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

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17 (Sponsored by Councilwoman Gumbs, Rowell, Willis, Reeves)

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

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23 **WHEREAS** the duly elected governing authority of the City is the Mayor  
24 and Council thereof (“City Council”);

25  
26 **WHEREAS**, the Downtown Development Authorities Law, O.C.G.A. § 36-42-  
27 1 *et seq.* (“DDA Law”) creates in and for each municipal corporation in Georgia a  
28 downtown development authority for the purpose of revitalizing and redeveloping the  
29 central business district of such municipal corporation, promoting for the public good  
30 and general welfare, trade, commerce, industry and employment opportunities, and  
31 promoting the general welfare of the State of Georgia;

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

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

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42 **WHEREAS** the City Council wishes through this Resolution to formalize its  
43 commitment to the success of the City's downtown development authority;

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45 **WHEREAS** the City Council finds that redevelopment of the central  
46 business district, shall improve the commercial tax base for the entire City;

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48 **WHEREAS**, the City Council, after thorough investigation, has determined

49 that it is desirable and necessary that the City's downtown development authority be  
50 activated immediately, pursuant to the DDA Law, in order to fulfill the needs expressed  
51 herein; and  
52

53 **WHEREAS**, this Resolution is in the best interests of the health and  
54 general welfare of the City, its residents and general public.  
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56 **THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH FULTON**  
57 **HEREBY RESOLVES** as follows:  
58

59 **Section 1.**  
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61 **A. Declaration of Need.** The City Council hereby resolves that there is determined and  
62 declared to be a present and future need for a downtown development authority, as  
63 described and defined in the DDA Law, to function in the City.  
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65 **B. Activation.** The City Council further resolves that the City's downtown development  
66 authority is hereby activated, pursuant to the DDA Law, which public body corporate and  
67 politic shall be known as the "South Fulton Downtown Development Authority."  
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69 **C. Board of Directors.**  
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71 1. *Qualifications.* The inaugural members of the Board of Directors of the South  
72 Fulton Downtown Development Authority shall consist of persons with a combination of  
73 the following qualifications:  
74

75 i. A taxpayer residing in the City;

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77 ii. An owner or operator of a business located within the downtown  
78 development area and who shall be a taxpayer residing in Fulton County,  
79 Georgia;

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81 iii. One (1) director may be a member of the City Council of the City of South  
82 Fulton, and not less than four (4) directors shall be, or represent, a party who

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

2. *Appointment.* The inaugural members of the South Fulton Downtown Development Authority and their respective terms are set forth below:

<u>Name</u>	<u>Term of Office</u>
<b>Ronald St. James – St. James Live (Butner Road/Camp Creek) 3220 Butner Rd #240, Atlanta, GA 30331</b>	131 132 Two years 133 134 135
<b>John Pearlman –Adams &amp; Co. Real Estate, Inc. (Sandtown/Camp Creek) Suite 290, 5784 Lake Forrest Drive Sandy Springs, GA 30328</b>	136 Two years 137 138 139 140
<b>Andre White – Wayfield Grocery (Red Oak Historic District) 3435 Roosevelt Hwy, Atlanta, GA 30349</b>	141 Four years 142 143 144 145
<b>Kisha Cameron – Subway (Sandtown/Camp Creek) 5819 Campbellton Rd SW Suite 201, Atlanta, GA 30331</b>	146 Four years 147 148 149 150
<b>Joyce Scales – Kroger (Old National Highway) 6055 Old National Highway College Park, GA 30349</b>	151 Six years 152 153 154 155
<b>Hodari S. Williams - New Life Presbyterian Church (Old National Highway) 6600 Old National Highway Atlanta, GA 30349</b>	156 Six years 157 158 159 160
<b>Donald Winbush – Winbush Editorial Services (Old National Highway) 2280 Wexford Drive South Fulton 30349</b>	161 Six years

162 3. *Inaugural and Subsequent Appointments.* The inaugural members of the Board of  
163 Directors shall serve for the term of office set forth above from the effective date of  
164 this Resolution. After the expiration of their initial terms, the terms of reappointed  
165 directors shall be four (4) years. The term of a member of the Board of Directors who  
166 is also a member of the City Council shall end when such director is no longer  
167 a member of the City Council.  
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169 **D. Duties, Responsibilities, and Powers.** The Board of Directors herein named shall  
170 organize itself, carry out its duties and responsibilities, and exercise its powers and  
171 prerogatives in accordance with the terms and provisions of the DDA Law.  
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173 **E. Downtown Development Authority.** The “downtown development area” shall be that  
174 geographical area described in Exhibits A, attached hereto and made a part hereof by  
175 reference, which area, in the judgment of the City Council, constitutes the “central business  
176 district” of the City as contemplated by the DDA Law.  
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178 **F. Funding.** The City Council desires to fund operations of the South Fulton Development  
179 Authority, as annual budgeting allows. As such, the City Manager is hereby instructed to  
180 allocate One Hundred Fifty-Thousand Dollars (\$150,000) from the department of Economic  
181 Development’s budget as a separate line item within the proposed FY2021 Budget, and for  
182 every budget year until FY2026, with such funds, upon approval of the annual budget, to be  
183 kept in a special account restricted for lawful use by the South Fulton Downtown  
184 Development Authority.  
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186 **G. Secretary of State and Department of Community Affairs.** The City Council further  
187 resolves that the City Manager shall cause to be furnished promptly to the Georgia  
188 Secretary of State and Department of Community Affairs, copies of this Resolution in  
189 compliance with the DDA Law.  
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191 **H. Previous Authorities.** The City Council further resolves that the actions taken by the City  
192 Council as herein specified are not intended in any way to affect any public corporation,  
193 industrial development, downtown development, or payroll authority previously created by  
194 legislative act or constitutional amendment including, without limitation, its existence,  
195 purpose, organization, powers or function.  
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197 **I. Documents.** The City Clerk is authorized to execute, attest to, and seal any  
198 documents which may be necessary to effectuate this Resolution, subject to approval as to  
199 form by the City Attorney.  
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201 **J. Administrative Support.** The City of South Fulton Department of Economic  
202 Development shall provide all administrative support for the South Fulton Development  
203 Authority.  
204

205 **K. Executive Director.** The Executive Director of the South Fulton Downtown Development  
206 Authority shall be the Economic Development Director or designated staff member housed  
207 in the Economic Development Department of the City of South Fulton.  
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210 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections,  
211 paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their  
212 enactment, believed by the City Council to be fully valid, enforceable and constitutional.

213 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause  
214 or phrase of this Resolution is severable from every other section, paragraph, sentence, clause  
215 or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution  
216 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this  
217 Resolution.

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

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

227 **Section 4.** The effective date of this Resolution shall be one week from the date of  
228 adoption, unless provided otherwise by the City Charter or state and/or federal law.  
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THIS RESOLUTION adopted this 22<sup>nd</sup> day of September 2020.

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234 **CITY OF SOUTH FULTON, GEORGIA**

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239 WILLIAM "BILL" EDWARDS, MAYOR

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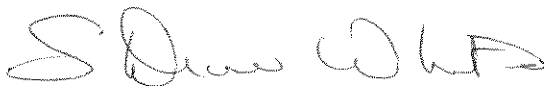
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242 ATTEST:

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246 S. DIANE WHITE, CITY CLERK

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248 APPROVED AS TO FORM:

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252 EMILIA C. WALKER, CITY ATTORNEY

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 256 The foregoing RESOLUTION No. 2020-034, adopted on Sept. 22, 2020 was offered by  
 257 Councilmember Gumbs, who moved its approval. The motion was seconded by  
 258 Councilmember Rowell, and being put to a vote, the result was as follows:

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	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Carmalitha Gumbs, Mayor Pro Tem	x_____	_____
Catherine Foster Rowell	x_____	_____
Helen Zenobia Willis	x_____	_____
Gertrude Naeema Gilyard ( <i>Abstained</i> )	_____	_____
Corey Reeves	x_____	_____
khalid kamau	_____	x_____
Mark Baker ( <i>Did not Vote</i> )	_____	_____