

RESOLUTION

RES 2026 - 23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, AUTHORIZING AND APPROVING THE WAIVER OF CERTAIN BUILDING PERMIT FEES AND WATER/SEWER TAP FEES ASSOCIATED WITH A DOWNTOWN REDEVELOPMENT PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO

WHEREAS, the City of Dallas, Georgia (“the City”) possesses home rule powers pursuant to Article IX, Section II, Paragraph III of the Georgia Constitution, and general police and welfare powers pursuant to O.C.G.A. § 36-1-1 et seq. and the Charter of the City of Dallas, Georgia; and

WHEREAS, the Downtown Development Authority of the City of Dallas, Georgia (“the DDA”) is a public body corporate and politic created pursuant to the Downtown Development Authorities Law, O.C.G.A. § 36-42-1 et seq., and an activating resolution of this Council duly adopted November 7, 1983, as amended; and

WHEREAS, the DDA has been engaged in ongoing negotiations with The Residential Group LLC (“TRG”) concerning a mixed-use redevelopment of certain real property located in the downtown business district of the City (“the Project”), which negotiations have progressed favorably and are anticipated to result in one or more definitive agreements between the DDA and TRG; and

WHEREAS, the Project represents a substantial private capital investment presently estimated at approximately \$88,000,000.00, and is anticipated to further the public purposes of encouraging the development and revitalization of the downtown business district, including expansion of the City’s ad valorem tax digest and enhancement of public infrastructure within the downtown area; and

WHEREAS, as part of the ongoing public-private partnership discussions associated with the Project, TRG has requested, and the DDA has recommended to this Council, that the City consider a waiver of certain building permit fees and water/sewer tap fees directly associated with construction of the Project, exclusive of any fees, charges, or assessments imposed by or payable to the West Dallas Utility District and exclusive of any system development fees, in an aggregate amount not to exceed \$1,500,000.00 (“the Fee Waiver”); and

WHEREAS, the Fee Waiver, at its maximum aggregate amount, represents a public contribution of approximately 1.7% of the total estimated private investment associated with the Project, a proportion modest in comparison to public contribution percentages associated with comparable public-private redevelopment partnerships; and

WHEREAS, the Mayor and Council find and determine that the Fee Waiver serves the public purposes described herein, is supported by adequate consideration in the form of the private investment and public benefits associated with the Project, and does not constitute a gratuity, donation, or extension of the City’s credit within the meaning of Article III, Section VI, Paragraph VI of the Georgia Constitution;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dallas, Georgia, and it is hereby resolved by authority of same, as follows:

Section 1. The foregoing recitals are hereby incorporated into this Resolution by reference and adopted as findings of the Mayor and Council, including the finding that the Fee Waiver serves a valid public purpose and is supported by adequate consideration such that it does not constitute a gratuity or unauthorized extension of public credit.

Section 2. The Mayor and Council hereby approve, in connection with the Project, a waiver of building permit fees and water/sewer tap fees otherwise payable to the City, exclusive of any West Dallas Utility District fees, charges, or assessments and exclusive of any system development fees (none of which are waived and all of which shall remain due and payable in full), in an aggregate amount not to exceed \$1,500,000.00.

Section 3. The City Manager, or the City Manager’s designee, is hereby authorized to administer, track, and apply the Fee Waiver against fees otherwise due and owing in connection with permits issued for construction of the Project, up to the aggregate cap set forth herein, subject to the terms of any definitive agreement(s) approved by the DDA and/or the City in connection with the Project.

Section 4. The Mayor, Mayor Pro Tem, City Manager, City Clerk, and City Attorney, and their respective designees, are each hereby authorized to take any and all further action and to execute any and all further documents reasonably necessary or appropriate to carry out the intent of this Resolution.

Section 5. This Resolution shall become effective immediately upon its adoption.

SO RESOLVED, this _____ day of August, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest:

Tina Clark, City Clerk