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2457

13-R-3309
(Do Not Write Above This Line)

13-R-3309

A RESOLUTION

BY

COUNCILMEMBER CLETA WINSLOW

Cleta Winslow

A RESOLUTION
CONSENTING TO THE CREATION
OF THE WEST END COMMUNITY
IMPROVEMENT DISTRICT AS
AUTHORIZED BY THE GENERAL
ASSEMBLY OF THE STATE OF
GEORGIA IN THE ATLANTA
COMMUNITY IMPROVEMENT
DISTRICT ACT AND BASED ON THE
CONSENT OF THE MAJORITY OF
THE OWNERS OF REAL PROPERTY
WITHIN THE DISTRICT
BOUNDARIES; AND FOR OTHER
PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 7/1/13

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee CD/HR
 Date 7/9/13
 Chair _____

Action
 Fav. Adv. Hold (see rev. side)
 Other _____

Members

Refer To

Committee

Date

Chair

Action
 Fav. Adv. Hold (see rev. side)
 Other _____

Members

Refer To

Committee

Date

Chair

Action
 Fav. Adv. Hold (see rev. side)
 Other _____

Members

Refer To

Committee

Date

Chair

Action
 Fav. Adv. Hold (see rev. side)
 Other _____

Members

Refer To

FINAL COUNCIL ACTION

- 2nd 1st & 2nd 3rd
- Readings
- Consent V Vote RC Vote

CERTIFIED
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
Renee Crestina Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

AUTOMATICALLY TERMINATED
 AND
 FILED BY CLERK
 PER CHARTER SECTION 2-407
 DEC 02 2013

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A RESOLUTION

BY COUNCILMEMBER CLETA WINSLOW



A RESOLUTION CONSENTING TO THE CREATION OF THE WEST END COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

WHEREAS, by Act of the Georgia General Assembly, Ga. L. 1991, p. 3653, the Atlanta Community Improvement District Act (the "Act") was enacted; and

WHEREAS, a majority of the owners of real property within a proposed West End Community Improvement District ("CID"), as shown on the map attached hereto as Exhibit "A" and list of tax parcels attached hereto as Exhibit "B", and incorporated herein by reference, which real property will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to the creation of an West End CID with boundaries as shown on the above-referenced map; and

WHEREAS, the owners of real property within the proposed CID which constitutes at least 75% by value of all real property within said CID which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved Fulton County ad valorem tax digest, have consented in writing to the creation of the West End CID, with boundaries as shown on the above-referenced map and list; and

WHEREAS, the Fulton County Tax Commissioner has certified the aforesaid written consents are satisfactory in compliance with the Act for the creation of the West End CID, said Certification of Compliance being attached as Exhibit "C" ; and

WHEREAS, the creation of the West End CID will not cause diversion of existing City of Atlanta ("City") funds or erosion of the tax base; and

WHEREAS, the Atlanta City Council has determined that the activation of the West End CID would enhance and supplement certain governmental services and facilities within said district and would be in the best interest of the citizens of Atlanta.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the City of Atlanta, Georgia, consents to the creation of a CID to be known as the West End Community Improvement District and to be comprised of the geographical area as shown on the map and list attached hereto as Exhibit "A" and Exhibit "B", respectively, for the provision of the following governmental services and facilities:

- 1) Construction and maintenance of local, collector, and arterial streets as shown on the city's street classification map or as otherwise included in the city's most recently adopted Comprehensive Development Plan, including curbs, sidewalks, street lights, and devices to control the flow of traffic on local, collector, and arterial streets;
- 2) Parks and recreation areas and facilities;
- 3) Storm water and sewage collection and disposal systems;
- 4) Development, storage, treatment, purification, and distribution of water;
- 5) Public Transportation including, but not limited to, services intended to reduce the volume of automobile traffic, to transport two or more persons in conveyances, to improve air quality, or to provide bicycle and pedestrian facilities, and the operation of a Traffic Management Association or similar entity;
- 6) Terminal and dock facilities and parking facilities; and
- 7) Such other services and facilities as may be provided for by general law.

BE IT FURTHER RESOLVED that the City Council relies on the facts certified by the Tax Commissioner of Fulton County as to the satisfaction of conditions relating to the consent of property owners and that neither the City nor the City Council will undertake any obligation to verify said certification and shall assume no liability for any errors and omissions of the Tax Commissioner.

BE IT FURTHER RESOLVED that any projects and activities which may be undertaken by the CID will be governed by such conditions as will insure their compatibility with adopted City policies in planning for the area.

BE IT FURTHER RESOLVED that the City will make its appointments to the West End Community Improvement District Board in accordance with the Act.

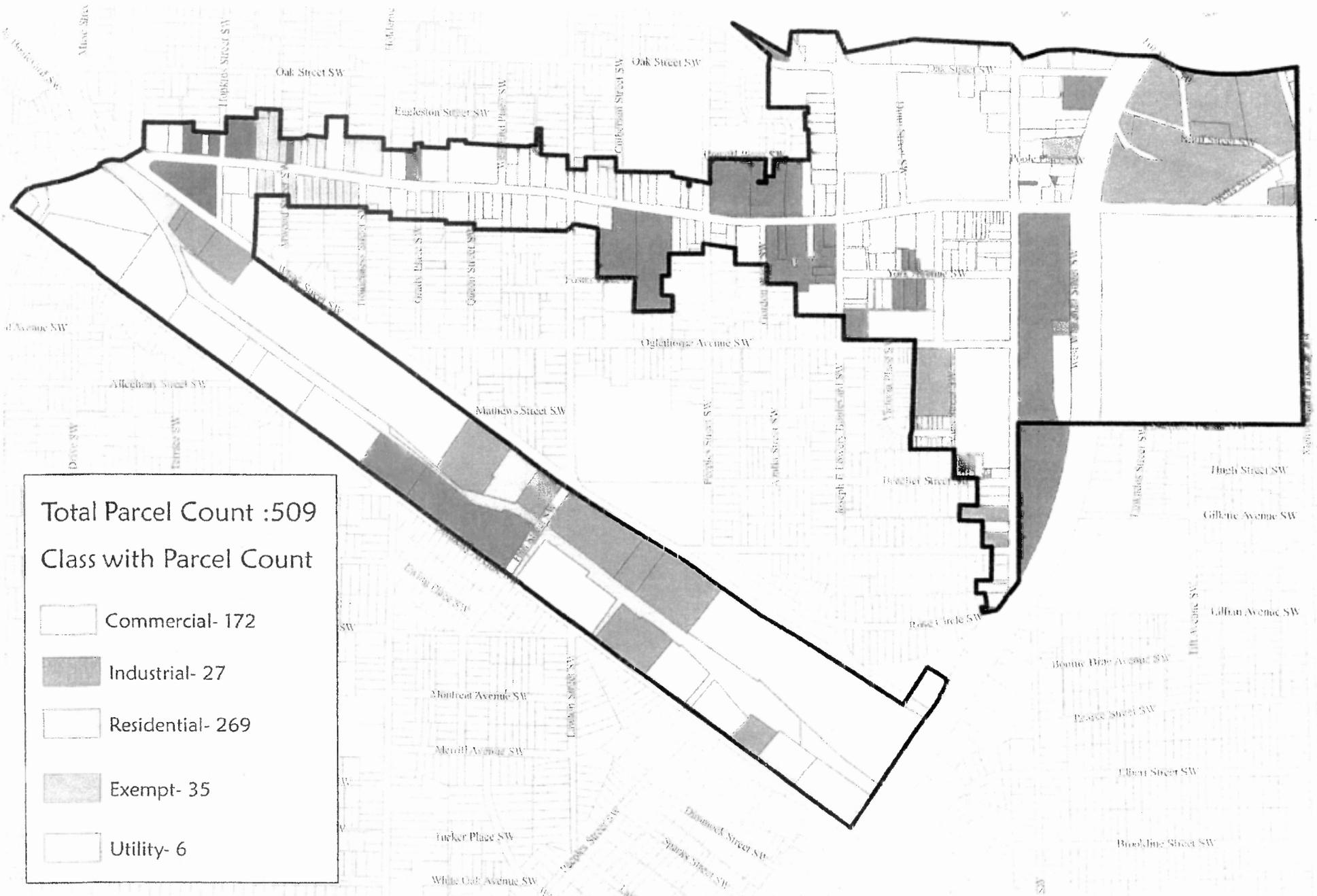
BE IT FURTHER RESOLVED that a caucus of electors, as defined in the Act, be held within 60 days at the _____ (Office of Host Entity), _____ (Address), for the purpose of electing six (6) District Board Members. Registration shall begin at __:00 o'clock __.m. and conclude at __:30 o'clock __.m., with the election occurring immediately thereafter. Notice of said caucus shall be given to electors as set forth in the Act. A representative of the City of Atlanta Law Department will preside at the election.

BE IT FURTHER RESOLVED that all District Board Members shall take an oath of office upon election to faithfully administer their duties under the Act.

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to enter into a Cooperation Agreement with the CID Board to allow for the provision of services and facilities as provided under the Act substantially in the form attached hereto, as Exhibit "D" with such further changes as the City Attorney shall deem appropriate and shall not be binding on the City and the City shall incur no liability upon same until execution by the Mayor and delivery to the CID Board.

EXHIBIT "A"

WEST END COMMUNITY IMPROVEMENT DISTRICT MAP



Proposed West End CID Boundary



Prepared by Fulton County
 Board of Assessors
 Geographic Information System Division

EXHIBIT "B"

WEST END COMMUNITY IMPROVEMENT DISTRICT

LIST OF TAX PARCELS

EXHIBIT "C"

**WEST END COMMUNITY IMPROVEMENT DISTRICT
CERTIFICATION OF FULTON COUNTY TAX COMMISSIONER**

EXHIBIT "D"

**WEST END COMMUNITY IMPROVEMENT DISTRICT
COOPERATION AGREEMENT**