

**CERTIFICATION OF AGREEMENT  
FOR THE ALLOCATION AND DISTRIBUTION OF PROCEEDS  
FROM THE TITLE AD VALOREM TAX**

In accordance with §560-11-14-.03(2)(b) of the Rules of the Department of Revenue, this Certification of Agreement is presented as of the \_\_\_\_ day of \_\_\_\_\_, 2017, to the **COBB COUNTY TAX COMMISSIONER** by **COBB COUNTY, GEORGIA** a political subdivision of the State of Georgia (the “County”), and the **CITY OF ACWORTH**, the **CITY OF AUSTELL**, the **CITY OF KENNESAW**, the **CITY OF MARIETTA**, the **CITY OF POWDER SPRINGS**, and the **CITY OF SMYRNA**, municipal corporations of the State of Georgia (the “Participating Municipalities,” individually and collectively), and the **COBB COUNTY BOARD OF EDUCATION** and the **BOARD OF EDUCATION OF THE CITY OF MARIETTA** (the “Participating School Districts”).

Pursuant to O.C.G.A. § 48-5C-1(b)(1)(B)(viii), beginning in calendar year 2016, the Department of Revenue (the “Department”) shall evaluate the tax revenues from the prior year to determine the percentage of the title ad valorem tax (“TAVT”) that will be distributed in the current calendar year to the State and Local Governments, respectively. The law sets for the specific methodology to be followed by the Department in determining the distribution percentages. Based on the statutory calculation, for calendar year 2017 the percentage of TAVT that will go the State will be 54.39% and the percentage that will go to the Local Governments will be 45.61%. This determination was published by the Department in Policy Bulletin MVD-2017-01.

Distribution of the Local Governments’ percentage of tax proceeds garnered from the TAVT shall be made in accordance with O.C.G.A. § 48-5C-1 which is incorporated herein and is further clarified by the following assumptions.

## **FINANCIAL ASSUMPTIONS**

For the distribution of proceeds under O.C.G.A. § 48-5C-1(c)(3)(B), the following assumptions shall apply:

- (i) There are two school districts within Cobb County: Cobb County School District; and Marietta City Schools.
- (ii) Cobb County currently has in effect a local sales and use tax for educational purposes levied pursuant to Part 2 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia.
- (iii) Cobb County does not currently have in effect, and has never had in effect, a joint county and municipal sales and use tax pursuant to Article 2 of Chapter 8 of Title 48 of the Official Code of Georgia.
- (iv) Cobb County does not currently have in effect a local option sales and use tax for educational purposes levied pursuant to a local constitutional amendment.
- (v) Cobb County does not currently have in effect a homestead option sales and use tax pursuant to Article 2A of Chapter 8 of Title 48 of the Official Code of Georgia.
- (vi) Cobb County currently has in effect a special purpose local option sales and use tax pursuant to Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia which is in effect through December 31, 2021.
- (vii) Cobb County is not a county in which a tax is levied for purposes of a metropolitan area system of public transportation as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008.

## **POPULATION ASSUMPTIONS**

For the distribution of proceeds under O.C.G.A. § 48-5C-1(c)(3)(B)(ii), the 2010 United States Decennial Census shall be used. The population statistics for this distribution are as follows:

	<u>Population</u>	<u>Percentage</u>
Unincorporated Cobb County:	509,485	74.04%
City of Acworth:	20,425	2.97%
City of Austell:	6,581	0.96%
City of Kennesaw:	29,783	4.33%

City of Marietta:	56,593	8.22%
City of Powder Springs:	13,940	2.03%
City of Smyrna:	51,271	7.45%
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TOTAL: Cobb County	688,078	100%

The Parties agree that these figures will continue to apply for the purposes of this Agreement until the next Decennial Census population figures are published, unless a city is created and reaches qualified local government status or a city is abolished in the County.

### **FTE ASSUMPTIONS**

For the distribution under O.C.G.A. § 48-5C-1(c)(3)(B)(i), the proceeds shall be distributed between the county school district and the independent school district located in Cobb County, in the manner as provided under O.C.G.A. § 48-8-143, and under Article VIII, Section VI, Paragraph IV (g) of the Georgia Constitution, which provisions are incorporated herein by reference. Based on the Cobb Education SPLOST IV, the applicable ratio for the current distribution is as follows:

	<u>Ratio</u>
Cobb County School District	92.75%
Marietta City Schools	7.25%

These ratios will be adjusted as and in accordance with each ensuing referendum imposing the tax, if any; and if none, then in the same manner as if such tax were in effect.

### **EFFECTIVENESS**

The Parties agree that these assumptions will continue to be effective until another certification is made. The Parties further agree that, in accordance with Department of Revenue

Rule §560-11-14-.03(2)(b) a certification in the nature of this Agreement shall occur at least annually.

**IN WITNESS WHEREOF**, the County, the Participating Municipalities, and the Participating School Districts, acting by and through their duly authorized agents, have caused this Agreement to be executed in multiple counterparts under seals on the date indicated herein.

[Signatures follow on next pages]

**COBB COUNTY, GEORGIA**

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Michael H. Boyce  
Chairman, Cobb County Board of Commissioners

(SEAL)

ATTEST: \_\_\_\_\_

County Clerk

**CITY OF ACWORTH, GEORGIA**

BY: \_\_\_\_\_

Tommy Allegood  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF AUSTELL, GEORGIA**

BY: \_\_\_\_\_

Joe Jerkins  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF KENNESAW, GEORGIA**

BY: \_\_\_\_\_

Derek Easterling  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk



**CITY OF MARIETTA, GEORGIA**

BY: \_\_\_\_\_

Steve Tumlin  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk

**CITY OF POWDER SPRINGS, GEORGIA**

BY: \_\_\_\_\_  
Al Thurman  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_  
City Clerk

**CITY OF SMYRNA, GEORGIA**

BY: \_\_\_\_\_

Max Bacon  
Mayor

DATE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk

**COBB COUNTY SCHOOL DISTRICT**

BY: \_\_\_\_\_

Chris Ragsdale  
Superintendent

DATE: \_\_\_\_\_

NOTARY: \_\_\_\_\_

(SEAL)

**MARIETTA CITY SCHOOLS**

BY: \_\_\_\_\_

Dr. Grant Rivera  
Superintendent

DATE: \_\_\_\_\_

NOTARY: \_\_\_\_\_

(SEAL)