



**CITY OF FOREST PARK  
DEVELOPMENT AUTHORITY REGULAR MEETING**

Wednesday, July 26, 2023 at 5:30 PM  
City Hall-Council Chambers

**Website:** [www.forestparkga.gov](http://www.forestparkga.gov)  
**Phone Number:** (404) 363.2454

**ECONOMIC DEVELOPMENT**  
745 Forest Parkway  
Forest Park, GA 30297

**MINUTES**

**Billy Freeman, Chairman**  
**Alvin Patton, Vice Chairman**  
**Felicia Davis, Member**  
**Hector Gutierrez, Member**  
**Bennett Joiner, Member**  
**Victoria Williams, Member**  
**Rhonda Wright, Member**

**MEETING NOTICE:**

*CDC requirements of masks and social distancing will be adhered.*

**CALL TO ORDER/WELCOME:**

Vice Chairman Alvin Patton called the Development Authority meeting on July 26, 2023, to order at 5:38pm.

**PRESENT:**

Billy Freeman, Jr.  
Alvin Patton  
Felicia Davis  
Hector Gutierrez  
Bennett Joiner  
Rhonda Wright

**ALSO PRESENT:**

Ricky L. Clark, Jr., City Manager  
Councilwoman Kimberly James  
Kirby Glaze, Development Authority Attorney  
Bobby Jinks, Public Works Director

LaShawn Gardiner, Planning & Community Development Director  
Bruce Abraham, Economic Development Director  
Charise Clay, Economic Development Staff Assistant

### APPROVAL OF MINUTES:

#### 1. Approval of June 21, 2023 Meeting Minutes

Bennett Joiner made a motion to approve the June 21, 2023, meeting minutes. Rhonda Wright seconded the motion. Motion approved unanimously.

### OLD BUSINESS:

#### 2. Update: 850 Main Street Construction

Chairman Freeman delivered the update:

- He informed the board that upon his observation of the Development Authority's current financial standing, it is his recommendation that the board does not move forward with the project. Mr. Clark agreed with the Chairman's recommendation based on the authority's current financial standing and offered the solution of putting out an RFP for individuals to submit conceptual renderings, background, and financial information to the authority to develop the property. He said the RFP could be ready to market as early as the end of the week and be placed on the market for 30 days. Mr. Clark also noted that if Chairman Freeman would like to develop his own community, he recommends that he recuse himself from any further discussion on property development.

Felicia Davis made a motion to take the recommendation of the city manager and create an RFP for the project all the way through permitting based on the renderings the DA currently has. Hector Gutierrez seconded the motion. Motion approved unanimously. (Chairman Freeman recused himself from the vote.)

#### 3. Update: 696 Main Street A/C

Chairman Freeman delivered the update:

- There have been many attempts to repair the A/C unit but due to the age of it, an overall replacement is needed. He gave the board 2 quotes for the replacement, one for \$182,352.00 and the other for \$90,500.00. The costs may increase by retrofitting the building for the new system. Mr. Glaze informed the board that an intergovernmental agreement between the DA and the City for the City's use of that building would be appropriate. Mr. Clark noted that if the City decides to invest in the building through the A/C replacement, he would prefer that the City purchase the building.

Felicia Davis made a motion to table the replacement of the A/C unit until the Chair negotiates with the City about the future management of the building. Hector Gutierrez seconded the motion. Motion approved unanimously.

### NEW BUSINESS:

#### 4. Update: Kroger Pilot Payment

Kirby Glaze delivered the update:

- During the Kroger Pilot Payment transaction, there were several other transactions happening simultaneously. The Urban Redevelopment Authority was designated as the redevelopment entity for the redevelopment of Fort Gillem, now Gillem Logistics Center. The URA negotiated an acquisition of land at Ft. Gillem from the Army. There was a private development company working as the master developer charged with finding companies to locate to the development. Kroger agreed to build their facility at Gillem Logistics Center. Kroger requested a tax abatement from the authority as an incentive to relocate. Tax abatements are set up by a property being placed in the name of an authority that is tax exempt and leased back to a tenant. Because the property is owned by the authority, the property is tax exempt from city,

county, and board of education taxes. The bond attorneys and financial advisors at that time informed the URA they couldn't conduct the requested tax abatement. The Development Authority conducted the transaction instead. Simultaneously as this transaction occurred, the URA borrowed funds to be used to purchase the land to begin the development in general; a portion of which was to be sold to Kroger. Funds were also borrowed for additional improvements to the property in hopes of attracting other developers. In order for the URA to borrow those funds, the authority entered into an intergovernmental agreement with the URA, Development Authority, and the City of Forest Park. The City said they would pay the URA loans, if the authority didn't have sufficient funds to make the loan payments. When the Kroger transaction closed, in return for this authority doing the tax abatement, Kroger agreed to make payments in lieu of taxes to the DA. In turn the DA and the City entered into an intergovernmental agreement that moved the pilot payments from the DA to the City for redeveloping the property. In the agreement between the URA and the City, annually the URA is to file a report with the City as to what funds had been expended, lingering obligations, etc., so the City would know their potential liabilities. In the agreement between the DA and the City, the City agreed to put the pilot payments into a different account, used only to pay for the City's redevelopment expenses at Ft. Gillem. Recently when the authority passed the pilot payment to the city, the Chairman requested an account of expenses that have been paid over the years.

#### 5. Process for placing items on agenda

Charise Clay delivered the update:

- There isn't currently a formal process for adding items to the agenda. Normally the Chairman, DA attorney, and Economic Development Director offer topics that need to be included on the agenda. Mr. Glaze informed the board of the *general rule* that only board members and staff members are able to suggest agenda items. The law requires that the agenda be available prior to the board meeting. Members have the option of designating a timeframe for which they'd like the meeting items delivered. Reminding them that the public receives notice of meeting documents when the board does. Currently, the meeting agenda is published 48 hours before the meeting. If the board chooses to do so, Kirby can prepare a written policy for the board's review. The board agreed to submit agenda items by the 3<sup>rd</sup> Wednesday of each month for the monthly board meeting. The board would also like to add the Economic Development updates back to the agenda.

#### 6. Future DA property uses

Bruce Abraham delivered the update:

- The Triangle Property was sold to Mr. Steve Bernard. Mr. Bernard has not broken ground on the property as of yet. A buyback clause was placed in the agreement. Mr. Glaze informed the board that he met with Mr. Bernard, his attorney, and Director LaShawn Gardiner of Planning & Community Development regarding their plans as it relates to the water authority and the permitting process. At that time most of the hurdles with permitting had been resolved. Director Abraham recalls the most recent hurdle for the development is drainage issues with Clayton County Water Authority. Mr. Clark informed everyone that he recently spoke with Mr. Bernard about the drainage issues and got him in contact with someone at the water authority and determined the hurdle in fact was not with the water authority. Mr. Bernard previously asked the board for an extension and Kirby will retrieve previous records of the transaction.
- Zaxbys has the project all the way up to permitting. The group went to the water authority for assistance with the requested underground retention facility. The water authority disclosed that the retention facility could cost upward of \$400,000. Zaxby's noted that that cost is an unexpected expense, and they couldn't afford to accomplish it on the project site. Mr. Abraham said during negotiations Zaxby's corporate refused to agree to a buyback clause. The selling of the franchise on Wall Street also contributed to the delay of the project.
- A 1.5-acre lot on Main Street was sold for \$300,000 to a developer for the purpose of building townhomes. 25-30 townhomes are expected to be built. The project is reportedly being held up due to meeting

standards of the Clayton County Water Authority. There have been issues with keeping the property maintained/ landscaped because of this. The City's Code Enforcement has been notified to ticket the property if the grass continues to grow past the city's recommended standards. Mr. Abraham in the past used the authority's contractor to cut the grass. The developers recently repaid the authority through a \$900 check for those services. A buyback clause was not included in this agreement. Mr. Clark instructed Ms. Gardiner as a directive to have Code Enforcement issue a citation every time the grass is above the minimum standard. The developer offered the option of buying the property back for \$600,000.

7. Possible Sale of 696 & 850 Main Street

8. Insurance Coverage for DA Members

Kirby Glaze delivered the update:

- He informed the board that the authority does have insurance. There is a Directors & Officers policy that the authority pays around \$2,400 annually. There is about \$1,000,000 worth of coverage for any claims made against them for actions taken as a board member. The policy is under the same company as the city's insurance policy.

**EXECUTIVE SESSION:** (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate)

**ADJOURNMENT:**

Felicia Davis made a motion to adjourn the meeting at 7:07pm. Bennett Joiner seconded the motion. Motion approved unanimously.

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.