

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2014 – 1166

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA APPROVING AND AUTHORIZING THE EXECUTION, BY THE CHAIRMAN OF THE CLAYTON COUNTY BOARD OF COMMISSIONERS, OF A RAPID TRANSIT CONTRACT BETWEEN CLAYTON COUNTY AND THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY PROVIDING FOR THE TERMS AND CONDITIONS OF THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND OPERATION OF A RAPID TRANSIT SYSTEM; REQUESTING THE ELECTION SUPERINTENDENT TO CALL AN ELECTION OF THE VOTERS OF CLAYTON COUNTY TO CONSIDER THE APPROVAL OF SAID CONTRACT AND THE LEVY OF A ONE PENNY RETAIL SALES AND USE TAX FOR RAPID TRANSIT PURPOSES; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, the Constitution of the State of Georgia (Ga. Laws 1964, p. 1008) and the Metropolitan Atlanta Rapid Transit Authority (the “Authority”) Act of 1965 as amended (the “Act”) authorize the Counties of Fulton, Dekalb, Clayton, Cobb and Gwinnett and the City of Atlanta to enter into a rapid transit contract or contracts with the Authority for the use of a rapid transit system provided by the Authority within the Metropolitan area; and

WHEREAS, pursuant to the Act, as amended, Clayton County is authorized to levy within its geographical area a retail sales and use tax for rapid transit purposes provided a favorable vote of the qualified voters of Clayton County is obtained in the manner prescribed in the Act; and

WHEREAS, Clayton County and the Authority each have determined that entering into a Rapid Transit Contract for the acquisition, construction, improvement and operation of a rapid transit system is in the best interest of the residents of the County and of the Metropolitan Area; and

WHEREAS, the Authority passed a Resolution approving the Rapid Transit Contract attached hereto as Exhibit "A" at a special called meeting on Wednesday July 2, 2014 (hereinafter the "Contract:");

WHEREAS, the Clayton County Board of Commissioners has determined that it is in the best interest of the residents of Clayton County that the Contract be approved and that a retail sales and use tax at the rate of one percent be levied for rapid transit purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF  
CLAYTON COUNTY, GEORGIA AS FOLLOWS:

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into the Rapid Transit Contract attached hereto as Exhibit "A" with the Authority. The Board also authorizes the Chairman to execute the Contract.

Section 2. The Clerk to the Clayton County Board of Commissioners is hereby authorized and directed to transmit this Resolution to the Elections Superintendent to issue the call for a referendum for the purpose of submitting to the voters of the County the question of approving a Rapid Transit Contract with the Authority.

Section 3. Upon receipt of this Resolution, the Elections Superintendent shall issue the call and shall conduct the election on November 4, 2014, in accordance with the election laws of the State of Georgia.

Section 4. The Elections Superintendent shall cause the date and purpose of the election to be published once a week for four weeks immediately preceding the date of the election in the official organ of the County.

Section 5. The Elections Superintendent shall cause the following language to be written or printed on the ballot:

**“Clayton County has executed a contract with Metropolitan Atlanta Rapid Transit Authority, dated as of July 5, 2014.**

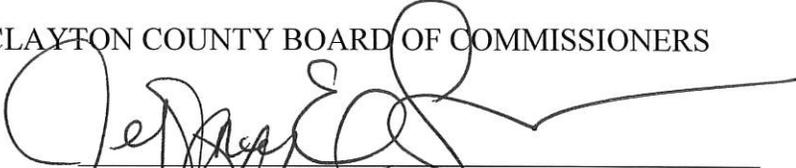
**Shall this contract be approved?**

**YES \_\_\_\_\_ NO \_\_\_\_\_”**

Section 6. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

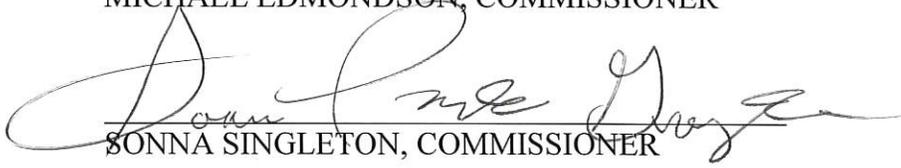
SO RESOLVED, this the 5<sup>th</sup> day of July, 2014.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
JEFFREY E. TURNER, CHAIRMAN

  
\_\_\_\_\_  
SHANA M. ROOKS, VICE CHAIRMAN

\_\_\_\_\_  
MICHAEL EDMONDSON, COMMISSIONER

  
\_\_\_\_\_  
SONNA SINGLETON, COMMISSIONER

\_\_\_\_\_  
GAIL B. HAMBRICK, COMMISSIONER

ATTEST:

  
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SHELBY D. HAYWOOD, CLERK