

Council Agenda
Special Called Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
April 22, 2021 / 4:30 p.m.

Note: Meeting is being held as a virtual meeting only. Please click the link below or visit www.chatthillsga.us for information on accessing the meeting via teleconference or videoconference.

Click [HERE](#) for Zoom link
ID: 899 8951 4756
Code: 325567
Dial in: 646-558-8656

Call to Order

Review and Approval of Agenda

New Business

1. **Item 21-025:** Consideration of an Intergovernmental Agreement with Douglas County to set a period of time for the city and county to meet pursuant to the requirements of O.C.G.A. Section 36-36-23.

Adjourn Meeting

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement (“IGA”) is made this ____ day of April, 2021 between Douglas County, Georgia, a political subdivision of the State of Georgia (“County”), and the City of Chattahoochee Hills, Georgia, a Georgia municipal corporation (“City”) (collectively “Parties”).

WHEREAS, the City has received a request by Foxhall Investors, LLC to annex into the City approximately 1092.15 acres commonly known as Foxhall Resorts (“Property”), which lies in unincorporated Douglas County (“Proposed Annexation”); and

WHEREAS, the City currently lies within Fulton County and Coweta County, but has no territory in Douglas County; and

WHEREAS, this would be an annexation across county lines as defined by O.C.G.A. § 36-36-23; and

WHEREAS, the City gave notice to the County of the Proposed Annexation by statutory overnight delivery received on April 5, 2021; and

WHEREAS, the County has made a timely request for a meeting pursuant to O.C.G.A. § 36-36-23(a) (“Meeting”); and

WHEREAS, the Parties, as allowed by that O.C.G.A. § 36-36-23(a), desire to agree to extend the time for completion of the Meeting and the time for the County governing authority to oppose the Proposed Annexation.

NOW, THEREFORE, the Parties agree as follows:

1. Time for Meeting or Meetings between the Governing Authorities. The City and County hereby agree that the governing authorities of the Parties shall meet one or more times, and that the Meeting required by O.C.G.A. § 36-36-23 shall be complete on July 31, 2021. The City and County agree that July 31, 2021 shall be the date that the Meeting is complete irrespective of how many times the governing authorities of the Parties actually meet, or whether the Parties meet on July 31,

2021. The City and County are designating July 31, 2021 as the date the Meeting is complete in order that July 31, 2021 be the date that triggers the thirty (30) days for the County's governing authority, if it does so, to adopt a resolution opposing the Proposed Annexation.

2. Time for Opposing the Proposed Annexation. The governing authority of the County shall have through and including August 31, 2021 to adopt a resolution opposing the Proposed Annexation.
3. Term. This IGA shall terminate at 12:01 am on September 1, 2022.
4. Staff Meetings. The City and County agree that it is in the best interest of all Parties that their respective staffs be able to meet and exchange information regarding the Property and the Proposed Annexation. The City and County agree that no meeting between staffs shall constitute a meeting pursuant to O.C.G.A. § 36-36-23 triggering any timelines or deadlines. The staffs may meet as many times as they feel necessary, but only meetings between the governing authorities shall constitute meetings pursuant to the statute.
5. Notice. Any notice or communication required or permitted in accord with the terms hereof shall be sufficiently given if delivered by nationally recognized overnight delivery service or by certified mail, return receipt requested, to the address listed herein or to such other address as a party may furnish in writing. The notice shall be deemed received when delivered or signed for or on the third day after mailing if not signed as received.

IF TO THE COUNTY:

Dr. Romona Jackson Jones
Douglas County Commission Chairman
8700 Hospital Drive
Douglasville, GA 30134
With Copy Via Email to:
rjacksonjones@co.douglas.ga.us
kbernard@sherrodandbernard.com
thomas.mitchell@carmitch.com

IF TO THE CITY:

Tom Reed
City of Chattahoochee Hills Mayor
6505 Rico Rd
Chattahoochee Hills, GA 30268
With Copy Via Email to:
tom.reed@chatthillsga.us

robbie.rokovitz@chatthillsga.us
rick@llptc.com

- 6. Assignment. Neither party may assign or transfer this IGA without prior written consent of the other party.

- 7. Modification and Entire Agreement. This IGA may only be modified in a writing signed by both Parties following approval by their respective governing body. The contents hereof contain the entire agreement between the Parties regarding the specific subject matter of this IGA.

- 8. Governing Law and Severability. This IGA shall be construed and interpreted in accordance with Georgia law. If any sentence, phrase, provision, portion or clause of this IGA should at any time be declared or adjudged invalid, unlawful, unconstitutional, or unenforceable for any reason, said adjudication or declaration shall in no manner or way effect the other sentences, phrases, provisions, portion of clauses hereof, and all remaining portions shall remain in full force and effect.

- 9. Non-Waiver. The failure of either party to enforce any provision of this IGA shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this IGA.

DOUGLAS COUNTY, GEORGIA

By: _____

CHATTAHOOCHEE HILLS

By: _____