

AGENDA

REGULAR MEETING OF MAYOR AND COUNCIL

December 18, 2017

6:00 P.M. Work Session

- Call to Order
- Interim City Manager's Report
- Report of audit results for year ended
June 30, 2017
- Adjournment

Mayor Lockhart
Chief Hobbs
Mauldin & Jenkins

- I. Call to Order – 6:10 p.m.
- II. Invocation
- III. Pledge of Allegiance
- IV. Roll Call
- V. Comment Period
- VI. Approval of Minutes
 1. Work Session of Mayor and Council of December 4, 2017
 2. Regular Meeting of Mayor and Council of December 4, 2017
 3. Special Called Meeting of Mayor and Council of December 4, 2017
- VII. Agenda Items
 1. Presentation of Proclamation to Sutherland's Foodservice.
 2. Presentation of Proclamation to Starr Insurance Agency.
 3. Consider a Resolution by the City Council of the City of Forest Park declaring certain City property, listed on Exhibit "A", to be surplus property and to provide for its proper disposal either by auction or other methods pursuant to the City's ordinances; and for other purposes.

Mayor Lockhart

BACKGROUND AND SUMMARY: The list of recreation related items to be surplus has been reviewed and approved by the Director of Recreation and Leisure. The items are inoperable and/or a cost to repair exceeds the actual value.

4. Consider a Resolution Authorizing the Mayor, on behalf of the City of Forest Park, Georgia to execute an agreement with Jerry Patrick as Solicitor.
5. Consider a Resolution to revise salaries for Mayor and Council.

BACKGROUND AND SUMMARY: Councilmembers Latresa Wells and Dabouze Antoine have expressed concerns about the City's ability to avoid layoffs and about compensation being excessive in relation to the average income of the City's population. This Resolution will reduce the compensation for Mayor & Council in hopes of avoiding any layoffs.

6. Consider a Resolution by the Mayor and Council of the City of Forest Park, Georgia, to increase the number of members serving on the Board of Directors of the Development Authority of the City of Forest Park; to appoint new members to Board; and for all other lawful purposes to accomplish this transaction and effectuate this intent.

BACKGROUND AND SUMMARY: The terms of the following Board Members on the Development Authority of the City of Forest Park have expired: Mayor Lockhart, Frank Brandon, and Pamela Lake. Further, pursuant to state law, the Development Authority is permitted to have up to nine members. There currently are seven (7) members.

7. Consider a Resolution by the Mayor and Council of the City of Forest Park, Georgia, appointing three (3) members to the Board of Directors of the Development Authority of the City of Forest Park; and for all other purposes to accomplish this transaction and effectuate this intent.

BACKGROUND AND SUMMARY: The first resolution will increase the membership on the Development Authority by two (2) members and appoint those two (2) new members. The second resolution will fill three (3) vacancies by appointing three (3) new members.

8. Consider Mayor's appointment of members to the Board of Commissioners of the Urban Redevelopment Agency.
9. Consider appointments to the Board of Ethics.
10. Discuss cell phones on dais.

- VII. Legal Matters
- IX. Comments by Governing Body
- X. Adjournment

MINUTES

WORK SESSION OF MAYOR AND COUNCIL OF DECEMBER 4, 2017

Call to Order: The Work Session of Mayor and Council of December 4, 2017, was called to order by Mayor David Lockhart at 6:00 p.m.

Present: Mayor David Lockhart, Councilmembers Tommy Smith, Sandra Bagley, Allan Mears, Dabouze Antoine, and Latresa Wells.

Also present were:

Chief Dwayne Hobbs

Matt Jackson

Jeff Eady

Mike Blandenburg

Darren Duke

Elaine Corley

Christine Terrell

David New

Angela Redding

Major Jamie Reynolds

Winston Denmark

Interim City Manager

Fire

Director Public Works

Director Finance

Director IT

Director Parks & Recreation

Director Support Services

Interim Director PB & Z

Management Analyst

Police

Fincher Denmark

City Managers
Report: None

Approval of
Minutes: Work Session & Regular Meeting Minutes of November 20, 2017.

Correction to be made.

Agenda Item: *Ordinance by the City Council of the City of Forest Park, Georgia, to amend Ordinance No. 17-27 that appropriated funds for wage and salary increases for employees of the City; to provide for retroactivity; and for other lawful purposes.*

Discussion of City bank balances.

Resolution by the Mayor and City Council of Forest Park, Georgia, to apply for HUD funding through the Community Development Block Grant Program (CDBG) for the following projects - curb and gutter, sidewalks, and storm water piping on Governors Drive, Springdale Road, Courtney Drive and Old Jonesboro Road and facility improvements to the Town Center

Plaza on Main Street and to accept the HUD funding through the CDBG Program once it becomes available.

No discussion.

Resolution by the Mayor and City Council to establish an interfaith celebration in honor of Dr. Martin Luther King, Jr. to occur on January 15, 2018.

Councilwoman Wells stated that she would like this celebration to bring unity to the city.

Resolution authorizing the Mayor, on behalf of the City of Forest Park, Georgia, to execute an agreement with the Honorable Ronald J. Freeman, Sr. as Chief Municipal Court Judge.

No discussion.

Resolution Authorizing the Mayor, on behalf of the City of Forest Park, Georgia to execute an agreement with Jerry Patrick as Solicitor.

Councilman Antoine stated that he didn't like him.

Legal Matters: None

Adjournment: Councilwoman Wells made a motion to adjourn the Work Session. Councilwoman Bagley seconded the motion. Voting was unanimous in favor of the motion.

MINUTES

REGULAR MEETING OF MAYOR AND COUNCIL OF DECEMBER 4, 2017

Call to Order: The Regular Meeting of Mayor and Council of December 4, 2017, was called to order by Mayor David Lockhart at 6:10 p.m.

Invocation: The invocation was given by Rev. Hoyt Noel, followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor David Lockhart, Councilmembers Tommy Smith, Dabouze Antoine, Sandra Bagley, Latresa Wells, and Allan Mears.

Also present were:

Chief Dwayne Hobbs	Interim City Manager
Matt Jackson	Fire
Jeff Eady	Director Public Works
Mike Blandenburg	Director Finance
Darren Duke	Director IT
Elaine Corley	Director Parks & Recreation
Christine Terrell	Director Support Services
David New	Director PB & Z (Interim)
Angela Redding	Management Analyst
Major Jamie Reynolds	Police
Winston Denmark	Fincher Denmark

Comment Period: Dr. Leon Beeler, 1000 Main Street, invited everyone to the Christmas meeting of the Forest Park Ministers Association. Roy Lunsford, 5585 Skyland Dr., discussed the ragged flag out front of City Hall. Felicia Davis, 627 Linda Way, discussed city happenings. LaWanda Folami, 1080 Lloyd Dr., said thank you for Thanksgiving meal at the Ashley Apartments. Linda Lord, 652 Valleyview Dr., discussion of city business. Dianne Lunsford, 5585 Skyland Dr., discussion of MLK, Jr. celebration funding.

Approval of Minutes: Councilman Smith made a motion to approve the minutes of the Work Session and Regular Meeting of November 20, 2017, with corrections. Councilman Mears seconded the motion. Voting was unanimous in favor of the motion.

Ordinance:
Wage Increases Ordinance by the City Council of the City of Forest Park, Georgia, to amend Ordinance No. 17-27 that appropriated funds for wage and salary increases for employees of the City; to provide for retroactivity; and for other lawful purposes.

Councilwoman Bagley made a motion to adopt the Ordinance. Councilman Mears seconded the motion. Councilmembers Smith, Bagley, and Mears voted in favor of the motion. Councilmembers Antoine and Wells voted in opposition of the motion. Motion carries in favor of the motion.

Resolution:
HUD Funding Resolution by the Mayor and City Council of Forest Park, Georgia, to apply for HUD funding through the Community Development Block Grant Program (CDBG) for the following projects - curb and gutter, sidewalks, and storm water piping on Governors Drive, Springdale Road, Courtney Drive, and Old Jonesboro Road and facility improvements to the Town Center Plaza on Main Street and to accept the HUD funding through the CDBG Program once it becomes available.

Councilwoman Bagley made a motion to adopt the Resolution. Councilman Smith seconded the motion. Councilmembers Smith, Bagley, and Mears voted in favor of the motion. Councilmembers Antoine and Wells abstained. Motion carries in favor of the motion.

Resolution:
Interfaith
Celebration Resolution by the Mayor and City Council to establish an interfaith celebration in honor of Dr. Martin Luther King, Jr. to occur on January 15, 2018.

Councilwoman Wells made a motion to adopt the Resolution. Councilman Antoine seconded the motion. Voting was unanimous in favor of the motion.

Resolution:
Chief Municipal
Court Judge Resolution authorizing the Mayor, on behalf of the City of Forest Park, Georgia, to execute an agreement with the Honorable Ronald J. Freeman, Sr. as Chief Municipal Court Judge.

Councilman Mears made a motion to adopt the Resolution. Councilman Smith seconded the motion. Voting was unanimous in favor of the motion.

Resolution: Resolution Authorizing the Mayor, on behalf of the City of
Solicitor Forest Park, Georgia, to execute an agreement with Jerry
Patrick as Solicitor.

There was not a motion nor a second made. There was discussion and a vote was taken. Councilmembers Smith, Bagley, and Mears voted in favor. Councilmembers Antoine and Wells voted in opposition.

Legal Matters: None

Adjournment: Councilwoman Wells made a motion to adjourn. Councilman Smith seconded the motion. The motion carries unanimously in favor of the motion.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FOREST PARK DECLARING CERTAIN CITY PROPERTY, LISTED ON EXHIBIT "A", TO BE SURPLUS PROPERTY AND TO PROVIDE FOR ITS PROPER DISPOSAL EITHER BY AUCTION OR OTHER METHODS PURSUANT TO THE CITY'S ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, City Code Section 3-1-21 permits the Council to determine when it is in the best interest of the city to sell or otherwise dispose of any property belonging to the city, not needed for public use or that may have become unsuited for public use; and

WHEREAS, pursuant to City Code Section 3-1-21, it shall be the duty of the governing body to declare when such items should be disposed, and to list or describe the real property to be sold, and all personal property, the estimated resale value of which shall exceed five hundred dollars (\$500.00), to be sold at public auction or by formal written contract to the highest responsible bidder, after reasonable notice inviting proposals and surplus property of the city with an estimated resale value of five hundred dollars (\$500.00) or less may be sold at the discretion of the purchasing agent by negotiated sale without advertisement and the acceptance of bids; and

WHEREAS, various City Departments have provided a list of City surplus items to the City Manager, attached as "Exhibit A" to this resolution; and

WHEREAS, the City Manager has determined that it is in the best interest of the City to surplus such items, and has requested that such items become surplus and disposed of in the most appropriate manner.

NOW THEREFORE, be it resolved by the Mayor and Council of the City of Forest Park that the items listed on "Exhibit A", attached to this resolution, be declared surplus and be disposed of in the most appropriate manner.

Section 1. That the City Manager cause the items to be disposed of either by auction or pursuant to City Ordinances.

Section 2. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional for any reason by a decision of any court of

competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution and such remainder shall remain in full force and effect.

Section 3. This Resolution shall be in full force and effect immediately upon and after its final passage.

Resolved this _____ day of _____, 2017.

DAVID N. LOCKHART, MAYOR

TOMMY SMITH,
COUNCILMEMBER (WARD ONE)

DABOUZE ANTOINE
MAYOR PRO-TEM (WARD TWO)

SANDRA BAGLEY
COUNCILMEMBER (WARD THREE)

LATRESA WELLS
COUNCILMEMBER (WARD FOUR)

ALLAN MEARS
COUNCILMEMBER (WARD FIVE)

ATTEST:

Mike Blandenburg, CITY CLERK

(THE SEAL OF THE CITY OF
FOREST PARK, GEORGIA)

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT "A"

SURPLUS EQUIPMENT

DEPARTMENT - <u>RECREATION & LEISURE</u>		DATE: <u>DECEMBER 6, 2017</u>	
ITEMS LOCATED AT RECREATION BUILDING (INDOOR POOL AREA)			
ITEM	QUANTITY	CITY ID NO.	SERIAL NO.
THERMAL POOL BLANKET	1		181990
			CONDITION
			WORN

STATE OF GEORGIA

CITY OF FOREST PARK

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF FOREST PARK, GEORGIA TO EXECUTE AN AGREEMENT WITH JERRY PATRICK AS SOLICITOR.

WHEREAS, the duly elected governing body of the City of Forest Park, Georgia (“City”) is the Mayor and Council thereof; and

WHEREAS, the City has appointed Jerry Patrick to serve as its solicitor; and

WHEREAS, the governing body finds that it is in the best interest of the City that the term of appointment, compensation, duties, and responsibilities of the solicitor be reduced to writing; and

WHEREAS, the governing body desires to enter into an agreement with Jerry Patrick to serve as its solicitor.

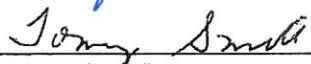
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, as follows:


BE IT RESOLVED, the governing body of the City of Forest Park hereby resolves that the City shall enter into the Agreement attached hereto and incorporated herein as Exhibit “A” and that the Mayor of the City of Forest Park shall have the authority to perform all functions necessary to execute said agreement, including but not limited to negotiation of said agreement, request of legal review of said agreement and execution of said agreement.

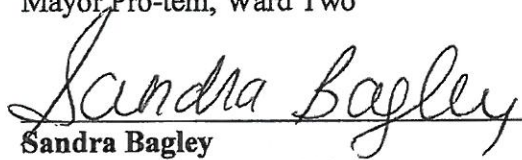
SO RESOLVED this 4th day of December, 2017.

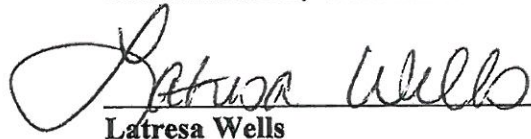
CITY OF FOREST PARK, GEORGIA:




David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One


Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:


Mike Blandenburg, City Clerk

APPROVED AS TO FORM BY:

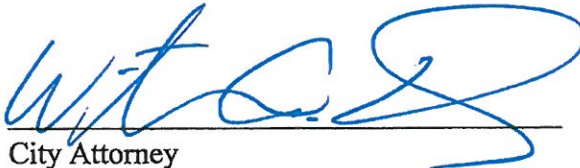

City Attorney

EXHIBIT "A"

CITY OF FOREST PARK
STATE OF GEORGIA

**AGREEMENT FOR THE RENDITION OF SERVICES OF
SOLICITOR FOR FOREST PARK MUNICIPAL COURT**

This Agreement is made and entered into this _____ day of _____, 2017 by and between the City of Forest Park, Georgia (hereinafter referred to as "City") acting by and through its duly elected Mayor and Council and with its principal office located at 745 Forest Parkway, Forest Park, Georgia, and Jerry L. Patrick (hereinafter referred to as "Service Provider") for the purpose of providing the prosecutorial services of a Solicitor in the Municipal Court of Forest Park, Georgia.

WITNESSETH:

WHEREAS, the City desires to retain the services of a Solicitor in the Municipal Court of Forest Park, Georgia; and

WHEREAS, Service Provider desires to render said services; and

WHEREAS, this document provides the terms and conditions which shall govern the relationship, hereby created, between City and Service Provider for said services.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City and Service Provider agree as follows:

Section 1. Duties

The City hereby agrees to contract with Service Provider for Service Provider's performance of certain services as Solicitor of the Municipal Court of Forest Park, Georgia. Said services are detailed in Attachment A hereto, hereby incorporated herein, which is subject to amendment from time to time in accordance with Section 5, Paragraph B hereof.

Section 2. Compensation

- A. No benefit offered to City employees not specified in this Agreement shall be available to the Solicitor or provided by the City unless formal amendment of this Agreement occurs to incorporate said benefits as a term of this Agreement.
- B. The City agrees to reimburse, upon approval of said reimbursement by the Mayor and Council, Service Provider for certain expenses of a non-personal and job related nature that may be incurred by Service Provider on behalf of City and in the performance of duties under this Agreement. Said expenses shall include, but not be limited to, required travel and continuing education designed to enhance Service Provider's service to the City. Any invoice submitted pursuant to this paragraph as a request for reimbursement shall be an itemized statement of expenses with supporting documentation.
- C. Service Provider shall receive \$400.00 per court session for the performance of duties, whether in court or out of court.

Section 3. Hours of Work

Service Provider is an independent contractor and is expected to engage in the performance of duties under this Agreement for the hours necessary to fulfill the obligations of a Solicitor for the Municipal Court of the City. Service Provider is expected to be available when needed but in no case less than every occasion upon which the Municipal Court of Forest Park is in session for trial.

Section 4. Term

The term of this Agreement shall be for two (2) years from the date of the execution hereof. The City or the Service Provider may terminate prior to the end of any term year for good cause only. "Good Cause" is defined as a failure by Service Provider to comply with the terms and conditions of this Agreement, including the services described in Attachment A hereto, to an extent that the delivery of services by Service Provider is impaired or is rendered impossible and/or a willful disregard by Service Provider for the rights and best interest of City; failure to make an appearance on every occasion upon which the Municipal Court of the City is in session; failure to exercise prosecutorial discretion in a manner consistent with the best interest of justice;

suspension or disbarment from the State Bar of Georgia; and any other similar action or omission. "Good Cause" is further defined as failure by the City to render payment to Service Provider as provided in Section 2, Paragraph E of this Agreement. This Agreement shall automatically renew for a one (1) year term unless the City or Service Provider notifies the other, in writing, of the decision not to renew this Agreement. Such writing shall be provided to the other party at least thirty (30) days prior to the expiration of the term.

Section 5. Miscellaneous

A. *Laws.*

- i. All disputes or controversies arising as a result of or under this Agreement shall be determined and interpreted in accordance with the laws of the State of Georgia without regard to its choice of laws or provisions.
- ii. For purposes of venue, all actions arising out of or related to the Agreement shall be brought in a court of competent jurisdiction.

B. *Amendment.* This Agreement may from time to time be amended to reflect the changing relations of the parties hereto. To be effective, such amendment shall be in writing and signed by all parties hereto.

C. *Entire Agreement.* The text herein and attachments hereto shall constitute the entire agreement of these parties. No other representations, whether written or oral, have been relied upon to induce either party to enter this Agreement.

D. *Severability.*

- i. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Agreement are or were, upon approval of this Agreement, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- ii. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Agreement is severable from every other section, paragraph, sentence, clause or phrase of this Agreement. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent

allowed by law, no section, paragraph, sentence, clause or phrase of this Agreement is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Agreement.

- iii. In the event that any phrase, clause, sentence, paragraph or section of this Agreement shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Agreement and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Agreement shall remain valid, constitutional, enforceable, and of full force and effect.

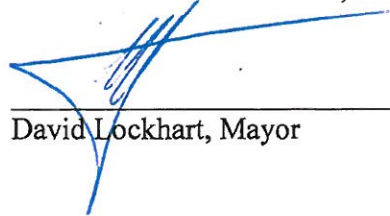
E. *Removal.* Should any case come before the Municipal Court of Forest Park, Georgia for prosecution and Service Provider has a personal, financial or other stake or interest in the subject matter thereof or in the circumstances of the parties thereto, then Service Provider shall remove himself from the active prosecution of or involvement with said case and promptly notify the presiding Judge of the Municipal Court of Forest Park, Georgia who will appoint an appropriate party to perform the duties of Solicitor for that particular case.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

(SEAL)

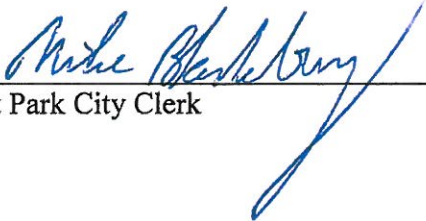
MAYOR AND COUNCIL FOR THE
CITY OF FOREST PARK, GEORGIA

By:



David Lockhart, Mayor

ATTEST:



Forest Park City Clerk



Forest Park City Manager

(SEAL)

SOLICITOR

By:

Jerry L. Patrick

Witness

Exhibit "A"

Duties of Forest Park Municipal Court Solicitor

- I. As Solicitor for the Municipal Court of Forest Park, Georgia, shall at all times during the court of this Agreement be a member of good standing of the State Bar of Georgia. Service Provider shall prosecute the violations of the laws and ordinances of the City which come before said court for adjudication. Where such action is appropriate, the term prosecution shall include the entry of a plea. Responsibilities shall include but not be limited to the following:
 - A. Attendance at each arraignment and trial sessions of Municipal Court when cases are to be heard, unless excused by presiding Judge, and remaining present at each session of Municipal Court until City business has been completed or excused by presiding Judge.
 - B. Assist Judge of Municipal Court by administering necessary oaths to those officers of the Court which require such action and otherwise keeping the Court organized as may be necessary.
 - C. To prosecute all citations for violation of City law and/or ordinance which come before the Court for adjudication unless, a prosecution is impossible due to a failure of evidence, as determined in the Service Provider's discretion.
 - D. To perform such other duties which are or may be required by law or which necessarily appertain to the office.
- II. Service Provider shall have authority to do the following:
 - A. Review and investigate all citations which come before Service Provider for prosecution.
 - B. To exercise such other authority as may be permitted by law or which necessarily appertains to the office.

**STATE OF GEORGIA
CITY OF FOREST PARK**

RESOLUTION NO. ____

A RESOLUTION TO REVISE SALARIES OF THE MAYOR AND CITY COUNCIL

WHEREAS, Section 2.14 of the City Charter authorizes the City of Forest Park Mayor and City Council to set its compensation by ordinance; and

WHEREAS, the Mayor and City Council adopted an ordinance, codified as Title 2, Chapter 1, Article D of the City Code, providing for the process of amending Mayor and City Council salaries; and

WHEREAS, Sections 2-1-32 and 2-1-33 of the City Code provide that the Mayor and City Council's compensation shall be set by resolution; and

WHEREAS, Resolution No. _____, previously adopted on _____, provided for the current compensation of the Mayor and City Council; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Forest Park , Georgia for it to amend its current salaries so as to decrease the compensation of the Mayor and City Council of the City; and

WHEREAS, O.C.G.A. §36-35-4 provides certain limitations on increasing salaries of local governing authorities, but does not provide for such limitations in circumstances of compensation decrease.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT the governing authority of the City of Forest Park, Georgia hereby decreases its compensation as provided by State Law, City Charter and City Code, and adopts the compensation of the Mayor and City Council as follows:

Mayor: \$1,140.00 per month

Councilmember: \$1,140.00 per month

BE IT FURTHER RESOLVED that said compensation as adopted herein shall become effective on December 31, 2017.

SO RESOLVED, this ____ day of _____, 2017.

CITY OF FOREST PARK, GEORGIA

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

**STATE OF GEORGIA
CITY OF FOREST PARK**

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA, TO INCREASE THE NUMBER OF MEMBERS SERVING ON THE BOARD OF DIRECTORS OF THE DEVELOPMENT AUTHORITY OF THE CITY OF FOREST PARK; TO APPOINT NEW MEMBERS TO BOARD; AND FOR ALL OTHER LAWFUL PURPOSES TO ACCOMPLISH THIS TRANSACTION AND EFFECTUATE THIS INTENT.

WHEREAS, Paragraph II of Section VI of Article IX of the Constitution of the State of Georgia gives the General Assembly the authority to create development authorities within the State of Georgia; and

WHEREAS, the General Assembly created the Development Authority of the City of Forest Park, Georgia ("Development Authority"), by an Act of the General Assembly set forth in 1969 Ga. Laws 137 and O.C.G.A. § 36-62-4; and

WHEREAS, pursuant to O.C.G.A. § 36-62-4, the Board of Directors of the Development Authority (the "Board") shall consist of at least seven but no more than nine directors and shall be appointed by resolution of the official governing body of the municipality; and

WHEREAS, the official governing body of the City of Forest Park, Georgia (the "City") is the Mayor and Council thereof; and

WHEREAS, the Bylaws of the Development Authority provide that the number of members serving on the Board shall be determined by Mayor and Council; and

WHEREAS, the Mayor and Council desire to increase the number of members serving on the Board from seven (7) members to nine (9) members; and

WHEREAS, the Mayor and Council desire to appoint two (2) additional members to the Board of Directors to effectuate such purposes.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Forest Park, Georgia, that the Board of Directors of the Development Authority shall consist of nine (9) members.

BE IT FURTHER RESOLVED, that the Board is advised to update its bylaws and regulations for its governance accordingly.

BE IT FURTHER RESOLVED that the following persons are hereby appointed as members of the Board of Directors of the Authority for terms of office commencing on the date of the adoption of this Resolution and for the term of four (4) years or until their successors are elected:

1) _____; and

2) _____.

BE IT FURTHER RESOLVED, the preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, it is hereby declared to be the intention of the Mayor and Council that:

(a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional;

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. It is hereby further declared to

be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution; and

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

BE IT FURTHER RESOLVED, all resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately upon its adoption by the governing body of the City.

RESOLVED this _____ day of _____, 2017.

CITY OF FOREST PARK, GEORGIA,

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney

**STATE OF GEORGIA
CITY OF FOREST PARK**

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA, APPOINTING THREE MEMBERS TO THE BOARD OF DIRECTORS OF THE DEVELOPMENT AUTHORITY OF THE CITY OF FOREST PARK; AND FOR ALL OTHER PURPOSES TO ACCOMPLISH THIS TRANSACTION AND EFFECTUATE THIS INTENT.

WHEREAS, Paragraph II of Section VI of Article IX of the Constitution of the State of Georgia gives the General Assembly the authority to create development authorities within the State of Georgia; and

WHEREAS, the General Assembly created the Development Authority of the City of Forest Park, Georgia ("Development Authority"), by an Act of the General Assembly set forth in 1969 Ga. Laws 137 and O.C.G.A. § 36-62-4; and

WHEREAS, pursuant to O.C.G.A. § 36-62-4, the members of the Board of Directors of the Development Authority shall be appointed by resolution of the official governing body of the municipality; and

WHEREAS, the duly elected governing body of the City of Forest Park, Georgia (the "City") is the Mayor and Council thereof; and

WHEREAS, Mayor David Lockhart, Mr. Frank Brandon, and Ms. Pamela Lake, were appointed to the Board of Directors of the Development Authority by resolution of the governing body on April 30, 2014; and

WHEREAS, the term of office of each of the aforementioned board members expired on April 30, 2016; and

WHEREAS, the governing body of the City desires to reappoint and/or appoint three (3) members to the Board of Directors to succeed those three (3) members whose terms have expired.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Forest Park, Georgia, that the following persons are hereby appointed as members of the Board of Directors of the Authority for terms of office commencing on the date of the adoption of this Resolution and for the term of four years or until their successors are elected:

- 1) _____;
- 2) _____; and
- 3) _____.

BE IT FURTHER RESOLVED, the preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, it is hereby declared to be the intention of the Mayor and Council that:

(a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional;

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no

section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution; and

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

BE IT FURTHER RESOLVED, all resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately upon its adoption by the governing body of the City.

RESOLVED this _____ day of _____, 2017.

CITY OF FOREST PARK, GEORGIA,

David Lockhart, Mayor

Tommy Smith
Councilmember, Ward One

Dabouze Antoine
Mayor Pro-tem, Ward Two

Sandra Bagley
Councilmember, Ward Three

Latresa Wells
Councilmember, Ward Four

Allan Mears
Councilmember, Ward Five

ATTEST:

Mike Blandenburg, City Clerk

APPROVED BY:

City Attorney