

RESOLUTION

AUTHORIZING THE CREATION OF THE DEKALB COUNTY TAX ALLOCATION DISTRICT NUMBER FIVE REDEVELOPMENT AREA, AND THE DEKALB COUNTY TAX ALLOCATION DISTRICT NUMBER FIVE – SOUTHWEST DEKALB TAD; DESIGNATING THE BOUNDARIES OF THE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT; ESTABLISHING THE ESTIMATED TAX ALLOCATION INCREMENT BASE FOR THE TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE AREA; AUTHORIZING THE DEVELOPMENT AUTHORITY OF DEKALB COUNTY, D/B/A DECIDE DEKALB TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Redevelopment Powers Law (O.C.G.A. § 36-44-1, *et seq.*) provides for the establishment of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

WHEREAS, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within economically and socially distressed urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for governmental services, have a deleterious effect upon the public health, safety, morals and welfare, and impair or arrest the sound growth of the community as a whole; and

WHEREAS, it is in the public interest of the citizens of DeKalb County (the “**County**”) that the Redevelopment Powers Law be exercised to improve economic and social conditions in the geographic area of the County described as the “DeKalb County Tax Allocation District Number Five Redevelopment Area,” (the “**Southwest DeKalb TAD Redevelopment Area**”) as such area is described in Exhibit “A” and Exhibit “C” of the document entitled “DeKalb County Tax Allocation District Number Five Southwest DeKalb TAD Redevelopment Plan,” (the “**Southwest DeKalb TAD Redevelopment Plan**”) which is attached hereto as Exhibit 1 and incorporated herein by reference, in order to abate or eliminate deleterious effects of such economically and socially distressed state; and

WHEREAS, the Board of Commissioners of DeKalb County (the “**Governing Body**”) finds that the Southwest DeKalb TAD Redevelopment Area on the whole suffers from the presence of (i) pervasive poverty, (ii) high unemployment, (iii) chronic population decline (iv) a substantial number of structures or buildings that are 40 years or older and have no historic significance, (v) high commercial vacancies compared to the County as a whole and (vi) significantly slower growth than is occurring in the County as a whole that contribute to, or cause, unemployment, limit

the tax resources of the County while creating a greater demand for government services, and in general have a deleterious effect on the public health, safety, and welfare; and

WHEREAS, adoption of the Southwest DeKalb TAD Redevelopment Plan and creation of the DeKalb County Tax Allocation District Number Five— Southwest DeKalb TAD (the “**Southwest DeKalb TAD**”) is necessary to assure that the County improves the economic and social conditions which exist within the Southwest DeKalb TAD Redevelopment Area in order to abate or eliminate the deleterious effects of existing conditions therein; and

WHEREAS, the County recognizes that investment in (i) public infrastructure, (ii) transportation and mobility enhancements, (iii) site-specific development projects, (iv) area-wide infrastructure, (v) affordable housing, (vi) improved public space, landscaping, lighting and other improvements, and (vii) parks, recreation and community facilities and (viii) other uses and land acquisitions required to achieve the goals and objectives of the Southwest DeKalb TAD Redevelopment Plan; and

WHEREAS, the Southwest DeKalb TAD can provide incentives and initial funding to catalyze the rehabilitation and redevelopment of areas within the Southwest DeKalb TAD redevelopment area; and

WHEREAS, the Governing Body has designated the Development Authority of DeKalb County (“**Decide DeKalb**”) as its Redevelopment Agency for the Southwest DeKalb TAD pursuant to the Redevelopment Powers Law; and

WHEREAS, Decide DeKalb has caused the Southwest DeKalb TAD Redevelopment Plan to be prepared for the Southwest DeKalb TAD Redevelopment Area pursuant to O.C.G.A. § 36-44-3(9) to be used as the framework for the redevelopment of the Southwest DeKalb TAD Redevelopment Area; and

WHEREAS, DeKalb County recognizes that the Redevelopment Plan is a tool by which to implement the redevelopment of the Southwest DeKalb TAD Redevelopment Area and the adoption of the Redevelopment Plan does not supersede or modify the current zoning regulations on those properties referenced in the Redevelopment Plan; and

WHEREAS, Decide DeKalb, in its capacity as Redevelopment Agent, shall create a “TAD Advisory Committee” or other collaborative framework to review tax allocation district projects, plans and funding requests for the Southwest DeKalb TAD; and

WHEREAS, the Governing Body of DeKalb County desires to adopt the Southwest DeKalb TAD Redevelopment Plan and create Southwest DeKalb TAD;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Governing Body hereby finds and declares that the Southwest DeKalb TAD Redevelopment Area on the whole has not been subject to growth and development through

private enterprise and would not reasonably be anticipated to be developed without the approval of the Southwest DeKalb TAD Redevelopment Plan.

Section 2. The Governing Body of DeKalb County finds and declares that improvement of the Southwest DeKalb TAD on the whole is likely to enhance the value of a substantial portion of other real property in the Southwest DeKalb TAD Redevelopment Area and its adjacent communities.

Section 3. The Governing Body of DeKalb County approves the attached Southwest DeKalb TAD Redevelopment Plan prepared by the Decide DeKalb as the redevelopment plan for the aforesaid area pursuant to the Redevelopment Powers Law, and incorporates such plan, including all Exhibits thereto, by reference as if fully set forth hereinafter.

Section 4. The Governing Body of DeKalb County creates the “DeKalb County Tax Allocation District Number Five — Southwest DeKalb TAD” pursuant to the Southwest DeKalb TAD Redevelopment Plan and the Redevelopment Powers Law. The boundaries of the Southwest DeKalb TAD Redevelopment Area and Southwest DeKalb TAD shall be as indicated on the map included as Exhibit A to the Redevelopment Plan and shall consist of those tax parcels identified on the list attached as Exhibit C to the Redevelopment Plan, both such Exhibits being incorporated herein by reference.

Section 5. The Southwest DeKalb TAD is hereby created as of December 31, 2023, and shall continue in existence for twenty-five (25) years, or until all redevelopment costs, including financing costs and debt service on tax allocation bonds or other loans and financings secured by tax allocation increment generated within the Southwest DeKalb TAD, shall be paid in full.

Section 6. The Governing Body of DeKalb County hereby establishes the estimated tax allocation increment base of \$303,804,888 (40% taxable value) of the Southwest DeKalb TAD Redevelopment Area, subject to certification by state revenue commissioner as provided in O.C.G.A. § 36-44-10. The ad valorem property taxes to be used for computing tax allocation increments are specified in the attached Southwest DeKalb TAD Redevelopment Plan and are incorporated herein by reference. Inclusion of ad valorem taxes levied by the DeKalb County Board of Education in the computation of the tax allocation increment is contingent upon its consent for the inclusion of educational ad valorem taxes in such computation.

Section 7. The Governing Body of DeKalb County designates Decide DeKalb to serve as its “redevelopment agent” to implement the provisions of the Southwest DeKalb TAD Redevelopment Plan and to effectuate the redevelopment of the Southwest DeKalb TAD Redevelopment Area pursuant to the framework set forth in Southwest DeKalb TAD Redevelopment Plan and under the Redevelopment Powers Law. Such designation is intended to comply with Section 36-44-4 of the Redevelopment Powers Law and, to the extent required, Chapter 61 of Title 36 of the Official Code of Georgia governing urban redevelopment powers.

Section 8. The Governing Body authorizes the use of tax increment derived from the Southwest DeKalb TAD on a pay-as-you-go basis or, the proceeds of tax allocation bonds, loans or other financings secured by such increment to pay eligible “redevelopment costs” associated

with the implementation of the Southwest DeKalb TAD Redevelopment Plan, including, without limitation, costs of issuance of the tax allocation bonds; capital costs of public and private improvements; professional services costs, including fees for architectural, engineering, legal and environmental services; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.

Section 9. The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments derived from real property within the Southwest DeKalb TAD.

Section 10. The Redevelopment Agent shall develop a work plan for implementing the Southwest DeKalb TAD Redevelopment Plan with proposed budgets and time periods. The work plan shall be presented periodically to Governing Body for its review. At year end of each year that the Southwest DeKalb TAD is in existence, the Redevelopment Agent shall provide a report on the financial status of the TAD, including a detail of any tax increments collected but not used as payment for or pledged against any existing TAD bond issuances.

Section 11. All resolutions and parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

ADOPTED by the Board of Commissioners of DeKalb County, this ___ day of December, 2023

Robert J. Patrick
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ___ day of December, 2023

Michael L. Thurmond
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

Barbara H. Sanders, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

Zachary L. Williams
Executive Assistant and Chief Operating Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

Viviane H. Ernstes, Esq.
County Attorney
DeKalb County, Georgia

Exhibit 1

**DeKalb County Tax Allocation District Number Five
Southwest DeKalb TAD Redevelopment Plan**