

STATE OF GEORGIA

FULTON COUNTY

April 19, 2010

**RESOLUTION OF THE CITY OF ROSWELL, GEORGIA FOR CALL AND CONDUCT
OF SPECIAL ELECTION REGARDING REDEVELOPMENT POWERS TO BE HELD
IN CONJUNCTION WITH THE 2010 GENERAL ELECTION**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the City of Roswell;
and

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, on March 24, 2010 the General Assembly of Georgia adopted HB-1349, attached hereto and incorporated herein, thereby authorizing the City to exercise powers under O.C.G.A. § 36-44-1 et seq., Georgia Redevelopment Powers Law; and

WHEREAS, such act, pursuant to State law, contains a provision making the Act subject to approval in a city-wide referendum; and

WHEREAS, the City of Roswell deems it in the public interest to enter into a contract with Fulton County, Georgia to conduct the November 2, 2010 election; and

WHEREAS, O.C.G.A. § 21-2-540(a) provides that a special election held at the time of a general election "shall be conducted by the poll officers by the use of the same equipment and facilities, so far as practicable, as are used for such general election:"

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the Mayor and Council do hereby call for a special election as provided by law for the purpose of submitting this Act to the electors of the City of Roswell for approval or rejection.

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 Law,' as it may be amended from time to time?" |
| () NO | |

BE IT FURTHER RESOLVED that the Mayor or the City Administrator are authorized to contract with the Fulton County Department of Registration and Elections to conduct this election and the referendum on the question of redevelopment powers. Let the call for these elections issue according to law.

Resolution No. 2010-04-16

The above Resolution was read and approved by the Mayor and Council of the City of Roswell on the 19th day of April 2010.

Attest:

Sue Creel
Sue Creel, City Clerk
(Seal)

Jerry Orleans
Councilmember Jerry Orleans

Betty Price
Councilmember Betty Price

Kent Igleheart
Councilmember Kent Igleheart

Jere Wood
Jere Wood, Mayor

Rebecca Wynn
Councilmember Rebecca Wynn

Richard Dippolito
Councilmember Richard Dippolito

Nancy P. Diamond
Councilmember Nancy Diamond



House Bill 1349 (AS PASSED HOUSE AND SENATE)

By: Representatives Geisinger of the 48th, Willard of the 49th, Martin of the 47th, and Jones of the 46th

A BILL TO BE ENTITLED
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

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

17 SECTION 2.

18 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
19 superintendent of the City of Roswell shall call and conduct a special election as provided
20 in this section for the purpose of submitting this Act to the electors of the City of Roswell for
21 approval or rejection. The election superintendent shall conduct that election on any
22 permissible referendum date after the effective date of this Act but not later than the date of
23 the 2011 state-wide general election and shall issue the call and conduct that election as
24 provided by general law. The election superintendent shall cause the date and purpose of the
25 election to be published once a week for two weeks immediately preceding the date thereof

26 in the official organ of Fulton County. The ballot shall have written or printed thereon the
27 words:

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

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

40 **SECTION 3.**

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

43 **SECTION 4.**

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