff shall request the firms' best and final offers, and the award shall be to the lowest bid. If both firms have the same price after best and final offer,

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then the bid award shall be made to the winner of a coin toss by Purchasing staff in a public session. Bidders will be invited to attend and one or more witnesses may be present.

- (k) *Approval by City Council.* All contracts exceeding \$100,000.00 shall be approved by City Council. Once the contract has been approved by the City Council, all expenditures made in accordance with the terms of the contract are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-256. Competitive sealed proposals.

- (a) *Conditions for use.* When the Purchasing Manager determines that the use of competitive sealed bidding or other procurement methods is either not practicable or not advantageous to the City, a contract may be entered into by use of the competitive sealed proposals method.
- (b) *Public notice.* Public notice shall be advertised as required by Georgia law. The public notice shall contain a general description of the item or service to be purchased, shall state the location where documents may be obtained and the date, time and place of proposal receipt. Notice of any required bonding and insurance shall be included in the public notice.
- (c) *Receipt.* No written proposal shall be eligible for consideration by the City unless it is placed in a sealed envelope or package and actually received by the Purchasing Department by the date and time specified in the Request for Proposals. All proposals shall be stamped or annotated with the date and time of receipt and secured until the designated opening time. A proposal delivered late shall under no circumstances be eligible for consideration by the City.
- (d) *Opening proposals.* Proposals shall be opened publicly in the presence of one or more witnesses on the date and at the time and place designated in the Request for Proposals. The name of each Proposer shall be announced.
- (e) *Proprietary information.* Information submitted by a Proposer that is specifically marked "proprietary" shall not be disclosed outside of the Purchasing Department without prior notification to the Proposer. The City of Lawrenceville is required to comply with the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. and therefore may not be able to protect information submitted in any response. Entire proposals may not be deemed "proprietary."
- (f) *Evaluation.* Each proposal shall be evaluated to determine whether it is responsive to the specifications and other terms and conditions contained in the Request for Proposals. With the approval of the Purchasing Associate named in the solicitation, the evaluating team may communicate with each proposer to clarify and amplify each Proposer's proposal. No information concerning any other Proposer's proposal shall be communicated in any way to the Proposer. Additional information may be requested of Proposers. The Purchasing Department will initiate such requests.
- (g) *Discussion with responsible offerors and revisions to proposals.* As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to ensure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.

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- (h) *Award.* Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.
 - (i) *Approval by City Council.* All contracts exceeding \$100,000.00 shall be approved by the City Council. Once the contract has been approved by the City Council, all expenditures made in accordance with the terms of the contract are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.
- (Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-257. Informal purchases.

- (a) *Conditions for Use.* Those purchases anticipated to be under \$100,000.00 that do not justify the administrative time and expense for the conduct of competitive sealed bids or proposals. The Purchasing Manager is authorized to establish the methods and procedures to be used in handling informal purchases such as, but not limited to, telephone requests, e-mail requests, or informal written requests. Unless otherwise specifically provided, such purchases will be obtained competitively through informal written solicitations.
- (b) *General.* Procurements that involve amounts less than \$100,000.00 do not require a formal sealed bid/proposal process. However, the processes used for this type of procurement will include as much competition as is consistent with the anticipated cost of the procurement and the best interest of the City. The formal sealed bid/proposal process may still be exercised with an informal purchase if deemed in the best interest of the City.
- (c) *Prohibition of improper use.* Purchases may not be artificially divided as to constitute an informal purchase, thereby circumventing the dollar limit requirement for competitive sealed bids/proposals or applicable approvals.
- (d) *Small purchases between 1,000.00 and \$5,000.00.* Insofar as it is practical for small purchases between \$1,000.00 and \$5,000.00, no less than three businesses shall be solicited to submit quotations unless adequate source supply is not available. Award shall be made to the business offering the lowest acceptable quotation. The names of the businesses submitting quotations, and the date and amount of each quotation, shall be recorded and maintained as a public record.
- (e) *Small purchases of \$1,000.00 or less.* The City Manager shall adopt operational procedures for making small purchases of \$1,000.00 or less. Further, such operational procedures shall require the preparation and maintenance of written records adequate to document the competition obtained, properly account for the funds expended, and facilitate an audit of the small purchases made.
- (f) *Approval by City Council.* Regardless of procurement method, all purchases exceeding \$100,000.00 shall be approved by City Council. Once the purchase has been approved by the City Council, all expenditures made in accordance with the terms of the purchase are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.
- (g) *Approval by City Manager.* Regardless of procurement method, all purchases between \$5,000.00 and \$100,000.00 shall be approved by the City Manager or his/her designee.
- (h) Approval ~~and signing of contracts by Purchasing Manager.~~ Contracts and agreements required by a purchase of less than \$100,000.00 shall be authorized to be approved and signed by the Purchasing Manager for values of \$10,000.00 or less and the City Manager or his/her designee for purchases over \$10,000.00.

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~~Contracts for purchases over \$100,000.00 require City Council approval prior to signing. Regardless of procurement method, all purchases between \$1,000.00 and \$5,000.00 shall be approved by the Purchasing Manager.~~

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-258. Exemptions.

- (a) Professional services are exempt from the provisions of this purchasing policy. The term "professional services" shall mean services rendered by accountants, engineers, architects, physicians, lawyers and other professions as defined by the laws of the State of Georgia.
- (b) Real property, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property and other related costs of acquisition of real property.
- (c) Dues and membership fees.
- (d) Public works construction contracts to the extent governed by O.C.G.A. § 36-91-1 et seq.
- (e) Advertisements and legal advertisements that are required by law to publicly advertise meetings or actions in the legal organ.
- (f) Intangible repairs that are cost prohibitive to seek competitive quotations.
- (g) Subscriptions.
- (h) Utilities, where there is no reasonable basis for competitive procurement, for example electric power, water, and sewerage.
- (i) Training, travel, lodging or meal expense covered by other City policies and regulations.
- (j) Entertainment services for City-sponsored events.
- (k) Proprietary maintenance and software agreements.
- (l) Works of art or other creative/artistic endeavors that require a demonstrated skill or talent to include, but not limited to, artists, musicians, and writers.
- (m) The procurement of employee benefits that are procured through a quotation and negotiating process conducted by an expert on behalf of the City (i.e., broker).

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-259. Sole source procurement.

Based upon evidence that a particular commodity or service may be obtained from only one source and no similar commodity or service available from a different source will adequately meet an acquiring department's requirements and specifications, the City Manager may decide that the commodity or service be purchased sole source or by brand name based upon supporting documentation from the requesting department. Supporting documentation will be reviewed by the Purchasing Department and findings will be presented to the City Manager. Requesting department shall present any sole source procurement over \$50,000.00 for approval by the City Council in an officially called public meeting. A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the items procured under each contract, and the identification number of each contract file.

(Ord. No. 2018-6, 5-7-2018)

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Sec. 2-260. Emergency procurements.

Notwithstanding any other provisions of this article, the City Manager may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, safety, or to the soundness and integrity of public property or to the delivery of essential services and where the adverse effects of such emergency may worsen materially with the passage of time provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file and shall be submitted for approval to the City Council as a consent agenda item at the next meeting following the emergency procurement. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the items procured under the contract, and the identification number of the contract file.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-261. Cooperative purchases.

The City may participate in a cooperative purchase for commodities, supplies and services when determined that it is in the best interest of the City. The sponsoring entity, whether federal, state, local, or non-profit must have performed a competitive procurement process and entered into a contract that stipulates allowance for other governmental entities to purchase from the supplier at the same price and under the same terms and conditions as extended to itself. If such arrangement has not been made a part of the contract, written permission from the sponsoring entity and the awarded supplier must be obtained. Documentation to substantiate this decision will be maintained by the Purchasing Department.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-262. Governmental and affiliated entity purchases.

The City may purchase services and incidental commodities from other federal, state or local governments, associations and non-profit organizations when determined to be in the best interest of the City. Documentation to substantiate this decision will be maintained by the Purchasing Division.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-263. Change orders and contract modifications.

- (a) *General provisions.* Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the City Council. Once approved by City Council the amount of the contract shall be reset and additional change orders and contract modifications as hereinafter authorized shall use the new total value, including the original and any changes approved by Council, as the base amount of the contract.
- (b) *City Manager authority.* The City Manager or his/her designee shall have authority to approve all purchases and change orders to purchase orders and contracts collectively up to an absolute value of \$100,000.00 over the base amount as approved by City Council.
- (c) *Purchasing Manager authority.* The Purchasing Manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of \$5,000.00.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

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Sec. 2-264. Standardization ~~Committee.~~

~~A Standardization Committee shall be established and be comprised of members (selected from user departments by the City Manager, Deputy City Manager and the Purchasing Manager) who shall serve for a two-year staggered term. The Committee shall meet periodically to review standardization of commodities, review products for a Qualified Products List, and review requests for exception to establish standards. The Committee will report to the City Manager to make recommendations on commodities to be presented to City Council for approval. The maximum length of a standardization shall be seven years. For efficient operations, departments may standardize equipment or supplies. Requests to standardize equipment or supplies shall be submitted to the Purchasing Manager. The requests shall be submitted on the Request to Standardize form created by the Purchasing Manager. The Purchasing Manager shall review the request and document any alternatives not considered. The Request to Standardize Form and Purchasing Manager Review shall be submitted to the Chief Financial Officer to determine the financial impact. The Chief Financial Officer shall submit the Request to Standardize and financial implications to the City Manager for approval. If approved, the standardization shall be reviewed every seven years.~~

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-265. Cancellation of invitations for bids or request for proposals.

An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the City. The reasons therefor shall be made part of the contract file. Each solicitation issued by the City shall state that the solicitation may be canceled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the City. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any resolicitation or any future procurement of similar items. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-266. Vehicle purchases.

Competitive procurement methods shall be used for all vehicle purchases. The Purchasing Director shall work with departments to determine the appropriate procurement method to ensure the best value for the City. Once the solicitation process is complete, the City Manager shall be authorized to approve the purchase of replacement and new vehicles as long as the total expenditure shall not exceed the cumulative approved budget amount in any fiscal year without seeking additional or specific approval of the City Council. For the purposes of this section, the term "vehicle" means automobiles, motorcycles, heavy equipment, heavy machinery, trailers and similar items.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2020-4, 8-24-2020)

Secs. 2-267—2-277. Reserved.

DIVISION 2. PROCUREMENT FOR FEDERAL AID HIGHWAY PROGRAM FUNDING PROJECTS

(Supp. No. 9)

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Sec. 2-278. Purpose.

The purpose of this chapter is to set forth the City of Lawrenceville Policy for Competitive Negotiation Qualifications-based Selection for Projects Using Federal Aid Highway Program (FAHP) Funding.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-279. General policy.

(a) *Competitive negotiation.* Except as provided in sections 2-280 and 2-281, the City shall use the competitive negotiation method for the procurement of engineering and design related services when FAHP funds are involved in the contract (as specified in 23 U.S.C. § 112(b)(2)(A)). The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for architectural and engineering services codified under 40 U.S.C. §§ 1101—1104, commonly referred to as the Brooks Act.

(b) *Application of competitive negotiation method procedures.* In accordance with the requirements of the Brooks Act, the following procedures shall apply to the competitive negotiation procurement method:

(1) *Solicitation.* The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of the contract. Procurement procedures may involve a single step process with issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with issuance of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.

(2) *Request for proposal (RFP).* The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:

- a. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies;
- b. Identify the requirements for any discussions that may be conducted with three or more of the most highly qualified consultants following submission and evaluation of proposals;
- c. Identify evaluation factors including their relative weight of importance in accordance with subsection (c) of this section;
- d. Specify the contract type and method(s) of payment to be utilized in accordance with 23 CFR 172.9;
- e. Identify any special provisions or contract requirements associated with the solicited services;

- f. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase; and
- g. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.

(3) *Evaluation factors.*

- a. Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.
- b. Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.
- c. In-state or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.
- d. The following non-qualifications based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:
 - 1. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
 - 2. The participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants may be used as a nominal evaluation criterion where appropriate in accordance with 49 CFR Part 26 and the City of Lawrenceville's FHWA-approved DBE program.

(4) *Evaluation, ranking, and selection.*

- a. Consultant proposals shall be evaluated by the City based on the criteria established and published within the public solicitation.
- b. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.

- c. Following submission and evaluation of proposals, the City shall conduct interviews or other types of discussions determined three of the most highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in response to the RFP. Discussion requirements shall be specified within the RFP and should be based on the size and complexity of the project as defined in City written policies and procedures (as specified in 23 CFR 172.5(c)). Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain sufficient information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.
- d. From the proposal evaluation and any subsequent discussions which have been conducted, the City shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.
- e. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
- f. The City shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant accordance with the provisions of 49 CFR 18.42.

(5) *Negotiation.*

- a. *Independent estimate.* Prior to receipt or review of the most highly qualified consultant's cost proposal, the City shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
- b. Elements of contract costs (e.g., indirect cost rates, direct salary or wage rates, fixed fee, and other direct costs) shall be established separately in accordance with 23 CFR 172.11.
- c. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
- d. The City shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the contract in accordance with the provisions of 49 CFR 18.42. This documentation shall include the consultant cost certification and documentation supporting the acceptance of the indirect cost rate to be applied to the contract (as specified in 23 CFR 172.11(c)).

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-280. Informal purchases.

The informal purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed and the total contract costs do not exceed the established informal purchase threshold. The City may use the State's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the Federal simplified acquisition threshold (as specified in 48 CFR 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower

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threshold shall apply to the use of FAHP funds. The following additional requirements shall apply to the small purchase procurement method:

- (1) The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
- (2) A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
- (3) Contract costs may be negotiated in accordance with State small purchase procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.
- (4) The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid funding. The FHWA may withdraw all Federal-aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-281. Noncompetitive.

The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:

- (1) The City may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable Federal requirements.
- (2) The City shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
- (3) Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following:
 - a. The service is available only from a single source;
 - b. There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
 - c. After solicitation of a number of sources, competition is determined to be inadequate.
- (4) Contract costs may be negotiated in accordance with the City noncompetitive procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-282. Additional procurement requirements.

(a) *Common grant rule.*

- (1) The City must comply with procurement requirements established in State and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36).
- (2) When State and local procurement laws, regulations, policies, or procedures are in conflict with applicable Federal laws and regulations, the City of Lawrenceville must comply with Federal

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requirements to be eligible for Federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR 18.4).

(b) *Disadvantaged Business Enterprise (DBE) program.*

- (1) The City shall give consideration to DBE consultants if required by the use of state and federal funds in the procurement of engineering and design related service contracts subject to 23 U.S.C. 112(b)(2) in accordance with 49 CFR 26. When DBE program participation goals cannot be met through race-neutral measures, additional DBE participation on engineering and design related services contracts may be achieved in accordance with the City of Lawrenceville's FHWA approved DBE program through either:
 - a. Use of an evaluation criterion in the qualifications-based selection of consultants (as specified in 23 CFR 172.7(a)(1)(iii)(D)); or
 - b. Establishment of a contract participation goal.
- (2) The use of quotas or exclusive set-asides for DBE consultants is prohibited (as specified in 49 CFR 26.43).

(c) *Suspension and debarment.* The City must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR 18.35 and 2 CFR 180.

(Ord. No. 2018-6, 5-7-2018)

Secs. 2-283—2-298. Reserved.

ARTICLE X. CDBG FUNDS

Sec. 2-299. Purchasing requirements.

The City Manager shall ensure that the purchase of equipment, supplies and/or services relating to the expenditure of federal CDBG funds shall follow federal requirements in accordance with the Common Rule, 24 CFR Part 85 to the CDBG Entitlement Program.

(Code 2005, § 7-101)

Chapter 2 ADMINISTRATION¹

ARTICLE I. IN GENERAL

Sec. 2-1. Exercise of governmental authority.

The corporation governmental powers of the City shall be exercised by the Council in the manner provided by the Charter and by the provisions of this chapter.

(Code 2005, § 3-101)

Sec. 2-2. Code of Ethics.

(a) *Code of Ethics for City employees.*

- (1) *Prohibited conduct.* Employees of the City shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts between their private self-interest and the public interest. Prohibited conduct of each such employee shall include, but not be limited to, the following:
- a. Requesting, using, or permitting the use of any publicly owned or publicly supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of themselves or any other person, except as otherwise allowed by law;
 - b. Engaging in private employment with, or rendering services for, any private person who has business transactions with the City, unless they have notified their Department Director and the Human Resources Director in writing of the nature and extent of such employment or services;
 - c. Appearing on behalf of any private person, other than themselves, before any public body in the City;
 - d. Accepting gifts with a value of more than \$100.00, whether in the form of money, things, favors, loans, or promises, that would not be offered or given to them if they were not an employee
 - e. Disclosing any confidential information concerning any official or employee, or any other person, or any property or governmental affairs of the City, without prior formal authorization of the governing body;

¹Editor's note(s)—Articles II and III of the city Charter exhaustively set the administrative and governmental structure of the city.

State law reference(s)—Supplemental powers of municipalities and counties enumerated, Ga. Const. art. IX, § II, ¶ III; municipal corporations generally, O.C.G.A. § 36-3-1 et seq.; powers of municipal corporations generally, O.C.G.A. § 36-34-1 et seq.; powers relating to administration of municipal government generally, O.C.G.A. § 36-34-2; provisions applicable to counties and municipalities, O.C.G.A. § 36-60-1 et seq.; provisions applicable to counties and municipal corporations, O.C.G.A. § 36-80-1 et seq.

- f. Using or permitting the use of confidential information to advance the financial or personal interest of themselves or any other person; or
 - g. Appointing of any person related to them by blood or marriage to fill an office, position, employment, or duty, when the salary, wages, pay, or compensation is to be paid out of public funds.
- (2) *Hearings and determinations.* If an employee is found guilty of an ethics violation, a name clearing hearing shall be held as described in the City of Lawrenceville Personnel Policy.
- (b) *Code of Ethics for City Officials.*
- (1) *Definitions.* As used in this section, the following words shall have the meaning ascribed to them below (unless otherwise required by context):
- a. *Benefit* means anything of monetary value that a reasonably prudent person would recognize as being likely to be intended to influence a City of Lawrenceville Official in the performance or non-performance of an official action.
 - b. *Confidential information* means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as a public servant, and which information is not available to members of the public under the Georgia Open Records Act or other law or regulation and which the public servant is not authorized to disclose, including:
 - 1. Any written information that could lawfully be exempted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or pursuant to some other pertinent law, policy or procedure;
 - 2. Any non-written information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure; and
 - 3. Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy or procedure; however, when such information is also available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels.
 - c. *Entity* means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.
 - d. *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City of Lawrenceville Official related by blood, adoption, or marriage. The relationship by marriage shall include in-laws.
 - e. *City of Lawrenceville Official* means the members of the City Council, Municipal Court Judges (including substitute judges), City Manager, , Assistant City Manager(s), Public Works Director, Police Chief, Chief Communications Officer, City Clerk, Assistant City Clerk, City Attorney, Chief Financial Officer and all other persons holding positions designated by the City Charter. The term City Official also includes all individuals appointed by the City Council to all City authorities, boards, commissions, committees, task forces, or other bodies unless specifically exempted from this article by the City Council.

- f. *Interest* means any personal pecuniary benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the City.
- g. *Incidental interest* means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.
- h. *Partner in interest* means, when used in this article in connection with a public servant, as in the phrase "a public servant or a partner in interest," any and all of the following:
 - 1. A member of the public servant's immediate family;
 - 2. A business with which the public servant or a member of the public servant's immediate family is associated;
 - 3. Any other person with whom the public servant or a member of their immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the subject of an official action by or with the City. The term "partner in interest" does not imply or require any form of legal partnership or formal agreement; or
 - 4. When used in the phrase "a public servant or partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.
- i. *Remote interest* means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general City fees, City utility charges, comprehensive zoning ordinance, or similar matters is deemed remote to the extent that the official would be affected in common with the general public.
- j. *Substantial interest* means an interest, either directly or through a member of the immediate family, in another person or entity, where:
 - 1. The interest is as follows:
 - (a) Ownership of five percent or more of the voting stock, shares or equity of the entity; or
 - (b) Ownership of \$5,000.00 or more of the equity or market value of the entity.
 - 2. The funds received by the person from the other person or entity during the previous 12 months either equal or exceed:
 - (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or ten percent of the recipient's gross income during that period, whichever is less;
 - (b) The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or which entity receives an amount of \$5,000.00 or more; or

- (c) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.
- (2) *Principal policies.* The public trust requires public servants to fulfill their duties faithfully and honestly and to subordinate any personal interest, which conflicts with the public interest. A public servant is a trustee of the people and should strive to further the general welfare of the public and not use his/her public office or position to unethically improve their own private standing. The principal policies that form the foundation of this Code of Ethics are as follows:
- a. The trust of citizens in their government is cultivated when individual public servants act with integrity and when the public is aware that its servants act with integrity.
 - b. The constitutions, laws and regulations of the United States and the State of Georgia and ordinances of the City of Lawrenceville should be upheld as a minimum standard of conduct.
 - c. The most effective way to eradicate unethical practices is to consistently act with the highest moral principles and react appropriately to the ethical decisions of others.
 - d. City of Lawrenceville Officials should exercise sound judgment and apply ethical principles in making decisions that in any manner reflect upon their elected office.
 - e. All citizens should be treated with courtesy, impartiality and equality.
- (3) *Intent.* It is the intent of this Code of Ethics that City of Lawrenceville officials shall not knowingly engage in any activity that is incompatible with the proper discharge of their official duties or which would tend to impair their judgment or actions in the performance of their official duties. Furthermore, City of Lawrenceville Officials should avoid any action that might result in or create the appearance of:
- a. Using public office or position in an unethical manner for private gain;
 - b. Impeding City of Lawrenceville efficiency or economy; or
 - c. Affecting adversely the confidence of the public in the integrity of those who conduct the affairs and business of the City of Lawrenceville.
- (4) *Conduct.*
- 1. Expected
 - a. City of Lawrenceville Officials shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and;
 - b. City of Lawrenceville Officials shall avoid both actual and potential conflicts between their private self-interest and the public interest.
 - c. *Disclosure.* City of Lawrenceville Officials shall disclose the nature of any substantial interest they have in a matter at the time such matter is presented to the City Council for discussion and/or action. Such disclosure shall be recorded into the minutes of the meeting and become part of the public record.
 - d. *Duty to leave meeting.* To avoid the appearance of impropriety, after any member of the City Council or Council appointed Board or Committee member is determined to have a substantial interest or a potential substantial interest in any matter, they shall leave their regular seat as a member of the City Council or Council appointed Board or Committee and not return to it until deliberation and action on the matter is completed. Provided, however, that such official shall not be precluded from addressing

an appointed Council Board or Committee or the City Council during the discussion of any agenda item or any official act or action in the same manner as a member of the general public.

2. Prohibited

- a. City of Lawrenceville Officials shall not have a substantial interest that conflicts with their responsibilities and duties as trustees of the public good; or
- b. City of Lawrenceville Officials shall not directly or indirectly engage in financial transactions as a result of, or primarily rely upon, confidential information obtained in the course of their office or received due to their position.
- c. *Acceptance of gifts.* City of Lawrenceville Officials shall not solicit or accept, directly or indirectly, any benefit or payment from any person, corporation or group that has, or is seeking to obtain, a contractual or other business or financial relationship with the City of Lawrenceville.
 - 1. The above prohibitions shall not apply in the case of:
 - (a) Occasional nonmonetary gift(s) of insignificance or trinkets or gifts, such as a calendar, memento or pen, received in the normal course of business with a value of/or less than \$100.00.(b) Award publicly presented in recognition of public service;
 - (c) Transaction authorized by and performed in accordance with O.C.G.A. § 16-10-6 as now or hereafter amended;
 - (d) A commercially reasonable loan or other financial transaction made in the ordinary course of business by an institution or individual authorized by the laws of the State of Georgia to engage in the making of such loan or financial transaction;
 - (e) Campaign contributions made and reported in accordance with State of Georgia laws;
 - (f) Items listed under O.C.G.A. § 16-10-2 that are specifically itemized as "a thing of value shall not include" as now or hereafter amended;
 - (g) Promotional items generally distributed to the general public or to public officials; or
 - (h) Food, beverage, admission or expenses afforded City Officials, members of their immediate families, or others that are associated with normal and customary business or social functions, activities, or events.
- d. *Use of public property.* City of Lawrenceville Officials shall not use City of Lawrenceville property of any kind for other than officially approved activities, nor shall they direct a City of Lawrenceville employee to use such property for other than official purposes.
- e. *Use of confidential information.* City of Lawrenceville Officials shall not directly make use of, or permit others to make use of, for the purpose of furthering a private interest, City of Lawrenceville information not made available to the general public.
- f. *Coercion.* City of Lawrenceville Officials shall not use their position in any way to coerce, or give the appearance of coercing:
 - 1. Another person to provide any benefits to themselves or to their immediate family as defined herein;

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2. A City of Lawrenceville employee, an appointed official of the City of Lawrenceville, or a contract employee to provide any benefit to themselves or to their immediate family as defined herein; or
 3. Any judge in the outcome of matters before the court.
- g. *Purchases.* City of Lawrenceville Officials shall not order any goods or services for the City of Lawrenceville or on behalf of the City of Lawrenceville without proper authorization in compliance with the City of Lawrenceville Code.
 - h. *Conflicts of interest.* City of Lawrenceville Officials shall not represent private interests, other than their own, in any action or proceeding against the City of Lawrenceville or any portion of its government; or vote or otherwise actively participate in the negotiation or the making of any contract between the City of Lawrenceville government and any business or entity in which they have a substantial interest. City of Lawrenceville Officials shall not enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law.
 1. This prohibition shall not be applicable to the professional activities of the City Attorney in their work as an independent contractor and legal advisor on behalf of the City.
 2. This prohibition shall not be applicable to an otherwise valid employment contract between the City and a City Official who is not elected (such as, by way of example, a City Manager).
 3. Any official who has a proprietary interest in an entity doing business with the City shall make that interest known in writing to the City Council and the City Clerk.
 - i. *City of Lawrenceville employees.* City of Lawrenceville Officials shall not use a City of Lawrenceville employee for personal or private business during regular business hours or during the employee's scheduled shift.
 - j. *Travel expenses.* City of Lawrenceville Officials shall not draw per diem or expense money from the City of Lawrenceville to attend a seminar, convention, conference or similar meeting and then fail to attend the seminar, conference, convention or similar meeting without promptly reimbursing the City thereafter.
 - k. *Commitments.* City of Lawrenceville Officials shall not act or create the appearance of acting on behalf of the City of Lawrenceville by promising to authorize or prevent any future official action of any nature, without proper authorization.
 - l. *False statements.* City of Lawrenceville Officials shall not make an intentionally false or materially misleading statement or in any manner commit fraud in relation to any City of Lawrenceville or public business.
 - m. *Deliberation and vote prohibited.* City of Lawrenceville Officials shall not participate in a City of Lawrenceville Council appointed Board, Committee or Council meeting during the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item, or any official act or action in which he or she has a substantial interest. Provided, however, that such officials shall not be precluded from addressing a Council appointed Board, Committee or the City Council during the discussion of any agenda item or any official act or action in the same manner as a member of the general public. Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City Official may participate in the vote or decision and need not disclose the interest.

(5) Ethics Hearings

- a. *Ethics hearing officer.* The Chief Judge of Municipal Court, or, in their absence, their designee who shall be another municipal court judge, or if no municipal court judge is available, the City Attorney, is hereby designated as the Ethics Hearing Officer. The Ethics Hearing Officer shall serve without compensation and may be removed for cause by a majority vote of the City Council. If the hearing officer is removed for cause, the next most senior Municipal Court Judge or the City Attorney shall serve as hearing officer.

- b. *Receipt of complaints.* All complaints against a City of Lawrenceville Official shall be filed in writing with the City Clerk to be referred to the Ethics Hearing Officer in such form as may be prescribed by the Ethics Hearing Officer. All complaints shall be submitted and signed under oath, shall be legibly drawn, and shall clearly address matters within the scope of this ordinance. Upon receipt of a complaint in proper form, the City Clerk will deliver a copy of the complaint to the Ethics Hearing Officer, who shall:
 - 1. Review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke disciplinary action or is to be considered for further investigation.
 - 2. Be empowered to dismiss those complaints that are unjustified, frivolous, patently unfounded or that fail to state facts sufficient to constitute a violation of this article; provided, however, that a rejection of such complaint by the Ethics Hearing Officer shall not deprive the complaining party of any action he or she might otherwise have at law or in equity against the City of Lawrenceville Official.
 - 3. Notify the City of Lawrenceville Official charged in the complaint as soon as practicable but in no event later than seven calendar days after receipt of a verified complaint.
 - 4. Be empowered to collect evidence and information concerning any complaint and to add to the findings and results of its investigation to the file containing such complaint.
 - 5. Be empowered to conduct probable cause investigations, to take evidence and hold hearings. The Ethics Hearing Officer shall give the City of Lawrenceville Official notice and an opportunity for a hearing.
 - 6. Be empowered to recommend to the City Council that any City of Lawrenceville Official found to have violated any provision of this article receive a reprimand, censure or be requested to resign their office.
 - 7. Be empowered to refer a complaint to the appropriate law enforcement agent or agency for investigation and possible prosecution.
 - 8. Take action within 60 days of receipt of the complaint. The decision by the Ethics Hearing Officer shall be reduced to writing and served upon all parties of interest within five days of reaching a decision.
 - 9. The Ethics Hearing Officer shall appear in a public hearing before the City Council to present argument and evidence to justify the recommendation contained in paragraph (6) above and make a recommendation of the proper penalty to be imposed. The City Council shall have the final authority to act on or reject the recommendation within 30 days of the presentation by the Hearing Officer.

- c. *City Council action.* Within 30 days following the presentation of the findings of the Ethics Hearing Officer, the City Council shall have the final authority to act on or reject the recommendations of the Ethics Hearing Officer. If the subject of the complaint is a member of the City Council, he or she will not be allowed to vote pursuant to this section or participate in

any discussion related thereto. Nor shall such position be counted for the purpose of establishing a quorum for this particular purpose.

- d. *Penalties.* Upon majority vote of the City Council, any violation of this Code of Ethics shall subject the offender to disciplinary action including reprimand, censure, or a request to the offending City of Lawrenceville Official that he or she resign their office.
- e. *Right to appeal.* Any City of Lawrenceville Official adversely affected by a disciplinary action taken by the City Council may appeal the decision to the Gwinnett County Superior Court in accordance with the laws of the State of Georgia. Provided, however, that no action of the Hearing Officer refusing or failing to take action pursuant to this Code of Ethics shall be reviewable by the Superior Court.
- f. *Election tolling.* To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a City official, whether currently serving as a City official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

(Code 2005, § 3-102; Ord. No. 2018-4 , 3-21-2018; Ord. No. 2021-10 , 10-25-2021)

Sec. 2-3. Administrative policy and procedures.

- (a) *Officers.* Each employee shall perform all duties required of his office by State law, the Charter, and this Code, and such other duties not in conflict therewith as may be required by the City Manager, or such other official as designated by the Council or in the Charter.
- (b) *Department directors.* All department directors shall:
 - (1) Be responsible to the City Manager for the effective administration of their respective department and all activities assigned thereto;
 - (2) Keep informed as to the latest practices in their particular field and inaugurate, with the approval of the City Manager, such new practices as appear to be of benefit to the service and to the public;
 - (3) Have power, when authorized by the City Manager, to appoint and remove, subject to personnel regulations, all subordinates under him; and
 - (4) Be responsible for the proper maintenance of all City property and equipment used in their respective departments.
- (c) *Departments.* Each department shall cooperate with every other department and shall furnish, upon the direction of the City Manager, any other department such service, labor, and materials as may be requisitioned by the director of each department, as its own facilities permit.
- (d) *Records.* All municipal records, except those which by order of a State court are prohibited from being open to public inspection, shall be open for public inspection as provided by the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq.

(Code 2005, § 3-1013)

Secs. 2-4—2-25. Reserved.

ARTICLE II. THE MAYOR AND CITY COUNCIL GENERALLY

Sec. 2-26. Qualifications for office.

The qualification fee for candidates filing a notice of candidacy in any general or special election shall be set by the Mayor and Council in accordance with State law. Fees are covered in Elections portion of the Code, Chapter 16. Qualifications for office are set out in the City of Lawrenceville Charter.

Sec. 2-27. Meetings.

The City Council shall hold regular meetings as prescribed annually by ordinance ordered by the City Council. The City Council shall hold work session meetings as prescribed annually by ordinance ordered by the City Council. A special called meeting of the City Council may be convened at any time in accordance with Georgia law. All meetings at which official actions are to be taken shall be open to the public in accordance with the Open Meetings Act, O.C.G.A. § 50-14-1 et seq.

(Code 2005, § 3-203; Ord. of 11-13-2019(1))

Sec. 2-28. Standing committees.

The Mayor shall appoint standing committees to be composed of members of the City Council should he so desire.

(Code 2005, § 3-204)

Sec. 2-29. Rules for the conduct of business.

Robert's Rules of Order, may be used as a guide to govern the conduct of Council meetings.

(Code 2005, § 3-205)

Sec. 2-30. Compensation.

The Mayor and Councilmembers shall be compensated in the amount as established from time to time pursuant to law.

(Code 2005, § 3-207)

Secs. 2-31—2-48. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES²

²Editor's note(s)—Ord. No. 2018-5, adopted May 7, 2018, repealed former Art. III, §§ 2-49—2-52, and enacted a new Art. III as set out herein. Former Art. III pertained to similar subject matter and derived from Code 2005, §§ 3-204, 3-401; Ord. of 8-1-2011.

Sec. 2-49. City Attorney.

- (a) *Appointment and qualifications.* The City Attorney shall be appointed by City Council, and shall serve at the pleasure of the City Council. No person shall be so appointed unless he is a member in good standing of the State Bar of Georgia and has been actively engaged in the practice of law for at least three years preceding his appointment.
- (b) *Oath.* Before entering upon the duties of his office, the City Attorney shall take the oath prescribed by this Code for City officers.
- (c) *Powers and duties.* The City Attorney shall be the legal advisor and representative of the City and in such capacity shall:
 - (1) Advise the City Council or its committees or any City Official, when thereto requested, upon all legal questions arising in the conduct of City business;
 - (2) Prepare or revise ordinances when so requested by the City Council or any City Official;
 - (3) Give his opinion upon any legal matter or question submitted to him by the City Council, or any of its committees, or by any City Official;
 - (4) Prepare for execution all contracts and instruments to which the City is a party and approve, as to form, all bonds required to be submitted to the City;
 - (5) Prepare, when authorized by the City Council, all charges and complaints against, and appear in the Municipal Court in the prosecution of, every person charged with a violation of this Code or of a City ordinance or of any regulations adopted under authority of the Charter, and see to the full enforcement of all judgments or decrees rendered or entered in favor of the City;
 - (6) Defend any and all suits and actions at law or equity brought against the City unless otherwise directed by the City Council;
 - (7) Make immediate report to the City Council of the outcome of any litigation in which the City has an interest;
 - (8) Make an annual report to the City Council of all pending litigation in which the City has an interest and the status thereof;
 - (9) Keep complete and accurate records of the following, which records shall forever remain the property of the City:
 - a. All suits in which the City had or has an interest, giving the names of the parties, the nature of the action, the disposition of the case or its status, if pending, and the briefs of counsel; and
 - b. All written opinions prepared by the City Attorney and all certificates or abstracts of titles furnished by him to the City, or any department or official thereof; and
 - (10) Render such other legal services as may be required by the City Council.
- (d) *Compensation.* The City Attorney shall submit to the City Clerk bills on a regular basis, itemizing the type of work performed, date, and number of hours he/she was so engaged.

(Ord. No. 2018-5, 5-7-2018)

Sec. 2-50. City Manager.

The City Manager shall have the following powers and duties:

- (1) To be responsible for supervising all paid employees of the City.
 - a. The City Manager shall have the authority to supervise all City employees, and this authority shall include the ability to hire, discipline or dismiss any such employee within the limits created under the City's personnel policies.
 - b. The City Manager shall be responsible for the supervision and control of the City Clerk, and all employees reporting to the City Clerk. Actions of the City Manager regarding hiring, disciplinary and termination decisions related to the City Clerk shall be submitted for prior approval by the City Council.
- (2) To sign and execute deeds and bonds of the City duly authorized by the City Council and permitted by the City Charter or by State law.
- (3) To investigate, examine, or inquire into, either personally or by any employee or person designated by the City Manager for that purpose, the affairs or operation of any department of the City, including the power to employ consultants and other professionals, when so authorized by the City Council, to aid in such investigations, examinations or inquiries.
- (4) To set aside, in his discretion, any action taken by a department head and supersede the department head in the functions of that office.
- (5) To direct any department to perform the work for any other department and to authorize any department head or officer responsible to him to appoint and remove subordinates serving under such person.
- (6) To examine all proposed contracts to which the City may be a party, and to sign and execute or to have signed and executed on behalf of the City any contracts authorized by the City Council, except where the City Council directs that some other office or officer shall do so.
- (7) To assist all boards, authorities, commissions and committees created by the City Council, as requested by the City Council.
- (8) To perform such other tasks as may be delegated or assigned by the City Council.

(Ord. No. 2018-5, 5-7-2018)

Sec. 2-51. City Clerk.

The City Clerk shall have the following powers and duties:

- (1) To prepare and distribute City Council agenda packets, provide notice of all City Council meetings and publish other public notices as required by law, including notifying the news media of the same.
- (2) To attend all meetings of the City Council and to take and transcribe minutes of all City Council meetings.
- (3) To catalog and publish City Council minutes and City ordinances and ensure Code books are revised to reflect City Council action.
- (4) To maintain the City Charter.
- (5) To serve as the Municipal Election Superintendent.
- (6) To provide administrative support to the City Council.
- (7) To support the maintenance of City records and public documents and perform certification and recording for the City as required on legal documents.

- (8) To maintain all records and invoices on City quality of life, nuisance and abatement cases and to coordinate with the City Attorney on the filing of liens and collection of payments.
- (9) To provide public records and information to citizens, civic groups, the media and other agencies as requested.
- (10) Shall be custodian of the official city seal.

(Ord. No. 2018-5, 5-7-2018)

Secs. 2-52—2-77. Reserved.

ARTICLE IV. BOARDS AND COMMISSIONS

Sec. 2-78. Municipal Planning Commission.

- (a) *Regulations.* The Municipal Planning Commission shall be bound by the rules and ordinances of the Zoning Ordinance of the City of Lawrenceville, as amended. The Municipal Planning Commission shall also abide by the terms and provisions of the Official Code of Georgia Annotated as amended which define the function and regulations of the Municipal Planning Commission.
- (b) *Composition, appointment, and tenure period.* The Municipal Planning Commission shall consist of five members appointed by the Mayor, by and with the consent of the City Council. The terms of the members shall be for four years each.
- (c) *Vacancies.* Vacancies shall be filled by appointments for unexpired terms only and in the same manner as for original appointments.
- (d) *Removal.* Members of the Planning Commission serve at the pleasure of the City Council and may be removed for any reason at any time. Any member who misses more than three meetings in any one calendar year without excuse shall be removed from the Commission by the Council. The Chairman of the Commission shall keep an attendance record and report attendance to the Mayor's office on a monthly basis.
- (e) *Compensation.* All members of the Municipal Planning Commission shall receive compensation in an amount to be determined by the Council.
- (f) *Officers and rules of procedure.* The Planning Commission shall elect one of its members as Chairperson, who shall serve for one year or until such person is reelected or a successor is elected. A second appointive member shall be elected as Vice-chairperson and shall serve for one year or until such person is reelected or a successor is elected. The Commission shall appoint a Secretary, who may be an employee of the City or a member of the Planning Commission. The Planning Commission shall meet at least once each month as required at the call of the Chairperson and at such other times as the transaction of business requires. The Planning Commission shall keep a record of its proceedings, which record shall be open to public inspection.
- (g) *Powers and duties.* The Municipal Planning Commission shall make careful and comprehensive surveys and studies of existing conditions and probable future developments and prepare plans for physical, social, and economic growth in an effort to promote the public health, safety, morals, convenience, prosperity, or general welfare of the Municipality. In carrying out its objectives, the Planning Commission shall have the following specific powers and duties:
 - (1) To prepare a master plan or parts thereof for the development of the City;

- (2) To prepare and recommend for adoption a zoning ordinance and map for the City;
 - (3) To prepare and recommend for adoption regulations for the subdivisions of land within the City limits to administer the regulations that may be adopted; and
 - (4) To prepare and recommend for adoption a plat or an official map showing the exact location of the boundary lines of existing, proposed, extended, unlined or narrowed streets, public open spaces, or public building sites and provide for the regulation of construction of buildings or other structures within such lines.
- (h) *Meetings.* The meetings of the Municipal Planning Commission shall be held once a month as determined by the Planning and Development Director, provided that notification of such is given to the members of the commission by the Director of Planning and Development. Meeting dates shall be available online and in person at the Planning and Development Department.
- (i) *Quorum.* For the purpose of transacting business, a quorum of the Municipal Planning Commission shall be deemed to be three of the five members.
- (j) *City appointment to Municipal-County Planning Commission.*
- (1) There is hereby determined and declared to be a present and future need for the City of Lawrenceville to participate in the Municipal-County Planning Commission established under the Code of Gwinnett County, Georgia.
 - (2) There is hereby created and activated in the City a position titled "Representative of the City of Lawrenceville to the Municipal-County Planning Commission."
 - (3) The appointed representative for the City of Lawrenceville shall be the Director of Planning and Development.
 - (4) The Board of Commissioners of Gwinnett County shall have the power to remove the representative appointed under this section for cause, after written charges have been drawn and after a public hearing has been held.
 - (5) The representative may participate in all discussions before the Municipal-County Planning Commission to represent the interest of the City of Lawrenceville and is hereby empowered to vote in the City's best interest on any issue which affects property within the City limits.
 - (6) The representative shall receive all rights and privileges of this position provided by law and shall be reimbursed for expenses incurred in connection with official duties on behalf of the City of Lawrenceville while serving on the Municipal-County Planning Commission. Compensation shall be set by the Council.

(Code 2005, § 3-601; Ord. of 2-5-2011; Ord. No. 2015-6, 1-5-2015)

Sec. 2-79. Vacancies created by appointed officials qualifying for elected office.

The office of any appointed official of this City shall be declared vacant upon such appointed official qualifying, in a general primary or general election, or special primary or special election, for any state, county, or municipal elective office or qualifying for the House of Representatives or the Senate of the United States if the term of the office for which such official is qualifying begins more than 30 days prior to the expiration of such official's present term of office. The vacancy created shall be filled as provided by this Code. The provisions of this section shall not apply to members of the Downtown Development Authority of Lawrenceville, Georgia.

(Ord. No. 2015-27 , 8-3-2015)

Editor's note(s)—Ord. No. 2015-27 , adopted Aug. 3, 2015, repealed the former section and enacted a new section as set out herein. The former section pertained to similar subject matter and derived from Code 2005, § 3-603.

Secs. 2-80—2-101. Reserved.

ARTICLE V. IDENTITY THEFT PREVENTION PROGRAM

Sec. 2-102. Purpose.

The purpose of this article is to comply with 16 CFR 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red flags in a manner that will prevent identity theft.

(Code 2005, § 3-701; Ord. of 10-15-2008)

Sec. 2-103. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Covered account means:

- (1) An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and
- (2) Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefor.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies.

Customer means a person that has a covered account with a creditor.

Identity theft means fraud committed or attempted using identifying information of another person without authority.

Person means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

Personal identifying information means a person's credit card account information, debit card information, bank account information and drivers' license information and for a natural person includes their social security number, mother's birth name, and date of birth.

Red flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Service provider means a person that provides a service directly to the City.

(Code 2005, § 3-702; Ord. of 10-15-2008)

Sec. 2-104. Findings.

- (a) The City is a creditor pursuant to 16 CFR 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears.
- (b) A covered account offered to customers for the provision of City services may include gas, sanitation, general billing, and/or electric accounts.
- (c) The City's previous experience with identity theft related to covered accounts is as follows: Minimal complaints only.
- (d) The processes of opening a new covered account, restoring an existing covered account, making payments on such accounts, unauthorized entry to the storage room where applications are kept, and verifying the social security number when provided have been identified as potential processes in which identity theft could occur.
- (e) The City limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts. Information provided to such employees is entered directly into the city's computer system or on a hard copy stored in a locked room.

(Code 2005, § 3-703; Ord. of 10-15-2008)

Sec. 2-105. Process of establishing a covered account.

- (a) As a precondition to opening a covered account in the city, each applicant shall provide the city with personal identifying information of the customer, including a valid driver's license and social security number. Such information shall be entered directly into the city's computer system and shall not otherwise be recorded.
- (b) Each account shall be assigned an account number.

(Code 2005, § 3-704; Ord. of 10-15-2008)

Sec. 2-106. Access to covered account information.

- (a) Access to customer accounts shall be limited to authorized city personnel based on software privileges managed by the Information Technology Staff.
- (b) Any unauthorized access to or other breach of customer accounts is to be reported immediately to the City Manager and Chief Financial Officer. Software system and user access shall be updated by changing passwords and access to system modules.
- (c) Personal identifying information included in customer accounts is considered confidential and any request or demand for such information shall be immediately forwarded to the City Manager, Chief Financial Officer and the City Attorney.

(Code 2005, § 3-705; Ord. of 10-15-2008; Ord. No. 2015-39, § 7(b), 11-2-2015)

Sec. 2-107. Credit card payments.

- (a) In the event that credit card payments that are made over the Internet are processed through a third-party service provider, such third-party service provider shall certify that it has an adequate identity theft prevention program in place that is applicable to such payments.
- (b) All credit card payments made over the telephone or the City's website shall be entered directly into the customer's account information in the computer database.
- (c) Account statements and receipts for covered accounts shall include only the last four digits of the credit or debit card or the bank account used for payment of the covered account.

(Code 2005, § 3-706; Ord. of 10-15-2008)

Sec. 2-108. Sources and types of red flags.

All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting payment for a covered account shall check for red flags as indicators of possible identity theft, and such red flags may include:

- (1) *Alerts from consumer reporting agencies, fraud detection agencies or service providers.* Examples of alerts include, but are not limited to:
 - a. A fraud or active duty alert that is included with a consumer report;
 - b. A notice of credit freeze in response to a request for a consumer report;
 - c. A notice of address discrepancy provided by a consumer reporting agency;
 - d. Indications of a pattern of activity in a consumer report that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
 - 1. A recent and significant increase in the volume of inquiries;
 - 2. An unusual number of recently established credit relationships;
 - 3. A material change in the use of credit, especially with respect to recently established credit relationships; or
 - 4. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.
- (2) *Suspicious documents.* Examples of suspicious documents include:
 - a. Documents provided for identification that appear to be altered or forged;
 - b. Identification on which the photograph or physical description is inconsistent with the appearance of the applicant or customer;
 - c. Identification on which the information is inconsistent with information provided by the applicant or customer;
 - d. Identification on which the information is inconsistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check; or
 - e. An application that appears to have been altered or forged, or appears to have been destroyed and reassembled.

- (3) *Suspicious personal identification, such as suspicious address change.* Examples of suspicious identifying information include:
 - a. Personal identifying information that is inconsistent with external information sources used by the financial institution or creditor. For example:
 - 1. The address does not match any address in the consumer report; or
 - 2. The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
 - b. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer, such as a lack of correlation between the SSN range and date of birth.
 - c. Personal identifying information or a phone number or address is associated with known fraudulent applications or activities as indicated by internal or third-party sources used by the financial institution or creditor.
 - d. Other information provided, such as fictitious mailing addresses, mail drop addresses, jail addresses, invalid phone numbers, pager numbers or answering services, is associated with fraudulent activity.
 - e. The SSN provided is the same as that submitted by other applicants or customers.
 - f. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of applicants or customers.
 - g. The applicant or customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - h. Personal identifying information is not consistent with personal identifying information that is on file with the financial institution or creditor.
 - i. The applicant or customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- (4) *Unusual use of or suspicious activity relating to a covered account.* Examples of suspicious activity include:
 - a. Shortly following the notice of a change of address for an account, the City receives a request for the addition of authorized users on the account.
 - b. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the customer fails to make the first payment or makes an initial payment but no subsequent payments.
 - c. An account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
 - 1. Nonpayment when there is no history of late or missed payments;
 - 2. A material change in purchasing or spending patterns.
 - d. An account that has been inactive for a long period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
 - e. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
 - f. The City is notified that the customer is not receiving paper account statements.

- g. The City is notified of unauthorized charges or transactions in connection with a customer's account.
- h. The City is notified by a customer, law enforcement or another person that it has opened a fraudulent account for a person engaged in identity theft.
- i. Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft or phishing relating to covered accounts.

(Code 2005, § 3-707; Ord. of 10-15-2008)

Sec. 2-109. Prevention and mitigation of identity theft.

- (a) In the event that any City employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered accounts, such employee shall use his discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the Chief Financial Officer. If, in his discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to a supervisor, who may, in his discretion, determine that no further action is necessary. If the supervisor, in his discretion, determines that further action is necessary, a City employee shall perform one or more of the following responses, as determined to be appropriate by the Chief Financial Officer:
 - (1) Contact the customer;
 - (2) Make the following changes to the account if, after contacting the customer, it is apparent that someone other than the customer has accessed the customer's covered account:
 - a. Change any account numbers, passwords, security codes, or other security devices that permit access to an account; or
 - b. Close the account;
 - (3) Cease attempts to collect additional charges from the customer and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
 - (4) Notify a debt collector within two business days of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the likelihood or probability of identity theft relating to such account;
 - (5) Notify law enforcement, in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue or accessing personal identifying information; or
 - (6) Take other appropriate action to prevent or mitigate identity theft.
- (b) In the event that any City employee responsible for or involved in opening a new covered account becomes aware of red flags indicating possible identity theft with respect to an application for a new account, such employee shall use his discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the Chief Financial Officer. If, in his discretion, such employee deems that identity theft is unlikely or that reliable

information is available to reconcile red flags, the employee shall convey this information to the supervisor, who may, in his discretion, determine that no further action is necessary. If the supervisor, in his discretion, determines that further action is necessary, a City employee shall perform one or more of the following responses, as determined to be appropriate by the Chief Financial Officer:

- (1) Request additional identifying information from the applicant;
- (2) Deny the application for the new account;
- (3) Notify law enforcement of possible identity theft; or
- (4) Take other appropriate action to prevent or mitigate identity theft.

(Code 2005, § 3-708; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-110. Updating the program.

The City Manager shall from time to time have reviewed as deemed necessary and update the Identity Theft Prevention Program along with any relevant red flags in order to reflect changes in risks to customers or to the safety and soundness of the City and its covered accounts from identity theft. In so doing, the City Manager shall have considered the following factors and exercise his discretion in amending the program:

- (1) The City's experiences with identity theft;
- (2) Updates in methods of identity theft;
- (3) Updates in customary methods used to detect, prevent, and mitigate identity theft;
- (4) Updates in the types of accounts that the City offers or maintains; and
- (5) Updates in service provider arrangements.

(Code 2005, § 3-709; Ord. of 10-15-2008)

Sec. 2-111. Program administration.

- (a) The City Manager is responsible for oversight of the program and for program implementation. The Chief Financial Officer is responsible for reviewing reports prepared by staff regarding compliance with red flag requirements and with recommending material changes to the program, as necessary in the opinion of the Chief Financial Officer, to address changing identity theft risks and to identify new or discontinued types of covered accounts. Any recommended material changes to the program shall be submitted to the City Council for consideration.
- (b) The Chief Financial Officer at least annually, in compliance with the red flag requirements will review and address material matters related to the program and evaluate issues such as:
 - (1) The effectiveness of the policies and procedures of City in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - (2) Service provider arrangements;
 - (3) Significant incidents involving identity theft and management's response; and
 - (4) Recommendations for material changes to the program.
- (c) The Chief Financial Officer is responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of the Identity Theft Prevention Program. The

Chief Financial Officer shall exercise his discretion in determining the amount and substance of training necessary.

(Code 2005, § 3-710; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-112. Outside service providers.

In the event that the City engages a service provider to perform an activity in connection with one or more covered accounts, the Chief Financial Officer shall exercise his discretion in reviewing such arrangements in order to ensure, to the best of his ability, that the service provider's activities are conducted in accordance with policies and procedures, agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate identity theft.

(Code 2005, § 3-711; Ord. of 10-15-2008 Ord. No. 2015-39 , § 7(b), 11-2-2015)

Sec. 2-113. Treatment of address discrepancies.

(a) *Purpose.* Pursuant to 16 CFR 681.1, the purpose of this section is to establish a process by which the City will be able to form a reasonable belief that a consumer report relates to the consumer about whom it has requested a consumer credit report when the City has received a notice of address discrepancy.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Notice of address discrepancy means a notice sent to a user by a consumer reporting agency pursuant to 15 USC 1681(c)(h)(1), that informs the user of a substantial difference between the address for the consumer that the user provided to request the consumer report and the address in the agency's file for the consumer.

(c) *Policy.* In the event that the City receives a notice of address discrepancy, the City employee responsible for verifying consumer addresses for the purpose of providing the municipal service or account sought by the consumer shall perform one or more of the following activities, as determined to be appropriate by such employee:

- (1) Compare the information in the consumer report with:
 - a. Information the City maintains in its own records, such as applications for service, change of address notices, other customer account records or tax records; or
 - b. Information the City obtains from third-party sources that are deemed reliable by the relevant City employee; or

(2) Verify the information in the consumer report with the consumer.

(d) *Methods of confirming consumer addresses.* The City employee charged with confirming consumer addresses may, in his discretion, confirm the accuracy of an address through one or more of the following methods:

- (1) Verifying the address with the consumer;
- (2) Reviewing the city's records to verify the consumer's address;
- (3) Verifying the address through third-party sources; or
- (4) Using other reasonable processes.

(Code 2005, § 3-712; Ord. of 10-15-2008)

Secs. 2-114—2-139. Reserved.

ARTICLE VI. GENERAL PROVISIONS FOR CITY EMPLOYMENT

Sec. 2-140. Public benefits.

In order to receive State or local benefits provided by the City as part of compensation for employment, each new employee must submit a sworn affidavit attesting to the affiant's immigration status. The status of employees who swear by affidavit to be a qualified alien or nonimmigrant under the federal Immigration and Nationality Act will also be verified through the Systematic Alien Verification of Entitlement (SAVE) program.

(Code 2005, § 3-801)

Sec. 2-141. State income tax withholding.

The City will withhold a percent of an employee's compensation for State income tax if the employee fails to provide a taxpayer identification number, fails to provide a correct taxpayer identification number, or provides a taxpayer identification number issued for nonresident aliens. The percentage shall be consistent with Georgia Code 48-7-20.

(Code 2005, § 3-802)

Secs. 2-142—2-165. Reserved.

ARTICLE VII. ECONOMIC DEVELOPMENT

Sec. 2-166. Recognition of beneficial qualities.

The City recognizes that certain targeted businesses in fields, such as healthcare, advanced manufacturing, and technology bring high level jobs to the City and are especially beneficial to the community.

(Ord. No. 2013-10, § 1, 7-1-2014)

Sec. 2-167. Interest of City.

In order to compete for targeted businesses, it is in the City's best interest to have the availability of offering strategic inducements.

(Ord. No. 2013-10, § 2, 7-1-2014)

Sec. 2-168. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Targeted business means any preferred business or industry type as identified by the City, Partnership Gwinnett or a special impact project of such magnitude as may be determined by the City Council.

(Supp. No. 9)

(Ord. No. 2013-10, § 3, 7-1-2014)

Sec. 2-169. Eligibility for inducements.

Targeted businesses meeting defined threshold levels, as outlined in section 2-171, may be eligible for inducements as determined by the City Council.

(Ord. No. 2013-10, § 4, 7-1-2014)

Sec. 2-170. Possible inducements for businesses.

The City Council, at the recommendation of City management and economic development staff, shall be authorized to offer inducements to targeted businesses meeting threshold requirements and those inducements may include the following:

- (1) Reduction of development permit fees.
- (2) Reduction of building permit fees.
- (3) Reduction of inspection and re-inspection fees.
- (4) Reduction of application fees for public hearings.
- (5) Reduction of any current or future impact fees.
- (6) Reduction of utilities deposit and/or incremental financing on rates based on forecasted load and/or consumption.
- (7) Acceleration of the plan review and permitting process.
- (8) Reduction in Occupation Tax pursuant to O.C.G.A. 48-13-10(f)

(Ord. No. 2013-10, § 5, 7-1-2014)

Sec. 2-171. Business tier levels and thresholds.

Inducements may be offered to targeted businesses which meet the following threshold levels:

- (1) *Tier 1.* Targeted business adds at least 25 new jobs and the jobs pay an average salary at least three times the most recently published Federal Poverty Guidelines as calculated and prepared by the Office of Health Planning, Georgia Department of Community Health. For the purpose of this calculation use a Family Size of two for the Federal Poverty Guideline..
- (2) *Tier 2.* Targeted business adds at least 100 new jobs and the jobs pay an average annual salary of at least three times the most recently published Federal Poverty Guidelines as calculated and prepared by the Office of Health Planning, Georgia Department of Community Health. For the purpose of this calculation use a Family Size of two for the Federal Poverty Guideline.

(Ord. No. 2013-10, § 6, 7-1-2014)

Sec. 2-172. Consideration of State funding.

In determining whether to offer inducements, the City Manager may consider whether the targeted business has received a funding commitment from the State of Georgia contingent upon the business' relocation or expansion within the State of Georgia.

(Supp. No. 9)

(Ord. No. 2013-10, § 7, 7-1-2014)

Sec. 2-173. Requirement for targeted business.

The targeted business must build a new building, purchase an existing building and renovate or make a lease commitment of at least three years for space within the City.

(Ord. No. 2013-10, § 8, 7-1-2014)

Sec. 2-174. Inducement conditional upon not relocating from City.

Any targeted business which receives any inducement under the provisions of this article shall agree to not relocate out of the City for the entire period during which the inducement is granted. Should the targeted business relocate outside the City or fall below 80 percent of any threshold requirement, the targeted business shall immediately reimburse the City for the full value of all inducements it received.

(Ord. No. 2013-10, § 9, 7-1-2014)

Sec. 2-175. Authority to sign agreements.

The City Manager or his designee is authorized to sign confidentiality agreements with prospective businesses pursuant to this article, provided that those confidentiality agreements are made subject to the provisions of the Georgia Open Records Act.

(Ord. No. 2013-10, § 10, 7-1-2014)

Secs. 2-176—2-203. Reserved.

ARTICLE VIII. BUDGET³

Sec. 2-204. Purpose.

The purpose of this article is to provide for a system of financial administration, accounting, fiscal, and budgetary control which conforms to generally accepted accounting practices.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-205. Responsibility.

The responsibility for the proper execution of the provisions of this article shall be with the City Manager or designee, except where the responsibility is explicitly given to the governing authority.

³Editor's note(s)—Ord. No. 2018-18 , adopted Aug. 6, 2018, amended Art. VIII in its entirety to read as herein set out. Former Art. VIII, §§ 2-204—2-219, pertained to similar subject matter and derived from Code 2005, §§ 6-101—6-118; Ord. of 12-1-2008; Ord. No. 2017-1, 1-4-2017.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-206. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accrual basis means the basis of accounting under which revenues are recorded when earned or when levies are made, and expenditures are recorded as soon as the result in liabilities, notwithstanding that the receipt of the revenue or payment of the expenditure may take place, in whole or in part, in another accounting period.

Appropriation means an authorization granted by the legislative body to make expenditures or to incur obligations for specific purposes.

Appropriation balance means an unencumbered balance of appropriation or allotment, and unexpended balance of appropriation or allotment.

Assets means property of all kinds of a government, including both current assets and fixed assets.

Audit means the examination of records, documents, reports, systems of internal control, accounting and financial procedures, and other evidence for one or more of the following purposes:

- (1) To ascertain whether the statements prepared from the accounts present fairly the financial position and the results of financial operations of the constituent funds and balanced account groups of the governmental unit in accordance with generally accepted accounting principles applicable to governmental units and on a basis consistent with that of the preceding year;
- (2) To determine the propriety, legality and mathematical accuracy of a governmental unit's financial transactions;
- (3) To ascertain whether all financial transactions have been properly recorded; and
- (4) To ascertain the stewardship of public officials who handle and are responsible for the financial resources of a governmental unit.

Balance sheet means a statement ordinarily prepared from books kept by double entry showing assets, liabilities, reserves and surplus of a fund of a governmental unit at a specified date properly classified to exhibit financial position of the fund or unit at that date.

Budget means a plan of financial operation embodying an estimate of proposed expenditures for a given time and the proposed means of financing them. The annual budget refers to a period of one year.

Budgetary control means the control of management of a governmental unit in accordance with an approved budget and keeping expenditures within the limitations of available appropriations or revenues.

Cash basis means the system of accounting under which revenues are accounted for only when received in cash, and expenditures are accounted for only when paid.

Contingent account means an appropriation to provide for unforeseen expenditures.

Current surplus means the excess of the current assets of a fund over its current liabilities and reserves.

Debit and *credit* are terms commonly used to indicate the manner in which a transaction is to be recorded. Every entry on the left side of the ledger sheet is called a debit. Every entry on the right side of the ledger sheet is called a credit.

Debt service means the amount of money necessary annually to pay the interest on the outstanding debt and the principal of maturing bonded debt not payable from a sinking fund and to provide a fund for the redemption of bonds payable from a sinking fund.

Delinquent taxes means taxes remaining unpaid on and after the date on which a penalty for non-payment is attached. Even though the penalty may be subsequently waived and a portion of the taxes may be abated or canceled, the unpaid balances continue to be delinquent taxes until abated, cancelled or converted into tax liens.

Encumbrances means obligations in the form of purchase orders, contracts or salary commitments which are chargeable to an appropriation and for which a part of the appropriations is reserved.

Fund means a sum of money or other resources (gross or net) set aside for the purpose of carrying on specific activities or to attain certain objectives in accordance with special regulations, restrictions, or limitations.

Internal audit means an audit made by persons on the staff on the governmental unit whose accounts are being audited primarily for the purpose of internal control. An internal audit is usually a continuous audit.

Liabilities refers to debts owed.

Millage.

- (1) The term "millage" is used to express the property tax rate. The term "millage" is derived from the term "mill," which is one-tenth of a cent. Thus, ten mills equals one cent or one percent.

0.001 = 1 mill or 1/10 cent

0.010 = 10 mills or 1 cent = 1%

0.100 = 100 mills or 10 cents = 10%

- (2) Millage is determined by dividing the total amount of money to be raised by the total assessed value of the Municipality.

Example:

Taxes needed: \$100,000.00

Assessed value: \$8,000,000.00

\$100,000.00 = 0.0125 or 12½ mills; or

\$8,000,000.00 = 1.25% or assessed valuation.

Taxes receivable means the uncollected portion of taxes which a governmental unit has levied.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-207. Fiscal year.

The fiscal year shall begin on July 1 and end on June 30.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-208. Date of adoption; balanced budget.

An annual budget will be adopted by the City Council prior to the first day of the fiscal year. If the budget is not adopted prior to the beginning of the fiscal year, a resolution authorizing the continuation of necessary and essential expenditures to operate the City shall be adopted prior to the beginning of the fiscal year. The proposed budget shall be prepared by the City Manager or designee and transmitted to members of the City Council for its review no later than May 1, before the required date of adoption. The budget shall be adopted by the City Council, in accordance with the City Charter. The budget, as adopted, shall be adopted in accordance with Georgia Law.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-209. Inspection.

At the time the proposed budget is transmitted to members of the governing authority, a copy of the proposed budget shall be made available for public inspection in the Office of the City Clerk during regular office hours.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-210. Public hearing.

A public hearing shall be held to give the public the opportunity to present written and oral comments upon a proposed budget. Notice of such public hearing shall be in accordance with Georgia Law.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-211. Adoption and amendment.

The adoption of the budget shall be accomplished by the approval of a budget resolution or ordinance which specified the anticipated revenues by appropriate categories and the appropriated expenditures for each department and each non-departmental expense and for each fund covered by the budget. Amendments to the budget shall be approved by resolution or ordinance.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-212. Publication.

Upon completion, a statement of revenues and expenditures shall be made available for public inspection on the City's website and in the Office of the City Clerk during regular business hours.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-213. Post-adoption changes.

Any increase in appropriation in a department budget or in a non-departmental expense category, whether accomplished through a change in anticipated revenues or through a transfer of appropriations among departments and non-department expenses, shall require the approval of the City Council.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-214. Sinking funds.

No appropriation transfer shall be made from a sinking fund or debt retirement fund until all the legal obligations and requirements of such fund have been satisfied.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-215. Anticipated revenues.

The City Manager or designee shall present the statement of anticipated revenues on the basis of the ordinary and reasonable revenues which can be expected for the fiscal year. Property tax revenue estimates shall be based upon the anticipated tax digest, less a stated discount for delinquent taxes based on a consideration of the taxes which were delinquent at the close of the three prior fiscal years, plus a stated amount of delinquent taxes, including penalties and interest, to be collected in the fiscal year based on consideration of the actual experience in the collection of delinquent taxes in the three prior fiscal years.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-216. Surplus.

All appropriations, which are not obligated and not allocated in a Capital Fund, encumbered, or expended at the end of the fiscal year, shall lapse. Funds above the City's Reserve Policy may be appropriated for the next fiscal year.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-217. Accounting.

The City shall maintain financial records in accordance with Generally Accepted Accounting Practices (GAAP) as established by the Governmental Accounting Standards Board (GASB).

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-218. Financial reports.

Financial reports showing the current conditions of budgetary and proprietary accounts shall be prepared and presented to the governing authority at least every three months. No later than six months after the close of the fiscal year, a comprehensive annual financial report covering all funds and financial operations shall be prepared. A summary of this report containing at least a statement of revenues and expenditures as of the close of the preceding fiscal year and the combined balance sheet for all funds and account groups will be published in a newspaper of general circulation.

(Ord. No. 2018-18, 8-6-2018)

Sec. 2-219. Audit.

All the funds, accounts and financial transactions of the City shall be subjected to an annual audit by an independent certified public accountant who is to be selected by the City Council. The audit shall be conducted according to the standards for local governments set forth in the American Institute of Certified Public Accountants.

(Ord. No. 2018-18, 8-6-2018)

Secs. 2-220—2-250. Reserved.

ARTICLE IX. PROCUREMENT⁴

DIVISION 1. GENERALLY

Sec. 2-251. Purpose.

The purpose of the City of Lawrenceville Procurement Ordinance is to:

- (1) Manage the procurement process in accordance with the law;
- (2) Spend tax payers' money wisely, efficiently, and fairly;
- (3) Meet the needs of City departments through continuous improvement of purchasing systems and procedures;
- (4) Establish a comprehensive plan for the purchase of goods and services for the City and its departments;
- (5) Protect against fraud and favoritism by providing fair and equitable treatment of all persons and entities involved in public purchasing;
- (6) Ensure that all segments of the business community are encouraged to contract with the City for goods and services;
- (7) Maximize the purchasing value of public funds in procurement, to the fullest extent practicable, while giving consideration to the lifetime cost as well as other factors needed to determine the best overall interest to the City;
- (8) Provide safeguards for the maintenance of a procurement system of quality and integrity; and
- (9) Provide guidelines for purchasing equipment, materials, supplies, and services for the operational requirements of the City of Lawrenceville that insure competitive and unbiased selection of vendors.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-252. Definitions.

Absolute value means the numerical value of an acquisition or change order request without regard to its sign.

⁴Editor's note(s)—Ord. No. 2018-6 , adopted May 7, 2018, repealed former Art. IX, §§ 2-251—2-282, and enacted a new Art. IX as set out herein. Former Art. IX pertained to similar subject matter and derived from Ord. No. 2016-18; Ord. No. 2016-29, 12-5-2016; Ord. No. 2017-32, 12-4-2017.

State law reference(s)—Contracts by political subdivision concerning procurement of federal equipment, supplies or property, O.C.G.A., § 50-16-81; local political subdivisions purchased through state, O.C.G.A., § 50-5-100 et seq.; local authorities' preference for products produced in Georgia, O.C.G.A. § 50-5-61.

Best and final offer means, in competitive negotiation, the final proposal submitted after negotiations are completed that contains the vendor's most favorable terms for price and services or products to be delivered.

Bid means submission of information from a bidder that describes the bidder's commodities or services, and any other information necessary to respond to the specifications and other requirements set forth in an Invitation to Bid.

Brand name or equal specification means a specification limited to one or more items by manufacturer's names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet City requirements, and which provides for the submission of equivalent products.

Brand name specifications means a specification limited to one or more items by manufacturers' names or catalogue numbers.

Business means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.

Change order means a written order signed by a person authorized to act on behalf of the City directing the contractor to make changes that the "Changes" clause of the contract authorizes.

Commodity means a discrete and distinct item of tangible personal property, including, without limitation, any such item which is intended to become an integrated part of another item of tangible personal property or of any improvement to real property.

Confidential information means any information which is available to an employee only because of the employee's status as an employee of the City and is not a matter of public knowledge or available to the public on request.

Contract means any agreement, purchase order, lease, or other document which creates or is intended to create binding reciprocal obligations including, without limitation, any document evidencing a bid or proposal award which has been accepted by the bidder.

Contractor means any person who is party to a contract.

Cooperative purchase means an arrangement whereby two or more public procurement units purchased from the same supplier using a single Invitation to Bid or Request for Proposal.

Intangible means incapable of being perceived by the senses.

Invitation to bid means all information and documentation disseminated by the City to solicit bids.

Offeror means any person who has submitted a bid or proposal to the City or otherwise offered to form a contract with the City.

Person means any individual or legal entity.

Professional service means a service consisting in material part of advice, evaluation, planning, design, or other effort involving the exercise of judgement, discretion, and knowledge, including, without limitation, a service provided by a person whose profession is licensed or regulated by the state or federal government.

Proposal means submission of information from a proposer (including a consultant) which states how that proposer intends to fulfill the specifications and other requirements described in a Request for Proposal.

Qualified products list means an approved list of supplies, services or construction items described by model or catalogue numbers, which prior to competitive solicitation, the City has determined will meet the applicable specification requirements.

Request for Proposals means all information and documentation disseminated by the City to solicit proposals.

Responsible bidder means a person who has the capability in all respects to perform fully the contract requirements, and the experience, reliability, capacity, facilities, equipment and credit which will assure good faith performance.

Responsive bidder means a person who has submitted a bid or proposal that conforms in all material respects to the requirements set forth in the invitation to bids or Request for Proposals.

Services means the furnishing of labor, time or effort by a contractor that is not intended to accomplish the delivery of a specified tangible product other than reports which are merely incidental to the required performance, including, without limitation, a professional or consulting service.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-253. Eligibility.

Every new contractor, and any subcontractor that a contractor hires, must register with the Employment Eligibility Verification (EEV)/Basic Pilot Program, or E-Verify, in order to be eligible to perform work for the City. Contracts between the City and contractors, and between the contractors and their subcontractors, must be accompanied by sworn affidavits attesting to the affiant's registration with E-Verify and compliance with E-Verify's citizenship requirements. This requirement shall apply to all contracts for the physical performance of services for all labor or service contracts that exceed \$2,499.99 except for services performed by an individual who is licensed pursuant to Title 26, Title 43, or the State Bar of Georgia.

(Ord. No. 2018-6, 5-7-2018)

State law reference(s)—Political subdivisions required to use E-Verify, O.C.G.A. § 13-10-91.

Sec. 2-254. State income tax withholding.

The City will withhold six percent of any contractor or subcontractor's compensation for State income tax if the contractor or subcontractor fails to provide a taxpayer identification number, fails to provide a correct taxpayer identification number, or provides a taxpayer identification number issued for nonresidents.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-255. Competitive sealed bidding.

- (a) *Conditions for use.* All contracts of the City over \$100,000.00 shall be awarded by competitive sealed bidding except as otherwise provided in sections 2-256 through 2-263.
- (b) *Invitation for bids.* An invitation for bids shall be issued and shall include specifications, and all contractual terms and conditions applicable to the procurement.
- (c) *Public notice.* Adequate public notice of the invitation for bids shall be given a reasonable time, not less than 15 calendar days prior to the date set forth therein for the opening of bids. Such notice may include publication in a newspaper of general circulation a reasonable time prior to the bid opening. The public notice shall state the place, date, and time of the bid opening.
- (d) *Receipt of bid.* No written bid shall be eligible for consideration by the City unless it is placed in a sealed envelope or package and actually received by the Purchasing Department by the date and time specified in the Invitation to Bid. All bids shall be stamped or annotated with the date and time of receipt and secured until the designated opening time. A bid delivered late shall under no circumstances be eligible for consideration by the City.

- (e) *Bid opening.* Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid together with the name of each bidder shall be recorded. The record shall be open to public inspection in accordance with state law.
- (f) *Bid acceptance and bid evaluation.* Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation unless it is set forth in the invitation for bids.
- (g) *Correction or withdrawal of bids; cancellation of awards.* Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for the bid opening. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. In lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:
 - (1) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
 - (2) The bidder submits evidence which clearly and convincingly demonstrates that a mistake was made. The bidder shall give notice in writing of his claim of right to withdraw his bid due to an error within two business days after the conclusion of the bid opening procedure.

All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Purchasing Manager.

- (h) *Award.* The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. In the event the low responsive and responsible bid exceeds available funds as certified by the appropriate fiscal officer, and such bid does not exceed such funds by more than five percent, the Purchasing Manager is authorized, when time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds. Any such negotiated adjustment shall be based only upon eliminating independent deductive items specified in the invitation for bids.
- (i) *Multi-step sealed bidding.* When it is considered impractical to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.
- (j) *Tie bids.* In the event two responsive bids are tied for the lowest price and the other terms and conditions of the two bids are substantially the same, the bid shall be awarded to the local firm if only one of the bidders has a current City business license and office located within the boundaries of the City of Lawrenceville. If both or neither of the tied bidders are local firms, the Purchasing staff shall request the firms' best and final offers, and the award shall be to the lowest bid. If both firms have the same price after best and final offer, then the bid award shall be made to the winner of a coin toss by Purchasing staff in a public session. Bidders will be invited to attend and one or more witnesses may be present.
- (k) *Approval by City Council.* All contracts exceeding \$100,000.00 shall be approved by City Council. Once the contract has been approved by the City Council, all expenditures made in accordance with the terms of the

contract are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-256. Competitive sealed proposals.

- (a) *Conditions for use.* When the Purchasing Manager determines that the use of competitive sealed bidding or other procurement methods is either not practicable or not advantageous to the City, a contract may be entered into by use of the competitive sealed proposals method.
- (b) *Public notice.* Public notice shall be advertised as required by Georgia law. The public notice shall contain a general description of the item or service to be purchased, shall state the location where documents may be obtained and the date, time and place of proposal receipt. Notice of any required bonding and insurance shall be included in the public notice.
- (c) *Receipt.* No written proposal shall be eligible for consideration by the City unless it is placed in a sealed envelope or package and actually received by the Purchasing Department by the date and time specified in the Request for Proposals. All proposals shall be stamped or annotated with the date and time of receipt and secured until the designated opening time. A proposal delivered late shall under no circumstances be eligible for consideration by the City.
- (d) *Opening proposals.* Proposals shall be opened publicly in the presence of one or more witnesses on the date and at the time and place designated in the Request for Proposals. The name of each Proposer shall be announced.
- (e) *Proprietary information.* Information submitted by a Proposer that is specifically marked "proprietary" shall not be disclosed outside of the Purchasing Department without prior notification to the Proposer. The City of Lawrenceville is required to comply with the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. and therefore may not be able to protect information submitted in any response. Entire proposals may not be deemed "proprietary."
- (f) *Evaluation.* Each proposal shall be evaluated to determine whether it is responsive to the specifications and other terms and conditions contained in the Request for Proposals. With the approval of the Purchasing Associate named in the solicitation, the evaluating team may communicate with each proposer to clarify and amplify each Proposer's proposal. No information concerning any other Proposer's proposal shall be communicated in any way to the Proposer. Additional information may be requested of Proposers. The Purchasing Department will initiate such requests.
- (g) *Discussion with responsible offerors and revisions to proposals.* As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to ensure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.
- (h) *Award.* Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

- (i) *Approval by City Council.* All contracts exceeding \$100,000.00 shall be approved by the City Council. Once the contract has been approved by the City Council, all expenditures made in accordance with the terms of the contract are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-257. Informal purchases.

- (a) *Conditions for Use.* Those purchases anticipated to be under \$100,000.00 that do not justify the administrative time and expense for the conduct of competitive sealed bids or proposals. The Purchasing Manager is authorized to establish the methods and procedures to be used in handling informal purchases such as, but not limited to, telephone requests, e-mail requests, or informal written requests. Unless otherwise specifically provided, such purchases will be obtained competitively through informal written solicitations.
- (b) *General.* Procurements that involve amounts less than \$100,000.00 do not require a formal sealed bid/proposal process. However, the processes used for this type of procurement will include as much competition as is consistent with the anticipated cost of the procurement and the best interest of the City. The formal sealed bid/proposal process may still be exercised with an informal purchase if deemed in the best interest of the City.
- (c) *Prohibition of improper use.* Purchases may not be artificially divided as to constitute an informal purchase, thereby circumventing the dollar limit requirement for competitive sealed bids/proposals or applicable approvals.
- (d) *Small purchases between 1,000.00 and \$5,000.00.* Insofar as it is practical for small purchases between \$1,000.00 and \$5,000.00, no less than three businesses shall be solicited to submit quotations unless adequate source supply is not available. Award shall be made to the business offering the lowest acceptable quotation. The names of the businesses submitting quotations, and the date and amount of each quotation, shall be recorded and maintained as a public record.
- (e) *Small purchases of \$1,000.00 or less.* The City Manager shall adopt operational procedures for making small purchases of \$1,000.00 or less. Further, such operational procedures shall require the preparation and maintenance of written records adequate to document the competition obtained, properly account for the funds expended, and facilitate an audit of the small purchases made.
- (f) *Approval by City Council.* Regardless of procurement method, all purchases exceeding \$100,000.00 shall be approved by City Council. Once the purchase has been approved by the City Council, all expenditures made in accordance with the terms of the purchase are approved and shall require no further action by the City Council. Provided however that the Stormwater Authority is authorized to approve all stormwater projects up to \$300,000.00.
- (g) *Approval by City Manager.* Regardless of procurement method, all purchases between \$5,000.00 and \$100,000.00 shall be approved by the City Manager or his/her designee.
- (h) *Approval and signing of contracts.* Contracts and agreements required by a purchase of less than \$100,000.00 shall be authorized to be approved and signed by the Purchasing Manager for values of \$10,000.00 or less and the City Manager or his/her designee for purchases over \$10,000.00. Contracts for purchases over \$100,000.00 require City Council approval prior to signing.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-258. Exemptions.

- (a) Professional services are exempt from the provisions of this purchasing policy. The term "professional services" shall mean services rendered by accountants, engineers, architects, physicians, lawyers and other professions as defined by the laws of the State of Georgia.
- (b) Real property, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property and other related costs of acquisition of real property.
- (c) Dues and membership fees.
- (d) Public works construction contracts to the extent governed by O.C.G.A. § 36-91-1 et seq.
- (e) Advertisements and legal advertisements that are required by law to publicly advertise meetings or actions in the legal organ.
- (f) Intangible repairs that are cost prohibitive to seek competitive quotations.
- (g) Subscriptions.
- (h) Utilities, where there is no reasonable basis for competitive procurement, for example electric power, water, and sewerage.
- (i) Training, travel, lodging or meal expense covered by other City policies and regulations.
- (j) Entertainment services for City-sponsored events.
- (k) Proprietary maintenance and software agreements.
- (l) Works of art or other creative/artistic endeavors that require a demonstrated skill or talent to include, but not limited to, artists, musicians, and writers.
- (m) The procurement of employee benefits that are procured through a quotation and negotiating process conducted by an expert on behalf of the City (i.e., broker).

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-259. Sole source procurement.

Based upon evidence that a particular commodity or service may be obtained from only one source and no similar commodity or service available from a different source will adequately meet an acquiring department's requirements and specifications, the City Manager may decide that the commodity or service be purchased sole source or by brand name based upon supporting documentation from the requesting department. Supporting documentation will be reviewed by the Purchasing Department and findings will be presented to the City Manager. Requesting department shall present any sole source procurement over \$50,000.00 for approval by the City Council in an officially called public meeting. A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the items procured under each contract, and the identification number of each contract file.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-260. Emergency procurements.

Notwithstanding any other provisions of this article, the City Manager may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, safety, or to the soundness and integrity of public property or to the delivery of essential services and

where the adverse effects of such emergency may worsen materially with the passage of time provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file and shall be submitted for approval to the City Council as a consent agenda item at the next meeting following the emergency procurement. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the items procured under the contract, and the identification number of the contract file.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-261. Cooperative purchases.

The City may participate in a cooperative purchase for commodities, supplies and services when determined that it is in the best interest of the City. The sponsoring entity, whether federal, state, local, or non-profit must have performed a competitive procurement process and entered into a contract that stipulates allowance for other governmental entities to purchase from the supplier at the same price and under the same terms and conditions as extended to itself. If such arrangement has not been made a part of the contract, written permission from the sponsoring entity and the awarded supplier must be obtained. Documentation to substantiate this decision will be maintained by the Purchasing Department.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-262. Governmental and affiliated entity purchases.

The City may purchase services and incidental commodities from other federal, state or local governments, associations and non-profit organizations when determined to be in the best interest of the City. Documentation to substantiate this decision will be maintained by the Purchasing Division.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-263. Change orders and contract modifications.

- (a) *General provisions.* Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the City Council. Once approved by City Council the amount of the contract shall be reset and additional change orders and contract modifications as hereinafter authorized shall use the new total value, including the original and any changes approved by Council, as the base amount of the contract.
- (b) *City Manager authority.* The City Manager or his/her designee shall have authority to approve all purchases and change orders to purchase orders and contracts collectively up to an absolute value of \$100,000.00 over the base amount as approved by City Council.
- (c) *Purchasing Manager authority.* The Purchasing Manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of \$5,000.00.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2021-6, 5-24-2021)

Sec. 2-264. Standardization

For efficient operations, departments may standardize equipment or supplies. Requests to standardize equipment or supplies shall be submitted to the Purchasing Manager. The requests shall be submitted on the Request to Standardize form created by the Purchasing Manager. The Purchasing Manager shall review the

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request and document any alternatives not considered. The Request to Standardize Form and Purchasing Manager Review shall be submitted to the Chief Financial Officer to determine the financial impact. The Chief Financial Officer shall submit the Request to Standardize and financial implications to the City Manager for approval. If approved, the standardization shall be reviewed every seven years.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-265. Cancellation of invitations for bids or request for proposals.

An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the City. The reasons therefor shall be made part of the contract file. Each solicitation issued by the City shall state that the solicitation may be canceled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the City. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any resolicitation or any future procurement of similar items. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-266. Vehicle purchases.

Competitive procurement methods shall be used for all vehicle purchases. The Purchasing Director shall work with departments to determine the appropriate procurement method to ensure the best value for the City. Once the solicitation process is complete, the City Manager shall be authorized to approve the purchase of replacement and new vehicles as long as the total expenditure shall not exceed the cumulative approved budget amount in any fiscal year without seeking additional or specific approval of the City Council. For the purposes of this section, the term "vehicle" means automobiles, motorcycles, heavy equipment, heavy machinery, trailers and similar items.

(Ord. No. 2018-6, 5-7-2018 ; Ord. No. 2020-4, 8-24-2020)

Secs. 2-267—2-277. Reserved.

DIVISION 2. PROCUREMENT FOR FEDERAL AID HIGHWAY PROGRAM FUNDING PROJECTS

Sec. 2-278. Purpose.

The purpose of this chapter is to set forth the City of Lawrenceville Policy for Competitive Negotiation Qualifications-based Selection for Projects Using Federal Aid Highway Program (FAHP) Funding.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-279. General policy.

- (a) *Competitive negotiation.* Except as provided in sections 2-280 and 2-281, the City shall use the competitive negotiation method for the procurement of engineering and design related services when FAHP funds are

involved in the contract (as specified in 23 U.S.C. § 112(b)(2)(A)). The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for architectural and engineering services codified under 40 U.S.C. §§ 1101—1104, commonly referred to as the Brooks Act.

- (b) *Application of competitive negotiation method procedures.* In accordance with the requirements of the Brooks Act, the following procedures shall apply to the competitive negotiation procurement method:
 - (1) *Solicitation.* The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of the contract. Procurement procedures may involve a single step process with issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with issuance of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.
 - (2) *Request for proposal (RFP).* The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:
 - a. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies;
 - b. Identify the requirements for any discussions that may be conducted with three or more of the most highly qualified consultants following submission and evaluation of proposals;
 - c. Identify evaluation factors including their relative weight of importance in accordance with subsection (c) of this section;
 - d. Specify the contract type and method(s) of payment to be utilized in accordance with 23 CFR 172.9;
 - e. Identify any special provisions or contract requirements associated with the solicited services;
 - f. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase; and
 - g. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.
 - (3) *Evaluation factors.*
 - a. Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives,

quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.

- b. Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.
- c. In-state or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.
- d. The following non-qualifications based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:
 - 1. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
 - 2. The participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants may be used as a nominal evaluation criterion where appropriate in accordance with 49 CFR Part 26 and the City of Lawrenceville's FHWA-approved DBE program.

(4) *Evaluation, ranking, and selection.*

- a. Consultant proposals shall be evaluated by the City based on the criteria established and published within the public solicitation.
- b. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.
- c. Following submission and evaluation of proposals, the City shall conduct interviews or other types of discussions determined three of the most highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in response to the RFP. Discussion requirements shall be specified within the RFP and should be based on the size and complexity of the project as defined in City written policies and procedures (as specified in 23 CFR 172.5(c)). Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain sufficient information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.
- d. From the proposal evaluation and any subsequent discussions which have been conducted, the City shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.

- e. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
 - f. The City shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant accordance with the provisions of 49 CFR 18.42.
- (5) *Negotiation.*
- a. *Independent estimate.* Prior to receipt or review of the most highly qualified consultant's cost proposal, the City shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
 - b. Elements of contract costs (e.g., indirect cost rates, direct salary or wage rates, fixed fee, and other direct costs) shall be established separately in accordance with 23 CFR 172.11.
 - c. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
 - d. The City shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the contract in accordance with the provisions of 49 CFR 18.42. This documentation shall include the consultant cost certification and documentation supporting the acceptance of the indirect cost rate to be applied to the contract (as specified in 23 CFR 172.11(c)).

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-280. Informal purchases.

The informal purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed and the total contract costs do not exceed the established informal purchase threshold. The City may use the State's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the Federal simplified acquisition threshold (as specified in 48 CFR 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower threshold shall apply to the use of FAHP funds. The following additional requirements shall apply to the small purchase procurement method:

- (1) The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
- (2) A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
- (3) Contract costs may be negotiated in accordance with State small purchase procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.
- (4) The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid

funding. The FHWA may withdraw all Federal-aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-281. Noncompetitive.

The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:

- (1) The City may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable Federal requirements.
- (2) The City shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
- (3) Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following:
 - a. The service is available only from a single source;
 - b. There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
 - c. After solicitation of a number of sources, competition is determined to be inadequate.
- (4) Contract costs may be negotiated in accordance with the City noncompetitive procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.

(Ord. No. 2018-6, 5-7-2018)

Sec. 2-282. Additional procurement requirements.

(a) *Common grant rule.*

- (1) The City must comply with procurement requirements established in State and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36).
- (2) When State and local procurement laws, regulations, policies, or procedures are in conflict with applicable Federal laws and regulations, the City of Lawrenceville must comply with Federal requirements to be eligible for Federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR 18.4).

(b) *Disadvantaged Business Enterprise (DBE) program.*

- (1) The City shall give consideration to DBE consultants if required by the use of state and federal funds in the procurement of engineering and design related service contracts subject to 23 U.S.C. 112(b)(2) in accordance with 49 CFR 26. When DBE program participation goals cannot be met through race-neutral measures, additional DBE participation on engineering and design related services contracts may be achieved in accordance with the City of Lawrenceville's FHWA approved DBE program through either:
 - a. Use of an evaluation criterion in the qualifications-based selection of consultants (as specified in 23 CFR 172.7(a)(1)(iii)(D)); or
 - b. Establishment of a contract participation goal.

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- (2) The use of quotas or exclusive set-asides for DBE consultants is prohibited (as specified in 49 CFR 26.43).
 - (c) *Suspension and debarment.* The City must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR 18.35 and 2 CFR 180.
- (Ord. No. 2018-6, 5-7-2018)

Secs. 2-283—2-298. Reserved.

ARTICLE X. CDBG FUNDS

Sec. 2-299. Purchasing requirements.

The City Manager shall ensure that the purchase of equipment, supplies and/or services relating to the expenditure of federal CDBG funds shall follow federal requirements in accordance with the Common Rule, 24 CFR Part 85 to the CDBG Entitlement Program.

(Code 2005, § 7-101)



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: COUNCIL BUSINESS

- Item:** Discussion to amend chapter 14 of the code of ordinances to update provisions related to Court
- Department:** City Manager
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** N/A
- Presented By:** Michael Fischer – Assistant City Manager - Operations
- Action Requested:** Discuss Ordinance to Amend Chapter 14 of the Code of Ordinances of the City of Lawrenceville, Georgia related to Court to update provisions related to Service of Summons and Arrest and Bond and Forfeiture of Appearance Bonds

Summary: The purpose of this amendment is to update Chapter 14 of the code of ordinances to increase efficiency and align operations of courts.

Background: Chapter 14 of the code of ordinances focuses on Court. From time-to-time city staff review the code sections to update for legality, clarification, typographical errors and to align operations for increased efficiency. This amendment is an update to recognize the authority given to the Citizen Police Volunteer team for citations. The update also includes realigning how professional bondsman deposits are managed.

Concurrences: City Manager, City Clerk, City Court Administrator, City Attorney

Attachments/Exhibits: Chapter 14 redlined draft amended code
Chapter 14 clean draft amended code

Chapter 14 COURT¹

Sec. 14-1. Scope of jurisdiction.

The Municipal Court of this Municipality shall try violations of Municipal Ordinances, State traffic laws, and certain misdemeanor offenses as identified in State law, and shall have the power and authority to impose fines upon persons convicted of said offenses, with the alternative of other punishment allowed by law if such fines are not paid.

(Code 2005, § 5-101)

Sec. 14-2. Appointment and qualifications of Judge.

The Mayor, with consent of the City Council, shall appoint a Chief Judge and any such Associate Judges in accordance with the qualifications contained in the City Charter. In the event that the Chief Judge and the duly appointed Associate Judges are not able to attend court, the Chief Judge shall have the authority to appoint a judge pro hac vice.

(Code 2005, § 5-102)

Sec. 14-3. Record of cases.

A record of all cases heard in the Municipal Court for violation of this Code or other municipal ordinances shall be kept in a suitable bound volume or in appropriate electronic format by the Court Administrator. Such record shall contain the name of the defendant, the nature of the offense charged, the final disposition of the case, and the date of final disposition.

(Code 2005, § 5-103)

Sec. 14-4. Service of summons.

Any person charged with violating any City ordinance shall receive notice by service of a summons or citation as provided in this section. Such summons or citation may be issued by the Court Administrator, a Code Enforcement Officer, ~~and~~ any police officer of the City or duly authorized Citizen Police Volunteer. The summons or citation shall be directed to the accused and shall distinctly state the offense charged, the time and place, as far as practicable, of the offense charged, and the day, hour and place of trial, requiring the accused to appear before the Judge of the Municipal Court to answer the accusation made. Service of the summons or citation shall be made by a police officer or Code Enforcement Officer of the City either by serving the accused personally or by leaving a copy at his most notorious place of abode, except that in the case of a summons or citation issued for violation of laws or ordinances relating to the parking of motor vehicles, such summons or citation may be directed to an

¹State law reference(s)—Appointment of judge, O.C.G.A. § 36-32-2; maximum punishment authorized, O.C.G.A. § 36-35-6(a)(2); powers of judges of municipal courts in criminal cases, O.C.G.A. §§ 36-32-5 et seq., 40-13-22, 40-13-23.

unknown person as owner of an automobile designated in the summons or citation and may be served upon such person by leaving a copy in or attached to such automobile.

(Code 2005, § 5-104)

Sec. 14-5. Subpoenas.

The Court Administrator shall issue subpoenas for the appearance of all witnesses necessary for the prosecution or for the defense in any case pending before the Municipal Court. All subpoenas shall be served in the same manner as a summons.

(Code 2005, § 5-105)

Sec. 14-6. Failure to obey summons or subpoena.

Any person who fails to appear at the time and place set out in any summons or subpoena served upon him shall be guilty of contempt of court and, upon conviction thereof, shall be punished for same.

(Code 2005, § 5-106)

Sec. 14-7. Arrest and bond.

(a) *Appearance bond; procedure for accepting.* Offenses against the ordinances of the City shall be bailable as follows:

- (1) The Police Chief, Judge, Court Administrator or any other officer designated by the Police Chief may accept bond of the accused payable to the City, conditioned upon the appearance of the accused at the next session or any subsequent session of the Municipal Court as stated in the bond to answer the charge.
- (2) The bond shall be in writing in an amount established in a schedule approved by the Municipal Court Judge.
- (3) A person arrested for violation of a City ordinance may be released on his own recognizance or may deposit, in lieu of an appearance bond, his driver's license with the arresting officer, the Police Chief or the Judge if, in any of these officials' determination, the person will appear at the time set for the court appearance in view of the following considerations:
 - a. The seriousness of the offense charged;
 - b. The penalty provided by law;
 - c. The number of charges pending against the defendant;
 - d. The criminal record of the defendant;
 - e. The residence of the defendant and the length of time of residence;
 - f. The defendant's age;
 - g. Marital status and number of children;
 - h. Residency of the relatives of the defendant;
 - i. Employment of defendant (by whom, nature of work and how long employed);
 - j. Former employment;

- k. Amount of earnings;
 - l. The defendant's character, reputation and previous criminal history;
 - m. The defendant's mental condition; and
 - n. Whether the defendant has membership in any clubs or societies, church affiliation and other things which could show that he is a responsible member of the community with established community ties.
- (4) Any person released under subsection (a)(3) of this section shall receive a receipt for any driver's license deposited, or, if released on the person's own recognizance, shall sign and receive a copy of the citation or ticket describing the violation for which the person was arrested.
- (5) All persons arrested or notified by citation or ticket of parking violations shall be released on their own recognizance.
- (b) *Professional bondsman.*

~~(1) *Bond required.* No professional bondsman shall be accepted as surety on a bail bond unless he has deposited with the City Clerk the sum of \$10,000.00 to guarantee the payment of any bond, if forfeited, which he may sign. In the event the defendant named in any bond signed by a professional bondsman fails to appear according to the conditions of the bond, and the bond is forfeited, the City Clerk shall deduct the amount of the bond from the deposit made as required in this section and pay the same into the City treasury, and the bondsman shall not be accepted as surety on a bail bond again until he has deposited with the City Clerk an amount sufficient to restore the deposit to the original required amount.~~

- (12) *Qualifications.* In addition to the qualifications contained in O.C.G.A. § 17-6-50(b), professional bondsmen shall meet the following additional qualifications.
- a. Each bondsman shall provide the City with a current period financial statement, including a documented balance sheet.
 - b. Each bondsman shall provide the City with a copy of his business license for Gwinnett County or the City of Lawrenceville.
 - c. Each bondsman shall provide a written proposal outlining the steps it takes as a surety to identify and locate potential defendants after their bonds are forfeited.
 - d. Each bondsman shall provide a written history of his experience in the bonding business, including a statement listing the principals, officers, directors, and shareholders of his corporation.
 - e. Each bondsman shall provide to the Court Administrator with the business name, complete address, telephone number and email address of the chief operating officer or his designee.
 - f. Each bondsman shall update this information annually.
 - g. Each bondsman shall submit to and must pass a full investigation by the Gwinnett County Sheriff as provided in O.C.G.A. § 17-6-50. Any information which demonstrates any involvement in criminal activity shall be grounds for disqualification of the applicant.

(Code 2005, § 5-107)

Sec. 14-8. Forfeiture of appearance bonds.

- (a) The Judge or his designee shall call the case in its regular order, and, if the accused is not in Court and does not answer the call, and, if no good and sufficient reason is given for nonappearance, the Judge shall enter on the docket where the case is stated "bond forfeited," or similar words.
- (b) Upon forfeiture of any bond, ~~the~~any cash deposited as security ~~shall~~may be paid to the City Clerk by the Clerk of Court, and it shall become the property of the City.
- (c) Upon the forfeiture of any bond signed by a person as surety, the Clerk of Court shall issue an execution against the principal and surety on the bond for the amount thereof which shall be collected as tax executions are collected.

(Code 2005, § 5-108)

Sec. 14-9. Court costs.

The Chief Judge of the City of Lawrenceville Municipal Court shall be authorized to establish, by court order, a surcharge amount which shall be added to any penalty imposed for violation of City ordinances, codes or State law violations over which the Court has jurisdiction. The surcharge shall be used to defray the cost of operation associated with the prosecution of such offense and the amount set by the Chief Judge shall bear a reasonable relationship to the Court's operation costs, which sums shall be paid into the City Treasury. If the addition of the surcharge results in a total monetary penalty exceeding that which is allowed by law, such surcharge shall be reduced to ensure compliance with all applicable laws.

(Code 2005, § 5-109; Ord. of 7-2-2009; Ord. of 10-3-2011)

Sec. 14-10. Bench warrant fee.

The Judge of the Municipal Court is authorized to impose a bench warrant fee in the amount of \$200.00 whenever an accused fails to appear in Court on or before the date provided in the summons or citation.

Sec. 14-11. Collection of fines.

When directed by the Judge of the Municipal Court, the City Clerk shall issue executions for fines imposed by said Court, including the costs, which executions may be levied upon any goods or chattels, lands, or tenements of the person so fined.

(Code 2005, § 5-111)

Sec. 14-12. Terms of court.

Each term of court of the Municipal Court of Lawrenceville shall be for a period of 180 days.

(Code 2005, § 5-112)

Chapter 14 COURT¹

Sec. 14-1. Scope of jurisdiction.

The Municipal Court of this Municipality shall try violations of Municipal Ordinances, State traffic laws, and certain misdemeanor offenses as identified in State law, and shall have the power and authority to impose fines upon persons convicted of said offenses, with the alternative of other punishment allowed by law if such fines are not paid.

(Code 2005, § 5-101)

Sec. 14-2. Appointment and qualifications of Judge.

The Mayor, with consent of the City Council, shall appoint a Chief Judge and any such Associate Judges in accordance with the qualifications contained in the City Charter. In the event that the Chief Judge and the duly appointed Associate Judges are not able to attend court, the Chief Judge shall have the authority to appoint a judge pro hac vice.

(Code 2005, § 5-102)

Sec. 14-3. Record of cases.

A record of all cases heard in the Municipal Court for violation of this Code or other municipal ordinances shall be kept in a suitable bound volume or in appropriate electronic format by the Court Administrator. Such record shall contain the name of the defendant, the nature of the offense charged, the final disposition of the case, and the date of final disposition.

(Code 2005, § 5-103)

Sec. 14-4. Service of summons.

Any person charged with violating any City ordinance shall receive notice by service of a summons or citation as provided in this section. Such summons or citation may be issued by the Court Administrator, a Code Enforcement Officer, and any police officer of the City or duly authorized Citizen Police Volunteer. The summons or citation shall be directed to the accused and shall distinctly state the offense charged, the time and place, as far as practicable, of the offense charged, and the day, hour and place of trial, requiring the accused to appear before the Judge of the Municipal Court to answer the accusation made. Service of the summons or citation shall be made by a police officer or Code Enforcement Officer of the City either by serving the accused personally or by leaving a copy at his most notorious place of abode, except that in the case of a summons or citation issued for violation of laws or ordinances relating to the parking of motor vehicles, such summons or citation may be directed to an

¹State law reference(s)—Appointment of judge, O.C.G.A. § 36-32-2; maximum punishment authorized, O.C.G.A. § 36-35-6(a)(2); powers of judges of municipal courts in criminal cases, O.C.G.A. §§ 36-32-5 et seq., 40-13-22, 40-13-23.

unknown person as owner of an automobile designated in the summons or citation and may be served upon such person by leaving a copy in or attached to such automobile.

(Code 2005, § 5-104)

Sec. 14-5. Subpoenas.

The Court Administrator shall issue subpoenas for the appearance of all witnesses necessary for the prosecution or for the defense in any case pending before the Municipal Court. All subpoenas shall be served in the same manner as a summons.

(Code 2005, § 5-105)

Sec. 14-6. Failure to obey summons or subpoena.

Any person who fails to appear at the time and place set out in any summons or subpoena served upon him shall be guilty of contempt of court and, upon conviction thereof, shall be punished for same.

(Code 2005, § 5-106)

Sec. 14-7. Arrest and bond.

(a) *Appearance bond; procedure for accepting.* Offenses against the ordinances of the City shall be bailable as follows:

- (1) The Police Chief, Judge, Court Administrator or any other officer designated by the Police Chief may accept bond of the accused payable to the City, conditioned upon the appearance of the accused at the next session or any subsequent session of the Municipal Court as stated in the bond to answer the charge.
- (2) The bond shall be in writing in an amount established in a schedule approved by the Municipal Court Judge.
- (3) A person arrested for violation of a City ordinance may be released on his own recognizance or may deposit, in lieu of an appearance bond, his driver's license with the arresting officer, the Police Chief or the Judge if, in any of these officials' determination, the person will appear at the time set for the court appearance in view of the following considerations:
 - a. The seriousness of the offense charged;
 - b. The penalty provided by law;
 - c. The number of charges pending against the defendant;
 - d. The criminal record of the defendant;
 - e. The residence of the defendant and the length of time of residence;
 - f. The defendant's age;
 - g. Marital status and number of children;
 - h. Residency of the relatives of the defendant;
 - i. Employment of defendant (by whom, nature of work and how long employed);
 - j. Former employment;

- k. Amount of earnings;
 - l. The defendant's character, reputation and previous criminal history;
 - m. The defendant's mental condition; and
 - n. Whether the defendant has membership in any clubs or societies, church affiliation and other things which could show that he is a responsible member of the community with established community ties.
- (4) Any person released under subsection (a)(3) of this section shall receive a receipt for any driver's license deposited, or, if released on the person's own recognizance, shall sign and receive a copy of the citation or ticket describing the violation for which the person was arrested.
- (5) All persons arrested or notified by citation or ticket of parking violations shall be released on their own recognizance.
- (b) *Professional bondsman.*
- (1) *Qualifications.* In addition to the qualifications contained in O.C.G.A. § 17-6-50(b), professional bondsmen shall meet the following additional qualifications.
- a. Each bondsman shall provide the City with a current period financial statement, including a documented balance sheet.
 - b. Each bondsman shall provide the City with a copy of his business license for Gwinnett County or the City of Lawrenceville.
 - c. Each bondsman shall provide a written proposal outlining the steps it takes as a surety to identify and locate potential defendants after their bonds are forfeited.
 - d. Each bondsman shall provide a written history of his experience in the bonding business, including a statement listing the principals, officers, directors, and shareholders of his corporation.
 - e. Each bondsman shall provide to the Court Administrator with the business name, complete address, telephone number and email address of the chief operating officer or his designee.
 - f. Each bondsman shall update this information annually.
 - g. Each bondsman shall submit to and must pass a full investigation by the Gwinnett County Sheriff as provided in O.C.G.A. § 17-6-50. Any information which demonstrates any involvement in criminal activity shall be grounds for disqualification of the applicant.

(Code 2005, § 5-107)

Sec. 14-8. Forfeiture of appearance bonds.

- (a) The Judge or his designee shall call the case in its regular order, and, if the accused is not in Court and does not answer the call, and, if no good and sufficient reason is given for nonappearance, the Judge shall enter on the docket where the case is stated "bond forfeited," or similar words.
- (b) Upon forfeiture of any bond, any cash deposited as security may be paid to the City Clerk by the Clerk of Court, and it shall become the property of the City.

- (c) Upon the forfeiture of any bond signed by a person as surety, the Clerk of Court shall issue an execution against the principal and surety on the bond for the amount thereof which shall be collected as tax executions are collected.

(Code 2005, § 5-108)

Sec. 14-9. Court costs.

The Chief Judge of the City of Lawrenceville Municipal Court shall be authorized to establish, by court order, a surcharge amount which shall be added to any penalty imposed for violation of City ordinances, codes or State law violations over which the Court has jurisdiction. The surcharge shall be used to defray the cost of operation associated with the prosecution of such offense and the amount set by the Chief Judge shall bear a reasonable relationship to the Court's operation costs, which sums shall be paid into the City Treasury. If the addition of the surcharge results in a total monetary penalty exceeding that which is allowed by law, such surcharge shall be reduced to ensure compliance with all applicable laws.

(Code 2005, § 5-109; Ord. of 7-2-2009; Ord. of 10-3-2011)

Sec. 14-10. Bench warrant fee.

The Judge of the Municipal Court is authorized to impose a bench warrant fee in the amount of \$200.00 whenever an accused fails to appear in Court on or before the date provided in the summons or citation.

Sec. 14-11. Collection of fines.

When directed by the Judge of the Municipal Court, the City Clerk shall issue executions for fines imposed by said Court, including the costs, which executions may be levied upon any goods or chattels, lands, or tenements of the person so fined.

(Code 2005, § 5-111)

Sec. 14-12. Terms of court.

Each term of court of the Municipal Court of Lawrenceville shall be for a period of 180 days.

(Code 2005, § 5-112)



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: COUNCIL BUSINESS

- Item:** Discussion to amend chapter 16 of the code of ordinances to update provisions related to Elections
- Department:** City Manager
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** N/A
- Presented By:** Michael Fischer – Assistant City Manager - Operations
- Action Requested:** Discuss Ordinance to Amend Chapter 16 of the Code of Ordinances of the City of Lawrenceville, Georgia related to Elections to update provisions related to Notice of Candidacy and Campaign Financing Disclosure

Summary: The purpose of this amendment is to update Chapter 16 of the code of ordinances to increase clarification regarding Elections.

Background: Chapter 16 of the code of ordinances focuses on Elections. From time-to-time city staff review the code sections to update for legality, clarification, and typographical errors. This amendment is an update to clarify how a candidate shall identify the position he or she is seeking for office. The update also includes adding State Law titles as reference where needed for better understanding of the City of Lawrenceville Code.

Concurrences: City Manager, City Clerk, City Attorney

Attachments/Exhibits: Chapter 16 redlined draft amended code
Chapter 16 clean draft amended code

Chapter 16 ELECTIONS

ARTICLE I. IN GENERAL

Sec. 16-1. Adoption of State rules and regulations.

The rules and regulations promulgated by the State Election Board which pertain to municipal elections, together with the provisions of the ~~the~~ Official Code of Georgia Annotated, are hereby adopted as the rules, regulations, and provisions that shall govern the conduct of municipal general and special elections in this City.

(Code 2005, § 2-101)

Sec. 16-2. Expenses.

Such funds as are necessary for the conduct of elections and for the performance of the duties that are specified by this chapter shall be budgeted and appropriated annually, and from time to time.

(Code 2005, § 2-102)

Secs. 16-3—16-22. Reserved.

ARTICLE II. CANDIDATES

Sec. 16-23. Notice of candidacy.

- (a) *Filing.* Each candidate desiring to have his name placed on the ballot for an office to be filled by a municipal general or special election shall file personally or by agent notice of his candidacy in the manner required by O.C.G.A. § 21-3-132 as amended. The notice shall be accompanied by the documents and information required by said section. The time for qualification shall be as established by State law. Qualification fees for each office are hereby set at three percent of the annual salary of the office, pursuant to O.C.G.A. § 21-2-131 as amended.
- (b) *Designation of office sought.* In the event that a candidate seeks two or more public offices of the City having the same title, the candidate must specifically identify which seat he is a candidate for office he is seeking shall be designated by the candidate he seeks to succeed.

(Code 2005, § 2-301)

Sec. 16-24. Qualification fees.

The qualification fee for candidates filing a notice of candidacy in any general or special election shall be paid as provided in O.C.G.A. § 21-2-132, as amended.

(Code 2005, § 2-302)

Sec. 16-25. Campaign financing disclosure.

All candidates for municipal public office shall keep all such records and file all such records as are required by the Georgia Campaign and Financial Disclosure Act [Title 21 – Elections, Chapter 5 Government Transparency and Campaign Finance](#).

(Code 2005, § 2-303)

Secs. 16-26—16-53. Reserved.

ARTICLE III. VOTING

Sec. 16-54. Election officials.

- (a) *Appointment.* The City Clerk shall be designated the Municipal Election Superintendent and shall select any required manager, assistant managers and poll officers.
- (b) *Qualifications and powers.* The Municipal Election Superintendent and all poll officers shall meet such qualifications and exercise all such powers and duties as are provided in Title 21, Chapter 2 of the Official Code of Georgia Annotated.

(Code 2005, § 2-401)

Sec. 16-55. Election districts.

The area comprising the corporate limits of the City, as the same is now or shall hereafter exist, shall constitute the sole election district of the City.

(Code 2005, § 2-402)

Sec. 16-56. Polling places.

The polling places within the City shall be as established from time to time.

(Code 2005, § 2-403)

Sec. 16-57. Contested elections.

Contested elections shall be governed by the provisions of O.C.G.A. §§ 21-2-520—21-2-529 [as amended](#).

(Code 2005, § 2-407)

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LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: GENERAL DISCUSSION ITEM

- Item:** Resolution for Open Records Officer Designation Update
- Department:** City Clerk
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** None
- Presented By:** Karen Pierce, City Clerk
- Action Requested:** Consider Adoption of the Resolution to update the Open Records Officer Designation for the City of Lawrenceville.

Summary: The City Clerks office is requesting to update the Resolution designating the official open records officers for the City of Lawrenceville and the procedure for requesting records.

Background: The Open Records Act of the State of Georgia permits an agency to designate Open Records Officers to receive requests for the inspection or copying of records. The Mayor and Council adopted a Resolution in June of 2012 and updated it in July of 2016. Since this time, we have added additional staff to the office and have a records officer that is in charge of handling all City records. We would like to update the Resolution to show this new change.

Concurrences: City Attorney

Attachments/Exhibits:
Resolution for Open Records Officer Designation Update

RESOLUTION _____

**RESOLUTION TO DESIGNATE OPEN RECORDS OFFICERS
FOR THE CITY OF LAWRENCEVILLE, GEORGIA**

WHEREAS, the City of Lawrenceville is a Municipal Corporation of the State of Georgia;
and

WHEREAS, the City of Lawrenceville is an agency subject to the Open Records Act of the State of Georgia; and

WHEREAS, the City of Lawrenceville is comprised of various departments, boards, authorities, and commissions; and

WHEREAS, the Open Records Act of the State of Georgia permits an agency to designate Open Records Officers to receive requests for the inspection or copying of records; and

WHEREAS, the Mayor and Council of the City of Lawrenceville adopted a resolution on June 4, 2012 designating the Open Records Officers; and

WHEREAS, the Mayor and Council of the City of Lawrenceville adopted an amended resolution on July 6, 2016 updating the designated Open Records Officers; and

WHEREAS, the Mayor and Council of the City of Lawrenceville wish to update the designated Open Records Officers; and

IT IS HEREBY RESOLVED that the Mayor and Council of the City of Lawrenceville, in accordance with the provisions of the Open Records Act found in O.C.G.A. §50-18-71(b) designate the following Open Records Officers to receive requests on behalf of the City and all of its departments (including but not limited to: Administration, Communications, Code Enforcement, Planning & Development, Engineering, Streets & Sanitation, Utilities, Gas, Damage Prevention, Electric, Meter, Public Works, GIS, Human Resources, Police, Finance, Municipal Court, Information Technology, Economic Development, Risk Management, Purchasing), boards, authorities, and commissions (including but not limited to: Building Authority, Board of Appeals, Downtown Development Authority, Development Authority, Financial Review Citizens Committee, Hooper-Renwick Legacy Preservation Committee, Arts Commission, Planning Commission, ReCast Advisory Board, Stormwater Authority and specifically excluding the Lawrenceville Housing Authority) :

- (1) Records Officer in the Office of the City Clerk
- (2) In the absence of the Records Officer in the Office of the City Clerk, the City Clerk and Assistant City Clerk shall serve as the Open Records Officer.

IT IS FURTHER RESOLVED that the City requires that all written requests under the Open

Records Act shall be made upon the Open Records Officers designated in this Resolution, and that a copy of the Request be sent by the Open Records Officer to the City Attorney.

IT IS FURTHER RESOLVED that the City requires that all written requests under the Open Records Act shall be submitted using the City’s Online Portal, by US Mail sent to the Open Records Officer at PO Box 2200, Lawrenceville, GA 30046, hand delivered to the Office of the City Clerk at City Hall (70 S. Clayton St.) or by email to City.Clerk@lawrencevillega.org.

IT IS FURTHER RESOLVED that the City Clerk shall notify the Gwinnett Daily Post, as the legal organ of the City and Gwinnett County, that the City has so designated the Open Records Officers contained herein.

IT IS FURTHER RESOLVED that the City Clerk shall ensure that the designated Open Records Officers and their contact information are prominently displayed on the City’s website.

IT IS SO RESOLVED this _____ day of _____, 20_____.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: GENERAL DISCUSSION ITEM

- Item:** Round-up Presentation
- Department:** Communication
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** N/A
- Presented By:** Melissa Hardegree, Chief Communications Officer
- Action Requested:** No Action Needed. This is an update on the round-up program.

Summary: Melissa Hardegree will present an update on the City of Lawrenceville’s Round-Up Program.

The Round-Up Program is a philanthropic effort of Lawrenceville Utilities, offering an opportunity for neighbors to help neighbors. Program funds provide direct benefits to Lawrenceville utility customers in the utility service area experiencing hardship – improving their quality of life.

The presentation will include information on how the program operates, communication efforts, the application process, and the program’s non-profit partner.

Attachments/Exhibits:
Roundup Presentation 4.17.2024

Roundup Program 2024

Melissa Hardegree
Chief Communications Officer



What is the Round-up Program?

A philanthropic effort of Lawrenceville Utilities, offering an opportunity for neighbors to help neighbors. Program funds provide direct benefits to Lawrenceville utility customers in the utility service area experiencing hardship – improving their quality of life.





What is the Round-up Program?

Lawrenceville Utility bills of participating customers are “rounded up” to the next dollar amount each month and proceeds are placed into a special fund used to benefit those needing assistance in the community (especially with utility bills).

Mission: To serve as a utility payment assistance program for qualifying customers in need.



How does it work?

For example, a monthly bill of \$48.51 will result in a \$49.00 bill and the extra 49¢ will go toward the Round-up Program.

Most participants will give an average of 50¢ per month or \$6 per year.



How does the program work?

To qualify for Round-Up Program assistance:

- Apply through local nonprofit partner
- Must be a Lawrenceville Utilities Customer



How does the program work?

Lawrenceville Utilities has partnered with the Lawrenceville Response Center (LRC) to administer the program and qualify customers for assistance.



Can a customer opt-out?

The Lawrenceville Utilities bill format includes a Round-Up Program detail line. It also offers the option to “opt-out” of the program by checking the box at the bottom of the bill stub and returning it.



- The Lawrenceville Utilities bill format includes a Round-up Program detail line.
- It also has the option to "opt-out" of the program by checking the box at the bottom of the bill stub and returning it.



LAWRENCEVILLE UTILITIES City of Lawrenceville Utility Office Information Phone: (678) 407-6675
 Office Hours: Monday - Friday, 8am to 5pm Utility Emergency: Dial 911
 Location: 70 S. Clayton St., Lawrenceville, GA Call Before You Dig: Dial 811

ACCOUNT INFORMATION: Account Number [REDACTED] Penalty Date [REDACTED] Name [REDACTED]
 [Barcode] Bill Date 03/23/2022 Service Address [REDACTED]

Description	Meter #	Meter Read Date Start	Meter Read Date End	Meter Read Usage Start	Meter Read Usage End	Total Usage	Amount
PRIOR BALANCE ADJUSTMENTS							\$292.51
PAST DUE BALANCE - SUBJECT TO DISCONNECTION ON							\$4.47
ELECTRIC	52876952	02/04/2022	03/04/2022	33395	34627	1232	\$296.98
GARBAGE							\$137.47
GAS	6328540	02/04/2022	03/04/2022	2894	2935	42	\$59.20
SALES TAX							\$11.80
ROUND UP DONATION							\$0.00
Due by 04/13/2022							\$515.45
Due after 04/13/2022							\$518.72

Electric

Gas

SPECIAL MESSAGE:
 THIS BILL INCLUDES PAYMENTS RECEIVED THROUGH 3/21/2022. PAY ONLINE: LAWRENCEVILLEUTILITIES.COM/MAKEPAYMENT
 PAY BY PHONE: 1-844-878-2841. UTILITY POLICIES MAY BE VIEWED ON THE CITY WEBSITE OR OBTAINED BY CONTACTING CUSTOMER SERVICE.

- This bill is due when rendered.
- Payment must be received by the City by due date to avoid late charge.
- Accounts with a Past Due balance (arrears) are subject to disconnection and a disconnection fee.
- Copies of all utility rates are available on the LawrencevilleUtilities.com website.

LAWRENCEVILLE UTILITIES
 P.O. Box 2200
 Lawrenceville, GA 30046-2200

[Barcode] Account Number: [REDACTED]
 Please Pay By: 04/13/2022
 Total Due: \$515.45 [QR Code]

1059 [REDACTED]

1059 [REDACTED]
 CITY OF LAWRENCEVILLE
 PO BOX 2200
 LAWRENCEVILLE GA 30046-2200

I do not want to participate in the Utility Round-Up Program. Funds collected from this program provide utility payment assistance program for qualified customers in need.



Can a customer opt-out?

Customers may also:

- Complete an online form found on the utilities website
- Contact customer service via phone or email



What if a customer does not pay the Round-Up portion of their bill?

Customers **will not** be penalized or have service disconnected for non-payment of the Round-Up Program portion of their monthly bill.



How are customers notified about the program?

- Every utility customer receives a *Customer Service Guide* in print or digital form when opening a utility account. The guide contains a full page about the program.
- The utility website details the program under “Customer Service.”



How are customers notified about the program?

- Customer Service offers Round-Up Program details, overseen by the LRC, to customers facing financial constraints or unable to pay their bill in full by the due date.
- Customers are directed to the city website or LRC link and instructed to make an appointment.



How are customers notified about the program?

The LRC works with Customer Service staff to receive customer information and time frames that may be of issue for pending applications.



What are the requirements to receive assistance?

- Customers must provide the following:
 - City of Lawrenceville utility bill
 - Valid ID
 - Financial Impact Document (within last 90 days)
 - COVID support documents, if applicable:
 - Letter from employer
 - Separation letter
 - Letter of absence from employer
 - Doctor's notes with COVID results, notes to quarantine



What are the requirements to receive assistance?

Customers must provide the following:

- Financial Impact Document (within last 90 days)
 - Pay stubs (pre/post)
 - Medical bills
 - Bank statement showing loss of income
 - SSI, disability papers



How long does this process take?

- The Utilities Intake Specialist (LRC) will notify the customer three (3) days before the appointment to give instructions on the appointment and the required documents.
- Documents are due within 24 hours of appointment
- Vouchers are paid by appointment if approved
- Customers can also be processed based on availability
 - If appointment spots open, customers may be processed earlier



How long does this process take?

If customer processing is behind, the LRC may delay utility disconnection through Customer Service.



How are customers approved or denied?

- Approval or denial is based on the validity and timeliness of required documentation.
- All customers must have a recent Lawrenceville Utilities bill DUE.
 - Automatic DNQ if this qualification is not met.
 - Documentation must be within the last 90 days or DNQ
 - Documentation must be received by the deadline or DNQ
 - Documentation must be valid and prove the reason for the assistance request.



How are customers approved or denied?

One-time assistance up to \$1,000

- Utility bills due at the time of the appointment (arrears and current) up to \$1,000.
- If previously assisted, automatic DNQ



*What are current trends in Round-up Program?

- Most applicants have experienced a job loss or loss of hours.
- Most applicants owe arrears (past due bill amounts)
- Most applicants are female and African American



Status of the Round-Up Program

- Lose 100 accounts per month through the opt-out process
- As of October 2023: 37,617 accounts contribute to the program
- Utilized just over \$300,000 in Round-Up funds for Deauville resident relocation stipends. (Indicated in September 2023)



Status of the Round-Up Program

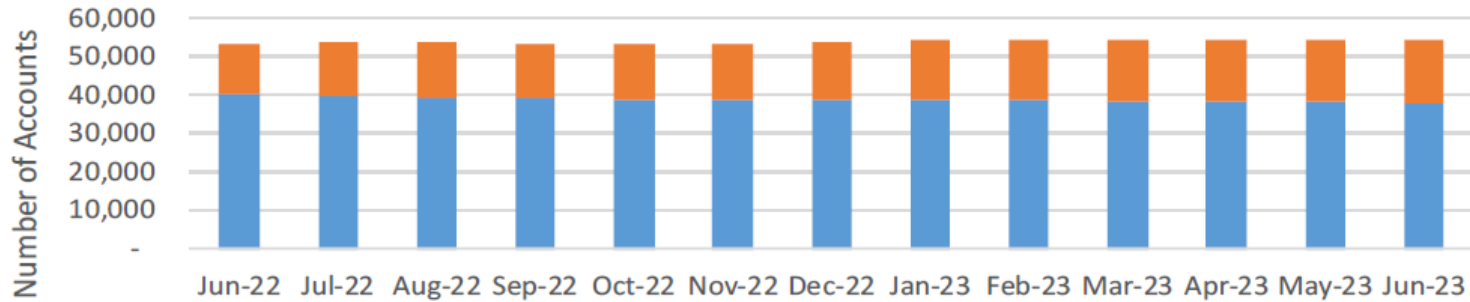
- From August 2023 to October 2023, on average, \$9,000 was utilized for utility customer requests.
- This is almost half of what we saw in that same period (August – October) in 2022 when the average was just over \$15,500.



Round-Up Program

The City has 54,635 active utility accounts with 37,951 of those participating in the Round-Up Program. 16,684 customers have requested to opt out of the program.

Round Up Accounts



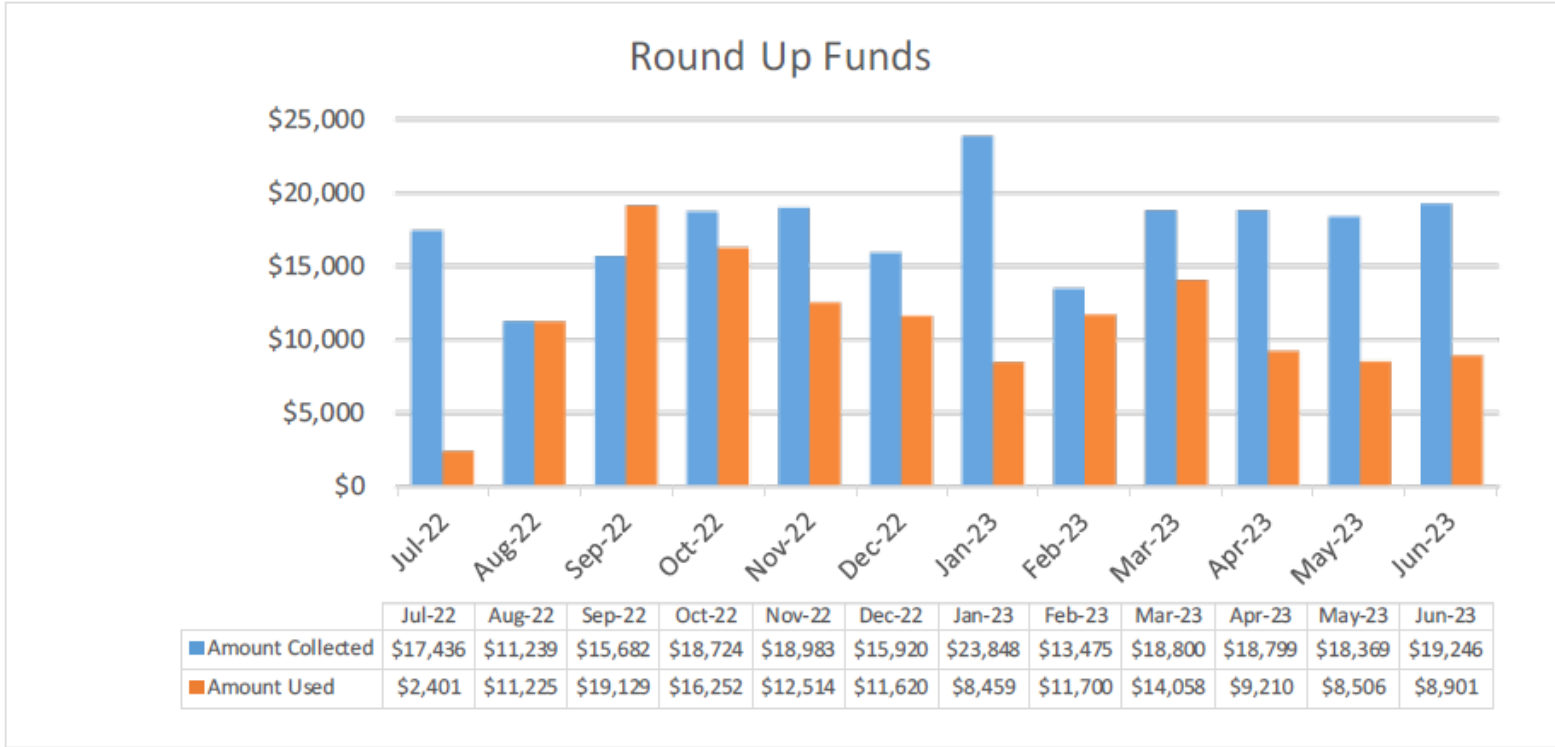
	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
Accounts Opted Out	13,277	14,066	14,246	13,890	14,380	14,448	14,831	15,501	15,800	15,670	15,933	16,098	16,684
Accounts with Round-Up	40,201	39,874	39,601	39,280	39,146	39,093	38,988	38,822	38,696	38,517	38,364	38,220	37,951

The program has \$389,993 available for assistance.

FY 2022 Ending Bal		\$313,445
FY 2023 Collections	\$210,522	
FY 2023 Used	<u>\$133,974</u>	
		\$76,548
Available		\$ 389,993

FY 2023 Period 12 (June)

The program has assisted 522 customers since its inception. 23 customers were supported in June.

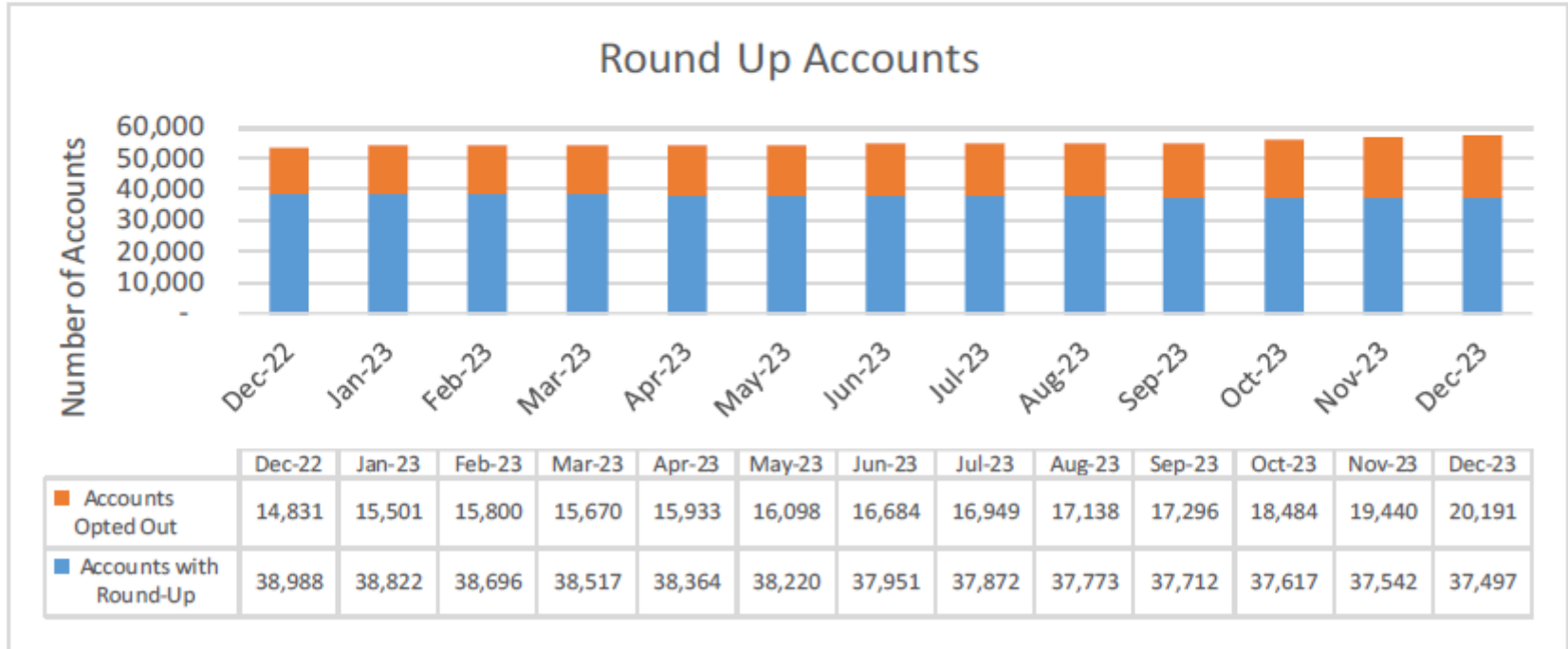


FY 2023 Period 12 (June)



Round-Up Program

The City has 57,688 active utility accounts with 37,497 of those participating in the Round-Up Program.

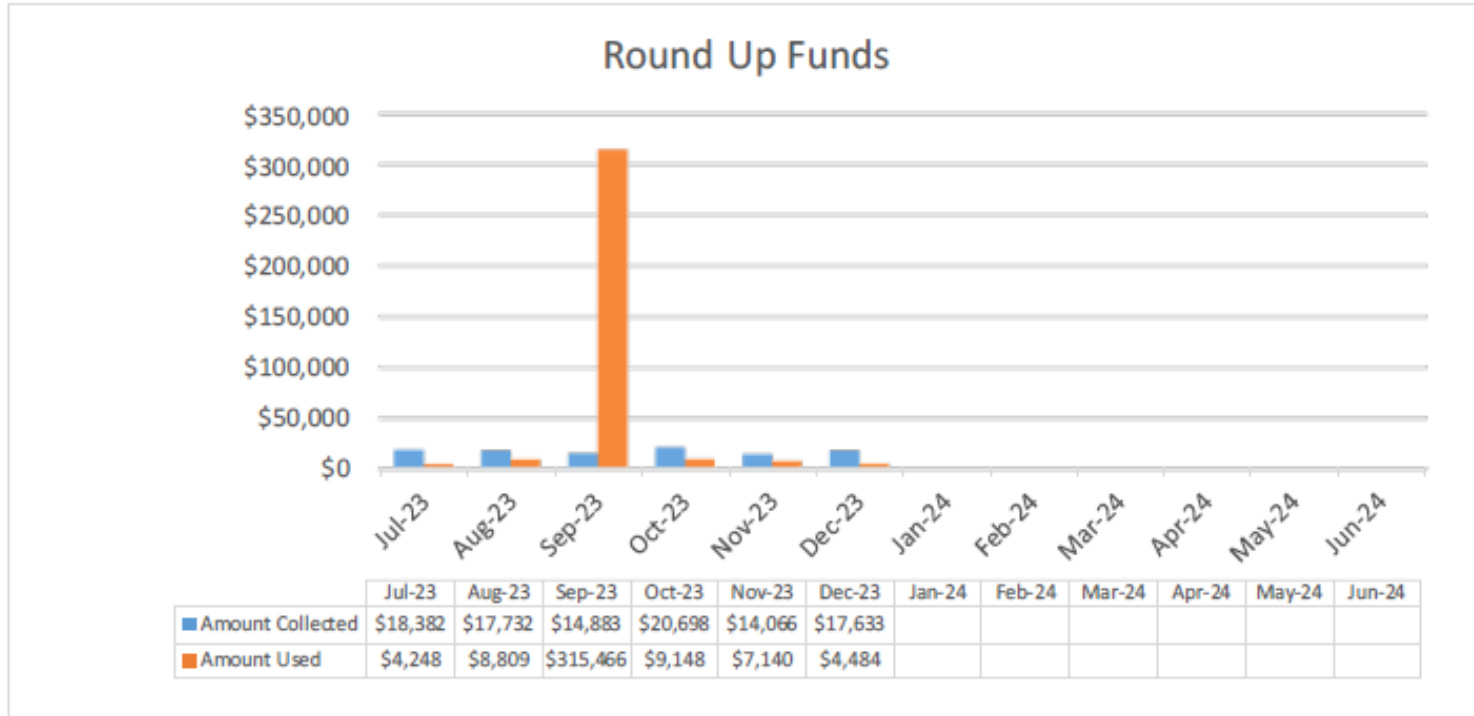


FY 2024 Period 5 (December)

The program has \$148,840 available for assistance. \$300,000 was transferred to Capital to partially fund the Deauville Relocation Services Program.

FY 2023 Ending Bal		\$394,741
FY 2024 Collections	\$103,394	
FY 2024 Used	\$349,295	
		(\$245,901)
Available		\$ 148,840

The program has assisted 645 customers since its inception. 14 customers were supported in December.

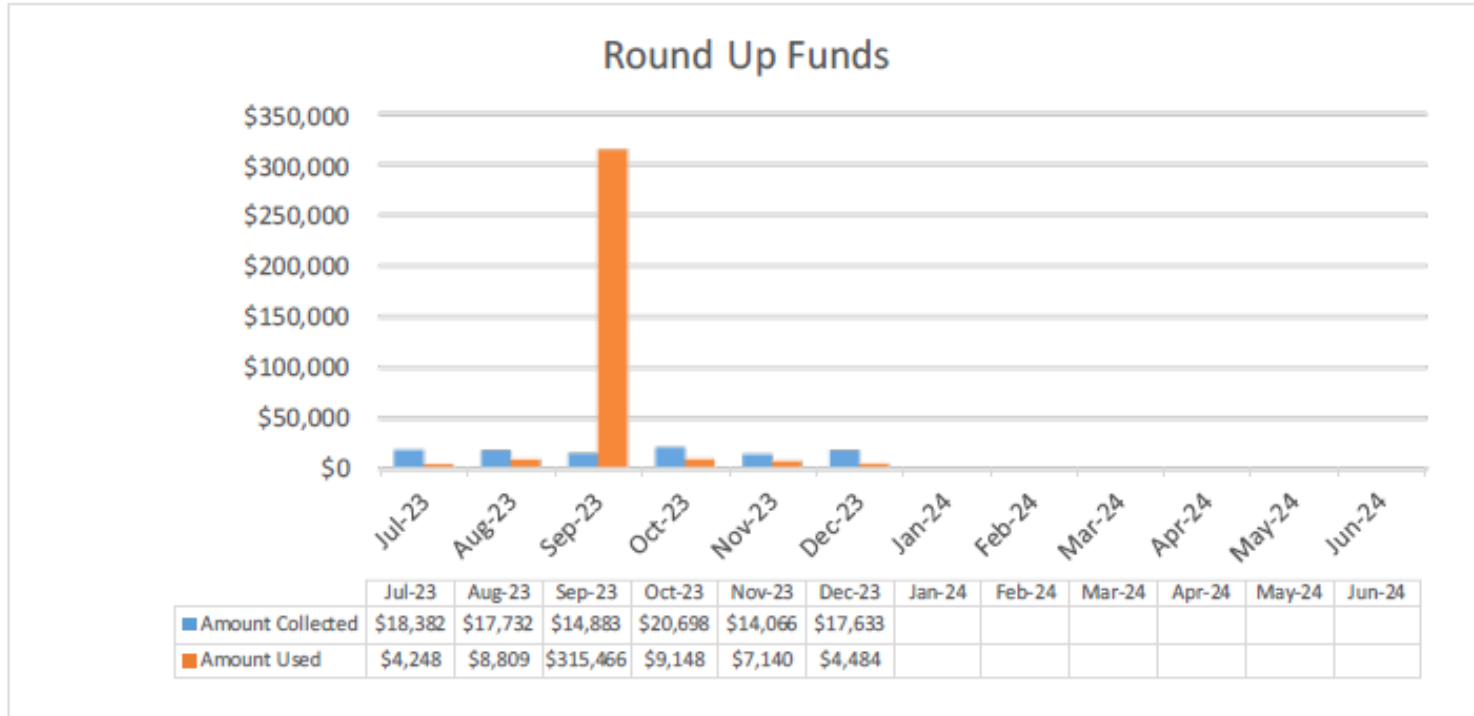


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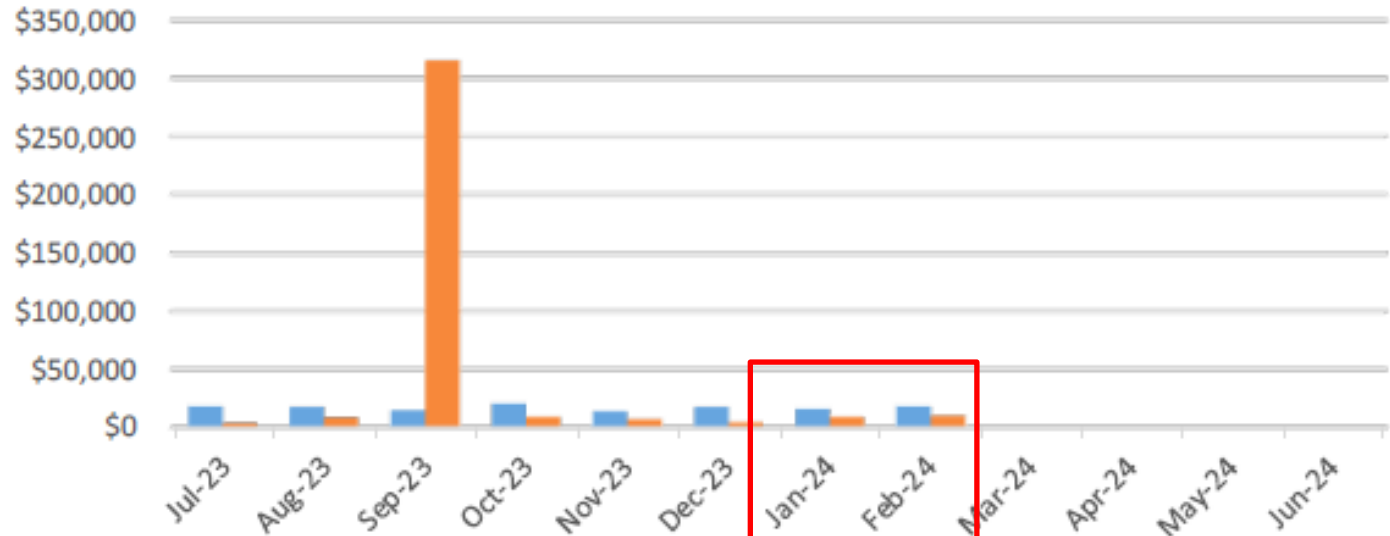
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Available		\$ 148,840

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FY 2024 Period 5 (December)

Round Up Funds



	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Amount Collected	\$18,382	\$17,732	\$14,883	\$20,698	\$14,066	\$17,638	\$16,105	\$18,264				
Amount Used	\$4,248	\$8,809	\$315,466	\$9,148	\$7,140	\$4,484	\$9,124	\$10,052				

January and February 2024 average is \$9,588.

FY 2024 Continued



Questions



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024
AGENDA CATEGORY: DISCUSSION OF GENERAL CITY BUSINESS

- Item:** Presentation of Fiscal Year 2025 Proposed Budget
- Department:** Finance
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** Adoption of Fiscal Year 2025 Budget
- Presented By:** Keith Lee, Chief Financial Officer
- Action Requested:** This is a presentation, no action requested

- Summary:** presentation of the Proposed Fiscal Year 2025 Budget.
- Fiscal Impact:** Funding for Fiscal Year 2025 Operating and Capital Budgets.
- Concurrences:** City Manager
- Attachments/Exhibits:** PowerPoint Presentation

FY 2025 Proposed Budget

April 17, 2024



Agenda

- Overview
- Personnel
 - Proposed Salary Adjustments
 - New Positions
- Changes at the Fund Level
- Capital Projects Plan



FY 2025 Budget Calendar

- Developed revenue projections in late December & early January
- Departments submitted operating, personnel and capital requests in January and February
- Finance Citizen's Committee meetings and input during the month of March
- City Manager review of the requests in March
- Budget submitted to Council in April
 - Public Hearings and Council input in April and May
 - Adoption of Budget in June and millage in July



FY 2025 Revenue Projections

- Proposing Millage Rate increase from 2.228 to 3.26
 - As part of FY 2024 Budget discussion, the City informed the public the City would increase the millage rate by one mill.
 - \$1,679,110 increase in property taxes (real and personal)
- Proposing to change Occupation Tax to a gross receipt
 - Increase in revenue from \$300,000 to \$2,000,000
- Proposing adding admin fee for utility accounts of \$2.95 per month
 - Increase in revenue of \$1,800,000
- Increase in Utility Account Connect Fee change from \$50 to \$75 per application
 - Increase in revenue of \$315,000



FY 2025 Revenue Projections con't

- Electric Rates
 - Third Year of Electric Rate Study will be implemented in January of 2025. The increase is an average 1.0% across all charges.
 - No base rate increase for Residential
 - Will conduct a Rate Study for FY 2025 and the following years
- Gas Rates
 - Second Year of Gas Rate Study will be implemented in July of 2024. The increase is an average 1.3% across all charges
 - Residential Base Rate will increase from \$25 to \$26 per month
 - Will update the Rate Study for FY 2026 and the following years
- Sanitation Rates
 - No Proposed Changes
 - Will conduct a rate study for FY 2026 and the following years



FY 2025 Revenue Projections con't

- Operating Transfers – in
 - \$18,431,234
 - Decrease of \$1,798,289 (8.9%)
 - \$7,962,203 from Electric
 - \$9,629,031 from Gas
- Charges for Service (Indirect or Overhead)
 - \$9,131,575
 - \$2,596,045 Electric Fund
 - \$5,836,115 Gas Fund
 - \$516,715 Sanitation Fund
 - \$182,700 Stormwater Fund
 - \$112,126 increase from FY 2024



FY 2025 Revenue Projections con't

- Fines & forfeitures
 - \$1,500,000, same as FY 2024
 - Does not include School Speed Zone Fines (New Fund 285)
- Licenses and Permits
 - \$424,000, decrease of \$16,000 from FY 2024
- Miscellaneous Revenue
 - \$1,892,500 (includes Aurora Capital Contribution)



FY 2025 Expense Highlights

- 9 New Positions funded through City Revenues
- 1 New Position funded through a grant
- Salary Increases
 - 4% salary increase
- Additional projected costs for Health Benefit (Active and Retired Employees) of \$952,000 or 9.0% increase
- \$23,000 for Tuition Reimbursement
- \$25,000 for City Housing program
- \$100,000 for Nightshift differential for Police Officers
- \$105,000 for Police Self Defense and Defensive Tactics training



FY 2025 Salary Adjustments

- Proposed FY 2025 Salary Adjustments
 - \$1,160,951
 - \$986,700 Salaries
 - \$61,200 Social Security
 - \$14,300 Medicare
 - \$98,751 Retirement
 - 4% average increase implemented on July 1, 2024
 - Metro Atlanta MSA Wage and Salary Increases for 12 months prior to December 2023 was 4.0%



FY 2025 Personnel – New Positions

Department	Count	Month	Position Title
Electric	1	July	Superintendent
Gas	1	July	Distribution Operation Supervisor
HR	1	July	Human Resources Specialist
IT	1	July	Tech Support Analyst
Police	2	July	Bike Unit Patrol
Government Building	2	July	Facility Maintenance Assistant
Government Building	1	July	Maintenance Tec Supervisor
TOTAL Cost of Positions			\$1,333,343

- \$1,001,843 in salary, benefits, supplies, and operating costs
- \$331,500 in capital costs
 - Converts temporary part-time HR Specialist to full-time
 - Government Building positions are primarily funded through reduced ongoing maintenance costs.
- Convert ReCAST Program Manager from contract services to Grant Funded Employee
 - No change in costs to the program
- Total of 9 new positions and 1 grant funded position (10 total)



FY 2025 Overview – Operating

Fund		Source of Funds	Use of Fund Balance	Use of Funds
100	GENERAL FUND	\$49,630,393		\$49,630,393
210	CONFISCATED ASSETS FEDERAL	\$60,300		\$60,300
211	CONFISCATED ASSETS LOCAL	\$10,500		\$10,500
215	911 FUND	\$1,333,355		\$1,333,355
230	ARPA FUND	\$0	\$819,000	\$819,000
270	LAWRENCEVILLE TAD	\$500,000		\$500,000
275	HOTEL/MOTEL TAX	\$300,000		\$300,000
280	MOTOR VEHICLE TAX	\$140,000		\$140,000
285	SCHOOL ZONE CAMERAS	\$2,227,000		\$2,227,000
510	ELECTRIC FUND	\$41,336,500		\$41,336,500
515	GAS FUND	\$56,239,000		\$56,239,000
540	SANITATION FUND	\$3,110,292		\$3,110,292
560	STORMWATER FUND	\$2,454,500		\$2,454,500
610	GROUP HEALTH FUND	\$8,750,000		\$8,750,000
615	WORKERS COMP FUND	\$559,000		\$559,000
620	FLEET FUND	\$2,332,125		\$2,332,125
625	RISK MANAGEMENT FUND	\$1,877,046		\$1,877,046
		\$170,860,011	\$819,000	\$171,679,017



FY 2025 Overview – Capital

Fund		Source of Funds	Use of Fund Balance	Use of Funds
326	2023 SPLOST	\$6,559,140		\$6,559,140
355	CAPITAL PROJECTS	\$5,318,060		\$5,318,060
511	ELECTRIC FUND CAPITAL *	\$1,715,000		\$1,715,000
516	GAS FUND CAPITAL*	\$3,344,520		\$3,344,520
541	SANITATION CAPITAL	\$28,000		\$28,000
561	STORMWATER CAPITAL	\$1,453,075	\$146,925	\$1,600,000
		\$17,917,795	\$146,925	\$18,564,720
		\$189,277,856	\$965,925	\$190,243,781



FY 2025 General Fund

Revenue		Amount
31	Taxes	\$14,177,794
32	Licenses & Permits	\$768,100
33	Intergov Revenues	\$1,293,990
34	Charges for Services	\$10,540,275
35	Fines & forfeitures	\$2,041,500
36	Investment Income	\$445,000
38	Miscellaneous	\$1,892,500
39	Other Financing	\$18,471,234
		\$49,630,393

Expense		Amount
51	Personal Services	\$21,763,271
52	Contracted Services	\$10,548,341
53	Supplies	\$1,817,725
55	Interfund Charges	\$9,461,665
57	Other costs	\$4,604,292
58	Debt Services	\$902,044
61	Other Financing Uses	\$533,055
		\$49,630,393



FY 2025 Electric Fund

- \$41,336,500 Proposed Budget
 - Fund Transfers Out
 - \$7,962,203 General Fund Operating
 - \$1,715,000 Electric Fund Capital
 - Indirect Costs
 - \$2,596,045
 - Purchase of Electricity for Resale
 - \$24,400,100
 - The last increase to Electric Rates was January 2024 (3year program)
 - Last increase is scheduled for January 2025 (Average 1.0% increase)
 - No Residential Base increase
 - This is the last year of the Rate Study.
 - A new rate study with ECG will be completed and presented to council.



FY 2025 Gas Fund

- \$56,239,000 Proposed Budget
 - Fund Transfers Out
 - \$9,629,031 General Fund Operating
 - \$3,902,060 General Fund Capital
 - \$3,344,520 Gas Fund Capital
 - Indirect Costs
 - \$5,836,115
 - Purchase of Gas for Resale
 - \$20,974,250
 - Next Rate increase July 1, 2024 (2nd year of 3rd year of rate study)
 - Base Rate increase from \$25 to \$26
 - An updated rate study will be completed and proposed to Council



FY 2024 Solid Waste & Recycling

- \$3,110,292 Budget
 - Solid Waste Disposal \$975,000
 - Indirect Cost \$516,715



FY 2025 Capital Projects Plan

Department	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
SPLOST	\$6,559,140	\$1,300,000	\$850,000	\$2,750,000	\$500,000	\$500,000
Special Events	\$8,000	\$0	\$0	\$0	\$0	\$0
Engineering	\$660,000	\$0	\$0	\$0	\$0	\$0
IT	\$546,000	\$292,950	\$295,490	\$223,070	\$224,700	\$226,380
Police	\$1,315,575	\$715,575	\$639,199	\$639,199	\$240,549	\$240,549
Streets	\$2,442,000	\$2,516,160	\$2,438,093	\$2,754,785	\$3,065,280	\$1,874,585
Economic Development	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Damage Prevention	\$7,060	\$14,120	\$7,060	\$14,120	\$7,060	\$14,120
Fleet	\$1,740,000	\$1,790,000	\$1,900,000	\$1,982,500	\$2,072,500	\$2,132,250
Sanitation	\$28,000	\$205,500	\$0	\$0	\$0	\$0
Electric	\$1,715,000	\$6,326,000	\$5,954,000	\$6,906,250	\$9,100,000	\$8,482,500
Gas	\$3,344,520	\$5,274,520	\$4,899,580	\$5,638,660	\$5,020,780	\$5,068,070
Stormwater	\$1,600,000	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000
Gov Bldgs	\$100,000	\$210,000	\$252,000	\$210,000	\$297,000	\$1,182,000
	\$20,115,295	\$19,994,825	\$18,585,422	\$22,468,584	\$21,877,869	\$21,070,454



FY 2025 Capital Projects con't

- \$20,115,229 Proposed Budget
 - \$2,202,000 Street Resurfacing
 - ARPA: \$660,000
 - Capital Project Fund: \$1,042,000
 - 2023 SPLOST: \$500,000
 - \$50,000 Arts' Commission
 - \$1,700,000 Vehicle Replacement
 - \$400,000 Camelot Subdivison
 - \$815,575 Speed Zone Camera Funds
 - Police Radios, SRT Uniforms and Equipment, Axon body & Vehicle Cameras
 - \$300,000 vehicle wash bay at Public Works



Long Range Outlook

- Annually, during the Budget Process the City looks at long range impacts of decisions made in the current budget
- Assumptions are made about future years based on historical trends
- Helps us to understand the financial implications
 - Evaluate impacts on Financial Policies
 - Evaluate service level changes
 - Evaluate revenue enhancements
- Provides Financial guidance for policy decisions



Long Range Outlook con't Revenue

- Changes in Taxes
 - 5% annual growth Historical Growth in Digest
 - 1% annual growth in Franchise Taxes and Insurance Premium Tax
 - Occupation Tax based on Gross Receipt model
- Fines and Forfeitures
 - Based on FY 2023 activity annual revenue is expected to be \$1,500,000 (stable)
- 2023 SPLOST
 - Projected based on Intergovernmental Agreement
- Enterprise Funds
 - Gas adding 750 customers a year
 - Electric Fund based on MEAG growth estimates (0.33% annually)



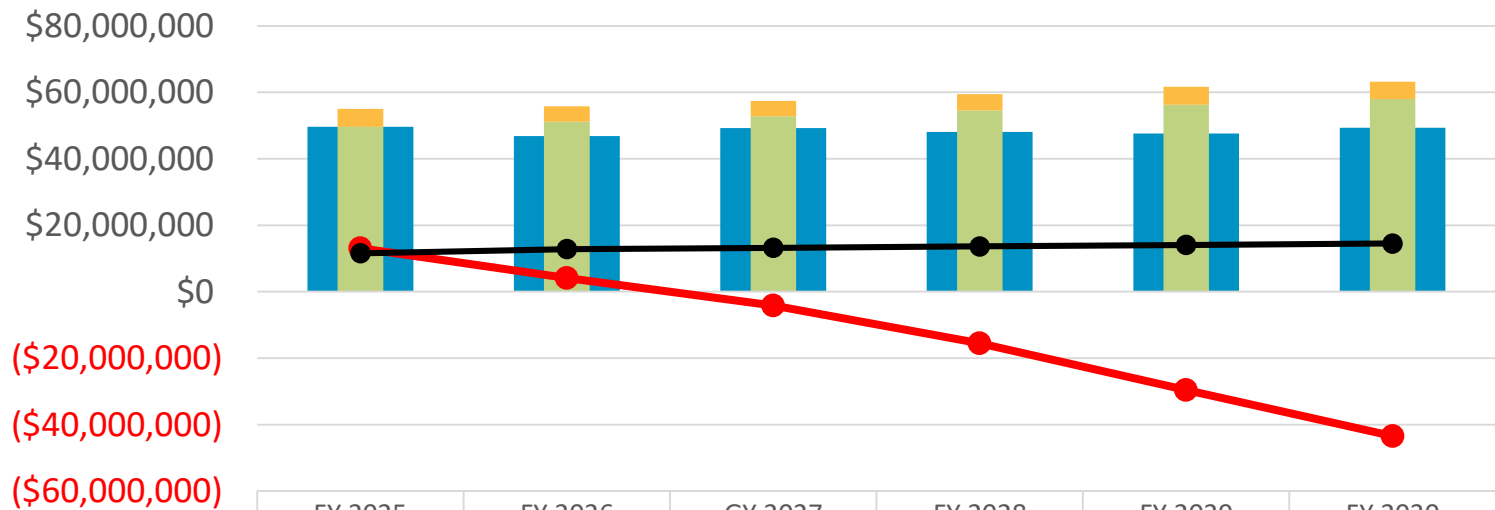
Long Range Outlook con't Expenses

- Salary Changes
 - Annual Increase of 3%
 - 3 additional positions a year
- Health Care Costs
 - Based on 5% Annual Increase
- Other Operating
 - Historical Inflation at 2%
- Debt Service
 - LBA – Series 2019: \$1,700,000
 - DDA – Series 2020: \$1,440,000
 - Electric/Gas Bonds – Series 2023 \$1,136,000
- 5year FY 2025 CIP based on FY 2025 requested



Long Range Outlook con't

General Fund

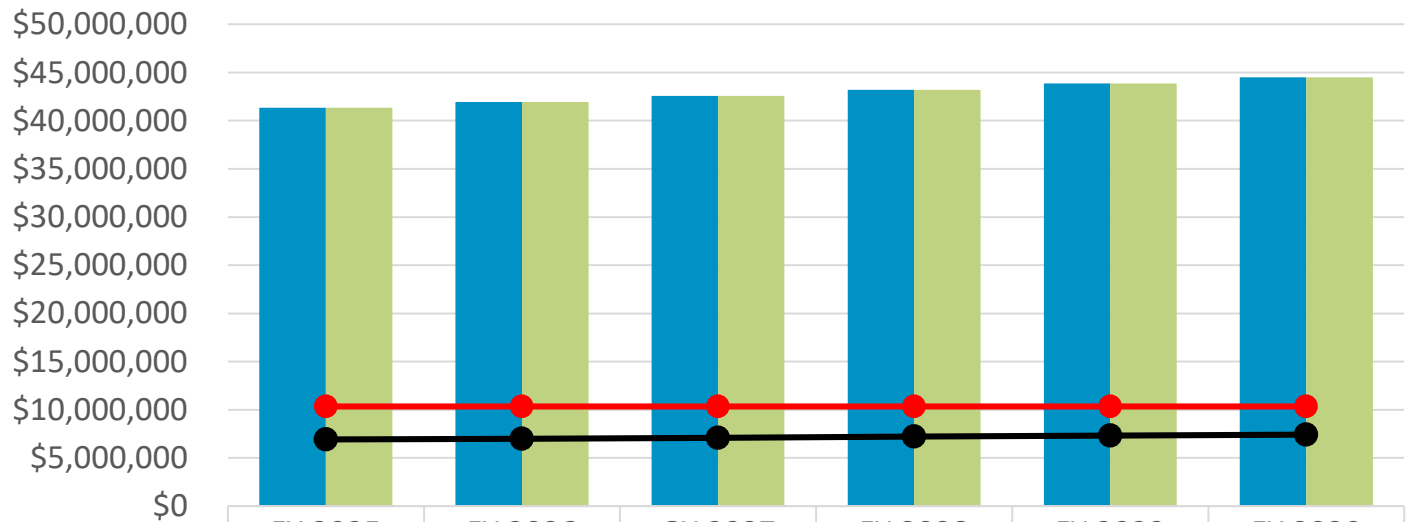


	FY 2025	FY 2026	GY 2027	FY 2028	FY 2029	FY 2030
General Fund Revenue	\$49,630,393	\$46,864,188	\$49,264,137	\$48,069,164	\$47,622,266	\$49,357,792
GF Capital	\$5,393,060	\$4,585,230	\$4,642,643	\$4,934,475	\$5,416,540	\$5,179,335
General Fund Expense	\$49,630,393	\$51,212,402	\$52,846,273	\$54,533,421	\$56,265,281	\$58,043,113
General Fund Fund Balance	\$13,053,100	\$4,119,655	(\$4,105,123)	(\$15,503,855)	(\$29,563,410)	(\$43,428,066)
General Fund Fund Balance Policy	\$11,598,540	\$12,803,101	\$13,211,568	\$13,633,355	\$14,066,320	\$14,500,000



Long Range Outlook con't

Electric Fund

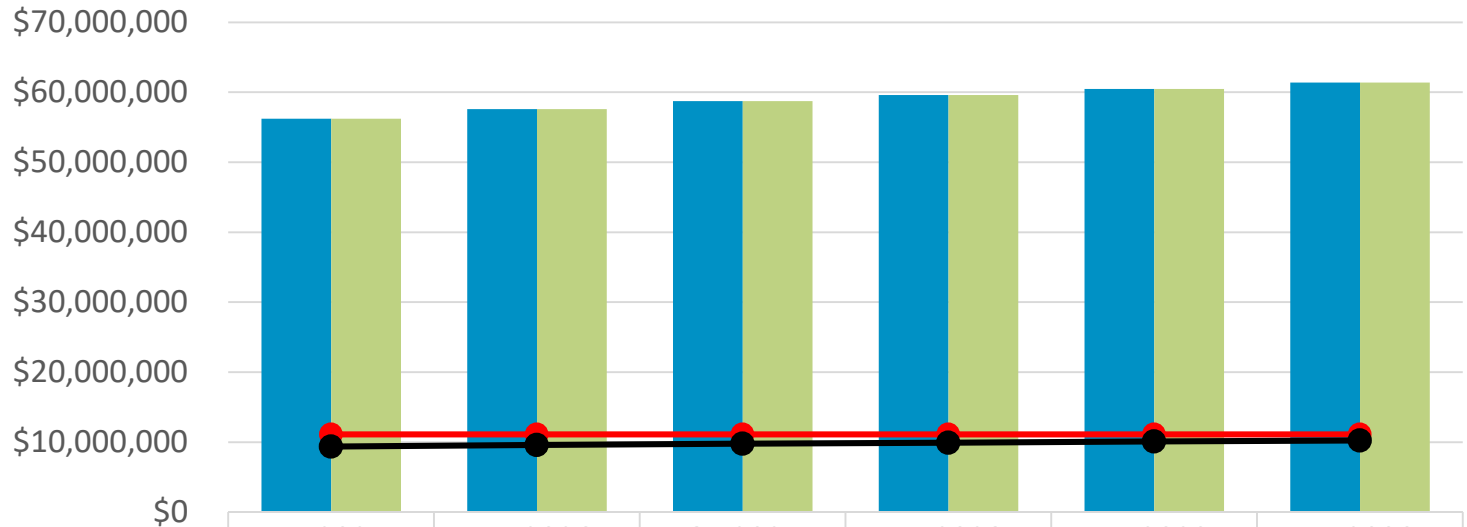


	FY 2025	FY 2026	GY 2027	FY 2028	FY 2029	FY 2030
Electric Fund Revenue	\$41,336,500	\$41,952,760	\$42,578,234	\$43,213,060	\$43,857,377	\$44,511,328
Electric Fund Expense	\$41,336,500	\$41,952,760	\$42,578,234	\$43,213,060	\$43,857,377	\$44,511,328
Electric Fund Fund Balance	\$10,348,537	\$10,348,537	\$10,348,537	\$10,348,537	\$10,348,537	\$10,348,537
Electric Fund Fund Balance Policy	\$6,903,196	\$6,993,525	\$7,097,792	\$7,203,617	\$7,311,025	\$7,420,028



Long Range Outlook con't

Gas Fund



	FY 2025	FY 2026	GY 2027	FY 2028	FY 2029	FY 2030
Gas Fund Revenue	\$56,239,000	\$57,573,360	\$58,727,643	\$59,599,147	\$60,483,630	\$61,381,285
Gas Fund Expense	\$56,239,000	\$57,573,360	\$58,727,643	\$59,599,147	\$60,483,630	\$61,381,285
Gas Fund Fund Balance	\$11,115,029	\$11,115,029	\$11,115,029	\$11,115,029	\$11,115,029	\$11,115,029
Gas Fund Fund Balance Policy	\$9,391,913	\$9,597,479	\$9,789,898	\$9,935,178	\$10,082,621	\$10,222,260



Long Range Outlook – Wrap Up

- The Electric and Gas Funds do not have sufficient revenue to support the General Fund, General Fund Capital, Electric Capital & Gas Capital
- Adjusted for the FY 2025 Budget
 - **Estimate needing \$9,000,000 in changes for FY 2026**
- Due to increased Capital Costs, Electric, Gas, and Sanitation Rates may need to be reviewed again in FY 2025
- Excess operating costs above the assumptions will require either new revenue increases or expense reductions



Long Range Outlook – Wrap Up

- Revenue Analysis
 - Millage will need to be revised again during this period
- Expenditure Analysis
 - Managing the Capital Plan is critical to the success of the financial plan
 - Evaluation of City Benefits vs. Market Conditions



Upcoming Dates

APRIL 2024

- Wednesday, 29: 1st Council Budget work day (5pm)

MAY 2024

- Wednesday, 8: 2nd Council Budget work day (3pm)
- Wednesday, 22: 1st Public Budget Hearing (7pm)

JUNE 2023

- Wednesday, 5: **If necessary** 3rd Council Budget work day (3pm)
- Wednesday, 5: 2nd Public Budget Hearing (5pm)
- Wednesday, 26: Adopt Budget at Council Meeting (7pm)



April 29 Topics

- Finance Committee Process and Comments
- New Positions
 - Outline requests
- Insurance
 - Why the increase
 - How can we mitigate this as we go into the future
- Slides on millage rate



Questions





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AGENDA REPORT

MEETING: CITY COUNCIL WORK SESSION, APRIL 17, 2024

AGENDA CATEGORY: DISCUSSION OF GENERAL CITY BUSINESS

- Item:** Presentation of FY 2023 Annual Comprehensive Financial Report
- Department:** Finance
- Date of Meeting:** Wednesday, April 17, 2024
- Fiscal Impact:** N/A
- Presented By:** Keith Lee, Chief Financial Officer
- Action Requested:** N/A

Summary: Annually the City has its financial activities audited by an independent accounting firm. The purpose of the audit is to:

- Determine if financial statements present fairly the respective financial positions of activities
- Obtain an understanding of internal control over fiscal assets and to assess control risk
- Provide reasonable assurance that the financial statements are free of material misstatements
- Provide reasonable assurance of detecting material misstatements resulting from noncompliance of contracts or grants
- Follow up on known material findings

The Fiscal Year 2023 audit was completed with a clean or unqualified opinion. The financial statements were present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lawrenceville, Georgia as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof and the budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Fiscal Impact: N/A

Attachments/Exhibits: Power Point Presentation

Fiscal Year 2023 Audit Results

April 17, 2024



Agenda

- Engagement Team
- Results of the 2023 Audit
- Financial Ratios
- Comments, Recommendations, and Other Issues
- Questions & Comments



Engagement Team

- Engagement team leaders for City of Lawrenceville
 - Mauldin & Jenkins, founded in 1918, audit over 400 governments
 - Meredith Lipson, Engagement Partner
 - Matthew Strob, Engagement In-Charge



Results of 2023 Audit

- Mauldin & Jenkins Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and Government Auditing Standards (GAS)
 - Considered the internal control structure for the purpose of expressing an opinion on the City’s basic financial statements and not providing assurance on the internal control structure.
 - Audit was performed in accordance with GAAS and GAS.
 - Objective is to provide reasonable—not absolute—assurance that the basic financial statements are free of material misstatement.
 - The basic financial statements are the responsibility of the City’s management.



Results of 2023 Audit (Continued)

- Report on 2023 Basic Financial Statements
 - **Unmodified (“clean”) opinion on basic financial statements.**
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America.
 - Responsibility does not extend beyond financial information contained in the report.



Results of 2023 Audit (Continued)

- Significant Accounting Policies
 - The significant accounting policies used by the City are described in Note 1 (Page 26) to the basic financial statements.
 - Details funds, accruals, substantial rules that the City adheres, etc.
 - The policies used by the City are in accordance with generally accepted accounting principles and similar government organizations.
 - In considering the qualitative aspects of its policies, the City is not involved in any controversial or emerging issues for which guidance is not available.

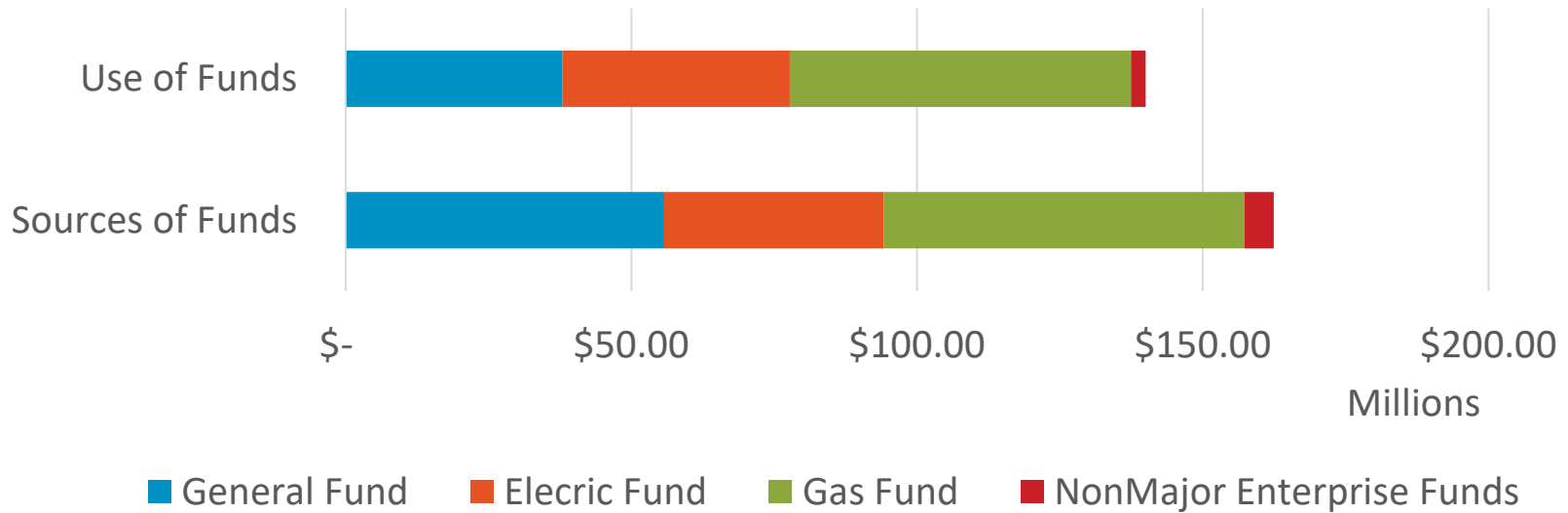


Results of 2023 Audit (Continued)

- **Consultation with Other Accountants**
 - Management has not consulted with, or obtained opinions from, other independent accountants during the year, nor did Mauldin & Jenkins face any issues requiring outside consultation.
- **Significant Issues Discussed with Management**
 - There were no significant issues discussed with management related to business conditions, plans, or strategies that may have affected the risk of material misstatement of the financial statements.



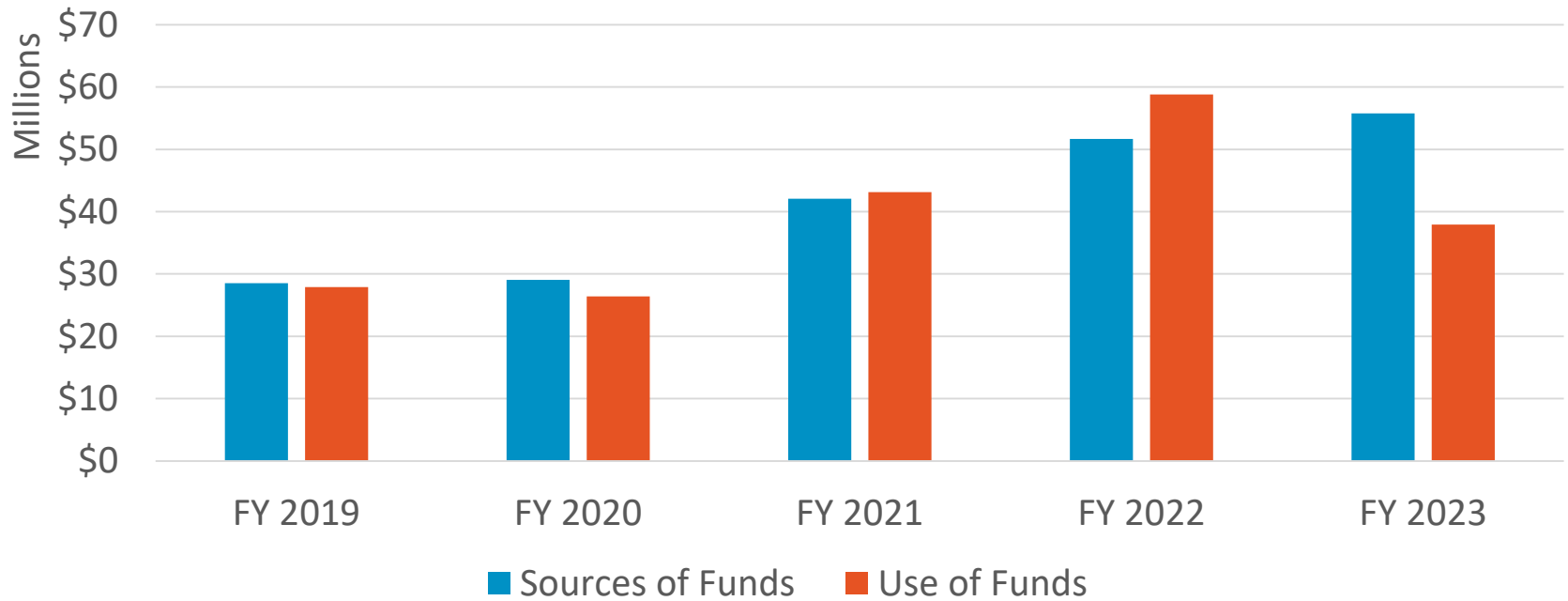
General Fund and Enterprise Funds



- Net Operating Gain of \$22,376,384
 - Includes Sale of Property to DDA



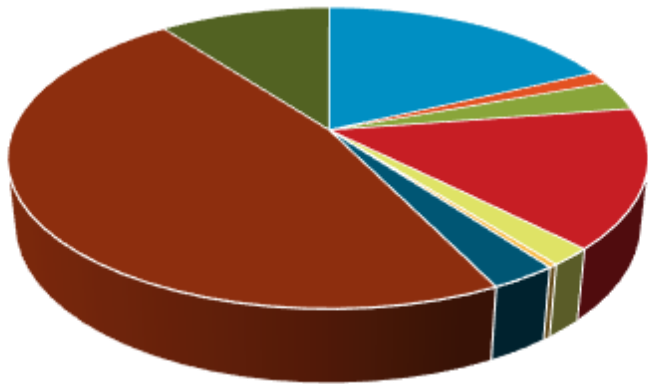
General Fund Revenues vs Expenditures



- FY 2019 created Capital Projects Fund to segregate capital investments
- FY 2021 charged enterprise fund for the indirect costs accounted for in the General Fund
- FY 2021 received \$4M in CARES ACT Funding
- FY 2023 sold Deauville (Gwinnett Drive) to the DDA



General Fund Source of Funds

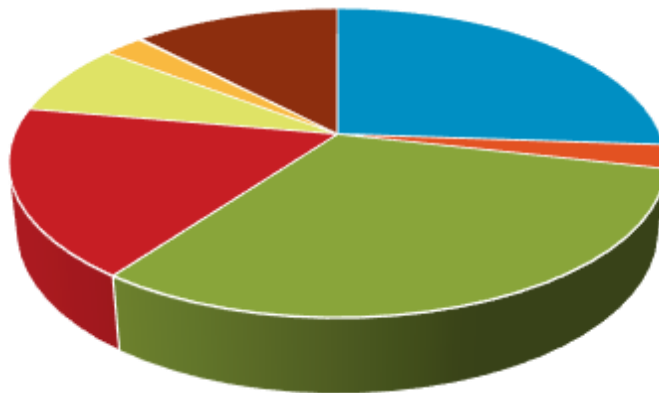


- | | |
|-------------------------|------------------------|
| ■ Taxes | ■ Licenses and permits |
| ■ Fines and forfeitures | ■ Charges for services |
| ■ Intergovernmental | ■ Investment income |
| ■ Miscellaneous | ■ Transfers in |
| ■ Sale of Property | |

- General Fund had a \$17,824,083 change in Fund Balance
- Net Operating Transfers in of \$21,614,346
- Revenues were \$655,910 more than anticipated (Budgeted) or 2.83%



General Fund Use of Funds

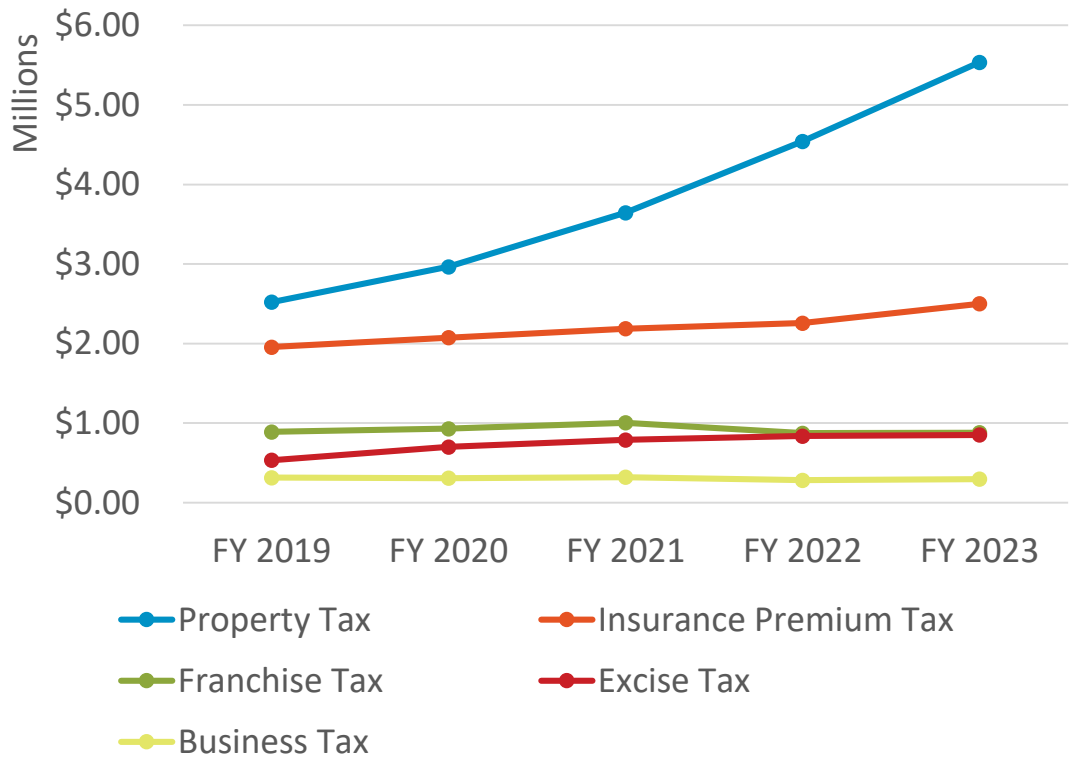


- General Government
- Court Services
- Police
- Public Works
- Housing and development
- Health and welfare
- Debt service

- \$2,997,912 below budget 8.25%
 - Police \$11,941,656
 - \$532,121 below budget 4.27%
 - General government \$9,906,524
 - \$806,707 below budget 7.53%
 - Public Works \$6,720,776
 - \$619,368 below budget 8.44%



Trend Analysis of Taxes



- Property Taxes
 - TATV has increase \$1,173,000 since 2019 as a result in State Law changes
 - Real estate taxes have increase \$1,677,000 since 201 due to digest growth and millage increase



Enterprise Results

	Electric	Gas	Stormwater	Solid Waste
OPERATING REVENUE				
Charges for sales and services	\$ 38,183,015	\$ 62,817,320	\$ 2,466,199	\$ 2,603,237
Other fees	206,598	2,137,954	12,975	7,182
Total operating revenue	38,389,613	64,955,274	2,479,174	2,610,419
OPERATING EXPENSES				
Salaries and benefits	1,832,409	4,864,936	346,172	1,146,583
General operating expenses	27,817,009	33,562,375	164,161	1,606,482
Depreciation and amortization	969,755	1,143,172	238,488	168,912
Total operating expenses	30,619,173	39,570,483	748,821	2,921,977
Operating income	7,770,440	25,384,791	1,730,353	(311,558)
NON-OPERATING REVENUE (EXPENSES)				
Gain on disposal of capital assets	-	17,854	-	-
Interest expense	-	(1,865,250)	-	-
Other	-	-	185,916	-
Investment income (loss)	(94,505)	77,940	77,653	2,689
Total non-operating revenues (expenses)	(94,505)	(1,769,456)	263,569	2,689
Net income before transfers	7,675,935	23,615,335	1,993,922	(308,869)
Transfers in	-	-	6,693	421,919
Transfers out	(9,088,763)	(20,171,613)	-	-
Total transfers	(9,088,763)	(20,171,613)	6,693	421,919
Change in net position	(1,412,828)	3,443,722	2,000,615	113,050
Total net position (deficit), beginning of period	60,698,482	(4,167,457)	13,178,633	1,120,579
Total net position (deficit), end of period	\$ 59,285,654	(\$ 723,735)	\$ 15,179,248	\$ 1,233,629

- Net Position of Enterprise Funds increased by \$4,144,559
- Total revenue was \$108,434,480
- Enterprise Funds provided \$29,260,376 in operating transfers out



Fund Balance

	General Fund	Electric Fund	Gas Fund	Solid Waste Fund	Storm Water Fund
FY2023 Ending					
Fund Balance/ Working Capital	\$15,936,283	\$6,932,160	\$9,392,111	\$751,409	\$6,186,061
FY2024 to date					
Change in Fund Balance/ Working Capital	(\$5,254,559)	\$4,572,045	(\$889,766)	\$508,001	\$330,584
FY2024 Remainder of year					
Projected Changes to Fund Balance/ Working Capital	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FY2024 Projected Ending	\$10,681,724	\$11,504,205	\$8,502,345	\$1,259,410	\$6,516,645
Policy	<u>\$10,179,143</u>	<u>\$6,877,583</u>	<u>\$8,221,515</u>	<u>\$480,065</u>	<u>\$394,471</u>
Available / (Deficient)	\$502,581	\$4,626,622	\$280,830	\$779,345	\$6,122,174



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15.

Questions?