

AUGUST 14, 2018

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,  
GEORGIA  
GOVT. CENTER – RM 100

PRESENT: Mayor Dorothy Hubbard  
Mayor Pro Tem Bob Langstaff, Jr.  
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher and Roger Marietta  
City Manager: Sharon D. Subadan  
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 10:37 a.m., and called for a moment of silence, which was followed by the Pledge of Allegiance. She then instructed the audience on the policy to address the Commission, whether through Citizen's Comments or Speaker's Appearance Forms.

Commissioner Howard moved to approve the minutes of the previous meeting, seconded by Commissioner Fletcher; the motion unanimously carried.

REPORT OF THE COMMITTEE OF THE WHOLE

Mayor Pro Tem Langstaff moved to approve the following purchases, seconded by Commissioner Fletcher; the motion unanimously carried.

1. Professional Services (State Lobbyist) Cascon Group; Atlanta, GA  
Total annual exp. \$60,000.00
2. Bus Shelters Tolar Manufacturing Co., Inc; Corona, CA  
Total exp. \$510.00
3. Emergency Sewer Repair, Front Street Boyd Construction; Albany, GA  
Total exp. \$2,500.00

Mayor Pro Tem Langstaff moved to approve the following Alcohol License Applications, seconded by Commissioner Fletcher; the motion carried 5-1 with Commissioner Howard voting no.

1. Global Spectrum, LP, d/b/a Albany Civic Center and Amphitheater, 100 W. Oglethorpe Blvd; J. Small/Agent; Liquor, Beer and Wine Consumption
2. Global Spectrum, LP, d/b/a Albany Municipal Auditorium, 200 N. Jackson St.; J. Small/Agent; Liquor, Beer and Wine Consumption
3. Newton Road Package LLC, d/b/a Brother's Package Store, 1102 Newton Road; C. Banks/Agent; Liquor, Beer and Wine Package

Mayor Pro Tem Langstaff moved to approve the following Alcohol License Application – Transfer of Ownership, seconded by Commissioner Marietta; the motion carried 5-1 with Commissioner Howard voting no.

1. Food Mart Inc., d/b/a Foodsmart, 1605 Gillionville Road, O. Riaz/ Agent; Beer and Wine Package; Transfer of Ownership from H. Patel

APPOINTMENTS

1. One appointment to Community Development Council (CDC) to fill unexpired term ending June 2019 (Business Member)

The Clerk advised that Latasha Edwards submitted her letter of interest and resume.

Commissioner Howard moved to appoint Ms. Edwards, seconded by Commissioner Fuller; the motion unanimously carried.

2. Mayor and Commission appointments to City Tree Board for two-year term ending August 2020

The Clerk advised that Jeff Hoopes, Richard Spencer, Carlos Phillips, Richard Foreman, Chuck Norvell and Jimmy Lindsay asked to be considered for reappointment. Mayor Pro Tem Langstaff moved to reappoint all, seconded by Commissioner Fletcher; the motion unanimously carried.

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## RESOLUTIONS

Commissioner Marietta moved to adopt the following resolution, seconded by Commissioner Fletcher.

### A RESOLUTION NO. 18-R149

Authorizing Advanced Metering Infrastructure/LED Streetlights; Authorizing the City Manager to contract with Sensus, Raleigh, NC, to provide an Advanced Metering Infrastructure System to be installed throughout the city for an estimated Capital Expenditure of \$20.8 million; Authorizing the City Manager to contract with Metropower, Albany, GA, to upgrade the streetlights to LED throughout the city for an estimated expenditure of \$6.5 million; and authorizing City Manager and Finance Director to engage the City's financial adviser, Davenport & Company, to seek and secure the most cost effective means of funding the project

Detailed discussion followed with Commissioner Marietta thanking John Gosa, reporter with *The Albany Herald*, for his article regarding LED lights. He said that he feels street lights are worthwhile and needed, especially after the 2017 storm damage, adding that he supports the project.

Commissioner Fletcher commented on rumors circulating about the meters and said she and Ms. Subadan spoke in length yesterday and asked Ms. Subadan for comments. Ms. Subadan explained the implementation process and pilot program, which will run first, adding that internal rules will be put in place. She advised that part of the implementation requires a pilot rollout in which three different meters will be tested and a subsection of utility customers (approx. 3000) will be selected for a pilot program. The success of the pilot program will determine how the City goes forward. She said that business rules i.e. cut-on/cut-offs/connections, etc. will be implemented in-house, with KTI helping with this process.

Commissioner Fuller asked if the implementation of software and billing software will be forged simultaneously. Ms. Subadan explained that billing software has already been bid and will come back at the next meeting, adding that the process will take some time to implement, with billing software being first, since it will be easier to implement. She advised that it would not be ideal for both to happen at the same time, with AMI and streetlights taking some time; even ordering hardware takes months. She added that the billing software portion is a SPLOST funded project, which has been underway for two years; and the high priority is on the admin side. The expectation is that the billing piece will go forward even though the Commission will be approving it at a later meeting. There is a lot of work to do before installing the first pilot meter.

Yvette Fields, Central Services Director, interjected that she wanted the Commission to be aware that the project management part, while being in the budget and included in the presentation, has not been identified, but it will be Katama (KTI) in the amount of \$250,000. She stressed that approval of the whole AMI project includes approval of the project management.

Mayor Pro Tem Langstaff stated that a copy of the resolution was not in his packet, with Ms. Subadan advising that it was online in Novus.

In reply to Commissioner Marietta, Ms. Fields advised that the project manager is KTI.

Mayor Pro Tem Langstaff discussed the resolution, estimated cost for AMI (\$20.8 million) and suggested that rather than an estimated cost, the resolution should specify an amount not to exceed since the exact cost is not known. He explained that he feels there is nothing to address what happens if there are problems in the pilot phase and/or if the City is not satisfied, suggesting that there should be a provision should this prove to be the end result. He asked the number of homes that will be in the pilot program and, regarding LED's estimation of \$6.5 million, he suggested that the 'not to exceed' language be inserted in the resolution and a reference in the resolution if the pilot does not work out. He stated that he does not want the City bound to something it has second thoughts about and cannot get out of.

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Greg Johnson, Katama Tech, explained that there is no reference of a pilot program in the contract, but if there are problems they have measures in place to correct and/or to include a cancellation clause, which is discussed in negotiations; a 'not to exceed' clause can be included then. In reply to Mayor Pro Tem Langstaff, he advised that there is no negotiated contract waiting for signatures at this time; they have to wait for approval to move forward first. Mayor Pro Tem Langstaff asked if the contract will come back for Commission approval and stated that he would like to see the ultimate contract before approving a \$20.0 million expenditure. Ms. Subadan explained that today staff is asking for the authority to move forward, adding that they cannot negotiate without approval and having the financial advisor engaged in this process.

Commissioner Marietta stated that he will accept the friendly amendment from Mayor Pro Tem Langstaff.

Mayor Pro Tem Langstaff commented on the LED streetlights and the kelvin value with Jimmy Norman, Director of Utility Construction, explaining that kelvin is the blue light rays. He said that the research compared higher vs. lower kelvin values, which has the potential to distract drivers. Mayor Pro Tem Langstaff stated that he found some cities removing LED lights and asked what is put in place in these cities, adding that he is not comfortable with this at this time.

Commissioner Howard stated that he will vote no at this time due to the funding concerns. He said he spoke with Finance Director Derrick Brown yesterday and asked that Mr. Brown explain the process that was discussed to avoid borrowing money for the LED lights.

Chad Warbington signed up to speak on this matter and said there are three things in particular of concern: 1) different aged assets citywide; 2) variety of street lights citywide and the potential of having problems with AMI; 3) no need to rush today and getting more details on paying for AMI/LED, i.e., MEAG Funds, Job Investment Fund, use utility funds for the project, etc. He concluded by saying that he is for the AMI and LED but is challenging the Commission to consider the funding aspect of the projects and the process.

Commissioner Fletcher said that she was at a meeting with citizens recently along with Stephen Collier, Assistant City Manager, and she did not feel the meeting was hostile, but was rather informative. She suggested starting with that group of people when implementing the pilot program. She commented on the meeting discussion, discussion with citizens and mentioned that there are problems with the lights and infrastructure. This information was made public on July 24<sup>th</sup>, in plenty of time for citizens and Commissioners to know. There are 671 current orders to fix lights; there are different issues in different areas of the city. She suggested that we need lighting in front of Cooper Tire, in areas in Ward 2 and other areas throughout the city.

Mr. Warbington stated that he appreciates and understands the time and energy put into this effort; however, the point of the meeting was 'why is my bill so high'. When the City plans to spend \$20.0 million, citizens want to know how it is going to help them with their bills and if there will be a savings. He added that it was a surprise to see that the rate that was approved in January included the debt service; as ratepayers, citizens are already paying for something that was touted as a measure to lower rates. Moving forward with a cost saving project, the question becomes, who benefits from the cost savings. He said he supports installing lights in those areas which are in the most need and make them the pilot program, adding that he sees no justification for installing lights in areas that were recently upgraded. Commissioner Fletcher said that the question was asked point blank 'will this have any savings on the bill' and commented on the potential benefit of an AMI meter for business owners who experience failure and problems are quickly pinpointed, reported and addressed. While it is not a perfect solution for everything, it is a start and the potential is promising and should have been looked into a long time ago.

Commissioner Howard asked Mr. Brown to address other options for funding the projects. Mr. Brown stated that in speaking with Commissioner Howard, he was unable to look at his computer for specific information, so the numbers he used were off the top of his head. He explained that, regarding the LED streetlights, he felt the City could fund them without borrowing; regarding the AMI portion, the question is 'how much could we (borrow)'. He referenced the recently adopted Financial Management Policy, which requires cash on hand to be 90 days for utility; as of today, the

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City is at 105 days. If the LED portion is paid for today, for 2019 it puts the City at 87 days, at the 90 day threshold, with the balance that day being approximately \$45.0 million. He explained that the utility turns over approximately \$13-14.0 million/month and staying within the 90 days, the \$45.0 million could be significantly reduced. He stated that the goal of staying within the policy, while maintaining the cash needed for ongoing operations, the \$20.8 million would perhaps need to be financed, adding that he would need to consult with the City's financial advisor for a recommendation on which way to proceed. The goal is to not violate the cash on hand policy and to look at the most feasible financial options. If the City needs to finance the entire project, he said he is certain we would get the best rate, adding that all variables must be kept in mind as we move forward and decide how much immediate cash outlet we are prepared to pay out. Commissioner Howard asked if the City combines the lights and AMI, the total is approximately \$27.0 million; Mr. Brown replied in the affirmative. Commissioner Howard asked if he feels comfortable that the \$6.5 million could be paid without borrowing; Mr. Brown said that he feels comfortable making that statement. He reported that the total \$27.3 million could have an estimated annual payment of approximately \$3.3 million, which possibly could be lowered to \$2.3/4 million. If the street light part was not financed and paid for outright, the debt service could be lowered \$8-9,000/annually.

Mayor Hubbard asked Mr. Brown to discuss the City's debt and items that are planned to be paid off. Mr. Brown stated that we look at the utility collectively when looking at cash on hand, so even if it dips down to 87 days, based on today's information, it jumps back up over the 90 day threshold the following year because of the sewer bond that will be paid off next year (\$2-2.5 million/year); the final payment will be made on a water bond this year (approximately \$1.0 million/year); therefore, the utility is collectively paying off some debt. He advised that when Davenport made their presentation, they felt that the City was well-positioned to take on debt, specifically, the utility light fund was in a position to take on approximately \$77.0 million of debt and, if the debt is only \$20.0 million, the City is looking at less than a third of the capacity – with the City not wanting to max that out in the first place. Mayor Hubbard clarified that the City is not going over heels in debt; Mr. Brown concurred and explained that the primary driver for the rate increase was the declining demand; however, what the City has in place today can support this project. Some of the project will have to be financed, but possibly, not the entire amount. The City must stay prepared for unforeseen events that could deplete its cash on hand.

Mayor Pro Tem Langstaff asked the City's current total debt; Mr. Brown replied approximately \$14.0 million, maybe even less. Mayor Pro Tem Langstaff asked if our borrowing capacity is \$60.0 million; Mr. Brown replied that the amount is just in the light fund; the capacity was actually \$100.0 million, but establishing a debt coverage ratio of 1.3% it was \$77.0 million and the desire is to adhere to the \$77.0 million. Mayor Pro Tem Langstaff asked at what point the City will lose its most favored rate. Mr. Brown advised that the City would not want to do that, as it would max out our capacity. If the City assumes \$20.0 million, when the rating agency looks at the light funds capacity for debt, they will look at the City's policy for cash on hand; policies requiring the City being able to cover its debt 1.3 times – all of which will enhance our interest rate when the advisor tries to get the best rate. Mayor Pro Tem Langstaff asked if we have a policy in place regarding the maximum debt that we will take on; Mr. Brown replied in the affirmative and said he can provide the amount. Mayor Pro Tem Langstaff explained that his question is based on a report about the lift stations, but we don't have a number on that cost, and we will be putting out for bid a stormwater analysis that will advise the City what it needs to be doing citywide, which includes the CSI. While at this point we don't know those numbers, but one is expected to be ridiculously high. He suggested being prudent and avoid overextending borrowing and then asked if we have sewer in SPLOST. Mr. Brown replied in the affirmative. Mayor Pro Tem Langstaff mentioned the line item in Recreation for the trails and suggested that if money is saved on the trails, maybe \$500,000, that amount could be moved over to the sewer project and put toward lift stations. Phil Roberson, Asst. City Manager, explained that the City Attorney would have to speak to that because on the referendum one was under recreation and the other was under sewer. Mayor Pro Tem Langstaff mentioned a fixed amount for each category and asked if a project came in lower than estimated on the SPLOST referendum, the balance could be moved to another project. Mr. Davis advised that if a project is completed, the balance of any funds are allowed to be moved to another project on the ballot. Mayor Pro Tem Langstaff mentioned that funds allocated for sewers in SPLOST are not enough to complete all of the projects. Mr. Roberson agreed, adding that those funds were set aside to help finance the debt service on the GEFA loan. Mayor Pro Tem Langstaff asked Mr. Brown if he had ascertained the

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maximum debt the City is allowed to assume. Mr. Brown replied that the policy sets the City's percentage at 1.75% and the general fund is currently at .1%; adding that the ADICA bond (\$3,330,000/annually) as the only debt supported by the general fund; TAD is bringing in \$315,000. With the brewery now downtown, he explained that the TAD should pay its full debt on its own this year. He reiterated that the City maximum debt allowance is 1.75%, which is currently .1%. Mayor Pro Tem mentioned notice of state/federal grant applications with required city matching and asked to ensure that the matching funds are available in the event the City is awarded those grants.

Commissioner Fuller stated that today's discussion focused on the exact financing of the project, which has not yet been determined and feedback from citizens once the streetlights are in operation. He said that at that point, the City will know if the project is worthy of moving forward; he recommended moving forward with the pilot program, with the potential to pay cash and agree to discuss financing further and that we agree today to not borrow the entire amount, but agree that there will be discussion – maybe put down 20% and finance 80%, or whatever amount, by reaching consensus.

Mr. Norman clarified that the pilot is a testing phase; the product has been selected and has a proven track record that has been tested and approved worldwide; he briefly discussed the implementation process and issues with current meter systems. The request today is approval to get the project off the ground and running. In response to Mayor Pro Tem Langstaff, he advised that he is not referring to the billing software, which is a different and separate software; he is referring to software that runs the AMI network, which collects data from the meters. CIO Steven Carter stated that the two projects happen to be running concurrently, but have not been overlapping. As stated by Ms. Subadan, he explained the utility billing software requirement, whether or not the City moves forward with the second part of AMI, adding that every month some of the 'reads' from the AMI project, will be fed into the billing software to bill customers – that's the only connection between the two. In response to Mayor Pro Tem Langstaff, he said that the rollout of the billing software will happen prior to the test program. The intent is to move forward, bring a decision to the Commission for approval to initiate negotiations with a vendor. Mayor Pro Tem Langstaff asked if the AMI test program was unsuccessful, the City would still have new billing software; Mr. Carter agreed; adding that a new billing system is needed regardless of the decision about AMI. Mayor Pro Tem Langstaff mentioned LED, stating that it is his understanding that the contract now under consideration, does not address underground problems. Mr. Norman advised that underground problems were addressed through SPLOST funding with one having been bid out. In response to Mayor Pro Tem Langstaff, Central Services Director Yusef Fields said that bids total in the \$3-4.0 million range. Mayor Pro Tem Langstaff mentioned that there are still issues with the lift station assessment and estimate, with a possible \$100 million tag; we need to prioritize projects especially since the lift stations are in need of immediate attention. At this moment, he stated that his vote would be to table this until the next session and set priorities; even though he supports the City's need to go to AMI, as well as LED, for various reasons, he said he does not want to rush and spend money on one thing when the need is greater on another.

Mayor Hubbard asked Mr. Brown if the City has access to storm mitigation funds that could help with the underground infrastructure for utility. Mr. Brown replied that he remembers at the last meeting Paul Forgey, Planning Director, spoke of a grant application, with funds being put in SPLOST VII to address underground issues. Bids came in at \$3-4.0 million, as Ms. Fields stated, with \$6.0 million being set aside in SPLOST VII.

In reply to Mayor Pro Tem Langstaff on whether the AMI/LED bids are time sensitive, Ms. Fields replied that typically, bids are good for 60 days, and the City has had these bids for a while. Mayor Hubbard asked if we have 30-45 days. Asst. City Manager Stephen Collier interjected that the City would go back to the contractor and asked for the additional time. Mr. Roberson advised that there are two analyses coming back, in addition to the CSO, with the first one being the 10-11 critical lift stations on the river. He then asked Mr. Brown to address whether or not the Sanitary Sewer fund has the ability to cover debt/expenses associated with the lift stations on the river and how it comports with the current discussion. Mr. Brown again explained the sewer debt service that will be paid, adding that with the \$2.7 million freed up it will be able to support an approximate \$33.6 million bond issuance. The sewer fund has approximately \$12.0 million at this time; therefore, he said his level of comfort is high and that if we have sewer issues that had to be financed tomorrow,

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the City would be able to support this expense. If the concern is approving \$27.0 million today and having to spend \$15.0 million next month, that would not be a problem and would not put the City in a financial bind/crisis. Mr. Roberson mentioned the tornadoes of 2017 and the loss of power, in which Georgia Power was equipped to disseminate information to customers, as well as reinstate power so much more efficiently. He added that the City is dealing with more frequent outages than ever before and, while AMI will not solve outages for critical infrastructure, it will be helpful in diagnosing where problems are located.

Commissioner Fletcher mentioned the City's infrastructure problems with lighting, utilities and underground; however, we have a team which analyzed those problems and made recommendations to correct them. She suggested that, at this moment, a lot of frustration will be felt if the Commission tables this matter, adding that even if the City has to borrow \$44.0 million, the Finance Director has assured us that it is feasible.

Mayor Pro Tem Langstaff stated that he is more sold on AMI, because of the need, than he is on the LED, which he sees as more of a luxury. He mentioned that only the heads, not the poles will be replaced on streetlights, adding that he sees no justification for taking out perfectly good bulbs, which were recently put in, and replacing them with LED bulbs. The argument can be made – why doesn't the City do what is absolutely necessary first; do LED's in places hard-hit by storms. In response to comments made by Mr. Roberson, Mr. Norman stated that repetitive failures are already occurring on Westover, explaining that high-pressure sodium lamps last only two years. He stated that maintenance is an issue with the high-pressure sodium lamps; the City switched to them in the early '80's and it has been a constant battle since installing them. He briefly discussed the benefit of LED's.

Commissioner Marietta stated that a motion has been made and seconded, with a friendly amendment, which he accepted: the 'not to exceed amount' and language requiring the contract to be separately approved. He asked to call the question.

Commissioner Fuller asked if the pilot program is more heavily funded than on the cost of setting up the infrastructure, will there be 2,000 meters in the test phase. Mr. Johnson explained that it is not all that much front-loaded; the communication infrastructure will include a trial piece as well; the vast majority of the money is for meters. He added that the software system would be the front-loaded piece of it, with meters being an incremental piece of the total; generally the test phase is approximately \$1-1.5 million.

In response to Commissioner Howard, Ms. Fields said that they have had estimates for the AMI since January. The June 13 bid for LED was good for 60 days and it is a total package. She suggested that both don't have to be done at the City will be in a better position to do both at the same time.

Mayor Hubbs advised that the maker of the motion accepted the friendly amendment. Commissioner Fuller clarified his friendly amendment to say that the Commission approves the City Manager to move forward with discussion to negotiate a contract that will come back for the Commission to approve and not to exceed, according to the resolution. Hearing no further discussion, the motion unanimously carried.

Mayor Pro Tem Langstaff moved to adopt the following resolution, seconded by Commissioner Fletcher; the motion unanimously carried.

A RESOLUTION NO. 18-R150

Authorizing submission of application for a 2018-2019 Edward Byrne Memorial Justice Assistance Formula Grant (JAG); authorizing execution of Intergovernmental Memorandum of Understanding Agreement between the City of Albany and Dougherty County.

Mayor Pro Tem Langstaff moved to adopt the following resolution, seconded by Commissioner Fletcher; the motion unanimously carried.

A RESOLUTION NO. 18-R151

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Requesting the Albany Dougherty Planning Commission to review and make recommendation to the City Commission re: revision to the City’s Solar Power Regulations

Mayor Pro Tem Langstaff moved to table the following resolution until the next meeting, seconded by Commissioner Howard; the motion failed 2-4 with Mayor Hubbard and Commissioners Fuller, Fletcher, Marietta voting no.

Commissioner Fuller moved to keep the Thronateeska section intact as it currently is with the concrete and brick pavers, review other cost savings through further value engineering while working with residents and business owners to discuss working around trees, signage, etc. as feasibly as possible, seconded by Commissioner Marietta; the motion carried 4-2 with Mayor Pro Tem Langstaff and Commissioner Howard voting no.

A RESOLUTION NO. 18-R152

Authorizing use of SPLOST VII funds for Downtown Connector Traffic

Commissioner Marietta moved to adopt the following resolution, seconded by Mayor Pro Tem Langstaff; the motion unanimously carried.

A RESOLUTION NO. 18-R153

Authorizing use of SPLOST VI funds for Westover Blvd. & Gillisville Rd. for traffic signals/street improvements.

At 11:58 a.m., Mayor Hubbard called for a motion to extend the meeting beyond 12 noon in order to go into Executive Session; Mayor Pro Tem Langstaff so moved, seconded by Commissioner Fletcher; the motion unanimously carried.

Commissioner Fuller moved to approve a 60-day moratorium on demolitions in the Historic District, seconded by Mayor Pro Tem Langstaff; the motion unanimously carried.

At 12:00 pm Mayor Pro Tem Langstaff moved to enter into Executive Session to discuss property acquisition and disposition, seconded by Commissioner Fletcher; the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	absent
Mayor	yes

At 1:05 p.m. Commissioner Howard moved to exit executive session, seconded by Commissioner Fuller; the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	absent
Ward V	yes
Ward VI	absent
Mayor	yes

There being no further discussion, the meeting adjourned at 1:05 p.m.

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MAYOR

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ATTEST

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CITY CLERK

**DRAFT**