



To: Honorable Mayor and City Council Members
From: Wendell K. Willard
Date: For Submission onto the January 15, 2013 City Council Meeting Agenda
Agenda Item: Resolution of the City of Sandy Springs, Georgia to set Qualifying Fees for Municipal Elections

City Attorney's Recommendation:

The City Attorney's Office recommends that the City Council approve the attached resolution setting the qualifying fees for the 2013 elections for Mayor and City Council seats.

Background and Discussion:

O.C.G.A. § 21-2-131(a)(1)(A) provides that the governing authority of any municipality shall, not later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held, fix and publish a qualifying fee for each municipal office to be filled in the upcoming primary or election. The qualifying fee shall be 3 percent of the total gross salary of the office paid in the preceding calendar year including all supplements authorized by law, if a salaried office.

In order to comply with the provisions of O.C.G.A. § 21-2-131(a)(1)(A), Council should adopt the attached resolution. The qualifying fees set forth on the resolution are based on the following:

- 3% of the current annual salary of \$25,000.00 for Mayor, or \$750.00
- 3% of the current annual salary of \$12,000.00 for each Council seat, or \$360.00.

Alternatives:

The City must comply with the provisions of O.C.G.A. § 21-2-131(a)(1)(A).

STATE OF GEORGIA
COUNTY OF FULTON

**RESOLUTION OF THE CITY OF SANDY SPRINGS, GEORGIA
TO SET QUALIFYING FEES FOR MUNICIPAL ELECTIONS**

BE IT RESOLVED by the City Council for the City of Sandy Springs, Georgia while in regular session on January 15, 2013 at 6:00 p.m. as follows:

WHEREAS, effective January 1, 1999, the Georgia Municipal and Georgia Election Codes were combined into one known as the Georgia Election Code; and

WHEREAS, such Code provides at § 21-2-131(a)(1) that qualifying fees shall be fixed and published not later than February 1st of any year in which a general election is to be held; and

WHEREAS, State law provides that such fees shall be three percent (3%) of the total gross salary of the office paid in the preceding year, if a salaried office; and

WHEREAS, in compliance with House Bill 37, the City of Sandy Springs will be holding elections for the Mayor and Council Seats from District 1, District 2, District 3, District 4, District 5 and District 6 in 2013; and

WHEREAS, the Internal Revenue Service has held that Councilmembers hold salaried positions;

NOW, THEREFORE, the Mayor and Council of the City of Sandy Springs, Georgia, pursuant to their authority do hereby adopt by Resolution as follows:

1.

The following qualifying fees shall apply to candidates seeking municipal office in the election to be held November __, 2013:

Mayor	\$750.00
City Councilmember	\$360.00

2.

Let a copy of this Resolution be published in a newspaper of general circulation following its adoption.

RESOLUTION NO. 2013-_____

APPROVED AND ADOPTED this 15th day of January, 2013.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)