

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL CONTRACT BETWEEN THE CITY OF GRIFFIN SPALDING COUNTY AND OTHER QUALIFIED MUNICIPALITIES IN SPALDING COUNTY, REQUESTING THAT THE BOARD OF COMMISSIONERS OF SPALDING COUNTY INCLUDE IN ITS RESOLUTION IMPOSING A SPECIAL ONE PERCENT SALES AND USE TAX WITHIN SPALDING COUNTY SUBJECT TO REFERENDUM APPROVAL PROVISIONS FOR THE ISSUANCE OF BONDS BY THE CITY OF GRIFFIN, DECLARING GRIFFIN'S OFFICIAL INTENT TO ISSUE BONDS, AND FOR OTHER PURPOSES.

WHEREAS, Official Code of Georgia Annotated ("O.C.G.A.") §48-8-110, *et seq.* (the "Act") authorizes the imposition of a special county one percent sales and use tax (the "Special Sales Tax") for various capital outlay projects and for the retirement of previously incurred general obligation debt; and

WHEREAS, O.C.G.A. § 48-8-111(a)(1)(D) authorizes the imposition of the Special Sales Tax for the purpose of generating funds to be used and expended on a capital outlay project or projects to be owned or operated or both either by the County, one or more qualified municipalities, one or more local authorities, or any combination thereof, with respect to which the County has, prior to the call of the election authorizing such tax, entered into a contract or agreement, as authorized by Article IX, Section III of the Constitution of the State of Georgia, with one or more qualified municipalities in the County, which municipality or municipalities contain more than one-half of the aggregate population of all municipalities within the County; and

WHEREAS, the City of Griffin (the "City") is a qualified municipality with in the meaning of the Act and has more than one-half of the aggregate population of all municipalities in Spalding County (the "County"); and

WHEREAS, O.C.G.A. § 48-8-111(a) requires that prior to the vote of a county governing authority within a special district to impose a Special Sales Tax, such governing authority shall deliver or mail a written notice to the mayor or chief elected official in each qualified municipality located within the special district, such notice to contain the date, time, place, and purpose of a meeting at which the governing authorities of the county and each qualified municipality are to meet to discuss the possible projects for inclusion in a referendum to be held relating to the Special Sales Tax, and in accordance therewith, such notice was given by the Board of Commissioners of Spalding County and such a meeting was held on May 18, 2015; and

WHEREAS, Article IX, Section III, Paragraph I of the Constitution of the State of Georgia provides, in pertinent part, that any county, municipality, or other political subdivision of the State of Georgia may contract for any period not exceeding fifty years with each other or with any public agency, public corporation, or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, for such activities, services or facilities which the county, municipality, or public authority is authorized by law to undertake or provide; and

WHEREAS, the City has been furnished with a draft of an Intergovernmental Contract (the “Intergovernmental Contract”) proposed for execution and delivery by the County, the City, the City of Orchard Hill, and the City of Sunny Side; and

WHEREAS, the Board of Commissioners of the City of Griffin, which is the governing body of the City has determined it is in the best interest of the City and the citizens of the City that the Griffin Bonds (described in the Intergovernmental Contract) be issued to fund a portion of the Griffin Projects (described in the Intergovernmental Contract); and

WHEREAS, it is necessary and proper that the Board of Commissioners authorize its Chairperson or Vice Chairperson to execute the Intergovernmental Contract on behalf of the City and request that the Board of Commissioners include in its resolution to be adopted imposing the Special Sales Tax provisions requesting voter approval for the issuance of the Griffin Bonds; and

WHEREAS, the City reasonably expects that it will expend funds on the Griffin Projects prior to the issuance of the Griffin Bonds and wishes to be reimbursed for such expenditures from proceeds of the Griffin Bonds

NOW, THEREFORE, BE IT RESOLVED by the ~~Mayor and Council~~Board of Commissioners of the City of Griffin, and it is hereby resolved by authority of the same, as follows:

1. The Chairperson or Vice Chairperson is hereby authorized to execute and deliver the Intergovernmental Contract, substantially in the form on file with the City, with such changes as may be approved by the Chairperson, with the advice of the City Attorney.

2. Request is hereby made that the Board of Commissioners include in its resolution to be adopted imposing the Special Sales Tax subject to referendum approval provisions authorizing the issuance of the Griffin Bonds.

3. Prior to issuance of the Griffin Bonds, the City reasonably expects that it will expend funds on the acquisition, construction and equipping of the Griffin Projects to be approved by the voters. The City wishes to be reimbursed for such expenditures from the Griffin Bond proceeds. Therefore, the City, pursuant to Treasury Regulation § 1.150-2, hereby declares its official intent to issue its Griffin Bonds in an aggregate amount of up to \$10,~~210~~570,000 to reimburse such original expenditures with proceeds from the sale of the Griffin Bonds. The City will pay such original expenditures from a construction fund or other account maintained by the City.

4. The Chairperson, Vice Chairperson, Secretary, City Manager, City Attorney, Finance Director, and all other proper officers and agents of the City are authorized and directed to execute such documents and to take such other actions as may be required in accordance with the intents and purposes of this Resolution.

APPROVED AND ADOPTED, in open public meeting this 28th day of July,
2015.

CITY OF GRIFFIN

By: _____
Douglas S. Hollberg

Chairperson, Board of Commissioners

~~(S E A L)~~

Attest: _____

Kenny L. Smith
Secretary, Board of Commissioners

(S E A L)

SECRETARY'S CERTIFICATE

I, the undersigned Secretary of the Board of Commissioners of the City of Griffin, Georgia, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Commissioners of the City of Griffin, Georgia, in public meeting assembled on July 28⁷, 2015, the original of which resolution has been entered in the official records of the City under my supervision and is in my official possession, custody, and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

~~(SEAL)~~

Kenny L. Smith

Secretary, Board of Commissioners

(SEAL)