

**A REFERENDUM RESOLUTION TO IMPOSE A SPECIAL 0.5 PERCENT SALES AND USE TAX FOR THE PURPOSE OF FUNDING COLISEUM CAPITAL OUTLAY PROJECTS AND RELATED PROJECT COSTS, SUBJECT TO REFERENDUM APPROVAL; TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE IMPOSITION OR NON-IMPOSITION OF THE SALES AND USE TAX; TO SPECIFY THE COLISEUM CAPITAL OUTLAY PROJECT TO BE FUNDED FROM THE PROCEEDS OF THE SALES AND USE TAX; TO SPECIFY THE MAXIMUM COST OF SUCH COLISEUM CAPITAL OUTLAY PROJECT AND THE MAXIMUM AMOUNT TO BE RAISED BY THE SALES AND USE TAX; TO AUTHORIZE THE ISSUANCE OF \$250,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION DEBT IN CONJUNCTION WITH THE IMPOSITION OF THE SALES AND USE TAX; TO SPECIFY THE PURPOSE FOR WHICH THE DEBT IS TO BE ISSUED, THE MAXIMUM INTEREST RATE OR RATES THAT SUCH DEBT IS TO BEAR, AND THE AMOUNT OF PRINCIPAL TO BE PAID IN EACH YEAR DURING THE LIFE OF SUCH DEBT; TO PROVIDE FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES TO SERVICE SUCH DEBT, TO THE EXTENT THE PROCEEDS OF THE SALES AND USE TAX ARE NOT SUFFICIENT FOR SUCH PURPOSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Augusta-Richmond County Commission (the “Commission”) is the governing authority of Augusta, Georgia (the “Consolidated Government”), a political subdivision and a consolidated city-county government created and existing under the laws of the State of Georgia, and is charged with the duties of levying taxes, contracting debts, and managing the affairs of the Consolidated Government; and

**WHEREAS**, the Consolidated Government constitutes a “qualified consolidated government” within the meaning of Section 48-8-145(3) of the Official Code of Georgia Annotated because the Consolidated Government was created on January 1, 1996 pursuant to Acts of the General Assembly of the State of Georgia that authorized the consolidation of the municipal corporation known as “The City Council of Augusta” and the political subdivision known as “Richmond County, Georgia” with geographic boundaries covering all of what was formerly Richmond County, and within such geographic boundaries in which the Consolidated Government now exists there exists two incorporated municipalities, namely the City of Blythe, Georgia and the City of Hephzibah; and

**WHEREAS**, the geographic boundaries of the Consolidated Government is coterminous with that of the special district of Richmond County created by Section 48-8-110.1(a) of the Official Code of Georgia Annotated (the “Special District”) in which the sales and use tax authorized by Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated is currently being levied; and

**WHEREAS**, the Augusta-Richmond County Coliseum Authority (the “Coliseum Authority”) currently operates an existing multi-use coliseum and civic center type facility, consisting of the James Brown Arena, the William B. Bell Auditorium, exhibition space, meeting rooms, and other facilities (collectively the “Existing Coliseum”); and

**WHEREAS**, the Existing Coliseum is located in the geographic boundaries of the Special District at Telfair and Seventh Streets in downtown Augusta (the “Existing Site”) and has been in operation on the Existing Site for more than 35 years; and

**WHEREAS**, the James Brown Arena was originally constructed with a minimum of 5,000 permanent seats; and

**WHEREAS**, the Commission deems it to be in the best interest of the Consolidated Government to improve public services in the Special District by carrying out a “coliseum capital outlay project” within the meaning of Section 48-8-145(1) of the Official Code of Georgia Annotated, consisting of the acquisition, construction, renovation, improvement, and equipping of buildings, structures, and facilities as a successor facility to the Existing Coliseum, such successor facility or facilities to be owned or operated, or both, either by the Consolidated Government, one or more local authorities within the Special District (including, without limitation, the Coliseum Authority), or any combination thereof (collectively the “Project”); and

**WHEREAS**, it appears to the Commission that the most feasible plan for providing funds to pay the costs of the Project is to impose a special 0.5 percent sales and use tax for a limited period of time for the purpose of funding coliseum capital outlay projects and project costs pursuant to Part 3 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated; and

**WHEREAS**, the Commission has determined that the Consolidated Government should issue its general obligation debt (in the form of general obligation bonds, promissory notes, or other instruments, as the Commission may approve) in the aggregate principal amount of \$250,000,000 in conjunction with the imposition of the sales and use tax, to be payable first from the separate account in which are placed the proceeds received by the Consolidated Government from the sales and use tax and then from the general funds of the Consolidated Government, for the purpose of providing funds to pay the cost of the Project (including, without limitation, capitalized interest incident thereto and expenses incident to accomplishing the foregoing) to enable the Consolidated Government to complete the Project before the sales and use tax is collected; and

**WHEREAS**, under the Constitution and laws of the State of Georgia, it is necessary to submit to the qualified voters of Richmond County the question of whether or not a special 0.5 percent sales and use tax for the purpose of funding coliseum capital outlay projects and project costs should be imposed for the Project, which proposal, if approved by the voters, shall also constitute approval of the issuance of general obligation debt of the Consolidated Government in the aggregate principal amount of \$250,000,000 for the Project;

**NOW, THEREFORE, BE IT RESOLVED** by the Augusta-Richmond County Commission, and it is hereby resolved by authority of the same, as follows:

**Section 1.** There is hereby imposed within the Special District a special sales and use tax at the rate of 0.5 percent for a limited period of time for the purpose of funding coliseum capital outlay projects and project costs pursuant to Part 3 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, subject to approval by a majority of the qualified voters residing within the territorial limits of Richmond County voting in the referendum called in Section 2 hereof, for the raising of not more than \$433,196,500 for the purpose of providing funds to pay the costs of the Project, at an estimated maximum cost of \$433,196,500 (which amount is estimated to provide for payment in full of principal and interest on \$250,000,000 of general obligation debt to be issued in conjunction with the imposition of the sales and use tax, as described in Section 3 hereof).

**Section 2.** There is hereby authorized to be called and there is hereby called an election to be held in all the precincts in Richmond County, on the 7th day of November 2023, for the purpose of submitting to the qualified voters of Richmond County the question of whether or not a special 0.5 percent sales and use tax for the purpose of funding coliseum capital outlay projects and project costs should be imposed within the Special District for the raising of not more than \$433,196,500 for the purpose of providing funds to pay the costs of the Project, at an estimated maximum cost of \$433,196,500 (which amount is estimated to provide for payment in full of principal and interest on \$250,000,000 of general obligation debt to be issued in conjunction with the imposition of the sales and use tax, as described in Section 3 hereof).

**Section 3.** If the imposition of the sales and use tax is approved by the voters in the referendum called in Section 2 hereof, such vote shall also constitute approval of the issuance of general obligation debt (in the form of general obligation bonds, promissory notes, or other instruments, as the Commission may approve) of the Consolidated Government in the aggregate principal amount of \$250,000,000 in conjunction with the imposition of the sales and use tax, to be payable first from the separate account in which are placed the proceeds received by the Consolidated Government from the sales and use tax and then from the general funds of the Consolidated Government, for the purpose of providing funds to pay the costs of the Project (including, without limitation, capitalized interest incident thereto and expenses incident to accomplishing the foregoing). Such general obligation debt, if so authorized, shall be dated as of the date of delivery or such other date(s) as the Commission may approve, shall be in such denomination or denominations as the Commission may approve, and shall bear interest from date at such rate or rates as the Commission may approve but not exceeding six percent (6.00%) per annum in any year. All interest shall be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2024, and the principal shall mature (by scheduled maturity or by mandatory redemption, as the Commission may approve) on October 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$ 7,405,000	2035	\$13,260,000
2026	7,850,000	2036	14,060,000
2027	8,320,000	2037	14,900,000
2028	8,820,000	2038	15,795,000
2029	9,350,000	2039	16,745,000
2030	9,910,000	2040	17,745,000
2031	10,505,000	2041	18,810,000
2032	11,135,000	2042	19,940,000
2033	11,805,000	2043	21,135,000
2034	12,510,000		

The general obligation debt may be issued in one or more series, and on one or more dates of issuance as the Commission may approve; provided, however, that the aggregate principal amount of such general obligation debt shall not exceed \$250,000,000. The general obligation debt may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Commission.

Part of the proceeds of the sales and use tax will be used for payment of general obligation debt issued in conjunction with the imposition of the sales and use tax, and the remaining proceeds of the sales and use tax will be used to fund the Project to the extent the Project has not been funded with proceeds of such general obligation debt.

**Section 4.** The ballot to be used in the election shall have written or printed thereon the question to be determined by the voters, to-wit:

“Shall a special 0.5 percent sales and use tax be imposed in the special district of Richmond County, in order to raise \$433,196,500 to fund coliseum capital outlay projects and related project costs.”

The ballot shall also have written or printed thereon, following the question set forth above, the following:

“If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Augusta, Georgia in the principal amount of \$250,000,000 for the above purpose.”

The ballot shall have printed thereon the word “YES” and the word “NO” in order that each voter may vote in either the affirmative or the negative as to the question propounded. The polls in each of the precincts within Richmond County shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in Richmond County. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

**Section 5.** The Clerk of Commission of the Consolidated Government is hereby ordered and directed forthwith to furnish the Superintendent of Elections of Richmond County with a duly certified copy of this resolution in order that the Superintendent of Elections may take such action in the premises as provided by law.

**Section 6.** Any brochures, listings, or other advertisements issued by the Commission or by any other person, firm, corporation, or association with the knowledge and consent of the Commission shall be deemed to be a statement of intention of the Commission concerning the use of the bond funds or interest received from such bond funds that have been invested.

**Section 7.** The following notice shall be incorporated into the call of the election by the Superintendent of Elections:

**NOTICE OF SALES AND USE TAX ELECTION**  
**TO THE QUALIFIED VOTERS OF RICHMOND COUNTY**

**YOU ARE HEREBY NOTIFIED** that on the 7th day of November 2023, an election will be held in all of the precincts of Richmond County. At the election there will be submitted to the qualified voters of Richmond County for their determination the question of whether or not a special 0.5 percent sales and use tax should be imposed within the special district of Richmond County, in order to raise \$433,196,500 to fund coliseum capital outlay projects and related project costs. The coliseum capital outlay projects and related project costs to be carried out consists of the acquisition, construction, renovation, improvement, and equipping of buildings, structures, and facilities as a successor facility to the existing multi-use coliseum and civic center type facility, consisting of the James Brown Arena, the William B. Bell Auditorium, exhibition space, meeting rooms, and other facilities located at Telfair and Seventh Streets in downtown Augusta, which has been in operation at such location for more than 35 years. Such successor facility or facilities will be owned or operated, or both, either by Augusta, Georgia (the “Consolidated Government”), one or more local authorities within the special district of Richmond County (including, without limitation, the Augusta-Richmond County Coliseum Authority), or any combination thereof, and the estimated maximum cost of such successor facility or facilities is \$433,196,500 (which amount is estimated to provide for payment in full of principal and interest on \$250,000,000 of general obligation debt to be issued in conjunction with the imposition of the sales and use tax, as described below).

If the imposition of the sales and use tax is approved by the voters in the referendum described in this notice, such vote shall also constitute approval of the issuance of general obligation debt (in the form of general obligation bonds, promissory notes, or other instruments, as the Augusta-Richmond County Commission (the “Commission”) may approve) of the Consolidated Government in the aggregate principal amount of \$250,000,000 in conjunction with the imposition of the sales and use tax, to be payable first from the separate account in which are placed the proceeds received by the Consolidated Government from the sales and use tax and then from the general funds of the Consolidated Government, for the purpose of providing funds to pay the costs of such successor facility or facilities described above (including, without limitation, capitalized interest incident thereto and expenses incident to accomplishing the foregoing). Such general obligation debt, if so authorized, shall be dated as of the date of delivery or such other date(s) as the Commission may approve, shall be in such denomination or denominations as the Commission may approve, shall bear interest from date at such rate or rates as the Commission may approve but not exceeding six percent (6.00%) per annum in any year, and shall provide for interest to be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2024, and the principal shall mature (by scheduled maturity or by mandatory redemption, as the Commission may approve) on October 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$7,405,000	2035	\$13,260,000
2026	7,850,000	2036	14,060,000
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2032	11,135,000	2042	19,940,000
2033	11,805,000	2043	21,135,000
2034	12,510,000		

The general obligation debt may be issued in one or more series, and on one or more dates of issuance as the Commission may approve; provided, however, that the aggregate principal amount of such general obligation debt shall not exceed \$250,000,000. The general obligation debt may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Commission.

Voters desiring to vote for the imposition of such sales and use tax shall do so by voting “YES” and voters desiring to vote against the imposition of such sales and use tax shall do so by voting “NO,” as to the question propounded, to-wit:

“Shall a special 0.5 percent sales and use tax be imposed in the special district of Richmond County, in order to raise \$433,196,500 to fund coliseum capital outlay projects and related project costs.”

“If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Augusta, Georgia in the principal amount of \$250,000,000 for the above purpose.”

The several places for holding the election shall be in the regular and established precincts of Richmond County, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election. Those qualified to vote at the election shall be determined in all respects in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

The last day to register to vote in this special election is October 9, 2023.

Any brochures, listings, or other advertisements issued by the Commission or by any other person, firm, corporation, or association with the knowledge and consent of the Commission shall be deemed to be a statement of intention of the Commission concerning the use of the bond funds or interest received from such bond funds that have been invested.

This notice is given pursuant to joint action of the Augusta-Richmond County Commission and the Superintendent of Elections of Richmond County.

**AUGUSTA, GEORGIA**

By: \_\_\_\_\_  
Mayor

**RICHMOND COUNTY BOARD OF  
ELECTIONS**

By: \_\_\_\_\_  
Chair



**Section 8.** Should the general obligation debt be authorized by the requisite number of qualified voters, the Commission shall, prior to the issuance of any such general obligation debt, levy an ad valorem tax upon all the property subject to taxation for general obligation bond purposes, within the territorial limits of the Consolidated Government, sufficient in amount to pay the principal of and the interest on such general obligation debt at their respective maturities, to the extent such principal and interest is not satisfied from the proceeds of the sales and use tax.

**Section 9.** The Commission declares its intent to use proceeds of the general obligation debt to reimburse the Consolidated Government's General Fund or the Authority for moneys used to pay expenditures related to the Project.

**Section 10.** All actions taken or to be taken by the Mayor and by the Clerk of the Commission in furtherance of calling an election pertaining to the imposition or non-imposition of a special 0.5 percent sales and use tax shall be, and the same are hereby, ratified, confirmed, and approved.

**Section 11.** Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.

**PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE** this 29th day of June 2023.

(SEAL)

**AUGUSTA, GEORGIA**

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk of Commission

**STATE OF GEORGIA  
RICHMOND COUNTY**

**CLERK'S CERTIFICATE**

I, **LENA J. BONNER**, Clerk of Commission, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of a referendum resolution adopted by the Augusta-Richmond County Commission (the "Commission") at an open public meeting duly called and lawfully assembled at 2:00 p.m., on the 29th day of June 2023, in connection with calling an election pertaining to the imposition or non-imposition of a special 0.5 percent sales and use tax for the purpose of funding a coliseum capital outlay project, the original of such referendum resolution being duly recorded in the Minute Book of the Commission, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Commission were present at such meeting:

Mayor Garnett L. Johnson  
Jordan Johnson  
Stacy Pulliam  
Catherine Smith McKnight  
Alvin Mason  
Bobby Williams  
Tony Williams  
Sean Frantom  
Brandon Garrett  
Francine Scott  
Wayne Guilfoyle

and that the following members were absent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and that such referendum resolution was duly adopted by a vote of:

Aye \_\_\_\_ Nay \_\_\_\_

**WITNESS** my hand and the official seal of Augusta, Georgia, this the 29th day of June 2023.

(SEAL)

\_\_\_\_\_  
Clerk of Commission