City of Sandy Springs Development Authority Meeting was held at Sandy Springs City Hall, 7840 Roswell Road, Building 500, Sandy Springs, Georgia, 30350, on January 28, 2016, at 8:30 a.m.

Call to Order

Chairman Chip Collins called the meeting to order at 8:35 a.m.

Board Members Present: Chip Collins, Gabriel Sterling, Jennifer Steele, Jimmy Glenn, and Craig Johns. Carla Sweetwood and Dave Nickles were absent.

Staff and Representatives Present: Staff Attorney Kathy Williams, Director of Economic Development Andrea Hall, City Clerk Michael Casey, Assistant City Clerk Kelly Bogner, and Bond Counsel Jim Woodward

Assistant City Clerk Kelly Bogner asked the Boardmembers to state their name whenever they speak to facilitate creation of the minutes.

I. Approval of Minutes from meeting held December 18, 2014

Motion and Vote: Jennifer Steele moved to approve the December 18, 2014, Sandy Springs Development Authority meeting minutes. Jimmy Glenn seconded the motion. The motion carried unanimously.

II. DISCUSSION REGARDING PROPOSED ISSUANCE BY CITY OF SANDY SPRINGS DEVELOPMENT AUTHORITY OF TAXABLE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED $80,000,000 IN CONNECTION WITH THE MILL CREEK LLC (6125 ROSWELL ROAD) MIXED-USE DEVELOPMENT PROJECT (Presentation by Jim Woodward, Bond Counsel)

Bond Counsel Jim Woodward stated he will discuss how the tax incentive structure works, explain the flow chart, and go through the numbers. This transaction is similar to the Gateway Project in 2014. The Authority provides a tax incentive transaction, which is something that is done quite often by the Development Authority of Fulton County within Sandy Springs and throughout the county. This incentive transaction helps companies approaching the Development Authority with a project with a certain amount of capital investment and job creation. The project should meet a certain criteria the Development Authority wants in order to receive a tax incentive. In order to obtain a lowering of the property tax, the Development Authority of Sandy Springs takes the ownership and title of the project at closing and through the term of the tax incentive. The Authority will then turn around and lease the property to the company for about thirteen years. The owner of the project no longer has the ownership interest, but instead has a leasehold interest. Under Georgia Law the fair market value of a leasehold interest is valued less than the value the property is owned at. The Fulton County Board of Tax Assessors has a standardized program which has been before the Supreme Court of Georgia several times. In Fulton County the leasehold interest for a tax abatement after construction is valued at fifty percent of what the ownership interest is. Therefore, the company will receive a fifty percent reduction in property taxes, which includes school, county, and city taxes. In year two, the value of that is fifty-five percent, so the company receives a forty-five percent property tax reduction. The amount increases five percent each year until the tenth year. Each year the company pays five percent more in taxes until the final year of the tax abatement. In the eleventh year, the company will pay the full property tax amount and then the ownership is transferred back to the company.

Council Member Gabriel Sterling asked if the original amount will be abated or the current amount, if in year three the value of the property increases from $160 million to $180 million.

Bond Counsel Woodward responded it will be the current value of the property that day. Every year the Board of Tax Assessors looks at the building to assess the value of the property. If the property was originally appraised at $80 million and increases to $100 million, in order to get the tax bill you would multiply by fifty percent of the fair market value. If the value is $100 million, multiply by forty percent to get the number to charge the millage rate on. For a tax abatement deal in year one, the number would be $100 million multiplied by forty percent and then multiply that by fifty percent. That is a moving number, since we do not know what the values will be.

Council Member Sterling stated if a recession occurs and the amount decreases in year seven to $20 million, the amount would be based on a percentage.

Bond Counsel Woodward stated that is correct. Georgia's tax abatement process is the same as five other states in the country. In order to have a tax abatement, there has to be a taxable industrial revenue bond issued in connection with this transaction. At the time of closing, whatever property is owned by the company, the project is built on the land and the Authority will lease the land back to the company for thirteen years. The Development Authority will issue a taxable revenue bond. The purpose of that bond is to buy the project from the company. The Authority issues the bond and then buys the project. The bond is not sold to the public, instead it is sold back to the company. The company has to gets its own financing. The bond is secured solely by the lease agreement. There is no liability to the Development Authority, City, or any of the Authority members. Every six months, when a lease payment is due, the company makes a rent payment to the Authority. This payment is equal to the principal and interest payment on the bond. The Authority then pays the money back to the company in the form of principal and interest payment for the bond. There is an agreement that the company is both the lessee and the bond holder. There are two reasons why a taxable bond is done for this type of deal. One reason is because every bond deal issued by a government has to be validated by the local Superior Court Judge. The local District Attorney for the court circuit will file an official complaint against the Development Authority and the company. That complaint will state the bonds are being issued and will include a bond resolution. The Development Authority and company will file an answer. A notice will be placed in the newspaper for a court date in two weeks. Lawyers will go before a judge and if no one shows up to oppose the bond issuance, the judge will sign the order stating agreement with the District Attorney, Development Authority, and the company. For the tax abatement, a revenue bond is required in order to to allow it to come before the Superior Court. The validation provides for transparency.

Jimmy Glenn asked if there are certain parameters to challenge the tax exempt status. He asked if it is an economically viable project, can one object to the tax incentive.

Bond Counsel Woodward stated anyone can challenge the bond issuance before the judge. The bonds and project will be authorized along with the security of the bonds.

Council Member Sterling asked about projects being authorized.

Bond Counsel Woodward stated this is whether the Development Authority has the power under their statute to do the project. Development Authorities cannot finance certain governmental projects such as city halls.

Chairman Chip Collins asked what other limitations are on the Authority.

Bond Counsel Woodward stated there is a lot of case law involving Development Authorities. The City's Development Authority is created under the Statutory Development Authorities Law. Every city in Georgia has the ability to create a development authority by adopting a resolution. The City created its Authority in 2006. The Development Authority of Fulton County is governed by the same laws. The authorization for the development authority law falls under a Constitutional provision that states the General Assembly can enact a statute to create Authorities that help promote trade, commerce or industry. There is a lot of case law that states a city hall does not promote trade, commerce, or industry.

Council Member Sterling asked if a convention center would fall under the trade-commerce category.

Bond Counsel Woodward responded yes, but it depends on the project. Infrastructure is governmental.

Chairman Collins asked if there is any requirement for residential and job creation. Some say it is a matter of policy and that there are enough apartments in Sandy Springs, so the Authority should not be incentivizing the construction of more apartments. He asked if that is a legal or policy concern for the City or Authority.

Bond Counsel Woodward stated the number of jobs being created for a certain amount of money invested is more of a policy decision. Some deals we work on have a very large capital investment and create fewer jobs, but they may be better jobs. It is up to the Authority when doing a tax incentive transaction while furthering the trade-commerce-industry.

Chairman Collins asked if construction of a new apartment complex fits under the broad term of improving trade-commerce. He asked if there is any case law on this.

Bond Counsel Woodward stated there is no case law on that. For apartment complex developments, he usually likes them to be combined with mixed use developments. An example of this would be store fronts with residential.

Council Member Sterling stated for a tax incentive apartments should not be done exclusively.

Jimmy Glenn asked if there are financial constraints on this tax abatement to have the schools and municipalities subsidized, as long as the Authority approves the tax abatement.

Bond Counsel Woodward stated the project will not be subsidized. but instead the Authority is providing a tax abatement, which results in a reduction in property taxes.

Jimmy Glenn stated the developer on this specific project will reap three quarters of the benefit of the tax abatement. As he understands this, the project is being built because the City is in competition with Fulton County, who is willing to give the developer a 100% tax abatement.

Council Member Sterling stated the City will receive a decent amount of money to go towards the road connection, which otherwise the City's taxpayers would be paying for.

Jimmy Glenn stated he does not mind if the developer gets enough compensation to offset their additional expenses and the City receives the rest in road improvements. His issue with this is the City is only getting a small portion of the money. He wants to completely understand the process. The Authority is having to do the tax abatement because of competition with Fulton County. He would like to know if the Authority can object to Fulton County issuing bonds. He does not want to see public money being given away on what is a completely viable project. The Gateway project was different than this project, because this project is in a prime location. He has a real problem with the City, but more so the schools, subsidizing a private development.

Craig Johns stated he thinks that Mr. Glenn is misunderstanding the point. The approval of the tax abatement will create value for this area of the City. This will be new taxes that are created on an $80 million property. If the property just sits, no money will be generated.

Jimmy Glenn stated he agrees. That is the mentality that was used regarding the Beltline project. In this case, the economic development would entirely take place.

Council Member Sterling stated Mr. John and Mr. Glenn are both right. This project will be built whether the Authority approves the tax abatements or not. If the Authority does not step in now, Fulton County will approve gibing the developer a 100% tax abatement. The Fulton County Development Authority has a huge staff for all the work they do. They do deals that he would not approve, because they have to do deals in order to pay for all the staff they have. The Authority is stuck in competition and there is no legal means to change that. He and Mayor Paul and others have reached out to the new Fulton County Development Authority Director. The Fulton County Development Authority will continue to find deals in the City of Atlanta and the Sandy Springs area. He wanted to move forward with this tax abatement earlier in order to get better leverage before the zoning was approved by Council.

Director of Economic Development Andrea Hall stated the approach the City staff took was to allow the rezoning to be approved and then approach the developer. The developer had already had a conversation with the Fulton Development Authority at that point.

Council Member Sterling stated the Fulton County Authority had already done another deal on Cheshire Bridge.

Chairman Collins stated we should clarify what the City is getting out of this deal. The City will receive $675,000 towards a road project, if the Sandy Springs Development Authority approves the tax abatement.
He asked what fee the Authority will receive.

Bond Counsel Woodward responded $100,000.

Chairman Collins stated we need to make sure we all understand what our mission is and instead of deciding if we like the project or not. He believes that is the frustration of a lot of the boardmembers. Other than the statutes that were discussed, he asked if the Authority has a charter or mission statement.

Jennifer Steele stated at the Development Authority Training the Authority's function was stated and it is pretty clear and concise.

Bond Counsel Woodward stated there is nothing specific to this Development Authority. The regulations are universally applied to all Authorities.

Chairman Collins asked if the City has the authority to state what they want their Development Authority to do.

Bond Counsel Woodward stated the Authority is a separate entity governed by the boardmembers.

Chairman Collins stated the Authority's primary goal is the promotion of trade, commerce and industry within the jurisdiction of Sandy Springs. The Authority is not incentivizing development, because the development gets done whether or not the Authority approves the tax abatement. The Authority is not promoting a new development.

Council Member Sterling stated the Authority is still promoting the development.

Bond Counsel Woodward stated this developer has investors and lenders and everything is ready to move forward with the approval of the project. In order to get the ok to purchase the land on December 2, 2015 for an $80 million project, they requested a tax incentive. The developer will be able to get a 100% tax abatement with Fulton County, if they choose.

Council Member Sterling stated on this project the density was decreased and their original underwriting of financials changed a lot. The developer was originally asking for about 420 units and that number was decreased to 341 units.

Bond Counsel Woodward stated in order to do this project and create the full number of jobs, the developer needs a tax abatement.

Council Member Sterling stated Council placed conditions on the zoning. The developer is building out all the retail space with higher end electrical and grease traps. This will allow a restaurant to be placed anywhere in the building, versus other developers that place that type of investment in only one corner of the building.

Chairman Collins asked if the tax abatement was part of the underwriting of the proforma. It is not correct to say what is planned right now will get done whether the tax abatement is approved or not.

Bond Counsel Woodward stated the developer gets as much money as they can borrow. If you take off whatever savings there will be for the tax incentive, the lenders and investors could suggest the developer reduce the project to make it work or sell the land. He has seen some deals where this has happened. He represents Development Authorities primarily, but sometimes he represents companies.

Chairman Collins stated under the Authority's criteria for promoting trade-commerce-industry, the potential benefit that will fit that criteria is the Authority is promoting a better project than what exists currently. A portion of those taxes will go towards the City for a road improvement and a fee that will go to the Authority.

Council Member Sterling stated that money has to be spent for economic development.

Jimmy Glenn asked if the Authority is obligated to approve the development at the tax abatement amount the developer will receive.

Bond Counsel Woodward stated the Authority will approve a not to exceed number of $80 million. This project is between $75 million and $80 million. The Authority does not obligate the developer to spend that amount of money on the project, but that is what the developer received lending for.

Jimmy Glenn asked if there is something tangible and in writing. Theoretically, the developer will take the tax savings and build a better project. The grease trap being built is purely for the benefit of the developer and that is controlled by economic conditions. He understands what others are saying and he appreciates that, but ultimately developers do what the market demands. He feels very strongly about using public money to subsidize developments. A good example is the development at Atlantic Station.

Council Member Sterling stated that was a Tax Allocation District (TAD).

Jimmy Glenn stated there was a similar project on 15th and 16th Street in Atlanta. The quality of the attached housing had to be reduced because of the recession, which ultimately hurt the development. To have a good quality development is very important. He understands both points of views, but he would still like to see something tangible. He sees a need for this tax abatement because of competition with Fulton County. He believes this area is a strong economically viable area.

Craig Johns asked if the Authority is also incentivizing the right builder to develop in this area. He asked if at some point the Authority is vetting the developer and making sure they have a good track record.

Council Member Sterling stated that is the idea. Council just approved zoning for the parcel next door to this one with Camden as the developer, but their density was decreased so much that even with the abatement they would get, they walked away from the deal. The reason a zoning is conditioned so much now is because there is no guarantee that the person you think will build it is going to build the project. In his opinion, the main issue is the City often times competes with Fulton County. The main reason the Sandy Springs Development Authority was founded was to help run the bonds for the financing of the diverging diamond interchange. The Authority also did private school projects to finance the bonds to help Davis and Weber. There was the REBA Grant for CBS for about $500,000. Then the City ran into an issue, because the State said the City needs to move Windsor Parkway. For that project he thought there was some way to use the Development Authority to try and get that money back. The moving of Windsor Parkway was going to cost between $4 million and $6 million. He wondered if there was some way to use the Development Authority for the developers JLB and Core Properties to try and get that money back. The Authority then came up with the idea of doing the PILOT, which was on the front end of the zoning and gave the Authority more leverage. The Authority received 67% of the abatement money back, which will pay for that road plus some. He has been discussing with the City Manager that the same thing needs to be done with the east/west connector road. Fulton County already has a deal will Mill Creek, so our Authority has no leverage, because Fulton County's tax abatement is for 100%. He asked Director of Economic Development Hall if she can begin discussions with developers earlier, rather than later.

Director of Economic Development Hall stated she looks for direction from this policy body on how to approach those deals.

Council Member Sterling stated Fulton County approved the Mercedes Benz tax abatement and the City received nothing. Mercedes has been a very aggressive company on what they want done. Staff and a few Council Members met with Mercedes and they are still requesting items, even after they have closed on the property. From his view this board should be opportunistic. Most places in Sandy Springs do not need the Authority for redevelopment. He does not want to underwrite something that will be built and the developer will make money anyways. If the City can get the right developer in the right place, then he would be agreeable to offering tax abatements. He would agree with redeveloping the Northwood area, which is a blighted area. That area needs better retail or even a small office complex. The Authority should be more opportunistic than mission statement driven. This was an opportunity to not have the Sandy Springs taxpayers pay for a large portion of the road improvement. This improvement will help everyone, including the schools and county.

Craig Johns asked if the City was going to redevelop the Boylston Road area, even if the Camden and Mill Creek developments were not in the area.

Council Member Sterling responded yes and no. The City Council previously adopted a road plan that states if there is redevelopment the City will work with the developers to get this street in somehow. The City purchased the land on both sides of the property and negotiated the deal for right-of-way and enough road to complete the development. Where the post office is located that will be the Boylston intersection straight out to where the new Bank of America building will be. The City was planning on building a road and buying it from the developers and forcing them to sell the road to the City. This was going to happen regardless if the developer is Mill Creek or anyone else. The City is trying to negotiate a deal that will give the City $1.2 million and result in $1.3 million that will go towards the road connection. The land by itself is costing the City about $800,000. The City is not paying for the entire road, but are paying for a large part of the road.

Craig Johns stated the value to him is something needed to be done with the roadway. He asked why zoning is approved before the Sandy Springs Development Authority approves the tax abatement before Fulton County.

Council Member Sterling stated in one particular deal the developer had already spoke to Fulton County and the City did not know where the zoning was going. This was a very conscientious zoning on the frontend. He wanted to do this leverage earlier but he could not get political will from everyone else because they were worried about the zoning. The JLB development the City knew the development would occur because of the Development of Regional Impact (DRI) and because City Council passed the street grid map. There was not an ability get ahead of the tax abatement being discussed today. He asked Director of Economic Development Hall if the City can be on the frontend of deals like this especially when there will be road connections.

Craig Johns stated this can be an example of why the Authority should collectively be more proactive when there is a development taking place in the City that will be advantageous to the Authority.

Jimmy Glenn stated regarding the economics of the deal regarding Camden that was just withdrawn.

Council Member Sterling stated the deal was not withdrawn it was sold to another developer.

Jimmy Glenn asked what was the reduction in the residential units.

Council Member Sterling stated he believes the number started around 350 units and it was decreased to 291.

Jimmy Glenn stated the developer may be saying that because the reduction in units, but a larger factor is the economic processes in place. There was a recent study done that all the residential units on the market are because millennials do not own homes. That whole study has been debunked. The millennials are just not moving until later and they all want to have home ownership. The economics is influx right now. It was not just the reduction in units that affected the developer it was market conditions. The other two developers that are building large projects in Sandy Springs are not comfortable as they were three to four years ago.

Council Member Sterling stated he agrees that the market is getting softer. On that particular deal he assumed the developer would walk away because he knew what the underwriting terms were. Camden lost three deals nationwide. Town of Brookhaven is a bizarre location for a development. The retail in the back was always going to fail and the developer was essentially giving parts of it away. It was an overdone not well thought through deal.

Jimmy Glenn stated he does not disagree at all. He does not think that the reduction in zoning is why the developer walked away from the deal. When moving forward with zoning the City Council should be very careful. Bringing transients into the City without a vested interest in what happened forty years ago when Foxcroft was the nicest apartment complex in the City. People usually do not redevelop multifamily projects they redevelop residential developments and upgrade them. If there is not an ongoing supply of millennials that will rent for new projects being built a problem that can occur if the demand softens.

Council Member Sterling stated on one level Mr. Glenn is correct. Multifamily residential should go in the proper places. The development that was recently approved by Council at "Pill Hill" is a huge development. There are 23,000 jobs in that area and there will be a total of about 600 housing units for the 22,000 jobs. The Authority is not subsidizing apartment units but instead doing something opportunistic to get the road done. The developer, North American, for the "Pill Hill" development is not asking for tax abatements from the City or Fulton County. That development would have had a hard justification for a tax abatement because they have an office and a coffee shop. The developer would have had a hard time saying that is real retail. The City is very cognisant of this. The 355 units next to the Mercedes Benz development was done for the whole deal to be functional and to have housing of all types near the office space. People often forget that the PCID has more office space than Charlotte, NC; Midtown Atlanta; or Downtown Atlanta. There has been no new office space in that area in about seventeen years. The City worked with Cox Enterprises to get people off the roads because of bad traffic. All the road connections were to help improve traffic. Cox Enterprises are paying people to use public transit. Air Watch is paying employees $60 a week not to drive, but they are still driving. Mayor Paul had a meeting with the Cox Communications Chairman and they have lowered the number of drivers to less than five percent. Having housing nearby the job is reducing the number of drivers on the road. He has been in meetings with developers that were proposing a large amount of density. Some developers are told it may be difficult to get four votes for that particular use. He has had four different apartment developers speak to him about the old Marshall's property. He responded saying that is not the proper use for the property. The City is cognisant of the community's concerns.

Jimmy Glen stated he is not being critical but instead is trying to bring in the conditions that are a much larger factor in decisions. He is not disagreeing or being critical of anyone.

Chairman Collins stated Mr. Glenn has cleared up the only constraints the Development Authority is working under. The mission statement which is pretty broad. Within that broad parameter he believes the Authority has wide discretion to go up or down on deals. The Authority should decide what their criteria is, which is probably not incentivizing redevelopment as number one, because Fulton County will approve just about any tax abatement deal. Any developer that needs a tax abatement approved they know they can go to Fulton County. It seems the number one criteria is what the benefit will be to the City. Here the City will receive about $675,000 for a road improvement. He asked what the difference is between this deal and the JLB Gateway deal.

Director of Economic Development Hall responded the difference is twenty-five percent.

Chairman Collins stated the authority needs to decide how much is enough. He asked if the Authority wants to only consider deals if the City is getting something and what is the threshold level for what the Authority is getting.

Craig Johns stated if the process is going through zoning and City Council and they decide a project is desirable, he asked what point does the Authority want to get in the way.

Chairman Collins stated zoning questions are different on what is good for the City. The Authority has a lot more discretion to say yes or no than the City Council.

Council Member Sterling stated if Fulton County will approve the tax abatement anyways should the Authority step up and say they would like to be involved somehow. An example is the blighted area in the north end of the City is a developer asked for a tax abatement for that. He would like to get some percentage back for the City, but maybe there is enough public policy rationale to do a deal by itself in two year. He does not want the Authority to set a policy on the front end saying we will not consider deals unless there are certain requirements.

Chairman Collins stated if Fulton County may approve a tax abatement why would the Authority care whether it is us or Fulton County. Any Authority receives a fee, but that is relatively nominal. It seems like there has to be something else the Authority is getting out of the deal if Fulton County will approve the tax abatement anyways.

Craig Johns asked where the line is drawn. He asked if the Mayor or a representative of the City has to attend every Authority meeting if they agree on the proposed projects in the City.

Jennifer Steele stated the Authority is independent of the City Council. She sees the Authority as a governing body that makes its own decisions.

Chairman Collins stated that is why the Authority needs to decide what our standard is. He asked if the Authority has ever not approved a deal that has come before it.

Jennifer Steele responded no. There was also the decline in the economy and there was not many proposed projects that were brought to the Authority. The Authority does have a positive portfolio which consists of two schools infrastructure and the JLB project that are all north of $200 million worth of redevelopment.

Council Member Sterling stated there was also the diverging diamond interchange the Authority began with.

Jennifer Steele stated that deal was expected to be a "one and done" because there was not a need for the Authority at that point due to economics and other parameters such as Sandy Springs being a new City. The Authority has an amazing portfolio that is pretty diverse. She asked if the Authority wants to focus on what they stand for and what their purpose.

Chairman Collins stated as a lawyer and being a prior City Councilmember there always needs to be a standard to abide by. He thinks the Authority should set some type of standard. Receiving a portion of money to go towards a project is a good standard. That may be all the Authority needs in deciding this particular project. Moving forward he would like the Authority to think about a standard. He thinks there is frustration about what the Board is required to do. Mayor Eva Galambos was fairly opposed to tax incentives in Sandy Springs. She thought Sandy Springs was good and strong enough on its own for development. It is his understanding that the Authority was created to be a vehicle to do the legal thing if a project came to the City such as the Gateway project and the diverging diamond.

Jennifer Steele stated there was also the REBA Grant the authority approved.

Chairman Collins stated unlike some Authority in a small county in South Georgia that they try to do anything to attract business to their county this Authority has a different purpose. He wants the Authority to agree that all they are are an entity to help the City facilitate things or are they something different and if so decide what that is. He would like the Authority to think about what they can proactively do. Fulton County markets throughout the County and this Authority is different because we only focus on Sandy Springs. The Authority has the ability to incentivize development. He asked if the Authority can pick a couple categories like redevelopment of the blighted apartments in the north end of the City or by the interstate. It may be something such as the message being relayed to the development community that the Authority is looking for more development deals.

Bond Counsel Woodward stated he does Development Authority training for the Carl Vinson Institute. He could do a condensed Authority training at a future meeting if they desire.

Chairman Collins asked Bond Counsel Woodward to help the Authority development ideas.

Jimmy Glenn stated he thinks everyone in the room is unhappy with the percentage of fees that will be received from this deal, but it had to be done or Fulton County would have received the deal. He asked if he is out of order to ask if staff can research what the Authority can do to contest Fulton County issuing bonds within Sandy Springs.

Bond Counsel Woodward stated there is nothing the Authority can do. Fulton County has the same power that the Sandy Springs Development Authority does.

Jimmy Glenn stated there is a two week time period where the tax abatement could be disputed. He was not just saying legally he was referencing politically. Mayor Eva Galambos would not have agreed to the tax abatements. He said instead of sitting quietly the Authority could bring it to the attention of the Atlanta Journal Constitution. Fulton County is making the Authority give away money.

Council Member Sterling stated he understands the rationale and thought process behind it. The City has reached a new level with the friends in Fulton County. We need them and their Development Authority. He does not know if the Sandy Springs Development Authority could have handled the Mercedes Benz deal, although he would have liked to. The Authority will need Fulton County to work with us in the future. If there is conflict with the County if could cause long term effects.

Jimmy Glenn stated he does not disagree. He does not understand the Authority process, but from this meeting he does not believe there is a cohesive idea of how to deal with the problem with Fulton County. He asked if the Authority can research this and come up with ideas.

Bond Counsel Woodward stated it would be more of a discussion with the Mayor and the Chair of the Authority.

Council Member Sterling stated now that the Fulton County Development Authority has a new director, Al Nash. There is somewhat of an agreement that Fulton County is not to do deals in Sandy Springs without speaking to the Mayor and staff first. There was another deal recently where a developer came to the City and requested tax incentives for apartments on a deal they just bought. Fulton County was about to approve the tax abatement and the Mayor was able to call and state the City does not approve of that and stop it.

Jimmy Glenn stated he has no idea these things are occurring. He asked that staff research the conflict issues between the Authority and Fulton County to look at what can be done. It would be great for the Authority and City Council to have an understanding about rezoning.

Council Member Sterling stated discussing zoning and tax abatements being discussed together there is potential gratuity issues.
Jimmy Glenn stated he understands that and the Authority does not want that to occur. That is why he asked for staff to research so that the Authority does not inadvertently do that. The Authority does have leverage through the zoning process.

Craig Johns stated if the Authority has a process it is hard to change the mission. If the Authority takes the mission and fine tunes it with specific targets and that is shared with the zoning boards and the City

Council that could help. Developers could speak to the Authority first prior to a redevelopment application.

Council Member Sterling stated the Authority does not have the large staff that Fulton County has.

Craig Johns stated if the Authority starts on the path of a mission statement that lists the objectives that would help.

Bond Counsel Woodward stated the next steps are an adoption of a bond resolution at the next meeting. The company has a ninety day window for the title insurance policy. If they move on the transaction in ninety days of December 2, 2015 the transfer of the title to the Authority there will be no additional fee to the company. If the date is outside of that the company will have to pay another title policy fee. The Authority needs to meet next week.

Chairman Chip Collins suggested a meeting date of Thursday February 4th.

Craig Johns stated he is out of town all next week.

Staff Attorney Kathy Williams stated Carla Sweetwood is out sick and should be able to attend the next meeting and Dave Nickles is out of town returning today.

There was a consensus to hold the next meeting on February 4, 2016 at 8:30 a.m.

Jimmy Glenn asked if staff can be authorized to get some assistance in order to develop a policy for the Authority.

Director of Economic Development Hall stated if the Authority is looking for policy related suggestions and how to address the Fulton Development Authority question the current staff can do that.

III. Other Business

Jennifer Steele asked if the City's website can be updated with current Sandy Springs Development Authority information.

Director of Economic Development Andrea Hall responded yes.

IV. Adjourn

Motion and Vote: Craig Johns moved to adjourn the meeting. Jennifer Steele seconded the motion. The motion carried unanimously. The meeting adjourned at 9:48 a.m.

Date Approved: February 4, 2016

Chip Collins, Chairman

Michael Casey

Michael Casey, City Clerk