

02-0 - 1627

(Do Not Write Above This Line)

AN ORDINANCE

BY *[Signature]*
AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$8,000,000 AN AGGREGATE PRINCIPAL AMOUNT OF CITY OF ATLANTA GENERAL OBLIGATION BONDS FOR VARIOUS PURPOSES, PURSUANT TO AND IN ACCORDANCE WITH AMENDMENTS TO THE CONSTITUTION OF THE STATE OF GEORGIA RATIFIED AT THE GENERAL ELECTION HELD ON NOVEMBER 5, 1968, AND PROCLAIMED BY THE GOVERNOR OF THE STATE OF GEORGIA ON DECEMBER 13, 1968 (1968 GA. LAWS 1582 TO 1584, INCLUSIVE).

ADOPTED BY
OCT 21 2002
COUNCIL

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

Date Referred *9/16/02*

Referred To *Finance / Executive*

Date Referred

Referred To

Date Referred

Referred To

First Reading

Committee
Date
Chair
Referred to

Committee

Date

Chair

Actions:
Fav, Adv, Held (see rev. side)
Others

Members

Refer To

Committee

Date

Chair

Actions:
Fav, Adv, Held (see rev. side)
Others

Members

Refer To

Committee

Date

Chair

Actions:
Fav, Adv, Held (see rev. side)
Others

Members

Refer To

Committee

Date

Chair

Actions:
Fav, Adv, Held (see rev. side)
Others

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
 - 1st & 2nd
 - 3rd
- Readings

- Consent
- V Vote
- RC Vote

CERTIFIED

[Signature]
OCT 21 2002

MAYOR'S ACTION

[Signature]
OCT 28 2002

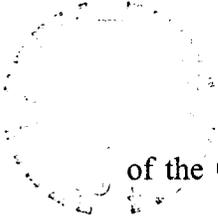
A SUBSTITUTE ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$8,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF ATLANTA GENERAL OBLIGATION BONDS FOR VARIOUS PURPOSES, PURSUANT TO AND IN ACCORDANCE WITH AMENDMENTS TO THE CONSTITUTION OF THE STATE OF GEORGIA RATIFIED AT THE GENERAL ELECTION HELD ON NOVEMBER 5, 1968, AND PROCLAIMED BY THE GOVERNOR OF THE STATE OF GEORGIA ON DECEMBER 13, 1968 (1968 GA. LAWS 1582 TO 1584, INCLUSIVE, AND 1968 GA. LAWS 1586 TO 1587, INCLUSIVE).

WHEREAS, there was ratified at the General Election held in the State of Georgia on November 5, 1968, and duly proclaimed by the Governor of the State of Georgia on December 13, 1968, an amendment to the Constitution of the State of Georgia (1968 Ga. Laws 1582 to 1584, inclusive) permitting the City of Atlanta (the "City") to issue in any one fiscal year not more than \$4,000,000 in aggregate principal amount of general obligation bonds for school purposes without a referendum (unless a petition for referendum is filed as provided therein) but subject to certain limitations set forth in such amendment; and

WHEREAS, there was also ratified at the General Election held in the State of Georgia on November 5, 1968, and duly proclaimed by the Governor of the State of Georgia on December 13, 1968, an amendment to the Constitution of the State of Georgia (1968 Ga. Laws 1586 to 1587, inclusive) permitting the City to issue in any one fiscal year not more than \$4,000,000 in aggregate principal amount of general obligation bonds for any lawful public purpose other than for school purposes without a referendum (unless a petition for referendum is filed as provided therein) but subject to certain limitations set forth in such amendment; and

WHEREAS, in accordance with the terms of such constitutional amendments (the "Constitutional Amendments"), and in order that it might duly consider and act upon this ordinance authorizing the issuance of general obligation bonds for various purposes, the Council



of the City (the "Council") was required to hold a public meeting of the Council at which the authorization for the issuance of such bonds would have to be given and concerning which public meeting at least 10 days' published notice would have to be given to the public, as more particularly specified in the Constitutional Amendments; and

WHEREAS, the Council did adopt a resolution on September 16, 2002, providing for the holding of such a public meeting of the Council at 1:00 p.m. on Monday, October 21, 2002, in the Council Chambers on the Second Floor of City Hall and further provision was made in such resolution for the publication of such notice of public meeting once in each of the following newspapers:

**FULTON COUNTY DAILY REPORT
THE ATLANTA JOURNAL-CONSTITUTION; and**

WHEREAS, there are attached hereto copies of affidavits from proper officials of each of such newspapers reciting that publication of notice of such public meeting was made on a date at least 10 days prior to such public meeting, in compliance with the Constitutional Amendments and the resolution referred to in the preceding paragraph; and

WHEREAS, the appointed time for such public meeting has arrived and the matter of issuing the general obligation bonds for various purposes has been fully considered and discussed and reasonable opportunity has been given to persons attending this meeting to be heard concerning the issuance of such bonds;

NOW, THEREFORE, The City Council of the City of Atlanta, Georgia, hereby ordains as follows:

(1) Under the authority of the Constitution of the State of Georgia, as amended, particularly by amendments which were ratified at the General Election of November 5, 1968, and proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 Ga. Laws

1582 to 1584, inclusive, and 1968 Ga. Laws 1586 to 1587, inclusive), the laws of the State of Georgia, and the Charter of the City, there be, and is hereby authorized to be, issued \$8,000,000 in aggregate principal amount of general obligation bonds of the City for purposes hereinafter more fully described, all of such bonds to be dated December 1, 2002, in the denomination of \$5,000 each or integral multiples thereof, to bear interest at a rate or rates not to exceed 8.00% per annum, payable June 1, 2003, and semiannually thereafter on the first days of December and June in each year, and the principal to mature on the first day of December in each year as follows:

<u>Year</u>	<u>Principal Amount Maturing</u>	<u>Year</u>	<u>Principal Amount Maturing</u>
2003	\$260,000	2013	\$400,000
2004	270,000	2014	415,000
2005	280,000	2015	435,000
2006	290,000	2016	450,000
2007	305,000	2017	470,000
2008	315,000	2018	490,000
2009	330,000	2019	515,000
2010	345,000	2020	535,000
2011	365,000	2021	560,000
2012	380,000	2022	590,000

The proceeds derived from the issuance and sale of such bonds shall be used and applied for the following purposes:

\$4,000,000 for the purpose of providing funds to pay, or to be applied or contributed toward, the cost of acquiring a site or sites and constructing and equipping thereon new municipal buildings and related facilities, of renovating, improving, adding to, and equipping existing municipal buildings and facilities, of acquiring property, both real and personal, necessary or desirable for use in connection therewith, and of paying expenses incident thereto.

\$4,000,000 for the purpose of providing funds to pay, or to be applied or contributed toward, the cost of renovating, improving, adding to, and equipping existing school buildings and facilities, of acquiring, constructing, and equipping new school buildings and facilities, of acquiring property, both real and personal, necessary or desirable for use in connection therewith, and of paying expenses incident thereto.

(2) The Mayor and the Municipal Clerk or a Deputy Municipal Clerk shall proceed in due course to have the general obligation bonds for various purposes, herein provided for and hereby authorized to be issued, validated as provided by law, and to that end the Mayor and the Municipal Clerk or a Deputy Municipal Clerk are hereby authorized to give the necessary notice to the District Attorney of the Atlanta Judicial Circuit of the action of this body in order that proceedings for the above purpose may be instituted in the Superior Court of Fulton County, Georgia, and the Mayor is hereby authorized to file an answer on the part of the City in such proceedings. Notwithstanding the foregoing, however, the Mayor may authorize the president of the Council or, in the president's absence, the president pro tempore of the Council, to give the necessary notice to the District Attorney and file an answer on the part of the City.

(3) Before the issuance and delivery of the general obligation bonds for various purposes herein provided for and hereby authorized to be issued, the Council shall adopt such ordinance or ordinances as may be proper providing for the assessment and collection of an annual tax sufficient in amount to pay the principal of and interest on such bonds as the same come due, the adoption of a bond form, and the designation of one or more paying agents with respect to such bonds and for such other matters as the Council shall include in such ordinance.

(4) This ordinance shall become effective immediately upon its adoption and approval, and any and all ordinances or resolutions or parts of ordinances or resolutions in

conflict with this ordinance shall be, and the same are hereby, repealed. If there should be filed with the Municipal Clerk within 30 days after the public meeting of the Council at which this ordinance is adopted, a petition for referendum containing the signatures of not less than 5% of the registered voters of the City, and such fact shall be determined by the Municipal Clerk as provided in the Constitutional Amendments, this ordinance shall have no further force and effect from the time of such determination, and the Council shall then determine whether to forego the issuance of the bonds herein authorized or to proceed with a referendum to decide the issue. If no such petition for referendum is filed within the period of time set forth above, this ordinance shall continue of full force and effect as from the time of its adoption.

A true copy,

Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

OCT 21, 2002
OCT 28, 2002

Publication Date : 09/30/02 Invoice # : 29 Account # : 032696-00004

PUBLISHER 'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

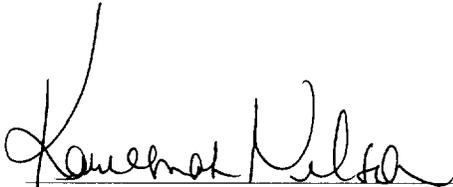
Before me, the undersigned, a Notary Public, this day personally came Antonio Bell who, being duly sworn, according to law, says he is an agent of the American Lawyer Media, L.P. publishers of the Daily Report, the official newspaper published in Atlanta, Ga, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates:

09/30/02



Antonio Bell

Subscribed and sworn to before me this 09/30/02.



Notary Public



NOTICE OF PUBLIC HEARING TO
CONSIDER ISSUANCE OF BONDS
TO THE RESIDENTS AND VOTERS OF
THE CITY OF ATLANTA
AND OTHER INTERESTED PARTIES

NOTICE is hereby given that at 1:00 p.m. on Monday, October 21, 2002, a public meeting of the Council of the City of Atlanta (the "Council") will be held in the Council Chambers on the Second Floor of City Hall, Atlanta, Georgia, at which time there will be considered and determined by the Council the question of whether or not general obligation bonds shall be authorized for issuance by the City of Atlanta (the "City") in the following amounts for each of the following purposes:

MUNICIPAL BUILDING BONDS in principal amount of \$4,000,000 for the purpose of providing funds to pay, or to be applied or contributed toward, the cost of acquiring a site or sites and constructing and equipping thereon new municipal buildings and related facilities, of renovating, improving, adding to, and equipping existing municipal buildings and facilities, of acquiring property, both real and personal, necessary or desirable for use in connection therewith, and of paying expenses incident thereto.

Page 2

SCHOOL BONDS in the principal amount of \$4,000,000 for the purpose of providing funds to pay, or to be applied or contributed toward, the cost of renovating, improving, adding to, and equipping existing school buildings and facilities, of acquiring, constructing, and equipping new school buildings and facilities, of acquiring property, both real and personal, necessary or desirable for use in connection therewith, and of paying expenses incident thereto.

It is proposed that an ordinance authorizing the issuance of bonds for each of the above purposes will be

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considered and acted upon by the Council at such public meeting in accordance with the procedure set forth in two special amendments to the Constitution of the State of Georgia which were ratified at the General Election held on November 5, 1968, and duly proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 Ga. Laws 1582 to 1584, inclusive, and 1968 Ga. Laws 1586 to 1587, inclusive), and any person having an interest in the proposed authorization of such bonds for any of the above purposes may attend such public meeting and make known his or her view or views with respect to the proposed ordinance which will authorize the issuance of such bonds.

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Such constitutional amendments provide that in the event that a petition for referendum is filed with the Municipal Clerk of the City within thirty (30) days after such public hearing, containing the signatures of not less than five percent (5%) of the registered voters of the City, the Municipal Clerk of the City is required to call an election, at which time the question of the issuance of the bonds with respect to which the petition was filed shall be submitted to the vote of the qualified voters of the City.

RHONDA DAUPHIN JOHNSON
Municipal Clerk
City of Atlanta
#29:9/30-1ab

The Atlanta
Journal-
Constitution
ajc.com

PUBLISHER'S AFFIDAVIT

ACCOUNT NAME. CITY OF ATLANTA/MUNICIPAL CLERK

ACCOUNT NO. A - 758700

STATE OF GEORGIA
COUNTY OF FULTON

DONNA MCDUFFIE, personally appeared before me, the undersigned Notary Public, who states she is a Legal Clerk for **THE ATLANTA JOURNAL AND CONSTITUTION** newspaper, a newspaper of general circulation published in the City of Atlanta, Georgia, and who further states under oath that the Advertisement attached hereto and made part of this affidavit appeared in The Atlanta Journal and The Atlanta Constitution on the following dates: SEPTEMBER 28, 2002.

SWORN TO AND SUBSCRIBED BEFORE ME,

THIS 8TH DAY OF OCTOBER 2002.

WANDA W. MOORE
SPRINGFIELD COUNTY, GA

(NOTARY SIGNATURE)
MY COMMISSION EXPIRES
FEBRUARY 20, 2006

RCS# 4115
10/21/02
4:20 PM

Atlanta City Council

Regular Session

02-O-1627

Issuance of \$8,000,000.00 in
General Obligation Bonds
ADOPT ON SUB

YEAS: 10
NAYS: 3
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

02-O-1627

NOTICE OF PUBLIC HEARING TO CONSIDER
ISSUANCE OF BONDS TO THE RESIDENTS AND
VOTERS OF THE CITY OF ATLANTA AND OTHER
INTERESTED PARTIES

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SCHOOL BONDS in the principal amount of \$4,000,000 for the purpose of providing funds to pay, or to be applied or contributed toward, the cost of renovating, improving, adding to, and equipping existing school buildings and facilities, of acquiring, constructing, and equipping new school buildings and facilities, of acquiring property, both real and personal, necessary or desirable for use in connection therewith, and of paying expenses incident thereto.

It is proposed that an ordinance authorizing the issuance of bonds for each of the above purposes will be considered and acted upon by the Council at such public meeting in accordance with the procedure set forth in two special amendments to the Constitution of the State of Georgia which were ratified at the General Election held on November 5, 1968, and duly proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 Ga. Laws 1582 to 1584, inclusive, and 1968 Ga. Laws 1586 to 1587, inclusive), and any person having an interest in the proposed authorization of such bonds for any of the above purposes may attend such public meeting and make known his or her view or views with respect to the proposed ordinance which will authorize the issuance of such bonds.

Such constitutional amendments provide that in the event that a petition for referendum is filed with the Municipal Clerk of the City within thirty (30) days after such public hearing, containing the signatures of not less than five percent (5%) of the registered voters of the City, the Municipal Clerk of the City is required to call an election, at which time the question of the issuance of the bonds with respect to which the petition was filed shall be submitted to the vote of the qualified voters of the City.

RHONDA DAUPHIN JOHNSON
Municipal Clerk
City of Atlanta