

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

RES-2019-018

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5
6 AN AMENDMENT TO THE RESOLUTION ACTIVATING THE CITY OF SOUTH
7 FULTON DEVELOPMENT AUTHORITY TO APPOINT A BOARD OF DIRECTORS,
8 AND TO PROVIDE FOR FILING WITH THE GEORGIA SECRETARY OF STATE AND
9 THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS PURSUANT TO
10 O.C.G.A 36-62-1, ET SEQ.

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12 (Sponsored by Mayor Pro Tem Mark Baker)

13
14 WHEREAS, the City of South Fulton ("City") is a municipal corporation duly
15 organized and existing under the laws of the State of Georgia;

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17 WHEREAS, the duly elected governing authority of the City is the Mayor and
18 Council thereof ("City Council");

19 WHEREAS, pursuant to O.C.G.A 36-62-1, et seq. (the "Development Authorities
20 Law"), a development authority is created in and for each county and municipal
21 corporations in the Stat of Georgia for nonprofit and public purposes;

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23 WHEREAS pursuant to the Development Authorities Law a development authority
24 may issue revenue bonds for any project that serves the essential public purpose of
25 development of trade, commerce, industry and employment opportunities;

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27 WHEREAS, the City of South Fulton (the "City") desires to create a development
28 authority for the City pursuant to the Development Authorities Law;

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30 WHEREAS, the Development Authorities Law provides that before a development
31 authority may transact any business or exercise any powers in the City, it must be
32 activated by proper resolution of the City Council of the City of South Fulton (the "City
33 Council") declaring the need for an authority to function in the City;

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35 WHEREAS, the Development Authorities Law further provides that a development
36 authority shall consist of a board of directors of not less than seven and not more than
37 nine directors to be appointed by resolution of the City Council; and

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39 WHEREAS, the Development Authorities Law further provides that a copy of the
40 activating resolution of the City Council shall be filed with the Georgia Secretary of State
41 and the Georgia Department of Community Affairs.

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43 NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL as
44 follows:

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Section 1.

- 1. There is hereby determined and declared to be a present and future need for a development authority to function in the City, which development authority shall be known as the "South Fulton Development Authority" (the "Development Authority");
- 2. The City Manager and his staff are authorized to prepare and file appropriate documents with the Georgia Secretary of State and the Georgia Department of Community Affairs and to take any and all actions as may be necessary to activate the Development Authority pursuant to the provisions of the Development Authorities Law; and
- 3. The initial Board of Directors for the Development shall consist of seven directors as follows:

- Position 1 (to serve a 2 year term): Stacy Blackley
- Position 2 (to serve a 2 year term): Shelley Lamar
- Position 3 (to serve a 2 year term): Jamal Grooms
- Position 4 (to serve a 2 year term): Andrew Pierson
- Position 5 (to serve a 4 year term): Ric Ross
- Position 6 (to serve a 4 year term): Arnold Jiggets
- Position 7 (to serve a 4 year term): Mayor Pro-Tem Mark Baker

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

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

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(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity,

90 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
91 sentences, paragraphs or sections of the Resolution.

92 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby
93 expressly repealed.

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

96 **Section 5. Instruction to City Clerk:** The City Clerk is hereby directed to circulate a
97 copy of this Resolution to the Economic Development Director following its adoption.

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99 THIS RESOLUTION adopted this 23 day of April 2019. CITY OF SOUTH FULTON,
100 GEORGIA

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107 WILLIAM "BILL" EDWARDS, MAYOR

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112 ATTEST:

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117 S. DIANE WHITE, CITY CLERK

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122 APPROVED AS TO FORM:

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127 EMILIA C. WALKER, CITY ATTORNEY