



Administrative Services Committee Commission Chamber- 10/25/2016- 1:15 PM Meeting

ADMINISTRATIVE SERVICES

1. Discuss the Abandon Property Task Force. **(Requested by Commissioner Marion Williams)**  [Attachments](#)
2. A motion to approve the twenty-four (24) policies submitted by the PPPM subcommittee as developed by the consultant and to replace the current Personnel Policies and Procedures Manual (PPPM).  [Attachments](#)
3. Motion to approve the minutes of the Administrative Services Committee held on October 11, 2016.  [Attachments](#)
4. Motion to **approve** proposed changes to the Augusta Commission's Rules of Procedures as recommended from the Rules Subcommittee.  [Attachments](#)
5. Motion to approve the award of the RFP for PBM (RFP #16-236) to Magellan and authorize the Mayor to execute the approved contract for a period of three years.  [Attachments](#)

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**Administrative Services Committee Meeting
10/25/2016 1:15 PM
Abandon Property Task Force**

Department:

Presenter: Commissioner Marion Williams

Caption: Discuss the Abandon Property Task Force. **(Requested by Commissioner Marion Williams)**

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Administrative Services Committee Meeting
10/25/2016 1:15 PM**

Approve New 24 Personnel Policies/Personnel Policies and Procedures Manual (PPPM).

Department: Human Resources

Presenter: Michael Loeser

Caption: A motion to approve the twenty-four (24) policies submitted by the PPPM subcommittee as developed by the consultant and to replace the current Personnel Policies and Procedures Manual (PPPM).

Background: Augusta, GA Human Resources was asked to prepare policies to cover personnel activities for Augusta, GA. The last time the manual was updated was in 2011. A consultant was hired to recommend best practices. The consultant developed and recommended 24 policies to guide the actions of the personnel department. The goals of this review was to separate policies from procedures thereby reducing the number of actions to be taken by the Commission, the review the current policies to reflect changes in law and to build in best practices. The Administrative Services Chair appointed a subcommittee consisting of Commissioner Lockett Subcommittee Chair, and three commissioners; Commissioners Williams, Smith and Hasan.

Analysis: There has been a series of meetings between the subcommittee and the consultant discussing possible policies and determining appropriate oversight responsibilities. These meetings have resulted in 24 policies being developed to replace the current Personnel Policies and Procedures Manual (PPPM). Following approval of the policy statements, small committees will begin work with the consultant on reviewing and revising procedures.

Financial Impact: There is not any direct financial impact to adopting these policies.

Alternatives: Keep the current Personnel Policies and Procedures Manual (PPPM).

Recommendation: Approve the recommendation of the subcommittee.

Cover Memo

Item # 2

**Funds are Available
in the Following
Accounts:** N/A

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**

1.0 POLICY SUMMARY

This policy provides direction and authority to resolve employment related disputes. It provides for two internal procedures, one for complaints alleging unlawful discrimination or harassment, and the other for all other employment related disputes. If a dispute is not resolved in those procedures, the parties may submit the dispute to external mediation. As the final step, the party must submit the dispute to a neutral, or panel of neutrals.

2.0 POLICY STATEMENT:

A. General

It is the policy of Augusta, Georgia to facilitate the fair, equitable and timely resolution of disputes arising from employment with Augusta, Georgia. The goal of the dispute resolution process is to exchange and review information in order to determine whether revision or rescission is warranted of an employment action, corrective action, discharge or other end of employment, or other application of policy. An employee should attempt to resolve the issue informally with his or her immediate supervisor, although this does not extend the deadline for filing a written complaint (see Section D. (Timeliness)).

If informal discussions cannot resolve the dispute, an employee who alleges unlawful harassment or discrimination must utilize the Equal Employment Opportunity Complaint Resolution Procedures as the next step in the process.

If informal discussions cannot resolve a covered employment dispute, it should be submitted initially to the employee's chain of command, to be addressed by a manager who was not involved in the dispute. If that does not resolve the dispute it should be submitted to the Administrator's office. At either of those steps, the employee can be awarded a make whole remedy, but may not be awarded damages for emotional distress or punitive damages.

Disputes that are not resolved through the Equal Employment Opportunity Complaint Resolution Procedures or at the Administrator's Office may be submitted to External Mediation by joint agreement. Mediation is a process whereby a neutral third person called a mediator, who is jointly selected by both parties, acts to encourage and facilitate the resolution of a dispute between the employee and Augusta, Georgia. It is a confidential, informal, non-adjudicative and non-adversarial process with the objective of helping the disputing parties reach a mutually acceptable and voluntary agreement. In mediation, the mediator is not authorized to make decisions or force a decision on any party to the dispute. The role of the mediator includes, but is not limited to, assisting the parties to identify issues, fostering joint problem solving and exploring settlement opportunities. Augusta, Georgia will pay the costs of the mediator.

Disputes that are not resolved at mediation must be submitted to a Dispute Resolution Panel ("Panel"). A pool of seven (7) neutrals will be selected from candidates provided by [This could be JAMS, AAA, FMCS or another agency] and selected by the Commissioners, the Administrator and the Mayor.

For any dispute involving termination of employment the Panel will be composed of three (3) members, one selected by the Commissioners, one selected by the employee and one randomly selected from the pool. For all other disputes the Panel will be composed of one (1) member, randomly selected from the pool.

The Panel shall issue an award with thirty (30) days of the close of the hearing, or submission of post hearing briefs, whichever is later. The award of the Panel shall be in writing, shall be signed by the Panel member(s), and shall include a findings of fact and a statement setting forth the reasons for the disposition of any claim.

The processing of the complaint will be done by [This could be JAMS, AAA, FMCS or another agency] and will be governed by the rules of [This could be JAMS, AAA, FMCS or another agency]

Augusta, Georgia will pay the costs to administer the Panel and the fees of the Panel member(s). each party will bear their own costs.

If the employee or Augusta, Georgia disagree with the decision of the Panel, either may file an appeal to Richmond County Superior Court in accordance with the laws of the State of Georgia. This Policy does not preclude an employee from filing an administrative complaint with a state or federal government agency.

An individual's acceptance of employment with or an employee's continuing employment with Augusta Georgia constitutes an agreement to use and abide by this policy.

B. Retaliation

An employee who files a complaint or participates in the complaint process shall not be retaliated against.

C. Scope

1. Complaints Within the Scope of this Policy

A complaint is a written claim by an employee regarding a specific management action(s) that is alleged to have:

- a. adversely affected that employee's existing terms and conditions of employment in a material way, and
- b. violated a provision of the *Personnel Policies or Procedures*, or
- c. constituted unlawful discrimination or harassment

2. Matters Outside the Scope of this Policy

a. Concerns or inquiries regarding classification standards, benefits, salary rates for job titles, salary ranges for job classifications, or the contents of the personnel policies. These concerns or inquiries may be submitted to Human Resources for consideration.

b. With the exception of a corrective salary decrease (which is within the scope of this policy), concerns or inquiries regarding an individual employee's rate of pay or change in rate of pay, unless the employee's complaint alleges that the action was taken for unlawful discriminatory or retaliatory reasons in violation of Policy.... These concerns or inquiries may be submitted to Human Resources for consideration.

c. A request for review of a decision on the classification of a position.

d. A management action taken pursuant to a policy or procedure, unless the complaint

alleges that the action was taken violated the terms of the policy or procedure, or for unlawful discriminatory or retaliatory reasons.

D. Timeliness

For the steps within this Policy prior to the Panel, the employee must file a written complaint with Human Resources or the EEO Office within 30 calendar days after the date on which the employee knew or could reasonably be expected to have known of the event or action that gave rise to the complaint, or within 30 calendar days after the date of separation from employment with Augusta, Georgia, whichever is earlier. If the complaint alleges a series of policy violations or pattern of management actions that are subject to review under this policy, the complaint must be filed within 30 calendar days after the most recent alleged policy violation or management action.

For a complaint regarding a layoff, the employee must file the written complaint within 30 calendar days after the effective date of the layoff. If a laid off employee is alleging violation of his or her recall or preference for reemployment rights, the employee must file the complaint within 30 calendar days after the date on which the employee could reasonably be expected to have known of the alleged violation, but no later than 30 calendar days after the employee's recall or preferential reemployment eligibility period ends, whichever is earlier.

To file a complaint to be heard by the Panel, the employee or Augusta, Georgia must file a written complaint within the statute of limitations that governs the cause of action alleged in the complaint, provided that the requirements of filing a notice of complaint with respect to the dispute submitted to mediation shall be suspended until the conclusion of the mediation process.

A complaint is considered "filed" on the date it is postmarked, the date it is personally delivered, the date it is faxed, or the date it is emailed.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all employees except SES employees...

6.0 DEFINITIONS

7.0 REVISION HISTORY

This policy was implemented....

CONFLICT OF INTEREST 3.0

#2

August 16, 2016**1.0 POLICY SUMMARY**

The policy addresses activities by an employee that may be considered a conflict of interest.

2.0 POLICY STATEMENT:**A. General**

An employee shall not engage in any activities which create a conflict of interest between the employee's assigned functions and any other interest or obligation. Listed below are summaries of some of the important policies set forth in detail in the Procedures. Questions or requests for further information should be directed to ~~the Conflict of Interest Coordinator designated by the Administrator or designee.~~

B. Performance of Duties

No one employed by Augusta, Georgia shall devote to private purposes any portion of time due to Augusta, Georgia nor shall any outside employment interfere with the performance the employee's Augusta, Georgia duties.

C. Gifts

An employee shall comply with the provisions of state and federal law and Augusta, Georgia policy governing the acceptance of gifts and gratuities. In addition, Augusta, Georgia employees must avoid the appearance of favoritism in all of their dealings on behalf of Augusta, Georgia. All Augusta, Georgia employees are expected to act with integrity and good judgment and to recognize that the acceptance of personal gifts from those doing business or seeking to do business with Augusta, Georgia, even when lawful, may give rise to legitimate concerns about favoritism depending on the circumstances. If an Augusta, Georgia employee has any question regarding the propriety of a gift, disclosure of the gift or proposed gift, an inquiry should be made to the employee's supervisor, the Administrator's designee ~~Conflict of Interest Coordinator~~ or other appropriate the Augusta, Georgia Clerk of Commission official for a determination of the proper course of action.

D. Financial Conflict of Interest

An employee may not make or participate in the making of a decision if there exists a financial conflict of interest

E. Employee-Vendor Relationships

It is the policy of Augusta, Georgia to separate the employee's Augusta, Georgia and private interests and to safeguard Augusta, Georgia and its employees from charges of favoritism in acquisition of goods and services. Goods or services shall not be purchased from an employee or near relative of the employee unless there is a specific determination that the goods or services are not available otherwise. Augusta, Georgia credit, purchasing power, and facilities shall be used for the purchase of goods and services that relate directly to Augusta, Georgia business and shall not be used to purchase material for an individual's or non-Augusta, Georgia activities.

CONFLICT OF INTEREST 3.0**#2****August 16, 2016****3.0 COMPLIANCE RESPONSIBILITIES**

The Administrator's designee ~~Conflict of Interest Coordinator~~ is responsible for this policy and has the authority to implement the policy. The designee ~~Conflict of Interest Coordinator~~ and the Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources and the designee may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all Augusta Georgia employees.

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

1.0 POLICY SUMMARY

This policy provides direction and authority to effectuate permanent and temporary layoffs and permanent and temporary reductions in employee work schedules when reductions in the workforce or reductions in employee work schedules are necessary to support Augusta Georgia's needs, and to recall laid off employee(s) when vacancies occur.

2.0 POLICY STATEMENT:

A. General

It is the policy of Augusta, Georgia to minimize the effects of permanent layoffs and reductions in employee work schedules on regular status employees when reductions in the workforce or reductions in employee work schedules are necessary due to lack of work, lack of funds, including lack of work, elimination of a position(s) or other material changes in the duties, responsibilities, or structure of the Augusta, Georgia organization due to reorganization. If, in the judgment of Augusta, Georgia, budgetary or operational considerations make it necessary to curtail operations, reorganize, reduce the hours of the workforce and/or reduce the workforce, staffing levels will be reduced in accordance with this policy. It is solely Augusta, Georgia's responsibility to determine the need for layoffs, the classifications of employees to be laid off, and the layoff unit, and the number of employees to be laid off.

To minimize the effects of indefinite layoff or reduction in employee work schedules, Augusta, Georgia will give regular status employees opportunities for reassignment or transfer prior to permanent layoff or reduction in employee work schedules when reassignment or transfer opportunities arise and are operationally feasible.

B. Temporary Layoff or Temporary Reduction in Time

An employee will be given written notice of the effective date and the ending date of a temporary layoff or temporary reduction in schedule. Periods of temporary layoff or temporary reduction in schedule need not be adjacent; however, periods of temporary layoff or temporary reduction in schedule will not exceed a cumulative total of four (4) calendar months in a calendar year.

An employee may be temporarily laid off or temporarily reduced in schedule irrespective of length of service or classification, and is ineligible for the right to recall or preference for reemployment. Accrued sick leave will not be used during temporary layoff.

If an indefinite layoff or indefinite reduction in time should occur during a temporary layoff or temporary reduction in time, the procedures for permanent layoff or reduction in employee work schedules will apply. Augusta, Georgia will inform employees who may be impacted by temporary layoff or schedule reduction as soon as feasible.

C. Indefinite Layoff or Indefinite Reduction in Time

Indefinite layoffs and indefinite reductions in employee work schedules are administered by defined layoff units, job classifications, and salary grades (in the event of a classification assigned to

different salary grades). Criteria for consideration when determining selection for layoff must include relevant skills, knowledge and abilities, documented performance, and length of service. Assessment of performance will be based on written performance appraisals and disciplinary records. When multiple employees have the same skills, knowledge and abilities, and are performing equally, employees with greater length of service will have priority for retention. Such employees may choose to waive their length of service in order to be designated for layoff, subject to approval by the Department Director.

An employee will receive at least sixty (60) 30 calendar days' advance written notice prior to indefinite layoff or indefinite reduction in schedule, or will receive pay in lieu of notice or a combination thereof. WARN notice shall constitute notice under this Policy. ~~Augusta, Georgia will inform employees who may be impacted by temporary layoff or schedule reduction as soon as feasible.~~

D. Recall

Hiring departments may take a laid off employee's relevant skills, knowledge and abilities, documented performance, and length of service into consideration when recalling an employee or providing preferential consideration to an employee. See Probationary Policy for whether a recalled employee will experience a new probationary period.

A regular status employee will have the right to recall for three years from the date of layoff.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Lay-Off – A reduction in the workforce and separation from employment due to lack of work, lack of funds, elimination of a position(s) or other material changes in the duties, responsibilities, or structure of the Augusta, Georgia organization.

Recall – Placement of former employee(s) who were laid off into a vacancy.

7.0 REVISION HISTORY

This policy was implemented....

DRAFT

PERFORMANCE EVALUATION 2.0**#12****August 8, 2016****1.0 POLICY SUMMARY**

This policy provides direction for conducting performance evaluations for employees.

2.0 POLICY STATEMENT:**A. General**

Performance evaluation is an ongoing process of communication between a supervisor and an employee that occurs as needed throughout the year, in support of accomplishing the objectives of Augusta, Georgia. The communication process includes setting objectives, identifying goals, providing feedback, and evaluating results.

B. Performance Evaluation

The performance of each employee shall be appraised at least annually in writing by the employee's immediate supervisor, or more frequently as needed.

The written performance evaluation is an opportunity for the supervisor and employee to review whether previously discussed performance expectations and goals have been met, to discuss professional development opportunities, and to identify options for acquisition of additional skills and knowledge to foster performance improvement and career growth. Additionally, the appraisal provides appropriate documentation to support any requests for promotion or job applications, layoff consideration, recommended merit increases and/or other performance-based awards.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

PERSONAL APPEARANCE and DRESS CODE 2.0**#13****August 8, 2016****1.0 POLICY SUMMARY**

All Augusta, Georgia employees are expected to maintain high personal and professional standards. One of the most noticeable expressions of these standards is dress and appearance. All employees are representatives of the Augusta, Georgia and therefore dress, appearance and hygiene should: (1) present a professional or identifiable appearance for customers, suppliers, and the public; (2) promote a positive working environment; (3) limit distractions caused by inappropriate dress; and (4) ensure safety while working.

2.0 POLICY STATEMENT:

Employees are expected to dress in a manner that is normally accepted in the environment in which they work and the function they perform. All attire should be appropriately fitted.

Where uniforms are required, they must be worn during working hours. The uniforms should be neat and clean when the employee arrives for work. (Employees required to wear uniforms should also refer to their specific departmental directions.)

Each Department Director should inform their employees of the Augusta, Georgia's Personal Appearance and Dress Code policy, and inform employees of the specific dress requirements for their positions.

COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

3.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

4.0 APPLICABILITY

This Policy is applicable to all employees

5.0 DEFINITIONS**6.0 REVISION HISTORY**

This policy was implemented....

POSITION CLASSIFICATIONS 2.0**#14****August 8, 2016****1.0 POLICY SUMMARY**

This policy describes how a position is classified and the availability of a classification review.

2.0 POLICY STATEMENT:**A. Policy**

Positions are established and classified based on the level and scope of assigned duties and responsibilities as documented in approved job descriptions. Positions with similar duties and responsibilities are grouped together in the same job class. As duties and responsibilities undergo significant changes, positions may be reviewed for reclassification. Procedures provide further guidance regarding use of classifications and titles.

B. Classification Review

In addition to requests for classification review by the Administrator and Department Directors, employees may request that their assigned duties and responsibilities be reviewed for appropriate classification level.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

1.0 POLICY SUMMARY

This policy describes the terms of the probationary period for employees hired by Augusta Georgia.

2.0 POLICY STATEMENT:

A. General

All employees hired shall serve a twelve (12) month probationary period during which time their work performance and general suitability for employment with Augusta, Georgia shall periodically be evaluated in writing. Time on leave with or without pay is not qualifying service for the completion of the probationary period. Employees who are rehired following a break in service shall serve a new probationary period whether or not they previously completed a probationary period, provided that an employee recalled to his former position shall not serve a probationary period if he completed his probationary period prior to layoff. No employee shall have a property interest in his/her position during any probationary period. An employee who has satisfactorily completed the probationary period shall be informed in writing of the attainment of regular employee status.

B. Release During Probationary Period

Employees serving a probationary period or holding limited, casual/restricted or floater status may be released at any time at the discretion of Augusta, Georgia.

C. Extension of Probationary Period

Under appropriate circumstances, e.g., change of supervisor, transfer to a different job during the probationary period, marginal performance or unsuitability for the position, the probationary period may be extended at the discretion of the Department Director. Such an extension shall be for a specific period of time, but not for more than three months in total (15 months). Any such extension and the reasons therefore shall be supported by written documentation.

D. Employees of Elected Officials

Employees of elected officials do not serve a probationary period and their employment may be terminated at will.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to...

6.0 DEFINITIONS

Break in Service: Any separation from employment status. In addition, a break in service occurs, effective the last day on pay status, when an employee is off pay status for four complete, consecutive calendar months without an approved leave without pay, furlough, or temporary layoff. A return to pay status from an approved leave without pay, furlough, temporary layoff, or indefinite layoff during a period of right to recall and preference for reemployment, is not a break in service

7.0 REVISION HISTORY

This policy was implemented....

DRAFT

RETALIATION and WHISTLEBLOWING 3.0 #16**August 16, 2016****1.0 POLICY SUMMARY**

Augusta, Georgia is committed to high standards of ethical, moral and legal business conduct. This policy describes: Augusta, Georgia's expectation that its employees will report any Improper Government Activity; the protection employees and former employees will be provided against an Adverse Employment Action if they report an Improper Government Activity; and the complaint process available to an employee or former employee if an employee believes that he/she has been retaliated against in violation of this Policy.

2.0 POLICY STATEMENT:

Augusta, Georgia seeks to provide a work environment where: employees are free to report suspected Improper Governmental Activity or conditions that significantly threaten the health or safety of employees or the public without fear of retaliation; employees can and must be candid and honest without reservation in conducting Augusta, Georgia's business; employees and former employees will be protected against an Adverse Employment Action if in good faith they reveal or report an Improper Government Activity or the possible existence of such, and describes where an employee should go to report an Improper Governmental Activity or file a complaint if they believe that they have been subjected to an Adverse Employment Action because they have revealed or made a good faith report of Improper Government Activity.

An individual who has knowledge of or believes that Improper Government Activity has occurred or believes that they have been subjected to an Adverse Employment Action because they have revealed or made a good faith report of Improper Government Activity must report such knowledge to a responsible arm of Augusta, Georgia. That includes:

1. The employee's supervisor,
2. A manager in the employee's management hierarchy,
3. The Office of the Administrator,
4. The Augusta, Georgia Law Department,
5. The Augusta, Georgia Human Resources Department, or
6. The Compliance Department

An employee who makes a complaint or reports information under this Policy knowing that it is false or in reckless disregard for the truth shall be subject to disciplinary action up to and including discharge.

Any individual associated with Augusta, Georgia who causes an Adverse Employment Action to be taken against or otherwise retaliates against another individual who, in good faith, revealed or reported an Improper Government Activity or participated/assisted with the investigation of the alleged Improper Government Activity, shall be subject to disciplinary action up to and including discharge.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all individuals under the authority of the Augusta, Georgia Board of Commissioners, including, but not limited to staff, whether full-time, part time, temporary employees, or term appointments, to all volunteers, to all who provide contract services, and to all officers and officials, each of whom shall be entitled to protection. However, Augusta is entitled to take appropriate action against employees and other individuals that are subject to privilege or confidentiality obligations recognized by constitutional, statutory, or common law, who report Improper Governmental Activity in a manner that violates those obligations. Such actions against the subject employees and individuals shall include, but are not limited to discipline and discharge.

6.0 DEFINITIONS

Adverse Employment Action: A management action that affects the Complainant's existing terms and conditions of employment in a material and negative way, including, but not limited to, failure to hire, corrective action (including written reprimand, corrective salary decrease, demotion, suspension), and termination.

Complainant: An employee or applicant for employment who submits a complaint under this policy. For purposes of this policy, "employee" includes a current Augusta, Georgia employee or a former Augusta, Georgia employee who was employed at the time the relevant events occurred and includes academic appointees.

Good Faith means having reasonable grounds for believing that the information revealed or reported indicates that Improper Government Activity occurred.

Illegal Order: A directive to violate or assist in violating a local, state or federal law, rule, regulation or ordinance, or an order to work or cause others to work in conditions that would unreasonably threaten the health or safety of employees or the public.

Improper Governmental Activity: Any activity undertaken by Augusta, Georgia or by an Augusta, Georgia employee that is undertaken in the performance of the employee's duties, whether or not that activity is within the scope of his/her employment, and that (1) is in violation of or noncompliance with any local, state or federal law, regulation or ordinance, or Augusta, Georgia policy including, but not limited to, corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property (including Augusta, Georgia property and facilities), or willful omission to perform duty, (2) is economically wasteful or involves gross misconduct, gross incompetence, or gross inefficiency, or (3) constitutes an Illegal Order.

7.0 REVISION HISTORY

This policy was implemented....

DRAFT

SAFETY 3.0**#17****August 8, 2016****1.0 POLICY SUMMARY**

Augusta, Georgia considers the health and safety of its employees to be of paramount importance and seeks to establish and maintain an Occupational Safety and Health Program for its employees by providing a safe and healthy work environment. In addition, Augusta, Georgia shall follow appropriate safety and health standards.

2.0 POLICY STATEMENT:

It is incumbent upon Augusta, Georgia employees to comply with safety and health standards and all rules and regulations which are applicable to the employee's work site and personal safety. Any employee who willfully or repeatedly violates or causes to be violated a safety standard, rule, regulation, or order shall be subject to corrective action up to and including discharge.

It is incumbent upon management personnel to notify the appropriate Department Director if employees working under their authority are adversely affected by safety standards or hazardous working conditions. It is then incumbent upon the Department Director to immediately notify the Human Resources Director, who has authority for the administration of this program.

No employee shall be discharged or discriminated against because such employee has filed a complaint or instituted or caused to be instituted any proceedings or inspections relating to the Augusta, Georgia's Occupational Safety and Health Program. See Retaliation Policy

3.0 COMPLIANCE RESPONSIBILITIES

Risk Management is responsible for this policy and has the authority to implement the policy. The Risk Management Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Risk Management may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all employees and officials

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

SEVERANCE PAY 3.0**#18****August 15, 2016****1.0 POLICY SUMMARY**

SES employees are employed on an at-will basis, have no propriety interest in their positions and thus are not afforded due process rights with respect to the termination of their employment. Accordingly, this policy sets forth Augusta Georgia's policy to provide severance pay to SES employees under defined circumstances. Employees who are not in an SES position at the time of termination of employment are not eligible to receive severance pay under this Policy.

2.0 POLICY STATEMENT:**A. Eligibility**

1. Only SES employees are entitled to receive severance pay under this Policy.
2. An SES employee who has completed one year of continuous employment with Augusta, Georgia and whose employment is terminated without cause, by vote of the Commission, is eligible to receive severance pay.
3. An SES employee who is employed ~~has completed one year of continuous employment~~ with Augusta, Georgia as of January 1, 2017 and who provides at least thirty six (30 60) calendar days' notice of his/her resignation from employment with Augusta, Georgia ("notice period") and continues to perform in a satisfactory manner during the notice period is eligible to receive severance pay.
4. Employee must execute a Separation Agreement and General Release

B. Severance Schedule

1. SES Groups I-III shall be eligible for one (1) month of severance pay after the first year of employment and an additional month of severance pay for each additional full year worked in a SES position, not to exceed a maximum of six (6) months of severance pay.
2. SES Group IV shall be eligible for three (3) months' severance pay after the first year of employment as a SES Group IV employee and an additional month of severance pay for each additional full year worked as a SES level IV employee not to exceed a maximum of three (3) additional months of severance pay (for a total not to exceed 6 months)
3. Employment time serving in a non-SES position will not be credited for prior years of service under this policy if subsequently promoted to a SES position.
4. Severance pay shall be based on the employee's most recent date of hire.

C. No Severance Pay

Employee(s) are not entitled to severance pay if they leave employment with Augusta, Georgia under the following conditions:

1. Discharge for Cause
2. Disability covered by Worker's Compensation
3. Retirement
4. In the event an Augusta, Georgia function or service is contracted, assigned or otherwise transferred to another entity and Augusta, Georgia employees in that function or service are offered employment by the other entity within thirty (30) days of contract, assignment or transfer, whichever is later, provided the employee receives a substantially similar salary and benefit package.
5. Except as provided in 2.0 A 2, resignation.

SEVERANCE PAY 3.0**#18****August 15, 2016****3.0 COMPLIANCE RESPONSIBILITIES**

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to SES employees

6.0 DEFINITIONS

Severance Pay: Is calculated based on the employee's base rate of pay.

7.0 REVISION HISTORY

This policy was implemented....

1.0 POLICY SUMMARY

Augusta Georgia is committed to providing its employees and citizens with a workplace and facilities that are free from alcohol and controlled substances.

2.0 POLICY STATEMENT:

It is the policy of Augusta, Georgia to maintain a workforce, workplace and its facilities free from the abuse of or illegal use, possession or distribution of alcohol or of controlled substances as defined in schedules I through V of the Controlled Substances Act, 21 United States Code section 812 and by regulation at 21 Code of Federal Regulations, section 1308. Unlawful manufacture, distribution, dispensing, possession, use or sale of alcohol or of controlled substances by Augusta, Georgia employees in the workplace, during working hours, while on Augusta, Georgia business, at Augusta, Georgia official functions or on Augusta, Georgia premises is prohibited. In addition, employees may not use illegal substances or abuse legal substances in a manner that impairs their work performance or impairs the public's trust in the employee's ability to carry out his job responsibilities.

Augusta, Georgia recognizes that dependency on alcohol or other substances is a treatable condition and offers programs and services for employees with substance and dependency problems. Employees are encouraged to seek assistance, as appropriate, from Risk Management or through a referral. Information regarding an employee obtained through such programs or services will be treated as confidential in accordance with Federal and State laws.

Employees found to be in violation of this Policy will be subject to corrective action, consistent with job requirements and the provisions of the Corrective Action Policy, up to and including discharge, and may be required as a condition of continued employment, at the discretion of Augusta, Georgia to participate satisfactorily in an Employee Assistance Program.

3.0 COMPLIANCE RESPONSIBILITIES

Risk Management and Finance are responsible for this policy and has the authority to implement the policy. Risk Management and Finance may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Risk Management and Finance may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all employees and officials.

6.0 DEFINITIONS

7.0 REVISION HISTORY

This policy was implemented....

DRAFT

1.0 POLICY SUMMARY

This policy covers the use of electronic technology, equipment and other property belonging to, or used by, Augusta, Georgia. It includes, but is not limited to, all computer systems of any size and function and their attached e-mail systems, software, network resources, Internet resources, radios, cellular telephones, and pagers.

The purpose of this policy is to establish guidelines and requirements governing the acceptable use of Augusta provided technology and other property and to communicate them to employees.

2.0 POLICY STATEMENT:

All technology resources, equipment or other property owned or used by Augusta, Georgia are in place to facilitate Augusta, Georgia's ability to carry out its mission and for its employees to perform their job duties efficiently and productively. ~~To that end~~ Accordingly, unless authorized by Augusta, Georgia and except for minimal usage, e.g., a brief telephone call, these systems and property are to be used solely for business purposes.

All equipment, property and technology resources and all information transmitted by, received from, and stored on Augusta, Georgia systems are the property of Augusta, Georgia and as such, are subject to inspection by Augusta officials. They are not the property of any employee. Consequently, employees and users should not have any expectation of privacy with respect to their messages and files or other uses. Augusta, Georgia has the right to monitor any and all aspects of its property, equipment and electronic technology resources. Augusta, Georgia reserves the right to audit and monitor the information on all systems, electronic mail, and information stored on computer systems or media, and to inspect its property and equipment without advance notice. ~~and to inspect its property and equipment.~~ This might include, but is not limited to investigation of theft, unauthorized disclosure of confidential business or proprietary information, personal abuse of the system or monitoring workflow and productivity.

Any employee found to have violated this policy may be subject to corrective action, up to and including discharge.

A. Objectives

- a. Ensure the protection of proprietary, personal, privileged, or otherwise sensitive data and resources that may be processed in any manner by Augusta, Georgia, or any agent for the City and the protection and proper use of other Augusta, Georgia property.
- b. Provide uninterrupted network resources to employees and the public.
- c. Ensure proper usage of networked information, programs, and facilities offered by Augusta, Georgia.
- d. Maintain security of and access to networked data and resources on an authorized basis.
- e. Secure email from unauthorized access.
- f. Protect the confidentiality and integrity of files and programs from unauthorized individuals.

USE of AUGUSTA GEORGIA TECHNOLOGY, EQUIPMENT and PROPERTY 4.0 #20 September 8, 2016

- g. Inform employees and other users there is no expectation of privacy in their use of Augusta-owned hardware, software, or computer network access and usage or other property.
- h. Provide Internet and email access to employees and the public of Augusta, Georgia.
- i. Provide the necessary technology resources to enable employees to perform duties

3.0 COMPLIANCE RESPONSIBILITIES

Information Technology is responsible for this policy and has the authority to implement the policy. The Human Resources and Information Technology Directors may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Information Technology may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all persons, whether employees, independent contractors or agents of Augusta, Georgia. All persons using Augusta, Georgia's electronic resources must comply with all software licenses, copyright laws and all other State and Federal laws governing intellectual properties.

6.0 DEFINITIONS

7.0 REVISION HISTORY

This policy was implemented....

CORRECTIVE ACTION 3.0**#3****August 16,2016****1.0 POLICY SUMMARY**

This policy describes the types of informal and formal corrective action – verbal counseling, letter of warning, written reprimand, performance improvement plan, corrective salary decrease, suspension without pay, demotion with a pay reduction and discharge – Augusta, Georgia may take to address concerns regarding the conduct or work performance of regular Augusta, Georgia employees.

2.0 POLICY STATEMENT:**A. General**

Augusta, Georgia may take corrective action when an employee fails to meet acceptable conduct or work performance standards. The types of corrective action that can be used to provide an opportunity for an employee to correct conduct or work performance deficiencies are: written reprimand; performance improvement plan; corrective salary decrease; suspension; and demotion. Supervisors are responsible for informing employees of conduct and performance expectations as before problems arise. As appropriate, any corrective action taken due to conduct or unsatisfactory work performance may be noted in the employee's performance appraisal.

As appropriate, before imposing corrective action, a supervisor may conduct a Verbal Counseling or impose a Letter of Warning.

The types of conduct or work performance that may result in corrective action include, but are not limited to:

- failure to meet acceptable work performance standards;
- unexcused absenteeism or tardiness;
- insubordination;
- unethical behavior;
- violation of federal or state law;
- theft or misappropriation of Augusta, Georgia property;
- fighting on the job;
- discrimination, harassment, exploitation or intimidation, including sexual;
- acts endangering to employees, Augusta, Georgia citizens, visitors, or other Augusta, Georgia constituents; or
- any other violation of Augusta, Georgia policies

Corrective action should generally follow a course of progressive discipline that will use increasingly serious actions if there is not sufficient improvement or if there is repeated failure to correct unacceptable conduct or work performance.

When determining the appropriate corrective action to use, supervisors should take into account the severity and circumstances of the situation and the employee's work history. Before imposing any form of corrective action supervisors must: discuss the matter with the employee; advise him of the allegations and provide him with an opportunity to respond orally, in writing or through documents or other forms of information; and seek advice from Human Resources to determine whether corrective action is appropriate, and if so what is the appropriate level. Supervisors are not required to use all types of corrective action and immediate discharge may be warranted in situations of serious misconduct or failure to maintain acceptable work performance standards. The process for discharging a regular employee is described in Procedure.... In some cases, an employee may

CORRECTIVE ACTION 3.0**#3****August 16,2016**

be placed on a paid or unpaid leave with or without notice to investigate a conduct or work performance issue. The process for placing an employee on an investigatory leave is described in Procedure....

B. Types of Corrective Action

There are five types of corrective action that can be used in the progressive discipline process; however, corrective action does not need to follow a specific order. As appropriate, the corrective action taken should correspond to the severity and circumstances of the situation. Discharge is the most severe and final form of discipline. All forms of corrective action will be placed into the employee's official personnel file in Human Resources.

1. Written Reprimand

Generally, at least one written reprimand will be given to an employee prior to proceeding with any other corrective action; however, no written reprimand will be needed if the corrective action is a result of misconduct or work performance that an employee knows or reasonably should have known was unacceptable. The written reprimand must describe how the employee failed to meet acceptable conduct or work performance standards and what needs to be done to bring the conduct or performance to a satisfactory level.

2. Performance Improvement Plan

The Performance Improvement Plan ("PIP") is designed to facilitate constructive discussion between an employee and his supervisor about the employee's unsatisfactory conduct or performance and what needs to be done to bring the conduct or performance to a satisfactory level. The PIP should be written.

3. Corrective Salary Decrease

An employee may be subject to a temporary or permanent corrective salary decrease when removal from the workplace is not appropriate; yet corrective action is warranted.

4. Suspension

An employee may be subject to removal from the workplace and suspended for a defined period of time without pay. For exempt employees, suspension without pay must be imposed in a minimum increment of one workday.

5. Demotion

An employee may be subject to a temporary or permanent demotion for performance or disciplinary reasons.

D. Records of Corrective Actions

Records of corrective actions will be maintained in accordance with the Augusta, Georgia's procedure.... Records of corrective actions taken in response to complaints filed by members of the public against employees in police titles will be retained for ----- years and filed as required by state law.

3.0 COMPLIANCE RESPONSIBILITIES

Supervisors are responsible for administering corrective action. Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

CORRECTIVE ACTION 3.0**#3****August 16,2016****4.0 PROCEDURES TO IMPLEMENT POLICY**

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Corrective Action: The use of increasingly serious actions Augusta, Georgia may take to address concerns regarding the conduct or work performance of regular status employees. The types of corrective action that can be used are written reprimand, performance improvement plan, corrective salary decrease, suspension, and demotion. Depending upon the seriousness of conduct or work performance issues, the employee's length of employment and prior record, Augusta, Georgia may skip some or all of types of corrective action and may impose immediate discharge.

Verbal Counseling: A discussion between an employee and supervisor regarding a conduct or performance issue. The discussion should reinforce the supervisor's expectations and clarify the course of action for improvement. A verbal counseling is not a type of corrective action, but should be documented by the supervisor.

Letter of Warning: A written memo to an employee to identify and address a conduct or performance issue. The memo should reinforce the supervisor's expectations and clarify the course of action for improvement. A counseling memo is not a type of corrective action.

Exempt Employee: An employee who, based on duties performed and manner of compensation, is exempt from the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions.

7.0 REVISION HISTORY

This policy was implemented....

AFFIRMATIVE ACTION 2.0**#21****August 16, 2016****1.0 POLICY SUMMARY**

This policy statement describes Augusta, Georgia's commitment to affirmative action as a recipient of funds from the US government.

2.0 POLICY STATEMENT:

Consistent with its status as a recipient of funds from the US government, Augusta, Georgia undertakes affirmative action for minorities and women, for persons with disabilities, and for covered veterans

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources Compliance is responsible for this policy and has the authority to implement the policy. The Human Resources Compliance Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources Compliance may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Covered Veterans: For purposes of this policy, "covered veterans" includes veterans with disabilities, recently separated veterans, Vietnam era veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

7.0 REVISION HISTORY

This policy was implemented....

ATTENDANCE and PUNCTUALITY 1.0**#22****June 27, 2016****1.0 POLICY SUMMARY**

This Policy describes Augusta, Georgia's expectations and employee obligations regarding attendance and punctuality

2.0 POLICY STATEMENT:

Dependable attendance and punctuality are expected of all employees. Unplanned absences and tardiness must be reported as soon as possible. If problems arise relating to an employee's attendance or punctuality, the supervisor or manager should not delay in taking corrective action.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

1.0 POLICY SUMMARY

The policy describes personnel records, access to personnel records by persons inside or outside Augusta, Georgia, as well as the location of records and the period of retention.

2.0 POLICY STATEMENT:

A. Employee Personnel Records

Augusta, Georgia will establish and maintain employee personnel records. The records will be maintained with accuracy, relevance, timeliness, and completeness, and appropriate and reasonable safeguards will be established to ensure security and confidentiality.

B. Access to Information in Employee Personnel Records

Access to employee personnel records will be made in accordance with the following provisions.

Specific legal requirements regarding an employee's access to the employee's own personnel records, right to correct or amend the records, and third party access to the personnel records are governed by the Georgia Open Records Act (O.C.G.A.50-18-70) Access to peace officer personnel records and the right to correct or amend those records is also governed by the Georgia law provisions related to the confidentiality of peace officer personnel records. Questions regarding an employee's records should be directed to the official designated by the Administrator for this purpose.

1. Access to an Employee's Own Personnel Records

Within 30 calendar days from the receipt of a request for records, an employee will be provided a copy of the employee's own personnel records or within 60 calendar days from the receipt of a request for records that are geographically dispersed, inactive, or in storage. There will be no charge for the first copy. However, records protected by recognized legal privilege and records exempted from disclosure by the Georgia Open Records Act (O.C.G.A.50-18-70) may be withheld.

2. Access to Records by the Public

Persons inside or outside Augusta, Georgia will have access to information in employees' personnel records in conformance with statutes and Augusta, Georgia policies on records. The Administrator will establish procedures for the release of information. Information which is public information and that should generally, be released upon request includes:

- ☐ Name
- ☐ Date of hire, position title, salary
- ☐ Organizational unit assignment
- ☐ Office address and office telephone number
- ☐ Job description, whether full-time or part-time, and appointment type
- ☐ Date of separation, and
- ☐ Other information that would not be (a) an invasion of personal privacy; (b) protected by recognized legal privilege; or (c) otherwise legally protected from disclosure.

Unless release is legally required, Augusta, Georgia will not release to the public information that it has determined to be (a) an invasion of personal privacy; (b) protected by recognized legal privilege; or (c) otherwise legally protected from disclosure. Such information includes but is not limited to:

- ☐ The individual's home telephone number and home address
- ☐ Spouse's or other relatives' names
- ☐ Birth date
- ☐ Social Security Number
- ☐ Citizenship
- ☐ Income tax withholdings
- ☐ Health care records
- ☐ Information relating to evaluation of performance and goal setting records
- ☐ Individual elections related to health and welfare benefits, retirement, or investment programs
- ☐ Drug test results, and
- ☐ Child support/garnishments

C. Period of Retention

Personnel records of an employee will be maintained according to the Georgia Open Records Act (O.C.G.A.50-18-70)

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Personnel Records consist of any record, in any format, necessary and relevant to the administration of the staff personnel program

7.0 REVISION HISTORY

This policy was implemented....

1.0 POLICY SUMMARY

This policy describes the scope of efforts to be taken in regards to the recruitment of employees.

2.0 POLICY STATEMENT:

A. Scope of Recruitment

As appropriate, Augusta, Georgia will recruit both within and outside its work force to obtain qualified applicants. To support career progress of qualified internal candidates, internal recruitment may be utilized so long as it is consistent with equal employment and affirmative action objectives and results in a diverse pool of qualified applicants.

B. Exceptions to Recruitment

Recruitment is not required when a position is to be filled by:

1. demotion or lateral transfer of an employee within the same organizational unit;
2. lateral transfer of an employee along with the budgetary provision for that employee's position;
3. transfer or reemployment of an employee in accordance with Reasonable Accommodation, Medical Separation, Pregnancy Disability Leave, or Family and Medical Leave procedures
4. a qualified employee who has become disabled;
5. recall of a laid-off employee or placement of an employee with preference for reemployment or transfer;
6. an employee whose responsibilities or title have changed as a result of a reorganization or reassignment of functions among positions within the same organizational unit;
7. a position is transferred to another organizational unit, or
8. an employee who is competitively selected for an Augusta, Georgia sponsored internship program, and upon completion of the internship, as authorized in local guidelines and with the approval of the department head, is appointed to a vacant position for which he or she meets the minimum qualifications;

9. Succession Planning.

C. Waiver of Recruitment

A waiver of standard recruitment may be authorized by the Administrator in special circumstances consistent with equal opportunity and affirmative action objectives.

D. Career Ladder Recruitment

An open position may be listed with multiple job titles at different levels within a single Job progression. The hiring Department will determine the initial job title based on the qualifications of the selected candidate. These multiple job titles may allow an employee to advance to a higher job title with the acquisition of additional knowledge and skills during the course of employment.

Department needs and employee performance will govern the recruitment and selection process noted above. The process should include the generation of a written development plan, the timing of an employee's assessment, and the reclassification process.

With approval of the Department head, the employee who has successfully met the

criteria for upward advancement to a higher level position may be reclassified within the same job progression and department or organizational unit for which the original recruitment was conducted.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Demotion: The change of an employee from one position to another position which results in a lower salary range maximum.

7.0 REVISION HISTORY

This policy was implemented....

DISCHARGE from EMPLOYMENT 2.0**#4****August 8, 2016****1.0 POLICY SUMMARY**

The policy describes the process for discharging an employee due to misconduct or the employee's failure to maintain appropriate work performance standards.

2.0 POLICY STATEMENT:**A. General**

Regular status employees may be discharged from employment because of misconduct or failure to maintain appropriate work performance standards. Normally, discharge is preceded by corrective action (see Corrective Action Policy) unless unsatisfactory performance or misconduct warrants immediate dismissal.

B. Written Reprimand

When discharge is for failure to maintain appropriate work performance standards, at least one written reprimand shall precede the discharge. Discharge for misconduct does not require a written reprimand.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS**7.0 REVISION HISTORY**

This policy was implemented....

EQUAL EMPLOYMENT OPPORTUNITY 4.0**#5****August 16, 2016****1.0 POLICY SUMMARY**

Augusta, Georgia is committed to nondiscrimination in employment and creating and maintaining a workplace free of harassment.

2.0 POLICY STATEMENT:**A. General**

It is the policy of the Augusta, Georgia not to engage in discrimination against or harassment of any individual employed by or seeking employment with Augusta, Georgia on the basis of race, color, national origin, religion, age, sex, sexual orientation, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, citizenship, or service in the uniformed services.

This policy is intended to be consistent with the provisions of applicable state and federal laws.

B. Harassment

Augusta, Georgia is committed to creating and maintaining a community in which all individuals who participate in Augusta, Georgia's programs and activities can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual. Specifically, every member of the Augusta, Georgia community should be aware that Augusta, Georgia is strongly opposed to sexual harassment and that such behavior is prohibited both by law and by Augusta, Georgia policy. It is the intention of Augusta, Georgia to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

C. Retaliation

Augusta, Georgia policy prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. See Retaliation Policy This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

D. Complaints

Information regarding applicable procedures for resolving complaints of discrimination and harassment and for pursuing available remedies is available from Human Resources and is described in Procedure.....

3.0 COMPLIANCE RESPONSIBILITIES

~~Human Resources Compliance~~ is responsible for this policy and has the authority to implement the policy. The ~~Human Resources Compliance~~ Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

EQUAL EMPLOYMENT OPPORTUNITY 4.0**#5****August 16, 2016**

~~Human Resources Compliance~~ may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all employees and applicants

6.0 DEFINITIONS

Gender: The sex of a person, including a person's gender identity, and gender expression.

Gender expression: A person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

Gender identity: An individual's personal sense of himself/herself as being male and masculine or female and feminine, or ambivalent.

Pregnancy: includes pregnancy, childbirth, and medical conditions related to pregnancy and childbirth.

Service in the Uniformed Services: includes service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service.

7.0 REVISION HISTORY

This policy was implemented....

FAIR CHANCE 4.0**#6****August 8, 2016****1.0 POLICY SUMMARY**

Augusta Georgia is committed to a hiring policy that affords individuals with a criminal background the opportunity to be considered for employment without compromising the values or safety concerns of Augusta, Georgia and its citizens.

2.0 POLICY STATEMENT:

It is the policy of Augusta, Georgia to inquire about the background, criminal and otherwise, of all individuals who are considered for employment, either for new or for a different position and to conduct background investigations on any individual who is a finalist for selection. Arrest records will not be considered in employment decisions.

Augusta Georgia will inquire into an applicant's criminal background during the initial application process. However, the existence of a criminal background will not automatically disqualify an applicant from consideration. Rather, if a criminal background exists, Augusta Georgia's Human Resources Department will initially make a determination as to whether the position for which the individual applied requires an occupational licensing or certification requirement that is denied to individuals with criminal convictions by federal or state laws or regulation. In such a situation a conviction will disqualify an individual ("targeted exclusion") and the application will be rejected. Alternatively, if a targeted exclusion is not applicable, the Human Resources Department will make an individualized assessment of the relevance of the criminal record to the duties and responsibilities of the position, and will afford the individual an opportunity to explain the circumstances that lead to the conviction and present any mitigating factors. Based upon the results of the individualized assessment the Human Resources Department will make a determination as to whether to forward the application to the hiring manager and/or to disclose the existence of the criminal conviction to the hiring manager.

Individuals who apply to serve as volunteers for Augusta, Georgia programs may, depending upon the nature and responsibilities of the volunteer duties sought, be subjected to a background investigation as part of the application approval process.

All Augusta, Georgia employees or volunteers are required to report to their immediate supervisor any arrest(s) and/or criminal conviction(s) by the next business day. Convictions will be subjected to the same analysis as in the application process and may result in corrective action or discharge. The underlying facts relating to an arrest may result in corrective action or discharge. Under no circumstances may an employee be in paid status while incarcerated, including Sheriff and Fire Department personnel.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURESS TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to

FAIR CHANCE 4.0**#6****August 8, 2016**

support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

Individualized Assessment - The nature and gravity of the offense; when the offense occurred and the individual's subsequent record and experience; and the nexus that the conviction has to the duties and responsibilities of the position.

Targeted Exclusions - Positions which require an occupational license or certification requirement that is denied to individuals with criminal convictions by federal or state laws or regulations.

7.0 REVISION HISTORY

This policy was implemented....

GENERAL PROVISIONS 5.0**#7****August 16, 2016****1.0 POLICY SUMMARY**

This policy provides direction and authority regarding personnel policies applicable Augusta, Georgia employees, officers and volunteers.

2.0 POLICY STATEMENT:**A. Application of Personnel Policies**

The Personnel Policies for Employees describes the employment relationship between employees and officers, and Augusta, Georgia. These policies, and their implementing procedures, describe certain rights, benefits, expectations and obligations which define the employment relationship. Augusta, Georgia management retains all other rights and prerogatives in order to manage the organization municipality so that it may attain its mission. Subject to the approval of the Administrator, or delegate, these policies may be supplemented by the terms of a Memorandum of Understanding entered into by some employees and Augusta, Georgia, but in case of a conflict between these policies and the Memorandum, the policies shall prevail.

B. Employees Covered

These policies apply to all employees of Augusta, Georgia, and by adoption of Augusta, Georgia's elected officers to the employees within their offices, and all boards, commissions and authorities, unless specifically excluded by these policies or by other state law or Augusta, Georgia ordinance. These policies are not and do not form an express or implied contract between Augusta, Georgia and its employees.

Department Directors and SES employees are at-will employees. The Administrator shall have the right to recommend appointment and discharge of Department Directors to the Commission and the Commission shall, at its sole discretion, approve or deny such recommendation. The Administrator, Clerk of Commission, Director of Equal Employment Opportunity and Minority and Small Business Opportunities, and General Counsel shall be appointed and discharged directly by the Augusta, Georgia Commission.

The Mayor shall have the authority to appoint and terminate any employee who is a direct and sole report to the Mayor and is responsible for performing duties in support of the Office of the Mayor. Nothing in these personnel policies and procedures should be construed as allowing SES employees or employees of elected officials to attain a property interest in their positions.

However, exclusion from all or part of these policies does not exempt any employee ~~one~~ from equal employment opportunity practices that may be required by state and federal laws.

C. Amendments

These Personnel Policies may be amended only by the Commission.

D. Delegation of Authority and Implementing Procedures

Authority for implementing these policies is set forth in each policy. Employees

GENERAL PROVISIONS 5.0**#7****August 16, 2016**

should consult the implementing procedures and department regulations in addition to the policies set forth here for further information regarding their employment relationship with Augusta, Georgia.

3.0 REVISION HISTORY

This policy was implemented....

4.0 Definitions

The Commission shall mean the ten elected Commissioners and the Mayor.

DRAFT

HOLIDAYS 3.0**#8****August 16,2016****1.0 POLICY SUMMARY**

The purpose of this policy is to permit Augusta, Georgia to provide eligible employees with paid time off for specific holidays as directed by action of Augusta, Georgia Commission.

2.0 POLICY STATEMENT:

It is the policy of Augusta, Georgia to provide its employees with eleven (11) paid holidays each year. The following holidays will be observed:

New year's day
 Martian L. King Jr. day
 Good Friday
 Memorial Day
 Independence Day
 Labor Day
Veteran's Day
 Thanksgiving Day
 Day after Thanksgiving
 Christmas Eve
 Christmas Day

Holiday schedules for the subsequent year will be announced in November of each year by the Administrator. Certain Departments may observe alternate holiday schedules.

A. Holiday Pay

- a. Employees who work a standard schedule, e.g., 7.5 hours per day, 5 days per week will be eligible to receive 7.5 hours of holiday pay for each holiday.
- b. Employees who work an alternative schedule of 12 hours per day will be eligible for ___ hours of holiday pay per year.
- c. Employees who work an alternative schedule of 24 hours per day will be eligible for ___ hours of holiday pay per year.
- d. Some employees may be required to work on holidays. Employees who are required to work on a scheduled holiday will receive either pay or compensatory leave at a rate of one and one half times their regular rate of pay for all hours worked in addition to their holiday pay, in accordance with department procedure.

B. Eligibility – Employees must work or be on approved leave on their scheduled work days before and after the holiday in order to receive holiday pay. Contract, temporary and part-time employees are not eligible for holiday pay.

C. Employees who are on paid time off when a holiday occurs will not have their paid time off account charged for the holiday.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

7.0 REVISION HISTORY

This policy was implemented....

DRAFT

1.0 POLICY SUMMARY

This policy provides guidelines for departments to schedule reasonable and flexible work hours and locations for employees as well as to provide convenient and consistent hours for citizens to transact business with the Augusta Georgia

2.0 POLICY STATEMENT:

A full-time employee works a schedule of at least 37.5 hours per week. Employees working a schedule of less than 37.5 hours per week are part-time. The normal hours of operation for Augusta, Georgia are 8:30 am to 5:00 pm Monday through Friday. The standard workday is at least 7.5 hours. Unless otherwise indicated, official statements including policy and handbook references to “workday” mean a 7.5-hour period. Each Department Director, with the approval of the Administrator, may establish alternative work schedules for the Department or subunits within the Department as necessary for the operation of their Department to best meet the needs of Augusta, Georgia and its citizens.

For most jobs, an unpaid, 60-minute meal break is required. In addition, Departments may provide two (2) fifteen-minute paid breaks, typically one in the morning and one in the afternoon. These breaks may not be used to cover missed time, to extend the meal period or taken at the beginning or end of the workday. The supervisor is responsible for scheduling both types of these breaks.

It is the policy of Augusta, Georgia to promote general work efficiencies and to comply with its accommodation obligations by permitting Department Directors to authorize individual employees to work alternative work schedules or at alternate work locations for all or part of their workweek.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to....

6.0 DEFINITIONS

7.0 REVISION HISTORY

This policy was implemented....

1.0 POLICY SUMMARY

This policy provides direction for the accrual, use and recording of all paid and unpaid leave available to eligible employees. Augusta, Georgia understands and appreciates that employees require time away from work for a variety of reasons. To that end, Augusta, Georgia provides a full array of time off policies to help eligible employees integrate work and personal obligations. This policy explains the types of time off benefits available to assist employees in managing events requiring time away from work. It also explains what responsibilities employees have with respect to certain leaves of absence.

2.0 POLICY STATEMENT:

A. General Leave Provisions

Augusta, Georgia's policy is to administer requests by employees for time off from work fairly and to treat similarly situated employees consistently. Eligibility and leave entitlements vary under the FMLA, and other legislated leave provisions. In determining whether time off or a leave request should be granted and whether paid leave is appropriate, supervisors should, at a minimum, consider the reason for the request, any applicable policy provisions, and the impact the absence will have on Augusta, Georgia's operations. Employees are responsible for informing their supervisors in advance of the need to take time off if foreseeable, or as soon as possible under the circumstances, depending on the nature of the leave.

B. Annual Leave

Augusta, Georgia provides annual leave to eligible employees for personal use, such as rest, relaxation, and renewal. Consistent with this objective, Augusta, Georgia encourages employees to use their accrued annual leave each year, but caps the amount of annual leave that maybe accrued.

C. Sick Leave

Augusta, Georgia provides paid sick leave to continue the salary of eligible employees who are absent from work because of illness or injury, medical appointments, for parental bonding, family illness or while on Other Leaves as outlined within this policy. Sick leave accrual is capped as set forth in the Procedures.

D. Family and Medical and Other Life Event Leaves

Augusta, Georgia provides leave to eligible employees under the Family and Medical Leave Act ("FMLA"), as well as for personal matters such as pregnancy, attendance at funerals for immediate family members, jury or civic duty, days of mourning, emergency or personal reasons. Qualifying reasons for FMLA leave include: the employee's own illness; the illness of an employee's immediate family member; parental bonding; military caregiver; qualifying exigency; and Military Spouse/Domestic Partner Leave. Leave will also be provided for employees who sustain injury or illness while working consistent with the requirements of Georgia Worker's Compensation.

Leaves and benefits thereunder for these purposes may overlap and may therefore run concurrently.

E. Military Leave

Augusta, Georgia provides, benefits and reinstatement rights for employees who elect or are called to military service or training in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA) and Georgia law.

F. Bereavement Leave

Employees on the active payroll shall receive up to three (3) consecutive, paid days of bereavement leave when a death occurs in their immediate family and up to seven (7) consecutive, paid days when multiple deaths occur in their immediate family for regularly scheduled work days. Employees who work alternative schedules will be provided a comparable amount of bereavement leave by their Departments. Immediate family is defined as parent, grandparent, spouse, child, grandchild, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law and domestic partner. Bereavement leave will normally be taken within ten (10) calendar days following the death (fourteen (14) days following multiple deaths) Extraordinary circumstances will be handled on a case-by-case basis.

G. Jury or Witness Duty

An employee who is called for jury duty or receives a court summons to appear as a witness in a judicial proceeding in which the employee is neither a party in nor a real party of interest in the judicial proceedings during working hours (witness duty) will receive his or her full pay. A copy of the summons for jury or civic duty that is received by the employee must be furnished to the Department Director before jury or civic duty leave begins. Employees called for jury or witness duty are excused from reporting for work only for the time required traveling to and from the Courthouse and the time actually on jury or civic duty. If the Court releases an employee (other than a Firefighter) from jury or witness duty during normal work hours, he/she must return to his or her department as soon as possible. The employee will retain any compensation paid by the court.

H. Medical Leave

A Medical Leave of Absence may be granted to employees who have completed their probationary period for periods in excess of those covered by the FMLA when the employee is unable to work due to his medical condition. Such leaves may be for up to thirty (30) calendar days and may be extended for up to a total of three (3) consecutive months upon presentation of a physician's statement verifying that the employee is unable to perform his position duties because of an occupational or non-occupational medical condition.

A medical leave, when combined with other leaves taken consecutively or for the same medical condition may not exceed six (6) months. If an employee returns from Medical Leave after FMLA leave expires but prior to six (6) months, the employee will:

1. Be allowed to fill a position held by a temporary employee, or temporary agency personnel, provided that the individual is qualified to perform the position's duties; or shall

2. Be offered any open position in the employee's previous job classification for which the employee is qualified.

I. Personal Leave

Limited personal leaves of absence may be granted upon request of employees who have completed their probationary period. Such leaves shall be not more than thirty (30) calendar days. A maximum of two (2) extensions may be approved by Augusta, Georgia.

J. Worker's Compensation

All aspects of Workers Compensation are governed by Georgia State Worker's Compensation law. The procedures under this policy will provide guidance and information to employees who assert that they have been injured in the course and scope of employment with Augusta, Georgia regarding the benefits and time off available to them.

K. Statutory Compliance

If applicable state or federal law requires the Augusta, Georgia to offer any leave in a manner that would be more generous to employees than is currently provided in this policy, Augusta, Georgia will comply with the law.

3.0 COMPLIANCE RESPONSIBILITIES

Human Resources is responsible for this policy and has the authority to implement the policy. The Human Resources Director may apply appropriate interpretations to administer and clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy, provided that Risk Management is responsible for and will apply appropriate interpretations to administer and clarify the Worker's Compensation policy.

4.0 PROCEDURES TO IMPLEMENT POLICY

Human Resources may develop procedures or other supplementary information to support the implementation of this policy, provided that Risk Management will develop procedures or other supplementary information to support the implementation of the Worker's Compensation policy. Such supporting documentation requires the approval of the Administrator, but does not require the approval of the Commissioners.

5.0 APPLICABILITY

This Policy is applicable to all Augusta, Georgia employees.

6.0 DEFINITIONS

Covered active duty or call to covered active duty status: For purposes of Family and Medical Leave – Qualifying Exigency Leave, "covered active duty or call to

covered active duty status” is defined as (1) in the case of a member of the regular Armed Forces, duty during the deployment to a foreign country or (2) in the case of a member of the Armed Forces Reserve, duty during the deployment to a foreign country under a Federal call or order to active duty in support of a contingency operation, during a war, or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

Covered servicemember: For purposes of Family and Medical Leave – Military Caregiver Leave, a “covered servicemember” is a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Covered veteran: For purposes of Family and Medical Leave – Military Caregiver Leave, a “covered veteran” is an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FML to care for the covered veteran.

Immediate Family members: Except for purposes of Family and Medical Leave, an employee’s spouse, domestic partner, children (including children of the employee’s domestic partner), parents, siblings, grandparents, and grandchildren. Step-relatives, in-laws, and relatives by adoption are included on the same basis as the above-listed blood relatives. If an employee was raised by persons other than his/her biological parents, these individuals also are included in this category. Likewise, if an employee is raising a child who is not his/her biological child, that child is included in this category.

Family members for purposes of Family and Medical Leave: an employee’s spouse, domestic partner, children who are under 18 years of age or incapable of self-care because of a mental or physical disability (including children of the employee’s domestic partner), and parents. Step-relatives and relatives by adoption are included on the same basis as the above-listed blood relatives. In-laws are not included. If the employee was raised by persons other than his/her biological parents, these individuals are also included in this category. Likewise, if an employee is raising a child who is not his/her biological child, that child is included in this category. If the employee is taking Military Caregiver Leave to care for a son or daughter who is a covered servicemember, the son or daughter may be of any age.

Family and Medical Leaves: Leaves that Augusta, Georgia offers employees for specified family and medical reasons, consistent with the federal Family and Medical Leave Act (FMLA), and as set forth in the applicable procedures.

Family and Medical Leave Act: A federal law that allows an employee to take unpaid leave (1) due to the employee’s serious health condition (including disability resulting from pregnancy, childbirth or related medical condition), (2) to care for certain family members if they have a serious health condition, (3) to bond with his/her new child

after the child's birth or placement with the employee for adoption or foster care, (4) for Military Caregiver Leave, or (5) for Qualifying Exigency Leave.

In loco parentis: For purposes of Family and Medical Leave, a person stands "in loco parentis" to a child if the person has day-to-day responsibilities to care for the child or financially supports the child.

Next of kin: For purposes of Family and Medical Leave – Military Caregiver Leave, "next of kin" is either (a) the nearest blood relative of the covered servicemember (other than the covered servicemember's spouse, domestic partner, parent, son or daughter) or (b) the person who the covered servicemember has designated in writing as his/her nearest blood relative for purposes of Military Caregiver Leave.

Outpatient status: For purposes of Family and Medical Leave – Military Caregiver Leave, "outpatient status" is the status of a servicemember assigned to a military medical treatment facility as an outpatient, or assigned to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent of a military member: For purposes of Family and Medical Leave – Qualifying Exigency Leave, a "parent of a military member" is a military member's biological, adopted, step or foster parent or any other individual who stood in loco parentis to the military member when the military member was a child. The definition does not include parent's in-law.

Parent of a covered servicemember: For purposes of Family and Medical Leave – Military Caregiver Leave, a "parent of a covered servicemember" is a covered servicemember's biological, adopted, step or foster parent or any other individual who stood in loco parentis to the covered servicemember when the covered servicemember was a child. The definition does not include parent's in-law.

Period of military conflict: For purposes of Military Spouse/Domestic Partner Leave, a "period of military conflict" is a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty as defined in Military & Veterans Code Section 395.10.

Qualified Member: For purposes of Military Spouse/Domestic Partner Leave, a "qualified member" is a person who is (1) a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, (2) a member of the National Guard who has been deployed during a period of military conflict, or (3) a member of the Reserves who has been deployed during a period of military conflict.

Serious injury or illness of a covered servicemember: For purposes of Family and Medical Leave – Military Caregiver Leave, a serious injury or illness of a covered servicemember is (a) for a current member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred or aggravated by the covered servicemember in the line of duty on active duty in the

LEAVES of ABSENCE 4.0**#10****August 12, 2016**

Armed Forces that may render the servicemember medically unfit to perform the duties of his/her office, grade, rank, or rating; and (b) for a veteran of the Armed Forces, an injury or illness that was incurred or aggravated in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran.

Single 12-month leave period: For purposes of Family and Medical Leave – Military Caregiver Leave, a “single 12-month leave period” means the period beginning on the first day the employee takes leave to care for the covered servicemember and ending 12 months after that date.

Son or daughter of a military member: For purposes of Family and Medical Leave – Qualifying Exigency Leave, a son or daughter of a military member is of any age and is a biological, adopted, or foster child, stepchild, or legal ward of a military member or someone for whom the military member stood in loco parentis when that person was a child.

7.0 REVISION HISTORY

This policy was implemented....



**Administrative Services Committee Meeting
10/25/2016 1:15 PM
Minutes**

Department: Clerk of Commission

Presenter:

Caption: Motion to approve the minutes of the Administrative Services Committee held on October 11, 2016.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting Commission Chamber - 10/11/2016

ATTENDANCE:

Present: Hons. M. Williams, Chairman; D. Williams, Vice Chairman; Lockett and Davis, members.
Absent: Hon. Hardie Davis, Jr., Mayor.

ADMINISTRATIVE SERVICES

1. Approve award of the contract to install emergency generator connectors at Warren Road Community Center and Henry Brigham Community Center to Data Power Source (DPS) of Covington, GA in the amount of \$119,650. (Bid Item 16-187) **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Mary Davis	Commissioner William Lockett	Passes

2. Motion to approve the minutes of the Administrative Services Committee held on September 28, 2016. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner William Lockett	Commissioner Mary Davis	Passes

3. Receive as information the layout and content of the proposed dedication plaque for the Augusta Public Defender's Office. **Item Action:** Approved

Item # 3

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 4-0.	Commissioner Dennis Williams	Commissioner Mary Davis	Passes

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**Administrative Services Committee Meeting
10/25/2016 1:15 PM
Rules of Procedures Subcommittee**

Department: Rules Subcommittee

Presenter: Rules Subcommittee

Caption: Motion to **approve** proposed changes to the Augusta Commission's Rules of Procedures as recommended from the Rules Subcommittee.

Background: The Commission Rules Subcommittee was appointed to review the Rules of Procedure and make recommendations for improvement.

Analysis: See attached

Financial Impact: None

Alternatives:

Recommendation: Approve

**Funds are Available
in the Following
Accounts:** N/A

REVIEWED AND APPROVED BY:

Summary of Changes Proposed by the Rules Sub-Committee

1. Code sections addressing items closely related to items addressed in rules to be merged with rules for improved continuity and readability. Term “Commission-Council” changed to “Commission” to be consistent with amendments to Consolidation Act.
2. Rule 1.04. Changed to reflect that the term of the Mayor Pro Tempore is now two years.
3. Rule 1.07.01. Clarification that all supporting documentation for agenda items is to be included with the agenda item.
4. Rules 1.07.02 and 1.07.05. Restricting those who may place an item on the regular agenda to: Administrator, any member of the Commission and any elected official.
5. Rules 1.07.02, 1.07.04, 1.07.05, 1.10.02(b). Clarifying that the deadline to submit agenda items is 9 a.m. on Thursday and agenda items shall be submitted to the Clerk of Commission (not the Administrator).
6. Rule 1.07.02. Clarifying that the requirement to have an item added to the agenda after the 9 a.m. Thursday deadline is unanimous consent of the commission members in attendance.
7. Rule 1.07.02. Clarifying that unanimous consent of committee members present is required to add an item to a committee after the 9 a.m. Thursday deadline.
8. Rule 1.07.08. Added to state that if an item has appeared on the Commission Agenda and been defeated, or if no action is taken on an item, it shall not be considered again by the Commission until it has been discussed at the committee level.
9. Rule 1.10.02. Changed the public participation rule to provide that complaints about employees and business solicitations are to go to the Administrator.

10.Rule 1.01.08. Changed to state that in the event there is no quorum at a committee, all such items on such agenda shall be placed on the agenda of the next regular meeting of the full Commission.

RULES OF PROCEDURE

for the

AUGUSTA, GEORGIA COMMISSION

Rules of Procedure
Augusta, Georgia Commission

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Augusta, Georgia Commission

APPENDIX Parliamentary Definitions

OPERATIONAL PROCEDURE**1.01 MEETING-Time and place; committees.**

1.01.01 Except for the months of April and July, Regular Commission meetings shall be held on the first and third Tuesday of each month at 2:00 p.m. in the Commission Chambers on the second floor of the Municipal Building. Except as otherwise provided by law, all meetings of the Commission shall be public meetings.

1.01.01(a) The first meeting in April of each year shall be held on the last week of the preceding March.

1.01.01(b) The first meeting in July of each year shall be held on the last week of the preceding June.

1.01.02 Regular Commission meetings for Executive Session matters and matters requiring urgent approval shall be held on the second and last Tuesday of every month at 11:00 a.m. in the Commission Chambers on the second floor of the Municipal Building.

1.01.02(a) Executive Session meetings shall be conducted in accordance with the Georgia Open Meetings Act.

1.01.03 Except for the months of April and July, all regular committee meetings shall be held on the second and last Tuesday of every month in the Lee N. Beard Commission Chamber beginning at 1:00 p.m. with the Public Services Committee starting first every time followed by an alphabetic rotation of the following committees Administrative Services, Engineering Services, Finance, Public Safety on a two-month rotation cycle.

1.01.03(a) The last committee meetings in March of each year shall be cancelled and all items on such committees shall be forwarded to the last Commission meeting in March.

1.01.03(b) The last committee meetings in June of each year shall be cancelled and all items on such committees shall be forwarded to the last Commission meeting in June.

1.01.04 Other called meetings of the Commission and Committees and the subject, dates and time of these meetings may be scheduled as needed and notification of such meetings shall be provided to the public in advance as required by law.

1.01.05 If there is a necessity to change the time and date of the regular meeting of the Commission or Committees or of any specially called meetings or any executive session meeting, this shall be done by request of the Mayor or a majority of the members of the Commission, provided a majority of the Commissioners can attend the meeting which shall be held on a different day. Notice of the time and date change shall be provided to the Mayor and Commission.

Rules of Procedure
Augusta, Georgia Commission

1.01.06 The Commission may hold such additional meetings as shall be deemed necessary when called by the Mayor or a majority of the members of the Commission, provided all members shall have been notified at least twenty-four (24) hours in advance of the special meeting. Provided, further, that a majority of the Commission may convene the same in extraordinary session for emergency business, such a natural disaster or civic disturbance, whenever in their judgment it may be necessary.

1.01.07 An adjourned meeting is a continuation of the meeting immediately preceding, whether a regular or special meeting.

1.01.07(a) If a scheduled meeting of the Commission is not completed due to time constraints or emergency, the meeting shall be adjourned to the following day or to a specific day scheduled by the Commission to allow for the completion of pending business.

1.01.07(b) In an adjourned meeting (regular or special), only business which would have been proper to consider at the immediately preceding meeting may be considered and acted upon at the adjourned meeting.

1.01.07(c) Adjourned meetings resume business under the same rules, limitations and rights as the immediately preceding meeting.

1.01.08 Any action taken at any committee meeting (other than to postpone the agenda item to the next, or a future, committee meeting) shall be placed on the agenda of the regular meeting, regular called meeting, or special meeting of the full Commission for approval of the action of the committee. In the event there is no quorum at a committee, all such items on such agenda shall be placed on the agenda of the next regular meeting of the full Commission.

1.02 QUORUM

1.02.01 Seven (7) members of the Commission shall constitute a quorum for any meeting of the Augusta-Richmond County Commission.

1.02.02 If a quorum is not present thirty (30) minutes following the scheduled hour for convening the meeting, the Chairman-Mayor or the Vice Chairman-Mayor Pro Tempore, or in their absence, the Administrator (or his/her designee), may adjourn the meeting until the next day. By unanimous consent of those Commissioners present, the meeting may be adjourned to another hour and day.

1.02.03 If during the meeting there ceases to be a quorum, all business must stop except that the Commission, by majority vote to be recorded in the minutes (naming those present at the time of the vote) may:

1.02.03(a) fix another day at which to reconvene;

Rules of Procedure
Augusta, Georgia Commission

1.02.03(b) adjourn and return at the next regular meeting;

1.02.03(c) recess to determine if a quorum will be present within a short period of time.

1.03 Chairman-Mayor.

1.03.01 The Chairman-Mayor shall have the rights and privileges of the other Commissioners with respect to debate, but shall have the right (but is not obliged) to vote on any matter (excluding appointment of any Commissioner to a committee and excluding voting as a member of any Committee as provided in the Consolidation Act) only to break a tie or to create a tie. Additionally, his/her duties during meetings shall include:

1.03.01(a) presiding over meetings of the Commission;

1.03.01(b) calling the meeting to order at the scheduled hour;

1.03.01(c) determining that a quorum is present;

1.03.01(d) preserving decorum and order at all meetings,

1.03.01(e) making the Commissioners aware of the substance of each motion;

1.03.01(f) calling for each vote;

1.03.01(g) announcing the results of each vote;

1.03.01(h) calling for a recess at such times as deemed advisable.

1.03.02 The Chairman-Mayor shall exercise such other duties as prescribed in Consolidation Act or by ordinance.

1.04 Vice Chairman-Mayor Pro Tempore. A Vice Chairman-Mayor Pro Tempore shall be elected from among the district Commissioners at the first regular meeting in January of each odd-numbered year as provided in the Consolidation Act. The Vice Chairman-Mayor Pro Tempore shall serve for a period of two years and shall have all rights, privileges and duties of the chair in the absence of the chair (excluding the right to vote to create or break a tie), and in addition shall have the right to make motions and vote on any issue, including matters coming before any Committee of which he is a member. The Vice Chairman-Mayor Pro Tempore may succeed himself/herself, subject to the two consecutive term limitation contained in the Consolidation Act.

1.05 Absence of Chairman-Mayor and Vice Chairman-Mayor Pro Tempore. In the absence of the Chairman-Mayor and Vice Chairman-Mayor Pro Tempore, the Administrator shall determine whether a quorum is present. If a quorum is present, the Administrator shall call for the election of a temporary chair. The temporary chair shall preside over that meeting or until the

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conclusion of the business immediately pending at the time the Chairman-Mayor or Vice Chairman-Mayor Pro Tempore arrives.

1.06 Minutes.

1.06.01 All actions of the Commission, except for actions described in O.C.G.A. § 50-14-3 and § 50-14-4, (or as these sections may be amended from time to time), shall be accurately recorded by the Clerk (or his/her designee) in the minutes which minutes shall include:

1.06.01(a) all main motions, exactly as worded when adopted (including amendments or stipulations);

1.06.01(b) the name of the maker of all important motions;

1.06.01(c) disposition of all main motions, Whether

1.06.01(c)(1) adopted;

1.06.01(c)(2) defeated;

1.06.01(c)(3) referred to committee or to staff for further information or recommendations;

1.06.01(c)(4) held until a definite time;

1.06.01(c)(5) the vote of each Commissioner; and 1.06.01(c)(6) comments of Commissioners verbatim.

1.06.02 The minutes of meetings of the Commission shall, at a minimum, briefly describe all statements made and shall record the actions taken by the Commission. Any statement shall be recorded in full at the request of a member of the Commission. A member of the Commission may incorporate an additional statement when the minutes are read. The minutes shall be read before they are approved as soon as is possible or feasible but in no case later than the next regular meeting of the Commission.

1.06.03 The responsibility for correcting and approving the minutes shall be vested only in the members of the Commission. The minutes of each meeting shall indicate their subsequent approval/ correction. The minutes may be corrected whenever an error is noticed upon approval of the Commission regardless of the time which has elapsed since recording of the minutes.

1.06.04 The minutes shall be attested to by the Clerk or his/her designee.

1.07 Regular Agenda.

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1.07 .01 All agenda items shall include all supporting documentation and such shall be submitted to the Clerk for inclusion on the agenda for all meetings of the Commission.

1.07.02 Subject to the limitation of Rule 1.07.08, the Administrator, any elected official and any member of the Commission shall have the right to have an item placed on the regular agenda of the Commission provided said item is submitted to the Clerk of Commission no later than 9:00 a.m. on the Thursday prior to the Tuesday of the regular Commission meeting or any regular Committee meeting. An item may be added to the regular agenda after the 9:00 a.m. Thursday deadline with the unanimous consent of the commission members in attendance. Unanimous consent of the committee members present shall be required to add and item to a committee agenda after the 9:00 a.m. Thursday deadline.

1.07.03 The Clerk shall be responsible for assembling the agenda and distributing it to all Commissioners no later than Friday in advance of the scheduled meeting.

1.07.04 An item may be removed from the agenda after 9:00 a.m. on the Thursday prior to the Tuesday of the regular Commission meeting with unanimous approval of the members of the Commission attending the regular meeting.

1.07.05 An item may be removed from the agenda prior to 9:00 a.m. on the Thursday prior to the Tuesday of the regular Commission meeting upon the request of the individual who was responsible for placing the item on the agenda.

1.07.06 No item pertaining to alcoholic beverage application shall be placed on the agenda within one (1) year from the date of the denial of the application by the Commission.

1.07.07 No item pertaining to zoning shall be placed on the agenda for the same zoning classification within one (1) year from the date of the denial of the application by the Commission.

1.07.08 If an item has appeared on the Commission Agenda and been defeated, or if no action is taken on an item, it shall not be considered again by the Commission until it has been discussed at the committee level.

1.08 Consent Agenda.

1.08.01 All items contained in the consent agenda may be voted on *en gross*. Prior to the vote on the consent agenda, any Commissioner may withdraw an item from the consent agenda so that it shall be voted on individually.

1.08.02 A non-agenda item shall be defined as that which is deemed by a Commissioner to require urgent attention, but which has not been placed on the published agenda.

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1.08.02(a) If a Commissioner requests that a non-agenda item be added to the consent agenda, he/she must provide the specific item, and the reasons immediate attention is required, to the Commission.

1.08.02(b) The unanimous consent of the Commissioners present at the meeting shall be required to add an item to the consent agenda.

1.09 Voting.

1.09.01 All votes shall be taken by raised hand, except those which the chair handles through unanimous consent (i.e., "If there are no objections ... "), and unless there is a request for a roll-call vote. A single objection will require that a counted vote be taken. An affirmative vote of at least six (6) members of the Commission shall be required to adopt a motion, except where otherwise indicated.

1.09.02 Any Commissioner shall have the right to request a roll call vote on any issue, in which event the chair shall direct the Clerk to call the roll in alphabetical order, except that the Chairman-Mayor's name shall be called last and only when his vote will create or break a tie. As each Commissioner's name is called, such Commissioner shall vote either "yes" or "no" to the question presented. To verify the vote and to correct possible errors, the Clerk repeats the vote after each member responds to his name. At the conclusion of the roll call, the Chairman-Mayor can ask if anyone entered the room after his name was called. Changes of the vote are also permitted before the result is announced.

1.09.03 When an entire agenda "tab" has been moved to be voted upon by an *en gross* vote (see Section 3.01.05 herein), a Commissioner may, without discussion state that he/she is voting in the affirmative on all of the agenda items on that "tab" except certain ones which he/she will name by number. In such cases, the votes of the Commissioner(s) will be recorded as negative for the items named, unless the Commissioner abstains as provided in Section 1.09.06.

1.09.04 If a motion has been voted on without discussion and a Commissioner feels that it is necessary to explain his/her vote, he/she may have no more than one minute to give public reasons for his/her vote. The chair will not allow the Commissioner to repeat discussion that has already taken place at the same meeting, however.

1.09.05 A tie vote shall cause all procedural motions to be defeated. A tie vote on a main motion shall keep the motion as pending before the Commission and the motion shall be rescheduled for another time; Provided, however, the Chairman-Mayor shall have the right to vote to create or break a tie.

1.10 Public Participation in Commission Meetings.

1.10.01 Persons wishing to address the Commission shall do so during the Public Comment portion of the agenda.

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1.10.02 Subject to the limitations provided for herein, speakers will be allowed to appear before the Commission at the public comment session prior to the regular agenda with each speaker allotted a maximum of five (5) minutes for their presentation.

1.10.02(a) Persons seeking to complain about the performance or lack thereof of an employee of Augusta, Georgia shall submit such requests to the Administrator for resolution. Such requests for public comment will not be heard by the Commission or any committee.

1.10.02(b) Persons or businesses seeking to do business with Augusta, Georgia shall submit such requests to the Administrator for consideration in accordance with the requirements of the Procurement Code. Requests to make presentations for products or services will not be heard by the Commission or any committee except as permitted by the Procurement Code.

1.10.03 Each speaker must submit a request in writing, including his/her address, which will state the topic of discussion, to the Clerk's office no later than 9:00 a.m. on the Thursday preceding the next regularly scheduled Commission.

1.10.04 An extension of the five (5) minute limit per person may be granted upon the affirmative vote of six (6) members of the Commission.

1.10.05 If deemed advisable by the Chairman- Mayor, a written response to a speaker may be provided by the appropriate County staff within thirty (30) days. The Commission may respond verbally at the completion of any speaker's presentation.

1.10.06 After each individual speaker's remarks have concluded, the Chairman Mayor may, but shall not be required to, briefly respond, either personally or through another member of the Commission whom the Chairman-Mayor shall designate. In addition, when a request for special action or a grievance has been heard the matter will be referred to the Administrator (or his/her designee) who will prepare a response to the matter. If necessary, action on the matter for consideration of the Commission will be placed on the agenda for the second regular meeting following the date of the comment.

1.10.07 No speaker will be allowed to return on public comment on the same issue within a period of ninety (90) days; however a speaker may return on another issue following the policy and procedure.

1.10.08 All speakers, other than salaried members of the Augusta-Richmond County staff, shall address the Commission in the following manner:

1.10.08(a) Stating name and address (address is required only if individual has not previously provided address to Clerk).

1.10.08(b) Stating whether he/she is speaking for himself/herself or for another;

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1.10.08(c) Stating if he/she represents an organization and whether he/she is being compensated by the organization for whom he/she speaks;

1.10.08(d) Stating whether he/she or any member of his/her immediate family has a personal interest in the pending matter.

1.10.08(e) Stating his/her comments.

1.10.09 All remarks shall be to the Commission as a body and addressed through the chair. Remarks shall not be made to a particular Commissioner.

1.10.10 Questions from Commissioners, the Administrator, and/or the Augusta Richmond County Attorney may be made for clarification. However, no person shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the chair.

1.10.11 All remarks must be related to the issue on which the speaker has requested to be heard. No person shall be allowed to make impertinent, derogatory, offensive or slanderous remarks while addressing the Commission.

1.10.11(a) A person may be barred from further speaking before the Commission in that meeting if his/her conduct is deemed "out of order";

1.10.11(b) Once barred for improper conduct, a speaker shall not be permitted to continue or again address the Commission in that meeting unless a majority vote of the Commission allows;

1.10.11(c) In the event a speaker who is barred fails for improper conduct to obey the ruling, the chair may take such action as is deemed appropriate, including the removal of such person from the assembly;

1.10.11(d) The Commission may bar a person from addressing Commission meetings for up to sixty (60) days for improper conduct. A person barred by the Commission for this period may request a hearing by written request to the chair, which request shall state the reason(s) for a reversal of the decision. All requests for hearings shall be placed on the agenda and heard by the Commission. An affirmative vote of six (6) members of the Commission shall be required to overturn the previous decision to bar the persons.

1.10.11(e) If not otherwise recognized by the Chair, upon motion and the affirmative vote of six (6) members of the Commission, the Commission may allow public comment on an agenda item at the time the item is being considered by the Commission. These comments must be limited to the subject that is being debated. Members of the public may speak for five minutes and may only speak once. These limits can be waived by the affirmative vote of six (6) members of the Commission.

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1.10.11(f) The Commission may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the Commission. Hearings may be held immediately prior to or following a meeting of the Commission or at such other places and times as the Commission may determine. No official action shall be taken at any such public hearing.

1.11 Appointments by the Commission.

1.11.01 Appointments shall be made as necessary. When it has been determined, by the Consolidation Act or other rule or manner, that it is the "right" or "turn" of a particular Commissioner to nominate a candidate for a position, such nominee must be elected by a majority of the Commission. If any nominee, however nominated, fails to receive a majority vote, alternate candidate(s) may be nominated until the position is filled by majority vote.

1.11.02 Any appointment to fill an expired or a new term on any board or commission, which appointment is made by the Commission, shall not have less than six (6) votes of approval.

2.00 Decorum of Debate. The following practices shall be followed in debate on motions and matters presented to the Commission.

2.01 Adherence to Agenda.

2.01.01 In discussion, the remarks made by the Commissioners shall be confined to the motion or matters immediately before the Commission.

2.01.02 All Commissioners must conduct themselves in a professional and respectful manner. All remarks should be directed to the Chairman-Mayor and not to individual Commissioners, staff or citizens in attendance. Personal remarks are inappropriate. A Commissioner may not speak at a meeting until he has been recognized by the Chairman-Mayor. All comments made by a Commissioner shall address the motion that is being discussed.

2.01.03 During these remarks a Commissioner must observe the same rules of decorum as those set forth in Section 2.02 below, and may be called to order by the Chairman-Mayor or another Commissioner if there is a breach of those rules.

2.01.04 A Commissioner may not interrogate another Commissioner, staff or citizens. No one shall attempt to enter into discussion with a Commissioner who has chosen to avail himself/herself of this opportunity to share his/her opinions with the public.

2.02 Discussion of the Issue. In discussion, a Commissioner may condemn the nature of likely consequences of the proposed measure in strong terms, but must avoid a discussion of personalities, and under no circumstances may he/she attack or question the motives of another Commissioner or staff. The issue, and not a person, shall be the item under discussion. Any

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Commissioner wishing to discuss an issue shall be allowed to do so; however, discussion of any particular issue by any particular Commissioner shall be limited to two (2) minutes of discussion and one (1) minute of rebuttal, unless debate is extended by the chair or by motion as provided in Section 3.04.05 hereof.

2.03 Call to Order, Remarks. The chair shall immediately call as "out of order" any remarks made outside the issue being addressed. Additionally, another Commissioner may call this breach of procedure to the attention of the chair and other Commissioners. In either case, the speaking Commissioner shall be required to continue with his/her remarks confined to the issue.

2.04 Discussion Through the Chair. All discussion shall be made through the chair, and one Commissioner may not interrogate another Commissioner or person speaking from the public except through the chair (or with the permission of the chair).

2.05 Disruptions. During discussion or voting, no Commissioner shall disturb the other Commissioners in any way that may be considered disruptive to the proceedings or that may hamper the transaction of business by the Commission.

2.06 Call to Order, Action. The chair may rule as "out of order" any action deemed inappropriate or dilatory and may interrupt a speaker for reasons deemed necessary by the chair. The Chairman-Mayor shall say, "Commissioner/speaker, those remarks are out of order. Please cease this line of comment and make appropriate comment to the issue."

2.07 Call of "Out Of Order".

2.07.01 If a member of the Commission refuses to comply with these Rules of Procedure the following procedure shall be used:

2.07.01(a) The Commissioner shall be "called to order" by the chair, who shall say, "Commissioner _____ [using name], you are now out of order. If you persist a reprimand will be entered into the record."

2.07.01(b) If a Commissioner defies the ruling of the chair, the Chairman Mayor shall state, "Commissioner, you are personally out of order. Let the record indicate a reprimand against Commissioner _____ Commissioner _____, you have a right at this time to appeal the ruling of the chair by asking that a roll call vote of the Commissioners present be taken and a statement by each Commissioner be recorded as to why he/she is for or against the ruling of the chair. A majority vote of the members of the Commission present shall govern."

3.00 Procedure in Meetings.

3.01 Motions.

3.01.01 In order for the Commission to take any official action on any subject, a Commissioner must propose a Main Motion or there must be an Recommended Main

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Motion, as provided in Section 3.01.02(a). A proposed Main Motion must be seconded before there will be discussion on the motion. A second does not require the Commissioner seconding the motion to support the motion. A Commissioner may withdraw a Main Motion that he has made as provided in Section 3.01.04 hereof, at any time before the Commission has voted on that motion. Prior to taking a vote, the chair shall state the motion (or resolution) or its substance, or he/she may call upon the Clerk or secretary to do so.

3.01.02 If the motion presented contains two (2) or more parts capable of standing as separate motions, a Commissioner may move to "Divide the Motion." This motion shall require a second and discussion shall be allowed only on why it should or should not be divided. A majority vote shall be required to adopt the motion to "divide the motion."

3.01.03 If a main motion is in the form of a resolution or document containing several paragraphs or sections which are not separate motions but could be discussed more efficiently if discussed in sections, a motion to Discuss by Paragraphs, Sections, or Numbered Agenda Items under a "tab," may be made. A second shall be required and discussion shall be brief as to the necessity for the action. A majority vote shall be required to "consider by paragraphs, sections, or numbered agenda items under a 'tab'."

3.01.04 Once a motion has been moved and seconded, it belongs to the entire Commission and not to the maker of the motion; therefore, if a Commissioner wishes to Withdraw a motion that is officially before the Commission, action of the Commission must be taken in either of the following ways:

3.01.04(a) The chair may ask the Commission if there are any objections to the motion being withdrawn. If there are no objections, the motion shall be withdrawn by unanimous consent, without the need for the seconder to withdraw his/her second;

3.01.04(b) If there is an objection to the motion being withdrawn, then the chair shall take an official vote on the "motion to withdraw the motion", a second being required. A majority vote shall be required to adopt the motion to "withdraw the motion."

3.01.05 If a Commissioner feels that time could be saved by acting on all of the agenda items under a "tab," he/she may move that it be "Considered *en Gross*." (See Section 1.08.02.)

3.01.06 When several alternatives need to be considered (such as staff recommendations that propose various options for the Commission to consider), unlimited choices may be considered by "Filling the Blank" in the motion:

3.01.06(a) No Commissioner may suggest more than one proposal for filling the blank without unanimous consent from the other Commissioners;

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3.01.06(b) Each proposal shall be debatable and shall be treated as an independent item to be voted on separately until one has been approved by a majority. As soon as one proposal has received a majority, no others shall be considered;

3.01.06(c) Alternatives (from staff recommendations and/or suggestions by Commissioners) are listed in logical order for voting:

3.01.06(c)(1) Names are listed in the order in which they were proposed,

3.01.06(c)(2) Other proposals are listed in the order of their probable acceptability, beginning with the least popular choice.

3.02 Main Motions.

3.02.01 A main motion is a motion whose introduction brings business before the Commission.

3.02.01(a) Recommended Main Motions- A recommendation from staff, or another item published in the agenda for action, shall be handled as an Recommended Main Motion by the chair. That is, the chair shall, upon the conclusion of a report, state, "The question (or motion) before you is ... " (stating the motion in the affirmative). No second will be required in these instances and the chair, in assuming such motion, is not presumed to be in favor of the motion and may speak against it if he/she so wishes.

3.03 Ranking of Motions.

3.03.01 Each subsidiary and privileged motion is assigned a specific rank. A motion of higher precedence can interrupt motion of lower precedence. The higher motion must be decided before the Commission returns to consider the motion of lower precedence.

3.03.02 A main motion has the lowest rank and does not take precedence over any other motion. A motion to adjourn has the highest rank and will take precedence over all other subsidiary and privileged motions. The order of precedence of motions shall be in accordance with this Section. Motions at the top of the following list take precedence over motions at the bottom of the list.

HIGHEST RANK:

PRIVILEGED MOTIONS (Undebatable)

1. Adjourn
2. Recess
3. Question of Privilege

SUBSIDIARY MOTIONS (Undebatable)

4. Lay on the Table (Postpone Temporarily)

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5. Vote Immediately (Previous Question)
6. Limit Debate or Extend

SUBSIDIARY MOTIONS (Debatable)

7. Postpone to a Time Certain (Postpone Definitely)
8. Refer to Committee (Commit)
9. Amend
10. Postpone Indefinitely

OTHER MOTIONS

LOWEST RANK-

11. Main Motion

3.04 Subsidiary Motions. During the course of debate, Commissioners may introduce motions that propose that the Commission take a particular action on a main motion. These motions are called subsidiary motions and they allow the Commission to reach a conclusion on the main motion. Subsidiary motions require a second before they can be voted on or debated. Three subsidiary motion, Amend, Limit Debate, and Vote Immediately, also can apply to other subsidiary motions.

3.04.01 Postpone indefinitely. If a Commissioner believes that the main motion should not be considered by the Commission, that Commissioner may move to postpone the consideration of the main motion indefinitely. If the motion is successful, consideration of the main motion stops and the main motion is tabled for the duration of the meeting. A motion to postpone indefinitely can be debated, but it can be amended. A majority vote of the Commission is required for the motion to pass.

3.04.02 Amend. If a Commissioner believes that a main motion that is on the table should be changed in order to make it more acceptable, he can move to amend the motion. Amendments must be closely related to the original motion and must not change the nature of the motion that they amend. Motions to refer, amend, postpone to a time certain and the motion to recess can also be amended. A motion cannot be amended more than two times. Debate is allowed on a motion to amend only if the original motion is debatable. Debate is limited to the proposed amendment. A majority vote is required for the Commission to adopt an amendment. If the amendment is adopted then the Commission shall consider the amended version of the motion. Concerning the amending of particular motions:

3.04.02(a) If a Commissioner feels that the main motion might be more acceptable stated other than as presented, the Commissioner may amend through substitution, insertion of stipulations, striking out portions, or striking out and inserting portions. A substitute motion shall be treated as a motion to amend. Such proposed amendments shall be handled in one of the following ways:

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3.04.02(a)(1) by unanimous consent of the Commissioners; the chair, or another Commissioner, through the chair, may suggest changes or stipulations, and if there are no objections from the Commissioners, the motion shall be amended by unanimous consent.

3.04.02(a)(2) with a second, discussion and a majority vote on the proposed amendment.

3.04.02(b) If a proposed amendment fails to obtain unanimous consent or a majority vote, the main motion considered shall be the one originally presented.

3.04.02(c) An amendment must be germane (relating to the substance of the main motion) and may not introduce an independent question.

3.04.02(d) Improper amendments shall be:

3.04.02(d)(1) one(s) which are not germane,

3.04.02(d)(2) one(s) which would make the adoption of the amended motion equivalent to a rejection of the motion;

3.04.02(d)(3) one(s) which are, in the opinion of the Chairman Mayor, frivolous or absurd.

3.04.03 Refer to A Committee (Commit). If a Commissioner believes that further information is needed before the Commission can act on a main motion, he may propose that the motion be referred to a specific committee or department for further study. If an appropriate committee does not already exist, then a committee may be formed as a part of the motion. A motion to commit should specify the date that the committee or department will report back to the Commission. A motion to refer shall require a second and shall be debatable only as to whether or not it shall be referred, to whom it shall be referred, or when the person to whom it is referred shall report back. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to refer. This motion is amendable. A majority vote is required for the motion to pass.

3.04.04 Postpone to a Time Certain (Postpone Definitely). A motion to postpone to a certain time may be proposed if a Commissioner believes that the main motion should not be considered until a future time. This motion shall set a particular time for the main motion to be considered again. It is debatable and can be amended. A motion to hold to a time certain shall require a second and discussion shall be limited to the reason for holding the motion or the time to which it is to be held. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to hold to a time certain. If this motion is passed, the Chairman-Mayor will bring the original motion back to the Commission for consideration at the specified time which may be at the same meeting, at a subsequent meeting, or upon the occurrence of a specified event. A majority vote of the Commission is required for the motion to pass.

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3.04.05 Limit or Extend Limits of Debate. A motion to limit debate places a time constraint on the length of debate. The details of such a motion are to be decided by the Commissioner who makes the motion. This motion can also be used to extend the limits of debate if a limit on debate already exists. Debate is not allowed on this motion. A majority vote of the Commission is required for the motion to pass.

3.04.06 Vote Immediately (Call The Question). A Commissioner may move to "call the question" (i.e., move to end discussion) when it is clear that further discussion is unnecessary or that discussion is becoming repetitive. This motion shall not require a second and no discussion on the motion shall be allowed. If there is no objection, then it will be presumed there is unanimous consent. Should there be an objection, an affirmative vote of a majority of the Commission shall be required.

3.04.07 Lay on the Table (Postpone Temporarily). A motion to lay on the table proposes that the consideration of a main motion be postponed until a later time in the same meeting. The main motion can be brought back for consideration only if a motion to Resume Consideration is accepted by the Commission during the same meeting. The motion will die if it is not taken up during the meeting. Debate is not allowed on this motion and the motion is not amendable. A majority vote of the Commission is required for the motion to pass.

3.05 Privileged Motions. Privileged motions facilitate the running of the meeting. They do not address or relate to a main motion and can be introduced whether or not there is a main motion under consideration. Privileged motions take precedence over all subsidiary motions. Debate is not allowed on these motions.

3.05.01 Question of Privilege. A formal question addressed to the chair concerning the rights of a Commissioner or of the Commission as a whole is referred to a question of privilege. It does not require a second and cannot be debated or amended. The chair is required to make a ruling on the question, and no vote is required unless a motion arises out of the privilege.

3.05.01(a) If any matters occur which impede the Commission's completion of its business (e.g., noise, mechanical difficulties with equipment, matters that affect the safety, orderliness, or comfort of the Commissioners, or affecting the honor of an individual Commissioner) any Commissioner may state to the Chairman Mayor that he/she has a question of privilege and the matter must be addressed before the pending business of the Commission continues.

3.05.02 Recess. A motion to recess proposes that the meeting be suspended for a particular amount of time when business is still pending. It is a temporary intermission of the proceedings. A recess may be taken as it appears on the agenda or as it is declared by the chair when he/she deems it advisable or by a motion from a Commissioner. The motion must specify the length of the recess. The motion must also be seconded. Debate is not

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allowed on this motion, but the motion can be amended. A majority vote is required for the motion to pass.

3.05.03 Adjourn. The highest ranking motion shall be the motion to adjourn, requiring a second and a majority vote with no discussion allowed, except that the motion shall contain a time to hear any non-completed items on the agenda, if such exist. If all business on the agenda has been completed, the chair may assume the motion and, without a second, obtain unanimous consent to adjourn.

3.06 Incidental Motions. Incidental motions allow Commissioners to exert their rights as a member of the Commission. Incidental motions can be introduced at any time during a meeting.

3.06.01 Appeal. Whenever a Commissioner believes that the chair is mistaken in a ruling, a Commissioner may Appeal the Chair's Decision. An appeal shall require a second and shall be debatable with the chair speaking first to explain his/her ruling. The chair may also close out the debate with a statement defending the ruling. An appeal may be made only on a ruling and may not be made:

3.06.01(a) in response to a parliamentary inquiry or point of information; or

3.06.01(b) in areas that challenge verifiable rulings of a factual nature.

3.06.01(c) The chair shall state the motion as Shall the Chair's decision be sustained? A tie vote shall sustain the chair, because a majority vote of the Commission shall be required to overturn the chair's ruling. An Appeal is high in precedence and can only be interrupted by a privileged motion or by a motion to lay on the table.

3.06.02 Parliamentary Inquiry. A Parliamentary Inquiry is a question directed to the chair to obtain information on a matter of parliamentary law or the rules of the Commission. This question should take the form of a parliamentary inquiry and should relate to the current business of the Commission. The chair will answer such questions or may ask the Augusta-Richmond County Attorney or parliamentarian for an opinion. The chair's reply, whether or not he/she has requested advice from the Augusta Richmond County Attorney or parliamentarian, is an opinion, not a ruling. If a Commissioner does not agree with the chair's opinions he/she may act in a way contrary to this opinion and if ruled out of order may then appeal the chair's ruling. The chair is not obligated to respond to hypothetical questions.

3.06.03 Point of Order (Question of Order). If a Commissioner believes that a violation of the rules of parliamentary procedure has occurred, he can raise a point of order. A second is not required. The chair can make a ruling on the question or can allow the Commission to debate and then rule on the question by majority vote. A point of order can only be interrupted by a privileged motion or by a motion to lay on the table.

3.06.04 Point of Information (Request for Information). If a Commissioner has a question about the facts of a particular issue that is being considered, he may ask a point of

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information. A Point of Information is a request, directed to or through the chair, for information relevant to the business at hand, but not related to parliamentary procedure. This motion is addressed first to the appropriate person. A second is not required, and the motion is not debatable or amendable.

3.07 Supplementary Main Motions. Three motions allow the Commission to act on a main motion that has either been passed or tabled by the Commission. These motions are considered to be main motions but differ from usual main motions in the ways specified.

3.07.01 Reconsider. The motion to reconsider allows the Commission to debate whether or not to overturn a decision made at the meeting that is in progress. It allows the Commission to consider new information that may affect the decision that has already been made. Any Commissioner can make a motion to reconsider and any Commissioner may second the motion. The motion is debatable, but it cannot be amended. A majority vote of the Commission is required for the motion to pass. If a motion to reconsider is passed, the original decision will be voided, and the Commission will return to debate and revote the original motion.

3.07.02 Rescind. A motion to rescind proposes that the Commission overturn a motion passed at a previous meeting. A motion to rescind can be made by any Commissioner. It is in order as long as the original motion has not been implemented, but the motion to rescind shall not be in order if:

3.07.02(a) the motion to rescind is made, at the same meeting in which the action was taken;

3.07.02(b) a motion to reconsider was taken and lost;

3.07.02(c) the matter is routine and only part of the action needs to be changed, in which case the motion to "amend a previously adopted action" shall be used;

3.07.02(d) something has been done as a result of the vote to implement the earlier action adopted. An announcement of the intention to rescind a motion may be made at the meeting where the decision was made, or the Commissioner seeking to rescind may place the matter on the agenda for the next meeting. The motion to rescind will then be placed on the agenda for the next meeting. At the next meeting, the motion to rescind will formally be made. If it is seconded, then the Commission shall debate and vote on revision. A majority vote of the Commission is required for the motion to pass. If a motion to rescind is passed, the original decision will be voided.

3.07.03 Resume Consideration. The motion to resume consideration allows the Commission to consider a motion that has been temporarily postponed. This motion requires a second and is not debatable or amendable. It is a main motion but ranks higher than any debatable motion. A majority vote is required for the motion to pass.

4.00 Actions of the Commission. All communications to persons, firms or corporations affected by actions taken at a called or regular meeting of the Commission shall be made by the Administrator for Augusta-Richmond County, informing them of the action taken.

4.01 Ordinances and Resolutions.

4.01.01 Every ordinance or resolution proposed for adoption by the Commission shall be introduced in writing and the caption of each ordinance shall be read previous to the adoption of the ordinance, unless some member of the Commission shall then and there demand that the entire ordinance be read. Upon such demand being made, the clerk shall read the entire ordinance. No ordinance or resolution shall pass which refers to more than one subject matter or contains matter different from that expressed in the title thereof, except ordinances or resolutions adopting the annual operating and capital budgets and general codification and revisions of ordinances and resolutions of the Commission.

4.01.02 Except for emergency ordinances under subsection 4.01.03 of this section or ordinances amending the Zoning Map for Augusta-Richmond County, or upon a unanimous vote of the Commission, no ordinance shall be adopted until it has been read or presented in written form at two meetings held not less than one week apart. A resolution may be adopted at the same meeting at which it is introduced. The affirmative vote of at least six (6) members of the Commission shall be required for the adoption of any ordinance or resolution; Provided, however, a vote of two-thirds of the Commission, excluding the Chairman Mayor, shall be required to change any provision of the Consolidation Act as required by said Consolidation Act. The passage of all ordinances or resolutions shall require the recording of "ayes" and "nays" and the names of the members of the Commission voting for and against each proposed ordinance or resolution or amendment thereto shall be entered in the minutes of the proceedings of the Commission.

4.01.03 To meet a public emergency threatening life, health, property, or public peace, the Commission may adopt emergency ordinances or resolutions, but such ordinances or resolutions may not be enacted to levy taxes, or to grant, renew or extend a franchise, or to regulate the rate charged for any public utility or service, or to authorize the borrowing of money. An emergency ordinance or resolution shall be in the form prescribed for ordinances or resolutions generally, except that it shall be plainly designated as an emergency ordinance or resolution and shall contain a declaration stating what emergency exists. An emergency ordinance or resolution may be adopted with or without amendment or may be rejected at the meeting at which it is introduced, but the affirmative vote of at least six (6) members of the Commission shall be required for its adoption. It shall become effective upon adoption or at such later time as it may specify.

4.01.04 The caption of each ordinance shall be read once previous to the adoption of the ordinance. All readings of every ordinance shall be by reading the caption of such ordinance only, unless some member of the Commission shall then and there demand that the entire ordinance be read. Upon such demand being made, the clerk shall read the entire ordinance.

4.02 Signing, Authentication, and Recording. Every ordinance or resolution adopted by the Commission shall be submitted to the Chairman-Mayor for his/her signature as promptly as practicable following its adoption. The Clerk of the Commission shall authenticate by the Clerk's signature and cause to be recorded in full all ordinances and resolutions adopted by the Commission and signed by the Chairman Mayor or otherwise becoming law in a properly indexed book kept for such purpose which shall be a public record and open to public inspection. The Commission shall further provide for the periodic updating, revision, codification, and printing of all ordinances or resolutions of a general and permanent nature, together with such codes of technical regulations and other rules and regulations as the Commission may require.

4.03 Publication of Ordinances, Notices, etc. It shall be the duty of the Chairman-Mayor to have published in the official gazette or newspaper of Augusta-Richmond County the ordinances of the Commission, the proclamations of the Chairman-Mayor and all other official notices of either the Commission or the Chairman-Mayor ordered to be published by them, respectively; also, such other matters as the Chairman-Mayor may deem advisable to publish. The ordinances of the Commission shall be published one time; all other matters shall be published such number of times as the Commission or the Chairman-Mayor may direct. The Chairman Mayor shall have published in such official gazette or newspaper only the captions of the ordinances of the Commission and shall not have the bodies of such ordinances published.

5.00 Parliamentarian. The Augusta-Richmond County Attorney or his/her designee shall serve as parliamentarian and shall advise and assist the chair and the Commission in matters of parliamentary law. A professional parliamentarian may be consulted as deemed necessary.

6.00 Parliamentary Authority. The latest edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern meetings of the Augusta-Richmond County Commission in all areas in which it is applicable and in which it is not inconsistent with these rules adopted by the Commissioners, or with higher law.

7.00 Amendments. These Rules may be amended by a majority of the entire Commission at a regular meeting or special meeting of the Augusta Richmond County Commission, provided notice has been given of the amendment(s) at the meeting prior to the vote on the amendment(s).

APPENDIX

Parliamentary Definitions

The following parliamentary definitions apply to the RULES OF PROCEDURE FOR THE Augusta-Richmond County Commission

adjourn - to officially terminate a meeting

adjourned meeting - a meeting that is a continuation at a later time of a regular or special meeting

adopt - to approve or pass by whatever vote is required for the motion affirmative vote - a vote in favor of the motion as stated

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agenda - the official list of items of business planned for consideration during the meeting

approval of minutes - formal acceptance of the record at a meeting, thus making this record the official minutes of the Commission

chair - the Chairman-Mayor or Vice Chairman- Mayor Pro Tempore

Code of Conduct - The Richmond County Code of Conduct

Commission - the Augusta-Richmond County Commission

Commissioner - any of the ten members serving on the Commission elected from the ten (10) districts established by the Consolidation Act

Commission parliamentary rules- the body of rules and principles that is applied by the courts in deciding litigation involving the procedure of any organization does not include statutory law or particular rules adopted by any organization or Commission

Consolidation Act - the Act consolidating the City Council of Augusta and Richmond County found in 1995 Ga. Laws p. 3648

convene - to open a meeting

debate - formal discussion of a motion under the rules of parliamentary law and more often herein referred to as discussion

defer or hold - to delay action by referring the motion to staff (or an agency, committee, etc.) for more information, or by postponing a vote to a certain time

demand - an assertion of a parliamentary right by a Commissioner dilatory motions or tactics - misuse of procedures or motions that are out of order or would delay or prevent progress in a meeting

floor - when a person receives formal recognition from the chair, he/she "has the floor" and is the only person entitled to speak

germane amendment - an amendment relating directly to the motion to which it is applied

germane discussion - discussion relating directly to the matter involved

hearing - a meeting for the purpose of listening to the views of an individual or of a particular group on a particular subject in order - permissible and right from a parliamentary standpoint

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majority vote - an affirmation vote of at least six (6) Commissioners or the vote of five (5) Commissioners and the vote of the Chairman-Mayor in the event of a tie

minutes - the legal record of the action of the Commission after the record has been approved by vote of the body

motion - a proposal submitted to the Commission for its consideration and decision; it is introduced by the words, "I move that ... "

objection - the formal expression of opposition to a proposed action

order of business - the adopted order in which the business is presented to the meeting of the Commission

out of order - not correct, from a parliamentary standpoint, at the particular time

parliamentary authority - the code of procedure adopted by the Commission as its parliamentary guide, governing in all parliamentary situations not otherwise provided for in the Consolidation Act, the Code of Richmond County, the Code of the City of Augusta, or other governing Bodies

pending motion - sometimes referred to as pending question; a motion that has been proposed and stated by the chair for the Commission's consideration and that is awaiting decision by vote

precedence - the order or priority governing the motion

precedent - a course of action that may serve as a guide or rule for future similar situation

procedural motion - motion to assist the Commission in treating or disposing of a main motion; or, motion relating to the pending business otherwise at hand

proposal or proposition - a statement of a motion of any kind for consideration and action

O.C.G.A. - Official Code of Georgia Annotated

quorum - the number of persons that must be present at a meeting of the Commission to enable it to act legally on business; seven (7) members of the Commission shall constitute a quorum for any meeting of the Richmond of the Augusta-Richmond County Commission

recognitions - acknowledgement by the chair, giving a person sole right to speak

reconsider - to review again a matter previously disposed of and to vote on it again; must be made on the same day of business

request - a statement to the chair asking a question or some "right"

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rescind - to nullify or cancel out a previous action, cannot be made if action has already been taken to implement the motion it wishes to rescind

resolution - a formal motion, usually in writing, and introduced by the word "resolved" that is presented to the

Commission for a decision ruling - the chair's decision as it relates to the procedure of the Commission

second - a Commissioner's statement that he/she is willing to have the motion considered

seriatim - consideration by sections or paragraphs

statute - a law passed by the Georgia legislature

technical inquiry - request for information relevant to the business at hand

tie vote - a vote in which the affirmative and negative votes are equal on a motion

unanimous consent - deciding on a motion without voting on it but where no Commissioner voices objection, with a single objection a vote must be taken

unfinished business - any business that is postponed definitely to a time certain

Note-The Rules of Procedure for the conduct of parliamentary business coming before the Augusta, Georgia Commission were first adopted by the Commission in 1996.

Secs. 1-2-14-1-2-25. Reserved.

RULES OF PROCEDURE

for the

AUGUSTA, GEORGIA COMMISSION

ADOPTED July 3, 1996

RE-ADOPTED November 18, 2003

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Parliamentary Definitions

Redline

OPERATIONAL PROCEDURE

1.01 MEETING-Time and place; committees.

1.01.01 Except for the months of April and July, Regular Commission meetings shall be held on the first and third Tuesday of each month at 2:00 p.m. in the Commission Chambers on the second floor of the Municipal Building. Except as otherwise provided by law, all meetings of the Commission shall be public meetings.

1.01.01(a) The first meeting in April of each year shall be held on the last week of the preceding March.

1.01.01(b) The first meeting in July of each year shall be held on the last week of the preceding June.

1.01.02 Regular Commission meetings for Executive Session matters and matters requiring urgent approval shall be held on the second and last Tuesday of every month at 11:00 a.m. in the Commission Chambers on the second floor of the Municipal Building.

1.01.02(a) Executive Session meetings shall be conducted in accordance with the Georgia Open Meeting Act.

1.01.03 Except for the months of April and July, all regular committee meetings shall be held on the second and last Tuesday of every month in the Lee N. Beard Commission Chamber beginning at 1:00 p.m. with the Public Services Committee starting first every time followed by an alphabetical rotation of the following committees Administrative Services, Engineering Services, Fire and Public Safety on a two-month rotation cycle.

1.01.03(a) The last committee meetings in March of each year shall be cancelled and all items on such committees shall be forwarded to the last Commission meeting in March.

1.01.03(b) The last committee meetings in June of each year shall be cancelled and all items on such committees shall be forwarded to the last Commission meeting in June.

1.01.04 Other called meetings of the Commission and Committees and the subject, dates and time of these meetings may be scheduled as needed and notification of such meetings shall be provided to the public in advance as required by law.

1.01.05 If there is a necessity to change the time and date of the regular meeting of the Commission or Committees or of any specially called meetings or any executive session meeting, this shall be done by request of the Mayor or a majority of the members of the Commission, provided a majority of the Commissioners can attend the meeting which shall be held on a different day. Notice of the time and date change shall be provided to the Mayor and Commission.

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1.01.06 The Commission may hold such additional meetings as shall be deemed necessary when called by the Mayor or a majority of the members of the Commission, provided all members shall have been notified at least twenty-four (24) hours in advance of the special meeting. Provided, further, that a majority of the Commission may convene the same in extraordinary session for emergency business, such a natural disaster or civic disturbance, whenever in their judgment it may be necessary.

1.01.07 An adjourned meeting is a continuation of the meeting immediately preceding, whether a regular or special meeting.

1.01.07(a) If a scheduled meeting of the Commission is not completed due to time constraints or emergency, the meeting shall be adjourned to the following day or to a specific day scheduled by the Commission to allow for the completion of pending business.

1.01.07(b) In an adjourned meeting (regular or special), only business which would have been proper to consider at the immediately preceding meeting may be considered and acted upon at the adjourned meeting.

1.01.07(c) Adjourned meetings resume business under the same rules, limitations and rights as the immediately preceding meeting.

1.01.08 Any action taken at any committee meeting (other than to postpone the agenda item to the next, or a future, committee meeting) shall be placed on the agenda of the regular meeting, regular called meeting, or special meeting of the full Commission for approval of the action of the committee. In the event there is no quorum at a committee, all such items on such agenda shall be placed on the agenda of the next regular meeting of the full Commission.

1.02 QUORUM

1.02.01 ~~Seven (7) members of the Commission-Council shall constitute a quorum for any meeting of the Augusta-Richmond County Commission-Council.~~

1.02.02 If a quorum is not present thirty (30) minutes following the scheduled hour for convening the meeting, the Chairman-Mayor or the Vice Chairman-Mayor Pro Tempore, or in their absence, the Administrator (or his/her designee), may adjourn the meeting until the next day. By unanimous consent of those Commissioners present, the meeting may be adjourned to another hour and day.

1.02.03 _____ If during the meeting there ceases to be a quorum, all business must stop except that the Commission-Council, by majority vote to be recorded in the minutes (naming those present at the time of the vote) may:

1.02.03(a) fix another day at which to reconvene;

1.02.03(b) adjourn and return at the next regular meeting;

1.02.03(c) recess to determine if a quorum will be present within a short period of time.

1.03 Chairman-Mayor.

1.03.01 The Chairman-Mayor shall have the rights and privileges of the other Commissioners with respect to debate, but shall have the right (but is not obliged) to vote on any matter (excluding appointment of any Commissioner to a committee and excluding voting as a member of any Committee as provided in the Consolidation Act) only to break a tie or to create a tie. Additionally, his/her duties during meetings shall include:

1.03.01(a) presiding over meetings of the Commission-Council;

1.03.01(b) calling the meeting to order at the scheduled hour;

1.03.01(c) determining that a quorum is present;

1.03.01(d) preserving decorum and order at all meetings,

1.03.01(e) making the Commissioners aware of the substance of each motion;

1.03.01(f) calling for each vote;

1.03.01(g) announcing the results of each vote;

1.03.01(h) calling for a recess at such times as deemed advisable.

1.03.02 The Chairman-Mayor shall exercise such other duties as prescribed in the Consolidation Act or by ordinance.

1.04 Vice Chairman-Mayor Pro Tempore. A Vice Chairman-Mayor Pro Tempore shall be elected from among the district Commissioners at the first regular meeting in January of each odd-numbered year as provided in the Consolidation Act. The Vice Chairman-Mayor Pro Tempore shall serve for a period of ~~one~~two years and shall have all rights, privileges and duties of the chair in the absence of the chair (excluding the right to vote to create or break a tie), and in addition shall have the right to make motions and vote on any issue, including matters coming before any Committee of which he is a member. The Vice Chairman-Mayor Pro Tempore may succeed himself/herself, subject to the two consecutive term limitation contained in the Consolidation Act.

1.05 Absence Of Chairman-Mayor And Vice Chairman-Mayor Pro Tempore. In the absence of the Chairman-Mayor and Vice Chairman-Mayor Pro Tempore, the Administrator shall determine whether a quorum is present. If a quorum is present, the Administrator shall call for the election of a temporary chair. The temporary chair shall preside over that meeting or until the

conclusion of the business immediately pending at the time the Chairman-Mayor or Vice Chairman-Mayor Pro Tempore arrives.

1.06 Minutes.

1.06.01 All actions of the Commission-Council, except for actions described in O.C.G.A. § 50-14-3 and § 50-14-4, (or as these sections may be amended from time to time), shall be accurately recorded by the Clerk (or his/her designee) in the minutes which minutes shall include:

1.06.01(a) all main motions, exactly as worded when adopted (including amendments or stipulations);

1.06.01(b) the name of the maker of all important motions;

1.06.01(c) disposition of all main motions, Whether:

1.06.01(c)(1) adopted;

1.06.01(c)(2) defeated;

1.06.01(c)(3) referred to committee or to staff for further information or recommendations;

1.06.01(c)(4) held until a definite time;

1.06.01(c)(5) the vote of each Commissioner; and 1.06.01(c)(6) comments of Commissioners verbatim.

1.06.02 The minutes of meetings of the Commission shall, at a minimum, briefly describe all statements made and shall record the actions taken by the Commission. Any statement shall be recorded in full at the request of a member of the Commission. A member of the Commission may incorporate an additional statement when the minutes are read. The minutes shall be read before they are approved as soon as is possible or feasible but in no case later than the next regular meeting of the Commission.

1.06.03 The responsibility for correcting and approving the minutes shall be vested only in the members of the Commission-Council. The minutes of each meeting shall indicate their subsequent approval/ correction. The minutes may be corrected whenever an error is noticed upon approval of the Commission-Council regardless of the time which has elapsed since recording of the minutes.

1.06.034 The minutes shall be attested to by the Clerk or his/her designee.

1.07 Regular Agenda.

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1.07 .01 All agenda items ~~The Administrator shall include be responsible for obtaining all supporting documentation related to any item to be placed on the agenda and such shall be submitsubmitted same to the Clerk for to inclusion on the agenda for all meetings of the Commission-Council.~~

1.07.02 Subject to the limitation of Rule 1.07.08, the Administrator, any elected official and Any member of the Commissioner shall have the right to have an item placed on the regular agenda of the Commission or department head wishing to have an item placed on an agenda-provided should submit said item is submitted to the Administrator-Clerk of Commission no later than 59:00 p.m. on the ThursdayWednesday prior to the Tuesday of the regular Commission-Council meeting or any regular Committee meeting. No item may be added to an agenda without the consent of the Chairman Mayor or the chairman of the committee responsible for such department; provided, however, any member of the Commission-Council shall have the right to have an item placed on the agenda for discussion or action if timely submitted as herein provided. An item may be added to the regular agenda after the 9:00 a.m. Thursday deadline with the unanimous consent of the commission members in attendance. Unanimous consent of the committee members present shall be required to add an item to a committee agenda after the 9:00 a.m. Thursday deadline.

1.07.03 The Clerk shall be responsible for assembling the agenda and distributing it to all Commissioners no later than Friday in advance of the scheduled meeting.

1.07.04 An item may be removed from the agenda after 59:00 p.m. on the ~~Wednes~~Thursday prior to the Tuesday of the regular Commission-Council meeting with unanimous approval of the members of the Commission-Council attending the regular meeting.

1.07.05 An item may be removed from the agenda prior to 59:00 p.m. on the ~~Wednes~~Thursday prior to the Tuesday of the regular Commission-Council meeting upon the request of the ~~commissioner, department head, or other individual party~~ who was responsible for placing the item on the agenda.

1.07.06 No item pertaining to alcoholic beverage application shall be placed on the agenda within one (1) year from the date of the denial of the application by the Commission.

1.07.07 No item pertaining to zoning shall be placed on the agenda for the same zoning classification within one (1) year from the date of the denial of the application by the Commission.

1.07.08 If an item has appeared on the Commission Agenda and been defeated, or if no action is taken on an item, it shall not be considered again by the Commission until it has been discussed at the committee level.

1.08 Consent Agenda.

1.08.01 All items contained in the consent agenda may be voted on *en gross*. Prior to the vote on the consent agenda, any Commissioner may withdraw an item from the consent agenda so that it shall be voted on individually.

1.08.02 A non-agenda item shall be defined as that which is deemed by a Commissioner to require urgent attention, but which has not been placed on the published agenda.

1.08.02(a) If a Commissioner requests that an non-agenda item be added to the consent agenda, he/she must provide the specific item, and the reasons immediate attention is required, to the Commission-Council.

1.08.02(b) The unanimous consent of the Commissioners present at the meeting shall be required to add an item to the consent agenda.

1.09 Voting.

1.09.01 All votes shall be taken by raised hand, except those which the chair handles through unanimous consent (i.e., "If there are no objections ..."), and unless there is a request for a roll-call vote. A single objection will require that a counted vote be taken. An affirmative vote of at least six (6) members of the Commission-Council shall be required to adopt a motion, except where otherwise indicated.

1.09.02 Any Commissioner shall have the right to request a roll call vote on any issue, in which event the chair shall direct the Clerk to call the roll in alphabetical order, except that the Chairman-Mayor's name shall be called last and only when his vote will create or break a tie. As each Commissioner's name is called, such Commissioner shall vote either "yes" or "no" to the question presented. To verify the vote and to correct possible errors, the Clerk repeats the vote after each member responds to his name. At the conclusion of the roll call, the Chairman-Mayor may ask if anyone entered the room after his name was called. Changes of the vote are also permitted before the result is announced.

1.09.03 When an entire agenda "tab" has been moved to be voted upon by an *en gross* vote (see Section 3.01.05 herein), a Commissioner may, without discussion state that he/she is voting in the affirmative on all of the agenda items on that "tab" except certain ones which he/she will name by number. In such cases, the votes of the Commissioner(s) will be recorded as negative for the items named, unless the Commissioner abstains as provided in Section 1.09.06.

1.09.04 If a motion has been voted on without discussion and a Commissioner feels that it is necessary to explain his/her vote, he/she may have no more than one minute to give public reasons for his/her vote. The chair will not allow the Commissioner to repeat discussion that has already taken place at the same meeting, however.

1.09.05 A tie vote shall cause all procedural motions to be defeated. A tie vote on a main motion shall keep the motion as pending before the Commission-Council and the motion shall be rescheduled for another time; Provided, however, the Chairman-Mayor shall have the right to vote to create or break a tie.

1.10 Public Participation in Commission-Council Meetings.

1.10.01 Persons wishing to address the Commission-Council shall do so during the Public Comment portion of the agenda.

1.10.02 Subject to the limitations provided for herein, Speakers will be allowed to appear before the Commission-Council at the public comment session prior to the regular agenda with each speaker allotted a maximum of five (5) minutes for their presentation.

1.10.02(a) Persons seeking to complain about the performance or lack thereof of an employee of Augusta, Georgia shall submit such requests to the Administrator for resolution. Such requests for public comment will not be heard by the Commission or any committee.

1.10.02(b) Persons or businesses seeking to do business with Augusta, Georgia shall submit such requests to the Administrator for consideration in accordance with the requirements of the Procurement Code. Requests to make presentations for products or services will not be heard by the Commission or any committee except as permitted by the Procurement Code.

1.10.03 Each speaker must submit a request in writing, including his/her address, which will state the topic of discussion to the Clerk's office no later than 5:00 p.m. on the ~~Wednesday~~ Thursday preceding the next regularly scheduled Commission-Council meeting.

1.10.04 ~~An extension of the five (5) minute limit per person may be granted upon the affirmative vote of six (6) members of the Commission-Council.~~

1.10.05 ~~If deemed advisable by the Chairman- Mayor, a written response to a speaker may be provided by the appropriate County staff within thirty (30) days. The Commission-Council may respond verbally at the completion of any speaker's presentation.~~

1.10.06 After each individual speaker's remarks have concluded, the Chairman Mayor may, but shall not be required to, briefly respond, either personally or through another member of the Commission-Council whom the Chairman-Mayor shall designate. In addition, when a request for special action or a grievance has been heard the matter will be referred to the Administrator (or his/her designee) who will prepare a response to the matter. If necessary, action on the matter for consideration of the Commission-Council will be placed on the agenda for the second regular meeting following the date of the comment.

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1.10.07 No speaker will be allowed to return on public comment on the same issue within a period of ninety (90) days; however a speaker may return on another issue following the policy and procedure.

1.10.08 All speakers, other than salaried members of the Augusta-Richmond County staff, shall address the ~~Commission-Council~~ in the following manner:

1.10.08(a) Stating name and address (address is required only if individual has not previously provided address to Clerk).

1.10.08(b) Stating whether he/she is speaking for himself/herself or for another;

1.10.08(c) Stating if he/she represents an organization and whether he/she is being compensated by the organization for whom he/she speaks;

1.10.08(d) Stating whether he/she or any member of his/her immediate family has a personal interest in the pending matter.

1.10.08(e) Stating his/her comments.

1.10.09 All remarks shall be to the ~~Commission-Council~~ as a body and addressed through the chair. Remarks shall not be made to a particular Commissioner.

1.10.10 Questions from Commissioners, the Administrator, and/or the Augusta Richmond County Attorney may be made for clarification. However, no person shall be permitted to enter into any discussion, either directly or through a member of the ~~Commission-Council~~, without permission of the chair.

1.10.11 All remarks must be related to the issue on which the speaker has requested to be heard. No person shall be allowed to make impertinent, derogatory, offensive or slanderous remarks while addressing the ~~Commission-Council~~.

1.10.11(a) A person may be barred from further speaking before the ~~Commission-Council~~ in that meeting if his/her conduct is deemed "out of order";

1.10.11(b) Once barred for improper conduct, a speaker shall not be permitted to continue or again address the ~~Commission-Council~~ in that meeting unless a majority vote of the ~~Commission-Council~~ allows;

1.10.11(c) In the event a speaker who is barred fails for improper conduct to obey the ruling, the chair may take such action as is deemed appropriate, including the removal of such person from the assembly;

1.10.11(d) The ~~Commission-Council~~ may bar a person from addressing ~~Commission-Council~~ meetings for up to sixty (60) days for improper conduct. A person barred by the ~~Commission-Council~~ for this period may request a hearing by

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written request to the chair, which request shall state the reason(s) for a reversal of the decision. All requests for hearings shall be placed on the agenda and heard by the Commission-Council. An affirmative vote of six (6) members of the Commission-Council shall be required to overturn the previous decision to bar the persons.

1.10.11(e) If not otherwise recognized by the Chair, upon motion and the affirmative vote of six (6) members of the Commission-Council, the Commission-Council may allow public comment on an agenda item at the time the item is being considered by the Commission-Council. These comments must be limited to the subject that is being debated. Members of the public may speak for five minutes and may only speak once. These limits can be waived by the affirmative vote of six (6) members of the Commission-Council.

1.10.11(f) The Commission-Council may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the Commission-Council. Hearings may be held immediately prior to or following a meeting of the Commission-Council or at such other places and times as the Commission-Council may determine. No official action shall be taken at any such public hearing.

1.11 Appointments By The Commission-Council

1.11.01 Appointments shall be made as necessary. When it has been determined, by the Consolidation Act or other rule or matter, that it is the "right" or "turn" of a particular Commissioner to nominate a candidate for a position, such nominee must be elected by a majority of the Commission-Council. If any nominee, however nominated, fails to receive a majority vote, alternate candidate(s) may be nominated until the position is filled by majority vote.

1.11.02 Any appointment to fill an expired or a new term on any board or commission, which appointment is made by the Commission, shall not have less than six (6) votes of approval.

2.00 Decorum For Debate. The following practices shall be followed in debate on motions and matters presented to the Commission-Council.

2.01 Adherence To Agenda.

2.01.01 In discussion, the remarks made by the Commissioners shall be confined to the motion or matters immediately before the Commission-Council.

2.01.02 All Commissioners must conduct themselves in a professional and respectful manner. All remarks should be directed to the Chairman-Mayor and not to individual Commissioners, staff or citizens in attendance. Personal remarks are inappropriate. A Commissioner may not speak at a meeting until he has been recognized by the Chairman-

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Mayor. All comments made by a Commissioner shall address the motion that is being discussed.

2.01.03 During these remarks a Commissioner must observe the same rules of decorum as those set forth in Section 2.02 below, and may be called to order by the Chairman-Mayor or another Commissioner if there is a breach of those rules.

2.01.04 A Commissioner may not interrogate another Commissioner, staff or citizens. No one shall attempt to enter into discussion with a Commissioner who has chosen to avail himself/herself of this opportunity to share his/her opinions with the public.

2.02 Discussion Of The Issue. In discussion, a Commissioner may condemn the nature of likely consequences of the proposed measure in strong terms, but must avoid a discussion of personalities, and under no circumstances may he/she attack or question the motives of another Commissioner or staff. The issue, and not a person, shall be the item under discussion. Any Commissioner wishing to discuss an issue shall be allowed to do so; however, discussion of any particular issue by any particular Commissioner shall be limited to two (2) minutes of discussion and one (1) minute of rebuttal, unless debate is extended by the chair or by motion as provided in Section 3.04.05 hereof.

2.03 Call To Order, Remarks. The chair shall immediately call as "out of order" any remarks made outside the issue being addressed. Additionally, another Commissioner may call this breach of procedure to the attention of the chair and other Commissioners. In either case, the speaking Commissioner shall be required to continue with his/her remarks confined to the issue.

2.04 Discussion Through The Chair. All discussion shall be made through the chair, and one Commissioner may not interrupt another Commissioner or person speaking from the public except through the chair (or with the permission of the chair).

2.05 Disruptions. During discussion or voting, no Commissioner shall disturb the other Commissioners in any way that may be considered disruptive to the proceedings or that may hamper the transaction of business by the Commission-Council.

2.06 Call To Order, Action. The chair may rule as "out of order" any action deemed inappropriate or dilatory and may interrupt a speaker for reasons deemed necessary by the chair. The Chairman-Mayor shall say, "Commissioner/speaker, those remarks are out of order. Please cease this line of comment and make appropriate comment to the issue."

2.07 Call Of "Out Of Order".

2.07.01 If a member of the Commission-Council refuses to comply with these Rules of Procedure the following procedure shall be used:

2.07.01(a) The Commissioner shall be "called to order" by the chair, who shall say, "Commissioner _____ [using name], you are now out of order. If you persist a reprimand will be entered into the record."

2.07.01(b) If a Commissioner defies the ruling of the chair, the Chairman Mayor shall state, "Commissioner, you are personally out of order. Let the record indicate a reprimand against Commissioner _____ Commissioner _____, you have a right at this time to appeal the ruling of the chair by asking that a roll call vote of the Commissioners present be taken and a statement by each Commissioner be recorded as to why he/she is for or against the ruling of the chair. A majority vote of the members of the Commission-Council present shall govern."

3.00 Procedure ~~in~~ Meetings.

3.01 Motions.

3.01.01 In order for the Commission-Council to take any official action on a subject, a Commissioner must propose a Main Motion or there must be a Recommended Main Motion, as provided in Section 3.01.02(a). A proposed Main Motion must be seconded before there will be discussion on the motion. A second does not require the Commissioner seconding the motion to support the motion. A Commissioner may withdraw a Main Motion that he has made as provided in Section 3.01.04 hereof, at any time before the Commission-Council has voted on that motion. Prior to making a vote, the chair shall state the motion (or resolution) or its substance, or he/she may call upon the Clerk or secretary to do so.

3.01.02 If the motion presented contains two (2) or more parts capable of standing as separate motions, a Commissioner may move to "Divide the Motion." This motion shall require a second and discussion shall be allowed only on why it should or should not be divided. A majority vote shall be required to adopt the motion to "divide the motion."

3.01.03 If a main motion is in the form of a resolution or document containing several paragraphs or sections which are not separate motions but could be discussed more efficiently by discussing sections, a motion to Discuss by Paragraphs, Sections, or Numbered Agenda Items under a "tab," may be made. A second shall be required and discussion shall be brief as to the necessity for the action. A majority vote shall be required to order by paragraphs, sections, or numbered agenda items under a 'tab'."

3.01.04 Once a motion has been moved and seconded, it belongs to the entire Commission-Council and not to the maker of the motion; therefore, if a Commissioner wishes to Withdraw a motion that is officially before the Commission-Council, action of the Commission-Council must be taken in either of the following ways:

3.01.04(a) The chair may ask the Commission-Council if there are any objections to the motion being withdrawn. If there are no objections, the motion shall be withdrawn by unanimous consent, without the need for the seconder to withdraw his/her second;

3.01.04(b) If there is an objection to the motion being withdrawn, then the chair shall take an official vote on the "motion to withdraw the motion", a second being

required. A majority vote shall be required to adopt the motion to "withdraw the motion."

3.01.05 If a Commissioner feels that time could be saved by acting on all of the agenda items under a "tab," he/she may move that it be "Considered *en Gross*." (See Section 1.08.02.)

3.01.06 When several alternatives need to be considered (such as staff recommendations that propose various options for the Commission-Council to consider), unlimited choices may be considered by "Filling the Blank" in the motion:

3.01.06(a) No Commissioner may suggest more than one proposal for filling the blank without unanimous consent from the other Commissioners;

3.01.06(b) Each proposal shall be debatable and shall be treated as an independent item to be voted on separately until one has been approved by a majority. As soon as one proposal has received a majority, no others shall be considered;

3.01.06(c) Alternatives (from staff recommendations and/or suggestions by Commissioners) are listed in logical order for voting:

3.01.06(c)(1) Names are listed in the order in which they were proposed,

3.01.06(c)(2) Other proposals are listed in the order of their probable acceptability, beginning with the least popular choice.

3.02 Main Motions.

3.02.01 A main motion is a motion whose introduction brings business before the Commission-Council.

3.02.01(a) Recommended Main Motions- A recommendation from staff, or another item published in the agenda for action, shall be handled as an Recommended Main Motion by the chair. That is, the chair shall, upon the conclusion of a report, state, "The question (or motion) before you is ... " (stating the motion in the affirmative). No second will be required in these instances and the chair, in assuming such motion, is not presumed to be in favor of the motion and may speak against it if he/she so wishes.

3.03 Ranking Of Motions.

3.03.01 Each subsidiary and privileged motion is assigned a specific rank. A motion of higher precedence can interrupt motion of lower precedence. The higher motion must be decided before the Commission-Council returns to consider the motion of lower precedence.

3.03.02 A main motion has the lowest rank and does not take precedence over any other motion. A motion to adjourn has the highest rank and will take precedence over all other subsidiary and privileged motions. The order of precedence of motions shall be in accordance with this Section. Motions at the top of the following list take precedence over motions at the bottom of the list.

HIGHEST RANK:

PRIVILEGED MOTIONS (Undebatable)

1. Adjourn
2. Recess
3. Question of Privilege

SUBSIDIARY MOTIONS (Undebatable)

4. Lay on the Table (Postpone Temporarily)
5. Vote Immediately (Previous Question)
6. Limit Debate or Extend

SUBSIDIARY MOTIONS (Debatable)

7. Postpone to a Time Certain (Postpone Definitely)
8. Refer to Committee (Commit)
9. Amend
10. Postpone Indefinitely

OTHER MOTIONS

LOWEST RANK-

11. Main Motion

3.04 Subsidiary Motions. During the course of debate, Commissioners may introduce motions that propose that the Commission-Council take a particular action on a main motion. These motions are called subsidiary motions and they allow the Commission-Council to reach a conclusion on the main motion. Subsidiary motions require a second before they can be voted on or debated. The subsidiary motion, Amend, Limit Debate, and Vote Immediately, also can apply to other subsidiary motions.

3.04.01 Postpone indefinitely. If a Commissioner believes that the main motion should not be considered by the Commission-Council, that Commissioner may move to postpone the consideration of the main motion indefinitely. If the motion is successful, consideration of the main motion stops and the main motion is tabled for the duration of the meeting. A motion to postpone indefinitely can be debated, but it can be amended. A majority vote of the Commission-Council is required for the motion to pass.

3.04.02 Amend. If a Commissioner believes that a main motion that is on the table should be changed in order to make it more acceptable, he can move to amend the motion.

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Amendments must be closely related to the original motion and must not change the nature of the motion that they amend. Motions to refer, amend, postpone to a time certain and the motion to recess can also be amended. A motion cannot be amended more than two times. Debate is allowed on a motion to amend only if the original motion is debatable. Debate is limited to the proposed amendment. A majority vote is required for the Commission-Council to adopt an amendment. If the amendment is adopted then the Commission-Council shall consider the amended version of the motion. Concerning the amending of particular motions:

3.04.02(a) If a Commissioner feels that the main motion might be more acceptable stated other than as presented, the Commissioner may amend through substitution, insertion of stipulations, striking out portions, or striking out and inserting portions. A substitute motion shall be treated as a motion to amend. Such proposed amendments shall be handled in one of the following ways:

3.04.02(a)(1) by unanimous consent of the Commissioners; the chair, or another Commissioner, through the chair may suggest changes or stipulations, and if there are no objections from the Commissioners, the motion shall be amended by unanimous consent.

3.04.02(a)(2) with a second, discussion and a majority vote on the proposed amendment.

3.04.02(b) If a proposed amendment fails to obtain unanimous consent or a majority vote, the main motion considered shall be the one originally presented.

3.04.02(c) An amendment must be germane (relating to the substance of the main motion) and may not introduce an independent question.

3.04.02(d) Improper amendments shall be:

3.04.02(d)(1) one(s) which are not germane,

3.04.02(d)(2) one(s) which would make the adoption of the amended motion equivalent to a rejection of the motion;

3.04.02(d)(3) one(s) which are, in the opinion of the Chairman Mayor, frivolous or absurd.

3.04.03 Refer To A Committee (Commit). If a Commissioner believes that further information is needed before the Commission-Council can act on a main motion, he may propose that the motion be referred to a specific committee or department for further study. If an appropriate committee does not already exist, then a committee may be formed as a part of the motion. A motion to commit should specify the date that the committee or department will report back to the Commission-Council. A motion to refer shall require a second and shall be debatable only as to whether or not it shall be referred, to whom it shall

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be referred, or when the person to whom it is referred shall report back. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to refer. This motion is amendable. A majority vote is required for the motion to pass.

3.04.04 Postpone To A Time Certain (Postpone Definitely). A motion to postpone to a certain time may be proposed if a Commissioner believes that the main motion should not be considered until a future time. This motion shall set a particular time for the main motion to be considered again. It is debatable and can be amended. A motion to hold to a time certain shall require a second and discussion shall be limited to the reason for holding the motion or the time to which it is to be held. If the motion fails, the motion to be considered shall be that motion which was on the floor prior to the motion to hold to a time certain. If this motion is passed, the Chairman-Mayor will bring the original motion back to the Commission-Council for consideration at the specified time which may be at the same meeting, at a subsequent meeting, or upon the occurrence of a specified event. A majority vote of the Commission-Council is required for the motion to pass.

3.04.05 Limit Or Extend Limits Of Debate. A motion to limit debate places a time constraint on the length of debate. The details of such a motion are to be decided by the Commissioner who makes the motion. This motion can also be used to extend the limits of debate if a limit on debate already exists. Debate is not allowed on this motion. A majority vote of the Commission-Council is required for the motion to pass.

3.04.06 Vote Immediately (Call The Question). A Commissioner may move to "call the question" (i.e., move to end discussion) when it is clear that further discussion is unnecessary or that discussion is becoming repetitive. This motion shall not require a second and no discussion on the motion shall be allowed. If there is no objection, then it will be presumed there is unanimous consent. Should there be an objection, an affirmative vote of a majority of the Commission-Council shall be required.

3.04.07 Lay On The Table (Postpone Temporarily). A motion to lay on the table proposes that the consideration of a motion be postponed until a later time in the same meeting. The main motion can be brought back for consideration only if a motion to Resume Consideration is accepted by the Commission-Council during the same meeting. The motion will die if it is not taken up during the meeting. Debate is not allowed on this motion and the motion is not amendable. A majority vote of the Commission-Council is required for the motion to pass.

3.05 Privileged Motions. Privileged motions facilitate the running of the meeting. They do not address or relate to a main motion and can be introduced whether or not there is a main motion under consideration. Privileged motions take precedence over all subsidiary motions. Debate is not allowed on these motions.

3.05.01 Question Of Privilege. A formal question addressed to the chair concerning the rights of a Commissioner or of the Commission-Council as a whole is referred to a question of privilege. It does not require a second and cannot be debated or amended. The chair is

required to make a ruling on the question, and no vote is required unless a motion arises out of the privilege.

3.05.01(a) If any matters occur which impede the Commission's completion of its business (e.g., noise, mechanical difficulties with equipment, matters that affect the safety, orderliness, or comfort of the Commissioners, or affecting the honor of an individual Commissioner) any Commissioner may state to the Chairman Mayor that he/she has a question of privilege and the matter must be addressed before the pending business of the Commission-Council continues.

3.05.02 Recess. A motion to recess proposes that the meeting be suspended for a particular amount of time when business is still pending. It is a temporary intermission of the proceedings. A recess may be taken as it appears on the agenda or as it is declared by the chair when he/she deems it advisable or by a motion from a Commissioner. The motion must specify the length of the recess. The motion must also be seconded. Debate is not allowed on this motion, but the motion can be amended. A majority vote is required for the motion to pass.

3.05.03 Adjourn. The highest ranking motion shall be the motion to adjourn, requiring a second and a majority vote with no discussion allowed, except that the motion shall contain a time to hear any non-completed items on the agenda, if such exist. If all business on the agenda has been completed, the chair may assume the motion and, without a second, obtain unanimous consent to adjourn.

3.06 Incidental Motions. Incidental motions allow Commissioners to exert their rights as a member of the Commission-Council. Incidental motions can be introduced at any time during a meeting.

3.06.01 Appeal. Whenever a Commissioner believes that the chair is mistaken in a ruling, a Commissioner may Appeal the Chair's Decision. An appeal shall require a second and shall be debatable with the chair speaking first to explain his/her ruling. The chair may also close out the debate with a statement defending the ruling. An appeal may be made only on a ruling and may not be made:

3.06.01(a) in response to a parliamentary inquiry or point of information; or

3.06.01(b) in areas that challenge verifiable rulings of a factual nature.

3.06.01(c) The chair shall state the motion as Shall the Chair's decision be sustained? A tie vote shall sustain the chair, because a majority vote of the Commission-Council shall be required to overturn the chair's ruling. An Appeal is high in precedence and can only be interrupted by a privileged motion or by a motion to lay on the table.

3.06.02 Parliamentary Inquiry. A Parliamentary Inquiry is a question directed to the chair to obtain information on a matter of parliamentary law or the rules of the Commission-

~~Council~~. This question should take the form of a parliamentary inquiry and should relate to the current business of the ~~Commission-Council~~. The chair will answer such questions or may ask the Augusta-Richmond County Attorney or parliamentarian for an opinion. The chair's reply, whether or not he/she has requested advice from the Augusta Richmond County Attorney or parliamentarian, is an opinion, not a ruling. If a Commissioner does not agree with the chair's opinions he/she may act in a way contrary to this opinion and if ruled out of order may then appeal the chair's ruling. The chair is not obligated to respond to hypothetical questions.

3.06.03 Point of Order (Question of Order).

~~_~~If a Commissioner believes that a violation of the rules of parliamentary procedure has occurred, he can raise a point of order. A second is not required. The chair can make a ruling on the question or can allow the ~~Commission-Council~~ to debate and then rule on the question by majority vote. A point of order can only be interrupted by a ~~amended~~ motion or by a motion to lay on the table.

3.06.04 Point of Information (Request for Information). If a Commissioner has a question about the facts of a particular issue that is being considered, he may ask a point of information. A Point of Information is a request, directed to or through the chair, for information relevant to the business at hand, but not related to parliamentary procedure. This motion is addressed first to the to the appropriate person. A second is not required, and the motion is not debatable or amendable.

3.07 Supplementary Main Motions. Three motions allow the ~~Commission-Council~~ to act on a main motion that has either been passed or tabled by the ~~Commission-Council~~. These motions are considered to be main motions but differ from usual main motions in the ways specified.

3.07.01 Reconsider. The motion to reconsider allows the ~~Commission-Council~~ to debate whether or not to overturn a decision made at the meeting that is in progress. It allows the ~~Commission-Council~~ to consider new information that may affect the decision that has already been made. Any Commissioner can make a motion to reconsider and any Commissioner may second the motion. The motion is debatable, but it cannot be amended. A majority vote of the ~~Commission-Council~~ is required for the motion to pass. If a motion to reconsider is passed, the original decision will be voided, and the ~~Commission-Council~~ will return to debate and revote the original motion.

3.07.02 Rescind. A motion to rescind proposes that the ~~Commission-Council~~ overturn a motion passed at a previous meeting. A motion to rescind can be made by any Commissioner. It is in order as long as the original motion has not been implemented, but the motion to rescind shall not be in order if:

3.07.02(a) the motion to rescind is made, at the same meeting in which the action was taken;

3.07.02(b) a motion to reconsider was taken and lost;

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3.07.02(c) the matter is routine and only part of the action needs to be changed, in which case the motion to "amend a previously adopted action" shall be used;

3.07.02(d) something has been done as a result of the vote to implement the earlier action adopted. An announcement of the intention to rescind a motion may be made at the meeting where the decision was made, or the Commissioner seeking to rescind may place the matter on the agenda for the next meeting. The motion to rescind will then be placed on the agenda for the next meeting. At the next meeting, the motion to rescind will formally be made. If it is seconded, then the Commission-Council shall debate and vote on revision. A majority vote of the Commission-Council is required for the motion to pass. If a motion to rescind is passed, the original decision will be voided.

3.07.03 Resume Consideration. The motion to resume consideration allows the Commission-Council to consider a motion that has been temporarily postponed. This motion requires a second and is not debatable or amendable. It is a main motion but ranks higher than any debatable motion. A majority vote is required for the motion to pass.

4.00 Actions Of The Commission-Council. All communications to persons, firms or corporations affected by actions taken at a called or regular meeting of the Commission shall be made by the Administrator for Augusta-Richmond County, informing them of the action taken.

4.01 Ordinances And Resolutions.

4.01.01 Every ordinance or resolution proposed for adoption by the Commission-Council shall be introduced in writing and the caption of each ordinance shall be read previous to the adoption of the ordinance, unless upon demand of a member of the Commission shall then and there demand that the entire ordinance be read. Upon such demand being made, the clerk shall read the entire ordinance. - No ordinance or resolution shall pass which refers to more than one subject matter or contains matter different from that expressed in the title thereof, except ordinances or resolutions adopting the annual operating and capital budgets and general codification and revisions of ordinances and resolutions of the Commission-Council.

4.01.02 Except for emergency ordinances under subsection 4.01.03 of this section or ordinances amending the Zoning Map for Augusta-Richmond County, or upon a unanimous vote of the Commission-Council, no ordinance shall be adopted until it has been read or presented in written form at two meetings held not less than one week apart. A resolution may be adopted at the same meeting at which it is introduced. The affirmative vote of at least six (6) members of the Commission-Council shall be required for the adoption of any ordinance or resolution; Provided, however, a vote of two-thirds of the Commission-Council, excluding the Chairman Mayor, shall be required to change any provision of the Consolidation Act ~~which conflict with existing or future state or federal laws,~~ as required by said Consolidation Act. The passage of all ordinances or resolutions shall require the recording of "ayes" and "nays" and the names of the members of the Commission-Council voting for and against each proposed ordinance or resolution or

amendment thereto shall be entered in the minutes of the proceedings of the Commission-Council.

4.01.03 To meet a public emergency threatening life, health, property, or public peace, the Commission-Council may adopt emergency ordinances or resolutions, but such ordinances or resolutions may not be enacted to levy taxes, or to grant, renew or extend a franchise, or to regulate the rate charged for any public utility or service, or to authorize the borrowing of money. An emergency ordinance or resolution shall be in the form prescribed for ordinances or resolutions generally, except that it shall be plainly designated as an emergency ordinance or resolution and shall contain a declaration stating that emergency exists. An emergency ordinance or resolution may be adopted with or without amendment or may be rejected at the meeting at which it is introduced, but the affirmative vote of at least six (6) members of the Commission-Council shall be required for its adoption. It shall become effective upon adoption or at such later time as it may specify.

4.01.04 The caption of each ordinance shall be read or approved prior to the adoption of the ordinance. All readings of every ordinance shall be by reading the caption of such ordinance only, unless some member of the Commission-Council shall then and there demand that the entire ordinance be read. Upon such demand being made, the clerk shall read the entire ordinance.

4.02 Signing, Authentication, And Recording.

4.02.01 Every ordinance or resolution adopted by the Commission-Council shall be submitted to the Chairman-Mayor for his/her signature as promptly as practicable following its adoption. The Clerk of the Commission-Council shall authenticate by the Clerk's signature and cause to be recorded in full all ordinances and resolutions adopted by the Commission Council and signed by the Chairman Mayor or otherwise becoming law in a properly indexed book kept for such purpose which shall be a public record and open to public inspection. The Commission Council shall further provide for the periodic updating, revision, codification, and printing of all ordinances or resolutions of a general and permanent nature, together with such codes of technical regulations and other rules and regulations as the Commission-Council may require.

4.03 **Publication of Ordinances, Notices, Etc.**—It shall be the duty of the Chairman-Mayor to have published in the official gazette or newspaper of Augusta-Richmond County the ordinances of the Commission-Council, the proclamations of the Chairman-Mayor and all other official notices of either the Commission Council or the Chairman-Mayor ordered to be published by them, respectively; also, such other matters as the Chairman-Mayor may deem advisable to publish. The ordinances of the Commission-Council shall be published one time; all other matters shall be published such number of times as the Commission-Council or the Chairman-Mayor may direct. The Chairman Mayor shall have published in such official gazette or newspaper only the captions of the ordinances of the Commission-Council and shall not have the bodies of such ordinances published.

5.00 Parliamentarian.

~~5.01~~ The Augusta-Richmond County Attorney or his/her designee shall serve as parliamentarian and shall advise and assist the chair and the Commission-Council in matters of parliamentary law. A professional parliamentarian may be consulted as deemed necessary.

6.00 Parliamentary Authority.

~~6.01~~ The latest edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern meetings of the Augusta-Richmond County Commission-Council in all areas in which it is applicable and in which it is not inconsistent with these rules adopted by the Commissioners, or with higher law.

7.00 Amendments.

~~7.01~~ These Rules may be amended by a majority of the entire Commission-Council at a regular meeting or special meeting of the Augusta Richmond County Commission-Council, provided notice has been given of the amendment(s) at the meeting prior to the vote on the amendment(s).

APPENDIX

Parliamentary Definitions

The following parliamentary definitions apply to the RULES OF PROCEDURE FOR THE Augusta-Richmond County Commission-Council

adjourn - to officially terminate a meeting

adjourned meeting - a meeting that is a continuation at a later time of a regular or special meeting

adopt - to approve or pass by whatever vote is required for the motion affirmative vote - a vote in favor of the motion as stated

agenda - the official list of items of business planned for consideration during the meeting

approval of minutes - formal acceptance of the record at a meeting, thus making this record the official minutes of the Commission-Council

chair - the Chairman-Mayor or Vice Chairman- Mayor Pro Tempore

Code of Conduct - The Richmond County Code of Conduct

Commission-Council - the Augusta-Richmond County Commission-Council

Commissioner - any of the ten members serving on the Commission-Council elected from the ten (10) districts established by the Consolidation Act

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~~Commission-Council~~ parliamentary rules- the body of rules and principles that is applied by the courts in deciding litigation involving the procedure of any organization does not include statutory law or particular rules adopted by any organization or ~~Commission-Council~~

Consolidation Act - the Act consolidating the City Council of Augusta and Richmond County found in 1995 Ga. Laws p. 3648

convene - to open a meeting

debate - formal discussion of a motion under the rules of parliamentary law and more often herein referred to as discussion

defer or hold - to delay action by referring the motion to staff (or an agency, committee, etc.) for more information, or by postponing a vote to a certain time

demand - an assertion of a parliamentary right by a Commissioner dilatory motions or tactics - misuse of procedures or motions that are out of order or would delay or prevent progress in a meeting

floor - when a person receives formal recognition from the chair, he/she "has the floor" and is the only person entitled to speak

germane amendment - an amendment relating directly to the motion to which it is applied

germane discussion - discussion relating directly to the matter involved

hearing - a meeting for the purpose of listening to the views of an individual or of a particular group on a particular subject in order - permissible and right from a parliamentary standpoint

majority vote - an affirmation vote of at least six (6) Commissioners or the vote of five (5) Commissioners and the vote of the Chairman-Mayor in the event of a tie

minutes - the legal record of the action of the ~~Commission-Council~~ after the record has been approved by vote of the body

motion - a proposal submitted to the ~~Commission-Council~~ for its consideration and decision; it is introduced by the words, "I move that ... "

objection - the formal expression of opposition to a proposed action

order of business - the adopted order in which the business is presented to the meeting of the ~~Commission-Council~~

Rules of Procedure
 Augusta, Georgia ~~Richmond County~~ Commission-Council
 Adopted July 3, 1996

out of order - not correct, from a parliamentary standpoint, at the particular time

parliamentary authority - the code of procedure adopted by the Commission-Council as its parliamentary guide, governing in all parliamentary situations not otherwise provided for in the Consolidation Act, the Code of Richmond County, the Code of the City of Augusta, or other governing Bodies

pending motion - sometimes referred to as pending question; a motion that has been proposed and stated by the chair for the Commission-Council's consideration and that is awaiting decision by vote

precedence - the order or priority governing the motion

precedent - a course of action that may serve as a guide or model for future similar situation

procedural motion - motion to assist the Commission-Council in treating or disposing of a main motion; or, motion relating to the pending business otherwise at hand

proposal or proposition - a statement or motion of any kind for consideration and action

O.C.G.A. - Official Code of Georgia Annotated

quorum - the number of persons that must be present at a meeting of the Commission-Council to enable it to act legally on business; seven (7) members of the Commission-Council shall constitute a quorum for any meeting of the Richmond of the Augusta-Richmond County Commission-Council

recognitions - acknowledgement by the chair, giving a person sole right to speak

reconsider - to review again a matter previously disposed of and to vote on it again; must be made on the same day of business

request - a statement to the chair asking a question or some "right"

rescind - to nullify or cancel out a previous action, cannot be made if action has already been taken to implement the motion it wishes to rescind

resolution - a formal motion, usually in writing, and introduced by the word "resolved" that is presented to the

Commission-Council for a decision ruling - the chair's decision as it relates to the procedure of the Commission-Council

second - a Commissioner's statement that he/she is willing to have the motion considered

seriatim - consideration by sections or paragraphs

Rules of Procedure
Augusta, Georgia-Richmond County Commission-Council
Adopted July 3, 1996

statute - a law passed by the Georgia legislature

technical inquiry - request for information relevant to the business at hand

tie vote - a vote in which the affirmative and negative votes are equal on a motion

unanimous consent - deciding on a motion without voting on it but where no Commissioner voices objection, with a single objection a vote must be taken

unfinished business - any business that is postponed definitely to a time certain

Note-The Rules of Procedure for the conduct of parliamentary business coming before the Augusta, Georgia-Richmond Commission were first adopted by the Commission in 1966, and re-adopted Nov. 18, 2003.

Secs. 1-2-14-1-2-25. Reserved.

Requiem



**Administrative Services Committee Meeting
10/25/2016 1:15 PM
APPROVE NEW PHARMACY PROVIDER**

Department: Human Resources

Presenter: Michael Loeser

Caption: Motion to approve the award of the RFP for PBM (RFP #16-236) to Magellan and authorize the Mayor to execute the approved contract for a period of three years.

Background: Based on current trends in the pharmacy program including cost, adherence rates and clinical programs it was in the best interest of Augusta Georgia to perform an RFP for Pharmacy Benefit Management Services. Our initial analysis of historic and current trends revealed that several cost drivers within our program could be improved with minimal disruption to employees. The areas where we will see the most improvement are: 1) Reducing the number of Specialty drugs and managing the ingredient cost 2) Improving the Generic dispensing rate minimum guarantee 3) Passing on Rebates to ARC

Analysis: The analysis showed that the potential savings to Augusta and its employees would be in the \$500,000-\$1,000,000 range. While cost savings is important, it is as equally important that Augusta Georgia partners with a progressive PBM that will continually address chronic condition management, employee education and engagement that will lead to a better adherence rate and oversight to ensure duplicate therapies and adverse drug interaction incidents are quickly identified and reduced. Augusta Human Resources was asked to prepare a RFP for a PBM services. The evaluation committee meet and reviewed 7 compliant submittals. The evaluation committee met on October 6th and October 13th to evaluate the seven (7) compliant proposals. After reviewing, discussing and scoring the proposals the evaluation committee is recommending Magellan as the PBM beginning January 1st, 2017.

Financial Impact: Based on Magellan's proposal, it would be in the best interest of Augusta to award the contract to them. According to USI, our benefit's consultant, Augusta, GA and its employees will see an approximate cost savings of from \$500,000 to \$1 million dollars

annually.

Alternatives: Keep Blue Cross as our Pharmacy provider/Administrator in place.

Recommendation: Approve the awarding of the contract to Magellan effective 1/1/17

**Funds are Available
in the Following
Accounts:** FUNDS AVAILABLE IN THE FOLLOWING ACCOUNTS:
[_____]

REVIEWED AND APPROVED BY:

**Finance.
Procurement.
Law.
Administrator.
Clerk of Commission**

Request for Proposal

Request for Proposals will be received at this office until Friday, September 30, 2016 @ 11:00 a.m. for furnishing:

RFP Item #16-236 Pharmacy Benefits Augusta, GA – Human Resources Department

RFPs will be received by: The Augusta Commission hereinafter referred to as the OWNER at the offices of:

Geri A. Sams, Director
Augusta Procurement Department
535 Telfair Street - Room 605
Augusta, Georgia 30901Man

RFP documents may be viewed on the Augusta Georgia web site under the Procurement Department **ARCbid**. RFP documents may be obtained at the office of the Augusta, GA Procurement Department, 535 Telfair Street – Room 605, Augusta, GA 30901.

All questions must be submitted in writing by fax to 706 821-2811 or by email to procbidandcontract@augustaga.gov to the office of the Procurement Department by Friday, September 16, 2016, @ 5:00 P.M. No RFP will be accepted by fax, all must be received by mail or hand delivered.

No RFP may be withdrawn for a period of 60 days after bids have been opened, pending the execution of contract with the successful bidder(s).

Request for proposals (RFP) and specifications. An RFP shall be issued by the Procurement Office and shall include specifications prepared in accordance with Article 4 (Product Specifications), and all contractual terms and conditions, applicable to the procurement. **All specific requirements contained in the request for proposal including, but not limited to, the number of copies needed, the timing of the submission, the required financial data, and any other requirements designated by the Procurement Department are considered material conditions of the bid which are not waivable or modifiable by the Procurement Director.** All requests to waive or modify any such material condition shall be submitted through the Procurement Director to the appropriate committee of the Augusta, Georgia Commission for approval by the Augusta, Georgia Commission. Please mark RFP number on the outside of the envelope.

Proponents are cautioned that acquisition of RFP documents through any source other than the office of the Procurement Department is not advisable. Acquisition of RFP documents from unauthorized sources places the proponent at the risk of receiving incomplete or inaccurate information upon which to base his qualifications.

Correspondence must be submitted via mail, fax or email as follows:

Augusta Procurement Department
Attn: Geri A. Sams, Director of Procurement
535 Telfair Street, Room 605
Augusta, GA 30901
Fax: 706-821-2811 or Email: procbidandcontract@augustaga.gov

GERI A. SAMs, Procurement Director

Publish:

Augusta Chronicle	August 25, 1, 8, 15, 2016
Metro Courier	August 31, 2016



Proposal Opening RFP Item #16-236
Pharmacy Benefits
for Augusta, Georgia - Human Resources Department
RFP Due: Friday, September 30, 2016 @ 11:00 a.m.

Total Number Specifications Mailed Out: 26
 Total Number Specifications Download (Demandstar): 60
 Total Electronic Notifications (Demandstar): 14
 Mandatory Pre-Proposal/Telephone Conference Attendees: Not Applicable
 Total packages submitted: 9
 Total Noncompliant: 1

VENDORS	Attachment "B"	E-Verify #	Addendum 1	SAVE Form	Original	7 Copies	Fee Proposal
OPTUMRX 2300 MAIN STREET IRVINE, CA 92614	Yes	438670	Yes	Yes	Yes	Yes	Yes
CVS HEALTH 2211 SANDERS RD NORTHBROOK, IL 60062	Yes	40635	Yes	Yes	Yes	Yes	Yes
MEI SERVICES 2951 PIEDMONT RD., SUITE B ATLANTA, GA 30305	Yes	1122270	Yes	Yes	Yes	Yes	Yes
SCRIPT CARE 6380 FOLSOM DRIVE BEAUMONT, TX 77706	Yes	861066	Yes	Yes	Yes	Yes	Yes
RXEDO, INC 7800 DALLAS PARKWAY SUITE 460 PLAN, TX 75024	Yes	Non- Compliant	Yes	No	Yes	Yes	Yes
PERFORM RX 200 STEVENS DR PHILADELPHIA, PA 19113	Yes	937993	Yes	Yes	Yes	Yes	Yes
BCBS DBA ANTHEM 120 MONUMENT CIRCLE INDIANAPOLIS, IN 46204	Yes	364538	Yes	Yes	Yes	Yes	Yes
MAGELLAN HEALTHCARE 6940 COLUMBIA GATEWAY COLUMBIA, MD 21046	Yes	838557	Yes	Yes	Yes	Yes	Yes

The following vendor submitted a statement of "No Bid":
 ENVISIONRX / 2181 EAST AUROA RD / TWINSBURG, OH 44087

 Cumulative Evaluation Meeting - RFP Item #16-236 Pharmacy Benefits for Augusta, Georgia - Human Resources Department Evaluation Meeting: Thursday, October 6, 2016 @ 10:00 a.m.									
Vendors	OPTUMRX 2300 MAIN STREET IRVINE, CA 92614	VATIVO-RX 2951 PIEDMONT RD., SUITE B ATLANTA, GA 30305	SCRIPT CARE 6380 FOLSOM DRIVE BEAUMONT, TX 77706	PERFORM RX 200 STEVENS DR PHILADELPHIA, PA 19113	BCBS DBA ANTHEM 120 MONUMENT CIRCLE INDIANAPOLIS, IN 46204	MAGELLAN HEALTHCARE 6940 COLUMBIA GATEWAY COLUMBIA, MD 21046	CVS HEALTH 2211 SANDERS RD NORTHBROOK, IL 60062	RXEDO, INC 7800 DALLAS PARKWAY SUITE 460 PLAN, TX 75024	
A. Package submitted by the deadline (MUST PASS FOR CONTINUED CONSIDERATION)									
Submittal and Quality of RFP									
A. Package submitted by the deadline	Pass/Fail	PASS	PASS	PASS	PASS	PASS	PASS	PASS	PASS
B. Package is complete (includes requested information as required per this solicitation)	Pass/Fail	PASS	PASS	PASS	PASS	PASS	PASS	PASS	FAIL
Second Round Elimination (Total Points 50)									
(MUST ACHIEVE 35 POINTS FOR CONTINUED CONSIDERATION)									
Quality of RFP									
C. Overall Quality of RFP (concise and to-the-point)	50	33.2	34.0	35.0	35.0	43.2	46.2	41.0	
Proposer's Overall Ability to Provide the Services (Total Points 470)									
D. Narrative									
1. Qualifications of company (company profile)	100	83.8	77.8	81.0	84.0	89.6	90.2	90.6	
2. Financial Responsibility	100	82.0	79.8	82.2	80.4	87.6	88.8	92.0	
3. Project Management	95	81.2	75.2	84.0	82.4	86.6	87.2	87.0	
4. Key Personnel & Staff	90	76.4	79.2	83.2	84.0	88.0	84.4	83.6	
5. Organizational Qualifications	75	65.6	63.4	66.0	67.8	70.0	69.8	70.0	
6. Optional Interview (Potential bonus Points)	10			6.4		6.2	4.4	8.8	
D. TOTAL	470	389.0	375.4	402.8	398.6	428.0	424.8	432.0	
Scope of Services (Total Points 200)									
E. Scope of Services									
1. Provide eligible participants with a quality, affordable Pharmacy Benefits program with access to a large selection of Pharmacy providers.	50	34.8	31.0	39.8	36.0	44.8	45.4	42.0	
2. Provide timely, accurate, responsive claim and customer service to plan participants and plan administrators.	50	41.0	43.4	44.4	39.6	45.6	46.2	44.2	
3. Minimize disruption for current Pharmacy plan participants from a provider, formulary list and cost perspective.	50	36.8	35.8	40.6	39.4	46.8	44.2	43.0	
4. Provide a contract that reduces overall costs to plan sponsor and participants while not altering the formulary list negatively. The contract must provide an overall improvement in cost containment measures, employee education and communication and access to pharmacy providers.	50	31.6	35.2	37.6	36.2	36.8	47.4	44.2	
E. TOTAL	200	144.2	145.4	162.4	151.2	174.0	183.2	173.4	

 Cumulative Evaluation Meeting - RFP Item #16-236 Pharmacy Benefits for Augusta, Georgia - Human Resources Department Evaluation Meeting: Thursday, October 6, 2016 @ 10:00 a.m.									
Vendors	OPTUMRX 2300 MAIN STREET IRVINE, CA 92614	VATIVO-RX 2951 PIEDMONT RD., SUITE B ATLANTA, GA 30305	SCRIPT CARE 6380 FOLSOM DRIVE BEAUMONT, TX 77706	PERFORM RX 200 STEVENS DR PHILADELPHIA, PA 19113	BCBS DBA ANTHEM 120 MONUMENT CIRCLE INDIANAPOLIS, IN 46204	MAGELLAN HEALTHCARE 6940 COLUMBIA GATEWAY COLUMBIA, MD 21046	CVS HEALTH 2211 SANDERS RD NORTHBROOK, IL 60062	RXEDO, INC 7800 DALLAS PARKWAY SUITE 460 PLAN, TX 75024	
Proximity to Area (Total Points 10)									
F. Proximity to Area									
Within Richmond County	10								
Within CSRA	8								
Within Georgia	6		6						
Within SE United States (includes AL, TN, NC, SC, FL)	4								
• All Others	2	2		2	2	2	2	2	
TOTAL	10	2	6	2	2	2	2	2	
Cost/Fee Consideration (Total Points 10)									
G. Cost/Fee Proposal (Enclose in a separate sealed envelope)									
• Lowest	10							10	
• Second	8			8					
• Third	6					6			
• Fourth	4					4			
• Fifth	2								
TOTAL	10	0	0	8	0	4	6	10	
Reference(s) (Total Points 10)									
H. References	10	10	0	10	10	10	10	10	
Total (Total Possible Score 750)									
Total	750	578.4	560.8	620.2	596.8	661.2	672.2	668.4	
Note: Respondent/Offeror(s) receiving 600 or more points will be invited to do presentations to provide additional information if deemed necessary.									
Internal Use Only									
Evaluator:	CUMULATIVE		Date: 10/13/16						
Procurement Department Representative: Nancy Williams									
Procurement Department Completion Date: 10/13/2016									

FYI: Process Regarding Request for Proposals

Sec. 1-10-51. Request for proposals.

Request for proposals shall be handled in the same manner as the bid process as described above for solicitation and awarding of contracts for goods or services with the following exceptions:

- (a) Only the names of the vendors making offers shall be disclosed at the proposal opening.
- (b) Content of the proposals submitted by competing persons shall not be disclosed during the process of the negotiations.
- (c) Proposals shall be open for public inspection only after the award is made.
- (d) Proprietary or confidential information, marked as such in each proposal, shall not be disclosed without the written consent of the offeror.
- (e) Discussions may be conducted with responsible persons submitting a proposal determined to have a reasonable chance of being selected for the award. These discussions may be held for the purpose of clarification to assure a full understanding of the solicitation requirement and responsiveness thereto.
- (f) Revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offers.
- (g) In conducting discussions with the persons submitting the proposals, there shall be no disclosure of any information derived from the other persons submitting proposals.

Sec. 1-10-52. Sealed proposals.

- (a) *Conditions for use.* The competitive sealed proposals method may be utilized when the Augusta, Georgia Administrator approves the written justification of the Procurement Director or using agency head that the sealed bid method is not in the best interest of Augusta, Georgia. Generally, this method may be used when competitive sealed bidding (involving the preparation of detailed and specific specifications) is either not practicable or not advantageous to Augusta, Georgia. Augusta, Georgia is not restricted from using alternative procurement methods for obtaining the best value on any procurement, such as Construction Management at Risk, Design/Build, etc.
- (b) *Request for proposals.* Competitive sealed proposals shall be solicited through a request for proposals (RFP).

- (c) *Public notice.* Adequate public notice of the request for proposals shall be given in the same manner as provided in section 1-10- 50(c)(Public Notice and Bidder's List); provided the normal period of time between notice and receipt of proposals minimally shall be fifteen (15) calendar days.
- (d) *Pre-proposal conference.* A pre-proposal conference may be scheduled at least five (5) days prior to the date set for receipt of proposals, and notice shall be handled in a manner similar to section 1-10-50(c)-Public Notice and Bidder's List. No information provided at such pre-proposal conference shall be binding upon Augusta, Georgia unless provided in writing to all offerors.
- (e) *Receipt of proposals.* Proposals will be received at the time and place designated in the request for proposals, complete with bidder qualification and technical information. No late proposals shall be accepted. Price information shall be separated from the proposal in a sealed envelope and opened only after the proposals have been reviewed and ranked.

The names of the offerors will be identified at the proposal acceptance; however, no proposal will be handled so as to permit disclosure of the detailed contents of the response until after award of contract. A record of all responses shall be prepared and maintained for the files and audit purposes.

- (f) *Public inspection.* The responses will be open for public inspection only after contract award. Proprietary or confidential information marked as such in each proposal will not be disclosed without written consent of the offeror.
- (g) *Evaluation and selection.* The request for proposals shall state the relative importance of price and other evaluation factors that will be used in the context of proposal evaluation and contract award. (Pricing proposals will not be opened until the proposals have been reviewed and ranked). Such evaluation factors may include, but not be limited to:
 - (1) The ability, capacity, and skill of the offeror to perform the contract or provide the services required;
 - (2) The capability of the offeror to perform the contract or provide the service promptly or within the time specified, without delay or interference;
 - (3) The character, integrity, reputation, judgment, experience, and efficiency of the offeror;
 - (4) The quality of performance on previous contracts;
 - (5) The previous and existing compliance by the offeror with laws and

ordinances relating to the contract or services;

- (6) The sufficiency of the financial resources of the offeror relating to his ability to perform the contract;
 - (7) The quality, availability, and adaptability of the supplies or services to the particular use required; and
 - (8) Price.
- (h) *Selection committee.* A selection committee, minimally consisting of representatives of the procurement office, the using agency, and the Administrator's office or his designee shall convene for the purpose of evaluating the proposals.
- (i) *Preliminary negotiations.* Discussions with the offerors and technical revisions to the proposals may occur. Discussions may be conducted with the responsible offerors who submit proposals for the purpose of clarification and to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussions and revision of proposals and such revisions may be permitted after submission and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of information derived from proposals submitted by competing offerors.
- (j) From the date proposals are received by the Procurement Director through the date of contract award, no offeror shall make any substitutions, deletions, additions or other changes in the configuration or structure of the offeror's teams or members of the offeror's team.
- (k) *Final negotiations and letting the contract.* The Committee shall rank the technical proposals, open and consider the pricing proposals submitted by each offeror. Award shall be made or recommended for award through the Augusta, Georgia Administrator, to the most responsible and responsive offeror whose proposal is determined to be the most advantageous to Augusta, Georgia, 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 a written report of the basis on which the award is made/recommended. The contract shall be awarded or let in accordance with the procedures set forth in this Section and the other applicable sections of this chapter.

User: **Mills, Phyllis** Organization: **City of Augusta, GA (Augusta Commission)**[Logout](#) | [Help](#)[My DemandStar](#)[Buyers](#)[Account Info](#)[Log Bid](#)[\[View Bids\]](#)[Log Quote](#)[View Quotes](#)[Supplier Search](#)[Build Broadcast List](#)[Reports](#)

Planholders List

Member Name **City of Augusta, GA (Augusta Commission)**Bid Number **RFP-16-236-0-2016/nw**Bid Name **Pharmacy Benefits**

2 Document(s) found for this bid

14 Planholder(s) found.

[Add Planholder](#)

Supplier Name 	Phone	Fax	Doc Count	Attributes	Programs	Actions
ConstructConnect	8772271680	8665708187	1			Documents
Construction Journal, Ltd.	8007855165	8005817204	1			Documents
CVS Pharmacy Inc.						Documents
CVS Pharmacy Inc.						Documents
Diamond Pharmacy Services	7243491111	8772347050	1			Documents
Express Scripts						Documents
Magellan Behavioral Health	8605071900	8605071991	1			Documents
MeridianRx	3135703161	3135703161	1			Documents
nmei services, inc.	4045920585	4045493034	1			Documents
PerformRx	2158635847	2158635100	1			Documents

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Item # 5

User: Mills, Phyllis

Organization: City of Augusta, GA (Augusta Commission)

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Planholders List

Member Name City of Augusta, GA (Augusta Commission)

Bid Number RFP-16-236-0-2016/nw

Bid Name Pharmacy Benefits

2 Document(s) found for this bid

14 Planholder(s) found.

[Add Planholder](#)

Supplier Name ▲	Phone	Fax	Doc Count	Attributes	Programs	Actions
Script Care	4147129044	4099237375	1			Documents
Shay Enterprise	2539856691	2539856691	1			Documents
United Healthcare	2159028182					Documents
Vativo Rx	8776885750		1			Documents

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Item # 5

Bidders List

Bid Item # 16-236 Cost \$ _____

#	Company Name	Complete Mailing Address	Date	Spec. #	Initials	Mailed By
1	VATIVO-RX ATTN: LISA QUARTERMAN 2951 PIEDMONT RD, SUITE A, ATLANTA, GA 30305		9/19/16	16-236	DW	U.S. mai: 1
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						Item # 5

Bidders List

Bid Item # 16-236 Cost \$ _____

#	Company Name	Complete Mailing Address	Date	Spec. #	Initials	Mailed By
1	RxEDO ATTN: JAKE ABUEVA 7800 DALLAS PARKWAY SUITE 460 PLANO, TX 75024	Phone 214-257-0369	8/31/16	16-236	DW	U.S. mail
2		Fax 214-291-5281				
3	OPTUMRX ATTN: KATHIE HIGGINS 2300 MAIN ST IRVINE, CA 92614	Phone	9/1/16	16-236	DW	U.S. mail
4						
5	MAGELLAN RX MANGAEMENT ATTN: MIKE KINDREGAN 2520 NORTHWINDS PARKWAY, STE 300 ALPHARETTA, GA 30009	Phone 678-570-5537	8/31/16	16-236	DW	U.S. mail
6		Fax 480-624-9401				
7	OPTUMRx ATTN: NICHOLE SAARI 11 SCOTT STREET, SUITE 150 WAUSAU, WI 54401	Phone 715 841-5571	8/30/16	16-236	DW	U.S. mail
8						
9	CVS Health	2211 Sanders Road Northbrook, IL 60062 847-559-3689	8/29/16	16-236	DW	U.S. mail
10	Perform Rx Nick Dinsmore 200 Stevens Dr. Philadelphia, PA 19113		9/1/16	16-236	NW	9-6 U.S. mail
11						
12	ATTN: AARON SCHEICH MRX MERIDIANRX 1 CAMPUS MARTIUS, SUITE 700 DETROIT, MI 48226	Phone ex. 21519 313-324-3700	9/9/16	16-236	DW	U.S. mail
13		Fax 313-324-9046				
14	SCRIPT CARE ATTN: JENNA SAINT LOUIS 2589 S LOGAN AVE. MILWAUKEE, WI 53207	Phone 414-712-9044	9/12/16	16-236	DW	U.S. mail
15		Fax 409-924-7821				
16						Item # 5

CVS / CareMark
One CVS Drive
Woonsocket, RI 02895

LaMar Williams
ProCare RX
3090 Premiere Parkway, Suite 100
Duluth, GA 30097

Envision
2181 East Aurora Road, Suite 201
Twinsburg, OH 44087

Magellan Rx Management
15950 North, 76th Street, Suite 200
Scottsdale, AZ 85260

OptumRx
11000 Optum Circle
Eden Prairie, MN 55344

Cigna
Eddie Bogdanovich
3480 Preson Ridge, Suite 425
Alpharetta, GA 30005

Employers Health
Darcy Fiocca
4143 Fulton Drive NW
Canton, OH 44718

Express Scripts, Inc.
Attn: Theresa Scates, 3E190
One Express Way
St. Louis, MO 63121

Terri Kemp
Blue Cross Blue Shield
3350 Peachtree Road, NW
Atlanta, GA 30326

Jocelyn Rodriguez
United Healthcare
9009 Corporate Lake Dr.
Tampa, FL 33634

Caroline S. Brown
United Healthcare
3720 Davinci Court, Suite 300
Norcross, GA 30092-2670

Reggie White
CIGNA
3500 Piedmont Road, Suite 200
Atlanta, GA 30305

James Ford
2774 Cobb Parkway NW, Suite 109-326
Kennesaw, GA 30152

Aetna
151 Farmington Avenue
Hartford, CT 06156

Anthem
801 South Figueroa Street,
5th Floor
Los Angeles, CA 90017-2573

Centene
Centene Plaza
770 Forsyth Blvd.
St. Louis, MO 63105

Wellcare Health
8735 Henderson Road
Tampa, FL 33634

Lisa Kelly
USI
7 East Congress Street, Suite 1002
Savannah, GA 31401

Michael Loeser
Director Human Resources
4th Floor
Municipal Building

Kellie Irving
LSBOP
7th Floor
Municipal Building

RFP 16-236
Pharmacy Benefits
Human Resources
Due: September 30, 2016 @ 11:00 a.m.
Mailed 8/25/16 Item #5



Human Resources Department

Michael Loeser
Human Resources Director

Suite 400A – Municipal Building
535 Telfair Street - AUGUSTA, GA 30901
(706) 821-230-3723 - FAX (706) 821-2867
www.augustaga.gov

To: Ms., Geri Sams, Director, Procurement

From: Michael Loeser, Director, Human Resources

Date: October 17, 2016

A handwritten signature in black ink, appearing to read "Michael Loeser", with a large, stylized loop at the end.

Re: Bid item #16-236, 2017 Pharmacy PBM

The Evaluation Committee has reviewed the vendor responses for RFP item #16-236, 2017 Pharmacy PBM and found that Magellan was the best responsive bidder,

The Committee would like to request that Procurement contact the vendor to schedule a discussion to proceed with contract negotiations with Magellan.

If you have any questions, please do not hesitate to contact me at 821 4257.

Thank you for your assistance in this process,

Cc:

Ms. Phyllis Johnson, Procurement
Ms. Nancy Williams, Procurement
Mr. Ken Perry, Human Resources