



## Commission Meeting

May 16, 2023

### AEDA IGA Rail Spur Termination

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| <b>Department:</b> | Administrator's Office  |
| <b>Presenter:</b>  | Cal Wray  |
| <b>Caption:</b>    | Motion to <b>approve</b> a resolution authorizing the termination of an Intergovernmental Agreement between Augusta Economic Development Authority and Augusta-Richmond County, as well as consenting and agreeing to AEDA submitting an application for funding under TIA Band I, not to exceed \$13 million, directly to DOT and entering into an Intergovernmental Agreement (IGA) agreement directly between AEDA and DOT. <b>(Approved by Engineering Services Committee May 9, 2023)</b>  |
| <b>Background:</b> | <p>On October 24, 2022, the Commission adopted an "Agreement for Design, Construction and Financing of Rail Spur" and Application (the "Application") by Augusta, Georgia ("Augusta") to the Georgia Department of Transportation ("DOT") referred to in the Agreement. The Agreement has been executed and is an intergovernmental contract between Augusta and the Development Authority of Augusta, Georgia ("AEDA") for the use of funding under the Georgia Transportation Investment Act of 2010, O.C.G.A. § 48-8-240, et seq., as amended for a project consisting of the construction of a 1.3-mile rail spur connecting the Augusta Corporate Park to the Norfolk Southern rail line. The Agreement contemplated that the Application would be prepared by AEDA for execution by Augusta, and would be Augusta's application to DOT for the funding. Since then, Augusta's Engineering Department (AED) has recommended that, instead, AEDA submit the Application directly to DOT and that the resulting contract be between AEDA and DOT.</p> <p>The Mayor, Clerk of Commission, Finance Director, General Counsel, and all other proper officers and agents of Augusta, Georgia are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents requested by AEDA as may be necessary to carry out and comply with the provisions and intent of this resolution.</p> |
| <b>Analysis:</b>   | AED and AEDA request that the Agreement be terminated and that Augusta consent and agree to AEDA moving forward with design, construction, and financing of the project, including, without limitation, submitting an application for funding under TIA Band I not to exceed \$13 million directly to DOT and entering into an Intergovernmental Agreement directly between AEDA and DOT.   |

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| <b>Financial Impact:</b>                              | TIA Band I not to exceed \$13 million.   |
| <b>Alternatives:</b>                                  | Do not approve a resolution authorizing the termination of an Intergovernmental Agreement between Augusta Economic Development Authority and Augusta-Richmond County, as well as consenting and agreeing to AEDA submitting an application for funding under TIA Band I not to exceed \$13 million directly to DOT and entering into an Intergovernmental Agreement (IGA) agreement directly between AEDA and DOT. |
| <b>Recommendation:</b>                                | Approve a resolution authorizing the termination of an Intergovernmental Agreement between Augusta Economic Development Authority and Augusta-Richmond County, as well as consenting and agreeing to AEDA submitting an application for funding under TIA Band I, not to exceed \$13 million, directly to DOT and entering into an Intergovernmental Agreement (IGA) agreement directly between AEDA and DOT.      |
| <b>Funds are available in the following accounts:</b> | N/A  |
| <b><u>REVIEWED AND APPROVED BY:</u></b>               | N/A  |