

JULY 6, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Matt Fuller (virtual)
City Commissioners: Jon Howard, BJ Fletcher Chad Warbington and Demetrius
Young
City Attorney: C. Nathan Davis
(Virtual participant: Bob Langstaff, Jr.)
Interim City Mgr.: Steven Carter

Mayor Dorough called the meeting to order at 8:31 a.m.

SPEAKER APPEARANCES

1. Henry Mathis referred to the recent budget that was adopted and addressed issues relating to not recognizing the need to use federal funding set forth by the Biden Administration as noted. He asked what constituents the Commission were listening to when the vote was taken and mentioned several shovel ready projects that were ready. He asked why SPLOST funds were not used, why funds are not being put in E. Albany, i.e., City recreation, the former City Manager was allowed to close the only public gym left open in E. Albany and, will the budget be amended to support a set aside so that some of the \$10 million will assist r communities of color, adding that the County set aside \$17 million for future planning. He suggested that the majority are not representing the people adding that the garbage contract will go up and asking if a vote will be taken to allow for primary elections, etc.

In reply to Commissioner Howard, Mayor Dorough stated that Finance Director Derrick Brown will speak later at the meeting and suggested holding comments until then.

In reply to Commissioner Fletcher, Mr. Carter commented on recreational parks (Henderson Gym and Turner) that are currently open.

In reply to Commissioner Young regarding Thornton Gym, Mr. Mathis stated that the Thornton Gym pool is not very deep, and adults cannot swim there, adding that Driskell Park is being renovated with SPLOST funds. Commissioner Young mentioned County funds that are set aside to be used from the American Recovery Act with Mr. Mathis stating that the County has demonstrated leadership by setting the \$17 million to be used for those underserved as pandemic relief, etc. He asked the City Commission to bring a plan to address the \$10 million and noted the 5-2 vote to put in the budget the estimated \$315 million for the sewer project.

Mayor Dorough agreed with the comments of Mr. Mathis regarding recreation and decisions made years ago, adding that a recently commissioned master plan will identify the need for recreation facilities in E. Albany.

Mr. Mathis asked Mayor Dorough if he will lead the City in amending the budget to address the \$10 million and setting aside some of the funds.

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2. Anthony Seay – was not present

3. Michael Harper stated that he is present to speak on the Biden Rescue Plan, which was based on observations by institutions outside of Albany/Dougherty County with Albany getting \$20 million and Dougherty County getting \$17 million. He noted that no money is set budgeted for the suffering of the people in Albany due to the pandemic and mentioned the five Commissioners who voted in favor of not putting funds for the people to relieve some of the suffering. He stated that there was a protest and meetings that were held to hear input from citizens, however it was peaceful, and no laws were broken and asked the Commission to consider the Biden Rescue Plan to relieve the pain and suffering of people in Albany. Regarding funding to address the sewer, he said he has heard there will be no more money coming to relieve suffering and asked that the Commission consider setting monies aside for the people.

A brief discussion followed with Commissioner Fletcher commenting on the use of funds, the Commission caring for citizens and comparing Albany's water issues to the situation in Michigan a few years ago. She advised that in 2025, if the infrastructure is not repaired, the City faces potential fines of \$50,000 per day. Mr. Harper countered that using the entire \$20 million and not including monies for citizens who were impacted by the pandemic speaks volumes and results in Commissioners appearing to not care for the community. Commissioner Fletcher mentioned past Commissions ignoring the critical issue of the sewer, adding that this body has no other options than to comply with EPD's mandates.

Commissioner Young agreed with Mr. Harper, adding that prioritizing always indicate what is of greatest concern and what someone cares about, adding that people, not understanding the conditions/suffering of the Black community created disparities, which was recognized by the President. He mentioned information that he has seen that could have funded the sewer project by prior Commissioners, adding that now is the time to prioritize and use funds to assist, repair the community (businesses that have not recovered), etc., ways that monies could be used, suggesting that a plan be in place for future pandemics.

In reply to Mayor Dorough, Mr. Harper stated that those shouting 'Bo must go' was appropriate if that is their opinion, adding that he would not have done that. Mayor Dorough asked Mr. Harper if he is affiliated with SOWGA Rising; Commissioner Young called for a point of order and stated that the questions of the Mayor are not relevant to Mr. Harper's discussion of the American Rescue Plan. Discussion followed regarding the need to take a vote to prohibit the Chair from asking Mr. Harper questions with Commissioner Young clarifying that the questions have no relevance to what Mr. Harper spoke on. Mr. Davis opined that taking a vote is at the discretion of the Mayor. Mayor Dorough asked if SOWGA Rising was requesting funding with Mr. Harper stating that they were not.

MEETING DATE CHANGE

Barry Brooks, Asst. to the City Manager, briefly discussed information (copy on file) regarding a State Legislative Committee Hearing on Redistricting from 5-7 pm on Tuesday July 27 which

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conflicts with the regular business meeting and the request to reschedule that meeting.

Mayor Dorough suggested that if there is a majority of those wanting to attend the meeting the regular meeting can be rescheduled and, following a brief discussion, the consensus was to reschedule the meeting to Wednesday, July 28, 2021, with the Clerk advising that there will need to be a special call meeting on July 20th to vote on the meeting change.

MASK MANDATE

Mayor Dorough briefly commented on the mask mandate that was put in place last year due to COVID-19 and whether the mandate should remain in place.

Commissioner Howard suggested keeping it in place; the rest of the Commissioners with the exception of Commissioner Young, suggested following the lead of Dougherty County and removing the mask mandate. In reply to Commissioner Young, Mayor Dorough briefly commented on practicality vs. medical reasons regarding the CDC's recommendation (not required by those who are fully vaccinated), adding that he does not have medical data at this time and asked that someone obtain recent statistics regarding COVID numbers. Mr. Carter stated that he can provide the information. Mayor Dorough asked to add this to the special call meeting on July 20.

ESTABLISHMENT OF THE JUNETEENTH HOLIDAY

Mr. Carter discussed information (copy on file) and asked that consideration of an additional City holiday – Juneteenth - be added to the list of holidays that are recognized by the City of Albany. He also asked that the City partner with a group/organization celebrating Juneteenth.

In reply to Commissioner Howard, Mr. Carter recommended an educational format to educate people on the significance of Juneteenth.

In reply to Commissioner Young, Mr. Carter stated that a vetting process will be done to determine which organization the City can support.

Mayor Dorough asked if the DYOT (do your own thing day) can be substituted for Juneteenth and stated his concerns. Mr. Carter stated that this is a possibility and gave his concerns regarding other recognized holidays that City employees do not have. Mayor Dorough asked for a background of the DYOT and how long this has been in place.

Commissioner Howard asked for the contact numbers of organizations participating in Juneteenth with Mr. Carter stating that he will provide.

GDS ASSOCIATES MEAG POWER ANALYSIS PROJECT REPORT

Using a power point presentation, (copy on file) Asst. City Manager Ken Stock deferred to GDS's

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principal, Ernesto Perez and Erin Shealy. Mr. Perez and Ms. Shealy discussed: 1) current power supply arrangements since 1975; 2) power agencies in the United States; 3) timeline of Albany's contracts with MEAG (1975-2011); 4) projected debt service obligations to MEAG (2020-2062); 5) General Industry Trends (low growth/electricity usage and transition to a cleaner grid); 6) load requirements (capacity/demand and energy); 7) capacity resource mix (historical & forecasted); 8) energy resource mix (historical and forecasted); 9) net market interchange; 10) net market vs resource generation costs; 11) MEAG Member rate comparison; 12) load duration curve; 13) load duration status quo; 14) type of resource needs; 15) contract flexibility and self-supply and 16) power supply planning considerations.

In reply to Commissioner Howard regarding extra costs in the contracts, Mr. Perez stated there could be extra costs regarding membership, incorporation of resources, etc., adding that if there are any additional costs beyond that, he is not aware of it. Commissioner Howard asked if the City could get out of the contract with Mr. Perez advising that the membership term is 2054 and unless there were termination provisions originally, there are no means for the City to be relieved of its obligation to MEAG.

Mayor Pro Tem Fuller mentioned the coal plants that will retire, asking if they are currently in operation. Mr. Perez agreed, adding that one is a coal plant and one is nuclear. In reply to Mayor Pro Tem Fuller regarding use of electricity, Mr. Perez stated that additional information can be provided. Mayor Pro Tem Fuller commented on the length of contracts and asked if 50-year contracts are common, with Mr. Perez agreeing, adding that it was standard during original contracts. Ms. Shealy stated that the 1975 contract was initially for 50 years and set to expire in 2026; the 2005 contract extended the contract date, etc., adding that in 2008 and 2014, it extended the City's 50-year term, with the first 20 years of the 50 being allocated to JEA (Jacksonville Electric Authority) and it then comes back to the City for the remainder of the contract term. Regarding debt service (slide 7), Mr. Perez clarified the transition after the 20 years, i.e., the debt service comes back to the City; as well as the principal and interest. In reply to Mayor Pro Tem Fuller, Mr. Perez explained that payments will become due from the City starting in the early 2040's. Mayor Pro Tem Fuller asked if additional payments will be due; Mr. Perez concurred.

In reply to Commissioner Warbington, Mr. Perez explained the process to take on additional obligation in 2040 unless there is another buyer that will assume the City's debt. Commissioner Warbington commented on the decrease in energy usage due to energy efficiency and asked if Albany's decrease in usage/power is due to a decline in the number of customers declining or energy efficiency improvements. Mr. Perez agreed that Albany has decreased over the last 3-5 years with Commissioner Warbington adding that Albany is behind in its energy-efficiency work, specifically in residential homes and commented on continuing to help low-interest loans through the Utility Dept to encourage investment in our housing stock, etc. Regarding 'self-supply', Mr. Perez explained the process which is differentiated by years (longer term) and suggested targeting businesses to leverage self-supply, adding that longer years are also possible for self-supply. Commissioner Warbington commented on industries, the pipeline that runs through the city and suggested partnerships to have ways to entice other manufacturing companies.

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Commissioner Young referred to the 2005 contract, which appears to be an automatic renewal. Ms. Shealy stated that it was not a renewal; the contract had a 2026 expiration date but in 2005 an amendment was put in place that changed the expiration date of projects 1-4, extending the timeline to 2054. Commissioner Young mentioned Albany's impoverished population and utility bills being cumbersome to that population. He asked if there are recommendations/information from other cities that have struggled with the same issues as Albany. Mr. Perez stated that they work on those type of topics and would be happy to discuss this with the City

Mayor Dorough asked if new load growth means having more customers, ideally industrial with Mr. Perez agreeing. Mayor Dorough commented on slide 7 regarding debt service obligations, i.e., paying for a share of utility plants (cost of construction and operation); Mr. Perez agreed. Mayor Dorough noted the obligations going down by 2026 and will continue to decline due to JDA picking up the City's obligation for Plant Vogel 3&4 for the first 20 years. He stated that this is the City's window to look for other sources in its energy mix, including self-supply. Mr. Perez explained that load growth is largely met with the resources currently in place and any new load growth or resource retirement. He agreed if Mayor Dorough is alluding to debt service obligations and a window of time to reduce payments, and an opportunity to pursue a self-supply option. Additional discussion regarding the schedule for plant Scherer as it is the dirtiest plant in the USA with Mr. Perez stating that it is one of the largest and will be retiring, etc. Mr. Perez agreed that Wansley may close before the retirement date with Georgia Power making the decision.

In reply to Commissioner Howard, Mr. Perez clarified that JEA is picking up the first 20 years of supply, referring to the agreement in place. Discussion followed on the years the City will pick up the agreement (2042/43) with the contract extending until 2062.

In reply to Commissioner Warbington, Mr. Perez confirmed that in Georgia, only Crisp County and Dalton have their own power supply.

Regarding withdrawing from contracts, Mayor Dorough explained that contracts with MEAG are pretty air-tight and mentioned the failure of JEA's attempt to get out of its contract.

PUBLIC WORKS MATTERS

SIDEWALK EASEMENT ON DAWSON RD., @ FOREST GLENN DR.

Bruce Maples, Director of Engineering, discussed information (copy on file) regarding the request to approve acceptance of a sidewalk easement.

In reply to Commissioner Warbington, Mr. Maples confirmed that the sidewalks are completed.

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Mayor Dorough asked if there are plans to run sidewalks from Slappey to Old Dawson Road; Mr. Maples said no, adding that it depends on commercial development, and explaining that sidewalks are required of commercial developers

COMMUNITY AND ECONOMIC DEVELOPMENT MATTERS

UPDATE RE: SMALL BUSINESS CAPACITY BUILDING PROGRAM

Phyllis Brown, Interim Director, discussed information (copy on file) regarding the partnership that began in April 2021, between Community and Economic Development and SOWEGA Rising to develop and administer a Small Business Capacity Building Program.

Sherrell Byrd discussed the purpose/goals of the program and thanked Ms. Brown and others for their support of this project (PPE loans). She then discussed the power point presentation (copy on file) and showed a video.

Commissioner Fletcher thanked Ms. Byrd for the presentation and asked if there is a component of the program whereby business owners can learn how to sustain their business. Ms. Byrd commented on the process and the psychological portion that is conducted upfront that teaches success and sustainability.

In reply to Commissioner Warbington, Ms. Brown discussed the process of selecting the 28 applicants and advised that the focus now is on connection and building capacity with businesses as mentioned by Commissioner Fletcher. In reply to Commissioner Warbington, Ms. Brown stated that the \$150,000 was grant funding from CDBG.

Commissioner Young thanked CDBG and SOWEGA Rising for partnering with the City of Albany and the need to continue to partner and build up minority businesses, etc., including having a dedicated office to address issues and having City funding for Community and Economic Development.

In reply to Mayor Dorough, Ms. Byrd agreed that Dr. Pratt is secretary of SOWEGA Rising and stated that his personal opinions are separate from SOWEGA Rising. Mayor Dorough asked Ms. Brown if this was additional allocation of funds with Ms. Brown concurring and explaining that the first program assisted businesses which were shuttered with the second program being for participants ineligible to participate in the first program. She confirmed that only one business was funded by both programs. Mayor Dorough asked the relationship with SOWEGA Rising participating, i.e., managing the program, etc., with Ms. Brown stating that she also asked Albany Together, which was unable to participate. She confirmed that the fee (\$20,000) was to provide subcontracting and they have a budget, etc., regarding the fees. Regarding administering the program, Mayor Dorough asked if certification was necessary, with Ms. Brown explaining the process.

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Commissioner Warbington asked how many employees SOWEGA Rising has, with Ms. Byrd stating they have only one, however, they are advertising for another (Utilities adjustment), adding that she does not consider herself an employee.

Commissioner Young thanked Ms. Byrd and suggested having more partnership and assistance for small businesses without letting politics getting in the way.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES

Yvette Fields, Central Services Director, discussed information (copy on file) regarding the following:

1. Well #27 Rehab and Upgrade, David Smith Co.
Total expenditure \$268,609.00

In reply to Commissioner Howard, Jimmy Norman, Utility Construction Director, gave the location of the well and discussed the rehab process.

In reply to Mayor Pro Tem Fuller, Kurt Anthony stated that the City will be self-performing all plumbing.

FINANCIAL MANAGEMENT POLICY

Derrick Brown, Finance Director discussed information (copy on file) regarding the review and adoption of the Financial Management Policy, which is required every three years. He noted section 4 as the only change at this time, which adds the names of all current, elected officials, etc.

Commissioner Howard commented on debt management and asked the current amount in reserves. Mr. Brown gave the dollar amount for accounts, which combined is approximately \$16 million.

In reply to Commissioner Young, Mr. Brown explained capital improvements (15%) which comes from sales tax to fund general fund capital improvements and involves all City departments, adding that enterprise funds are separate. Commissioner Young commented on reserve funds and savings/rebates for ratepayers with Mr. Brown explaining any cost savings are used to adequately take care of expenditures, future expenditures (expected and unexpected).

Mayor Dorough noted various sections that he had questions with: Sec. 4, 3, 11, 10, 11.2, 1 B.2, 2.2.F, etc., with Mr. Carter asking Mayor Dorough if he would supply the questions so that answers can be researched and provided.

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Commissioner Howard suggested setting a policy that Mr. Brown come before the Commission quarterly to address the budget and provide a running tab of the City's finances. Mayor Dorough agreed with having the information distributed to the Commission instead of having an agenda item and, following a brief discussion, he concurred that the information can be presented at a meeting.

CITY MANAGER'S UPDATE (no report was given)

ITEMS FOR FUTURE AGENDA(S)

Mayor Pro Tem Fuller asked to have Albany Sports at Chehaw on the next agenda.

Commissioner Fletcher asked for an update on activities at Food for Less and an update on Driskill Park.

Commissioner Warbington agreed with Commissioner Fletcher and Mr. Mathis regarding earmarks for Driskill Park and additional funding options.

Commissioner Young asked for an update on renovations at Henderson Gym and Bill Miller Center, having a call meeting/executive session to address concerns of Dr. Pratt and asked Mr. Davis how this will proceed. Mr. Davis stated that he will provide information regarding open meetings and executive session matters.

Mayor Dorough commented on renovations at Henderson and Bill Miller and asked staff to research if there are plans. Commissioner Young advised that Bill Miller's renovations started and had to stop. Mayor Dorough asked to put speakers at the end of the agenda as opposed to the beginning of meetings at the next meeting.

OTHER BUSINESS

Commissioner Howard asked if Mayor Dorough has received information from the County or School Board regarding the disparity study. Mayor Dorough stated that he did receive information from the County Chair and discussed.

Mayor Dorough asked for an update on the Liberty House, and, regarding Turner, he advised that the cost is prohibited, asking for a one-page summary of what transpired.

EXECUTIVE SESSION (pending litigation) - Room 120

At 11:38 a.m., (Nathan has 11:34) Commissioner Warbington moved to enter executive session to discuss pending litigation (Mr. Davis advised that it was regarding SGRITA), seconded by Commissioner Howard, and following a roll call vote the motion unanimously carried as follows:

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Ward I	yes
Ward II	yes
Ward III	yes
Ward VI	yes
Ward V	yes
Ward VI	yes
Mayor	yes

At 12:30 p.m. Commissioner Howard moved to exit executive session, seconded by Commissioner Warbington, and following a roll call vote, the motion unanimously carried.

There being no further business, the meeting adjourned at 12:31

SONJA TOLBERT, CMC
CITY CLERK