

1 **STATE OF GEORGIA**
2 **COUNTY OF FULTON**
3 **CITY OF SOUTH FULTON**

4
5 **A RESOLUTION CREATING THE CITY OF SOUTH FULTON REDEVELOPMENT**
6 **AREA, EASTSIDE TAX ALLOCATION DISTRICT, WESTSIDE TAX ALLOCATION**
7 **DISTRICT AND THE BOUNDARIES OF THE REDEVELOPMENT AREA AND TAX**
8 **ALLOCATION DISTRICTS; ESTABLISHING THE TAX ALLOCATION INCREMENT**
9 **BASE FOR EACH TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT**
10 **PLAN FOR EACH AREA; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX**
11 **ALLOCATION BONDS OR OBTAIN OTHER FINANCING NECESSARY TO**
12 **EFFECTUATE THE REDEVELOPMENT OF EACH AREA; AUTHORIZING THE**
13 **SOUTH FULTON DOWNTOWN DEVELOPMENT AUTHORITY TO ACT AS THE**
14 **REDEVELOPMENT AGENCY TO IMPLEMENT THE REDEVELOPMENT PLAN**
15 **PURSUANT TO THE REDEVELOPMENT POWERS LAW AND FOR OTHER**
16 **PURPOSES**

17 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
18 organized and existing under the laws of the State of Georgia;
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20 **WHEREAS**, the duly elected governing authority of the City is the Mayor and
21 Council thereof ("City Council");

22 **WHEREAS**, O.C.G.A. §36-44-1, *et seq.*, is known and may be cited as the
23 Redevelopment Powers Law;

24 **WHEREAS**, the Redevelopment Powers Law (O.C.G.A. §36-44-1, *et seq.*)
25 provides for the exercise of redevelopment powers, the adoption of redevelopment
26 plans, and the creation tax allocation districts by counties and municipalities in the State
27 of Georgia;

28 **WHEREAS**, the purpose of the Redevelopment Powers Law is to improve
29 economic and social conditions within substantially underutilized, as well as
30 economically and socially depressed urban areas that contribute to or cause
31 unemployment, limit the tax resources of counties, municipalities and consolidated
32 governments while creating a greater demand for governmental services, have a
33 deleterious effect upon the public health, safety, morals and welfare, and impair or
34 arrest the sound growth of the community;

35 **WHEREAS**, pursuant to House Bill 773 (2006 GA. LAWS p. 4507, *et seq.*) as
36 approved by a majority of the voters in a referendum held on November 5, 2019, the
37 City of South Fulton is authorized to exercise the redevelopment powers as delineated
38 by the Redevelopment Powers Law;

39 **WHEREAS**, the City has determined that it is in the best interest of the City of
40 South Fulton and its citizens, and that redevelopment of the Old National Corridor, Red
41 Oak District, Camp Creek Parkway and Campbellton Historic District and other portions

of the Redevelopment Area will best be served by the creation of a two Tax Allocation District within the boundaries of the overall Redevelopment Area;

WHEREAS, the City Council held public hearings at the meeting of October 27, 2020, duly noticed and published as prescribed by law and as set forth in the minutes of said meeting. The purpose of the meetings was to receive suggestions and comments on the proposed redevelopment plan and tax allocation district;

WHEREAS, the City of South Fulton desires to adopt the South Fulton Redevelopment Plan; and create two Tax Allocation Districts: 1) Number One, known as the Eastside Tax Allocation District and 2) Number two, known as the Westside Tax Allocation District; and

WHEREAS, this Resolution is in the best interests of the health, safety and general welfare of the City and its employees, residents and visitors.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA, AND IT IS HEREBY RESOLVED

Section 1. The City of South Fulton finds and declares that the Redevelopment Area has not been subject to growth and development through private enterprise, and would not reasonably be anticipated to be develop without the approval of the Redevelopment Plan.

Section 2. The City of South Fulton finds and declares that the improvement of the Redevelopment Areas, along with improvements to the City's major commercial corridors of Camp Creek Parkway, Old National Highway, Red Oak Historic District and Campbellton Historic Town Center are likely to enhance the value of a substantial portion of real property in the district.

Section 3. The Redevelopment Plan is hereby approved and adopted, and attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby adopted and approved as the Redevelopment Plan for the Eastside Tax Allocation District ("TAD") and Westside Tax Allocation District ("TAD") Redevelopment Area pursuant to the Redevelopment Powers Law O.C.G.A. § 36-44-1 et seq.

Section 4. The City of South Fulton hereby creates the Tax Allocation District Number One – Eastside TAD and Tax Allocation District Number Two – Westside TAD pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

Section 5. Tax Allocation District Number One – Eastside TAD and Tax Allocation District Number Two – Westside TAD are hereby created as of December 31, 2020, and shall continue in existence for thirty (30) years thereafter, or until all redevelopment costs, including financing costs and debt service on tax allocation bonds, are paid in full.

88 **Section 6.** The City of South Fulton hereby establishes the estimated Tax
89 Allocation Increment Base of \$3,361,570 for the Tax Allocation District Number One –
90 Eastside TAD and the estimated Tax Allocation Increment Base of \$2,296,181 for the
91 Tax Allocation District Number Two – Westside TAD. The property taxes to be used for
92 computing tax allocation increments are specified in the attached Amended
93 Redevelopment Plan and incorporated herein by this reference.
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95 **Section 7.** The South Fulton Downtown Development Authority shall function as
96 the City's redevelopment agency to exercise redevelopment powers as necessary to
97 implement the provisions of the Redevelopment Plan and effectuate the redevelopment
98 of the Redevelopment Area, in accordance with O.C.G.A. §36-44-3(6).

99 **Section 8.** The Council intends to authorize issuance of tax allocation bonds
100 and/or obtain commercial bank financing and/or commit available or future revenues
101 and to use the proceeds of any tax allocation bonds or financing or revenues for any
102 and all eligible uses including, without limitation, costs of issuance of the tax allocation
103 bonds or commercial financing; capital costs of public and private improvements,
104 including but not limited to buildings, streets, bridges, utilities, storm and sanitary
105 sewers, sidewalks and streetscapes, parking facilities and parks; professional services
106 costs, including fees for architectural, engineering and environmental services; real
107 estate assembly; and such other uses deemed necessary pursuant to provisions of the
108 Redevelopment Plan and the Redevelopment Powers Law, as it has been and may
109 hereafter be amended.
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111 **Section 9.** The property proposed to be pledged for payment or as security for
112 payment of tax allocation bonds will include the positive ad valorem tax allocation
113 increments from ad valorem taxes levied on all taxable real property within the
114 boundaries of Tax Allocation District Number One – Eastside TAD and Tax Allocation
115 District Number Two – Westside TAD

116 **Section 10.** The South Fulton City Council requests that the Fulton County Tax
117 Commissioner and Tax Assessor take all appropriate measures to identify tax parcels
118 within the Tax Allocation District Number One – Eastside TAD and Tax Allocation
119 District Number Two – Westside TAD upon the tax digest and authorizes the City's
120 Finance Director to allocate all positive tax allocation increments, and to establish a
121 Special Fund for the accrual of tax allocation increments as provided by the
122 Redevelopment Powers Law, as it has been or hereafter may be amended.

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125 **Section 11.** It is hereby declared to be the intention of the City Council that: (a)
126 All sections, paragraphs, sentences, clauses and phrases of this Resolution are or
127 were, upon their enactment, believed by the City Council to be fully valid, enforceable
128 and constitutional (b) To the greatest extent allowed by law, each and every section,
129 paragraph, sentence, clause or phrase of this Resolution is severable from every other
130 section, paragraph, sentence, clause or phrase of this Resolution. No section,

131 paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon
132 any other section, paragraph, sentence, clause or phrase of this Resolution (c) In the
133 event that any phrase, clause, sentence, paragraph or section of this Resolution shall,
134 for any reason whatsoever, be declared invalid, unconstitutional or otherwise
135 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it
136 is the express intent of the City Council that such invalidity, unconstitutionality or
137 unenforceability shall, to the greatest extent allowed by law, not render invalid,
138 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
139 sentences, paragraphs or sections of the Resolution.
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141 **Section 12.** The City Attorney and City Clerk are authorized to make non-
142 substantive editing and renumbering revisions to this Resolution for proofing,
143 codification, and supplementation purposes. The final version of all resolutions shall be
144 filed with the City Clerk.
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146 **Section 13.** The effective date of this Resolution shall be thirty days from the
147 date of adoption, unless provided otherwise by the City Charter or state and/or federal
148 law.
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The foregoing RESOLUTION No. 2020-_____, adopted on _____
was offered by Councilmember _____, who moved its approval. The motion
was seconded by Councilmember _____, and being put to a vote, the
result was as follows:

| | 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 | _____ | _____ |

THIS RESOLUTION adopted this _____ day of _____ 2020. **CITY OF
SOUTH FULTON, GEORGIA**

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

COREY E. ADAMS, INTERIM CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY