

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Tricia Thigpen, Deputy City Clerk
Through: Cynthia Russell, City Clerk
Date: June 11, 2013
Subject: Letter of No Objection from US Department of Justice

REQUEST:

City Council approve receipt of Letter No Objection from the US Justice Department relative to House Bill 1722.

BACKGROUND:

House Bill 1722 is to amend the amount of tax that may be levied by the governing authorities of the City of Gautier from 1% to 2% upon the gross proceeds of sales of hotels and motels derived from room rentals. Upon approval of House Bill 1722 by the Governor of Mississippi, the City of Gautier was required to submit the Bill to the Attorney General of the United States in accordance with the provisions of the Voting Rights Act of 1965 for approval. Approval was received June 10, 2013.

FINANCIAL IMPACT:

The City of Gautier intends to levy a 2% tax for the purpose of providing funds to improve parks and recreation facilities for the purpose of tourism and economic development within the city.

RECOMMENDATION:

City staff recommends that City Council approve receipt of Letter of No Objection from the US Department of Justice.

ATTACHMENT(S):

Letter of No Objection



U.S. Department of Justice

Civil Rights Division

TCH:RSB:JER:ANA:tst
DJ 166-012-3
2013-1388

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

June 6, 2013

Robert G. Ramsay, Esq.
3330 Highway 90
Gautier, Mississippi 39553

Dear Mr. Ramsay:

This refers to House Bill 1722 (2013), which includes a referendum requirement and specifies the ballot format for the City of Gautier in Jackson County, Mississippi, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on April 24, 2013.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

House Bill 1722 includes provisions that are enabling in nature. Therefore, any changes affecting voting that are adopted pursuant to this legislation will be subject to Section 5 review. 28 C.F.R. 51.15.

Sincerely,

for T. Christian Herren, Jr.

T. Christian Herren, Jr.
Chief, Voting Section