

Senator Weber of the 40th offered the following substitute to HB 789:

A BILL TO BE ENTITLED
AN ACT

1 To authorize the City of Doraville to exercise all redevelopment and other powers under
2 Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the
3 O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a nonbinding,
4 advisory referendum by the electors of the City of Doraville for the purpose of ascertaining
5 whether the electors of the City of Doraville desire to change the charter to provide for a city
6 manager to aid the mayor and city council in the governing of the city; to provide for
7 procedures and requirements relating thereto; to provide for referendums and effective dates;
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 PART I

11 CITY OF DORAVILLE REDEVELOPMENT POWERS LAW

12 SECTION 1-1.

13 The City of Doraville shall be and is authorized to exercise all redevelopment and other
14 powers under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as
15 amended. The intention of this Act is to authorize the City of Doraville to undertake and
16 carry out community redevelopment, to create tax allocation districts, to issue tax allocation
17 bonds, and to incur other obligations within the meaning of and as fully permitted under the
18 provisions of Article IX, Section II, Paragraph VII of the Constitution of the State of Georgia
19 of 1983, as amended, and to authorize the City of Doraville to exercise redevelopment
20 powers as fully as the "Redevelopment Powers Law" may now or hereafter permit and not
21 to limit any redevelopment powers permitted under the "Redevelopment Powers Law."

22 SECTION 1-2.

23 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
24 superintendent of the City of Doraville shall call and conduct a special election as provided
25 in this section for the purpose of submitting this Act to the electors of the City of Doraville

26 for approval or rejection. The election superintendent shall conduct that election on the date
 27 of the general election in November of 2010 and shall issue the call and conduct that election
 28 as provided by general law. The election superintendent shall cause the date and purpose of
 29 the election to be published once a week for two weeks immediately preceding the date
 30 thereof in the official organ of DeKalb County. The ballot shall have written or printed
 31 thereon the words:

32 "() YES Shall the Act be approved which authorizes the City of Doraville to exercise
 33 redevelopment powers under the 'Redevelopment Powers Law,' as it may
 34 () NO be amended from time to time?"

35 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 36 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 37 such question are for approval of the Act, then Section 1 of this Act shall become of full
 38 force and effect immediately. If Section 1-1 of this Act is not so approved or if the election
 39 is not conducted as provided in this section, Section 1-1 of this Act shall not become
 40 effective and this Act shall be automatically repealed on the first day of January following
 41 such election date. The expense of such election shall be borne by the City of Doraville. It
 42 shall be the municipal election superintendent's duty to certify the result thereof to the
 43 Secretary of State.

44 PART II

45 CITY OF DORAVILLE ADVISORY REFERENDUM 46 FOR CREATION OF A CITY MANAGER POSITION

47 SECTION 2-1.

48 It is also the purpose of this Act to provide for a nonbinding, advisory referendum for the
 49 purpose of ascertaining whether the citizens of the City of Doraville desire to change the
 50 charter to provide for a city manager to aid the mayor and city council in the governing of
 51 the city. The advisory referendum provided for in this Act is:

- 52 (1) In all respects for the benefit of the people of the City of Doraville;
- 53 (2) A public purpose; and
- 54 (3) An essential governmental function for which public funds may be expended.

55 SECTION 2-2.

56 It is the intent of the City of Doraville delegation to the General Assembly to introduce
 57 legislation at the 2011 Regular Session of the General Assembly a bill to provide for an
 58 amendment to the City of Doraville city charter to provide for a city manager to aid the
 59 mayor and city council in the governing of the city, if the majority of the voters of the City
 60 of Doraville vote in favor of such a change to the city charter.

61 SECTION 2-3.

62 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal
 63 election superintendent of the City of Doraville shall call and conduct a nonbinding, advisory
 64 referendum election as provided in this section for the purpose of submitting a question to
 65 the electors of the City of Doraville to determine whether a majority of said electors desire
 66 to change the city's charter to provide for a city manager to aid the mayor and city council
 67 in the governing of the city. The municipal election superintendent shall conduct that
 68 election on the day of the state-wide general election in November, 2010, and shall issue the
 69 call and conduct that election as provided by general law. The municipal election
 70 superintendent shall cause the date and purpose of the election to be published once a week
 71 for two weeks immediately preceding the date thereof in the official organ of DeKalb
 72 County. The ballot shall have written or printed thereon the words:

73 "NONBINDING ADVISORY REFERENDUM

74 () YES Should the charter for the City of Doraville be amended so as to provide
 75 for a city manager position to aid the mayor and city council in the
 76 () NO governing of the city?"

77 All persons shall select one option. The expense of such election shall be borne by the City
 78 of Doraville. It shall be the municipal election superintendent's duty to certify the result
 79 thereof to the Secretary of State and to each member of the General Assembly whose
 80 senatorial or representative district lies wholly or partially within the City of Doraville.

81 PART III

82 EFFECTIVE DATE AND REPEALER

83 SECTION 3-1.

84 Except as otherwise provided in Section 1-2 of this Act, Part 1 of this Act shall become
 85 effective on January 1, 2011, and Part 2 of this Act shall become effective on July 1, 2010.

86 SECTION 3-2.

87 All laws and parts of laws in conflict with this Act are repealed.