

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT REGARDING
THE IMPLEMENTATION OF THE SPECIAL DISTRICT TRANSPORTATION SALES
AND USE TAX**

I. WHEREAS, pursuant to O.C.G.A. § 48-8-248, the proceeds of the Special District Transportation Sales and Use Tax, where approved, are collected by the State Revenue Commissioner (“Revenue Commissioner”) and are disbursed by the Revenue Commissioner to the Georgia State Financing and Investment Commission (the “Commission”);

II. WHEREAS FURTHER, pursuant to O.C.G.A. § 48-8-249, the Commission is “responsible for the proper application of the proceeds received from the [Special District Transportation Sales and Use Tax];”

III. WHEREAS FURTHER, pursuant to O.C.G.A. § 48-8-249, the Commission is required to “delegate the management of the budget, schedule, execution, and delivery of the projects contained in the approved investment list” to the Department of Transportation (“GDOT”);

IV. WHEREAS FURTHER, the imposition of the Special District Transportation Sales and Use Tax has been authorized in three Special Districts in the State by way of elections in those Districts;

V. WHEREAS FURTHER, the Commission and GDOT (collectively “the Parties”) have identified a need to outline the terms of their collective efforts and to delineate their duties and responsibilities related to the Special District Transportation Sales and Use Tax in order to ensure the proper implementation of the projects on the approved investment lists and have previously entered into a Memorandum of Understanding dated October 4, 2012;

VI. WHEREAS FURTHER, in furtherance of the Parties’ mutual goal of effective and efficient implementation of the projects on the approved investment lists in the special districts approving the Special District Transportation Sales and Use Tax, the Parties desire to enter into an Intergovernmental Agreement to specifically address the delegation of the management of the budget, schedule, execution, and delivery of the projects contained in the approved investment list for each special district as funded with special district transportation sales and use tax proceeds raised by the Transportation Investment Act of 2010 and attached hereto in substantial form as **Exhibit A**; and

VII. WHEREAS FURTHER, the Parties desire to enter into the Intergovernmental Agreement and provide for their ongoing relationship and to ensure maximum flexibility related to the implementation of the Special District Transportation Sales and Use Tax.

NOW THEREFORE, BE IT RESOLVED THAT:

SECTION 1.

The Intergovernmental Agreement in substantial form attached hereto as **Exhibit A** is hereby approved.

SECTION 2.

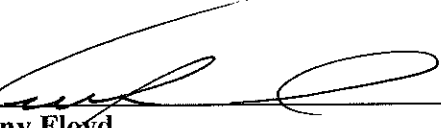
The Commissioner of Transportation is hereby authorized to execute the Intergovernmental Agreement and empowered to take all steps necessary to ensure the finalization and implementation of the Intergovernmental Agreement including finalizing and changing or amending terms and conditions of the Intergovernmental Agreement as necessary prior to its execution to ensure the proper carrying out of the Parties' responsibilities related to the implementation of the Special District Transportation Sales and Use Tax.

SECTION 3.

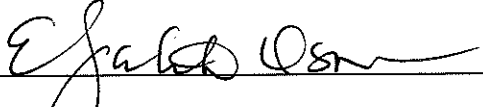
In implementing the Intergovernmental Agreement, the Commissioner of Transportation is authorized to approve such amendments to the Intergovernmental Agreement as the Commissioner of Transportation deems necessary or appropriate to the effective implementation of the Special District Transportation Sales and Use Tax provided that such amendments shall be consistent with the Transportation Investment Act of 2010 and shall be reported to the State Transportation Board at its next meeting after execution of such amendments.

This Resolution is hereby adopted this 15th day of November, 2012.

STATE TRANSPORTATION BOARD

By: 
Johnny Floyd
Chair
State Transportation Board

(SEAL)

Attest: 
Secretary
State Transportation Board