

A REFERENDUM RESOLUTION TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$40,690,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION DEBT OF THE CITY OF STONECREST IN CONJUNCTION WITH THE REIMPOSITION OF A SPECIAL ONE PERCENT SALES AND USE TAX; TO SPECIFY THE PURPOSES FOR WHICH SUCH 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 City Council of the City of Stonecrest (the “Governing Body”) is the governing authority of the City of Stonecrest (the “City”), a municipal corporation 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 City; and

WHEREAS, the City has entered into an Intergovernmental Agreement For The Use And Distribution Of Proceeds From The One Percent Special Purpose Local Option Sales Tax, dated as of September 6, 2023 (the “Contract”), with DeKalb County, Georgia (the “County”) and the other municipalities located in DeKalb County, except the City of Atlanta, which provides for the reimposition of a special one percent sales and use tax (the “SPLOST”), upon the termination of the special one percent sales and use tax presently in effect, pursuant to Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, in order to fund the capital outlay projects specified in the Contract; and

WHEREAS, the Governing Body has determined that the City should issue its general obligation debt (in the form of general obligation bonds, promissory notes, or other instruments, as the Governing Body may approve) in the aggregate principal amount not to exceed \$40,690,000 in conjunction with the reimposition of the SPLOST, to be payable first from the separate account in which are placed the proceeds received by the City from the SPLOST and then from the general funds of the City, for the purpose of providing funds to pay the costs of the City’s capital outlay projects described in the Contract (the “Projects”), to enable the City to complete the Projects before the SPLOST is collected; and

WHEREAS, the Governing Body desires to request the County to include in the call of the election and the ballot question for the SPLOST the City’s general obligation debt described above;

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

Section 1. The County is requested to include in the call of the election and the ballot question for the SPLOST the City’s general obligation debt described in Section 2 hereof.

Section 2. (a) Assuming that the reimposition of the SPLOST is approved by the voters of the City in the election for the SPLOST, the City hereby authorizes the issuance of its general obligation debt payable from the portion of the proceeds of the SPLOST payable to the City, in a maximum aggregate principal amount of up to \$40,690,000. The proceeds of the general obligation debt, if issued, shall be used to pay all or a portion of the Projects, the costs of issuing the general obligation debt, and capitalized interest. The general obligation debt shall bear interest from the first day of the month during which the general obligation debt is to be issued or from such other date as may be designated by the City prior to the issuance of the general obligation debt, which rates shall not exceed seven percent (7%) per annum. The actual rate or rates shall be determined in a resolution to be adopted by the City prior to the issuance of the general obligation debt. The maximum amount of principal to be paid in each year during the life of the general obligation debt shall be as follows:

<u>Year</u>	<u>Amount</u>
2025	\$6,140,000
2026	6,380,000
2027	6,635,000
2028	6,900,000
2029	7,175,000
2030	7,460,000

(b) Part of the proceeds of the SPLOST received by the City will be used for payment of general obligation debt issued by the City in conjunction with the reimposition of the SPLOST, and the remaining proceeds of the SPLOST will be used to fund the Projects to the extent the Projects have not been funded with proceeds of such general obligation debt.

Section 3. Should the general obligation debt of the City be authorized by the requisite number of qualified voters, the Governing Body 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 corporate limits of the City, 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 SPLOST.

Section 4. In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.

Section 6. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener's errors found in this resolution, including its exhibits, as enacted.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this ____ day of September 2023.

(SEAL)

CITY OF STONECREST

Attest:

By: _____
Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney

**STATE OF GEORGIA
DEKALB COUNTY**

CITY CLERK'S CERTIFICATE

I, **SONYA ISOM**, City Clerk of the City of Stonecrest, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of a resolution duly adopted by the City Council of the City of Stonecrest at an open public meeting duly called and lawfully assembled at 6:00 p.m., on the _____ day of September 2023, in connection with authorizing general obligation debt of the City of Stonecrest payable from a special one percent sales and use tax, the original of such resolution being duly recorded in the Minute Book of the City Council, which Minute Book is in my custody and control.

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

Jazzmin Cobble
Tara Graves
Robert Turner
Alecia Washington
George Turner
Tammy Grimes

and that the following members were absent:

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

Aye ____ Nay ____.

WITNESS my hand and the official seal of the City of Stonecrest, this the _____ day of September 2023.

City Clerk, City of Stonecrest

(SEAL)