

STATE OF GEORGIA

FULTON COUNTY

February 17, 2010

**RESOLUTION OF THE CITY OF ROSWELL, GEORGIA, REQUESTING A  
LOCAL ACT OF THE GENERAL ASSEMBLY TO AUTHORIZE THE CITY OF  
ROSWELL TO EXERCISE REDEVELOPMENT POWERS UNDER THE  
GEORGIA REDEVELOPMENT POWERS LAW**

**WHEREAS**, the Mayor and Council of the City of Roswell have determined that it is in the best interest to exercise redevelopment powers under the Georgia Redevelopment Powers Law; and

**WHEREAS**, in order to be able to exercise such powers, it is necessary that an act be introduced in the Regular 2010 Session of the General Assembly of Georgia authorizing the City to exercise powers under O. C. G. A. § 36-44-1 et seq., Georgia Redevelopment Powers Law, which act shall also contain a provision making the act subject to approval in a city-wide referendum:

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Roswell, and it is hereby resolved by the authority of the same as follows:

1.

The Mayor and Council hereby request Harry Geisinger, Representative of the 48<sup>th</sup> District, Jan Jones, Representative of the 46<sup>th</sup> District and Wendell Willard, Representative of the 49<sup>th</sup> District to introduce an act in the Regular 2010 Session of the General Assembly of the State of Georgia to authorize the City to exercise redevelopment powers under the Georgia Redevelopment Powers Law, subject to approval in a city-wide referendum; and

2.

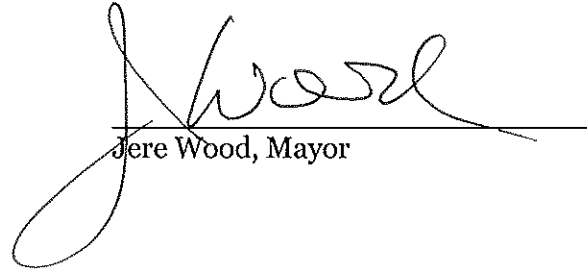
The act introduced in the Regular 2010 Session of the General Assembly of Georgia shall be substantially in the same form as the attached Exhibit "A", subject to review and revision by the Office of Legislative council and possible revision to the ballot format; and

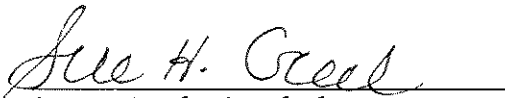
3.


Let a copy of this Resolution, certified by the City Clerk of the City of Roswell as being true and correct, be forwarded to the offices of Representatives Harry Geisinger, Jan Jones and Wendell Willard as soon as practicable after adoption so that local legislation may be successfully enacted during the 2010 legislative session.

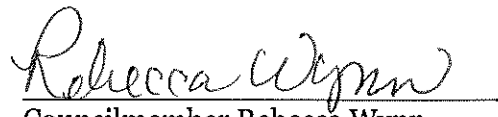
The above Resolution was read and approved by the Mayor and Council of the City of Roswell on the 17<sup>th</sup> day of February, 2010.

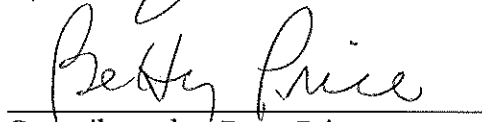
Attest:

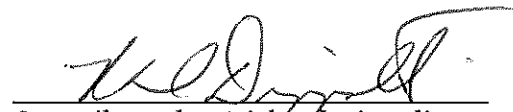
  
Jere Wood, Mayor

  
Sue H. Creel, City Clerk  
(Seal)

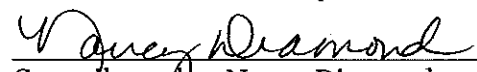
  
Councilmember Jerry Orleans

  
Councilmember Rebecca Wynn

  
Councilmember Betty Price

  
Councilmember Richard Dippolito

  
Councilmember Kent Igleheart

  
Councilmember Nancy Diamond



**EXHIBIT "A"**

**CITY OF ROSWELL REDEVELOPMENT POWERS; REFERENDUM**

No. \_\_\_\_\_ (House Bill No. \_\_\_\_\_)

**AN ACT**

To authorize the City of Roswell to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

The City of Roswell shall be and is authorized all redevelopment and other powers under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law", as amended. The intention of this Act is to authorize the City of Roswell to undertake and carry out community redevelopment, to create tax allocation districts, to issue tax allocation bonds, and to incur other obligations within the meaning of and as fully permitted under the provisions of Article IX, Section II, Paragraph VII of the Constitution of the State of Georgia of 1983, as amended, and to authorize the City of Roswell to exercise redevelopment powers as fully as the "Redevelopment Powers Law" may now or hereafter permit and not to limit any redevelopment powers permitted under the "Redevelopment Powers Law."

**SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of the City of Roswell shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Roswell for approval or rejection. The election superintendent shall issue the call and conduct that election in conformity with the requirements for elections pursuant to Title 21. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Fulton County. The ballot shall have written or printed thereon the words:

"YES ( ) Shall the Act be approved which authorizes the City of  
Roswell to exercise redevelopment powers under the  
"Redevelopment Powers  
NO ( ) Law," as it may be amended from time to time?"

**Resolution No. 2010-02-11**

All persons desiring to vote for approval of the Act shall vote "Yes", and those persons desiring to vote for rejection of the Act shall vote "No". If more than one-half of the votes cast on such question are for the approval of the Act, then Section 1 of this Act shall become of full force and effect immediately. If Section 1 of this Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Roswell. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State of the State of Georgia.

**Section 3.**

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**Section 4.**

All laws and parts of laws in conflict with this Act are repealed.