

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

RES- 2019-029

4
5 A RESOLUTION ESTABLISHING MEMBERSHIP AND COMPOSITION OF THE
6 SOUTH FULTON URBAN REDEVELOPMENT AGENCY AND
7 FOR OTHER LAWFUL PURPOSES

8
9 (Sponsored by Mayor Pro Tem Baker and Councilmember Willis)

10
11 WHEREAS, the City of South Fulton ("City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

13
14 WHEREAS, the duly elected governing authority of the City is the Mayor and
15 Council thereof ("City Council");

16
17 WHEREAS, by Resolution (the "Prerequisite Resolution"), the City Council
18 has determined that one or more pockets of blight exist in the City and that the
19 rehabilitation, conservation or redevelopment, or a combination thereof, of such area or
20 areas is necessary in the interest of the public health, safety, morals, or welfare of the
21 residents of the City;

22
23 WHEREAS, the Urban Redevelopment Law of Georgia, O.C.G.A. § 36-61-1, *et*
24 *seq.*, as amended (the "Urban Redevelopment Law") creates in each municipality in
25 the State of Georgia a public body corporate and politic to be known as the "urban
26 redevelopment agency" of the municipality, for the purpose of exercising the "urban
27 redevelopment project powers" defined in § 36-61-17(b) of the Act;

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29 WHEREAS, it has been determined by the City Council that it is in the public
30 interest of the citizens of the City that an urban redevelopment agency be created for
31 the City pursuant to O.C.G.A. § 36-61-18(a) (the "South Fulton Urban
32 Redevelopment Agency") to exercise the "urban redevelopment project powers" of the
33 City as authorized by §36-61-17 of the Urban Redevelopment Law;

34
35 WHEREAS, the City Council, after thorough investigation, has determined that it
36 is desirable and necessary that the South Fulton Urban Redevelopment Agency be
37 activated immediately, as authorized by § 36-61-18 of the Urban Redevelopment Law,
38 in order to fulfill the needs expressed herein;

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40 WHEREAS, the City Council desires to appoint the board of commissioners of
41 the South Fulton Urban Redevelopment Agency pursuant to §36-61-18(b) of the Urban
42 Redevelopment Law;

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44 WHEREAS, pursuant to the Prerequisite Resolution, the City Council designated
45 a certain geographic territory within its boundaries as the City of South Fulton Urban
46 Redevelopment Area No. 1 (the "South Fulton Urban Redevelopment Area");

47 **WHEREAS**, in accordance with the Urban Redevelopment Law, the City has
48 prepared an "Urban Redevelopment Plan" and scheduled a public hearing regarding the
49 same in compliance with Section 36-61-7 of the Urban Redevelopment Law;
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51 **WHEREAS**, the City desires for the South Fulton Urban Redevelopment Agency
52 to (i) conduct a public hearing on an Urban Redevelopment Plan and, (ii) if such plan is
53 subsequently approved by the governing body of the City, to finance certain economic
54 development projects identified within the plan to be located in the South Fulton Urban
55 Redevelopment Area on behalf of the City; and
56

57 **WHEREAS**, this Resolution will benefit the health and general welfare of the City,
58 its citizens and general public.

59 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL**, as
60 follows:

61 **Section 1.**
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- 63
- 64 **a. Transaction of Business.** The South Fulton Urban Redevelopment Agency
65 ("SFURA") is hereby directed to conduct its organizational meetings, make
66 any and all required filings and transact business as permitted by the Urban
67 Redevelopment Law.
68
 - 69 **b. Exercise of Power.** The City Council hereby determines that it is in the public
70 interest for the SFURA to exercise the City's "urban redevelopment project
71 powers" and hereby elects to have the SFURA exercise all of the City's
72 "urban redevelopment project powers" which are not retained by the City
73 pursuant to O.C.G.A. § 36-61-17(b).
74
 - 75 **c. Composition and Term.** The Board of Commissioners of the SFURA shall
76 consist of the members of the City Council who shall serve for the length of
77 their term as a City Council member and until their successor takes office. A
78 City Council member shall stand automatically appointed to the SFURA upon
79 the commencement of their City Council term. The Mayor shall serve as the
80 Chairperson and shall not vote except in the event of a tie. The
81 Commissioners shall elect a member from among them to serve as the Vice
82 Chairperson.
83
 - 84 **d. Meetings.** The SFURA shall be governed by Roberts Rules of Order, as
85 amended, establish its own meeting dates and may adopt further rules and
86 procedures consistent with this Resolution, applicable City regulations and
87 State law. A special meeting may be called by the Chairperson or four
88 Commissioners, subject to 72-hour advance notice to all Commissioners,
89 although a Commissioner may waive such notice.
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91 *****

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

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

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

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

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

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113

114 THIS RESOLUTION adopted this 19th day of June 2019.

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116 **CITY OF SOUTH FULTON, GEORGIA**

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WILLIAM "BILL" EDWARDS, MAYOR

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124 ATTEST:

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S. DIANE WHITE, CITY CLERK

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130 APPROVED AS TO FORM:

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EMILIA C. WALKER, CITY ATTORNEY



135 The foregoing RESOLUTION No. 2019-016, adopted on June 19, 2019 was offered by
136 Councilmember Willis, who moved its approval and was seconded by Councilmember
137 Gumbs, and being put to a vote, the result was as follows:
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William "Bill" Edwards, Mayor

AYE

NAY

142 Mark Baker, Mayor Pro Tem

143 Catherine Foster Rowell

144 Carmalitha Lizandra Gumbs

145 Helen Zenobia Willis

146 Gertrude Naeema Gilyard

147 Rosie Jackson

148 khalid kamau

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