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MEMORANDUM

To: Mayor and City Council

From: Warren Hutmacher, City Manager

Date: April 23, 2012

Subject: **Activating the Urban Redevelopment Agency**

ITEM DESCRIPTION

In order to implement the Urban Redevelopment Plan, the Council may consider activating an Urban Redevelopment Agency.

BACKGROUND

In March the City unveiled a new redevelopment initiative: Project Renaissance – A New Georgetown. This revitalization effort is designed to implement the adopted Master Plan and promote a catalytic redevelopment opportunity for the Georgetown area. The Project Renaissance initiative envisions a public/private partnership for the redevelopment of 35 acres of land off North Shallowford Road (a 16 acre parcel owned by the City and a 19 acre property the City has under contract).

Earlier this month, the City Council activated the Urban Redevelopment Law (O.C.G.A. 36-61-1) which is the legislative tool governing the use of public/private revitalization partnerships. By activating the Urban Redevelopment Law, the City is empowered to partner with the private sector partner whose redevelopment vision best aligns with the City's vision rather than the private sector partner who offers the highest bid for the portion of the 35 acres to be privately developed.

Following the adoption of an Urban Redevelopment Plan, the City Council may activate an Urban Redevelopment Agency to implement the Urban Redevelopment Plan. In addition to the customary benefits of having a citizen-board focused on the implementation efforts, by appointing an Urban Redevelopment Agency, the City would be able to utilize Development Authority Financing.

In 2011, the 16 acre parcel targeted in Project Renaissance, was purchased utilizing a lease purchase agreement with RBC bank facilitated by the Georgia Municipal Association. The lease purchase agreement contains a provision preventing the City from rezoning the property until the full note is paid off. Additionally, the entire 16 acres is collateral for the bank so if any portion of the land were sold to a private party, title to the land would be clouded with a deed to secure debt.

Working with an Urban Redevelopment Agency, the City can utilize Development Authority Financing to refinance the 16 acre parcel purchase using the full faith and credit of the City as collateral. This will free the City to sell a portion of the property for private development with a free and unencumbered title as well as allow for the property to be rezoned in accordance with the Urban Redevelopment Plan.

RECOMMENDATION

Staff recommends activating an Urban Redevelopment Agency and appointing members.

**A RESOLUTION ACTIVATING THE URBAN REDEVELOPMENT AGENCY OF
THE CITY OF DUNWOODY AND APPOINTING MEMBERS**

WHEREAS, the City of Dunwoody (the "City") is a municipality created by the 2008 Georgia General Assembly pursuant to Ga. L. 2008, p. 3526 and the Mayor and City Council of Dunwoody (the "Mayor and City Council") is the duly elected governing authority for the City; and

WHEREAS, by Resolution 2012-04-09, it has been determined by the Mayor and City Council that an area exists in the City that meets the definition described in O.C.G.A. 36-61-2(18) and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, Chapter 61 of Title 36 of the Official Code of Georgia Annotated ("O.C.G.A."), entitled the "Urban Redevelopment Law," as amended (the "Urban Redevelopment Law"), creates in each municipality in the State of Georgia a public body corporate and politic to be known as the "urban redevelopment agency" of the municipality, for the purpose of exercising the "urban redevelopment project powers" defined in Section 36-61-17(b) of the Official Code of Georgia Annotated; and

WHEREAS, it has been determined by the Mayor and City Council that it is in the public interest for the Urban Redevelopment Agency of the City of Dunwoody to exercise the "urban redevelopment project powers" of the City; and

WHEREAS, the Mayor and City Council, after thorough investigation, has determined that it is desirable and necessary that the Urban Redevelopment Agency of the City of Dunwoody be activated immediately, pursuant to the Urban Redevelopment Law, in order to fulfill the needs expressed herein; and

WHEREAS, pursuant to O.C.G.A. 36-61-18(b), the Mayor, by and with the advice and consent of City Council, desires to appoint the persons named herein as members of the initial Board of Commissioners of the Urban Redevelopment Agency of the City of Dunwoody, to designate the Chairman and Vice-Chairman as prescribed in O.C.G.A. 36-61-18(e), and to designate the terms of office for each such member; now

THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City hereby determines that it is in the public interest for the City's urban redevelopment agency created by the Urban Redevelopment Law to exercise the City's "urban redevelopment project powers" and hereby elects to have the City's urban redevelopment agency created by the Urban Redevelopment Law exercise the City's "urban redevelopment project powers."

BE IT FURTHER RESOLVED that there is hereby activated in the City the public body corporate and politic known as the "Urban Redevelopment Agency of the City of Dunwoody," which was created upon the enactment and approval of the Urban Redevelopment Law.

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2012-04-13

BE IT FURTHER RESOLVED that the Board of Commissioners of the Urban Redevelopment Agency shall consist of seven members who shall serve for terms of office of four years, except for the initial commissioners, who shall serve for the terms of office specified below.

BE IT FURTHER RESOLVED that the Mayor, by and with the advice and consent of the City Council, hereby appoints the following named persons as members of the initial Board of Commissioners of the Urban Redevelopment Agency of the City of Dunwoody, designates the Chairman and Vice-Chairman as prescribed in O.C.G.A. 36-61-18(e), and designates the initial terms of office for each such member, all as indicated below:

- Name, Chairman, 2 year term expiring April 9, 2014
- Name, 2 year term expiring April 9, 2014
- Name, 2 year term expiring April 9, 2014
- Name, Vice-Chairman, 1 year term expiring April 9, 2013
- Name, 1 year term expiring April 9, 2013
- Name, 1 year term expiring April 9, 2013
- Name, 1 year term expiring April 9, 2013

BE IT FURTHER RESOLVED that the Board of Commissioners hereinbefore appointed shall organize itself, carry out its duties and responsibilities, and exercise its powers and prerogatives in accordance with the terms and provisions of the Urban Redevelopment Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the Mayor and City Council of the City, and from and after such adoption the Urban Redevelopment Agency of the City of Dunwoody shall be deemed to be activated.

SO RESOLVED AND EFFECTIVE this 23rd day of April, 2012.

Approved:

Michael G. Davis, Mayor

Attest:

Sharon Lowery, City Clerk

Seal