

PRESENT: Mayor Dorothy Hubbard  
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher, Roger Marietta and Bob  
Langstaff, Jr.  
City Manager: Sharon Subadan  
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 8:30 a.m., and reminded the audience of the process to address the Commission (Citizen Comments/Speaker Appearance Forms).

### SPEAKER APPEARANCE

Using a power point presentation, Chad Warbington, discussed SPLOST oversight/accountability to taxpayers and suggested appointing a committee to represent citizens and allow them to be involved on the front end and execution/delivery of projects. This will show how projects impact the quality of life, etc., added that many feels this is another level of bureaucracy, which will require extra staffing/reports/meetings to have citizens involved. He mentioned statements made about the difficulty of filling [current vacancies on] City committees/boards which indicates citizen apathy; therefore, why would citizens get involved in this, however, he suggested that this will create a lot of citizen involvement/interaction. He showed examples of other cities in Georgia, which have implemented the concept and created such a committee, i.e., Cobb County (since 2005), Gwinnett County (since 2005), Macon/Bibb (since 2011), Glynn County (since 2017), DeKalb County (created in 2018), etc., with a mission to oversee that future SPLOSTs are approved and to be ready for the next SPLOST. He mentioned the recent T-SPLOST that passed with no citizen input being sought on the front end, discussion of transparency and projects not being ranked/prioritized. He stated that another issue is the lack of detailed reports on the City's website, questionable spending of maintenance versus operations, payroll cross-charge, etc., and asked that something be started now to ensure oversight of T-SPLOST.

Commissioner Langstaff commented on the examples that were all counties or consolidated governments and asked if any cities have something in place. Mr. Warbington mentioned the City of Roswell. Commissioner Langstaff asked if this is being done as joint cities/counties? Mr. Warbington stated that he saw it as being a joint effort. Commissioner Langstaff stated that in the past, SPLOST was done jointly and questioned if it would make sense to do it jointly. Mr. Warbington stated that citizens feels that it gets confusing when it is approached separately. Commissioner Langstaff asked if it was determined how boards were appointed; Mr. Warbington said that each Commissioner had one appointee, or it could be done by a percentage of dollars. Commissioner Langstaff asked if any were doing T-SPLOST with Mr. Warbington stating that both SPLOSTs were being looked at and one was already looking at the 2020 SPLOST, with there being different facets of the groups (involved with the current SPLOST and looking ahead to the next one).

Commissioner Marietta questioned a website by Mr. Will Geer and if he is doing a breakdown of SPLOST already. Mr. Warbington stated that he is not sure of this.

Mayor Hubbard thanked Mr. Warbington for his presentation.

### GMA ANNUAL CONVENTION VOTING DELEGATE & FLAG BEARER

The Clerk advised that this item pertains to the selection of the GMA Voting Delegate and Parade of Flags, adding that the following elected officials have registered to attend: Mayor Hubbard, Commissioners Howard, Fuller, Fletcher and Marietta.

Commissioner Howard nominated Commissioner Marietta, seconded by Commissioner Fletcher. Following a brief discussion, Mayor Hubbard advised that Commissioner Marietta agreed to be the voting delegate and flag bearer. The Clerk advised that the vote will be taken at the next meeting to approve the resolution.

### CONVEY SURPLUS PROPERTY TO LAND BANK

Mr. Davis discussed information as noted (copy on file) regarding a request to convey 10.75 acres of surplus property located at 1700 S. Madison to the Albany/Dougherty Land Bank. He added that the City will retain an easement for drainage purposes if the need arises in the future.

Commissioner Howard commented on the property being flooded in 1994 that was donated by the School Board to the City and mentioned other properties that were flooded asking if it was also deeded to the City. Mr. Davis said he was not aware of that but will check.

Commissioner Langstaff clarified that the church is interested in the property and approached the Land Bank and asked why the City was not approached directly to sell; why was an intermediary needed. Mr. Davis stated that the Land Bank is now active and will strip off ad valorem tax and is a good avenue to move property.

## **PUBLIC SAFETY MATTERS**

### ALCOHOL LICENSE APPLICATION - Transfer of Ownership

1. Lil Whiskey River; 2900 Sylvester Road; Liquor, Beer and Wine Consumption; S. Goodwin/Agent; Transfer of Ownership from S. Bowman

There were no questions/comments on this item

## **PUBLIC FUNCTIONS MATTERS**

### DOGWOOD TRAIL APARTMENTS II

Kerrie Davis, Planner, discussed information (copy on file) regarding Clement & Company, LLC request for a resolution and letter of support from the City of Albany for the development of Dogwood Trail Apartments II, a 48-unit affordable housing community located at Pineview Avenue. Commissioner Fuller questioned the completion of Phase I with Mitchell Davenport, Clement & Company, giving an update on the progress, with demolition being almost complete and the project

completion anticipated in late July. In reply to Mayor Hubbard he advised that Phase II should be complete approximately 12 months from the completion of Phase I. He then briefly discussed reserving property for commercial use, i.e., restaurants, etc.

## **COMMUNITY AND ECONOMIC DEVELOPMENT MATTERS**

### SOUTH ALBANY REVITALIZATION PLAN UPDATE

Shelena Hawkins, Community and Economic Director, discussed the South Albany Revitalization Plan requirement of an update for strategic planning initiatives in South Albany, which has not been updated by resolution since 1996. She discussed the two meetings with approximately 91 attending (combination of both meetings) with strengths/weaknesses and opportunities being discussed. Strengths include: large number of City-owned vacant lots, which create an opportunity for development; churches and historic significance in these areas; and existing infrastructure. Weaknesses include: 100-year Flood Plain; lack of investment in commercial and redevelopment properties; and food deserts. She advised that opportunities include residential and commercial existing buildings, which may be vacant and used for redevelopment and the river, which could be advocated for additional tourism. She discussed threats that include lack of homeownership, increase in number of rental properties; disinvestment by property owners and deterioration of rental properties. She explained that this area is comprised of four census tracts, with three being in the opportunity zone and, updating the Plan allows them to refocus efforts on commercial and residential development; the Plan will also be used by developers seeking to develop with low-income housing tax credits. She mentioned a proposed senior citizen's development on S. Slappey, with both phases consisting of 80 units.

Commissioner Howard asked how many vacant lots the City owns with Ms. Hawkins stating approximately 300, adding that these properties were obtained (beginning with the flood of 1994, etc) through buyouts. Being in the Flood Plain, any development would have to be elevated. Discussion followed on whether lots can be developed and/or used for greenspace with Ms. Hawkins stating that development is encouraged and that subsidies are provided.

Commissioner Marietta asked if multi-family housing, i.e., condos can be encouraged with Ms. Hawkins discussing challenges, i.e., what can be offered to developers as resources. They are required to set aside a certain number of units for low income, but any developer seeking to develop in that area, CED would look at its available resources (CDBG/HOME funds). Commissioner Marietta mentioned existing housing and offering to sell to owners, i.e., converting apartments to condos, which are individually owned to allow renters to become owners. Ms. Hawkins explained that this is not viable, they are not allowed to convert to condos.

Commissioner Fuller questioned programs to assist commercial development, with Ms. Hawkins explaining the Capital Access Loan program, which provides loans up to \$100,000 to assist businesses in start-up and/or operating, loans, property acquisition, etc.

Commissioner Howard stated that the area is 65% of low-mod income and there is a need to assist in investing in these areas, i.e., east and south Albany, otherwise banks will not loan funds for investing in those areas.

Additional discussion followed with Mayor Hubbard stating that it is good to know that citizens were involved. She asked if there is a list of City-owned properties that can be provided. Ms. Hawkins stated that the list is on the website, which generates great interest.

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### FY 2020 PROPOSED BUDGET

Using a power point presentation, Ms. Subadan discussed information regarding recent storms/Hurricane Michael and the impact they had on Albany, in which 1.1 million cubic yards of debris was collected from the hurricane, with recovery in full swing and near completion, at a cost between \$24-25.0 million to the City. Being optimistic, the hope is that a major portion of those funds will be eventually reimbursed by State/Federal governments. She highlighted 2019 accomplishments and discussed the 2020 budget in the amount of \$288,322,879 a 5% increase over the last budget year, adding that there are 1,166 budgeted employee; with there being no increase in the millage rate, no increase in utilities rates/fees and no use of MEAG credits. This marks the 5<sup>th</sup> year that the budget has been balanced with no increase in the millage rate.

Discussion included: the current initiatives and what has been completed, proposed new initiatives (Team up to Clean up, Cemetery upgrades, public works complex renovations, permanent Wellness Clinic facility, and Go Pivot, (a wellness app to allow employees to track their wellness goals), strategic priorities.

Derrick Brown, Finance Director, also used a power point (copy on file) to discuss the proposed budget, including the general fund budget; millage rate comparison (possibly under 9.084), utility fund budget, special revenue funds budget, in which entities funded by the City will have those funds allocated from hotel/motel tax funds; supplemented enterprise funds budget; and capital budget.

Discussion included clarification on CNG buses (Commissioner Langstaff), Health Plan (Commissioner Marietta), and Ms. Subadan stating that the budget will be on each meeting agenda through June for discussion until the budget is adopted the end of June, including having updates/presentation from CVB and Spectra, with the official budget hearing scheduled for June 11.

Commissioner Marietta congratulated Ms. Subadan on the budget and mentioned the Adopt a Block form to distribute regarding cleanup efforts. Mayor Hubbard mentioned the Call to Service to assist with cleanup, which is ongoing and suggested all work together to keep the city clean.

### PURCHASES:

Mike Trotter, Procurement Manager, discussed the following (copy on file) and requested that the old equipment be declared surplus.

1. Utility Bucket Truck - Altec Industries, Birmingham, AL  
Estimated exp. \$204,195.00

Kimberly Allen, Buyer, discussed the following (copy on file):

2. Traffic Signal Repairs - Bass Signal Corp., Milledgeville, GA  
Estimated exp. \$356,000.00

Commissioner Langstaff commented on bids being doubled and asked the reason, with Ms. Allen stating that everyone received the same scope of work.

In reply to Mayor Hubbard, Bruce Maples, Director of Engineering, advised that Traffic Engineering will be monitoring.

#### MOU AND REDEVELOPMENT FOR 207 PINE AVE.

Lequrica Gaskins, Downtown Manager, discussed information (copy on file) and asked for approval to enter into a Memorandum of Understanding (MOU) for the redevelopment of 207 Pine Avenue. She introduced attorney, Dan McRae, who has worked with Mr. Davis, to answer questions.

Commissioner Marietta referenced pg. 90 and asked the prospects of obtaining New Market Tax Credits for the project. Mr. McRae advised that it is the responsibility of the developer to do this and there is no commitment; discussion has been good at this time, but it is too early to say whether this can happen. The City's loan is reduced dollar for dollar by the amount of net proceeds, if the credits are awarded.

Commissioner Langstaff mentioned the first lien position with Mr. McRae stating that we may not have the first lien position. He discussed the worst case scenario; however, there are safeguards in place as note. Commissioner Langstaff mentioned Sec. 7.2 documents/DDA, etc., and if what is being approved today, is the first lien, with Mr. McRae agreeing, i.e., the money comes in after the certificate of occupancy is approved. Section 4.4.2B was referenced with Commissioner Langstaff clarifying the process; Mr. McRae explained construction; the schedule for financing; possibility of not being ready to break ground on 'day 1'; providing an effective, self-help remedy, which will be through requiring that they deed the property back to the City, which will be held in escrow against a commitment to start construction on a date certain, etc. If they breach the commitment, the City can choose to exercise the remedy of deeding the property back to itself, which is a default on the document and it will be terminated.

Commissioner Howard mentioned funding/loans and asked if approved, before City funds are applied, will the developer have to meet criteria. Mr. McRae agreed and explained the process of funding and advised that the developer - has not done anything on this project yet. Additional discussion followed with Mr. McRae explaining the EB5 funding, which is the Federal immigrant investor residency visa program, with the money coming from overseas, historically from China. A

regional center entity makes a junior, subordinated loan with interest rates of 5-7% annually, with the loan being for five-seven years and then is refinanced. Commissioner Howard noted (page 91/‘sources of funds’) that the total funds are \$13.5 million, with the developer not putting any collateral into the project, with funding based on a loan and grant. Mr. McRae stated that on his document that is Schedule 3.1.11 – estimated project budget’, which shows equity coming in from opportunity zone and sponsor equity of \$2.0 million and comes from the developer/owner and the City loan of up to \$3.0 million. Commissioner Howard questioned whether this is a 20-year loan with Mr. McRae confirming that it is a 20-year term.

Commissioner Fletcher stated that Ms. Subadan went to Chicago and met the developer and that they will put \$10.0 million of their money in this project. Mr. McRae agreed, adding that there will also be other monies they will be looking at.

Commissioner Langstaff stated that funding sources are anticipated and if they fall through, the developer will put their own money in, obtain a conventional bank loan or the project will fall through with closing being contingent on the project being funded.

Mayor Hubbard clarified the amount of funding and number of jobs (43) to be sure that the numbers match in both documents. Mr. McRae stated that what is definitive is the number in Schedule 7.3, which is the performance commitments and said the number to go by is the 43.

Mayor Hubbard recognized John Hawthorne who signed up to speak on this item. Mr. Hawthorne stated that he has been successful in securing housing funds, and with securing Community and Economic Development Housing in Florida. He said he feels that staff has done a good job in looking at this project and asked if the jobs will go to Albany residents or to folks who are getting green cards. He also questioned whether the developer has secured a New Market Tax Credit adding that his experience has been when public money is pulled, problems are created because one of the incentives for the allocation is input of dollars. He questioned whether substituting those funds for that is legal or authorized and suggested that these questions need to be looked at closely as the Commission considers this project. He said that he realizes that it is a done deal but cautioned that a shortfall could result in additional input of capital funds from the City as any one of the funding sources could pull away from the project, adding that he is especially concerned about the EB5 funding, suggesting that the jobs to benefit Albany residents.

Ms. Subadan stated that the intent is to work with Albany State University to support the data center. She assured Mr. Hawthorne that the intent was never to import immigrants to support the data center. She asked Mr. McRae to address the issue of substitution of funds. Mr. McRae discussed EB5 and commented on the other questions Mr. Hawthorne asked regarding funding, New Market Tax Credits, etc.

#### ALBANY COMMONS – STUDENT HOUSING

Ms. Gaskins discussed information (copy on file), regarding the proposed 90-unit student housing development for Albany State University students. She mentioned that the developers/partners for the project are present and that past project samples will be shared; she recognized, Cassius Coleman, Parke Day and David Searles. Mr. Coleman showed photos of what the project will look like,

discussed the proposed 90 beds, with the general public being considered, if unable to fill the 90 beds, but priority will be given to ASU and ATC students. The project cost is approximately \$18.5 million, and it will take 15 months to build, LHR builders are the general contractors, with completion scheduled for January 2021 and will be a mixed use project. Parke Day, Retail/Office Development Specialist discussed pulling a team together to get this project moving. Mr. Coleman explained that this is an opportunity zone and they are in contact with DC investors, who will inject at least \$4.0 million and partner with the school's foundation and will inject a portion of profits back into the school. David Searles, founder of the Beverly J. Searles Foundation, a 501C3 to honor his mother briefly discussed the number of seniors in assisted living, memory care, senior independent living, in which his company built 'the beds'; today they have \$140.0 million of projects under development in Atlanta and elsewhere in the State, with the closest to Albany in Liberty County. He mentioned affordable, mixed-income senior living community in S. Albany that they will be developing as part of the revitalization there.

In reply to Commissioner Fuller, Mr. Coleman again explained the process to rent to college students; however, will accommodate to both students and to non-students if unable to rent the 90 beds to students. Ms. Gaskins mentioned the letter of support from ASU and ATC and said she feels that there will be support from both educational institutions.

In reply to Commissioner Howard regarding HBCU's, Mr. Coleman advised that they have not developed any projects for HBCU's; the project that is displayed is Coastal Carolina University, outside of Myrtle Beach. He explained that opportunity zone funds have funds specifically targeted for HBCU's and if it all works out, they will be an equity partner.

Commissioner Marietta mentioned fiber optic with Mr. Coleman stating that City services will be used first.

Ms. Gaskins reminded the Commission that this project will be near the Albany Transit Center; Transportation Director David Hamilton is present to address questions, adding that this item is for information only.

Commissioner Howard asked if Mr. McRae can give a detail report on tax credits that the City can apply for since Albany is an entitlement city so that we are informed. Ms. Subadan suggested that this will be a good topic at a City retreat. She then asked Mr. McRae to give an overview of this project.

Mr. McRae gave a brief overview of this project, including the developers asking for a loan, the same case as that of the 207 Pine property, etc., in this case the requested loan is \$2.8 million. He said that he will be looking to secure the first position, but no negotiations have taken place at this point. The project economics will be assisted in the structure by the DDA holding title to the project, which allows property taxes to not be paid, with an anticipated 15-year term loan.

Commissioner Fuller asked if the loan will be based on payment in lieu of paying property taxes for the 15-year term; Mr. McRae stated that he is not using the term payment in lieu of taxes; in the structure there are no taxes, but there is a general obligation on the part of the developer to make

payments. He explained that it may amount to the same thing, but he prefers the structure he discussed

Commissioner Fuller asked if the property goes on the tax roll at the end of the 15 years; Mr. McRae agreed.

## **CITY MANAGER'S UPDATE**

Ms. Subadan stated that on May 28 the ESG agreement may be brought back, with Mr. Davis advising that they are still working on this. Ms. Subadan advised that there will be a draft MOU for the Commission to review prior to considering the agreement and that there will be opportunities to ask budget questions at that next meeting, as well.

Commissioner Marietta said he met with Tony Roblees, a RiverKeeper in Macon and City of Macon water department employee, who put in a good word for ESG, stating that they do a good job for Macon.

## **OTHER BUSINESS/ITEMS FOR FUTURE AGENDA**

Commissioner Fletcher asked to see cemetery repairs be put on the front burner, and briefly discussed calls she receives during special holidays when family pay their respects to deceased family members, adding that she is pleased to see that cemetery repairs is included in the new budget.

Commissioner Howard mentioned school being out for the summer soon and asked if Chief Persley can do covert operations, especially enforcing juvenile curfews. Ms. Subadan stated that Chief will have an update at the next meeting and will bring the summer plan.

Mayor Hubbard recognized former City Commissioner, Arthur Williams. She announced that today there will be a Mayor's forum on the importance of the 2020 Census Count and asked anyone interested on serving on the local complete count committee to make it known. She advised that two people from the Governor's Complete Count Committee will be present to discuss the importance of the upcoming census.

There being no further business, the meeting adjourned at 10:30 a.m.

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SONJA TOLBERT  
CITY CLERK