

**CITY OF BROOKHAVEN
DEVELOPMENT AUTHORITY**

Luke Anderson Chairman
Bruce Whitmer
John Rhett
Pat Hoban
Susan Coker
Tim Peaden
Sarah Kennedy

AGENDA

December 6, 2017

Special Called Meeting

10:00 AM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

1. Roll Call

II) ORGANIZATIONAL AND PROCEDURAL ITEMS

1) OLD BUSINESS

2. Approval of July 18, 2017 Development Authority Special Called Meeting Minutes
3. Approval of November 16, 2017 Development Authority Special Called Meeting Minutes

III) EXECUTIVE SESSION FOR REAL ESTATE

IV) NEW BUSINESS

1. Consideration and Approval of Intergovernmental Agreement with the City of Brookhaven
2. Consideration and Approval of Community Investment Agreement with Children's Healthcare of Atlanta, Inc.

V) ADJOURNMENT

CITY OF BROOKHAVEN
DEVELOPMENT AUTHORITY
DRAFT MINUTES

July 18, 2017

Special Called Meeting

9:00 AM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Luke Anderson	Chairman	Present	
Bruce Whitmer		Present	
John Rhett		Present	
Pat Hoban		Absent	
Susan Coker		Present	
Tim Peaden		Present	
Sarah Kennedy		Present	
Bates Mattison	Ex-officio	Absent	

II) ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Approval of June 22, 2016 Development Authority Special Called Meeting Minutes

Chairman Anderson asked for review of minutes that were distributed by email the previous day. He asked for review for any comments. There were not any comments prior to vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bruce Whitmer
SECONDER:	John Rhett
AYES:	Anderson, Whitmer, Rhett, Coker, Peaden, Kennedy
ABSENT:	Hoban

III) OLD BUSINESS - CITY ATTORNEY BALCH - UPDATE ON HAWKS TRANSACTION

Chairman Anderson stated there was one matter of old business since the last meeting, City Attorney Chris Balch had handled the bond validation and execution of the contract with the Hawks. Chairman Anderson asked Mr. Balch for an update.

Mr. Balch reported that almost exactly one year ago, July 12, 2016, he appeared before Judge Seeliger in DeKalb Superior Court on the bond validation for the Hawks transaction. That bond transaction was uncontested. No one had shown up to challenge the bond work that the Development Authority (DA) had done to approve the bond and tax abatement. Since no one had shown up, the bond validation was final. There was not anything for appeal since no one had made a record to take up an appeal. Out of abundance of caution, he waited 30 days to make sure nobody tried to intercede and attack the bonds. In the middle of August, the paperwork was executed to complete the transaction. The Hawks broke ground last fall with a public ceremony in which the Chairman of the DA attended. They hoped to move in the next few weeks as soon as the connection to DeKalb's sewer system was gotten. The first payment would be due September, 2018. Chairman Anderson asked if there was anything remaining to be done by the DA in connection with the transaction. Mr. Balch replied no. Once we get closer to spring of next year, there would be a need for a Memorandum of Understanding between the City and the DA

regarding where the dollars would come in as a pilot program, how dollars would be spent, and how dollars would be allocated between the City and DA. This would be a discussion in the future between the Chairman and Administration. The MOU would then be brought before the DA and Council to approve and sign. There would be every opportunity to ask questions. That was a process that was extracurricular to the transaction and would be handled by the DA next spring.

Chairman Anderson asked if there was any other old business. There was none.

IV) NEW BUSINESS

1. Development Authority Update

Chairman Anderson recognized Shirlynn Brownell, Economic Development Director. Most of the DA had an opportunity to speak with Ms. Brownell. This was her first opportunity to address the entire DA.

Ms. Brownell provided updates on what she had been working on and some of the initiatives that the Department of Economic Development would be working on in the future. About a month or so ago, she had sent out a draft strategic plan. She would highlight some of the goals. She referred to the document that was distributed to the DA, which was named *The City of Brookhaven Economic Development Strategic Plan - FY 2017 Marketing Plan*.

Highlights of Ms. Brownell's strategic plan included:

- The goals were to generate new investment, quality job creation, and establish an economic development identity. The goal was to promote the aforementioned through intensive branding campaign and promotion of smart growth, while developing the policy and management infrastructure.
- Metrics included creation of a certain number of jobs, having a balanced value ration of commercial vs residential product, and value per acre increases for commercial redevelopment properties.
- She addressed targeted business recruitment sectors, business recruitment partners, mixed use development targets, small business targets, and Town Center Development targets. The film industry was a huge revenue production in the state overall and was a great industry to pursue for the City.
- Sales and marketing efforts were named:
 - Developing a partnership with the State, County, and City of Atlanta's economic development marketing efforts regarding recruitment for the City's targeted business recruitment sectors.
 - Buford Highway Redevelopment including an affordable housing component.
 - Database of existing buildings and sites.
 - Moving forward with MARTA TOD and City Center.
 - Other items were listed in the report.

Ms. Brownell asked if there were any questions regarding the draft plan. Questions and discussion followed.

Mr. Whitmer inquired about data for the unemployed people of the City as potential beneficiaries of the marketing efforts. Ms. Brownell expressed that the work force was most important, and as companies asked about the work force, she would make sure they had updated information. Mr. Sigman commented on a previous meeting with Executive Director of Partnership Gwinnett. At the meeting, the topic addressed was how their work force had changed during the recession. During recession, the average income had dropped \$2,600. There was no growth and had decreased. All tech companies had decreased and new jobs were in the service field. He commented on the importance of the quality of Brookhaven's work force and population.

Chairman Anderson stated he would like discussion and feedback from the DA on how they were going about crafting the mission statement, evaluating the metrics and discussing the implementation. The document by Ms. Brownell was a starter piece. Members of the DA would like additional details. He named some of the economic data, input on fine tuning the mission statement, and discussion on the implementation. He referred to having a work session around the issues presented as to having it done and getting thumbs up or down. He had discussed

with Ms. Brownell, and she needed guidance on how to move forward. She had taken the first step of the footprint to start discussion. Ms. Coker expressed agreement with Chairman Anderson. She stated this was an outline to lead to further discussion and as a thought starter under the Chairman's leadership. She would have welcomed an opportunity for a deeper dive in whatever type venue or meeting that would be.

Ms. Brownell referred to the MARTA 2.0 and reported there had been a meeting with the MARTA engineers. Staff was working with a meeting with CEO Keith Parker to discuss the next phase of the project. They had worked with two engineers and had a conceptual that was presented to get their feedback. Feedback was that the City was on the right track and was going in the right direction. Chairman Anderson noted the DA could take away from that report that there was some still lingering prospect, and that there may be a discussion around the MARTA property for consideration of future economic development. There were no specifics now, but discussions were on again-off-again. Mr. Sigman stated the new director was establishing good rapport and working all levels of the command. There were some good meetings with engineers but would need to discuss with corporate and at the enterprise level. As the DA knows, the City was undertaking the rewrite of the Zoning Code as well as the Peachtree Overlay. There were elements of that process that would impact the MARTA site in the context of a new city center vision. Hopefully, the rewrite would enable a more substantive and vested vision for that site of MARTA 2.0. DA Member John Rhett commented that the last time the developer was driving the process, he had inquired if the City would this time be developing the process and laying out where it should go. He asked if it would be reversed from where the project was before. Mr. Sigman stated ultimately the site was MARTA'S land. The City's objective was to work with MARTA and to go with a fully worked out plan including zonings, incentives, community input, and architectural design. These considerations were in MARTA 1.0, but next time the City would go back to MARTA and view as a partnership and work together with MARTA. The ideal development would be for the DA to manage the partnership. The last development project was heavily developer driven, and this one should be public parties driven. There should be a partnership between MARTA and the City. The relationship of DA would be different.

Ms. Brownell addressed the 2034 Comprehensive Plan and the Buford Highway Corridor Study development areas (she referred to overhead presentation):

- Back in 2014 the City adopted the 2034 Comprehensive Plan to establish a long-term plan for the City's future and character.
- The process through which the plan was conducted involved the participation and input from the community. The process assisted in the direction and overall strategy of the final plan.
- One strategy was to revise zoning and development regulations in a manner consistent with the goals and overall strategy of the 2034 Comprehensive Plan.
- In addition, the Buford Highway Corridor was identified as an area that was ripe for redevelopment by the Steering Committee and presented tremendous opportunity for economic growth.
- Now, the official Zoning Map described the study area as having primarily commercial, industrial, and multifamily applications with building constrained at the industrial and commercial classifications to 5 and 2 stories respectively and 4 at the multifamily residential (RM-75) classification.
- The Comprehensive Plan provided a recommended strategy for development intensities throughout the corridor.
- The purpose of the airspace analysis was to examine the various external pressures that could impact the realization of the 2034 Comprehensive Plan.
- Peachtree DeKalb Airport was just outside the city limits and operated in an environment that was protected and managed by the Federal Aviation Administration.
- Imaginary surfaces were established by references to the airport and consisted of the approach surfaces, transitional surfaces, inner horizontal surfaces, conical surfaces, and outer horizontal surfaces. Surfaces that were penetrated or compromised, could have an adverse effect on aviation operations and must be protected and reviewed by the FAA. In that case, PDK and the airspace that it operates within could potentially provide the greatest challenge because it was maintained by Federal regulation. (Title 14 CFR Part 77)
- The Study area encompassed the entirety of the Brookhaven stretch of Buford Highway with all land south of the highway.

- Unapproved obstruction and/or penetration of these surfaces could produce a safety hazard.
- Height constraints in the study area ranged from 1000-1700 feet above sea level. Any proposed structures that exceeded these surfaces would have an impact on flight traffic operations. If the FAA determined that this was the case, it could determine the structure a hazard and halt any efforts to construct.
- This should be kept in mind as opportunities arise to redevelop parts of Buford highway; for example, an area like Northeast Plaza.

As of right now, the City did not have any violations. The City was doing the studies so that when redevelopment occurred, the City was ahead of the curve.

Questions and discussion followed. Chairman Anderson referred to the 1000s feet and asked how translated into stories of buildings in construction along Buford Highway. Ms. Brownell stated she would get that to him. Mr. Sigman explained the Northeast Plaza portion closest to Chamblee would be 20 stories and portion closest to Atlanta would be 40 stories. Down by the Police Department or Druid Hills activity node, there could be 85 stories. He addressed being closer to Peachtree DeKalb Airport and the development community not knowing what restrictions could preclude development along Buford Highway. The City wanted to tell the development world, based on current FAA rules, that this was what could be done. They did it also to assist CHOA which had in their master plan FOR a new hospital. CHOA was interested in the study. He addressed the add-on to the scope for CHOA. It would help inform the Zoning Rewrite, too. He explained the current zoning would be limited to 8 stories. He explained the need to redo the zoning to create the density to create the interest. The flight restrictions would have to be known.

DA members Whitmer and Rhett inquired about the current plans for PDK. Mr. Sigman stated they had interest in hanger space.

Ms. Brownell provided additional updates. The City was doing an overhaul of websites. She was on the design committee. She showed samples of websites on the overhead monitors and named items of interest that should be on the sites. The City was using the same company and the DA/Economic Development would be another site linked as part of the City's site. Mr. Sigman addressed how the City was part of a global metropolitan area, and the City would be highlighting the halo effect of where Brookhaven was as part of the metro area. He explained how the assets of other partners such as the Perimeter, Buckhead's cultural and dining, and the private airport would be highlighted to overlay with the Atlanta area. Ms. Brownell noted she wanted to let the DA know what she had been up to and to start the conversation.

Questions and discussion followed. DA Board Member Coker asked about the timing and process that they were viewing previously and how the process would be rolled out. Ms. Brownell explained how to first have a web presence, and then would meet with the website developers. The presence would be on the web. Other information and modules would be added when available.

Chairman Anderson noted Ms. Brownell had been with the City for 90 days and had been very busy. He thanked her and acknowledge her efforts. She was the dedicated resource to the DA from the City. She had done a fantastic job of moving an agenda forward. There were pieces that must be married up as policies. The DA would continue to move forward. The DA had talked about policies and procedures and Ms. Brownell would be in position to help the DA address policies and procedures. She was helping the DA to move forward. If there were any needs or requests, channel to Ms. Brownell and copy Mr. Sigman and him as well.

Chairman Anderson recognized other professionals that were present. Ms. May Charles Barnes, bond attorney, provided information about herself and the firm, Murray Barnes Finister, LLP. May Charles Barnes expressed how she hoped to assist with moving economic plans forward. Her firm did a lot of work in tax abatement and transactions. She looked forward to working with the DA. She offered to answer any questions. Chairman Anderson thanked her for attending. Chairman Anderson also recognized Ed Wall, Financial Advisor who was also present.

Mr. Sigman introduced Steve Chapman as Assistant City Manager and Chief Financial Officer (CFO). Mr. Chapman reported he had been with the City since September. He had been previously in Georgia for 12 years, had been in Florida, and was now returning to Georgia. His primary responsibilities were assisting the City Manager and as CFO. He was responsible for all the financial dealings for the City, Parks and Recreation Department, and the Municipal Court. The DA would see more of him in the future as money portion items evolved. Chairman Anderson had discussed setting up bank accounts for the Development Authority. There were no revenue dollars coming in at that time. He asked how he would see accounting for DA. He asked if the DA monies would be separate. Mr. Chapman explained the DA did have some money in a bank account. The board would set up a treasurer function. There would be a point to have a budgeted account which would be set up as unique. The DA would be in the CAFRA and would be audited. Internal controls and financial policies would be established. He would work with Ms. Brownell and give the DA something to review. He would start putting some policies in place to have internal controls over the funds. He would like to have in place before the next tax abatement. Mr. Wall offered additional information about the process for the DA financing.

Chairman Anderson summarized that the DA would need a policy and procedures for money and a financial report. As long as DA had money in an account, there should be some reporting functions. Mr. Chapman agreed and added it would also be prudent to have a simple annual budget as well. Although maybe not required under statute, it was good policy to have a budget in place. Chairman Anderson asked Mr. Chapman to work with Ms. Brownell to get that set up and have in place.

Chairman Anderson asked if there were any other questions. DA Member John Rhett asked if the DA should or could consider changing its name. He referenced the websites which related to economic development. Mr. Sigman explained how some consider the Development Authority as a financial arm vs an Economical Development Authority which was full service. City Attorney Balch explained the differences between a Constitutional Development Authority rather than a Statutory Authority. The Brookhaven DA was a Statutory Authority. There was a difference in scope of power and authority. There were things it could do, actively pursuing development, but the incentives that could be provided were different between the two different types of authorities. The scope of incentives was also different between the two types of authorities. Chairman Anderson stated they would keep that under consideration and would discuss further in another meeting.

V) ADJOURNMENT

1. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Susan Coker
SECONDER:	John Rhett
AYES:	Anderson, Whitmer, Rhett, Coker, Peaden, Kennedy
ABSENT:	Hoban

Minutes Acceptance: Minutes of Jul 18, 2017 9:00 AM (ORGANIZATIONAL AND PROCEDURAL ITEMS)

CITY OF BROOKHAVEN
DEVELOPMENT AUTHORITY
DRAFT MINUTES

November 16, 2017

Special Called Meeting

10:00 AM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Luke Anderson	Chairman	Present	
Bruce Whitmer		Present	
John Rhett		Present	
Pat Hoban		Absent	
Susan Coker		Present	
Tim Peaden		Present	
Sarah Kennedy		Present	
Bates Mattison	Ex-officio	Absent	

II) ORGANIZATIONAL AND PROCEDURAL ITEMS - NO ACTION TAKEN.**III) EXECUTIVE SESSION FOR REAL ESTATE**

1. Motion to go into Executive Session for real estate

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Rhett
SECONDER:	Tim Peaden
AYES:	Anderson, Whitmer, Rhett, Coker, Peaden, Kennedy
ABSENT:	Hoban

2. Motion to close Executive Session

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Rhett
SECONDER:	Bruce Whitmer
AYES:	Anderson, Whitmer, Rhett, Coker, Peaden, Kennedy
ABSENT:	Hoban

IV) ADJOURNMENT

1. Motion to adjourn

Minutes Acceptance: Minutes of Nov 16, 2017 10:00 AM (ORGANIZATIONAL AND PROCEDURAL ITEMS)

RESULT: APPROVED [UNANIMOUS]
MOVER: Susan Coker
SECONDER: Bruce Whitmer
AYES: Anderson, Whitmer, Rhett, Coker, Peaden, Kennedy
ABSENT: Hoban

Minutes Acceptance: Minutes of Nov 16, 2017 10:00 AM (ORGANIZATIONAL AND PROCEDURAL ITEMS)



MEMORANDUM

MEETING OF: December 06, 2017
COMMITTEE: Development Authority
DEPARTMENT: City Council

ISSUE/AGENDA ITEM TITLE:
Consideration and Approval of Intergovernmental Agreement with the City of Brookhaven

BACKGROUND/SUMMARY:

FISCAL IMPACT: (Budgeted – over or under)

STAFF RECOMMENDATION:

ATTACHMENTS:



MEMORANDUM

MEETING OF: December 06, 2017
COMMITTEE: Development Authority
DEPARTMENT: City Council

ISSUE/AGENDA ITEM TITLE:

Consideration and Approval of Community Investment Agreement with Children's Healthcare of Atlanta, Inc.

BACKGROUND/SUMMARY:

FISCAL IMPACT: (Budgeted – over or under)

STAFF RECOMMENDATION:

ATTACHMENTS: