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MEMORANDUM

To: Mayor and City Council

From: Warren Hutmacher, City Manager

Date: May 29, 2012

Subject: **Appointing Members to the Urban Redevelopment Agency**

ITEM DESCRIPTION

In order to implement the Urban Redevelopment Plan, the Council has activated the Urban Redevelopment Agency. Staff recommends appointing members.

BACKGROUND

In April, the City Council activated the Urban Redevelopment Law which governs the use of public/private revitalization partnerships. Activating the Urban Redevelopment Law presented two key benefits for the City as related to the revitalization of Georgetown.

First, 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 land within the designated Urban Redevelopment Area.

Secondly, 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 instead of the land itself. This frees 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.

Although the Urban Redevelopment Law allows the City Council to directly exercise all urban redevelopment project powers, the City Council has previously determined it to be advantageous to create a separate Urban Redevelopment Agency comprised of appointed citizens to work with staff in implementing the Urban Redevelopment Plan.

Until such time as the full membership could be appointed to the Urban Redevelopment Agency, the City Council has authorized its right to exercise the urban redevelopment project powers such as conducting a public invitation for proposals process in order to select a private sector partner for the implementation of the Urban Redevelopment Plan.

RECOMMENDATION

Staff recommends appointing the members to the Urban Redevelopment Agency for the purpose of implementing the adopted Urban Redevelopment Plan.

NEXT STEPS

At a future Council Meeting, the City will consider an Intergovernmental Agreement with the Urban Redevelopment Agency to further outline the roles and responsibilities of the City and the Urban Redevelopment Agency as relates to the implementation of the adopted Urban Redevelopment Plan. Additionally, as appropriate over time, the City will consider transferring ownership of properties in the designated Urban Redevelopment Area to the Agency for redevelopment in accordance with the Urban Redevelopment Plan.

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

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, by Resolution 2012-04-13, the Mayor and City Council have activated the Urban Redevelopment Agency of the City of Dunwoody; 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."

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2012-05-16

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.

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:

- Ken Wright, Chairman, 2 year term expiring May 14, 2014
- Olen Akers, 2 year term expiring May 14, 2014
- Kathryn Chambless, 2 year term expiring May 14, 2014
- Kerry de Vallette, Vice-Chairman, 1 year term expiring May 14, 2013
- Gordon Jackson, 1 year term expiring May 14, 2013
- Dr. Beverly J. Armento, 1 year term expiring May 14, 2013
- Tom O'Neil, 1 year term expiring May 14, 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 14th day of May, 2012.

Approved:

Michael G. Davis, Mayor

Attest: