

Resolution 2014-11

A RESOLUTION OF THE COBB COUNTY BOARD OF COMMISSIONERS AND CITY COUNCIL OF SMYRNA CREATING THE SMYRNA-OSBORNE ENTERPRISE ZONE

WHEREAS, the Enterprise Zone Employment Act of 1997, O.C.G.A. §36-88-1 as amended, authorizes local governments to create Enterprise Zones, in areas that meet a specific set of criteria, as established in the state law, that provide property tax abatements and other incentives to encourage job production and economic growth;

WHEREAS, the Cobb County Board of Commissioners, hereafter referred as the Board, is designating an area in the south and central part of Cobb County, hereafter referred as Smyrna-Osborne, as an Enterprise Zone;

WHEREAS, the City Council of the City of Smyrna, hereafter referred as the Council, is designating an area on the northern portion of the City of Smyrna, hereafter referred as Smyrna-Osborne, as an Enterprise Zone;

WHEREAS, the Smyrna-Osborne Enterprise Zone Justification Report, hereafter referred as the Justification Report, is attached and made a part of this resolution;

WHEREAS, the Council and Board, are reaffirming their commitment to creating economic growth and improving social well-being by approving incentives that encourages the private investment of resources in productive business and service enterprises as described in the Justification Report;

WHEREAS, the Justification Report provides the specific facts necessary for the creation of the Enterprise Zone including, specific incentives to be offered to private business and service enterprises, the boundaries of the Smyrna-Osborne Enterprise Zone, and the manner in which this area meets the specific criteria and thresholds established in O.C.G.A. §36-88-1 as amended for the creation of the Enterprise Zone;

WHEREAS, the Council and Board, are confirming that the creation of the Smyrna-Osborne Enterprise Zone is consistent with the Cobb County Comprehensive Plan and the City of Smyrna Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED that the Cobb County Board of Commissioners and City of Smyrna City Council hereby ratifies and clarifies previous actions by the Board by:

- Creating the Smyrna-Osborne Enterprise Zone as depicted and described in the attached Smyrna-Osborne Enterprise Zone Justification Report;
- Certifying that the Smyrna-Osborne Enterprise Zone meets the qualifications of O.C.G.A. §36-88-1 as amended by satisfying four of the five criteria for establishing an enterprise zone, as described in the Smyrna-Osborne Enterprise Zone Justification Report;

- Declaring and ordaining that upon designation of the Smyrna-Osborne Enterprise Zone, the County and City shall provide the following incentives to qualified business and service enterprises, as described in the Smyrna-Osborne Enterprise Zone Justification Report, which are not applicable throughout Cobb County:
 - The County and City have provided and shall continue to exempt qualifying businesses as outlined in the Enterprise Zone Employment Act of 1997, from state, county, and municipal ad valorem property taxes, excluding property taxes imposed by school districts or property taxes imposed for general obligation debt, that would otherwise be levied on the qualifying business and service enterprises in accordance with the following schedule:
 - (1) One hundred percent of the property taxes shall be exempt for the first five years;
 - (2) Eighty percent of the property taxes shall be exempt for the next two years;
 - (3) Sixty percent of the property taxes shall be exempt for the next year;
 - (4) Forty percent of the property taxes shall be exempt for the next year; and
 - (5) Twenty percent of the property taxes shall be exempt for the last year.
 - In addition to the property tax exemptions listed in the previous section, the County and City may exempt or reduce from applying to qualified business and service enterprises located in the designated enterprise zones occupation taxes, license fees, and other fees and taxes;
- Authorizing the Board of Commissioners and City Council as the agencies to act in all matters pertaining to the nomination and designation of the areas, as described in the Smyrna-Osborne Justification Report, as an enterprise zone and reserves the power to grant the incentives listed above to qualifying businesses in accordance with the authorization powers granted local governments in the administration of the enterprise zone;
- For Cobb County, directing and designating the County Manager, or his or her designee, as the liaison for communications with the Georgia Department of Community Affairs, the Georgia Department of Economic Development, the business community, and all others to oversee enterprise zone activities and administration, and communications with qualified business and service enterprises;
- For the City of Smyrna, directing and designating the City Administrator, or his or her designee, as the liaison for communications with the Georgia Department of Community Affairs, the Georgia Department of Economic Development, the business community, and all others to oversee enterprise zone activities and administration, and communications with qualified business and service enterprises

- Confirming that the Board of Commissioners and the City of Smyrna have the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations, including but not limited to such reports and data information from such businesses with the enterprise zone to verify compliance with the ordinance and state law;
- Requiring that a qualifying business or service enterprise shall consent to enter into a contractual agreement that outlines the incentives offered to the business and the guidelines for the recapture, revocation, or reimbursement should the terms of the contract be violated by the target business;

NOW THEREFORE, BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption by the Cobb County Board of Commissioners and the City of Smyrna City Council. That the Board of Commissioners and City Council authorizes the County Manager, or his or her designee, to transmit this resolution and attached Smyrna-Osborne Enterprise Zone Justification Report to the Georgia Department of Community Affairs.

This the 24th day of June 2014.

This the 21st day of July 2014.

Timothy D. Lee, CHAIRMAN

A. Max Bacon, MAYOR

Approved as to form:

Approved as to form:

Deborah Dance, COUNTY ATTORNEY

Scott Cochran, CITY ATTORNEY

Attest:

Attest:

Candace Ellison, COUNTY CLERK

Terri Graham, CITY CLERK