

11-~~R~~-1307

(Do Not Write Above This Line)

A RESOLUTION BY CITY UTILITIES COMMITTEE

A RESOLUTION TO CALL FOR A REFERENDUM TO REIMPOSE A SPECIAL ONE PERCENT SALES AND USE TAX TO FUND WATER AND SEWER PROJECTS AND COSTS, SUBJECT TO REFERENDUM APPROVAL; TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE REIMPOSITION OR NON-REIMPOSITION OF THE SALES AND USE TAX; TO SPECIFY THE AGGREGATE MAXIMUM COST OF SUCH PROJECTS AND MAINTENANCE AND OPERATION COSTS TO BE FUNDED BY THE SALES AND USE TAX; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE SALES AND USE TAX WILL BE REIMPOSED; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 19 2011

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 _____

City Committee / HES

Sept. 13 2011

Chair

[Signature]

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

[Signature]

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

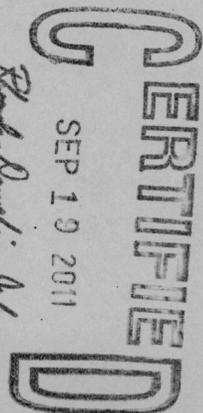
FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RRC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

SEP 28 2011

WITHOUT SIGNATURE BY OPERATION OF LAW



**A RESOLUTION
BY CITY UTILITIES COMMITTEE**

11-~~R~~-1307

A RESOLUTION TO CALL FOR A REFERENDUM TO REIMPOSE A SPECIAL ONE PERCENT SALES AND USE TAX TO FUND WATER AND SEWER PROJECTS AND COSTS, SUBJECT TO REFERENDUM APPROVAL; TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE REIMPOSITION OR NON-REIMPOSITION OF THE SALES AND USE TAX; TO SPECIFY THE AGGREGATE MAXIMUM COST OF SUCH PROJECTS AND MAINTENANCE AND OPERATION COSTS TO BE FUNDED BY THE SALES AND USE TAX; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE SALES AND USE TAX WILL BE REIMPOSED; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Article 4, Chapter 8 of Title 48 of the Official Code of Georgia Annotated, the City of Atlanta ("City") called for a referendum and the residents of the City voted in a July 20, 2004 referendum to impose a one percent sales and use tax to partially fund the City's water and sewer projects and costs; and

WHEREAS, such one percent sales and use tax was in effect from October 1, 2004 through September 30, 2008, and was able to be reimposed; and

WHEREAS, pursuant to Article 4, Chapter 8 of Title 48 of the Official Code of Georgia Annotated, the City called for a referendum and the residents of the City voted in a February 5, 2008 referendum to reimpose a one percent sales and use tax to partially fund the City's water and sewer projects and costs; and

WHEREAS, such one percent sales and use tax is in effect from October 1, 2008 through September 30, 2012, and may be reimposed; and

WHEREAS, the City Council of the City of Atlanta ("Council") is the governing authority of the City, a municipal corporation created and existing under the laws of the State of Georgia, and is charged with the duties of levying taxes, contracting debts, and managing the affairs of the City; and

WHEREAS, it appears to the Council that the most feasible plan for funding a portion of the City's water and sewer projects and costs is to reimpose a special one percent sales and use tax, upon the termination of the special one percent sales and use tax presently in effect, pursuant to Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated; and

WHEREAS, under Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, it is necessary to submit to the qualified voters of the City the question of whether a special one percent sales and use tax should be reimposed to fund water and sewer projects and costs;



THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, hereby resolves that there is hereby reimposed, upon the termination of the special one percent sales and use tax presently in effect, within the City a special sales and use tax at the rate of one percent, pursuant to Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, subject to approval by a majority of the qualified voters residing within the corporate limits of the City voting in the referendum called in Section 2 hereof, for a maximum period of time of 16 calendar quarters, for the purposes of funding water and sewer projects and costs, at the aggregate maximum cost of \$750,000,000.

BE IT FURTHER RESOLVED, there is hereby authorized to be called and there is hereby called an election to be held in all precincts in the City, on the date in 2012 to be chosen by the Secretary of State of the State of Georgia for the presidential preference primary pursuant to Georgia law, for the purpose of submitting to the qualified voters of the City the question of whether a special one percent sales and use tax should be reimposed within the City, upon the termination of the special one percent sales and use tax presently in effect, for a maximum period of time of 16 calendar quarters, for the purposes of funding water and sewer projects and costs, at the aggregate maximum cost of \$750,000,000.

BE IT FURTHER RESOLVED, that the ballot to be used in the election shall have printed thereon the question to be determined by the voters, to wit:

“Shall a special 1 percent sales and use tax be reimposed in the City of Atlanta for a period of time not to exceed 16 calendar quarters and for the raising of not more than \$750,000,000 for the purpose of funding water and sewer projects and costs?”

The ballot shall have printed thereon the word “YES” and the word “NO” so that each voter may vote in either the affirmative or the negative as to the question propounded. The polls in each of the precincts within the City shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in the City. Notwithstanding any provision of this resolution, the election shall be held in accordance and in conformity with the Constitution and the laws of the United States of America and of the State of Georgia.

BE IT FURTHER RESOLVED, that the Fulton County Board of Elections and Registration is hereby appointed as the Municipal Election Superintendent to conduct the election, to receive from poll officers the returns of the election, to canvass and compute such returns, to certify as soon as practicable following the election the results thereof to the Council, and to take such other actions in the premises as provided by law.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby ordered and directed forthwith to furnish the Municipal Election Superintendent of the City with a duly certified copy of this resolution in order that the Municipal Election Superintendent may take action as provided by law.



BE IT FINALLY RESOLVED, that the following notice shall be incorporated into the call of the election by the Municipal Election Superintendent:

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Sept. 19, 2011
Sept. 28, 2011



**NOTICE OF SALES AND USE TAX ELECTION
TO THE QUALIFIED VOTERS OF THE CITY OF ATLANTA**

YOU ARE HEREBY NOTIFIED that on the date in 2012 to be chosen by the Secretary of State of the State of Georgia for the presidential preference primary pursuant to Georgia law, an election will be held in all of the precincts of the City of Atlanta (the "City"). At the election there will be submitted to the qualified voters of the City for their determination the question of whether a special one percent sales and use tax should be reimposed within the City, upon the termination of the special one percent sales and use tax presently in effect, for a maximum period of time of 16 calendar quarters, for the purposes of funding water and sewer projects and costs, at an aggregate maximum cost of \$750,000,000.

Voters desiring to vote for the reimposition of such sales and use tax shall do so by voting "YES" and voters desiring to vote against the reimposition of such sales and use tax shall do so by voting "NO," as to the question propounded to-wit:

"Shall a special 1 percent sales and use tax be reimposed in the City of Atlanta for a period of time not to exceed 16 calendar quarters and for the raising of not more than \$750,000,000 for the purpose of funding water and sewer projects and costs?"

The several places for holding the election shall be in the regular and established precincts of the City, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election. Those qualified to vote at the election shall be determined in all respects in accordance and in conformity with the Constitution and the laws of the United States of America and of the State of Georgia.

This notice is given pursuant to joint action of the City Council of the City of Atlanta and the Municipal Election Superintendent of the City.

CITY OF ATLANTA

By: _____
Municipal Clerk

**MUNICIPAL ELECTION SUPERINTENDENT
OF THE CITY OF ATLANTA**

**FULTON COUNTY BOARD OF
ELECTIONS AND REGISTRATION**

By: _____
Elections Supervisor



SECTION 7: Any and all resolutions in conflict with this resolution this day passed be and they are hereby waived to the extent of the conflict.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this _____ day of _____ 2011.

CITY OF ATLANTA

By: _____
Mayor

(SEAL)

Attest:

Municipal Clerk

RCS# 1410
9/19/11
3:51 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE

9/19/2011 CONSENT AGENDA SECTION 1
EXCEPT 11-O-1241 AND 11-O-0740
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

PROCEDURE

RCS# 1409
9/19/11
3:50 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE 9/19/2011 CONSENT AGENDA SECTION 1

RECONSIDER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

PROCEDURE

		09-19-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 11-O-1239	38. 11-R-1306	47. 11-R-1332
2. 11-O-1240	39. 11-R-1307	48. 11-R-1333
3. 11-O-1361	40. 11-R-1308	49. 11-R-1334
4. 11-O-1362	41. 11-R-1309	50. 11-R-1335
5. 11-O-1363	42. 11-R-1310	51. 11-R-1336
6. 11-O-1364	43. 11-R-1328	52. 11-R-1337
7. 11-O-1243	44. 11-R-1329	53. 11-R-1338
8. 11-O-1268	45. 11-R-1330	54. 11-R-1339
9. 11-O-1242	46. 11-R-1331	55. 11-R-1340
10. 11-O-1261		56. 11-R-1341
11. 11-O-1249		57. 11-R-1342
12. 11-O-1251		58. 11-R-1343
13. 11-O-1267		59. 11-R-1344
14. 11-O-1295		
15. 11-O-1250		
16. 11-O-1357		
17. 11-O-1098		
18. 11-O-1225		
19. 11-O-1226		
20. 11-O-1227		
21. 11-O-1353		
22. 11-R-1313		
23. 11-R-1347		
24. 11-R-1348		
25. 11-R-1349		
26. 11-R-1350		
27. 11-R-1352		
28. 11-R-1054		
29. 11-R-1325		
30. 11-R-1326		
31. 11-R-1327		
32. 11-R-1356		
33. 11-R-1317		
34. 11-R-1318		
35. 11-R-1012		
36. 11-R-1304		
37. 11-R-1305		