

RESOLUTION No. 706 AUTHORIZING AN INTERGOVERNMENTAL
AGREEMENT WITH ROCKDALE COUNTY RELATING TO THE
CONTINUATION OF A
ONE PERCENT SALES AND USE TAX WITHIN ROCKDALE COUNTY

WHEREAS, Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (the "Act") authorizes the imposition of a one percent sales and use tax (the "Sales and Use Tax") for the purpose, among other things, of financing certain capital outlay projects and retiring certain general obligation debt; and

WHEREAS, the City of Conyers, Georgia (the "City") and Rockdale County, Georgia (the "County") have determined that it is in the best interest of the citizens of the City and the County that the Sales and Use Tax be continued in the County for the purpose of funding certain capital outlay projects; and

WHEREAS, the Board of Commissioners of the County delivered or mailed a written notice (the "Notice") to the Mayor of the City regarding the imposition/continuation of the Sales and Use Tax; and

WHEREAS, the City is the only municipality within the County; and

WHEREAS, the Notice contained the date, time, place and purpose of a meeting at which designated representatives of the County and the City met and discussed the possible projects for inclusion in the referendum, including municipally owned or operated projects (the "Projects"); and

WHEREAS, the Notice was delivered or mailed at least 10 days prior to the date of the meeting, and the meeting was held at least 30 days prior the issuance of a call for the referendum; and

WHEREAS, the City and the County desire to enter into an Intergovernmental Agreement, dated as of December 1, 2021 (the "Agreement"), pursuant to the Sales and Use Tax Act and Article IX, Section III, Paragraph I(a) of the Georgia Constitution with respect to the Projects and the Sales and Use Tax; and

WHEREAS, a form of the Agreement is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council, as follows:

Section 1. The execution, delivery and performance of the Agreement are hereby authorized and approved. The Agreement shall be executed by the Mayor or Mayor Pro-Tem and attested to by the Clerk. The Agreement shall be in substantially the form attached hereto, subject to such changes, insertions or deletions as may be approved by the Mayor or Mayor Pro-Tem, and the execution of the Agreement by the Mayor or the Mayor Pro-Tem as herein authorized shall be conclusive evidence of any such approval.

Section 2. From and after the execution and delivery of the Agreement, the proper officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the purposes and intent of this resolution or the provisions of the Agreement.

Section 3. All acts and doings of the officers, employees and agents of the City which are in conformity with the purposes and intent of this resolution and in furtherance of the execution, delivery and performance of the Agreement are hereby ratified and approved.

Section 4. If any section, paragraph of provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 5. All other resolutions, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 6. This resolution shall take immediate effect upon its adoption.

ADOPTED this 15th day of December, 2021.

CITY COUNCIL

(SEAL)

By: 

Mayor

ATTEST:

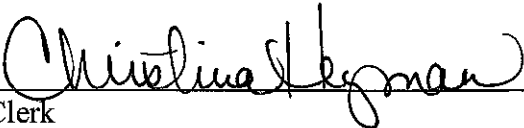
By: 

Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the City of Conyers, Georgia (the "City") DOES HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to an Intergovernmental Agreement constitute a true and correct copy of the Resolution adopted by the City Council on December 15, 2021 in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such Resolution appears of record in the Minute Book of the City, which is in the undersigned's custody and control.

WITNESS my hand and the official seal of the City, this 15th day of December, 2021.


Clerk

(SEAL)