



To: Honorable Mayor and City Council Members

From: Wendell K. Willard

Date: For Submission onto the June 19, 2012 City Council Meeting Agenda

Item: A Resolution to Clarify Certain Provisions of the City's Economic Development Incentive Policy

City Attorney's Recommendation:

The City Attorney's Office recommends that Council approve the attached resolution approving revision of the City of Sandy Springs Economic Development Incentive Policy ("Policy") to clarify the provision regarding a public hearing.

Background and Discussion:

The City's Economic Development Incentive Policy currently contains a provision in the last paragraph under the heading "Evaluation", which states: "Prior to action by the City Council on the application, the City Clerk shall advertise a public hearing in accordance with applicable provisions of Georgia law." This language has resulted in some confusion as to the requirements for notice prior to the City Council taking action on an application for economic development incentives.

The attached proposed resolution approves revision to the Policy's language in that regard to clarify the requirements by stating the following: "Prior to action by the City Council on the application, the City shall conduct a public hearing at a meeting of City Council." This accurately represents the requirement for noticing the City Council meeting at which the matter will be heard.

Attachment:

Resolution

STATE OF GEORGIA

RESOLUTION NO. 2012 - _____

COUNTY FULTON

**A RESOLUTION TO CLARIFY CERTAIN PROVISIONS OF THE
CITY OF SANDY SPRINGS ECONOMIC DEVELOPMENT
INCENTIVE POLICY RELATING TO PUBLIC HEARING.**

WHEREAS, on October 4, 2011, City Council of the City of Sandy Springs ("City") adopted a resolution to approve an Economic Development Incentive Policy ("Policy"); and

WHEREAS, a certain provision in the Policy relating to notice of public hearing ("Provision") of an application to obtain economic development incentives has resulted in some confusion in interpretation; and

WHEREAS, the City wishes to clarify the Provision to accurately reflect the City's intention in regard to notice of public hearing;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy Springs that the last paragraph of the section entitled "Evaluation" in the Policy is hereby deleted in its entirety and in lieu thereof is inserted the following language:

"City staff will provide a written recommendation of full, partial, or no incentive to the City Council based upon their review of the application and the applicant's consistency with the criteria described in this policy. Prior to action by the City Council on the application, the City shall conduct a public hearing at a meeting of City Council."

All other provisions of the Policy shall remain unchanged.

APPROVED AND ADOPTED this _____ day of June, 2012.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk

(Seal)