

**CITY OF PINE LAKE
AGENDA
February 28, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA**

NOTE: All attendees are reminded to silence cellular phones and other devices that may cause interruption of the session proceedings.

Call to Order

Announcements/Communication

Adoption of Agenda of the Day

Adoption of the Minutes

- Regular Meeting – February 14, 2023

Public Comments – 3 minutes each please

Old Business

1. Financial Policies and Procedures Manual

New Business

1. Memorandum of Understanding (MOU) between the City of Pine Lake, Georgia and Pine Lake Association of Involved Neighbors, LLC
2. Resolution R-05-2023 – FY2022 Budget Amendment

REPORTS AND OTHER BUSINESS

Public Comments – 3 minutes each please

Staff Reports

Administration
Public Safety
Public Works

Reports/Comments

Mayor
City Council

Information for “The Pine Lake News” eblast.

Adjournment

**CITY OF PINE LAKE
COUNCIL MEETING MINUTES
February 14, 2023 at 7:00 PM
Council Chambers
459 Pine Drive, Pine Lake, GA**

NOTE: All attendees are reminded to silence cellular phones and other devices that may cause interruption of the session proceedings.

Call to Order at 7:10 pm Present: Mayor Melanie Hammet, Mayor pro tem Jean Bordeaux and Council members Augusta Woods, Brandy Hall, Tracey Brantley and Nivea Castro. City Manager ChaQuias Miller-Thornton, Chief of Police Sarai Y’Hudah-Green, Administrative Coordinator Missye Varner. City Attorney Susan Moore was not present.

Announcements/Communications

City Manager Miller-Thornton:

- communicated that the City is moving forward with the law enforcement initiative regarding the Tyre Nichols murder and also that Mayor Hammet redesigned the Black Lives Matter banners that are within the City to include Mr. Nichols’ name.
- announced that on Monday, February 20th that herself, Chief Green and Mayor Hammet will meet to discuss the rededication ceremony with law enforcement and the officials as it relates to providing meaningful public service to the community. Mrs. Miller-Thornton also said that the Chiefs of Police at Stone Mountain and Lithonia have been asked to be on board and that the intent is that different forums will be hosted in the different cities in the future for the needed law enforcement initiative.
- communicated that she serves on the Memorial Drive Corridor Development Committee and that there are several initiatives being implemented for future redevelopment of the corridor. The various plans include event boosting, film, arts, music and entertainment, trails and recreation and pop-up urbanism. City Manager Miller-Thornton stated that the initiatives are aggressive and some of the proposals have been submitted to DeKalb County awaiting funding. Cities on the border of Memorial Drive will benefit from the redevelopment. She also said that a future meeting is being scheduled for goal setting in 2023.

Mayor Hammet:

- communicated that Senator Hank Johnson has provided \$1.50 million in federal funding to the Gateway Initiative that includes two areas and that Senator Jon Ossoff also obtained \$800k+ in federal funding to benefit a

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- center within the Gateway Initiative development.
- thanked Mayor pro tem Bordeaux and Council Members Woods and Castro for information provided for the community newsletter honoring Valerie Boyd for Black History Month 2023 and that the narrative was very meaningful and enriching.
- Completed a walk-through on Rockbridge Road with Lloyd Ellison, General Contractor for the Rockbridge Road project and he informed Mayor Hammet that there will be a one million dollar change order for the installation of a pedestrian crosswalk to include blinking lights on each end of city to alert vehicles when someone is crossing. The crosswalk constructed will be at Clubhouse Drive over to Rockbridge Road.
- communicated that the mural wall is in terrible shape and that it will be restored by mid-fall of this year per Lloyd Ellison, General Contractor for the Rockbridge Road project
- communicated that she, City Manager Miller-Thornton, Council Members Hall and Castro met with Senator Kim Jackson regarding the city positioning for business and property develop initiatives to make the city more robust. Mayor Hammet concluded the meeting was very promising as it related to the future of the City of Pine Lake.
- communicated that on February 14th she had a breakfast meeting with Dr. Ross Hand, Deaconess of Blue Print Church and she is interested in having a relationship with the church and its campus to create a sustainable environment for the community at large. Mayor Hammet acknowledged that the church was interested in talking with residents regarding the utilization of their facilities.

Adoption of Agenda of the Day

Mayor pro tem Bordeaux motioned to adopt the agenda, seconded by Council member Brantley, the adoption of the agenda passed unanimously.

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Adoption of the Minutes

- Regular Meeting – January 10, 2023

Council Member Brantley motioned to adopt the minutes; Mayor pro tem Bordeaux seconded; the adoption of the minutes passed unanimously.

Public Comments – 3 minutes each please

Elise Witt, 440 Clubhouse Drive commented on the use of the Club House and Beach House by residents and the fee schedule.

Old Business

There were not any public comments.

New Business

1. Proposed Ordinance Amendment – Ordinance 2023-01 – Amendment of ARTICLE II – PURCHASING, Section 26-26. - Purchasing procedures and Section 26-27. - Formal bids – Introduction – Potential First Read

City Manager Miller-Thornton presented Ordinance Amendment - Ordinance 2023-01 and Council had discussion regarding the language for bidding. Council Member Hall motioned to accept the first read; seconded by Mayor pro tem Bordeaux and the first read passed unanimously.

2. Proposed City of Pine Lake Credit and Purchasing Card Policy

City Manager Miller-Thornton presented the Proposed City of Pine Lake Credit and Purchasing Card Policy and stated that there must be written parameters in place. The Credit and Purchasing Card Policy will become an addendum to the personnel policy. Motion to approve the Credit and Purchasing Card Policy as an addendum the personnel policy was made by Mayor Pro tem Jean Bordeaux, seconded by Council Member Hall, and the motion passed unanimously.

Public Comments – 3 minutes each please

There were not any public comments.

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Staff Reports

City Manager Miller-Thornton provided the following updates:

Administrative

- The Local Maintenance Improvement Grant Application was submitted on 1/31/23.
- The City has entered into a Letter of Engagement with James Whitaker, PC, to conduct the 2022 audit.
- The Administration Department has processed sixteen business license renewals for 2023.
- GIRMA Liability and Casualty Insurance Application was submitted on 02/06/23
- Draft Memorandum of Understanding between the City and P.L.A.I.N has been completed and was submitted to P.L.A.I.N representative for review. P.L.A.I.N. submitted follow-up comment and the next step is legal review.

Municipal Court

- The Court Clerk position is still vacant with two resumes that have been received to date.

Public Works

- Public works have completed leaf pickup on Ridge, Beaver, parts of Spruce, Ivy, Spruce and Park Streets. The department will work to notify the residents when the schedule for service will be on their street. The city is looking at options to purchase a leaf machine.
- The MS4 inspection is scheduled for the third week in February by the Environmental Protection Division. Public Works and the Administration Office met with Amanda Corr Russell, Environmental Engineer with Clark Pattern Lee on Friday, February 3rd for preparation of the inspection.
- A contractor will perform a site visit at the gazebo on February 17th to assess the demolition of the gazebo.

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Copies of the Administration/Public Works and Public Safety reports are on file in City Hall for reviewing. Please email missyeverner@pinelakega.net to request a copy or call 404-999-4931 to schedule an appointment to review the copy on file.

Public Safety

There were not any Public Safety comments.

Reports/Comments

Mayor

The Annual Pollination Celebration will be held on Sunday April 23rd on the beach. Additional information will be provided at a later date.

The State of the City Address will be held on Thursday, February in the Beach House at 7:00 PM on Thursday February 23rd at 7:00 PM at the Beach House. The address will focus on community accomplishments, acknowledge sectors of enhancements and goals for the year ahead.

City Council

There were not any City Council comments.

Information for “The Pine Lake News” eblast.

Mayor, Melanie Hammet will present the State of the City in the Beach House at 7:00 PM on Thursday February 23rd. As in previous years, the State of the City celebrates the community, recognizes areas for improvement, and sets goals for the year ahead.

Public works has completed leaf pickup on Ridge, Beaver, Spruce, Ivy and Park. Streets scheduled for service will be announced on the Neighborhood Watch Facebook page prior to the day of their designated operation.

MAP and SEED will join together to welcome Spring with the annual, Pollination Celebration on Sunday April 23rd. Details to follow.

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Adjournment

Council Member Brantley motioned to adjourn at 7:58 pm; seconded by Council Member Castro and passed unanimously.

Missye Varner, Administrative Coordinator

DRAFT

Financial Policies and Procedures Manual

City of Pine Lake, GA

I. Purpose and Objective

The City of Pine Lake has a responsibility to carefully account for public funds, to manage municipal finances wisely, and to plan for the provision of public services. Sound financial policies are necessary to carry out these objectives responsibly and efficiently.

The broad purpose of the following financial policies is to enable the City of Pine Lake to achieve and maintain a long-term positive financial condition. The key values of the City's financial management include fiscal integrity, prudence, planning, accountability, honesty, and openness. Specifically, the purpose is to provide guidelines for planning, directing, and maintaining day-to-day financial affairs. The following policies are administered in accordance with Federal, State and local laws and ordinances. In the event of an actual conflict, Federal, State and local laws and ordinances shall control.

The City of Pine Lake's financial policies set forth below are the basic framework for its overall financial management.

II. Operating Budget

A. Preparation

Budgeting is an essential element of the financial planning, control, and evaluation process of municipal government. The "operating budget" is the City's annual financial operating plan. The annual budget includes the operating departments of the general fund, the SPLOST and capital improvement funds, an enterprise fund and other approved funds that may be established as needed. The budget encompasses a fiscal year that begins on January 1 and ends on December 31. The budget is prepared by the City Manager with the cooperation of City staff, on a basis that is consistent with generally accepted accounting principles.

1. Proposed Budget – A proposed budget shall be prepared annually by the City Manager with participation of staff consistent with provisions of the City Charter and state budget laws. The proposed budget will be transmitted to the Mayor and Council for its review, in accordance with City Charter provisions, and with sufficient time given to address policy and fiscal issues.

- a. The budget shall include (1) revenues, (2) personnel costs, (3) operating and maintenance supply costs, (4) general services costs, and (5) capital and other (non-capital) costs.
 - b. The budget review process shall include at least one public hearing. At the time the proposed budget is transmitted to members of the Mayor and Council by the City Manager, a copy will be made available for public inspection at City Hall, advertised in a local newspaper of general circulation and posted on the City's website. No earlier than seven days after the proposed budget is transmitted to the Mayor and Council and at least seven days in advance of budget adoption, a public hearing will be held to give the public an opportunity to comment on the proposed budget. Notice of public hearing must be advertised at least seven days in advance of the public hearing.
 - c. The Mayor and Council, by December 27 of each year, will adopt an annual budget for the ensuing fiscal year at a public meeting. The annual budget shall be advertised at least one week prior to the meeting.
2. Adoption – The budget shall be adopted by the approval of a budget resolution that specifies the anticipated revenues by appropriate categories and the proposed expenditure by appropriate categories for each fund covered by the budget. Amendments to the budget must be approved by resolution. The budget shall be adopted at the fund level, which is the legal level of budgetary control. The current year's budget may be adjusted to reflect changes in local economy, changes in priorities or services needs, receipt of unbudgeted revenues and for unanticipated expenditures.

B. Balanced Budget

The operating budget will be balanced with anticipated revenues, including appropriated assigned fund balance equal to proposed expenditures. All funds within the budget shall also be balanced.

C. Reporting

Periodic financial reports will be prepared by the City Manager or her/his designee. These reports will enable the City Manager to monitor and control the budget. Summary financial and budgetary reports should be presented by the City Administrator to the Mayor and Council at least quarterly or upon request.

D. Control and Accountability

Each Department Head is responsible for ensuring that department expenditures do not exceed budgeted funds. Departments cannot exceed appropriations described in the budget without approval of the Mayor and Council. Failure to achieve budgetary control will be evaluated and investigated by the City Manager.

E. Budget Transfers

Contingent upon remaining within the confines of the total department budget, each Department Head has the authority to recommend inter-departmental budget transfers to the City Manager. Funds within departmental budget line items can be transferred by action of the City Manager.

III. Capital Budget Policies and Capital Improvement Plan

A. Scope

A capital projects plan will be developed and updated annually. A five-year Capital Improvement Program will assist in the planning, acquisition, and financing of capital projects.

Capital outlay is generally defined as an individual item with an estimated minimum cost of \$5,000 with a life expectancy of more than two years but less than 10 years.

A major capital project is generally defined as a non-recurring capital expenditure that has an expected useful life of more than 10 years and an estimated total cost of \$25,000 or more. Examples include parks improvements, streetscapes, computer systems, trucks, loaders, and expansion of facilities.

Major capital projects will be budgeted in the Capital Improvement Fund reflecting all available resources. With the involvement of responsible staff, the City Administrator will prepare the capital budget annually. The City's capital budget will be adopted with the operating budget.

B. Control

All capital outlay expenditures must be approved as part of each department budget or in the Capital Improvement Fund. Before committing to a budgeted capital outlay expenditure, the City Manager or designee must verify fund availability. All major capital projects must be reviewed by the City Manager and presented to and approved by the Mayor and Council.

C. Program Planning

The capital budget provides annual funding for long-term capital projects identified in the Capital Improvement Program (CIP). During the annual budget process, major capital projects are placed in the capital improvement

fund, the SPLOST fund, the Stormwater Utility fund, or any other such fund adequately and appropriately established by Mayor and Council to account for capital projects revenue and expenses. Other capital outlay is placed in a departmental operating budget.

Citywide capital improvements are assessed and prioritized based on the City's objectives and goals, the City's comprehensive work plan, the Mayor and Council's work plan and availability of funding.

D. Timing

During each fiscal year, the City Administrator will work with City staff to schedule the appropriate timing of capital purchases to ensure the availability of funds.

E. Reporting

Periodic financial reports will be provided to enable the City Administrator to monitor and control the capital budget and to enable the staff to manage their capital budgets.

IV. Fund Balance Policy

A. Definition.

Fund balance is the cumulative difference between revenues and expenditures at the end of the City's fiscal year. The practice of conservative revenue estimates and carefully monitored expenditures may result in a fund balance. The City intends to maintain an unreserved unassigned fund balance in the general fund between thirty-three and fifty percent of the operating budget or an amount equal to 4-6 months' operating expenses. The City does not budget for contingencies and therefore, must rely on the fund balance for emergency expenditures. In some years, the City may budget to use fund balance for one-time expenditures while remaining within the acceptable level for fund balance. Fund balance may not be used to support long-term, recurring operating expenditures.

1. If fund balance is used to support one-time capital and one-time non-operating expenditures, the Mayor and Council must appropriate the funds.
2. If, at the end of the fiscal year, the fund balance falls below the targeted range, City staff will present a plan to the Mayor and Council for aligning the fund balance with the policy.

B. Fund Balance Classifications.

In accordance with the Governmental Accounting Standards Board (GASB) Statement 54, the City recognizes the following five classifications of fund balance for financial reporting purposes:

1. Nonspendable – non-cash assets such as inventories or prepaid items.
2. Restricted – funds legally restricted for specific purposes, such as grant funds.

3. Committed – amounts that can only be used for specific purposes pursuant to a formal vote of the Mayor and Council.
4. Assigned – amounts intended to be used for specific purposes. The Mayor and Council can choose to delegate this authority.
5. Unassigned – residual spendable fund balance after subtracting all above amounts and are available for any legal purpose.

C. **Spending Prioritizations.**

1. When an expenditure is incurred that would qualify for payment with either restricted or unrestricted funds, it will be paid from restricted funds.
2. When an expenditure is incurred that qualifies for payment from either of the three unrestricted fund balance categories, it will be applied in the following order:

a. Committed, b. Assigned, and c. Unassigned.

D. **Committed Fund Balance.** The Mayor and Council may commit fund balance by a formal vote prior to the government's fiscal year-end for that fiscal year. Future modification or rescission of committed funds must likewise be accomplished by a formal vote of the Mayor and Council prior to fiscal year-end.

E. **Special Revenue Funds.** Pursuant to the requirements of Accounting Statement 54 of the Governmental Accounting Standards Board (GASB), the Mayor and Council will commit- all the revenue received by Special Revenue funds for the exclusive use of respective program's operating expenditures:

F. **Assigned Fund Balance.** The Mayor and Council expressly delegates to the City Manager the authority under this policy to assign funds for particular purposes.

V. Accounting, Audits, and Financial Reporting

The City shall maintain a system of financial monitoring, control, and reporting for all operations and funds to provide effective means of ensuring that overall City goals and objective are met.

A. **Accounting Records and Reporting**

The City will maintain its accounting records in accordance with state and federal laws and regulations and in a manner to facilitate an efficient audit process. The City will report its financial condition and results of operations in accordance with state regulations and Generally Accepted Accounting Principles (GAAP) described in Governmental Accounting, Auditing, and Financial Reporting (GAAFR). The City's accounts shall be kept in such a manner as to show fully the financial conditions of the City. In addition, the books shall be open to the public during business hours.

The City will maintain a Chart of Accounts that complies with requirements of the State of Georgia and is in accordance with generally accepted accounting principles.

B. Auditing

1. An independent auditor or auditing firm will annually perform the City's financial audit. The auditor must be a Certified Public Accountant (CPA) that can demonstrate that s/he has the capability to conduct the City's audit in accordance with generally accepted auditing standards.
2. Upon direction from the Mayor and City Council, and inline with Charter provisions of the City, the City Manager should periodically solicit proposals for professional independent auditor services.
3. A copy of the audit will be sent to the State Auditor who will respond with comments regarding compliance. Results of the annual audit shall be provided to the Mayor and Council in a timely manner.

C. Simplified Fund Structure

The City will attempt to minimize the number of funds. Funds will be categorized in accordance with generally accepted accounting principles (GAAP) for reporting purposes.

E. Financial Reporting

Internal financial reports will be prepared that are sufficient to plan, monitor, and control the City's financial affairs. Quarterly accounting reports are meant to transmit information regarding the financial situation of the City. These regular reports are made available to the Mayor and Council, City Manager, and staff as necessary.

VI. Revenues

A. Characteristics

The City shall strive for the following characteristics in its revenue structure:

1. Simplicity – The City shall strive to maintain a simple revenue structure to reduce compliance costs for the taxpayer and/or service recipient. A corresponding decrease in the City's cost of collection and a reduction in avoidance to pay should result.
2. Equity – The City shall make every effort to maintain equity in its revenue system. The City shall seek to minimize subsidization between entities, funds, service, customer classes, and utilities.

3. Adequacy – The City shall require that a balance in the revenue system be achieved. The revenue structure’s base shall have the characteristics of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.
4. Administration – The benefits of a revenue source shall exceed the cost of levying and collecting that revenue. The price of collection shall be reviewed periodically for effectiveness as a part of the indirect cost of service analysis.
5. Diversification and Stability – The City shall strive to maintain a diversified and stable revenue structure to shelter it from short-term fluctuations in any single revenue source. The revenue mix shall combine elastic and inelastic revenue sources to minimize the effect of economic downturns.
6. Conservative Estimates – Revenues will be estimated realistically and prudently. Revenues of a volatile nature will be estimated conservatively. Conservative revenue estimates based on prior year collections may be used for revenue projections.

B. Issues

The following considerations and issues will guide the City in its revenue policies concerning specific sources of funds:

1. Non-Recurring Revenues – One-time or non-recurring revenues shall not be used to finance current ongoing operations. Non-recurring revenues should be used only for non-recurring expenditures and will not be used for budget balancing purposes.
2. Property Tax Revenues – All real and business personal property located within the City shall be valued at 40% of the fair market value for any given year based on the current appraisal supplied to the City by the DeKalb County Board of Tax Assessors.
3. User-Based Fees and Service Charges – For services associated with a user fee or charge, the direct and indirect costs of that service shall be offset by a fee where possible. There will be an annual review of fees and charges to ensure that the fees provide adequate coverage of cost. The Mayor and Council shall set schedules of fees and charges.
4. Intergovernmental Revenues (Federal/State/Local) – These revenue sources will be expended only for the intended purpose of grant aid. It must be clearly understood that operational requirements set up

because of a grant or aid could be discontinued once the term and conditions of the project have terminated.

5. Revenue Monitoring – Revenues received shall be compared to budgeted revenues. The City Administrator or designee will investigate significant variances.

VII. Purchasing

A. **Intent**

The purpose of this policy is to provide guidance for the procurement of goods and services in compliance with procurement provisions of the City and the State of Georgia. The goal of this policy is to establish, foster, and maintain the following principles:

1. To consider the best interests of the City in all transactions;
2. To purchase without prejudice, seeking to obtain the maximum value for each dollar expenditure with maximum quality standards; and,
3. To subscribe to and work for honesty and truth in buying.

B. **Vendors**

The City will make every effort to obtain high quality goods and services at the best possible price. All procurement procedures will be conducted in a fair and impartial manner with avoidance of any impropriety. All qualified vendors have access to City business. No bidder will be arbitrarily or capriciously excluded. It is the intent of the City that competition be sought to the greatest practical degree. The conditions of the contract shall be made clear in advance of the competition. Specifications shall reflect the needs of the City.

1. Solicitation of Vendors and Submission of Bids

When a single purchase for a good is (to the extent that it exists):

- a. Above \$1,000.00 to \$5,000.00 a minimum of three written quotations to be submitted. Results of quotations and award to be recorded and filed.
- b. \$Above \$5,000 to \$25,000 a minimum of three written quotations to be submitted. City Council is to award the bid. Results of quotations and award to be recorded and filed.
- c. Above \$25,000 requires solicitation of advertised formal sealed bids. City Manager is to make recommendation to City Council who awards the bid.

Each department must attempt to obtain a minimum of three bids from different sources. If three sources are not possible, the seeker of the bid must attempt to obtain as many vendors as possible. Each purchase

recommendation shall document the competitive bidding process with records of the vendor and bids received.

The City Manager has full authority to determine and obtain professional and contractual services as provided for in the approved budget and shall document the process. When possible and practical, competitive quotes for professional and contractual services should be obtained. If competitive quotes are not possible, the City Manager must document the competitive quote process with records of the vendor and the quotes received.

2. Interest of City Officials in Expenditure of Public Funds

No official of the City of Pine Lake will be interested directly or indirectly in any transaction with, sale to, work for, or contract of the City or any department of government or service involving the expenditure of public funds in violation of the City's "Ethics Ordinance" without reporting such conflict to the Mayor and City Council and receiving approval. The City shall not use a vendor who is a member of the immediate family of a Mayor or Council member, City Attorney, City Manager, or City staff.

3. Request for Proposal or Quotation and Solicitation for Bid

It is suggested that, whenever practical and appropriate, a Request For Proposal (RFP), Request for Quotation (RFQ), or Solicitation for Bid process be used for procuring products and services. The RFP, RFP or Solicitation for Bid should specify the service, evaluation criteria, and terms and conditions required by the City. Large purchases should be advertised in the legal organ and/or other venues in accordance with policy established by ordinance of the City.

4. Award of Bids

Bids are awarded to the lowest responsive and responsible bidder. A responsive bid is one that conforms in all material respects to the need of the City. Responsible means a bidder who has the capability to perform the requirements. City Manager is to make recommendation to City Council who awards the bid.

5. Local Bidder Preference

If all other relevant factors are met, the City Manager is authorized to negotiate with and select a local vendor if the local vendor's bid is within 10% of the lowest offer. A current City of Pine Lake business license is required to be considered as a local vendor.

6. Equal Opportunity

The City of Pine Lake will provide an equal opportunity for all businesses to participate in City contracts regardless of sex, race, color, religion, national origin, political affiliation, age, disability, sexual orientation, sexual identification, or -gender identification. The City will seek to ensure that the opportunity to participate in the purchasing process, including bidding, negotiations and contract awards is open to minority-owned and operated firms. The City will not knowingly conduct business with contractors that discriminate or permit discrimination against persons because of sex, race, color, religion, national origin, political affiliation, age, disability, sexual orientation, sexual identification, or gender identification.

7. Contractors to provide drug-free workplace

Successful bidders must certify that they and their subcontractors provide a drug-free workplace for their employees.

8. Ineligible Vendors

Any person, firm, or corporation who is in arrears to the City for taxes or fees, will not be qualified to bid on any purchase until their account has been cleared. No requisition will be approved for such vendors.

9. State and County Contracts

The City is authorized to use state and/or contracts in lieu of issuing bids to vendors or buying locally when it is to the economic advantage of the City or deemed appropriate by the City Manager. The state or county contract price may be used to establish the maximum price for a good or service.

10. Cooperative Purchasing.

The City is authorized to use government cooperative purchasing agreements as approved by the Mayor and Council in lieu of issuing bids to vendors or buying locally when it is to the economic advantage of the City of deemed appropriate by the City Manager.

11. Back-up Policy and Emergency Purchases

The City should strive to decrease dependency on single-source vendors to achieve maximum efficiency in its purchases. To achieve the City's fiscal independence, it is strongly suggested that each department have back-up vendors for each recurring and/or large purchase.

In cases of emergency, a contract outside the scope of the approved budget may be awarded upon recommendation of the City Manager and approval of the Mayor without competitive bidding, but the procurement shall be made with as much competition as the circumstances allow (i.e., informal quotes). An emergency is defined as a threat to life or property, or an

unforeseen situation that curtails or greatly diminishes an essential service as determined by the City Manager.

C. Purchasing Authority

1. Purchasing of Goods

The City Manager shall have the authority to purchase non-budgeted, individual goods costing less than \$2,500 each as long as costs remain within the approved budget. Effort will be made to solicit a minimum of three competitive prices for items. To the extent that an emergency condition exists, or an item is supplied by only one source, the City Manager shall make the appropriate notation on the purchase order.

2. Monitoring of Purchases

The City Manager, or his or her designee, will monitor purchases to assure compliance with City policy.

D. Purchase Order (PO)

A "Purchase Order" (PO) cannot be issued unless sufficient funds are available in the budget, in compliance with City policy.

The following is the established City procedure for use of purchase orders:

1. An item or service is required and sufficient funds exist in the approved budget to cover the cost of the item or service.
2. A PO is requested from the City Manager or designee. The City Administrator certifies that funds are available to cover the cost of the purchase, prepares the PO and issues approval.
3. The item or service is ordered by a department.
4. The item or service is received and verified by the department.
5. The department provides documentation of the purchase, or the City is invoiced by a vendor for the required item or service.
6. The invoice and PO are reviewed and authorized by the City Manager.
7. Payment to the vendor is generated.

E. Petty Cash

Petty cash is used to make small cash disbursements, in amount of no more than fifty dollars (\$50), for those purchases that must be made quickly and without prior notice on a contingency basis.

Each department may have a petty cash expense account. Petty Cash is incurred as an expense for each department. The petty cash account must be replenished by a Purchase Order (PO) for the individual department. Petty Cash is monitored at least twice a year (but may be done more frequently) to verify account balances.

The following is the City's procedure for petty cash:

1. Petty cash request form is completed. The Petty Cash request form contains details of the request and documented account numbers.
2. The City Manager or designee approves the petty cash request.
3. The requesting party then receives petty cash.
4. Once the purchase is made, a receipt must be obtained.
5. The receipt is then attached to the request form and returned to the petty cash box.

On a regular basis, but no less than twice a year (but may be done more frequently), a PO must be issued for the department's purchases to replenish and balance the cash box.

F. City Credit and Purchasing Cards

1. General

For the purpose of this policy, the term 'credit card' equates to 'financial transaction card' as defined by O.C.G.A. § 16-9-30.

The City Manager will be issued a city credit card. Per City Manager recommendation and approval by Mayor and Council, management level employees may be issued a city credit or purchasing card. The credit card is to be used for ***City business only*** to purchase goods, services, or for specific expenditures incurred under approved conditions. All purchases utilizing a city credit or purchasing card must be in accordance with city policy and state law. The cardholder or designee is the only person authorized use the credit card.

Before being issued a city credit or purchasing card under City policy and state law, all authorized cardholders shall sign and accept an agreement with the city that the cardholder will use the city credit card only in accordance with the policies of the city.

2. Regulations of Use

The established monthly credit card limit for the City Manager is \$10,000. The City Manager is authorized to approve credit limits not to exceed \$1,000 for management level employees whose use has been approved by Mayor and City Council.

City credit cards may not be used for the following:

- a. Any purchases for personal use.
- b. Cash refunds or advances.
- c. Items specifically restricted by this policy, unless a special exemption is granted by the Mayor.
- d. Purchases or transactions in violation of purchasing policy, transactional limits or state law.

City credit cards may be used for official city business to purchase goods and/or services that are not prohibited by this policy or state law.

3. Roles and Responsibilities

The City Manager is designated as the administrator of the city's credit cards. The administrator's responsibilities shall include, but not be limited to:

- a. Serve as liaison between the city's cardholders and the issuer(s) of such cards.
- b. Maintain the cardholder agreement for all cardholders.
- c. Provide instruction, training, and assistance to cardholders.
- d. Upon receipt of information indicating fraudulent use or lost/stolen cards, report such incident to the appropriate parties, including the issuer, in a timely manner.
- e. Conduct monthly review and audit of credit card transactions.
- f. Recommend the credit card issuer and system for documenting credit card transactions by cardholders.
- g. Make available for public inspection those documents related to purchases using city credit cards in accordance with O.C.G.A. § 36-80-24.

The credit card holder is responsible for documentation and safekeeping of the credit card during the employee's issuance. A receipt for each transaction must be obtained by the employee when a purchase is made using the City credit and/or purchasing card. This receipt shall be dated, and a description of the service or item purchased, and account codes shall be written on the back of every receipt or otherwise documented during the monthly statement reconciliation process. Each month, the credit card holder must submit on a timely basis documentation of credit card purchases with the credit card statement. Late submittal of credit card documentation may result in credit card privileges being cancelled.

4. Violations

Violation of the city's credit card policy or state law regarding the use of government-issued credit cards may result in suspension or revocation of city credit card privileges. Violation of the city's credit card policy may constitute a violation of the city's Personnel Rules and Regulations and/or the Purchasing Card Policy established by approval of the city, and the cardholder may be subject to disciplinary action including, but not limited to, reprimand, suspension, demotion, or termination.

Nothing in this ordinance shall preclude the City from referring misuse of a credit card for criminal prosecution.

If a cardholder inadvertently makes a transaction in violation of city policy, the cardholder must report the transaction to the card administrator or in the case of the City Manager to the Mayor, within five business days of receipt of the card transaction statement. The cardholder will be responsible for immediately reimbursing the City the full amount of the unacceptable transaction.

G. Expense Reimbursements

Receipts for City business related expenses requiring reimbursement from the City of Pine Lake must be submitted to the City Manager with an expense reimbursement form within 60 days of the date the expense was incurred. Each receipt shall be dated and contain a description of the service or item purchased and account codes shall be written on the back of every receipt. The appropriate departmental supervisor must approve each expense reimbursement form and forward it to the City Manager for final approval. Failure to submit the required documentation will result in forfeiture of the reimbursement.

VIII. Grants

A. Scope

The purpose of this policy is to provide direction in the application, acceptance and administration of funds awarded through grants to the City from other local governments, the state or federal government, non-profit agencies, philanthropic organizations and the private sector.

B. Application and Acceptance of Grants.

1. The Mayor and Council must approve the application of and acceptance of any grants.
3. The merits of a particular program will be assessed as if it were funded with local tax dollars. Local tax dollars will not be used to make up for losses of intergovernmental aid without first reviewing the program and its merits as a budgetary increment. Therefore, no grant will be accepted that will incur management and reporting costs greater than the grant amount.

C. Grant Administration.

1. Prior to the receipt or expenditure of grant revenues, the City Manager must be provided with the following information prior to receiving grant revenues or making purchases against the grant:
 - a. Copy of grant application
 - b. Notification of grant award
 - c. Financial reporting and accounting requirements including separate account codes and/or bank accounts.
 - d. Schedule of grant payments
2. Each department is responsible for the management of its grant funds and periodic reporting.

IX. Fixed Assets

Keeping an accurate record of the City's fixed assets is important for a myriad of reasons. Some of the most important reasons that the City needs to keep a good record of fixed assets are: for financial statement information, for insurable values, for control and accountability, for maintenance scheduling and cost analysis, for estimating and accounting for depreciation, for preparation of capital and operating budgets, and for debt management.

A. Fixed Asset Criteria

A fixed asset is defined as a financial resource meeting all the following criteria:

1. It is tangible in nature.
2. It has a useful life of greater than one year.
3. It is not a repair part or supply item.
4. It has a value equal to, or greater than, the capitalization threshold of \$5,000.

B. General Policy

1. Responsibility.

The City Manager or her/his designee is ultimately responsible for the proper recording, acquisition, transfer, and disposal of all City assets. City property may not be acquired, transferred, or disposed of without first providing proper documentation. A fixed asset information form must accompany each step.

2. Recording of Fixed Assets

Unless otherwise approved by the City Manager all recordable fixed assets must be recorded within thirty calendar days after receipt and acceptance of the asset.

Assets will be capitalized at acquisition cost, including expenses incurred in preparing the asset for use.

Donated assets shall be recorded at fair market value as determined by the City Manager or designee. Fair market value may be defined as, but is not limited to, an average of documented prices for equivalent items from three separate vendors.

The City will recognize acquisition costs based on individual unit prices. Assets should not be grouped. For example, in acquiring equipment, if three personal computers (PC) were acquired simultaneously at \$2,000 each, this would not be an asset of \$6,000 consisting of 3 PCs. Instead, it would be three separate acquisitions of \$2,000 and would not be considered a fixed asset.

For equipment purchases, title is considered to pass at the date the equipment is received. Similarly, for donated assets, title is considered to pass when the asset is available for the agency's use and when the agency assumes responsibility for maintaining the asset.

Constructed assets are transferred from the construction in progress account to the related building, improvements other than buildings, or equipment accounts when they become operational. Constructed buildings, for example, are assumed to be operational when an authorization to occupy the building is issued, regardless of whether final payments have been made on all the construction contracts.

3. Acquisition of Fixed Assets

There are various methods by which assets can be acquired. The asset acquisition method determines the basis for valuing the asset. Fixed assets may be acquired in the following ways:

- New purchases
- Donations
- Transfers from other City departments
- City surplus
- Internal/external construction
- Lease purchases
- Trade-in
- Forfeiture or condemnation

4. Lease Purchases

Assets may be lease-purchased through installment purchases (an agreement in which title passes to the City) or through lease financing arrangements (an agreement in which title may or may not pass).

5. Transfer of Fixed Assets

An asset transfer between departments usually represents the sale of an item by one department to another and may be treated as a new purchase. A transfer between related departments under the same control, may, if desired, be treated as a transfer rather than sale. That is, the asset is recorded under the new Department with original acquired date and funding amount. Transfers of assets requires the approval of the City Administrator.

A fixed asset form must be sent to the City Manager for all transfers.

6. Sale of Fixed Assets, Non-Fixed Assets, and Confiscated Goods

The City is interested in full realization of the value of goods it purchases and therefore must assure that all surplus is disposed to the economic advantage of the City, in compliance with City policy.

Sale of fixed assets and other surplus goods must be to the highest, responsible bidder and must be conducted by sealed bid or by auction, including online auctions or the use of contracted auction services.

Public Works or the designated contractor is responsible for receiving, storing, and safeguarding all auction materials before, during, and after the auction.

7. Reporting

The City Manager will periodically issue a request for surplus goods available for auction. Staff will submit a description form for each auction item. This form will include at minimum a description of the item, serial number, fixed assets number, estimate of value, date of sale, and amount of sale. Large quantities of similar items may be reported on one form, unless it is a Fixed Asset.

The original fixed asset form and the description form in the same file after a fixed asset has been declared surplus.

8. Disposing of goods.

a. Advertising

Prior to any auction, the City will provide a list of surplus items that are available for use by city departments. Departments will have ten (10) working days from the distribution of the list to request a transfer of the item to their department. Items will be distributed on a first-come, first-served basis. If the item is not claimed for departmental transfer within ten working days it will be auctioned to the highest, responsible bidder.

The auction must be publicized in accordance with applicable state laws.

At the conclusion of an auction a list of unsold items will be published on the City's web site for donation to non-profit organizations on a first-come, first-served basis.

b. Conflict of Interest.

Members of the public may participate as buyers at public sales, in sealed bids, and auctions. Mayor or Council members or an employee whether full-time, part-time or temporary, of the City of Pine Lake, member of the employee's household and/or the employee's immediate family, or any person acting on the employee's behalf may not participate in public sales if the employee has had any role in declaring the item surplus, processing the item or related paperwork, or offering it for sale.

c. Posting items for sale.

The City Manager or her/his designee will be responsible for managing electronic City seller accounts, such as eBay, GovDeals and posting items for bid. S/he will determine the most efficient communication and listing procedures..

d. Estimating the value of items for sale.

Department heads or their designees are responsible for providing an estimate of the value of fixed assets and confiscated goods designated

for auction. Pricing of an item will be determined by reviewing the same or similar items for sale on an electronic auction service. Vehicle estimates will be determined by using Kelly's Blue Book or a similar source. A reserve amount is required for all vehicle sales and estimates over \$500 dollars. Before listing an item for auction the estimated value or reserve amount must be approved by City Manager.

e. Collection of purchased items.

The buyer is responsible for pick-up and all shipping costs incurred. Vehicles will not be shipped but require pick-up at a location designated by the city Administrator.

f. Forms of Payment.

The City will accept cash, money orders, and cashier checks.

g. Public Safety items.

The sale of certain Public Safety items requires a release form for public and/or non-emergency use. The Police Chief is responsible for ensuring the proper disposal according to state and federal laws regarding these items. A signed release form from the buyer acknowledging proper use is required at the time of pick-up. The release form will be kept with the description form.

9. Recording of the sale

The date of sale, amount of sale, and signature of the buyer will be recorded on the item description form.

The City Administrator or her/his designee will compare the submitted description forms to the record of sale provided by electronic auction service. A report will be prepared by the accounting office including at minimum the list of items sold, the sale price, the buyer contact information, and listing fees paid.

Revenues from the sale of confiscated goods will be issued to the Police Department. Revenues from the sale of all other goods will be issued to the appropriate fund.

Procedures for the recording of the sale will be in accordance with GAAP.

10. Disposal of Fixed Assets, Non-Fixed Assets, and Confiscated Goods

When an asset is disposed of, its value is removed from the financial balances reported and from inventory reports; however, the asset record, including disposal information, remains on file in hardcopy form for three

years, after which time it is purged from the system according to general accepted accounting principles. This preserves an audit trail for disposed items and facilitates departmental comparisons between actual or historical useful life information with useful life guidelines. Such comparisons permit a more precise definition of an asset's useful life than those provided by the Internal Revenue Service (IRS), or other guidelines initially used.

A disposal action is appropriate only when certain conditions occur resulting in an asset no longer being in the possession of the agency. Assets no longer in use, which remain in the possession of the department, are considered surplus property and not a disposal.

Fixed assets may be disposed of in any one of seven ways:

- a. Sale or trade-in
- b. Abandonment/Retirement
- c. Lost or stolen
- d. Transfer
- e. Disassembled (taking parts and employing them for like uses within the department, such as is often the practice in computer or vehicle maintenance).
- f. Casualty loss
- g. Donation to a 501 (c3) non-profit organization

The city should try to obtain the highest value out of the disposed item. If another city department does not need the item, then it should be put up for auction or sealed bid. If the item is not suitable for sale or does not meet reserve requirements, then it can be donated to a non-profit organization.

Only when the asset is no longer in possession of the department, due to one of the seven reasons listed above, is disposal action appropriate.

Assets are “abandoned” or “retired” when there is no longer any use for them in the Department, they are of no use to any other City department, they cannot be repaired, transferred, cannibalized, sold, or traded in. Meaning that, there is no safe and appropriate use for the abandoned goods to the City or for others.

Stolen items must be reported to Pine Lake Police and a police report filed. A copy of this report must accompany the disposal record.

Casualty losses must be documented within 24 hours of loss and reported to the City’s Administrative Coordinator immediately for follow-up with the City’s insurance carrier.

Disassembled items are considered surplus and are disposed of by noting the disassembly on the disposal record. Ideally, this method will allow departments to look at disassembled items on the disposal report and assess what surplus parts may be available. Departments will send documentation of items cannibalized to the City Manager and all remaining costs and accumulated depreciation will be removed from appropriate asset accounts in the general fixed asset fund.

All assets no longer in the possession of the department, due to one of these six qualifying conditions and after submission of all appropriate documentation to the City Manager, will be removed from the master departmental asset file and considered disposed.

Department management is responsible for reviewing disposal reports, evaluating causes and trends leading to disposals, and implementing procedures to more effectively manage and control disposals when the dispositions represent problems, inefficiencies, and/or the incurrence of unnecessary cost.

C. Disposal of Items of De Minimus Value

In accordance with O.G.G.A. § 36-37-6(b), the City may dispose of property with an estimated value of \$500 or less without advertisement or the acceptance of bids. The City Manager or her/his designee is authorized to approve the disposal of property with an individual value not exceeding \$500 in such manner as s/he judges appropriate. Such disposal may include recycling or transfer to a waste collection site in addition to any of the options described in section B (10) of this policy. In such cases, the department will document the property to be disposed of through a physical log and photographs; and, when practical, provide an estimated value of the property, either individually or as a lot.

X. Investments

A. Scope

This investment policy applies to all funds under the City of Pine Lake's Control.

B. Objectives

The following investment objectives shall be met with this policy:

1. Safety – Preservation of principal shall always be the foremost objective in any investment transaction involving City funds. Those investing funds on the City's behalf must first ensure that capital losses are avoided by limiting credit and interest risk. Credit risk is the risk of loss due to the failure of the security issues or backer. Interest risk is the risk that market value portfolios will fall due to an increase in

general interest rates.

2. Liquidity – The second objective shall be the maintenance of sufficient liquidity within the investment portfolio. The City’s investment portfolio shall be structured such that securities mature at the time when cash is needed to meet anticipated demands (static liquidity). Additionally, since all possible cash demands cannot be anticipated, the portfolio should maintain some securities with active secondary or resale markets (dynamic liquidity).
3. Return on Investment – The third objective shall be the realization of competitive investment rates, relative to the risk being assumed. However, yield on the City’s investment portfolio is of secondary importance compared to the safety and liquidity objectives described above.

C. Delegation of Authority

The overall management of the investment program is the responsibility of the City Manager. Responsibility for daily investment activities will be assigned by the City Manager. The City Manager may designate a consultant or an employee or employees to assist with the management and implementation of the City’s investment program.

Responsibilities to fulfill this authority include securing approval from the Mayor and Council to open or close accounts with banks, brokers, and dealers; arranging for the safekeeping of securities; and securing the execution of necessary documents by the Mayor.

A system of internal controls over investments is established and reviewed by the City’s independent auditors. The controls are designed to prevent losses of public funds arising from fraud, error, misrepresentation by third parties, unanticipated changes in financial markets, and/or imprudent action by staff and City officials. No person may engage in an investment transaction except as provided for under the terms of the policy.

D. Authorized Investments

All investment activity is required to follow Chapter 83 of Title 36 of the *Official Code of Georgia*, which establishes guidelines for local government investment procedures.

The City of Pine Lake may invest funds subject to its control and jurisdiction in the following:

1. Certificates of Deposit (CD’s) issued by banks insured by the Federal Deposit Insurance Corporation (FDIC). Deposits in excess of FDIC coverage must be collateralized by securities

with a market value equal to at least 110% of the deposit. Only those securities described in Georgia Code 50-17-59 can be pledged as collateral;

2. Certificates of Deposit (CD's) issued by savings and loans associations issued by the Federal Savings and Loan Insurance Corporation (FSLIC). Deposits in excess of the FSLIC coverage must be collateralized by securities equal to at least 110% of the deposit. Only those securities described in Georgia Code 50-17-59 can be pledged as collateral;
3. Obligations issued by the United States government;
4. Obligations fully insured or guaranteed by the United States government or a United States government agency;
5. Obligation of any corporation of the United States government;
6. Obligation of the state of Georgia or of other states;
7. Obligation of other political subdivision of the state of Georgia;
8. The Local Government Investment Pool of the state of Georgia managed by the State Department of Administrative Services, Fiscal Division;
9. Repurchase agreements (REPO's) issued by commercial banks insured by the FDIC and collateralized by securities described in Georgia Code 50-17-59 with a market value equal to at least 103% of the Repurchase Agreements' maturity value;
10. Repurchase agreements (REPO's) issued by primary dealers supervised by the Federal Reserve Bank of New York and collateralized by securities described in Georgia Code 50-17-59 with a market value of at least 103% of the Repurchase Agreements' maturity value; and
11. Prime Banker's Acceptances.

E. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Under the "prudent person" standard, investments shall be made with judgment and care, under circumstances then prevailing, which

persons of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable revenue to be gained.

The City Manager and all designees acting in accordance with 1) written procedures, 2) this investment policy, and 3) exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse development.

F. Diversification

Diversification is a key component of portfolio security. Therefore with investments, the City shall endeavor to maintain an adequate level of diversification among its investments. The City shall not be over invested in any one type of instrument or financial institution. This limitation shall not apply to the Local Government Investment Pool or direct obligations of the United States government.

G. Maturities

To achieve the objective of adequate liquidity within City's portfolio, the City shall attempt to match investment maturities with anticipated cash flow requirements. Unless matched to a specific cash flow, the maximum maturity of any instrument in the City's portfolio may not exceed two years from the date of acquisition by the City. To preserve liquidity and to lessen market risk, not more than 25% of the total portfolio may mature more than one year beyond the date of calculation. The maturity of non-negotiable time deposits may not exceed one year.

H. Safekeeping and Custody

All investment securities purchased by the City of Pine Lake shall be delivered against payment and shall be held in a third-party safekeeping account by the trust department of a bank insured by the Federal Deposit Insurance Corporation. The City Manager, or his/her designee, shall be responsible for the selection of a financial institution for this purpose, as well as the execution of a written safekeeping agreement with the trustee.

I. Ethics and Conflicts of Interest

Officers and employees involved in the investment process will refrain from personal business activity that would conflict with proper execution of the investment program, or which would impair their ability to make impartial investment decisions. Employees and investment officials will disclose to

the City Manager any material financial interests in financial institutions that conduct business with the City, and they will further disclose any large personal financial/investment positions that would be related to the performance of the City's portfolio. Employees and investment officials will subordinate their personal investment transactions to those of the City – particularly regarding the time of purchases and sales.

J. Relationships with Banks and Brokers

The City of Pine Lake in selecting depositories, objective business criteria will be used. The creditworthiness of the institutions will be a fundamental consideration.

K. Report on Deposits and Investments

Periodic investment reports will be submitted to the City Manager. Reports should include the following: an average daily balance of investment in each investment category; a current portfolio yield for each investment type and for the portfolio as a whole; an average daily balance of uninvested collected funds; an average daily balance of uncollected funds; and a percent of available funds invested. The report shall also provide a list of investments and accrued interest as of the last day of the quarter.

XI. Debt

A. Policy Statement

Debt results when one borrows from an individual or an institution. The borrower receives funds to acquire resources for current use with an obligation for repayment later. The debt from borrowing generally must be repaid with interest.

The goal of the City's debt policy is to maintain a sound fiscal position. The City strives to balance service demands and the amount of debt incurred but also realizes that too much debt may have detrimental effects as well. When the City of Pine Lake utilizes debt financing, it will ensure the debt is financed soundly and conservatively.

B. Conditions for Using Debt

Debt financing of capital improvements and equipment will be done only when one or more of the following four conditions exist:

1. When non-continuous projects (those not requiring continuous annual appropriations) are desired;
2. When it can be determined that future users will receive a benefit from the improvement;

3. When it is necessary to provide basic services to residents and taxpayers; or,
4. When total debt, including that issued by overlapping government entities, does not constitute an unreasonable burden to residents and taxpayers.

C. Sound Financing of Debt

When the City utilizes debt financing, it will ensure that the debt is soundly financed by:

1. Taking a prudent and cautious stance toward debt, incurring debt only when necessary;
2. Conservatively projecting the revenue sources that will be used to pay the debt;
3. Ensuring that the term of any long-term debt incurred by the City shall not exceed the expected useful life of the asset for which the debt is incurred and shall be limited to capital improvements only;
4. Determining that the benefits of the improvement exceed the costs, including interest costs;
5. Maintaining a debt service coverage ratio which ensures that combined debt service requirements will not exceed revenues pledged for the payment of debt;
6. Analyzing the impact of debt service on total annual fixed costs before bonded long-term debt is issued; and,
7. Maintaining total debt service for general obligation debt that does not exceed 10 percent of the net operating revenues. Net operating revenues are all general fund revenues available after accounting for transfers between other City funds.

D. Post-Issuance Tax Compliance for Tax-Exempt Debt

The City shall comply with all federal and state laws, rules and regulations related to the issuance of debt.

1. Responsibility- The City Manager shall be responsible for reviewing the requirements and responsibilities of the City under the Policy with bond counsel on or before the closing date of any Debt issued by the City. The City Manager may also consult with the City Attorney.
2. Dissemination and Training- The policy shall be disseminated to all relevant staff in the City and to the auditor. Appropriate training will be provided to all personnel directly involved in the administration of tax-exempt debt to ensure they comply with the provisions of the Policy. The City Manager shall consult as appropriate with qualified attorneys with

respect to the content of such training.

3. Review- The City Manager shall annually conduct a due diligence review of all Debt currently outstanding to ensure proper compliance with each of the provisions of the Policy. If the City Manager discovers non-compliance with any provisions of the Policy, steps necessary to correct the noncompliance will be taken within ten (10) business days of the conclusion of the annual due diligence review. Records of all corrective action taken shall be retained in accordance with the Policy.
4. Provisions
 - a. Record Keeping- All records relating to the Debt needed to comply with Section 6001 of the Internal Revenue Code of 1986, as amended (the “Code”) shall be maintained. These records shall be kept in paper or electronic form and shall include, among other things, (i) basic records relating to the transaction (including the bond documents, the opinion of bond counsel, etc.), (ii) documents evidencing the expenditure of the proceeds of the Debt, (iii) documentation evidencing the use of Debt-financed property by public and private entities (e.g., copies of management contracts, leases and research agreements) and (iv) documentation pertaining to any investment of Debt proceeds (including the purchase and sale of securities, SLG subscriptions, yield calculations for each class of investments, actual investment income received from the investment of the proceeds of the Debt, guaranteed investment contracts and rebate calculations. Such records must be maintained as long as the Debt is outstanding, plus three years after the final payment or redemption date of the respective Debt.
 - b. Use of Proceeds- A list of all property financed with the proceeds of the Debt shall be created and maintained. The use of such property shall be monitored to ensure that such use does not constitute “private business use” within the meaning of the Code. Without limiting the foregoing, each contract, including but not limited to management contracts and leases, relating to such property shall be reviewed by legal counsel prior to the execution of such contract. The list of property shall be reviewed at least annually to ensure that none of the property has been sold.
 - c. Remedial Action- If property financed with the proceeds of the Debt is used in a manner that constitutes “private business use” or the property is sold, the remediation provisions of Treasury Regulation § 1.141-12 shall be carried out in consultation with bond counsel.

- d. Yield Restriction- If bond counsel advises that a fund or account needs to be yield restricted (i.e., not invested at a yield in excess of the Debt), the moneys on deposit in such fund or account shall be invested in United States Treasury Obligations – State and Local Government Series, appropriate “yield reduction payments” shall be made if permitted by the Code
- e. Rebate- At the time the Debt is issued, the City Administrator or designee shall determine if s/he reasonably expects that one of the arbitrage rebate exceptions will be satisfied. If the arbitrage rebate exception relates to the time period over which the proceeds of the Debt are spent, the City Manager shall verify that the appropriate expenditures have been made at each milestone. If one of the milestones is not satisfied or the City Manager does not reasonably expect that one of the arbitrage rebate exceptions will be satisfied, an outside arbitrage rebate consultant shall be retained unless the City Manager has determined that positive arbitrage will not be earned.

Melanie Hammet
Mayor

ChaQuias M. Thornton
City Manager/Acting City Clerk

Effective Date: _____

MEMORANDUM OF UNDERSTANDING

This constitutes a Memorandum of Understanding (MOU) between the City of Pine Lake, Georgia, a municipal corporation of the State of Georgia (the "City") and Pine Lake Association of Involved Neighbors, LLC, a domestic nonprofit corporation ("PLAIN") to utilize the public facilities of the City to organize and operate community events, programs, and projects to support the continuing vitality of the Pine Lake community and engage the Pine Lake community with the surrounding unincorporated areas of DeKalb County. Each of the parties agrees that the following terms and conditions provide adequate consideration for this agreement:

The City of Pine Lake will:

- MAKE the Beach House, the Club House, and other public facilities available as permitted by rental schedule at no cost for each SINGLE DAY community event of six (6) hours or less agreed to by the City. All other use of such facilities shall be in accordance with the terms and conditions of City's Property/Business Owners Rental Agreement for the Beach House and/or Club House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings.
- ALLOW PLAIN's use of "old City Hall" building located at 462 Club House Drive, Pine Lake, GA to collect and store food to be distributed to Pine Lake and other community residents and to Rockbridge Elementary School for distribution to student families in need.
- ALLOW PLAIN's use of the Beach House or Clubhouse for its monthly meeting at 7:00 PM, usually on the third Thursday of each month.
- ALLOW additional space within the locked storage area at the Beach House, after tables and chairs are stored, to be used to store PLAIN food and supplies. No PLAIN food and supplies are to be stored in any other area of any public facility used by PLAIN.
- ALLOW installation of up to 10 signs, provided by PLAIN, in the right of way or otherwise on city property along city streets before each community event agreed to by the City.
- PROVIDE funding for food used for a holiday picnic organized and operated by PLAIN as set forth and limited in the City's annual budget.
- MAINTAIN its facilities and amenities in good working order to assure to safety of residents and guests, and provide notice of facilities or amenities that should not be used where defects are not apparent.
- INDEMNIFY and HOLD HARMLESS PLAIN and all of its officers and employees from any and all liability, claims, demands, actions and causes of action whatsoever arising out of or related to any loss, damage or injury, including death and including injury to real or personal property, that may be sustained by any person while participating in any aspect of any event organized or operated by PLAIN and that results from an act or omission of the CITY or any officer or employee or contractor of the CITY, regardless of whether such liability arises in tort, contract, strict liability or otherwise, to the fullest extent allowed by law.
- ASSIGN a Council liaison to act as a conduit for questions and information between PLAIN and the City. Appointment of the Council liaison will be made by the mayor.

PLAIN will:

- ORGANIZE, OPERATE and/or SPONSOR community events throughout the calendar year. City expects PLAIN to provide at least six (6) monthly pancake breakfasts. Additional community events, such as picnics to commemorate Memorial Day, Independence Day, and holiday celebrations at the end of and beginning of each year will be considered based on community interest and support. Other topical community meetings or gatherings sponsored or supported by PLAIN will be planned based on interests or needs of the community. PLAIN may also provide a "Candidate Forum" event for any contested election for City of Pine Lake Mayor and/or City Council and a forum or forums for both sides to present and discuss any referenda to be voted on by electors within the City of Pine Lake. A list of City currently agreed upon events to be organized, operated, and/or sponsored by PLAIN will be attached as EXHIBIT A. Any additional events may be jointly planned subject to facility availability.
- MAY ORGANIZE and OPERATE a food pantry and community outreach for the Pine Lake community and Rockbridge Elementary School, utilizing the "old City Hall" as a base of operation.
- APPROPRIATELY SPEND collected donations and grants solicited for the improvement of City facilities/properties, with prior approval of Council for any improvements proposed to be made.
- APPLY, for events not already listed on Exhibit A, for all required permits and comply with all terms and conditions of City's Property/Business Owner's Rental Agreement for the Beach House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings understanding that this MOU is an addendum to both such Agreement and Permit.
- COMPLY with all ordinances and rules of the City of Pine Lake, including but not limited to the City's sign ordinance, and all applicable state laws.
- MAINTAIN PLAIN storage in the locked storage area of the Beach House in a safe, sanitary, and neat manner.
- COLLECT and BAG all trash and recycling at community events operated or organized by PLAIN during and after such events to ensure no overflow of trash from trash containers. Deposit bagged trash into green containers outside each venue and collect un-bagged recycling in blue containers outside.
- INDEMNIFY and HOLD HARMLESS the City and all of its agents, officers and employees from any and all liability, claims, demands, actions and causes of action whatsoever arising out of or related to any loss, damage or injury, including death and including injury to real or personal property, that may be sustained by any person while participating in any aspect of any event organized or operated by PLAIN and that results from an act or omission of PLAIN or any agent, officer, employee or contractor of PLAIN, regardless of whether such liability arises in tort, contract, strict liability or otherwise, to the fullest extent allowed by law.
- MAINTAIN insurance sufficient to cover any claims or liabilities arising from any aspect of any event organized and operated by PLAIN including the indemnity and hold harmless

provision above. Upon request, PLAIN shall provide to the city evidence of insurance including any insurance policy covering PLAIN.

- PROVIDE to the City, by March 31 of the following year an annual report specifying the events, programs, and projects operated or organized by PLAIN during the preceding calendar year.

If PLAIN proposes an event, program or project requesting or requiring in kind or financial support from the City beyond the scope of this MOU, it shall prepare an event, program or project-based agreement for the City's consideration. The City makes no assurance that such agreement will be approved by the City.

A joint meeting of the City Council and PLAIN will be held on an annual basis at a time and place agreeable to each party, if desired by both parties to this MOU.

Nothing in this MOU or any addenda hereto shall create any property interest for PLAIN in any City property or facility.

It is contemplated by the City and PLAIN that this MOU may be amended from time to time to address other types of events, programs, and projects which may be desired by the City and PLAIN.

Unless otherwise agreed by the parties in writing, either party may terminate this agreement at any time by providing written notice, electronically or by hard copy, to the other party 90 days in advance of the proposed termination date. Notice shall be sent to each party at the addresses below.

To the CITY: ChaQuias M. Thornton, City Manager
City of Pine Lake
P.O. Box 1325
425 Allgood Road
Pine Lake, GA 30072

To PLAIN: Calvin Burgamy, President
Pine Lake Association of Involved Neighbors, LLC
P.O. Box 44
Pine Lake, GA 30072

This MOU shall be in effect January 1, 2023 through December 31, 2023.

Agreed upon this ___ day of _____, 2023.

[SIGNATURES ON NEXT PAGE]

City of Pine Lake:

Pine Lake Association of Involved Neighbors, LLC:

Melanie Hammet, Mayor
City of Pine Lake

Calvin Burgamy, President
Pine Lake Association of Involved Neighbors, LLC

Attest:

ChaQuias M. Thornton
City Manager

Kate Nevins, Treasurer
Pine Lake Association of Involved Neighbors, LLC

Approved as to Form:

Susan J. Moore
City Attorney

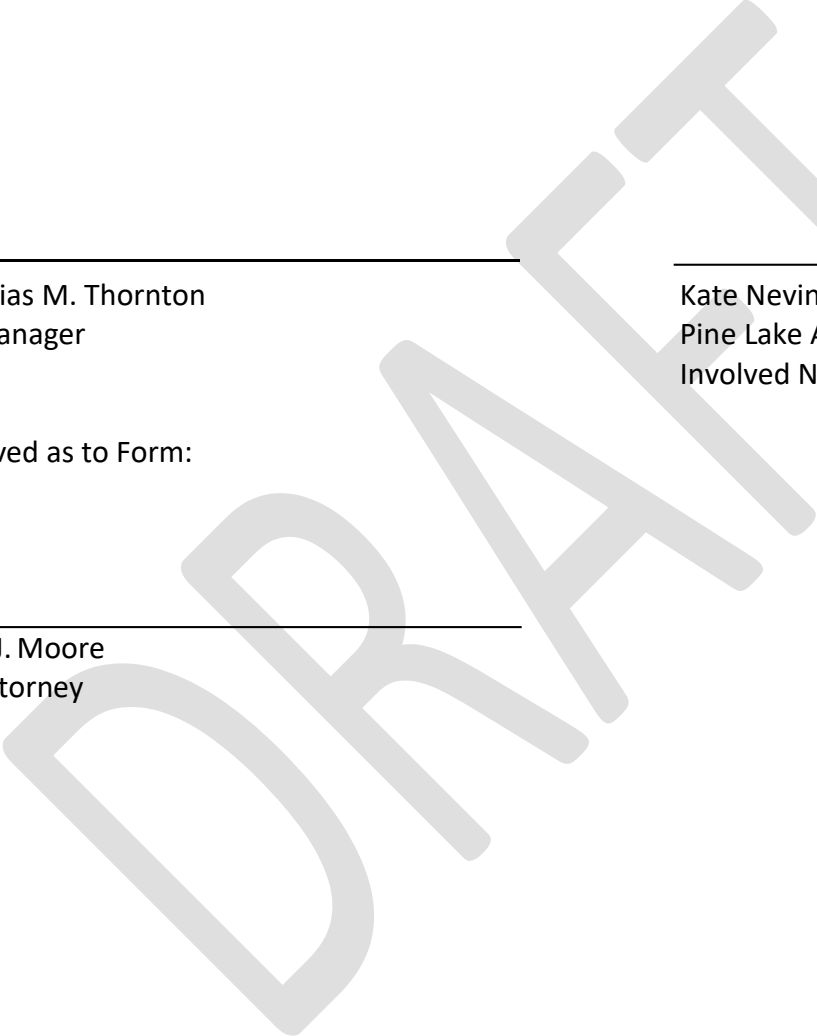


EXHIBIT A
PLAIN Events 2023

January

1-19-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

February

2-12-23 PLAIN/Pine Lake Lounge – Valentine’s Musical Brunch – Beach House 10 am – 2 pm

2-17-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

March

3-4-23 PLAIN Pancake Breakfast and Mardi Gras Parade – Beach House/Lakeshore Dr – 10am – 1 pm

3-16-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

April

4-1-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

4-20-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

May

5-6-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

5-18-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

June

6-3-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

6-15-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

July

7-4-23

July 4th Picnic – Beach House/Lakeshore Park – 12– 2 pm

7-20-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

August

8-5-23 PLAIN Pancake Breakfast/School Supply Drive – Beach House – 9:30– 11:30 am

8-17-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

September

9-2-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

9-21-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

October

10-7-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

10-19-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

November

10-4-23 PLAIN Pancake Breakfast/Thanksgiving Food Drive – Beach House – 9:30– 11:30 am

10-16-23 PLAIN Monthly Meeting – Beach House – 7-8 pm

December

12-2-23 PLAIN Pancake Breakfast – Beach House – 9:30– 11:30 am

12-16-23 PLAIN Holiday Cookie Exchange/Lighting of the Lake – Beach House – 5-8 pm

This date is tentative, based on City input for Lighting of Lake

We are still waiting for Pride Lake to provide a 2023 date for this PLAIN supported festival

|

RESOLUTION #R-05-2023

A Resolution of the Mayor and City Council of Pine Lake, Georgia

WHEREAS, the FY2022 local budget for the City of Pine Lake, Georgia was adopted in December 2021;
and

WHEREAS, it is necessary to amend such budget now;

THEREFORE, be is resolved by the Mayor and City Council of the City of Pine Lake, Georgia, that the following amendment to the general fund budget be made this _____ day of _____, 2023.

REVENUES					
		LINE ITEM DESCRIPTION	Increase	Decrease	
	311100	Current Year Taxes	6,700.00		
		Fund Balance Allocation		2,800.00	
			6,700.00	2,800.00	3,900.00
EXPENDITURES					
		LINE ITEM DESCRIPTION			
PUBLIC WORKS					
	511200	Regular - Full-time		2,620.00	
	511600	Overtime	620.00		
	512600	Workers Compensation	2,000.00		
	522230	Building Repairs and Maintenance	1,100.00		
	522250	Street Maintenance & Repairs	2,800.00		
			6,520.00	2,620.00	3,900.00
			Sum Total		-

Reduction in FB Allocation

All PW WC Charged to PW Dept

Move from Capital Project to GF PW Repairs

Move from Capital Project to GF PW Repairs

Melanie Hammet, Mayor

ChaQuias M. Thornton, City Manager/City Clerk