

**CITY COUNCIL
ATLANTA, GEORGIA**

16-R-3129

A RESOLUTION BY COUNCILMEMBERS KWANZA HALL, ANDRE DICKENS AND ALEX WAN AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO A SERVICES AGREEMENT WITH DR. ARTHUR E. FERDINAND, INDIVIDUALLY, AND IN HIS CAPACITY AS TAX COMMISSIONER OF FULTON COUNTY, GEORGIA AND WITH FULTON COUNTY, GEORGIA FOR THE PURPOSE OF ALLOWING FOR REMITTANCE OF PAYMENTS IN LIEU OF TAXES RELATED TO THE BELTLINE TAX ALLOCATION DISTRICT DIRECTLY TO THE ATLANTA INDEPENDENT SCHOOL DISTRICT ON BEHALF OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Workflow List:

Clerk of Council	Completed	01/20/2016 11:11 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
Finance/Executive Committee	Pending	01/27/2016 1:00 PM
Mayor's Office	Pending	

RESULT: REFERRED WITHOUT OBJECTION Next: 1/27/2016 1:00 PM

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

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SPONSOR SIGNATURES



Andre Dickens, Councilmember, Post 3 At-Large



Alex Wan, Councilmember, District 6



Kwanza Hall, Councilmember, District 2

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WHEREAS, the City of Atlanta ("City") and Dr. Arthur E. Ferdinand, individually, and in his capacity as Tax Commissioner of Fulton County, Georgia ("Tax Commissioner") entered into a Contract for Services Agreement dated August 30, 2004 pursuant to Resolution 02-R-2122 adopted by Atlanta City Council on December 2, 2002 and approved by the Mayor on December 10, 2002 (the "2004 Contract"), as amended; and

WHEREAS, pursuant to the 2004 Contract Tax Commissioner collects City Sanitary Service Fees and property taxes for that part of the City falling within Fulton County; and

WHEREAS, in accordance with O.C.G.A. § 36-44-11(b)(1), Tax Commissioner is authorized to pay over to the appropriate fiscal officer of each political subdivision having created a tax allocation district, out of taxes collected on behalf of such political subdivision that portion, if any, which represents positive tax allocation increments payable to such political subdivision; and

WHEREAS, the Chief Financial Officer is the appropriate fiscal officer for the City to receive all positive tax allocation increments payable to the City related to the BeltLine Tax Allocation District ("BeltLine TAD") pursuant to O.C.G.A. § 36-44-11(b)(1); and

WHEREAS, pursuant to Ordinance the City is authorized to enter into a Third Amendment to the Intergovernmental Agreement ("Third Amendment") with The Atlanta Independent School District ("APS") related to the BeltLine TAD; and

WHEREAS, the Third Amendment provides among other things, that payments in lieu of taxes ("PILOTs") due to APS in connection with the BeltLine TAD be remitted directly to APS by Tax Commissioner; and

WHEREAS, the City, Fulton County, Georgia and Tax Commissioner desire to enter into a Services Agreement for the purpose of permitting Tax Commissioner to remit PILOTs directly to APS, as directed by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor, or his designee, is authorized to enter into a

Services Agreement with Tax Commissioner and with Fulton County, Georgia that will be in substantially similar form to the document attached hereto as Exhibit A.

BE IT FINALLY RESOLVED, that the Services Agreement will not become binding upon the City and the City shall incur no obligation or liability thereunder until the agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk and delivered to Tax Commissioner and to Fulton County, Georgia.