

**AN ORDINANCE REQUESTING THE DEKALB COUNTY
ADMINISTRATION REVIEW AND CONSIDER SUPPORTING AN
AMENDMENT TO THE CODE OF DEKALB COUNTY, GEORGIA TO
ALLOW PUBLIC PRIVATE PARTNERSHIPS AND FOR OTHER PURPOSES**

WHEREAS, the Official Code of Georgia Annotated Sections 36-91-110 through 36-110-119, known as the Partnership for Public Facilities and Infrastructure (the “P3 State Law”), provides a process for local governments to consider partnerships with private entities for the development of a wide range of project for public use, commonly known as “P3s”; and

WHEREAS, the P3 State Law requires the adoption of an ordinance governing said partnerships; and

WHEREAS, the State of Georgia has developed a model ordinance governing P3s for local governments to consider, including certain required terms, a reformatted version of which is attached as “Exhibit A”; and

WHEREAS, DeKalb County has received unsolicited P3 proposals in the past and been unable to consider and act on said proposals pursuant to the P3 State Law; and

WHEREAS, P3s provide certain benefits to local governments; and

WHEREAS, said benefits may include a more cost-effective process for constructing infrastructure and delivering services that meet a public purpose or need including transportation, environmental and tourism projects with less financial burden on taxpayers; and

WHEREAS, said benefits may also include more flexible financing options for the local government; and

WHEREAS, said benefits may also include fostering more innovative solutions for public needs by inviting creative input from private entities that are otherwise external to local government processes; and

WHEREAS, successful P3s have been employed by the State to construct student housing and to implement the State Department of Transportation Major Mobility Improvement Program; and

WHEREAS, successful P3s have been employed by local governments to develop Public Works, Community Development, Finance, IT, Communications, Emergency Services, Recreation and Parks, Court, and Economic Development projects; and

WHEREAS, the DeKalb County Board of Commissioners believes that DeKalb County should have the ability to consider and enter P3s where appropriate to avail itself of said benefits; and

WHEREAS, developing, adopting and implementing an amendment to the DeKalb County Code to provide a framework for P3s requires action by both the Executive and Legislative branches;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of DeKalb County, Georgia, to:

Requests that the Administration (1) review; (2) provide feedback, revisions, and responses, as appropriate; and (3) consider supporting an amendment to the Code of DeKalb County, As Revised, 1988 to provide a framework for public private partnerships in DeKalb County as contemplated by Georgia Law and in accordance with Attachment A hereto.

ADOPTED by the DeKalb County Board of Commissioners, this ____day of _____, 2021.

STEPHEN R. BRADSHAW

Presiding Officer
Board of Commissioners
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC

Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE H. ERNSTES

County Attorney
DeKalb County, Georgia