

**RESOLUTION NO. RES 2019-09-05**

**RESOLUTION ESTABLISHING ANNEXATION POLICY TO FINANCE  
INFRASTRUCTURE DEFICIENCIES AND IMPROVEMENTS IN AREAS SEEKING  
ANNEXATION INTO THE CITY OF BROOKHAVEN**

**WHEREAS:** Periodically, the City of Brookhaven receives citizen petitions and applications for annexation into the City of Brookhaven; and

**WHEREAS:** If an annexation request is approved by the Planning Commission and then the City Council, the City of Brookhaven assumes the maintenance responsibility for the public infrastructure in the area annexing into the City of Brookhaven; and

**WHEREAS:** The cost of addressing improvements and infrastructure deficiencies within annexed areas should not burden existing Brookhaven taxpayers; and

**WHEREAS:** A mechanism to allocate costs and revenues to address improvements and infrastructure deficiencies in a proposed annexation area via a Special Tax District is a viable approach; and

**WHEREAS:** If approved by the Planning Commission and the City Council, the City of Brookhaven desires to improve and address infrastructures deficiencies in the annexed area in an orderly manner.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Brookhaven; that a Special Tax District will be created matching the annexation request area; and

**IT BE FURTHER RESOLVED** that the mill rate for the Special Tax District will:

1. Always include the mill rate reduction associated with the privilege of being part of an incorporated area in DeKalb County, and;
2. Be established at a level not to exceed the total mill rate of all taxing districts in the annexed area.

**IT BE FURTHER RESOLVED** that the City Administration will assess within 12 months of City Council approval of the annexation the public street conditions, sidewalk conditions, stormwater facilities, parks, other public assets, and identified improvements within said area.

**IT BE FURTHER RESOLVED** that the City Administration will estimate the cost to bring these infrastructures to 1) a pavement condition index of 70 or above for public streets; 2) ADA compliance for all existing sidewalks, crossings, and curbs; 3) remedy any and all stormwater facility maintenance requirements using the MS4 permitting requirements; and 4) repair and maintenance of existing public park infrastructure and other public assets, and other improvements that may be beneficial.

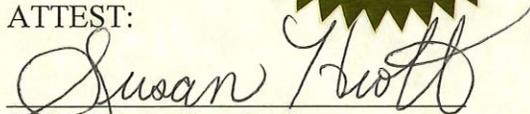
**IT BE FURTHER RESOLVED** that the City Administration will develop and present to City Council for consideration an implementation and financing plan to complete improvements and the required infrastructure upgrades within the funding available in the corresponding special tax district.

**IT BE FURTHER RESOLVED** that if improvements and the needed infrastructure upgrades necessitate capital financing within the Special Tax District, the financing term will be structured to the shortest possible term.

**SO RESOLVED AND EFFECTIVE**, this the 24th day of September 2019.

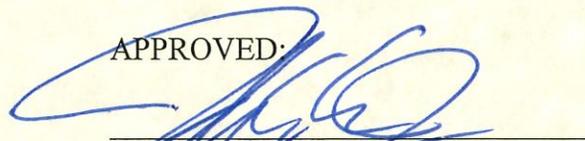


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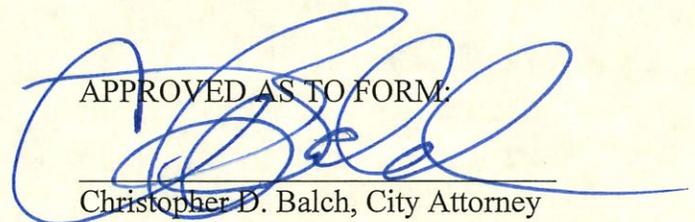


Susan Hiott, City Clerk  
[CITY SEAL]

APPROVED:

  
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John Arthur Ernst, Jr.  
Mayor

APPROVED AS TO FORM:

  
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Christopher D. Balch, City Attorney