

**10-R-0754**

(Do Not Write Above This Line)

**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND SEVENTY TWO THOUSAND FIVE HUNDRED THIRTEEN DOLLARS AND SIXTY CENTS (\$72,513.60) TO THE LANE CONSTRUCTION CORPORATION, LOCATED AT 90 FIELDSTONE COURT, CHESHIRE, CT, 06410, FOR AN OVERPAYMENT OF OCCUPATIONAL TAXES TO THE CITY OF ATLANTA; AND FOR OTHER PURPOSES

**ADOPTED BY**

MAY 03 2010

**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 Finance/Executive  
 Date 4-28-10

Chair [Signature]

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 \_\_\_\_\_

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**  
 MAY 03 2010  
 ATLANTA CITY COUNCIL PRESIDENT  
 [Signature]

**CERTIFIED**  
 MAY 03 2010  
 [Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**  
 MAY 11 2010  
 [Signature]  
 MAYOR



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BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND SEVENTY TWO THOUSAND FIVE HUNDRED THIRTEEN DOLLARS AND SIXTY CENTS (\$72,513.60) TO THE LANE CONSTRUCTION CORPORATION, LOCATED AT 90 FIELDSTONE COURT, CHESHIRE, CT, 06410, FOR AN OVERPAYMENT OF OCCUPATIONAL TAXES TO THE CITY OF ATLANTA.**

**WHEREAS**, the City of Atlanta is authorized to collect occupational taxes on business doing business within the jurisdiction of the City of Atlanta; and

**WHEREAS**, The Lane Construction Corporation, located at 90 Fieldstone Court, Cheshire Ct, 06410 erroneously reported actual gross receipts in the amount of twenty nine million four hundred thirty one thousand nine hundred twenty three dollars and no cents (\$29,431,923.00) for 2008 in addition to projected gross receipts for 2009 to the City of Atlanta's Office of Revenue for Occupational tax purposes and remitted seventy two thousand five hundred thirteen dollars and sixty cents (\$ 72, 513.60) in tax payments; and

**WHEREAS**, whereas the reported revenues reflect receipts derived from a state contract with the Georgia Department of Transportation and the Georgia Code 50-17-29(e) exempts corporations from paying taxes on receipts derived from work performed on Government contracts: and

**WHEREAS**, The Lane Construction Corporation has requested a refund for the erroneous payment of taxes; and

**WHEREAS**, the Office of Revenue has received proper and adequate documentation to verify both, the exempt status and erroneous payment; and

**WHEREAS**, the Office of Revenue has determined that The Lane Construction Corporation is entitled to a refund in the amount of seventy two thousand five hundred thirteen dollars and sixty cents (\$ 72, 513.60) for an overpayment of taxes; and

**WHEREAS**, all refunds in excess of five thousand dollars (\$5,000.00) require adoption and approval by the City of Atlanta City Council and the Mayor before any funds can be disbursed;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:**

**SECTION 1:** The Chief Financial Officer is hereby directed to issue a refund to The Lane Construction Corporation in the amount of seventy two thousand five hundred thirteen dollars and sixty cents (\$ 72, 513.60), which represents the overpayment.



**SECTION 2:** All funds shall be charged and paid from Fund Department Organization Account Number 1001 (General Fund) 200301 (Dept NDP Unallocated – Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity Human Resources) in the amount of seventy two thousand five hundred thirteen dollars and sixty cents (\$ 72, 513.60)

**SECTION 3:** That all resolutions and parts of resolutions in conflict herewith and the same are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor kasim Reed

MAY 03, 2010  
MAY 11, 2010

RCS# 209  
5/03/10  
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

NV Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		<b>05-03-10</b>
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 10-O-0393	36. 10-R-0642	76. 10-R-0682
2. 10-O-0492	37. 10-R-0651	77. 10-R-0683
3. 10-O-0598	38. 10-R-0783	78. 10-R-0684
4. 10-O-0595	39. 10-R-0789	79. 10-R-0685
5. 10-O-0782	40. 10-R-0724	80. 10-R-0686
6. 10-O-0790	41. 10-R-0725	81. 10-R-0687
7. 10-R-0652	42. 10-R-0726	82. 10-R-0688
8. 10-R-0749	43. 10-R-0771	83. 10-R-0689
9. 10-R-0750	44. 10-R-0736	84. 10-R-0690
10. 10-R-0753	45. 10-R-0737	85. 10-R-0691
11. 10-R-0754	46. 10-R-0738	86. 10-R-0692
12. 10-R-0755	47. 10-R-0653	87. 10-R-0693
13. 10-R-0756	48. 10-R-0654	88. 10-R-0694
14. 10-R-0757	49. 10-R-0655	89. 10-R-0695
15. 10-R-0758	50. 10-R-0656	90. 10-R-0696
16. 10-R-0759	51. 10-R-0657	91. 10-R-0697
17. 10-R-0770	52. 10-R-0658	92. 10-R-0698
19. 10-R-0775	53. 10-R-0659	93. 10-R-0699
20. 10-R-0781	54. 10-R-0660	94. 10-R-0700
21. 10-R-0786	55. 10-R-0661	95. 10-R-0701
22. 10-R-0787	56. 10-R-0662	96. 10-R-0702
23. 10-R-0797	57. 10-R-0663	97. 10-R-0703
24. 10-R-0799	58. 10-R-0664	98. 10-R-0704
25. 10-R-0800	59. 10-R-0665	99. 10-R-0705
26. 10-R-0620	60. 10-R-0666	100. 10-R-0706
27. 10-R-0621	61. 10-R-0667	101. 10-R-0707
28. 10-R-0622	62. 10-R-0668	102. 10-R-0708
29. 10-R-0625	63. 10-R-0669	103. 10-R-0709
30. 10-R-0626	64. 10-R-0670	104. 10-R-0710
31. 10-R-0637	65. 10-R-0671	105. 10-R-0711
32. 10-R-0752	66. 10-R-0672	106. 10-R-0712
33. 10-R-0496	67. 10-R-0673	107. 10-R-0713
34. 10-R-0640	68. 10-R-0674	108. 10-R-0714
35. 10-R-0641	69. 10-R-0675	109. 10-R-0715
	70. 10-R-0676	110. 10-R-0716
	71. 10-R-0677	111. 10-R-0717
	<b>Items Adversed</b>	112. 10-R-0718
	72. 10-R-0678	113. 10-R-0719
	73. 10-R-0679	114. 10-R-0720
	74. 10-R-0680	115. 10-R-0721
	75. 10-R-0681	116. 10-R-0722
		117. 10-R-0723