

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

RESOLUTION NO. R15629

A RESOLUTION NAMING AND APPOINTING DIRECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY; DESIGNATING A DOWNTOWN DEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge ("City") is a municipal corporation located within Henry County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, O.C.G.A. § 36-42-1 *et seq.* provides a process whereby Georgia cities can activate downtown development authorities in order to assist in the revitalization and redevelopment of central business districts of the municipal corporations of the state; and

WHEREAS, it has been determined by the Mayor and Council of the City of Stockbridge, Georgia (the "City") that there is a continuing need in the City for the revitalization and redevelopment of the central business district of the City to develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade, and commerce and the development of existing industry, trade, and commerce within the City; and

WHEREAS, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of the central business district of the City will develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities, and will promote the general welfare of the State of Georgia; and

WHEREAS, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to continue to revitalize and develop the central business district of the City; and

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

WHEREAS, O.C.G.A. § 36-42-5(a) requires that in its resolution, the Mayor and City Council *SHALL* (1) designate as the downtown development area that geographical area within the municipal corporation which, in the judgment of the governing body, constitutes the central business district and (2) appoint the initial directors of the authority.

WHEREAS, on April 8, 2013 the City attempted to reactivate its defunct Downtown Development Authority of the City of Stockbridge by resolution of the Mayor and City Council, but the City did not specifically name the members of the Board of Directors of the re-activated Downtown Development Authority of the City of Stockbridge nor did it designate a downtown development area as required under O.C.G.A. § 36-42-5(a);

WHEREAS, on December 9, 2013 the City attempted to correct the mistakes made in its April 8, 2013 resolution by naming individuals to serve as members of the Board of Directors of the re-activated Downtown Development Authority of the City of Stockbridge, but the City continued to omit the designation of a downtown development area as required under O.C.G.A. § 36-42-5(a);

WHEREAS, the City has never by proper resolution duly authorized the reactivation of the Downtown Development Authority of the City of Stockbridge;

WHEREAS, notwithstanding the foregoing, two of the individuals named in the December 9, 2013 resolution of the City Council, Mr. Dean Echols and Mr. Rob Beall, have resigned from service on the Board of Directors;

WHEREAS, by an order of the Henry County Superior Court, dated February 23, 2015, in the case of Civil Action Case Number, 14-CV-3869-WC, it was determined that appointments of Ron Castillo, Vivian Thomas-Smith and Rocio Camacho were invalid when made;

WHEREAS, as the result of the forgoing resignations and the forgoing determination of the Henry County Superior Court, five vacancies exist on the Board of Directors of the Downtown Development Authority of the City of Stockbridge; and

WHEREAS, the City Council finds that this is a proper resolution with respect to activation of the Downtown Development Authority of the City of Stockbridge and is necessary and beneficial to its citizens inasmuch as this resolution corrects the mistake previously made by the City.

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVE AS FOLLOWS;

Section 1. **Board of Directors** – The Mayor and City Council of the City of Stockbridge resolve that there are hereby named and appointed as

members of the Board of Directors of the Downtown Development Authority of the City the following five (5) named persons, each of whom, in the judgment of the Mayor and City Council, meets the qualifications set forth in the Downtown Development Authorities Law:

<u>Names</u>	<u>Terms of Office</u>
Houston Nelson	until December 9, 2015
Carlos Smith	until December 9, 2017
Mildred Reed	until December 9, 2017
Raul Clark	until December 9, 2019
Renee Shaw	until December 9, 2019

The Mayor and Council of the City further resolve that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the term set forth opposite his or her respective name, however, that after the expiration of their initial terms, the terms shall be as provided under the Downtown Development Authorities Law.

Section 2. **Designation of Downtown Development Area** – Pursuant to O.C.G.A. § 36-42-5(a), the Mayor and City Council hereby designate the area shown within the red-dashed lines of the map attached hereto as Exhibit A and made a part hereof as if fully set forth herein as the Downtown Development area of the City of Stockbridge, this area also being the same map as the map for the Stockbridge Main Street District dated December 2014.

Section 3. **Documents** – The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 4. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 5. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 6. Effective Date - This Resolution shall be effective immediately upon the date of its adoption by the City Council and Mayor as provided in the City Charter.

[Signatures on following page.]

SO RESOLVED, this the 5th day of March, 2015.



CITY OF STOCKBRIDGE, GEORGIA

A blue ink signature of Tim Thompson, Mayor of Stockbridge, Georgia.

TIM THOMPSON, MAYOR

A blue ink signature of Vanessa Holiday, City Clerk of Stockbridge, Georgia.

VANESSA, HOLIDAY CITY CLERK

APPROVED AS TO FORM:

A black ink signature of Michael Williams, City Attorney of Stockbridge, Georgia.

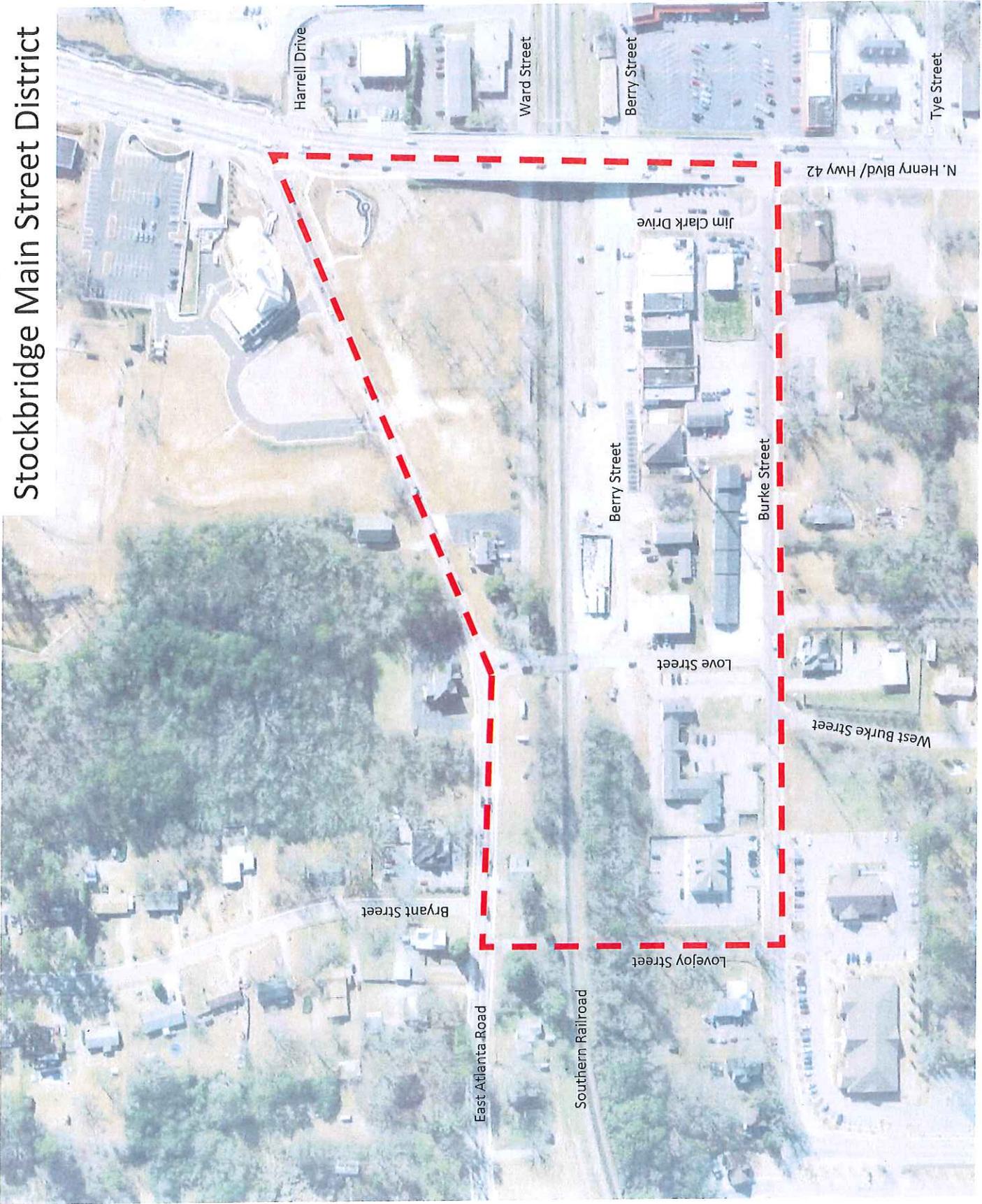
MICHAEL, WILLIAMS CITY ATTORNEY

Resolution Exhibit A For Downtown Development Authority of the City of Stockbridge

Stockbridge Main Street District



December 2014



North

Not to Scale