

CITY COUNCIL  
ATLANTA, GEORGIA

A Resolution

By: Finance/Executive Committee:

02-R -0193

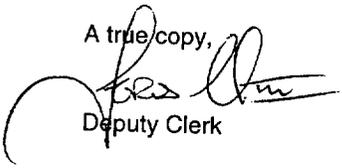
A RESOLUTION URGING THE 2002 GEORGIA  
GENERAL ASSEMBLY TO SUPPORT THE  
CITY OF ATLANTA'S 2002 LEGISLATIVE PACKAGE.

WHEREAS, the City of Atlanta has prepared its Legislative Package for presentation to the 2002 Georgia General Assembly; and

WHEREAS, the 2002 Legislative Package contains legislation that will impact the City of Atlanta, and in some cases, the State of Georgia, particularly in the areas of Appropriations, Economic Development, Housing, Municipal Government, Public Works, and Ways and Means.

NOW THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE COUNCIL OF ATLANTA, GEORGIA, that the 2002 Georgia General Assembly is urged to support the City of Atlanta's 2002 Legislative Package, which includes the proposals shown on Exhibit A attached hereto and incorporated herein by reference.

A true copy,

  
Deputy Clerk

ADOPTED by the Council  
APPROVED by the Mayor

FEB 04, 2002  
FEB 12, 2002



**City of Atlanta**  
**2002 Legislative Package Proposals**  
Office of Intergovernmental Affairs

**1. Criminal Justice**

- Support legislation to authorize parole for juvenile offenders serving mandatory sentences in adult facilities.

**2. Economic Development**

- Amend Business Expansion Support Act to allow the job credit provision to include undeveloped census tracts in urban areas.
- Amend Atlanta's Urban Enterprise Zone Act to create a new 'brownfield' category.

**3. Homeland Security**

- Support legislation to amend Open Records Act to exempt security plans of water utilities.
- Seek support for security expenses incurred post September 11<sup>th</sup>.
- Support State income tax exemption for salaries of sworn officers.

**4. Housing/Homelessness**

- Support legislation prohibiting predatory lending.
- Seek increased state funding for treatment/housing facilities for the mentally ill/substance abusers.

**5. Municipal Government**

- Support legislation to amend Open Records Act so as to provide an exemption for homicide photographs.
- Seek participation in the Legal Loan Forgiveness Program.

**6. Revenue/Fiscal**

- Amend City of Atlanta charter to allow the levy of a three (3) % excise tax on beer and wine sales.
- Amend State law to allow the issuance of commercial paper and other financial instruments by the airport.
- Seek to have the MARTA Tax excluded from the cap on local option sales taxes.

**7. Transportation**

- Support the establishment of a committee to study regional transportation and MARTA funding.
- Seek State matching funds for the initial stages of the Atlanta Multi-Modal Passenger Terminal.

# City of Atlanta



## 2001-2002 Proposed Legislative Package



**City of Atlanta**  
**2002 Legislative Package Proposals**  
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- Support legislation prohibiting predatory lending.
- Request increased state funding for treatment/housing facilities for the mentally ill/substance abusers.

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- Amend City of Atlanta charter to allow the levy of a three (3) % excise tax on beer and wine sales.
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- Exclude MARTA Tax from the cap on local option sales taxes.

**7. Transportation**

- Support the establishment of a committee to study regional transportation and MARTA funding.
- Seek State matching funds for the initial stages of the Atlanta Multi-Modal Passenger Terminal.



**PROPOSAL:**

**Support legislation which provides the possibility of parole to children serving mandatory sentences in adult prisons.**

**BACKGROUND:**

Existing law requires mandatory sentences for juvenile offenders convicted of one of the so-called "Seven Deadly Sins". Statistics reveal the majority of these juvenile offenders are sentenced for armed robbery. The children are then housed with adult prisoners, provided with inadequate education and training, and are uniquely vulnerable to abuse.

The 1998 Children's Defense Fund Report states: "Children in adult prisons are eight times more likely to commit suicide, five times more likely to be sexually assaulted, and two times more likely to be assaulted by staff than are children in juvenile facilities".

The City of Atlanta supports efforts to enact laws and regulations to allow children tried and convicted as adults to be eligible for release on parole.

HB269 : Juvenile courts; transfer of cases from superior courts

A BILL to provide for procedures concerning the transfer of cases involving certain children from the superior court to the juvenile court and for the consideration of children tried and convicted in superior courts by the Board of Pardons and Paroles; t

**House Committee:** JUDY

**Senate Committee:**

### Sponsors

- Ragas,Arnold 64 th
- Martin,Jim 47 th

### History

Date	Action
2001-01-25	House Hopper
2001-01-26	House First Readers
2001-01-29	House Second Readers
2001-02-26	House Committee Favorably Reported
2002-01-14	House Withdrawn, Recommitted

### Full Text

01 LC 29 0128S

The House Committee on Judiciary offers the following substitute to HB 269:

## A BILL TO BE ENTITLED AN ACT

To amend Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to pardons and paroles, so as to provide specific powers and duties of the Board of Pardons and Paroles concerning children who have been tried and convicted in superior court; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

### SECTION 1.

Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to pardons and paroles, is amended by inserting a new Code section to be designated Code Section 42-9-23 to read as follows:

"42-9-23.

Notwithstanding any other provision of law including mandatory sentences, the board shall have the power to release on pardon or parole individuals tried and convicted as adults pursuant to paragraph (2) of subsection (b) of Code Section 15-11-28 only if the board finds that there is reasonable probability that, if the offender is so released, he or she will live and conduct himself or herself as a respectable and law-abiding person and that his or her release will be compatible with his or her own welfare and the welfare of society."

## SECTION 2.

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

[Return to Legislative Search](#)

## ECONOMIC DEVELOPMENT

### Amend the 1998 Amendment to the 1995 Georgia Business Expansion Support Act

#### Proposal:

Request the 2001 Georgia General Assembly to enact legislation which would amend the 1998 Amendment to the 1995 Georgia Business Expansion Support Act, to include income job tax credits, for retail businesses, within underdeveloped census tracts which have been deemed eligible for incentives provided in said act. *These tax credits would be given to retail business which create jobs that pay 50% more than the minimum wage rate.*

#### Background:

The 1995 Georgia Business Expansion Support Act provides for a statewide job tax credit for any business or headquarters of any such business engaged in manufacturing, warehousing and distribution, processing, telecommunications, tourism, and research and development industries, but did not include retail businesses.

The above act was amended in 1998 (48-7-40.1 G) to include job tax credits for businesses of any nature, including retail businesses, in counties recognized and designated as the 40 least developed counties. The Georgia Department of Community Affairs (DCA), the administrator of the 1995 Georgia Business Expansion Support Act program, states that under the amendment, only the 40 least developed counties are eligible for the increased incentives. The amendment did not include similar eligible census tracts.

1. It is believed that census tract were inadvertently omitted from the 1998 Amendment. There appears to be no reason to treat census tracts differently within the Act, in this one instance.
2. Many of the eligible census tracts within the City of Atlanta, and other urban areas within the State, are finding it increasingly difficult to attract any business engaging in activities currently provided for in the Georgia Business Expansion Support Act, specifically, manufacturing, warehousing and distribution. This difficulty is due to the urban nature of the census tracts, which are dealing with an overloaded transportation system and increasing land costs. An examination of the needs of the eligible census tracts in the City of Atlanta shows a strong need for retail job tax credit incentives.
3. Many of the State's urban areas will benefit greatly by offering this incentive for the following reasons:
  - Provide jobs in disadvantaged communities.
  - Increase economic development within the State, in general.
  - Increase development in underdeveloped urban areas, which already have infrastructure (in depressed areas most infrastructure is severely underutilized) saving taxpayers from additional infrastructure costs.
  - Increase density of development prompting less sprawl, prompting smaller commute times resulting in less air quality problems.
  - Provide incentives for additional brownfield development and clean up.
  - Preserve and enhance undeveloped land on outskirts of urban areas.

Atlanta Development Authority has been working on several projects that are located in census tracts that have been deemed eligible for incentives provided in the above mentioned Act. These projects include the Historic Westside Village and Centennial Place, both key developments in the area of Centennial Olympic Park.

Communities with underdeveloped urban areas support the proposed amendment to the 1998 Amendment of the 1995 Georgia Business Expansion Support Act to allow for counties and equivalent census tracts to be treated the same, which was the original intent of the 1995 Georgia Business Expansion Support Act.

**PROPOSAL:**

**Amend the Atlanta Urban Enterprise Zone Act of 1983 to provide for an Atlanta Urban Enterprise Zone Program to create new development on distressed properties throughout the City of Atlanta.**

**BACKGROUND:**

The Atlanta Urban Enterprise Zone Act authorizes the City of Atlanta to designate socially and economically depressed areas as “enterprise zones” and to abate property taxes over a period of time, based on new development or rehabilitation of property. Currently, there are six types of UEZ zones: Housing, Residential/Commercial, Industrial, Commercial/Industrial, Mixed Use, and Business.

The City has had a brownfields pilot assessment program since 1997. During this time period, approximately 650 sites throughout the City, of varied size, have been identified as potential brownfield sites. New growth in the City has increased annually and has rapidly increased since the Olympics. Large tracts of land for new commercial and residential development in the City have diminished over the years, and developers are looking for alternative land uses for new development potential. The North Yards and Atlantic Station projects are examples of former brownfield sites being used for new development.

This proposed amendment would promote brownfield sites as alternative sites for new commercial and residential development throughout the City, enhancing economic development in neighborhoods throughout the City. Additionally, renovation and/or redevelopment of old industrial plants would remove eyesores in many areas.

The City expects additional EPA brownfields pilot assessment funds to be allocated to the City in the years 2002-2006. These funds can be used to identify sites for development or to provide assessment services for developers. The allocation of abatements would remain consistent with existing guidelines for relevant zones.

## **Proposal: Amend State law to Exempt Water Utilities from the Open Records Act**

### **BACKGROUND:**

Since September 11, 2001, water utilities throughout the country have been on a state of high alert at the advice and direction of the Federal Bureau of Investigations (FBI) and the Environmental Protection Agency (EPA). There have been indications that critical water resources, facilities or infrastructure could become targets for future terrorist activities.

Atlanta is in a position of having prepared and implemented high-level security plans in the past. In preparation for hosting the Summer Olympic Games in Atlanta in 1996, the Water Department hired security consultants to conduct a very detailed vulnerability assessment of all the water facilities. This information was used to develop plans, make certain installations and implement various security procedures during this time period.

Due to the events of September 11 and the fact that water utilities are very much a part of the homeland protection force, the City of Atlanta is again taking extraordinary measures to protect the safety of the public drinking water supply. These measures include physical security barriers, electronic monitoring and surveillance devices, and special analytical equipment to detect a variety of highly toxic substances in the water. Early detection and rapid response times are critical.

The security plans and vulnerability risk assessments of water utilities throughout the state should be exempt from requests under the Open Records Act. Water professionals charged with the responsibility of protecting the water supply should be granted some discretion in dispensing information to the public. Too much information regarding the security or vulnerability of critical facilities would not be in the best interest of the citizens at large.

While cities want to assure citizens that they are doing everything possible to protect their drinking water supply, cities do not want to reveal the intricate details of those plans to the public. Too much information in the public domain (and ultimately in the wrong hands) could be counter-productive to the goal of providing a secure, high quality supply of drinking water to the citizens of Atlanta.

A BILL TO BE ENTITLED  
AN ACT

1 TO AMEND code section 50-18-72 of the official Code of Georgia Annotated, relating to  
2 When public disclosure is not required and the disclosure of exempting legal authority, so as  
3 To provide that security plans and vulnerability assessments of public water systems shall not  
4 Be subject to public disclosure; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public  
8 Disclosure is not required and disclosure of exempting legal authority, is amended by  
9 Striking the word "or" at the end of paragraph (13.1) of subsection (a); by striking the period  
10 At the end of paragraph (14) of such subsection and inserting in lieu thereof the symbol and  
11 Word "or"; and by inserting at the end of such subsection the following:  
12 "(15) Security plans and vulnerability assessments of public water system."

13 SECTION 2.

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



**Proposal:**

**Seek reimbursement from the state for expenses incurred by the City of Atlanta as a result of the state of emergency after September 11. The sought-after reimbursement will be only for police, fire, and other public safety expenses.**

**Background:**

As a direct result of the terrorism of September 11<sup>th</sup> and the ensuing anthrax threats, the City of Atlanta immediately put its police and fire departments on alert, as did Hartsfield airport. Large amounts of overtime were accordingly accrued. Security measures were implemented at the city's water treatment facilities, and hazardous materials processing capabilities were improved throughout the city.

All of the security measures for which the City of Atlanta is seeking reimbursement benefit not just the citizens of Atlanta, but also throughout the region, and in the case of the airport, the world. Under normal circumstances, the City of Atlanta partially compensates for expenses associated with providing public safety for non-residents through revenue from the sales tax. The events of September 11<sup>th</sup> reduced the available funds while requiring drastic response.

**Proposal:**

**Support legislation which waives state income taxes for all sworn officers (e.g. police, fire, corrections officers).**

**Background:**

Due to the events of September 11<sup>th</sup>, Georgia's public safety personnel are being asked to take on more responsibilities at a time when budgetary crises among local governments make additional compensation unlikely. As a way of rewarding their crucial service, the City of Atlanta believes that the State of Georgia should make the salaries of sworn officers exempt from state income taxes, which would raise their take home pay by approximately 6.4%.

## **HOUSING**

### **Support legislation addressing the issue of predatory lending**

#### **Background:**

Housing is one of the most important assets held by residents and taxpayers in the City of Atlanta, including that portion of the City of Atlanta in DeKalb County. An individual's investment in housing often represents the single most significant financial commitment of a lifetime. It is in the best interests of the City of Atlanta to help protect these assets in order to promote and preserve viable and prosperous neighborhoods throughout the City.

Homeowners of the City of Atlanta, particularly African-American and elderly residents of the City of Atlanta are increasingly targeted by companies who engage in abusive and predatory lending practices, for the purpose of increasing the likelihood of foreclosures and the opportunity to take title in such properties.

The Metropolitan Atlanta area is number one in the nation for foreclosures, and during 1999, there were more than 7,348 foreclosures in the City of Atlanta, Fulton and DeKalb Counties.

It is the policy and intent of the City of Atlanta that the level of homeownership in the City of Atlanta is increased, and that the residents, taxpayers, and families of the City of Atlanta are protected from predatory lending practices to the fullest extent permitted by law.

The City of Atlanta encourages the federal, state and county governments, as well as the Freddie Mac and Fannie Mae lending agencies, to better regulate and expose predatory lending practices, in order to ensure that homeowners are not victimized by such practices and in order to ensure that there are laws in place to criminalize such practices.

Freddie Mac, Fulton and DeKalb Counties and the City of Atlanta have joined together in the "Don't Borrow Trouble" campaign, recently launched in the Atlanta area to alert local families about the dangers of predatory lending.

The City of Atlanta supports all efforts by federal, state and county authorities to enact laws and regulations, which prohibit and criminalize predatory lending practices.



**Proposal:**

**The City of Atlanta requests additional state funding to help deal with the housing crisis for the mentally ill.**

**Background:**

Atlanta is home to an estimated 11,000 homeless citizens. Especially devastating is the large percentage of the mentally ill without a home. While no precise numbers have been calculated for the Metro area, the number of homeless persons suffering from mental illness is disproportionately high. They remain homeless for longer periods of time, tend to be in poorer physical health, and have more adverse encounters with the legal system. Special attention must be given to this unique population.

Two state funding options are available for the elimination of homelessness among the mentally ill.

*(1) Apply for matching funding from the state for grants from HUD via the Continuance of Care Program*

The Continuance of Care program is a grant administered by the Department of Housing and Urban Development (HUD) under Title IV of the McKinney Homeless Assistance Act, the only major federal legislation addressing homelessness. HUD defines this plan as one that seeks to "organize and deliver housing and services to meet the specific needs of people who are homeless... [and] includes action steps to end homelessness. . ."

Metro Atlanta has been and continues to be a recipient of these federal funds. The City was given its first grant in 1995 through the Task Force for the Homeless as the grantee and administrator. The award was \$ 12.5 million. Since 1999, however, the amount of funding has decreased significantly. In 2001, the City only received \$ 6 million.

The Task Force for the Homeless is a collaborative tri-jurisdictional entity. Representatives from the City of Atlanta, Fulton County, and DeKalb County work together to create a comprehensive plan to tackle homeless issues until one application is completed.<sup>1</sup> The application process begins in February when the amount of available funds is posted. The deadline is usually early August.

In the past the state has matched the entire amount of federal dollars. Unfortunately, within the last few years the State has chosen which programs it will fund on a case by case basis.

*(2) Apply for funding via the Georgia State Housing Trust Fund*

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<sup>1</sup> Competing applications for overlapping municipalities and counties are not accepted.



The State Housing Trust Fund for the Homeless Commission awards money to nonprofit and local organizations through the Emergency Shelter Grant Program to support the operation of shelters, transitional housing, and essential services for the homeless. The Trust is administered in partnership with the Georgia Department of Community Affairs. In 2001 the Task Force for the Homeless received \$ 55,000 in assistance. The prospects are even bleaker this year with the looming recession and impending budget cuts.

Addressing Atlanta's homelessness can be done through application for federal funds with the request that the state match all of the money instead of only specific projects. Alternatively, the City can press the state for an increase in the money it gives to the Housing Trust Fund, so they in turn can allot the Task Force for the Homeless greater award money.

## MUNICIPAL GOVERNMENT

### Amendment to Open Records Act

#### Background:

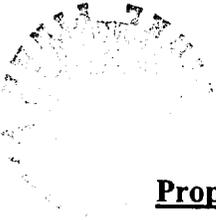
This proposal seeks to amend the Open Records Act to expand the list of records which are specifically exempt from disclosure so as to include photographs of bodies of homicide victims taken as part of a closed law enforcement investigation.

Recently, the City's Law Department had to respond to an open records request whereby the requested file included photographs of a homicide victim. Research on the issue of whether to disclose photographs of bodies of homicide victims in the context of newspaper's open records request revealed no case law specifically addressing the question. However the research did indicate that where the homicide was a matter of public interest or was the subject of a legal investigation, disclosure of pictures of the victim did not constitute an invasion of privacy. For the Atlanta Police Department, every homicide is the subject of a legal investigation so, on that basis, the requested homicide photographs were turned over to the newspaper.

However, the City of Atlanta Law Department released the photographs to the newspaper with a cover letter indicating the City's concern with the privacy rights inherent in the disclosure of such photographs. It is this issue of compassion for victims of homicide crimes and the relatives of the homicide victims that serves as the basis for this proposed amendment to the Open Records Act.

The proposed amendment would indicate:

*For purposes of this subsection, photographs of bodies of homicide victims taken as part of a closed law enforcement investigation of the homicide are exempt from disclosure, unless the deceased's heirs at law specifically release the photographs. The party requesting the photographs shall have the duty of securing a release from the deceased's heirs at law.*



**Proposal:**

**Seek funding for City of Atlanta participation in the Georgia Legal Loan Forgiveness Program.**

**Background:**

The difficulty municipalities, counties, and other government branches have attracting and retaining competent counsel has been well documented, most recently by the Governor's Legal Loan Forgiveness Task Force. Their central conclusion was that increasing levels of student debt combined with growing inequities between public and private sector salaries create increasing disincentives for promising young students to pursue careers in public law departments. These recruitment problems result in an even higher caseload for those who do choose to serve, which in turn results in higher turnover rates, reducing the quality of services available.

The Task Force recommended that the State of Georgia form a program to pay off student loans for lawyers who were willing to work for government agencies. Their initial recommendation was that this program be limited to DA's offices, public defenders, and attorneys working for the Georgia Department of Law. The City of Atlanta believes that municipal governments face the same problems recruiting and retaining competent lawyers as do the above entities, and therefore should be included in the program funding.

**A RESOLUTION BY**

**01- R-1858**

**A RESOLUTION TO INCLUDE IN THE CITY'S 2002 LEGISLATIVE PACKAGE. A CHARTER AMENDMENT ALLOWING THE IMPOSITION OF AN EXCISE TAX ON BEER AND WINE BY THE DRINK WITHIN THE CORPORATE LIMITS OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.**

WHEREAS, the City Charter of the City of Atlanta, Section 6-102 authorizes the governing body to levy excise taxes; and

WHEREAS, the City seeks to impose a three percent (3%) excise tax on beer and wine by the drink within the corporate limits of the City of Atlanta; and

WHEREAS, the imposition of an excise tax on beer and wine by the drink has the potential increase in general fund revenues of approximately \$ 2.5 million dollars per annum.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES AS FOLLOWS:**

That the City of Atlanta's 2002 legislative package include a request to amend the Charter of the City of Atlanta, so as to authorize the City to levy a three percent (3%) excise tax on the gross receipts of beer and wine by the drink.

## **REVENUE ENHANCEMENT**

### **Commercial Paper Authorization**

#### **Proposal:**

Authorization for local governments in Georgia to issue "commercial paper" and execute "derivative contracts" to help finance capital improvement projects in the interim prior to long-term debt issuance.

#### **Background:**

Commercial paper is an innovative and flexible short-term financing tool, used currently by private corporations and local governments in other states including Maryland, Virginia, and most recently, the State of Tennessee. Commercial paper is short-term debt used primarily for working capital, acquisition and project financing. Commercial paper debt may be paid off at the convenience of the issuer, i.e., usually after permanent financing has been secured at the lowest cost available. The maturity for commercial paper can extend from 1 to 270 days (9 months) and is generally rolled over in a variable rate interest mode, thereby offering the issuer a great deal more flexibility.

Derivatives are contracts that are derived from some underlying asset, reference rate or index, including interest rates, foreign exchange rate, other fixed income instruments and commodities. The four most common types of financial derivatives are swaps, forwards, futures and options. If this proposal is enacted by the General Assembly, local governments would only be able to issue commercial paper and derivatives in anticipation of a legally authorized bond issue. The proceeds of the commercial paper issue could not be used for operating purposes.

If the State gives the authority to issue these types of negotiable instruments, it could be restricted to revenue fund operations. (i.e. those agencies which operate from it's own self-generating enterprise funds). Examples in the City of Atlanta would be the Airport, Water and Sewer divisions. Hartsfield International Airport has a 1 Billion dollar, 10-15 year MasterPlan project that it is currently operating. Likewise, the City's Water/Sewer department has a 2 Billion dollar Capital Improvement Program. It also has the unique challenge of meeting so many State mandates, that it could really benefit from this same flexibility in financing these projects.

Although municipalities in Georgia are not permitted by State law to issue commercial paper, separate authorities within the State, such as the Municipal Electric Authority of Georgia (MEAG) have already taken advantage of the commercial paper market. Revenue issuers, such as airports and water and sewer systems, with large capital programs are the primary users of commercial and derivatives, given its low cost and flexibility. Examples of airports that have issued commercial paper include San Francisco, San Diego, Orlando and Indianapolis. With such large airport capital programs across the country, there are many other airports contemplating the use of commercial paper. Los Angeles Airport is currently considering a \$500 million commercial paper issuance to start its capital improvement program and Dallas Fort Worth Airport has amended its bond ordinance to provide for the ability to issue commercial paper which is already legally permitted in the State of Texas.

#### **Benefits To Atlanta:**

This temporary financing would allow the City to proceed with critical projects during periods of fluctuating interest rates, with the opportunity to find the most cost-effective permanent financing in the future while taking into consideration the prevailing interest rates. Therefore, critical projects would be completed more quickly and at the lowest possible financing costs.



**PROPOSAL:**

**Exclude MARTA Tax from State imposed 2% local option sales tax cap.**

**BACKGROUND:**

Fulton and DeKalb Counties are the only counties in the State pre-empted from levying both a one percent local option sales tax for property tax reduction, and a one percent local option sales tax for capitol improvements.

Current State Law sets a two percent cap on total local option sales tax levies. Atlanta and Fulton County currently collect one percent for MARTA and one percent for the property tax reduction. Other counties are able to initiate capitol improvement initiatives funded by a one percent SPLOST subject to countywide referendums, which Fulton and DeKalb are not, due to the cap.

Fulton and DeKalb Counties, and the municipalities within these counties, have been placed at a disadvantage because of their support of MARTA. Inclusion of the MARTA tax under the state cap also serves as a disincentive for other counties to support MARTA, as they would then have to give up either property tax relief or capitol improvement. The proposed relief would reverse this disincentive, and perhaps even serve as inducement to join. Said one percent would mean close to 76 million dollars for critical capitol improvements in the City of Atlanta.



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

BY: COUNCILMEMBER FELICIA MOORE

*Chair Moore*  
*Clara Stowder* *Chair Miller* *Carla Smith* *02-R-0160* *Mayor Norwood*  
*John Starn* *Howard Shook*

A RESOLUTION IN SUPPORT OF LEGISLATION BY THE GENERAL ASSEMBLY TO  
CREATE A JOINT SENATE/HOUSE TASK FORCE TO EXAMINE FUNDING  
OPTIONS FOR MARTA, FOR THE PURPOSE OF MAKING A RECOMMENDATION  
FOR LEGISLATION TO BE ENACTED IN 2003 TO ESTABLISH A MORE  
EQUITABLE FUNDING PROGRAM; AND FOR OTHER PURPOSES

**WHEREAS**, the City of Atlanta and the metropolitan area faces serious problems of air and water pollution, over crowded roads and highways, overburdened public infrastructure, and other concerns caused by a growing population; and

**WHEREAS**, these problems threaten the physical, social and economic well-being of all citizens of the City of Atlanta and the metropolitan area, and

**WHEREAS** a regional transportation plan a public transit system, equitably funded by serving all of the jurisdictions in the metropolitan Atlanta area, is essential if the area is to effectively address these problems and concerns, and

**WHEREAS**, the State of Georgia, the Georgia Regional Transportation Authority ("GRTA"), the Atlanta Regional Commission, as well as various local government jurisdictions in the metropolitan Atlanta area all recognize the critical importance of MARTA in helping to address the serious pollution and transportation problems facing the entire area, and

**WHEREAS**, the original and present mechanism for funding the task of maintaining and improving MARTA may have been appropriate when MARTA was first established, the growth of the metropolitan Atlanta area and the regional population patterns that now characterize the metropolitan Atlanta demand a more fair and equitable funding program, and

**WHEREAS**, notwithstanding various agreements in place between MARTA, GRTA and the Counties of Cobb, Clayton and Gwinnett, which incorporate MARTA as an integral part of transportation systems serving areas outside of The City of Atlanta, Fulton and Dekalb Counties, only the City of Atlanta, Fulton and Dekalb Counties are required to levy a 1% sales tax, dedicated for the maintenance and improvement of the MARTA system, and

**WHEREAS**, while approximately 44% of the MARTA system's park and ride users reside outside of The City of Atlanta, Fulton and Dekalb Counties, only The City of Atlanta, Fulton and Dekalb Counties are required to levy a 1% sales tax, dedicated for the maintenance and improvement of the MARTA system, and

**WHEREAS**, for the year 2000 alone, the citizens and taxpayers of Fulton and Dekalb Counties Contributed approximately \$280 million in sales tax revenues to fund MARTA, funds which will not be available to provide for basic governmental and infrastructure needs within these Counties, and



**WHEREAS**, between 1991 and 2000, the 1% sales tax levied for MARTA only in The City of Atlanta, Fulton and Dekalb Counties, provided more than \$2.2 billion in revenue for MARTA, and

**WHEREAS**, MARTA has clearly become a regional transportation system, while the costs of maintaining and improving the MARTA system fall disproportionately on the citizens and taxpayers of the City of Atlanta, Fulton and Dekalb Counties, and

**WHEREAS**, the use of MARTA's resources to facilitate the development of local transportation systems outside of The City of Atlanta, Fulton and Dekalb Counties increases operating costs for MARTA, leading to higher fares, which ultimately makes the system less available to citizens and taxpayers in The City of Atlanta, Fulton and Dekalb Counties who most need access to public transportation, and

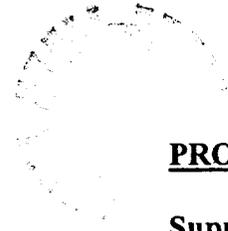
**WHEREAS**, a fair and equitable funding mechanism for MARTA, one which does not force the citizens and taxpayers of The City of Atlanta, Fulton and Dekalb Counties to bear the primary responsibility for the costs of MARTA, is appropriate and necessary for MARTA's continued financial health and to help MARTA successfully fulfill its responsibilities as a critical regional transportation system.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** that the City of Atlanta include in its Legislative Package to the Georgia General Assembly for consideration in this Legislative Session the creation of a joint Senate/House Task Force to Examine Funding Options for MARTA, for the purpose of making a recommendation for legislation to be enacted in 2003 to establish a more equitable funding program, and to remove the disproportionate burden upon The City of Atlanta, Fulton and Dekalb County citizens and taxpayers for the maintenance and improvement of the MARTA system.

**BE IT FURTHER RESOLVED**, that this Task Force be composed of metropolitan Atlanta area legislators, representatives of metropolitan Atlanta area local governments, as well as citizen representatives and other individuals having knowledge and expertise regarding MARTA.

**BE IT FURTHER RESOLVED**, that this Resolution shall become a part of the City of Atlanta 2002 Legislative Package to the Georgia General Assembly, and that the City, through its Office of Intergovernmental Affairs, provide a copy of this Resolution to each member of the Fulton and Dekalb County Legislative Delegations, as well as the Governor, Lt. Governor, and Speaker of the House.

**BE IT FURTHER RESOLVED**, that this Resolution shall become effective upon adoption, and that all resolutions and parts of resolutions in conflict with this Resolution, are hereby repealed to the extent of the conflict.



**PROPOSAL:**

**Support state appropriation of funds for the development of the Multi-Modal Passenger Terminal.**

**BACKGROUND:**

State matching funds will enable the City of Atlanta to acquire federal funding to move ahead with the initial stages of development of the Multi-Modal Passenger Terminal.

## TRANSPORTATION AND THE MULTI-MODAL STATION

Solving the congestion of metro Atlanta's roads is a key component to improving the quality of life overall in the City. We intend to work closely with the Atlanta Regional Commission and GRTA on this issue. Of particular importance is the timely development of rail, light rail and other commuting alternatives. Moving forward with the plans for a Multi-Modal Station in downtown Atlanta is a critical first step in this process.

**The Multi-Modal Station.** The Multi-Modal Station is a central station that will serve many types of transportation, most notably rail, light rail, interstate buses, and local commuter buses. It will be located in the "gulch" property that extends from the Five Points Marta station to Philips Arena. The property currently is owned by Norfolk-Southern, and negotiations are underway for its purchase.

GRTA, GDOT and the City (along with adjacent property owners and developers) have been meeting for several years to plan the station and surrounding development. An initial conceptual design already has been completed. The Multi-Modal Station will likely include a significant commercial office, retail, hotel and residential development. This private development is a potential source for ongoing income to offset operational costs of the Station.

**State and Regional Benefits.** While the Multi-Modal Station will have direct and immediate benefits for Atlanta, it is not simply an Atlanta project. It will serve both the state and the entire Southeast region. Most importantly, it is a necessary component of the Atlanta-Macon rail line that has the support of numerous local Mayors and 23 local Chambers of Commerce.

**Current Status.** It requires only a small appropriation in this year's budget to move forward with the development of the Station.

Governor Barnes has included within his proposed transportation budget a request for \$276,000 in cash funding in order to purchase \$2.6 million in bonds. The bond funds would be applied to the local match requirement on a \$20 million-plus federal grant that is already approved and is merely awaiting a local match. The present funding request is the final funding required to meet the local match and will bring closure to a process that has dragged on for many years. Once the federal grant is claimed, the planning and development for the Station can begin in earnest.

RCS# 3444  
2/04/02  
3:36 PM

Atlanta City Council

Regular Session

02-R-0193

Urging the 2002 General Assembly to  
support City's 2002 Legislative Package  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

02-R-0193

02-R-0193  
(Do Not Write Above This Line)

A RESOLUTION  
BY: FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION URGING THE 2002 GEORGIA  
GENERAL ASSEMBLY TO SUPPORT THE CITY OF  
ATLANTA'S 2002 LEGISLATIVE PACKAGE.

ADOPTED BY  
FEB 04 2002  
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee FIN EXEC  
 Date 1-30-02  
 Chair [Signature]  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members \_\_\_\_\_  
[Signatures]  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd  
 1st & 2nd Readings  
 3rd  
 Consent  
 V Vote  
 RC Vote

CERTIFIED

CERTIFIED  
 FEB 04 2002  
 ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
 FEB 04 2002  
 [Signature]  
 CLERK

MAYOR'S ACTION

[Signature]  
 FEB 12 2002  
 MAYOR

Removed from consent by \_\_\_\_\_