

**RESOLUTION OF THE MAYOR AND COUNCIL OF MILTON, GEORGIA  
REGARDING CRITERIA FOR A PARK AND GREEN SPACE BOND**

**WHEREAS**, on June 20, 2016 the Mayor and City Council for the City of Milton resolved to authorize the issuance of general obligation bonds or debt, subject to voter approval in the November, 2016 general election, of no less than \$25,000,000 for the acquisition of, or securing interests in, park and green space properties in Milton, leveraging green space preservation opportunities, and/or otherwise funding park and green space improvements;

**WHEREAS**, the City Council wishes to inform its citizens that it, and any other committee, commission or other designated advisory group over which the City Council has control or influence, will consider the following criteria when making determinations on which parcels of land to purchase or acquire interests in utilizing in whole or part the bond proceeds. These criteria include, but are not limited to, the criteria approved by the Milton Planning Commission in April, 2016, which include (in no preference or priority): preserving general areas of green or open space including pastures, horse farms, wooded areas, and large tracts of undeveloped land so as to protect natural resources; wildlife habitat and water resources; protecting or conserving the rural views, feel, and look of Milton including historic resources and agricultural uses of land; establishing new and connecting existing trails for walking, biking and horse riding; and acquiring parkland within the city with minimal improvements made to provide public access and use therein; and,

**WHEREAS**, the City Council, and any other committee, commission or other designated advisory group, will also consider the following factors, in its land acquisition decisions using in whole or part the bond proceeds. Land will be acquired from willing landowners and no bond funds shall be used to acquire land through the exercise of eminent domain unless agreed to by the affected landowner; the preservation of trees should be given strong consideration in each land acquisition decision and clear cutting of trees should be avoided; land acquired should be mainly buildable land; acquisition of land that is contiguous or adjacent to existing, protected green space parcels is encouraged; parcels that meet two or more of the above criteria may receive priority in acquisition decisions.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Milton, that the City of Milton hereby commits that it, and any other committee, commission or other designated advisory group over which the City Council has control or influence, will consider at least the foregoing criteria and factors in acquiring land or interests in land with the general obligation bond authorized on June 20, 2106, should the requisite number of qualified voters of Milton approve the issuance of said bond.

**BE IT FURTHER RESOLVED**, that in adopting this Resolution, the City Council is mindful of those limitations in Georgia law on its ability to bind itself or future Councils in the exercise of legislative discretion, and further is mindful that appropriate financial stewardship requires a degree of flexibility and latitude in making land acquisition decisions, and therefore the Council does hereby further resolve that nothing in this Resolution is intended or should be construed as an attempt to:

1. Impermissibly bind the Council or its successors so as to prevent free legislation in matters of municipal government, O.C.G.A. 36-3-3;
2. Limit the Council's legislative and policy-making discretion as set forth in the Georgia Constitution and the laws of the State of Georgia;
3. Be construed as a brochure, listing, or other advertisement committing the City to any particular bond project(s), O.C.G.A. 36-82-1(d); and
4. Be construed as prohibiting the Council from considering other land acquisition criteria and making acquisition decisions based upon same, if such decisions and the additional criteria considered are otherwise in the best interests of the health, safety, and welfare of the citizens of the City of Milton and are otherwise compliant with the purposes set forth in the notice issued under O.C.G.A. 36-82-1(b).

**SO RESOLVED**, this 15th day of August, 2016.

  
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Mayor, Joe Lockwood

Attest:

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Sudie AM Gordon, Clerk

