

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

RESOLUTION NO. R 13-523

A RESOLUTION REACTIVATING THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CITY OF STOCKBRIDGE; DECLARING THE NEED FOR A DOWNTOWN DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF STOCKBRIDGE; DESIGNATING THE DOWNTOWN DEVELOPMENT AREA; APPOINTING THE BOARD OF DIRECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING FOR FILING OF A CERTIFIED COPY OF THIS RESOLUTION WITH THE SECRETARY OF STATE AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; 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 by financing projects under the Downtown Development Authorities Law (O.C.G.A. § 36-42-1 *et seq.* – 1981 Ga. Laws p. 1744 – the “Downtown Development Authorities Law”) 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, 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, the Mayor and Council of the City activated the City’s downtown development authority by way of a duly adopted ordinance on March 14, 1983; and

WHEREAS, the City’s original downtown development authority became defunct, inactive, and without a board of directors, and as a result the City’s March 14, 1983 ordinance was recently repealed by action of the governing body of the City; and

WHEREAS, the Mayor and Council of the City, after thorough investigation, have determined that it is desirable and necessary that the downtown development authority of the City be reactivated immediately, pursuant to the Downtown Development Authorities Law, in order to fulfill the needs expressed herein.

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

Section 1. **Declaration of Need** - The Mayor and City Council of the City of Stockbridge hereby resolve that there is determined and declared to be a present and future need for a downtown development authority (as more fully described and defined in the Downtown Development Authorities Law) to function in the City.

Section 2. **Reactivation** – The Mayor and Council of the City further resolve that there is hereby reactivated in the City the public body corporate and politic known as the “Downtown Development Authority of Stockbridge” which was created by the adoption and approval of the Downtown Development Authorities Law.

Section 3. **Board of Directors** – The Mayor and Council of the City further resolve that there are hereby appointed as members of the Board of Directors of the Downtown Development Authority of the City the following named persons, each of whom shall be:

- (1) a taxpayer residing in the municipal corporation for which the authority is created;
- (2) an owner or operator of a business located within the downtown development area and a taxpayer residing in the County in which is located the City of Stockbridge; (One such director may be a member of the governing body of the City of Stockbridge and not less than four shall be or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area defined herein.)
- (3) one director who resides outside the County in which the City of Stockbridge is located, provided that director owns a business within the downtown development area and is a resident of the State of Georgia.

<u>Names</u>	<u>Terms of Office</u>
_____	Two years
_____	Two years
_____	Four years
_____	Four years
_____	Six years
_____	Six years

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 number of years set forth opposite his or her respective name, however, that after the expiration of their initial terms, the terms shall be four years for directors who are reappointed. The term of a director who is also a member of the governing body of the City of Stockbridge shall end when such director is no longer a member of the governing body of the municipal corporation.

Section 4. **Duties, Responsibilities, and Powers** – The Mayor and Council of the City further resolve that the Board of Directors herein named shall organize itself, carry out its duties and responsibilities, and exercise its powers and prerogatives in accordance with the terms and provisions of the Downtown Development Authorities Law as it now exists and as it may hereafter be amended or modified.

Section 5. **Downtown Development Area** – The Mayor and Council of the City further resolve that the “downtown development area” shall be that geographical area described in Exhibit A attached hereto, and made a part hereof by reference, which area, in the judgment of the Mayor and Council of the City, constitutes the “central business district” of the City as contemplated by the Downtown Development Authorities Law.

Section 6. **Secretary of State** – The Mayor and Council of the City further resolve that the City shall furnish promptly to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law.

Section 7. **Department of Community Affairs** – The Mayor and Council of the City further resolve that the City shall furnish promptly to the Department of Community Affairs of the State of Georgia a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law.

Section 8. **Previous Authorities** – The Mayor and Council of the City further resolve that the actions taken by the Mayor and Council of the City as herein specified are not intended in any way to affect any public corporation, industrial development, downtown development, or payroll authority previously created by legislative act or constitutional amendment including, without limitation, its existence, purpose, organization, powers, or function.

Section 9. **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 10. 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 11. Repeal of Conflicting Provisions - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 12. 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, and from and after such adoption the Downtown Development Authority of the City shall be deemed reactivated.

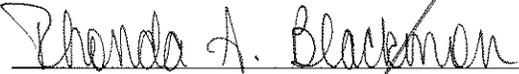
SO RESOLVED, this the 8th day of April, 2013.

CITY OF STOCKBRIDGE, GEORGIA



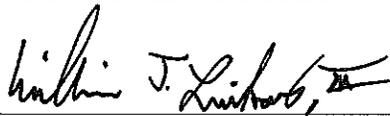
MARK A. ALARCON, MAYOR

ATTEST:



RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:



WILLIAM J. LINKOUS, III, CITY ATTORNEY
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