

Your assistance will be greatly appreciated.

JOWjr/PC:dmw

Attachments

[CLERK'S NOTE] DOCUMENTATION PERTAINING TO THE SUMMER FOOD SERVICE PROGRAM, APPROVED BY THE BOARD OF COMMISSIONERS IN THE FINANCE MEETING HELD JUNE 12, 1991, IS IN SUPPLEMENT PORTION OF MINUTE BOOK W-12, PAGES 10 -14, THE SUMMER FOOD PROGRAM MEMO DATED 5/28/91 IS ON FILE IN THE CLERK'S OFFICE.

Mr. Bob Regus, Acting County Manager - "It is going to cost us \$75,000 which is totally reimbursable from the USDA."

The motion to **approve** the recommendation of the Acting County Manager to amend confirmation of the budget soundings [Cross-Reference 91-RM-253; 91-FM-075] to include the \$75,000 for this item was made by Commissioner Boxill, seconded by Commissioner Hightower, and carried by a vote of 5-0-0. Commissioners Joyner and Lowe were absent.

91-FM-107 REQUEST FOR APPROVAL OF THE RESOLUTION AUTHORIZING CHAIRMAN OF BOARD OF COMMISSIONERS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF ATLANTA TO ESTABLISH "FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY" (APPROVED)

TO: Avarita Hanson, County Clerk
FROM: Nancy Leathers, Deputy Director, P&ED
DATE: May 30, 1991
SUBJECT: Land Bank Authority (Interlocal Agreement)

Transmitted herewith is a resolution authorizing the Chairman of the Fulton County Board of Commissioners to enter into an Interlocal Agreement with the City of Atlanta for the purpose of establishing the "Fulton County/City of Atlanta Land Bank Authority" (the Authority).

The Authority is established in accordance with the 1990 State legislation enabling cities and counties to create such authorities to acquire tax-delinquent properties and sell them to non-profits for the production of affordable housing. The Authority may also forgive delinquent county and city taxes to facilitate the return of these properties to the tax rolls.

For your information, attached is a brief summary of the issues and events leading up to the creation of the Land Bank Authority. Also, Atlanta City Council approved the Interlocal Agreement at their meeting on June 3rd.

Pursuant to the State legislation, the Interlocal Agreement provides that the Authority be governed by a board composed of four members; two appointed by the Mayor and two appointed by the Board of Commissioners. Further, these members must be residents of Fulton County and have expertise or education in urban planning, real estate, community development, finance, or related areas. In order to meet these objectives, it is recommended that one Commissioner serve as an Authority board member with power to appoint an official designee to act and vote on his/her behalf. Our recommendation for the other appointee would be someone from the general public having the aforementioned credentials. In this regard we have submitted for the Board's consideration a list of persons who meet the necessary criteria. Also attached is each individual's vita.

It is request that this item be placed on the agenda for Board action at the June 12th meeting.

cc: Board of Commissioners
Robert J. Regus, Acting County Manager

Mr. Bob Regus, Acting County Manager - "Carol Reed [Planner III] with Planning can answer any questions for you."

Commissioner Boxill - "Carol [Reed], we are correct that this will not cost us any money, no additional staff?"

Carol Reed, Planner III, P&ED - "That is correct. Being a local agreement, there are provisions for use exclusively for the existing County."

Commissioner Boxill - "Who is going to direct the operation?"

Ms. Reed - "There will be a Board of four which will be created. There will be two appointments from the City of Atlanta, and two made by the Board of Commissioners."

Commissioner Boxill - "Does the Board have a Chair or a Convener?"

Ms. Reed - "That is to be elected among the Board members."

Commissioner Hightower - "I have two questions. One, how are the prices determined in terms of sheltering that?"

Ms. Reed - "The way that the State enabling legislation is written, the pricing of the properties are left solely at the discretion of the Authorities Board. In an effort to try to tighten up that language so that we the County and the City would be able to recover at least processing cost, we were advised by the County Attorney's Office that we could not do so given the restrictions in the State enabling legislation. The County could accomplish the same by using a similar approach that was used by the City of St. Louis, who has had a land bank authority for the past fifteen years. They only have County and City staffs sitting on their working Boards. However, the same objective could be accomplished by Fulton County by having one member from the Board of Commissioners sitting in one of the County's slots, and a person from the public at large."

Chairman Lomax - "Why a Commissioner?"

Mr. Reed - "Since the price is set solely at the discretion of the Board, Board appointments become very crucial, of course. If, for example, the Board of Commissioners is not pleased with the actions that are being taken, these two appointees serve at the sole discretion of the Board, so that the appointees could be removed."

Chairman Lomax - "If you are putting a Commissioner on there, you cannot remove him."

Commissioner Hightower - "My other question is: Are taxes given or repaid by the buyer? Who decides that?"

Ms. Reed - "These are properties that are actually going to the Courthouse steps, and there will be no bid made on these properties. So these would be properties that the City and County would already be planning to bid in. As I stated earlier, we would of course make every effort to recover the costs that are incurred"

by the City and County in processing these properties and bringing them to the Courthouse steps."

Chairman Lomax - "But, the goal is to put them back on the tax roll by getting them developed as residential or some other appropriate process."

Ms. Reed - "That is correct. The benefits would go beyond certainly the return of the property tax rolls, which is certainly not an insignificant benefit. It is a very important benefit, but it would also be in the provision of low-cost housing."

Commissioner Hightower - "I want to commend those of you who are working on this. And, my final question would be just as a clarification: Are there instances where a person who buys the property may have to pay back taxes? Is that possible? How does it read back now?"

Chairman Lomax - "Well, if it goes on the Courthouse steps that is to pay back the back taxes. This would not go on the Courthouse steps, and the money that was paid would go where?"

Ms. Reed - "The money that is paid would go back into the Authority's account, which, in turn, would be used to cover expenses incurred."

Chairman Lomax - "Ernie [Ernest Moore, Director, Information and Public Affairs], if you would please let the Atlanta Constitution Editorial Board know that we have done this. They have been following this with a lot of interest. It has taken awhile to get this straight, only because we had to get State, namely, legislation.

The motion to **approve** the Resolution authorizing the Chairman of the Board of Commissioners to enter into an interlocal agreement with the City of Atlanta to establish "Fulton County/City of Atlanta Land Bank Authority" was made by Commissioner Boxill, seconded by Commissioner Farris, and carried by a vote of 5-0-0. Commissioners Joyner and Lowe were absent.

CLERK'S NOTE: THE RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF COMMISSIONERS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF ATLANTA TO ESTABLISH THE "FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY" WAS APPROVED BY THE BOARD OF