

1 **A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS**
2 **REPEALING RESOLUTION 22-0995 AND RE-AFFIRMING FULTON COUNTY'S**
3 **PARTICIPATION IN THE EASTSIDE TAD AS PREVIOUSLY AUTHORIZED BY**
4 **RESOLUTION 03-1465; AND FOR OTHER PURPOSES.**

5 **WHEREAS**, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 *et seq.*) provides for
6 the establishment of redevelopment powers and the creation of redevelopment plans and tax
7 allocation districts by counties and municipalities in the State of Georgia; and
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9 **WHEREAS**, the Redevelopment Powers Law provides that county ad valorem property
10 taxes derived from a municipal tax allocation district may be included in the computation of tax
11 allocation increments of the district if the governing body of the county consents to such inclusion
12 by resolution; and
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14 **WHEREAS**, pursuant to the Redevelopment Powers Law, the Atlanta City Council
15 adopted the Eastside Redevelopment Plan and established the Tax Allocation District Number Five
16 - Eastside (the "Eastside TAD") by resolution adopted on December 1, 2003, and approved by the
17 Mayor on December 9, 2003; and
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19 **WHEREAS**, on December 17, 2003, the Fulton County Board of Commissioners via
20 Fulton County Resolution 03-1465 authorized Fulton County's participation in the Eastside TAD
21 and consented to the inclusion of Fulton County's ad valorem property taxes on real property
22 within the Eastside TAD in the computation of the tax allocation increment for the Eastside TAD;
23 and
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25 **WHEREAS**, on December 21, 2022, the Board of Commissioners passed Resolution 22-
26 0995 repealing Resolution 02-1414 (Princeton Lakes TAD) and Resolution 03-1465 (Eastside
27 TAD), contingent upon (1) confirmation that all bond debt and other redevelopment obligations
28 for the Princeton Lakes and Eastside TADs have been met or no longer exist and (2) notice to the
29 City of Atlanta of the Board of Commissioners' decision to discontinue the County's participation
30 in the Princeton Lakes and Eastside TADs; and
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32 **WHEREAS**, the County requested information from Invest Atlanta, the City of Atlanta's
33 redevelopment agent for the Princeton Lakes and Eastside TADs, concerning the outstanding bond
34 debt and redevelopment obligations of the Princeton Lakes and Eastside TADs; and
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36 **WHEREAS**, the County has not delivered the required "notice" to the City of Atlanta of
37 the Board of Commissioners' decision to discontinue the County's participation in the Eastside
38 TAD because the verification process to determine whether all bond debt and redevelopment
39 obligations have been met in the Eastside TAD appears to show that the Eastside TAD has existing
40 obligations and projects requiring the County's continued participation; and
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42 **WHEREAS**, in light of the foregoing, the contingencies set forth in Resolution 22-0995
43 regarding the Eastside TAD have not yet been met; and
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45 **WHEREAS**, the Board of Commissioners recognizes that while it appears there may be

46 certain TADs in which the outstanding bond debt and current redevelopment obligations have been
47 satisfied, there may still be some redevelopment projects, particularly in the Eastside TAD, that
48 would be beneficial to the County that the Board of Commissioners would like to continue to
49 support; and

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51 **WHEREAS**, upon reconsideration of its previous position, the Board of Commissioners
52 deems it to be in the best interests of its residents to continue the County's uninterrupted
53 participation in the Eastside TAD.

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55 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Fulton
56 County, Georgia, hereby repeals Resolution 22-0995 in its entirety and re-affirms its approval of
57 Resolution 03-1465 consenting to the inclusion of certain Fulton County taxes in the computation
58 of the tax allocation increment for the Eastside TAD.

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60 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby recognizes the
61 need for better communication, coordination, and transparency between the City of Atlanta, the
62 Atlanta School Board, and Fulton County regarding TADs and urges all of these entities to more
63 effectively coordinate on TAD-related issues for the benefit of the citizens of Fulton County.

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65 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
66 adoption and that all resolutions and parts of resolutions in conflict with this Resolution are hereby
67 repealed to the extent of such conflict.

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69 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County, Georgia,
70 this 1st day of March, 2023.

71
72 **FULTON COUNTY BOARD OF**
73 **COMMISSIONERS**

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75 **SPONSORED BY:**

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78 Natalie Hall, Commissioner (District 4)

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80 **CO-SPONSORED BY:**

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83 Dana Barrett, Commissioner (District 3)

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ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney