

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

RESOLUTION NO. – A13-521

A RESOLUTION AUTHORIZING THE CITY OF STOCKBRIDGE (“CITY”) TO REQUEST THAT ITS LEGISLATIVE DELEGATION INTRODUCE LOCAL LEGISLATION IN THE GENERAL ASSEMBLY CREATING VOTING DISTRICTS FOR ELECTION OF CITY COUNCIL MEMBERS; AUTHORIZING THE LEGISLATURE TO ADVERTISE A NOTICE OF INTENT TO INTRODUCE LOCAL LEGISLATION; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY AS NECESSARY; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, Article II, Section V, Paragraph VIII of the 1983 Constitution of the State of Georgia states that the General Assembly may provide by law for the procedure for considering local legislation; and

WHEREAS, Article III, Section V, Paragraph IX of the 1983 Constitution of the State of Georgia states that the General Assembly shall provide for the advertisement of notice of intention to introduce local legislation; and

WHEREAS, O.C.G.A. § 28-1-14 sets forth the requirement that no local bill shall become law unless notice of the intention to introduce such bill shall have been properly advertised, and sets forth the procedure for such advertisement; and

WHEREAS, the City was incorporated by an act of the General Assembly approved on August 6, 1920 (1920 Ga. Laws 1531 *et seq.*); and

WHEREAS, the General Assembly adopted a new City Charter on April 4, 1991 through an act of local legislation (1991 Ga. Laws 4359), which has been subsequently amended; and

WHEREAS, Section 2.11 (d) of the City Charter currently provides that for the purposes of electing members of the City Council, the City of Stockbridge shall consist of one election district; and

WHEREAS, Section 2.14 of the City Charter currently provides that the candidate receiving a plurality of the votes cast within the City for any City office shall be elected; and

WHEREAS, the City finds that, although its Mayor should continue to be elected at large, it would be in the best interest of its citizens if the members of the City Council were elected from districts within the City, and finds that Sections 2.11 (d) and 2.14 of the City Charter should be amended to so reflect; and

WHEREAS, the City finds that the Charter amendment must be accomplished through the passage of proposed local legislation by the General Assembly; and

WHEREAS, to the extent that O.C.G.A. § 28-1-14 requires the publication of a notice of intent to introduce local legislation, the City finds that a notice similar to the notice attached hereto and incorporated herein as Exhibit "A" is acceptable and will adequately inform the public of the proposed charter amendments; and

WHEREAS, the City finds that assistance from the State of Georgia Office of Legislative Counsel, the local legislative delegation, and the General Assembly will be

needed to facilitate said amendment of the City Charter, therefore, the City requests that said organizations take all measures which are reasonably necessary to facilitate the amendment of the City Charter in the manner proposed herein; and

WHEREAS, the City wishes to request that the local legislative delegation make the City Charter amendment a legislative priority; and

WHEREAS, the City wishes to formally request that the Georgia General Assembly enact local legislation amending the City's Charter so as to provide that City Council members are thereafter elected from districts.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE
HEREBY RESOLVES AS FOLLOWS;

Section 1. **Approval** - The Mayor and City Council of the City of Stockbridge hereby approve and authorize the City to formally request that the Georgia General Assembly enact local legislation amending Sections 2.11 (d) and 2.14 of the City's Charter so as to provide for election of City Council members, but not the Mayor, from separate districts within the City hereafter. Further, pursuant to O.C.G.A. § 28-1-14 the Mayor and City Council hereby authorize and approve the publication of a notice of intent to introduce local legislation creating election of city council members by voting districts consistent with the notice attached hereto as Exhibit "A".

Section 2. **Approval of Execution** - The Mayor is hereby authorized to sign all documents and to perform all other acts necessary to effectuate this Resolution on behalf of the City of Stockbridge. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 3. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 5. **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

SO RESOLVED, this the 11th day of March, 2013.

CITY OF STOCKBRIDGE, GEORGIA

Mark A. Alarcon
MARK A. ALARCON, MAYOR

ATTEST:

Rhonda A. Blackmon
RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:

William J. Linkous, III
WILLIAM J. LINKOUS, III, CITY ATTORNEY
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