RESOLUTION FOR ACTIVATION OF THE
TYBEE ISLAND DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

A RESOLUTION TO DECLARE THE NEED FOR A DOWNTOWN DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF TYBEE ISLAND, GEORGIA, PURSUANT TO THE PROVISION OF THE DOWNTOWN DEVELOPMENT AUTHORITIES LAW O.C.G.A. 36-42-1, et seq. TO APPOINT A BOARD OF DIRECTORS FOR THE DOWNTOWN DEVELOPMENT AUTHORITY; TO DESIGNATE A DOWNTOWN DEVELOPMENT AREA; TO PROVIDE FOR FILING WITH THE SECRETARY OF STATE OF THE STATE OF GEORGIA OF A COPY OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

W I T N E S S E T H:

WHEREAS, it has been determined by the Mayor and Council of the City of Tybee Island, Georgia (the "City") that there is a need in the City for the revitalization and redevelopment of locations within the DDA boundaries to develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade and commerce and the development of existing industry, trade and commerce within the City; and

WHEREAS, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of areas within the DDA boundaries by financing projects under the Downtown Development Authorities Law (1981 Ga. Laws p. 1744; O.C.G.A. 36-42-1, et seq. – the "Downtown Development Authorities Law") will develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities and will promote the general welfare of the State of Georgia; and

WHEREAS, it has been determined by the Mayor and Council of the City that is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to revitalize and redevelop areas within the DDA boundaries; and

WHEREAS, the Downtown Development Authorities Law creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping areas specific to the DDA boundaries of such municipal corporation and promoting for the public good and general welfare, trade, commerce, industry and employment opportunities and promoting the general welfare of the State of Georgia; and

WHEREAS, the Mayor and Council of the City, after thorough investigation, have determined that it is desirable and necessary that the Downtown Development Authority of the City be activated immediately, pursuant to the Downtown Development Authorities Law, in order to fulfill the needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City, and it is hereby resolved by the same, that there is hereby determined and declared to be a present and future need for a Downtown Development Authority (as more fully described and defined in the Downtown Development Authorities Law) to function in the City.

BE IT FURTHER RESOLVED that there is hereby activated in the City the public body corporate and politic known as the "Downtown Development Authority of Tybee Island" which was created upon the adoption and approval of the Downtown Development Authorities Law.

BE IF FURTHER RESOLVED that there are hereby appointed as members of the first Board of Directors of the Downtown Development Authority of the City the following named persons, each of whom shall be: (1) a taxpayer residing in the municipal corporation for which the authority is created; (2) an owner or operator of a business located within the downtown development area and a taxpayer residing in the County in which is located the municipal corporation for which the authority is created. One such director (authority member) may be a member of the governing body of the municipal corporation and not less than four shall be or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area (hereinafter defined).

Name	Term of Office	Representation
Bill Garbett	Coincides with Council terms	City Council
Angela Caldwell	Two Years	Caldwell's Cottage; business owner
Brenda Marion	Two Years	Tybee Island Maritime Academy; resident
Deana Harden	Four Years	Prevail Realty; business owner
Steve Kellam	Four Years	Tybee Time; business owner
Ted Lynch	Six Years	Accountants on Tybee; business owner
Vicki Hammons	Six Years	Vicki's on Tybee; business owner

BE IT FURTHER RESOLVED that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the number of years set forth opposite his or her respective name, however, that the terms shall be four years for those directors appointed or reappointed on or after July 1, 1994. The term of a director (authority member) who is also a member of the governing body of a municipal corporation shall end when such director (member) is no longer a member of the governing body of the municipal corporation.

BE IT FURTHER RESOLVED that the Board of Directors hereinbefore elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provision of the Downtown Development Authorities Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED that the "downtown development area" shall be that geographical area described in Exhibit A, attached hereto and made a part hereof by reference, which area, in the judgment of the Mayor and Council of the City, constitutes the "DDA Boundaries" of the City as contemplated by the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that the City shall furnish promptly to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law.

BE IT FURTHER RESOLVED that the action taken by the Mayor and Council of the City as herein specified is not intended in any way to affect any public corporation, industrial development, downtown development, or payroll authority previously created by legislative act or constitutional amendment including, without limitation, its existence, purpose, organization, powers or function.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon its adoption by the Mayor and Council of the City, and from and after such adoption the Downtown Development Authority of the City shall be deemed to be created and activated.

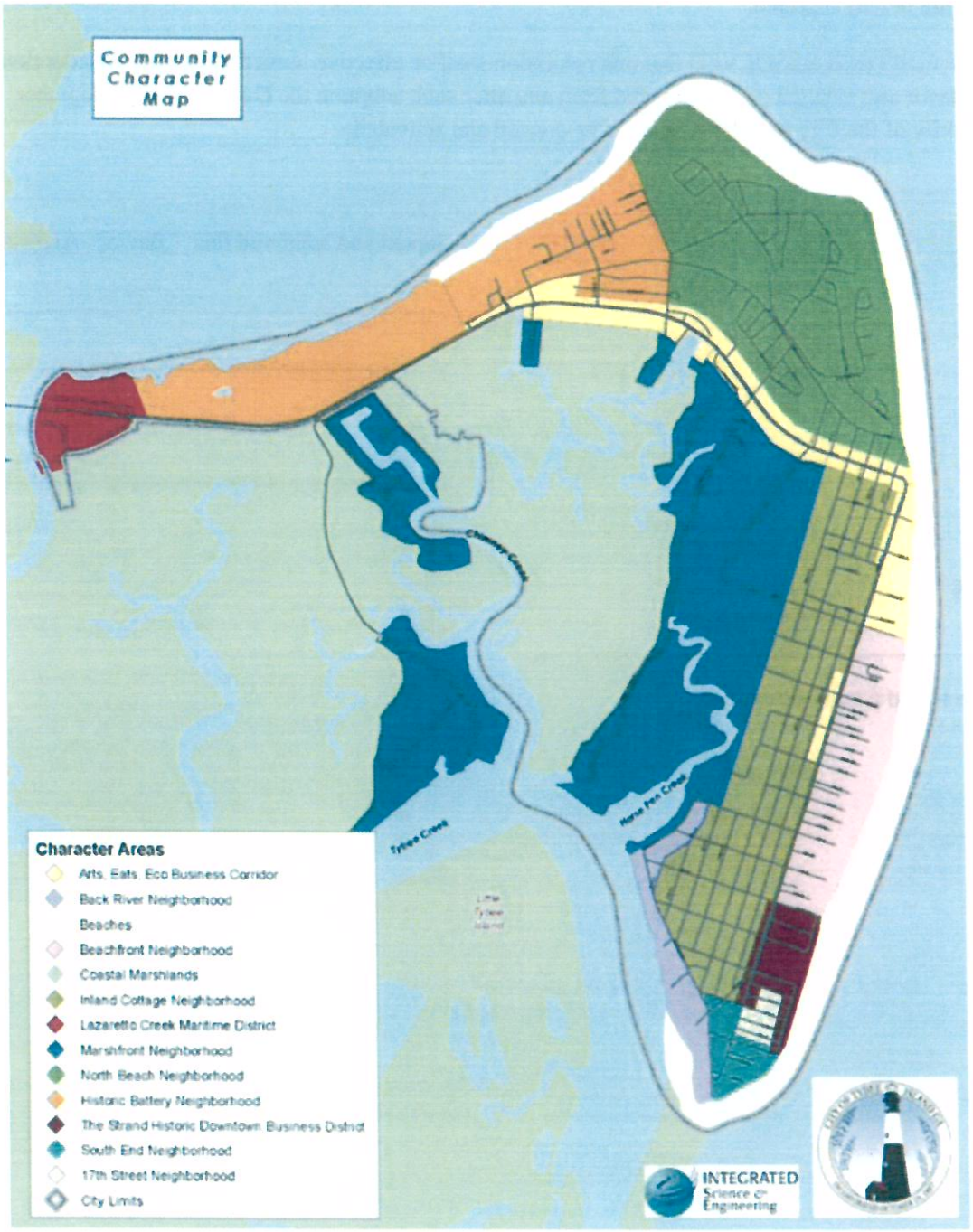
Adopted and approved this 14 day of August, 2014.

Mayor, Tybee Island

Attest:

Tybee Island Clerk of Council

EXHIBIT A

BOUNDARY DESCRIPTION OF DOWNTOWN DEVELOPMENT AREA

The Tybee Island Downtown Development Authority boundaries shall consist of the area bounded by the city limits as of August 14, 2014 as depicted / described below: