

**RESOLUTION SUPPLEMENTING THE BOARD OF COMMISSIONERS' DECEMBER 17, 2008 RESOLUTION CONSENTING TO THE INCLUSION OF CERTAIN FULTON COUNTY TAXES IN THE COMPUTATION OF THE TAX ALLOCATION INCREMENT FOR CITY OF ATLANTA TAX ALLOCATION DISTRICT NUMBER ONE –WESTSIDE SO AS TO CONSENT TO AND RATIFY THE USE OF A PORTION OF COUNTY TAX INCREMENT FOR ONE PROJECT WITHIN THE WESTSIDE TAX ALLOCATION DISTRICT.**

**WHEREAS**, to encourage the redevelopment of the western downtown area of the City, the City Council, by City Resolution 98-R-0777 (amending Resolution 92-R-1575), adopted on July 6, 1998 and approved by the Mayor on July 15, 1998, as amended (the "Westside TAD Resolution"), among other things, (i) created "The Westside Redevelopment Area and Tax Allocation Bond District (Tax Allocation District Number 1, As Amended – Atlanta/Westside)" (the "Westside TAD"), (ii) adopted "The Westside Redevelopment Plan and Tax Allocation Bond District (Tax Allocation District Number 1, As Amended – Atlanta/Westside)" (the "Westside TAD Redevelopment Plan") and (iii) designated the Atlanta Development Authority d/b/a Invest Atlanta as the City's Redevelopment Agency, all as provided for under Redevelopment Powers Law, O.C.G.A. § 36-44-1, *et seq.*, as amended (the "Act"); and

**WHEREAS**, by Resolution adopted on November 18, 1998 (Agenda Item No. 98-1542) and as amended by Resolution adopted on July 20, 2005 (Agenda Item No. 05-085 1) (collectively the "County Resolution", copies of which are attached hereto and incorporated by reference), the Board of Commissioners of Fulton County consented to the inclusion of certain Fulton County ad valorem tax increments in the computation of the tax allocation increment for the Westside TAD, with certain conditions; and

**WHEREAS**, under the County Resolution, the County's pledge of tax increments from the Westside TAD was limited to a 10-year Initial Origination Period (through December 31, 2008), with any redevelopment projects financed after that Initial Origination Period requiring separate approval by the Board of Commissioners before any County tax increments could be used in relation to those redevelopment projects; and

**WHEREAS**, the County Resolution further limited the County's pledge of tax increments to a twenty-five (25) year period expiring on the anniversary of the creation of the Westside TAD (*i.e.*, December 31, 2023 and required that any bonds, notes, or other obligations secured by Fulton County tax increments must mature within twenty-five (25) years of issuance; and

**WHEREAS**, the Redevelopment Powers Law generally permits the issuance of tax allocation bonds with maturity dates of up to thirty (30) years from issuance (O.C.G.A. § 36-44-14(e)); and

**WHEREAS**, by Resolution No. 08-R-1549 (adopted on August 18, 2008 and approved by the Mayor on August 21, 2008) the Council of the City of Atlanta further amended the Westside TAD Redevelopment Plan so as to extend the duration of the Westside TAD from its prior termination date of December 31, 2023 to December 31, 2038; and

**WHEREAS**, as provided in Resolution No. 08-R-1691 (adopted on September 2, 2008 and approved by operation of law on September 11, 2008), the City Council determined that extension of the life of the Westside TAD to 2038 was necessary in order to permit leveraging of tax increments for a longer period of time in order to accomplish certain goals of the Westside Redevelopment Plan that had not yet been achieved; and

**WHEREAS**, by Resolution adopted December 17, 2008 (Agenda Item 08-1010), the Board of

Commissioners extended its pledge of Fulton County ad valorem taxes for the Westside TAD through 2038; extended the Initial Origination Period to December 31, 2018; and permitted the issuance of tax allocation bonds or other indebtedness with maturity dates of up to thirty (30) years from date of issuance; and

**WHEREAS**, the 2008 Resolution specifically provided that:

*"projects financed after December 31, 2018 shall be subject to review by the County regarding the terms of its participation in the redevelopment efforts of the Atlanta Tax Allocation District Number One - Westside, and no Fulton County tax increments shall be used (directly or as security for any bonds or other indebtedness) for new projects receiving TAD financing after December 31, 2018 unless and until the Fulton County Board of Commissioners adopts a resolution as to its participation..."*; and

**WHEREAS**, the City's Redevelopment Agency, Invest Atlanta, has made a request to the Board of Commissioners to consent and ratify one project to receive Westside TAD funding including a portion of County tax increment (\$75,000 allocation to assist Integrity Transformations CDC in the capital renovation of the facility located at 692 Lindsay Street, NW, Atlanta Georgia 30318 in the English Avenue Neighborhood), the supporting Invest Atlanta Resolution and Fact Sheet therefore are attached hereto and incorporated herein for reference; and

**WHEREAS**, the Board of Commissioners has considered the request and wishes to adopt this Resolution consenting and ratifying the inclusion of the County tax increment for the grant to support the referenced capital project within the Westside TAD.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Fulton County, Georgia, that the Westside TAD Grant approved by the Invest Atlanta Board on February 18, 2021 (\$75,000 allocation to assist Integrity Transformations CDC in the capital renovation of a facility located at 692 Lindsay Street, NW, Atlanta Georgia 30318 in the English Avenue Neighborhood) is hereby approved and ratified within the requirements of the Board of Commissioners' December 17, 2008 Westside TAD Resolution. In no event shall the County's consent or use of County tax increments extend beyond December 31, 2038.

**BE IT FURTHER RESOLVED**, that, except as provided by this Resolution, all provisions of the County Westside TAD Resolutions shall remain in full force and effect.

**SO PASSED AND ADOPTED**, this 17<sup>th</sup> day of March, 2021.

**FULTON COUNTY BOARD OF  
COMMISSIONERS**

**SPONSORED BY:**



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Lee Morris, Commissioner  
District 3



99 ATTEST:

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103 Tonya R. Grier  
104 Clerk to the Commission  
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107 APPROVED AS TO FORM:

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111 Kaye Woodard Burwell  
112 Interim County Attorney  
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ITEM # 21-0229 RCS 3.17.21  
RECESS MEETING