



**BOARD OF MAYOR AND COMMISSIONERS (BOMC)  
JOINT SPECIAL CALLED WORK SESSION  
WITH THE DOWNTOWN DEVELOPMENT AUTHORITY (DDA)  
March 12th, 2018  
5:30 p.m.**

**MINUTES**

Members Present: Jonathan Elmore, Mayor  
Brian Fisher, Mayor Pro Tem  
Adela Yelton, Commissioner  
Lionel Laratte, Commissioner  
Lisa Shortell, Commissioner  
Dave Deiters, DDA Chair  
Sam Collier, DDA  
Jennifer Joyner, DDA  
Matt Delicata, DDA  
Allen Kim, DDA  
Rachel Herzog, DDA

Staff Present: Ken Turner, Finance Director & Interim City Manager  
Gina Hill, City Clerk  
Keri Stevens, City Planner

Item No. 1 Meeting Called to Order

Item No. 2 Adoption of Agenda

- Commissioner Shortell moves to remove Item No. 8 from the agenda. Mayor Pro Tem Fisher seconds. All ayes.
- Commissioner Laratte moves to adopt the amended agenda. Commissioner Shortell seconds. All ayes.

Item No. 3 Welcome and Team Avondale Update  
Mayor Elmore clarifies that Team Avondale includes the citizens, DDA, BOMC, and other boards and committees. Commissioner Yelton adds that is a way of working together as a team. Some members of the team may be assigned a specific task as a way to get things done more efficiently.

Item No. 4 **Ken Bleakly Report on the City-Owned Four Acres in Downtown**  
The City hired the Bleakly Advisory Group to do an analysis of development and financing options for the City-owned four acres. Mr. Bleakly will present his findings.

Jonathan Gelber, Vice President of Bleakly Advisory Group, presented results of their study of the status of Avondale's Tax Allocation District (TAD) and the development potential and financial feasibility of the City-owned four acres in downtown. Mr. Gelber explained how TADs work and gave an overview of the research they did into the City's TAD as part of their study. He said the value of the TAD has been flat for the past decade with a current value of \$12.9 million, \$600,000 lower than it's original value. He says the TAD is a little "underwater" but should be earning money soon. The TAD is in good standing and he does not recommend any changes.

The group also evaluated concept 9 -- that was chosen by residents as the most preferred -- for the City-owned four acres downtown. After meeting with BOMC and DDA members, they determined the goals of the property were character goals in regards to scale, businesses, etc. and fiscal goals, such as recovering costs and generating TAD revenue. The more dense the development, the more revenue generated. Mr. Gelber said the City needs to decide where they want to be on that continuum. He says the time and location for development on that property are both good but some challenges remain such as parking. Several scenarios were presented and their pros and cons were discussed. The conclusion is that moderate to higher density is required to offset costs of building the park and a well done development will trigger more development surrounding it. Mr. Gelber said they did not analyze how much it would cost to provide services for any residents of the area. There was discussion about keeping locally-owned "mom and pop" businesses and how rising real estate costs could drive them away. Mr. Gelber suggested visiting places like downtown Duluth and Norcross where there are TADs and recent developments.

**Next Steps:** Mayor Elmore says nothing will be resolved in this meeting and that everyone involved would need time to consider and analyze the information.

Item No. 5

**Intergovernmental Agreement (IGA) Between the Board of Mayor and Commissioners (BOMC) and the Downtown Development Authority (DDA)**

The IGA expired at the end of 2017. The BOMC and DDA are in the process of executing an IGA to govern the relationship moving forward in 2018.

Commissioner Yelton had compiled comments from BOMC members about the draft of the IGA. Mayor Elmore previously discussed those comments with Dave Deiters, Chair of the DDA. Mr. Deiters made changes to a previous IGA for the Board's review and said there were a few items that would require more discussion. Those include the ArtLot, using the Downtown Master Plan (DMP) as the DDA's guide, suggesting updates to the DMP as needed, contracting with an events coordinator, and clarifying the name of the Avondale Estates Business Association

(AEBA). There was discussion around reports. Mr. Deiters suggested that the DDA do quarterly reports instead of monthly and commented that the success of some events cannot entirely be measured. DDA member Allen Kim urged that focus be placed on attracting new businesses as opposed to just growing current businesses. There was more discussion about events creating "buzz" which is something that cannot be quantified. DDA member Rachel Herzog says other business owners that don't benefit from special events still appreciate money being invested in the area in areas like landscaping. David Burt, a DDA consultant, mentioned that events need to be looked at on a regular basis to make sure they still work for the community and businesses. There was a consensus for the AEBA to put forth a best effort to collect foot traffic reports and other feedback from businesses following events. Mr. Deiters says the DDA will continue to do an annual report. There was a short discussion of the DDA's ability to buy and sell property but only with the BOMC's approval. Commissioner Yelton requested the IGA contain language about the BOMC and DDA sharing costs of downtown infrastructure and there being project-specific IGAs for DDA endeavors. Some members of the DDA pointed to state law that makes the DDA an independent authority. A couple of residents requested that the DDA repay the BOMC for money allotted to them in the 2018 budget.

**Next Steps:** Dave Deiters and DDA Co-Chair Sam Collier will incorporate discussed changes into the draft IGA and return it to Commissioner Yelton for Friday, March 16<sup>th</sup>. The goal is to have a final draft to review at the BOMC work session March 21<sup>st</sup> and then vote on it at a special called meeting.

Item No. 6

### **Discussion to Amend DDA Boundaries**

The DDA has a designated geographical area in which to operate. Currently, US 278 is not within those boundaries. Any amendments to the DDA's area will require a resolution by the BOMC.

Mayor Elmore says he has no problem with this but wants to hear from the City Attorney about any potential unintended consequences. Dave Deiters says City staff is also looking at other parcels that may make sense to include. Staff will come back with recommendations. Allen Kim clarified that the move was so the City could access future DDA funds to help with the redesign of US 278I.

**Next Steps:** Await the opinion of the City Attorney on this matter. Members of the DDA will meet with City Planner Keri Stevens to discuss including other properties in DDA boundaries. The goal is to have this done by the April BOMC work session.

Item No. 7

### **Discussion of DDA/Main Street Board Membership**

The current DDA is interested in naming Dave Deiters as its Chair and bringing Commissioner Lisa Shortell on board to fill an empty seat.

This change would require Dave Deiters to be moved from a resident member of the DDA to one with an economic interest in downtown revitalization. This would allow Commissioner Shortell to fill a resident seat on the DDA. Mr. Deiters says this is a move recommended by the DDA's attorney. The attorney, Jim Monacell, says the way the state law is written, the purpose was to give DDAs flexibility in how they interpret someone's "economic interest". That interpretation impacts a person's eligibility to serve on the DDA and in what capacity. DDA member Matt Delicata says he was the only member to vote against the change. He adds that he is wary of having a BOMC member on the DDA and the potential impact on their independence. He is also reluctant to say the location of Mr. Deiter's home qualifies him as someone with economic interest in the downtown. Commissioner Shortell feels there are pros and cons to her being a member of the DDA. She says it could improve communication between the two groups. On the downside, she would not be able to take on a lot of responsibility with the DDA and she may be forced to vote on issues that would negatively impact the BOMC. Mr. Deiters supports Commissioner Shortell joining the DDA. Commissioner Laratte doesn't see a compelling reason. Mayor Pro Tem Fisher cited concerns but also ways it could help the City. DDA member Rachel Herzog says she voted in favor of the move but that the arrangement might not always be appropriate for the DDA and she didn't want it to take away opportunities for other residents and business owners to be involved. DDA member Jennifer Joyner agreed that it should not set a precedent. Mr. Deiters also noted that Commissioner Shortell's knowledge of the Downtown Master Plan would be an asset to the ADA. Commissioner Yelton supports the move. Two residents spoke out against changing Mr. Deiters' seat to one of economic interest. Allen Kim says he sees value in having Commissioner Shortell on the DDA but would also support having another business owner instead.

**Next Steps:** This will be voted on at the next BOMC's next regular meeting.

Item No. 8

**Discussion of Avondale Estates Establishing MARTA Station Shuttles**

This item was moved from the agenda.

Item No. 9

**Discussion of Developer Pre-Application Conferences to Include Representatives from Other Boards & Committees**

Initial meetings with developers interested in working in Avondale Estates have historically taken place with City staff alone. The BOMC will discuss including representatives from other boards and committees – such as the DDA, Planning and Zoning Board, and Architectural Review Board – in these pre-application meetings.

Mayor Elmore supports this. Matt Delicata, a developer on the DDA, says in his professional opinion, he wants to meet with City staff first although he has seen it done other ways as well. He added the more clarity a developer can get early in the process, the better. Commissioner Shortell

says she is the one to originally bring up the subject and that there should be a way to get all the various boards on the same page early on when a developer approaches the City with a large project. City Planner Stevens feels like the process could be streamlined but that different developers want different information initially in the process. She adds that having a PD agreement with a developer means that they can request anything above and beyond zoning and makes for many unknowns until the end of the process. Interim City Manager/Finance Director Ken Turner noted that meeting with representatives from many boards in the beginning could be intimidating to developers. DDA Co-Chair Sam Collier notes that under the current system opportunities are missed by the City to let developers know what we want. Mayor Elmore says leaders should not be negotiating every deal with developers – what they can and can't do should be clear in zoning. Mr. Delicata offers that more sophisticated cities have all the information that developers need available online. DDA consultant David Burt felt that using PD's is not efficient and can affect what developers are willing to pay for land. He also says that when rules are not clearly stated it can be unsettling for a developer. He adds that when everything is negotiable, letting one builder do something but not another builder can put the City on shaky legal ground. Residents suggest the BOMC meeting with all the various other boards, the BOMC move forward with having zoning reworked, and that board representatives meeting with developers before any drawings are done.

**Next Steps:** City Planner Stevens will get a quote and timeline from Calfee Zoning for rewriting the zoning code per their audit. She will also consider ways to streamline the process when developers approach the City about a project.

Item No. 10

**Georgia Transportation Infrastructure Bank (GTIB)**

Eighty percent of the cost associated with redesigning US 278 is being paid by the Atlanta Regional Commission's Livable Cities Initiative (LCI). The City is responsible for the remaining 20% of the cost. City staff found a grant program that could help with that share. The program is through the Georgia Department of Transportation (GDOT). Staff has confirmed with both GDOT and the Atlanta Regional Commission that this is an eligible use of funds. A resolution is required as part of the application packet which is due on March 22nd.

City Planner Stevens says this grant could potentially reduce the City's cost for the US 278 redesign from \$1.1 million to \$110,000. The BOMC thanks her for bringing the grant to their attention.

**Next Steps:** The BOMC will sign a resolution showing support of the grant application which will be submitted by City Planner Stevens.

Item No. 11

Adjournment

Mayor Pro Tem Fisher moves to adjourn. Commissioner Laratte seconds. All ayes.

APPROVED THIS 23<sup>rd</sup> DAY OF APRIL 2018



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Jonathan Elmore, Mayor

ATTEST:



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Gina Hill, City Clerk