

State of Georgia,  
Wilcox County.

**ORDINANCE No.: 2020 - 101**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ROCHELLE, GEORGIA, REACTIVATING THE DOWNTOWN DEVELOPMENT AUTHORITY; APPOINTING MEMBERS TO THE DOWNTOWN DEVELOPMENT AUTHORITY AND ESTABLISHING THE INITIAL TERMS OF OFFICE OF SAID MEMBERS; PROVIDING FOR THE FILING OF THIS REACTIVATION RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to the provisions of Chapter 42 of Title 36 of the Official Code of Georgia Annotated (Downtown Development Authorities Law), municipalities in the State of Georgia have the authority to establish a downtown development authority; and,

**WHEREAS**, by resolution adopted in 2005, the Mayor and Council for the City of Rochelle, Georgia, established the Downtown Development Authority for the City of Rochelle, Georgia; and,

**WHEREAS**, said 2005 resolution appointed the initial Board of Directors for said Downtown Development Authority; and,

**WHEREAS**, said 2005 resolution, also, established the "downtown development area" as required by statute; and,

**WHEREAS**, the Downtown Development Authority has become inactive and, currently, has no members of the Board of Directors; and,

**WHEREAS**, the Mayor and Council would like to reactivate the Downtown Development Authority as there has been determined and declared to be a present and future need of the Downtown Development Authority (as defined by applicable law) and there is a desire among the citizens for the immediate activation to fulfill such need(s);

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Rochelle, Georgia, as follows:

1.

The Downtown Development Authority of the City of Rochelle, Georgia ("DDA"), is hereby reactivated and shall have all authority as provided for in the Downtown Development Authorities Law, as currently written or thereafter amended.

2..

The "downtown development area", which constitutes the "central business area", shall remain the same as identified on Exhibit "A" of the 2005 resolution enacting the

DDA, which was made a part thereof upon the adoption of said resolution.

3.

The Board of Directors shall be comprised of seven (7) directors who shall have the qualifications as required by the Downtown Development Authorities Law and who shall comply with the provisions of Georgia law.

4.

The initial Board of Directors for the reactivated DDA shall be composed as follows with the terms of office identified:

Name	Position/Business Relation	Term of Office
Vickie Kemp	Council Member	Two (2) years
Brent Peebles	Business Owner/County resident	Two (2) years
Gwendolyn Smith	Municipal Taxpayer	Four (4) years
Rosalind Brown	Business Owner/County resident	Four (4) years
Jeremy King	Business Owner/County resident	Six (6) years
Kristy Everson	Business Owner/Out of County	Six (6) years
Prince Joseph Lopez	Municipal Taxpayer	Six (6) years

Thereafter, such successor directors shall be appointed by the Mayor and Council for a term of four (4) years. However, the term of such director that is, also, a council member shall end when that director is no longer a member of the Mayor and Council of the City of Rochelle, Georgia. Directors shall receive no compensation for their services.

5.

Except for any director that is also a member of the Mayor and Council, each director shall attend and complete, at least, eight hours of training on downtown development and redevelopment programs within the first 12 months of the director's appointment to the DDA.

6.

The City Clerk is hereby directed to submit a copy of this reactivation resolution for filing with the appropriate divisions of the Georgia Secretary of State's office and the Georgia Department of Community Affairs.

7.

If any section of this resolution or the application thereof to any person or circumstance is held invalid, the validity of the remainder of this resolution and the application of such provisions to other persons and circumstances shall not be affected thereby.

8.

The provisions of the 2005 enacting resolution shall be and remain in force and effect. Further information related to the DDA can be found in said resolution as well as

Georgia law.

9.

The provisions of this resolution shall be effective upon the approval of the Mayor and Council after its adoption.

SO ADOPTED, this 14<sup>th</sup> day of March, 2020.

CITY OF ROCHELLE, GEORGIA

Wayne McGuinty  
Hon. Wayne McGuinty, Mayor

John McDonald  
Hon. John McDonald, M. P. T.

Herman Greene  
Hon. Herman Greene

\_\_\_\_\_  
Hon. Vickie Kemp

\_\_\_\_\_  
Hon. Greg Lamb

Thomas S. Tolbert  
Hon. Thomas Tolbert

Attest: Betty Jo Adkinson  
Betty Jo Adkinson, Clerk

[CITY SEAL]





## CLERK'S CERTIFICATE

### GEORGIA, WILCOX COUNTY.

I, Betty Jo Adkinson, Clerk for the City of Rochelle, Georgia, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of the Resolution No.: 2020 - 101 adopted by the Mayor and Council of the City of Rochelle, Georgia, at an open meeting duly called and lawfully assembled at 7:00 a.m. on the 4 day of March, 2020, reactivating the Downtown Development Authority of the City of Rochelle, Georgia ("DDA") and appointing the initial Board of Directors for the reactivated DDA, a duplicate original of said Ordinance being duly recorded in the Minute Book of the City of Rochelle, Georgia, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Mayor and Council of the City of Rochelle, Georgia were present at said meeting:

Mayor Wayne McGuinty  
Herman Greene, Jr.  
John McDonald

Thomas Lee Tolbert  
\_\_\_\_\_  
\_\_\_\_\_

and that the following members were absent:

Vickie Kemp  
Greg Lamb

\_\_\_\_\_

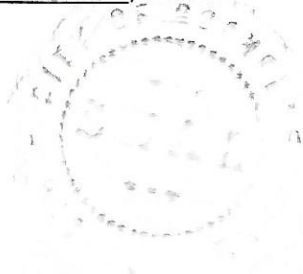
and said resolution was duly adopted by a vote of:

Aye 3

Nay 0

Abstain 0

Witness my hand and the official seal of the City of Rochelle, Georgia, this the 4 day of March, 2020.



Betty Jo Adkinson  
Betty Jo Adkinson, Clerk

GEORGIA,  
WILCOX COUNTY.

05-13

**A RESOLUTION TO DECLARE THE NEED FOR A DOWNTOWN  
DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF  
ROCHELLE, GEORGIA, PURSUANT TO THE PROVISIONS OF THE  
DOWNTOWN DEVELOPMENT AUTHORITIES LAW O.C.G.A. § 36-42-1, ET. SEQ.  
TO APPOINT A BOARD OF DIRECTORS FOR THE DOWNTOWN  
DEVELOPMENT AREA; TO PROVIDE FOR FILING WITH THE  
SECRETARY OF STATE OF THE STATE OF GEORGIA AND THE  
DEPARTMENT OF COMMUNITY AFFAIRS OF THE STATE OF GEORGIA  
OF A COPY OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS;  
TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES**

WITNESSETH:

WHEREAS, it has been determined by the Mayor and Council of the City of Rochelle, Georgia (the "City") that there is a need in the City for the revitalization and redevelopment of the central business district of the City to develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade, and commerce and the development of existing industry, trade, and commerce within the City; and,

WHEREAS, it has been determined by the Mayor and Council of the City that the revitalization and redevelopment of the central business district of the City by financing projects under the Downtown Development Authorities Law (Ga. Laws 1981, p. 1744; O.C.G.A. § 36-41-1, et seq.—the "Downtown Development Authorities Law") will develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and will promote the general welfare of the State of Georgia; and,

WHEREAS, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to revitalize and redevelop the central business district of the City; and,

WHEREAS, the Downtown Development Authorities Law creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping the central business district of such municipal corporation and promoting for the public good and general welfare, trade, commerce, industry, and employment opportunities and promoting the general welfare of the State of Georgia; and,



**WHEREAS**, the Mayor and Council of the City, after thorough investigation, have determined that it is desirable and necessary that the Downtown Development Authority of the City be activated immediately, pursuant to the Downtown Development Authorities Law, in order to fulfil the needs expressed herein;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City, and it is hereby resolved by the same, that there is hereby determined and declared to be a present and future need of a Downtown Development Authority (as more fully described and defined in the Downtown Development Authorities Law) to function in the City.

**BE IT FURTHER RESOLVED**, that there are hereby appointed as members of the first Board of Directors of the Downtown Development Authority of the City the following persons, each of whom shall be:

1. an ad valorem taxpayer to the municipal corporation residing in the municipal corporation of which the Authority is created;
2. an owner or operator of a business located within the downtown development area for which the Authority is created. One such director (authority member) may be a member of the governing body of the municipal corporation and not less than four (4) shall be or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area (hereinafter defined).

<u>Names</u>	<u>Term of Office</u>
LeeAnne Bahnsen	Two years
Sara Lee	Two years
Tillie Copeland	Four years
Judy Willcox	Four years
Jim Fitzgerald	Six years
Joe Lee	Six years
Bill Buckley	Six years

**BE IT FURTHER RESOLVED**, that commencing with the date of adoption of this resolution, each of the persons named as directors shall serve in such capacity for the number of years set forth opposite his or her respective name. However, the term of a director (authority member) who is also a member of the governing body of the municipal corporation shall end when such director (member) is no longer a member of the governing body of the municipal corporation.

**BE IT FURTHER RESOLVED**, that the Board of Directors hereinbefore elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Downtown Development Authorities Law as it now exists and as it might hereafter be amended or modified.

**BE IT FURTHER RESOLVED**, that the "downtown development area" shall be that geographical area described in "Exhibit A," attached hereto and made a part hereof by reference, which area, in the judgment of the Mayor and Council of the City, constitutes the "central business district" of the City as contemplated by the Downtown Development Authorities Law.

**BE IT FURTHER RESOLVED**, that the City shall furnish promptly to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law and shall also furnish to the Georgia Department of Community Affairs a certified copy of said resolution as required by the provisions of said law.

**BE IT FURTHER RESOLVED**, that the action taken by the Mayor and Council of the City as herein specified is not intended in any way to affect any public corporation, industrial development, downtown development, or payroll authority previously created by legislative act or constitutional amendment including, without limitation, its existence, purpose, organization, powers, or function.

**BE IT FURTHER RESOLVED**, that all resolutions in conflict with this resolution be and the same hereby are repealed to the extent of said conflict.

**BE IT FURTHER RESOLVED**, that this resolution shall be effective immediately upon its adoption by the Mayor and Council of the City, and from and after such adoption; the Downtown Development Authority of the City shall be deemed to be created and activated.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2005.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

By: \_\_\_\_\_  
RALPH SUTTON, MAYOR

Attest: \_\_\_\_\_  
BETTY JO ADKINSON, CITY CLERK

CLERK'S CERTIFICATE

The undersigned, City Clerk for the City of Rochelle, Georgia, hereby certifies that the within and foregoing resolution was duly passed by the Mayor and Council of the City of Rochelle at a regular meeting thereof, by the vote above shown, and is a valid and binding resolution of said City currently of force and effect.

This \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
BETTY JO ADKINSON  
CITY CLERK

[CITY SEAL]