



**City of Atlanta
Georgia**

**Ordinance
21-O-0049**

Returned as HELD
Feb 1, 2021 1:00 PM

AN ORDINANCE BY COUNCILMEMBERS DUSTIN HILLIS, CARLA SMITH, MATT WESTMORELAND, JOYCE M. SHEPERD, MICHAEL JULIAN BOND AND CLETA WINSLOW CREATING THE BELTLINE SPECIAL SERVICES DISTRICT; DESIGNATING THE BOUNDARIES OF SUCH DISTRICT; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPORTS TO CITY COUNCIL; AND FOR OTHER PURPOSES.

Information

Department:	Office of the Municipal Clerk	Sponsors:	Councilmember, District 9 Dustin Hillis, Councilmember, District 1 Carla Smith, Councilmember, Post 2 At Large Matt Westmoreland, Councilmember, District 12 Joyce M Sheperd, Councilmember, Post 1 At Large Michael Julian Bond, Councilmember, District 4 Cleta Winslow
Category:	Personal Paper	Functions:	None Required

Item Discussion

(Held 1/26/21 by the committee for further review)

Body

WHEREAS, Article IX, Section II, Paragraph VI of the Constitution of the State of Georgia authorizes the City of Atlanta (the "City") by ordinance or resolution to create special districts for the provision of local government services; and

WHEREAS, by City of Atlanta Ordinance No. 2007-09, adopted February 28, 2007 the City established the Beltline Overlay District and fixed the boundaries thereof; and

WHEREAS, the City Council has determined that it is in the best interest of the City, the citizens and residents thereof, and the development and redevelopment of the area encompassed within the Beltline Overlay District that a special services district be created.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: As used in this ordinance, the term:

(1) 'Cost of the project' or 'cost of any project' means and includes:

(A) All costs of acquisition by purchase or otherwise, construction, assembly, installation, modification, renovation, or rehabilitation incurred in connection with any project or any part of any project authorized under this ordinance;

(B) All costs of real property, fixtures, or personal property used in or in connection with or necessary for any project or for any facilities related thereto, including, but not limited to, the cost of all land, estates for years, easements, rights, improvements, water rights, connections for utility services, fees, franchises, permits,

approvals, licenses, and certificates; the cost of securing any such franchises, permits, approvals, licenses, or certificates; the cost of preparation of any application therefor; and the cost of all fixtures, machinery, equipment including all transportation equipment and rolling stock, furniture, and other property used in or in connection with or necessary for the project;

(C) All financing charges and loan fees and all interest on bonds, notes, or other obligations which accrue or are paid prior to and during the period of construction of a project and during such additional period as the Atlanta City Council may reasonably determine to be necessary to place such project in operation;

(D) All costs of engineering, surveying, architectural, and legal services and all expenses incurred by engineers, surveyors, architects, and attorneys in connection with the project;

(E) All expenses for inspection of the project;

(F) All fees of fiscal agents, paying agents, consultants, attorneys, and trustees for bondholders under any trust agreement, indenture of trust, or similar instrument or agreement; all expenses incurred by any such fiscal agents, paying agents, consultants, attorneys, and trustees; and all other costs and expenses incurred relative to the issuance of any bonds, notes, or other obligations for the project;

(G) All expenses of or incidental to determining the feasibility or practicability of the project;

(H) All costs of plans and specifications for the project;

(I) All costs of title insurance and examinations of title with respect to the project;

(J) Repayment of any loans made for the advance payment of any part of any of the foregoing costs, including interest thereon and any other expenses of such loans;

(K) Administrative expenses and such other expenses as may be necessary for or incidental to the project or the financing thereof or the placing of the project in operation; and

(L) The establishment of a fund or funds for the creation of a debt service reserve, a renewal and replacement reserve, or such other funds or reserves as the Atlanta City Council may approve with respect to the financing and operation of the project and as may be authorized by any bond resolution, trust agreement, indenture of trust, or similar instrument or agreement under the provisions of which the issuance of any bonds, notes, or other obligations for the benefit of the district may be authorized.

Any cost, obligation, or expense incurred for any of the foregoing purposes shall be a part of the cost of the project and may be paid or reimbursed as such out of proceeds of bonds, notes, or other obligations issued for the benefit of the district.

(2) 'District' means the area defined by each parcel listed in Appendix A hereto.

(3) 'Project' means a proposed project which forms a part of the BeltLine trail completion project, which is expected to be provided by the provision of the supplemental services or the imposition of the special improvement tax contemplated by this ordinance.

(4) 'Special improvement tax' means a tax, fee, or assessment levied by ordinance of the Atlanta City Council to fund the supplemental services to be provided.

(5) 'Supplemental services' means those services provided for the improvement of the district, as and to the extent associated with the design, acquisition, and improvement of any part of a surface transportation project.

(6) 'BeltLine trail completion project' means the completion of the BeltLine trail public improvement within the district, including any facilities, systems, parks, trails, streets, greenspace, and other integrated public or private development features included within any adopted infrastructure or transportation plan, urban redevelopment plan, strategic implementation plan, redevelopment plan, workable programs, or comprehensive plans.

SECTION 2: Under Article IX, Section II, Paragraph VI of the Constitution of Georgia, a special district for the provision of local government services and supplemental services to be funded in whole or in part by a

special improvement tax or taxes therein is hereby created within the boundaries of the district, to be known as the “Beltline Special Services District”.

SECTION 3:

Atlanta BeltLine, Inc. shall prepare and deliver quarterly to the Mayor of the City of Atlanta, the President of the Atlanta City Council, and each member of the Atlanta City Council a report on matters related to the district, including

- (1) The levy of taxes, fees, or assessments within the district;
- (2) The expenditure of the district's funds;
- (3) The incurrence of debt on behalf of the district;
- (4) The boundaries of the district; and
- (5) Any other matter related to the operation and governance of the district.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith are waived to the extent of such conflict.

Meeting History

<p>Jan 19, 2021 1:00 PM Video</p> <p>REFERRED TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE WITHOUT OBJECTION</p> <p>RESULT: REFERRED WITHOUT OBJECTION</p>	<p>Atlanta City Council</p>	<p>Regular Meeting</p>	<p> Draft</p>
<p>Jan 26, 2021 1:30 PM Video</p> <p>RESULT: HELD IN COMMITTEE [UNANIMOUS] MOVER: Matt Westmoreland, Chair, Post 2 At-Large SECONDER: Dustin Hillis, District 9 AYES: Matt Westmoreland, Michael Julian Bond, Carla Smith, Dustin Hillis, Antonio Brown, Natalyn Mosby Archibong, Joyce M Sheperd</p>	<p>Community Development/Human Services Committee</p>	<p>Regular Committee Meeting</p>	<p> Draft</p>
<p>Feb 1, 2021 1:00 PM Video</p> <p>RETURNED AS HELD TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE WITHOUT OBJECTION</p> <p>RESULT: RETURNED AS HELD</p>	<p>Atlanta City Council</p>	<p>Regular Meeting</p>	<p> Draft</p>