



CITY COUNCIL SPECIAL CALLED MEETING

**City Hall Council Chambers
3725 Park Ave, Doraville, GA 30340
September 9, 2019
5:30 PM
AGENDA**

I. CALL TO ORDER

II. ROLL CALL

Honorable Mayor & City Council

- Donna Pittman, Mayor
- Pam Fleming, Council Member, District 1
- Robert Patrick, Council Member, District 1
- Vacant, Council Member, District 2
- MD A. Naser, Council Member, District 2
- Shannon R. Hillard, Council Member, District 3, Mayor Pro-Tem
- Stephe Koontz, Council Member, District 3

III. APPROVAL OF THE MEETING AGENDA

IV. NEW BUSINESS

1. Consideration of the reappointment and appointment of members to the Downtown Development Authority of the City of Doraville.

Presented by Mayor Donna Pittman

V. EXECUTIVE SESSION

Pending Litigation

VI. ADJOURNMENT



MEMORANDUM

SEPTEMBER 5, 2019

TO: CITY COUNCIL MEMBERS

FROM: MAYOR PITTMAN

RE: DDA APPOINTMENTS

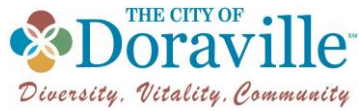
Background

The Downtown Development Authority of the City of Doraville was activated by Resolution (2013-02) on May 20, 2013, pursuant to O.C.G.A. § 36-42-1, the "Downtown Development Authorities Act." In addition to its activation, the Mayor and City Council appointed the DDA's Board of Directors, a fixed seven-member body with initial, staggered terms. O.C.G.A. § 36-42-4 assigns the terms as such:

- 2 directors for two-year terms
- 2 directors for four-year terms
- 3 directors for six-year terms
- Terms shall be 4 years after the initial term expiration

The history of Board appointments include:

NAME	INITIAL EXPIRATION	NOTES
1) Jack Halpern 2) Jimmy Ellis	May 2015	Mr. Halpern was reappointed in 2015. After relocating, his term was filled by Mr. Ellis, who is no longer able to serve.
Jonathan Wallace	May 2015	Reappointed in 2015. His second term expired May 2019.
1) Barry Brown 2) Bryan Tate	May 2017	Mr. Brown moved. He was replaced by Mr. Tate, who was reappointed in 2017. Mr. Tate is retiring and sold his business. His term was set to expire May 2021.
Seth Fischer	May 2017	Reappointed in 2017 (expires 2021).
Chris Avers	May 2019	Her initial term expired May 2019.
1) Kevin McCarron 2) Shelby Triick 3) Andrew Morris	May 2019	Mr. McCarron moved. He was replaced by Ms. Triick who also moved. She was replaced by Mr. Morris. The term expired in May 2019.



Harold Shinn	May 2019	His initial term expired May 2019.

O.C.G.A. § 36-42-7 lays out the qualifications for DDA Directors.

(1) Taxpayers residing in the city.

(2) Owners or operators of businesses located within the downtown development area. One business owner/ operator may live outside the county provided he/ she is a resident of Georgia. Any remaining owner/ operators must be taxpayers residing in DeKalb County.

(3) One member of the governing authority may serve. That DDA term would end when such director is no longer a member of the city's governing body.

The law also states that at least four members should be persons who, in the judgment of the governing authority, have an economic interest in the redevelopment and revitalization of the downtown development area. It has been interpreted that both residents and business owners/ operators have such an interest.

Recommendation

I recommend that Council appoint or reappoint directors to the 5 expired terms. Those terms would expire September, 2023. In addition, I recommend that Council appoint a replacement to fill out Mr. Tate's term, which expires May, 2021.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF DORAVILLE**

Adopted by the Doraville Mayor and Council on this 9th day of September 2019.

RESOLUTION NO. 2019-__

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAVILLE, GEORGIA, APPOINTING OR REAPPOINTING FIVE BOARD DIRECTORS TO THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DORAVILLE; AND, APPOINTING A DIRECTOR TO FILL THE SEAT OF A RETIRING MEMBER.

WHEREAS, established May 20, 2013 by an Activation Resolution (2013-02) of the Mayor and City Council, the Downtown Development Authority of the City of Doraville (“DDA”) is tasked by state law to promote redevelopment and revitalization, trade, industry, commerce, employment opportunities, etc. in the City of Doraville’s (“City”) central business district (“CBD”) pursuant to O.C.G.A. § 36-42-2; and,

WHEREAS, pursuant to O.C.G.A. § 36-42-4, a municipality’s governing authority is tasked with the responsibility of appointing or reappointing DDA Board Directors who satisfy the qualifications provided in O.C.G.A. § 36-42-7; and,

WHEREAS, three (3) seats initially appointed for six (6) years at the time of the DDA’s activation in 2013 and two (2) reappointed seats from 2015 expired in May 2019; and,

WHEREAS, the Mayor and City Council desires to appoint or reappoint the following persons to the DDA Board of Directors for a term of four (4) years:

NAME	SEAT EXPIRATION DATE
	September 2023
	September 2023
	September 2023
	September 2023
	September 2023

WHEREAS, Mr. Bryan Tate, who was reappointed in May 2017, recently retired and no longer meets the qualifications specified in O.C.G.A. § 36-42-7; therefore, the Mayor and City Council desires to appoint _____ to fill the seat vacated seat for a term which expires May 2017.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF DORAVILLE**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Doraville hereby appoints the aforementioned slate of five (5) Directors to the Downtown Development Authority of the City of Doraville for terms which shall expire September 2023.

BE IT FURTHER RESOLVED, that the Mayor and City Council appoints _____ to the Board seat vacated by Mr. Bryan Tate for a term which expires in May 2021.

CITY OF DORAVILLE, GEORGIA

Donna Pittman, Mayor

**APPROVED AS TO FORM:
CITY ATTORNEY’S OFFICE**

City Attorney’s Office

ATTEST:

Raquel D. Gonzalez, City Clerk

(SEAL)

STATE OF GEORGIA
COUNTY OF DeKALB
CITY OF DORAVILLE

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAVILLE,
GEORGIA, APPOINTING OR REAPPOINTING FIVE BOARD DIRECTORS TO THE
DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DORAVILLE; AND,
APPOINTING A DIRECTOR TO FILL THE SEAT OF A RETIRING MEMBER.

RESOLUTION NO. 2019- _____

I, Raquel D. González, City Clerk of the City of Doraville, Georgia, certify that the foregoing resolution was adopted by The Mayor and Council of the City of Doraville, Georgia at a special called meeting held on the 9th day of September, 2019.

THE FOREGOING RESOLUTION WAS OFFERED BY COUNCIL MEMBER _____, WHO MOVED ITS APPROVAL. THE MOTION WAS SECONDED BY COUNCIL MEMBER _____, BEING PUT TO A VOTE, THE RESULTS ARE LISTED AS FOLLOWS:

	YEA/ YES	NAY/ NO
MAYOR DONNA PITTMAN	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER PAM FLEMING	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER SHANNON R. HILLARD	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER MD A. NASER	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER ROBERT PATRICK	<input type="checkbox"/>	<input type="checkbox"/>
COUNCIL MEMBER STEPHE KOONTZ	<input type="checkbox"/>	<input type="checkbox"/>

THE MAYOR THEREFORE DECLARED RESOLUTION NO. 2019-___ PASSED,
DULY ADOPTED AND EFFECTIVE THIS 9TH DAY OF SEPTEMBER, 2019

ATTEST:

Raquel D. Gonzalez, City Clerk (SEAL)