



Development Authority of DeKalb County
d.b.a.
Decide DeKalb Development Authority

**Board Members
Officers**

Mr. Don Bolia
Chair of the Authority
Partner
Peachtree Government
Relations

Mr. Kevin Gooch, Esq.
Vice-Chair of the Authority
Partner
Holland & Knight LLP

Ms. Miranda Mack McKenzie
Secretary of the Authority

Mr. Andrew Greenberg
Board Member of the Authority
Executive Director
Georgia Game Developers
Association

Ms. Rebekah Coblentz
Board Member of the Authority
Senior Property Manager
NAI Brannen Goddard

Mr. Robert Patrick
Board Member of the Authority
District 1 DeKalb County
Commissioner

Ms. Ann Hanlon
Board Member of the Authority
Perimeter CID

Ms. Ansly Moyer
Counsel to the Authority
Arnall Golden Gregory, LLP

DECIDE DEKALB DEVELOPMENT AUTHORITY BOARD MEETING

Date: Monday, May 22nd, 2023
Time: 8:30 a.m.
Location: Decide DeKalb Office
1 W Court Sq Suite #460
Decatur, Ga 30030

Board Members Present:

Don Bolia, Chair
Kevin Gooch, Vice Chair
Andrew Greenberg, Board Member
Robert Patrick, Board Member
Rebekah Coblentz, Board Member
Miranda Mack McKenzie, Secretary
Ann Hanlon, Board Member

Legal Counsel Present

Ansly Moyer, Arnall Golden Gregory LLP

Staff Members Present

Dorian DeBarr, President
Randi Mason, VP, Economic Development
Terra Washington, Vice President, Marketing & Communication
Laura Ramos, Marketing Manager
Sunny Anderson, Senior Business Attraction Manager
Geoffrey Lofton, Equitable ED Program Manager
Amanda McAbee, Director, Accounting & Finance
Shelbia Jackson, Director, DeKalb Entertainment Commission
Jenee Williams, HR Coordinator/Office Manager
Holly Smith, Executive Assistant
Joshua Williams, Business Relations Specialist

Others Present

Kate Russell, Mauldin & Jenkins
Shaney Lokken, Hunton Andrews Kurth LLP
Douglass Selby, Hunton Andrews Kurth LLP
Ted Terry, BOC
Daniel Harari, Related Group
Ed Allen, Related Group
Allison Gevertz, DCSB
Bill Torpy, AJC
Tom Harrold, Miller & Martin
Lorie Wright, Paramount
Matt McCabe, Norton Rose

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The May meeting of the Decide DeKalb Development Authority was called to order at approximately 8:37 a.m. on Monday, May 22nd, 2023, at the Decide DeKalb Office, 1 W Court Square, Suite #460 Decatur, Ga 30030.

I. CALL TO ORDER

Chair Bolia presided.

II. ITEMS FOR DECISION

A. Approval of March 9th, 2023 Board Meeting Minutes:

Mr. Greenberg made a motion to approve the March 9th, 2023 Board Meeting minutes as presented. Ms. Mack McKenzie seconded the motion which was unanimously approved (Commissioner Patrick was not present for the vote).

B. Approval of the March Financials:

Ms. McAbee presented the March Financials.

Current assets are as follows: Cash \$1.2m, Total Investments \$1.5m, Accounts Receivable \$723k.

Mr. Bolia was curious if the rise in interest rates has slowed down projects. Mr. DeBarr stated that the project pipeline is still growing just not as rapidly as in previous years, but this was anticipated and projects are still coming in.

A midyear budget reforecast will be presented to the board in July.

Ms. Mack McKenzie made a motion to approve the March Financials. Ms. Hanlon seconded the motion which was unanimously approved (Commissioner Patrick was not present for the vote).

C. Approval of Resolution Confirming Appointment of Officers:

At the first meeting in every odd-numbered year, the Directors of the Authority elect one or more of their members as Chair and another as Vice Chair and elect a Secretary and a Treasurer or a Secretary-Treasurer. In accordance with its Bylaws, the Directors of the Authority have elected the following officers for two (2) year terms.

The following board members were elected:

Don Bolia – Chair

Kevin Gooch – Vice Chair

Ann Hanlon – Treasurer

Miranda Mack McKenzie – Secretary

Ms. Coblenz made a motion to approve the Resolution Confirming Appointment of Officers. Ms. Mack McKenzie seconded the motion which was unanimously approved (Commissioner Patrick was not present for the vote).

Chair Bolia stated that item II.D. of the original agenda (Final Bond Resolution for Manor Druid Hills Project) would be deferred until after item II.E. (DEC Website Redesign).

D. Approval of DEC Website Redesign:

DeKalb Entertainment Commission is looking to redesign and revamp its website to coincide with the DEC's 5-year strategic plan. This new site will align with the direction and vision put forth in the plan as well as include the organization's vision & mission statements. A brand refresh will also be included. These upgrades will help to further solidify DEC's position as a top destination for film and television production in the State of Georgia.

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Staff along with a selection committee interviewed several agencies and have selected INMO Creative based in Tucker, Ga for the project. The project will start May 2023 and is expected to be completed by December. Costs will not exceed \$40k.

Mr. Greenberg made a motion to the DEC Website Redesign. Mr. Gooch seconded the motion which was unanimously approved (Commissioner Patrick was not present for the vote).

Commissioner Patrick joined the meeting. Mr. Gooch left the meeting.

E. Approval of Final Bond Resolution for Manor Druid Hills Project in a Principal Amount not to exceed \$180,000,000:

Manor Druid Hills is a proposed mixed-use project that will produce an estimated \$180,000,000 in capital investment and an estimated 270 new full-time jobs (8 of which are from the multifamily development). It is comprised of approximately 381 units of Class A multi-family, an approximately 55,000 SF office building, and an approximately 140-key hotel. The Project is seeking a property tax incentive to offset the costs of this project. The legal structure for this incentive is a Taxable Lease Purchase Bond and the \$15m incentive value is based on the Authority's Policy Guidelines for Property Tax Incentives to Encourage Economic Development. The bond inducement was approved by the Board on 10/13/2022.

Mr. Greenberg made several inquiries of the developer regarding the need for the incentive and the requested changes in affordability requirements. Mr. Daniel Harari, Related Group, responded to Mr. Greenberg's questions.

Chair Bolia asked Mr. Douglass Selby, Hunton Andrews Kurth LLC, as bond counsel to comment. Mr. Selby briefly addressed the structure of the transaction with the board.

Commissioner Ted Terry, BOC addressed the board. Commissioner Terry shared his support for community housing and stated he has noticed that new developments are coming in thus making housing more unaffordable and pushing current residents out. Due to this fact, Commissioner Terry suggested voting no or tabling the item.

Mr. Greenberg addressed the board and made the following remarks:

In my seven years on this board, this is the least justifiable inducement brought for a vote. I have enumerated a few of the reasons the board should reject this reduction in property taxes.

1. The property involved is valuable land in a part of DeKalb already active with development. When the property went to auction, it had numerous interested parties who made no indication that they would need tax relief to develop this prime property. No developer should require a \$15 million abatement to develop this property.

2. This inducement brings no benefits to the county that it could not get without the inducement. The Druids Hills Tax Allocation is funded and capable. The infrastructure upgrades can all be handled with tools that are in place. It is nice for DeKalb to get a \$2 million PILOT payment, but with a \$15 million tax reduction, the county loses much more than that in property taxes that will not be collected.

3. This incentive creates an unnecessary precedent. The area near this development has seen a number of large-scale developments that did not require a tax abatement. Thanks to the CHOA development, that area is extremely attractive. ANY new project on the current project site will significantly raise the tax base. We should not be creating an expectation that any developer can get their taxes reduced in this part of the county.

Development Authority of DeKalb County
d.b.a.
Decide DeKalb Development Authority

4. By our Authority rules, a development like this one, located as it is within a tax allocation district, requires extraordinary circumstances to qualify for tax relief. This development is actually subpar for what we have approved for incentives outside of TADs, much less within them. Establishing this one as extraordinary is another poor precedent.

5. When this proposal first came to the board, the argument was that its compliance with our housing requirements made it extraordinary. I disagreed with that assessment then, and now the developer has even reduced its compliance with our existing regulations. Not only does this continue to prove how un-extraordinary it is, but it also sets a problematic precedent for our own requirements.

6. I am very concerned by the developer's claim that it does not have the financial wherewithal to meet our housing guidelines, as well as the very low cost it would actually require. This is a \$200,000 impact on a \$180,000,000 proposal. A developer with such threadbare margins is a concern for the county.

7. While this proposal alleges a significant number of jobs, none of them are tied to the tax reduction. In other words, even if no jobs occur, the county has no recourse. There is no claw back mechanism. There is no way to reclaim the abatement if the promised employment fails to materialize.

8. Time is not, and never has been, of the essence for the developer in this matter. The developer took it to the Brookhaven DDA almost three years ago. Had time been of the essence, they would have continued there rather than begin the process all over again with us.

I thus move to table this discussion until existing concerns can be addressed.

Ms. Allison Gervertz, DCSB commented and noted that the DeKalb County School Board was unaware the meeting was taking place as well as a vote on the item and requested that the DCSB be notified and included pertaining to the matter.

Mr. Greenberg made a motion to table the vote. Ms. Mack McKenzie seconded the motion. The motion failed by a vote of 2-4, with only Mr. Greenberg and Ms. Mack McKenzie voting in favor. Ms. Coblenz then made a motion to approve Final Bond Resolution for Manor Druid Hills Project in a Principal Amount not to exceed \$180,000,000. Ms. Hanlon seconded the motion. The motion failed by a vote of 4-2, with Chair Bolia, Commissioner Patrick, Ms. Hanlon and Ms. Coblenz in favor, and Ms. Mack McKenzie and Mr. Greenberg opposed.

Mr. Gooch rejoined the meeting.

III. Discussion:

A. Affordable Housing:

Decide DeKalb has tasked Mauldin & Jenkins to conduct affordable and workforce housing provision compliance reviews yearly to ensure companies that have received tax incentives are complying. For 2022 M&J reviewed 4 developments.

Ms. Kate Russell, Mauldin & Jenkins, presented the 2022 report findings. From the report, Ms. Russell provided 2 findings with recommendations and next steps.

One of the next steps in response to the findings is that appropriate documentation is not being kept. In response, Mauldin & Jenkins will offer training to the property managers, ensuring they know what is needed to comply.

Development Authority of DeKalb County
d.b.a.
Decide DeKalb Development Authority

Ms. Russell was asked if steps are being taken to advertise the vacant affordable units that some of the properties had available. Developers will also receive training which will include how they can notify county employees to have access to information.

B. President's Report:

Mr. DeBarr presented the President's Report highlighting DDDA's current standing: 205 new jobs, \$5m in investment and 36 BRE visits.

In Business Development, the team hosted Leadership DeKalb Economic Development Day and Mr. DeBarr spoke on two panels: the State of Economic Development and The DeKalb Green New Deal.

The Advance DeKalb board retreat will be held this summer.

The WeDeKalb has returned, and the Decide DeKalb website has been updated and now includes robust program information that will eliminate a vast number of phone calls with questions regarding the program.

A copy of the full President's Report and all Fact Sheets presented to the Board are included in the meeting file.

The Decide DeKalb Development Authority Board Meeting adjourned at approximately 9:38 a.m.

Adopted by the Board in the meeting
of _____,
(Date of Meeting)

(Signature of Presiding Officer)