

A RESOLUTION BY COUNCILMEMBERS C.T. MARTIN, IVORY YOUNG, CLETA WINSLOW AND CARLA SMITH AS SUBSTITUTED AND AMENDED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”) TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.

WHEREAS, an Act of the General Assembly of the State of Georgia, designated Senate Bill 369 and made effective on April 26, 2016, added a new Part 3 to Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“SB 369”); and

WHEREAS, SB 369 allows the City of Atlanta (“City”), as a metropolitan municipality special district, to impose a transportation special purpose local option sales and use tax (“TSPLOST”) within the City, for a limited period of time, to fund transportation purposes; and

WHEREAS, under SB 369, “transportation purposes” means and includes roads, bridges, public transit, rails, airports, buses, seaports, including without limitation road, street, and bridge purposes pursuant to paragraph (1) of subsection (b) of O.C.G.A. Section 48-8-121, and all accompanying infrastructure and services necessary to provide access to these transportation facilities; and

WHEREAS, the road, street, and bridge purposes contained in paragraph (1) of subsection (b) of O.C.G.A. Section 48-8-121 include acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; construction of roads, streets, bridges, sidewalks, and bicycle paths; renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths, including resurfacing; relocation of utilities for roads, streets, bridges, sidewalks, and bicycle paths; improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; and patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; and

WHEREAS, the City has developed a list of transportation purposes to be funded by the proceeds of the TSPLOST; and

WHEREAS, the City has the ability to change the projects as deemed necessary.

WHEREAS, the City Council of the City believes the most feasible plan for funding a portion of the City’s transportation purposes is to impose a TSPLOST pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated: and

WHEREAS, Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated requires the City to submit a list of transportation purposes and the question of whether the tax should be approved to the governing authority of Fulton County; and

WHEREAS, it is in the best interests of the City to submit a list of transportation purposes and the question of whether the TSPLOST should be approved to the Fulton County Commission.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, to call for the imposition, by the Fulton County Commission, of a transportation special purpose local option sales and use tax (“TSPLOST”) and a referendum election thereon, pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, for the sole purpose of funding the transportation purposes as defined in SB 369;

BE IT FURTHER RESOLVED, that a list of the projects and purposes qualifying as transportation purposes proposed to be funded from the TSPLOST, including an expenditure of at least thirty percent (30%) of the estimated revenue from the TSPLOST on projects consistent with the state-wide strategic transportation plan, as defined in paragraph (6) of subsection (a) of Code Section 32-2-22, which is attached as Exhibit A, shall be transmitted to the Fulton County Commission for its approval;

BE IT FURTHER RESOLVED, that if the Fulton County Commission approves the list of transportation projects and purposes, the Fulton County Commission shall follow the procedure described in SB 369 to notify the Fulton County Board of Registration and Elections to call for the imposition of the TSPLOST and for the proposal to be presented to the qualified voters within the City at the next scheduled election;

BE IT FURTHER RESOLVED, that the ballot submitting the question of the imposition of the TSPLOST to the voters within the City shall have written or printed thereon the following:

YES Shall an additional 0.4 percent sales tax be collected in the City of Atlanta
NO for 5 years for the purpose of transportation improvements and congestion reduction?

BE IT FURTHER RESOLVED, that the City Council of the City of Atlanta hereby directs the Fulton county Board of Registration and Elections to call and conduct the election, to canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the State Revenue Commissioner, as provided by SB 369;

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby ordered and directed to furnish the Fulton county Board of Registration and Elections with a duly certified copy of this resolution in order that the Fulton County Board of Registration and Elections may take such action as provided by SB 369;

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall be imposed at a rate of 0.4 percent and the maximum amount of net proceeds to be collected from the proposed TSPLOST is Three Hundred Eighty Million Dollars and Zero Cents (\$380,000,000.00) (“Maximum Amount”);

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall commence on the first day of the next succeeding calendar quarter that begins more than eighty (80) days after the date of the election at which the TSPLOST was approved by the voters and continue for up to five (5) years thereafter, or until such time the TSPLOST has raised revenues sufficient to provide the City the net proceeds equal to or greater than the Maximum Amount, whichever comes first;

BE IT FURTHER RESOLVED, that following the expiration of the proposed TSPLOST, the City may re-impose a TSPLOST in the same manner as provided in Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated; and

BE IT FINALLY RESOLVED, that any and all resolutions in conflict with this resolution this day passed be and they are hereby waived to the extent of the conflict.

CITY COUNCIL
ATLANTA, GEORGIA

16-R-3712

SPONSOR SIGNATURES

Clarence T Martin Jr
Clarence "C. T." Martin, Councilmember, District 10

Ivory Lee Young Jr.
Ivory Lee Young Jr., Councilmember, District 3

Kwanza Hall
Kwanza Hall, Councilmember, District 2

**CITY COUNCIL
ATLANTA, GEORGIA**

16-R-3712

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Workflow List:

Clerk of Council	Completed	06/07/2016 12:27 PM
Atlanta City Council	Completed	06/06/2016 1:00 PM
Transportation Committee	Completed	06/15/2016 10:30 AM
Atlanta City Council	Completed	06/20/2016 1:00 PM
Transportation Committee	Completed	06/29/2016 10:30 AM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Transportation Committee	Completed	07/13/2016 10:30 AM
Atlanta City Council	Completed	07/18/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

06/06/16 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	
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06/15/16 Transportation Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 6/20/2016 1:00 PM
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06/20/16 Atlanta City Council RETURNED AS HELD

RESULT:	RETURNED AS HELD	Next: 6/29/2016 10:30 AM
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06/29/16 Transportation Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 7/5/2016 1:00 PM
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RESULT:	RETURNED AS HELD	Next: 7/13/2016 10:30 AM
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A RESOLUTION BY COUNCILMEMBERS C.T. MARTIN, IVORY YOUNG, CLETA WINSLOW AND CARLA SMITH AS SUBSTITUTED AND AMENDED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”) TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.

VOTE RECORD - RESOLUTION 16-R-3712						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> ADVERSED IN COMMITTEE <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> FORWARDED W/NO RECOMMENDATION <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/CONDITION						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
		MICHAEL JULIAN BOND	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		MARY NORWOOD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ANDRE DICKENS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CARLA SMITH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KWANZA HALL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		IVORY LEE YOUNG JR.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLETA WINSLOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		NATALYN MOSBY ARCHIBONG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ALEX WAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		HOWARD SHOOK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YOLANDA ADREAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		FELICIA A. MOORE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLARENCE "C. T." MARTIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KEISHA LANCE BOTTOMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		JOYCE SHEPERD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> FAVORABLE/AMND/CONDITION <input checked="" type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> FAVORABLE ON CONDITION <input type="checkbox"/> ACCEPTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED WITHOUT OBJECTION <input type="checkbox"/> TABLED W/O 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>	