

STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN FULTON COUNTY AND THE CITY OF ALPHARETTA, THE CITY OF CHATTAHOOCHEE HILLS, THE CITY OF COLLEGE PARK, THE CITY OF EAST POINT, THE CITY OF FAIRBURN, THE CITY OF HAPEVILLE, THE CITY OF JOHNS CREEK, THE CITY OF MILTON, THE CITY OF MOUNTAIN PARK, THE CITY OF PALMETTO, THE CITY OF ROSWELL, THE CITY OF SANDY SPRINGS AND THE CITY OF UNION CITY, FOR USE AND DISTRIBUTION OF PROCEEDS GENERATED BY THE 2016 TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES TAX REFERENDUM; AUTHORIZING THE MAYOR OF SANDY SPRINGS TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF SANDY SPRINGS; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES

WHEREAS, during the 2015 legislative session, the Georgia General Assembly passed SB 369, amending, among other provisions, Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the special district mass transportation sales and use tax; and

WHEREAS, SB 369, as amended in 2016, creates separate tax districts for the City of Atlanta (“COA”) and the other municipalities within Fulton County outside the COA, including the City of Alpharetta, the City of Chattahoochee Hills, the City of College Park, the City of East Point, the City of Fairburn, the City of Hapeville, the City of Johns Creek, the City of Milton, the City of Mountain Park, the City of Palmetto, the City of Roswell, the City of Sandy Springs and the City of Union City (collectively, “Cities”); and

WHEREAS, SB 369 authorizes the imposition of a maximum tax rate of 0.75% within Fulton County outside the COA upon referendum; and

WHEREAS, the Cities anticipate that Fulton County will approve and execute a resolution authorizing the Fulton County Board of Registrations and Elections to call a referendum on the issue of the imposition of a 0.75% transportation special purpose local option sales tax (“TSPLOST” or “Tax”) to begin on April 1, 2017 and to conclude on March 31, 2022 as to the Cities; and

WHEREAS, assuming the maximum TSPLOST rate of 0.75% is leveraged for five (5) years, the area of Fulton County outside the COA will generate approximately \$655,000,000.00 from imposition to conclusion; and

WHEREAS, the City of Sandy Springs will receive an 18.22% allocation of collected TSPLOST proceeds; and

WHEREAS, it is anticipated the City of Sandy Springs will receive up to a maximum of \$119,341,000.00 during the five (5) year period during which the Tax will be imposed and collected; and

WHEREAS, Fulton County, the City of Sandy Springs, and the other Cities desire to utilize the proceeds of the Tax for the one or more of the purposes authorized under O.C.G.A. § 48-8-260(5) and O.C.G.A. § 48-8-121; and

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WHEREAS, the City Council desires to enter into an intergovernmental agreement (“IGA”) with Fulton County and the Cities, a copy of which is attached hereto as Exhibit “A”, to control the distribution and use of TSPLOST proceeds, and to authorize the Mayor to execute the same; and

WHEREAS, City Council desires to use the proceeds it receives from the Tax for the transportation purposes identified in Exhibit “B” attached hereto, in accordance with the provisions of O.C.G.A. § 48-8-260(5) and O.C.G.A. § 48-8-121.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy Springs at its meeting on June 7, 2016, as follows:

1. The attached IGA addressing the distribution and use of TSPLOST proceeds and other related matters is hereby approved.
2. The Mayor is hereby authorized to execute the IGA on behalf of the City of Sandy Springs and to take such actions as shall be necessary to effectuate the intent of this resolution.
3. The City Manager and City Attorney are hereby authorized to makes such minor revisions to the IGA as shall be necessary to accomplish the purpose of this resolution.
4. All resolutions, or parts of resolutions, in conflict herewith are repealed.

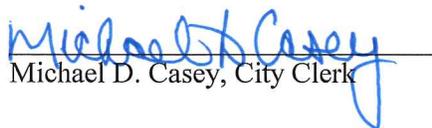
RESOLVED this the 7th day of June, 2016.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

