

Resolution Bringing Attention to the Intergovernmental and Settlement Agreement between the City of Atlanta and DeKalb County

Whereas, On October 17, 2017, the Mayor of the City of Atlanta and Chief Executive Officer of DeKalb County entered into an Intergovernmental and Settlement Agreement related to the annexation of Emory University, Children’s Healthcare of Atlanta, the Centers for Disease Control and other property owners, and

Whereas, the Intergovernmental and Settlement Agreement was sealed by the respective Clerks of the City and DeKalb County and was signed by the City Attorney and County Attorney, and

Whereas, the term of this agreement is for 10 years commencing with the execution of the last signature, and

Whereas, the City of Atlanta agreed in the Intergovernmental and Settlement Agreement to establish a policy regarding future annexations within 250 feet of the 2017 Emory annexation property, and

Whereas, the Intergovernmental and Settlement Agreement indicates that such annexation policy would require future annexation petitions in the affected areas to include an explanation of a rational basis for any future annexation, and

Whereas, the Intergovernmental and Settlement Agreement states that the purpose of this annexation policy near Emory is to encourage land owners in the affected areas to consider annexation of entire communities rather than piecemeal annexations that potentially destabilize existing residential communities, local businesses and small scale commercial developments, and

Whereas, the Intergovernmental and Settlement Agreement states that the annexation policy adopted by the City of Atlanta near the affected Emory area would contain language indicating the City of Atlanta is not in favor of single lot annexations where land on both sides of such lot would remain in unincorporated DeKalb County, and

Whereas, the Intergovernmental and Settlement Agreement states that the policy of future annexations near the affected Emory area would require petitioners to describe why a single lot annexation is not destabilizing to the adjacent community, and

Whereas, the City of Atlanta has notified DeKalb County of an annexation petition for property owned by a single property owner within 250 feet of the affected Emory area annexation, and

Whereas, the Citizens of DeKalb County, the Citizens of Atlanta and the Citizens of every local government jurisdiction trust and rely upon Intergovernmental Agreements that their elected governing authorities enter into and have an expectation that such Intergovernmental Agreements shall be honored, and

Whereas, significant time has passed since entering into this Intergovernmental and Settlement Agreement and many of the officials that participated in the preparation of this agreement are no longer in their respective positions, and

Whereas, the Mayor and City Council of the City of Atlanta and Chief Executive Officer and Board of Commissioners of DeKalb County recognize the importance of preserving a strong, trusted working relationship between jurisdictions to ensure the well-being, stability of neighborhoods, and high quality of life of our constituents.

Now therefore be it resolved, We, the DeKalb County Board of Commissioners and the Chief Executive Officer of DeKalb County do hereby remind the City of Atlanta that it entered into an Intergovernmental and Settlement Agreement regarding the Emory annexation of October 2017; and the Governing Authority of DeKalb County do hereby request that the City honor and abide by this Agreement as it would abide by any other Intergovernmental Agreement. Further, we direct the Chief Operating Officer to convey this resolution to his counterpart within the City of Atlanta.

Resolved this _____ day of _____ 2024.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____ 2024

Mereda Davis Johnson
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer, this _____ day of _____, 2024

Michael Thurmond
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

APPROVED AS TO FORM:

BARBARA SANDERS
County Clerk
Board of Commissioners and
Chief Executive Officer

Viviane Ernstes
County Attorney
DeKalb County, Georgia