

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON
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7 A RESOLUTION ACTIVATING THE DOWNTOWN DEVELOPMENT AUTHORITY
8 (“DDA”) FOR THE CITY OF SOUTH FULTON; DECLARING THE NEED FOR A DDA
9 TO FUNCTION IN THE CITY PURSUANT TO THE PROVISIONS OF THE DOWNTOWN
10 DEVELOPMENT AUTHORITIES LAW, O.C.G.A. § 36-42-1 ET SEQ.; ESTABLISHING
11 THE GEOGRAPHICAL BOUNDARIES OF THE DDA; MAKING INITIAL
12 APPOINTMENTS OF DIRECTORS OF THE DDA; PROVIDING FOR THE FILING OF A
13 CERTIFIED COPY OF THIS RESOLUTION WITH THE SECRETARY OF STATE AND
14 THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE CITY
15 CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY,
16 AS NECESSARY AND FOR OTHER PURPOSES
17

18 (Sponsored by Councilpersons khalid, Baker & Reeves)
19

20 *Adoption Note: Georgia law authorizes cities to activate DDAs to revitalize their*
21 *main commercial corridors. Old National Highway (“Old National”) has the highest*
22 *density of people, business, and transit in the City; but has fallen victim to*
23 *economic neglect and blight. The primary goal of the City’s DDA is not relocate*
24 *City Hall and/or other government buildings (which do not pay property taxes) to*
25 *Old National, but to enhance the City’s largest commercial corridor to increase tax*
26 *revenues for the City.*
27

28 **WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly
29 organized and existing under the laws of the State of Georgia;
30

31 **WHEREAS**, the duly elected governing authority of the City is the Mayor and
32 Council thereof (“City Council”);

33 **WHEREAS**, the Downtown Development Authorities Law, O.C.G.A. § 36-42-1 *et*
34 *seq.* (“DDA Law”) creates in and for each municipal corporation in Georgia a downtown
35 development authority for the purpose of revitalizing and redeveloping the central
36 business district of such municipal corporation, promoting for the public good and general
37 welfare, trade, commerce, industry and employment opportunities, and promoting the
38 general welfare of the State of Georgia;
39

40 **WHEREAS**, the City Council finds that revitalization and redevelopment of the
41 central business district of the City by financing projects under the DDA Law will develop
42 and promote, for the public good and general welfare, trade, commerce, industry and
43 employment opportunities and promote the general welfare of Georgia;
44

45 **WHEREAS**, it has been determined by the City Council that it is in the public
46 interest and is vital to the public welfare of the people of the City and of the people of
47 Georgia to revitalize and redevelop the central business district of the City;

48
49 **WHEREAS**, the City Council wishes through this Resolution to formalize its
50 commitment to the success of the City’s downtown development authority;

51
52 **WHEREAS**, the City Council finds that redevelopment of Old National, the City’s
53 largest commercial corridor with the highest concentration of commercial properties and
54 business, shall improve the commercial tax base for the entire City;

55
56 **WHEREAS**, the City Council, after thorough investigation, has determined that it
57 is desirable and necessary that the City’s downtown development authority be activated
58 immediately, pursuant to the DDA Law, in order to fulfill the needs expressed herein; and

59 **WHEREAS**, this Resolution is in the best interests of the health and general
60 welfare of the City, its residents and general public.

61 **THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH FULTON**
62 **HEREBY RESOLVES** as follows:

63
64 **Section 1.**

65 **A. Declaration of Need.** The City Council hereby resolves that there is determined and
66 declared to be a present and future need for a downtown development authority, as
67 described and defined in the DDA Law, to function in the City.

68
69 **B. Activation.** The City Council further resolves that the City’s downtown development
70 authority is hereby activated, pursuant to the DDA Law, which public body corporate
71 and politic shall be known as the “South Perimeter Development Authority.”

72
73 **C. Board of Directors.**

74
75 1. *Qualifications.* The inaugural members of the Board of Directors of the South
76 Perimeter Development Authority shall consist of persons with a combination of
77 the following qualifications:

- 78
79 i. A taxpayer residing in the City;
- 80
81 ii. An owner or operator of a business located within the downtown
82 development area and who shall be a taxpayer residing in Fulton County,
83 Georgia;
- 84
85 iii. One (1) director may be a member of the City Council of the City of South
86 Fulton, and not less than four (4) directors shall be, or represent, a party who

87 has an economic interest in the redevelopment and revitalization of the
88 downtown development area (as such area is defined in this resolution).
89

90 2. *Appointment.* The inaugural members of the South Perimeter Development
91 Authority and their respective terms are set forth below:
92

<u>Name</u>	<u>Term of Office</u>
Councilman khalid City Council, City of South Fulton	Council term
Isaac Cobb 4175 Matisse Lane, South Fulton, GA 30213	Two years
Derrick Burnett 2470 Creel Road, South Fulton, GA 30349	Four years
Jasiel Robinson 5495 Old National, South Fulton, GA, 30349	Four years
Arnold Jiggetts 5865 Village Loop, South Fulton, GA 30213	Six years
Kevin Smith Restoration Community Resources 5536 Old National Hwy #L3, South Fulton, GA 30349	Six years
Kwame Wise, Sr. 5940 Longmeadow Lane, South Fulton, GA, 30349	Six years

93 3. *Inaugural and Subsequent Appointments.* The inaugural members of the Board of
94 Directors shall serve for the term of office set forth above from the effective date
95 of this Resolution. After the expiration of their initial terms, the terms of
96 reappointed directors shall be four (4) years. The term of a member of the Board
97 of Directors who is also a member of the City Council shall end when such
98 director is no longer a member of the City Council.
99

100 **D. Duties, Responsibilities, and Powers.** The Board of Directors herein named shall
101 organize itself, carry out its duties and responsibilities, and exercise its powers and
102 prerogatives in accordance with the terms and provisions of the DDA Law.
103

104 **E. Downtown Development Authority.** The “downtown development area” shall be
105 that geographical area described in Exhibits A and B, attached hereto and made a
106 part hereof by reference, which area, in the judgment of the City Council, constitutes
107 the “central business district” of the City as contemplated by the DDA Law.
108

109 **F. Funding.** The City Council desires to fund operations of the South Perimeter
110 Development Authority, as annual budgeting allows. As such, the City Manager is
111 hereby instructed to allocate One Hundred Fifty-Thousand Dollars (\$150,000) from
112 the department of Economic Development’s budget as a separate line item within the
113 proposed FY2021 Budget, and for every budget year until FY2026, with such
114 funds, upon approval of the annual budget, to be kept in a special
115 account restricted for lawful use by the South Perimeter Development Authority.
116

117 **G. Secretary of State and Department of Community Affairs.** The City Council further
118 resolves that the City Manager shall cause to be furnished promptly to the Georgia
119 Secretary of State and Department of Community Affairs, copies of this Resolution in
120 compliance with the DDA Law.
121

122 **H. Previous Authorities.** The City Council further resolves that the actions taken by the
123 City Council as herein specified are not intended in any way to affect any public
124 corporation, industrial development, downtown development, or payroll authority
125 previously created by legislative act or constitutional amendment including, without
126 limitation, its existence, purpose, organization, powers or function.
127

128 **I. Documents.** The City Clerk is authorized to execute, attest to, and seal any
129 documents which may be necessary to effectuate this Resolution, subject to approval
130 as to form by the City Attorney.
131

132
133 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All
134 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,
135 upon their enactment, believed by the City Council to be fully valid, enforceable and
136 constitutional.
137

138 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
139 clause, or phrase of this Resolution is severable from every other section, paragraph,
140 sentence, clause, or phrase of this Resolution. No section, paragraph, sentence, clause,
141 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
142 sentence, clause, or phrase of this Resolution.

143 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution
144 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
145 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
146 the express intent of the City Council that such invalidity, unconstitutionality or
147 unenforceability shall, to the greatest extent allowed by law, not render invalid,
148 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
149 sentences, paragraphs or sections of the Resolution.
150

151 **Section 3.** The City Attorney and City Clerk are authorized to make non-substantive
152 editing and renumbering revisions to this Resolution for proofing, codification, and
153 supplementation purposes. The final version of all resolutions shall be filed with the City
154 Clerk.

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Section 4. The effective date of this Resolution shall be the date of adoption, unless provided otherwise by the City Charter or state and/or federal law.

THIS RESOLUTION adopted this _____ day of _____ 2020.

CITY OF SOUTH FULTON, GEORGIA

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY

201
202 The foregoing RESOLUTION No. 2020-_____, adopted on _____
203 was offered by Councilmember _____, who moved its approval. The motion
204 was seconded by Councilmember _____, and being put to a vote, the result
205 was as follows:

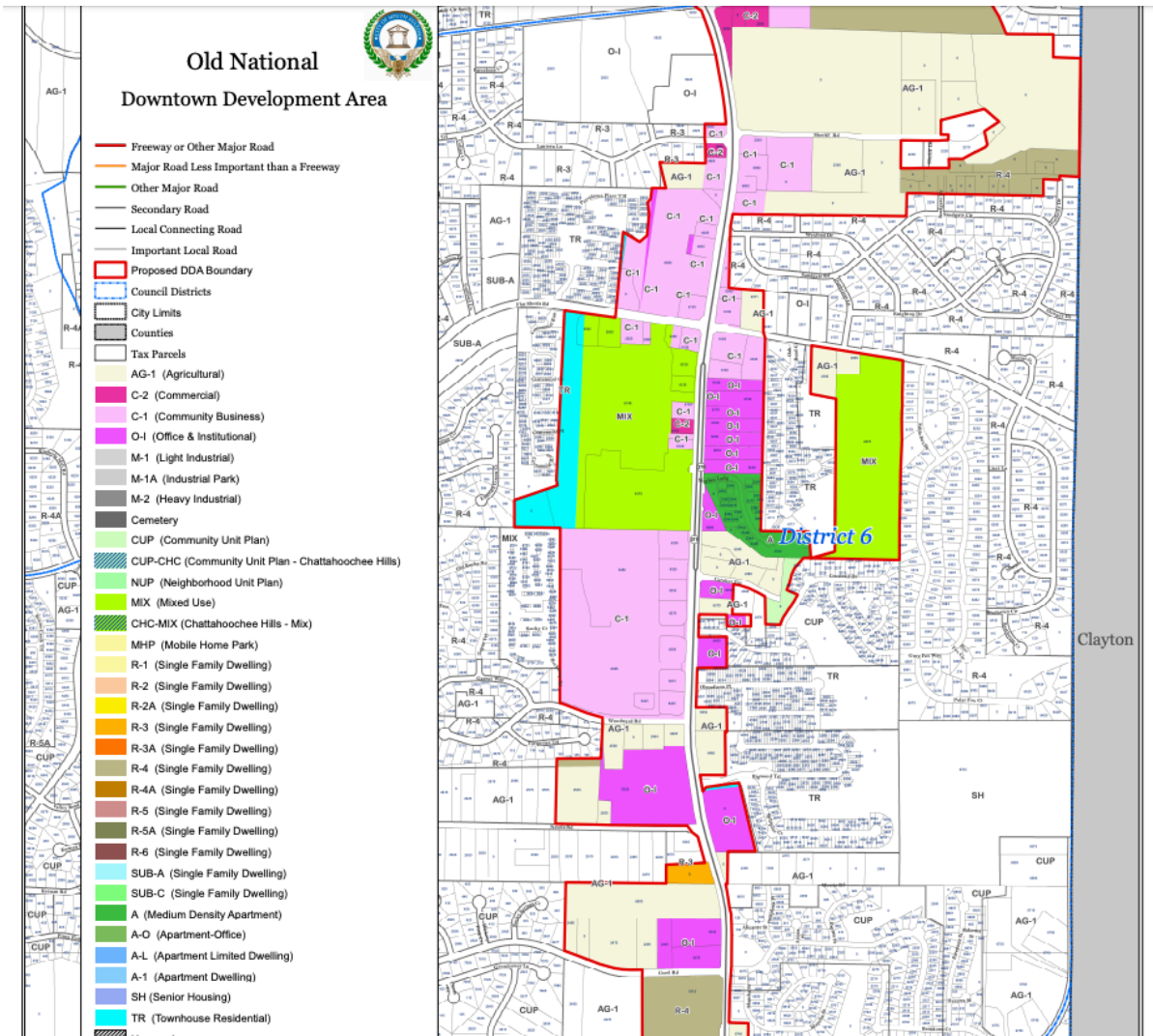
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	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Carmalitha Gumbs, Mayor Pro Tem	_____	_____
Catherine Foster Rowell	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Corey Reeves	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

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EXHIBIT B • Map

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EXHIBIT B • Parcel Listing

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(Attach)

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CITY OF SOUTH FULTON
COUNCIL AGENDA ITEM
COUNCIL WORK SESSION



SUBJECT: Council Discussion on Joint Representation & Cost

DATE OF MEETING: 8/12/2020

DEPARTMENT: Mayor



CITY OF SOUTH FULTON
COUNCIL AGENDA ITEM
COUNCIL WORK SESSION



SUBJECT: Council Discussion on Public Safety Activities

DATE OF MEETING: 8/12/2020

DEPARTMENT: City Manager
