

******A RESOLUTION BY COUNCILMEMBER CARLA SMITH TO CALL A REFERENDUM TO REIMPOSE A SPECIAL ONE PERCENT, (1%), 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 COSTS 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.(THIS LEGISLATION IS A DUAL REFERRED ITEM AND WILL BE FORWARDED TO FINANCE/EXECUTIVE COMMITTEE PENDING A CITY UTILITIES COMMITTEE RECOMMENDATION)**

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

WHEREAS, such special one percent sales and use tax was in effect from October 1, 2004 to 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, on February 5, 2008, the City called a referendum to reimpose a special one percent sales and use tax to partially fund the City's water and sewer projects and costs and the residents of the City voted to reimpose such tax; and

WHEREAS, such special one percent sales and use tax was in effect from October 1, 2008 to September 30, 2012, and was able to be reimposed; and

WHEREAS, pursuant to Article 4, Chapter 8 of Title 48 of the Official Code of Georgia Annotated, on March 6, 2012, the City called a referendum to reimpose a special one percent sales and use tax to partially fund the City's water and sewer projects and costs and the residents of the City voted to reimpose such tax; and

WHEREAS, such one percent sales and use tax was in effect from October 1, 2012 to September 30, 2016, and was able to be reimposed; and

WHEREAS, pursuant to Article 4, Chapter 8 of Title 48 of the Official Code of Georgia Annotated, on March 1, 2016, the City called a referendum to reimpose a special one percent sales and use tax to partially fund the City's water and sewer projects and costs and the residents of the City voted to reimpose such tax; and

WHEREAS, such one percent sales and use tax was in effect from October 1, 2016 to September 30, 2020, and was able to be reimposed; and

WHEREAS, the City Council of the City of Atlanta (the "City 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 City 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 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 below, 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 Seven Hundred Fifty Million Dollars and Zero Cents (\$750,000,000.00).

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 Tuesday, March 24, 2020, which was 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 Seven Hundred Fifty Million Dollars and Zero Cents (\$750,000,000.00).

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 Seven Hundred Fifty Million Dollars and Zero Cents (\$750,000,000.00) 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 7:00a.m. and close at 7:00pm. 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.

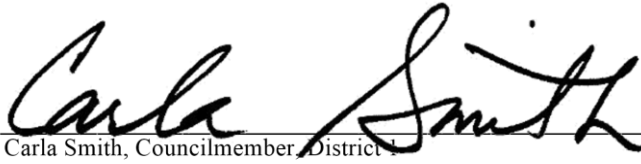
BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby ordered and directed forthwith to furnish the Municipal Election Superintendent of the City with a duly certified copy of this resolution in order that the Municipal Election Superintended may take action as provided by law.

BE IT FINALLY RESOLVED, that the notice attached as Exhibit "A" shall be incorporated into the call of the election by the Municipal Election Superintendent.

**CITY COUNCIL
ATLANTA, GEORGIA**

19-R-5075

SPONSOR SIGNATURES

A handwritten signature in black ink, reading "Carla Smith". The signature is written in a cursive, flowing style. The first name "Carla" is written with a large, looped 'C' and a small dot over the 'i'. The last name "Smith" is written with a large, looped 'S' and a small dot over the 'i'. The signature is written over a horizontal line.

Carla Smith, Councilmember, District 1

**CITY COUNCIL
ATLANTA, GEORGIA**

19-R-5075

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Workflow List:

Clerk of Council	Completed	11/05/2019 11:25 AM
Atlanta City Council	Completed	11/04/2019 1:00 PM
City Utilities Committee	Pending	11/12/2019 9:30 AM
Committee on Council	Pending	11/18/2019 11:15 AM
Atlanta City Council	Pending	11/18/2019 1:00 PM
Mayor's Office	Pending	

HISTORY:

11/04/19	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	