

[Handwritten signature]
Clair Fuller

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Hannett Shook

**A RESOLUTION
BY COUNCILMEMBERS**

[Handwritten signature]
Clara Tompkins

[Handwritten signature]
Natalie Archibald

[Handwritten signature]
C. P. [unclear]

[Handwritten signature]
Dawn Stamps

[Handwritten signature]
Carla Smith

[Handwritten signature]
[unclear]

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A RESOLUTION URGING THE FULTON COUNTY COMMISSION TO CALL A MEETING OF THE MUNICIPALITIES IN FULTON COUNTY, GEORGIA FOR THE PURPOSE OF RECOMMENDING A SPECIAL LOCAL OPTION SALES TAX REFERENDUM ELECTION ("SPLOST") PURSUANT TO O.C.G.A. §48-8-111 AND O.C.G.A. §24-2-540, ET SEQ.; EXPRESSING THE URGENCY OF GIVING VOTERS THE OPTION OF IMPOSING A SPLOST TO FUND WATER AND WASTEWATER CAPITAL PROJECTS MANDATED BY FEDERAL CONSENT DECREE; AND FOR OTHER PURPOSES.

WHEREAS, to settle a lawsuit brought against the City by the United States Environmental Protection Agency (EPA), the Georgia Environmental Protection Division (EPD), the Upper Chattahoochee Riverkeeper and downstream citizens, a 1998 Consent Decree was entered against the City of Atlanta designed to end water quality violations which result from combined sewer overflows (CSO's) by 2007; and

WHEREAS, in 1999 the Federal Court amended the Consent Decree to add projects that would eliminate water quality violations from sanitary sewer overflows (SSO's) by 2014; and

WHEREAS, the City of Atlanta is under a consent order imposed by the Georgia EPD to come into compliance with the Georgia Water Quality Control Act; and

WHEREAS, as a result of the foregoing, the City of Atlanta is mandated to undertake one of the largest public work projects to come into compliance with drinking water and waste water quality standards; and

WHEREAS, the City of Atlanta has annual principal and interest payments due in the amount of \$23 million for the incremental increase in the \$1.6 billion of existing water and sewer bonds issued to fund capital projects completed in 1993 through 2003; and

WHEREAS, the City of Atlanta will require additional principal and interest payments for \$2.5 billion of additional water and sewer bonds proposed to be issued in order to fund capital projects for 2004-2008; and

WHEREAS, the consequences of non-compliance with the federal and state consent decrees could be catastrophic, including the imposition of crippling fines, being found in contempt of court, continued pollution of rivers and streams, unsatisfactory drinking water, city-wide sewer moratoria, as well as loss of economic development and growth; and

WHEREAS, as the capital city of Georgia, the City of Atlanta is the economic engine of the South and such consequences of non-compliance would be devastating for a sluggish economy; and

WHEREAS, to fund the \$3 billion in capital projects, water sewer increases of 45% in 2004, 45% in 2005, and 11% in 2006, 2007 and 2008 would be needed from the City's ratepayers; and

WHEREAS, the service area for drinking water operations includes the City, portions of Fulton, DeKalb, Clayton, Coweta and Fayette Counties and the cities of Fairburn, Hapeville and Union City; and

WHEREAS, the service area for wastewater operations includes the City, portions of Fulton, DeKalb and Clayton Counties, and the cities of College Park, East Point and Hapeville; and

WHEREAS, Georgia law authorizes the imposition of a 1% special local option sales tax for the purpose of funding water and sewer capital outlay projects in the City and County pursuant to O.C.G.A. §§ 48-8-6(b)(2) and 48-8-111(a)(1)(D); and

WHEREAS, cooperation from the Fulton County Commission is essential for the viability of this alternative in time to save an unprecedented burden upon the ratepayers of the City of Atlanta water and sewer system; and

WHEREAS, imposition of a SPLOST is an alternative that must be approved by the Fulton County Commission in time to put the question to the voters in a referendum during the Presidential Preference Primary which will be held on Tuesday, March 2, 2004; and

WHEREAS, if SPLOST proceeds are allocated the manner that the LOST revenue is, the City can expect approximately \$ 76 million annually, which would obviate the need for 39% of the proposed water sewer rate increase; and

WHEREAS, a SPLOST would broaden the base from which to pay for the water and sewer capital outlay projects, from that borne only by commercial and residential rate payers to that funded by the varied daily users of our water resources.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves that the Fulton County Commission is urged to pass a Resolution at its December 3, 2003 Meeting, to call for a Special Local Option Sales Tax Referendum Election ("SPLOST") pursuant to O.C.G.A. §48-8-111 and O.C.G.A. §24-2-540, *et seq.*, to be held on Tuesday, March 2, 2004, solely to fund water and sewer capital projects.

Be It Further Resolved that in preparation for a SPLOST Referendum, the Fulton County Commission is urged to pass a Resolution at its December 3, 2003 Meeting, to call and hold a meeting of the governing authorities of the municipalities in Fulton County to discuss possible water and sewer capital projects for inclusion in the referendum, including municipally owned or operated projects, prior to December 31, 2003.

A true copy

ADOPTED by the City Council
APPROVED by the Mayor

December 1, 2003
December 9, 2003

Deputy Clerk

RCS# 5272
12/02/03
3:41 AM

Atlanta City Council

Regular Session

PERSONAL
03-R-2235

FULTON CO COMMISSION TO CALL MTG OF
MUNICIPAL FOR SPLOST REFERENDUM ELECTION
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

PERSONAL

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(Do Not Write Above This Line)

03-R-2235

A RESOLUTION BY COUNCILMEMBERS

Jan Miller, Peter Newkirk

A RESOLUTION URGING THE FULTON COUNTY COMMISSION TO CALL A MEETING OF THE MUNICIPALITIES IN FULTON COUNTY, GEORGIA FOR THE PURPOSE OF RECOMMENDING A SPECIAL LOCAL OPTION SALES TAX REFERENDUM ELECTION ("SPLOST") PURSUANT TO O.C.G.A. §48-8-111 AND O.C.G.A. §24-2-540, ET. SEQ.; EXPRESSING THE URGENCY OF GIVING VOTERS THE OPTION OF IMPOSING A SPLOST TO FUND WATER AND WASTE-WATER CAPITAL PROJECTS MANDATED BY FEDERAL CONSENT DECREE; AND FOR OTHER PURPOSES.

ADOPTED BY

DEC 0 1 2003

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

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED
DEC 0 1 2003

ATLANTA CITY COUNCIL PRESIDENT

Catherine M. Hoffard

CERTIFIED
DEC 0 1 2003

Rachel Dunbar Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
Hubert S. Williams
MAYOR

03-R-2235

(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBERS
Chair: Muller, Vice: ...

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ADOPTED BY

DEC 0 1 2003

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- 1st ADOPT 2nd READ & REFER
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Date Referred

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First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

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Fav, Adv, Hold (see rev. side)
Other

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Refer To

Committee

Date

Chair

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Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

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

CERTIFIED

CERTIFIED
DEC 0 1 2003
Richard W. ...

CERTIFIED
DEC 0 1 2003
Ronald ...
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
[Signature]
MAYOR