



Lilburn Downtown Development Authority
DRAFT Meeting Minutes
July 19, 2023
6:30 PM
Work Session Room - Lilburn City Hall

Work Session Agenda
6:30 P.M.

- I. Call to Order
- II. Old Business
 - a. Financial Report – June 30, 2023

DDA Secretary Jenny Simpkins shared that the month of June opened with a balance of \$641,483.46 and closed with a balance of \$419,340.48. Usual revenue sources included June lease payments in the amounts of \$1,435 and \$3,500 from The Tiberia Group for 1910 Public House and CRC Restaurant Group for Agavero Parkside, respectively. The DDA also received reimbursement from the City for shared Retail Strategies services in the amount of \$15,000 and \$250,000 from the sale of the commercial tract at Main St Townes at Lilburn. On the expense side, the DDA spent \$755 on registration for DDA board member Eddie Price to attend the GMA Conference in Savannah; \$7,000 for services rendered by Sycamore Consulting associated with the website dedicated to the Railroad Avenue Project; \$45,000 for services rendered by Retail Strategies for the third and final year of their contract; \$49.44 for GA Power; \$8,000 for the four appraisals of four different portions of Railroad Avenue that will be involved in the property swap with RangeWater; \$429,861.73 for a reimbursement to the City of Lilburn for property purchased by the DDA at First and Main St to settle amounts owed per an IGA; \$1,093.33 as a final payment to The McKinley Group for landscaping services; \$49.40 for GA Power; and \$269.08 as a reimbursement to Eddie Price for an additional night hotel stay at the 2023 Annual Retreat in Greenville, SC.
 - b. Update – DDA Property

Secretary Simpkins provided the following update on DDA-owned properties:

57 Railroad Ave: Discussions continue with Jennifer Tiberia and her partner Reid on the restaurant/brewery/gaming hall renovation of 57 Railroad Ave. A Development Agreement will be drafted by Matt Gore in partnership with Jennifer and Reid. The goal is to enter into a Development Agreement on or before September 20, 2023.

Main St Assemblage: Conversations continue with Aimee Price about a mixed-use development on DDA-owned property at First and Main. Aimee has partnered with Tim Chappell and the Dominy Construction group for the commercial portion of the

development. Aimee to provide a rendering of the proposed development for the DDA's consideration at their August DDA meeting.

Luxury Apartments and public/private parking deck on Railroad Ave: Tonight's agenda includes three bond inducement resolutions that are necessary as the next step toward the luxury apartments and public/private parking deck project. The bond inducement resolutions officially commit the DDA to the bond for title, Series A, and Series B bonds.

- c. Update – Lilburn Community Improvement District and Lilburn Community Partnership DDA Board member Eddie Price provided the following updates regarding LCID: LCID has partnered with the City to complete a mobility study of US29 with Kimley Horn. Recommendations to make the stretch of Lawrenceville Highway between Rockbridge Rd and Killian Hill Rd are forthcoming. The goal is to make this area walkable as we make progress toward implementation of the 2023 LCI Update by creating an Uptown Node. LCID is also partnering with the City to fund the design and construction of aesthetic improvements to the bridge over Jackson Creek. LCID is partnering with the City to create design guidelines for use of the public right-of-way within the US29 overlay as well as the Old Town overlay districts. Eddie mentioned that LCID is working with Flock cameras to reduce the annual cost of each camera and extend the term of the contract from three years to five years to drive down the cost. LCID is partnering with four other CIDs in Gwinnett County as well as unincorporated Gwinnett County to be part of this contract. Eddie mentioned that Tad Leithead has nominated the Railroad Avenue project for the ARC's Project of Excellence Award. Finally, the Hood Rd/Bryson Park Realignment Project is well underway as the right-of-way trade with Gwinnett County is expected to happen in August, the Change In Conditions needed to the private property should be adopted by the Mayor and Council in August, and the proposals with construction costs will be opened this week.
 - d. Update – Development Activities
No new updates.
- III. New Business
- 1. Approval Authorization to deed ROW on Main Street to the City of Lilburn.
Authorization for the Chairman to sign the survey.
Secretary Simpkins explained that in the process of implementing the dark fiber project, we found that the right-of-way for Main Street between Church St and US29 was not properly recorded. The City hired PPI to provide the survey plat. Because the property is owned by the DDA, the DDA needs to approve deeding the ROW to the City and authorizing the Chairman to sign the plat.
 - 2. Authorization to pay legal fees to Seyfarth Shaw for services delivered during the 2023-2024 fiscal year in an amount not to exceed \$100,000.00 and increase the FY22-23 authorized expenditures from \$60,000 to \$73,204.50.
Secretary Simpkins provided the following summary:
In FY20-21, the DDA authorized paying Seyfarth \$4,644.00 in legal services related to the Development Agreement with Fire Brigade Development Company, LLC, for the redevelopment of 57 Railroad Avenue on July 21, 2021. On November 16, 2022, the DDA ratified payment of \$38,345.50 for legal services related to the RangeWater Development Agreement and approved future legal services (FY22-23) in an amount not to exceed \$60,000. The following payments were due to Seyfarth in FY22-23:

10/27/22 – 12/16/22	\$33,696.00
1/9/23 – 6/30/23	\$39,508.50
TOTAL FY22-23:	\$73,204.50

So far in FY23-24, the DDA owes \$6,562. If \$100,000 is approved for the budget for legal services of Seyfarth Shaw in FY23-24, \$93,438 remains available.

3. Approval of DDA Resolution No. 2023-02, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$60,000,000, to finance all or part of the cost of a capital project in the City of Lilburn, Georgia, and authorizing the execution of a letter of intent and inducement agreement. Authorization for the Chairman to sign on behalf of the DDA. DDA Chairman Elmer Nash explained that this Resolution is the official intent that the DDA will issue up to \$60M in bonds for the luxury apartment portion of the deal with RangeWater. The Resolution establishes the bond for title and the concept of payments in lieu of taxes. The Resolution includes a Letter of Intent from the DDA to RangeWater stating that bonds will be sold under a bond purchase agreement, and the project will be vested in the DDA and leased back to RangeWater under a financing lease. RangeWater has to acknowledge this Letter of Intent on or before August 31, 2023.

4. Approval of DDA Resolution No. 2023-03, a Resolution approving in principle the issuance of economic development revenue bonds having a maximum principle amount not to exceed \$7,350,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of the deck is for public use. Authorization for the Chairman to sign on behalf of the DDA. Chairman Nash explained that this Resolution establishes the official intent of the DDA to issue Series A revenue bonds (non-taxable) in an amount not to exceed \$7,350,000 for the construction of the 300 public parking spaces in the deck. The Resolution has to be acknowledged by the City.

5. Approval of DDA Resolution No. 2023-04, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$10,150,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of which parking deck is for use by RangeWater Development, LLC for private purposes. Authorization for the Chairman to sign on behalf of the DDA. Chairman Nash explained that this Resolution establishes the official intent of the DDA to issues Series B revenue bonds (taxable) in an amount not to exceed \$10,150,000 for the construction of 400 private parking spaces in the deck. The Resolution has to be acknowledged by RangeWater.

IV. Executive Session (if needed)

V. Adjournment

Chairman Nash asked for a motion to adjourn the work session at 7:31 PM. DDA Board member Mark DeArmon made a motion to adjourn at 7:31 PM, seconded by DDA Board member Tom Mills.

Motion passed 6-0.

Meeting Agenda
Immediately following work session.

- I. Call to Order
DDA Chairman Elmer Nash called the meeting to order at 7:32 PM. All members of the DDA were present including:
Elmer Nash
Eddie Price
Mark DeArmon
Joe Nocera
Hugh Wilkerson
Scott Mecredy
Tom Mills

Mayor Tim Dunn, City Manager Jenny Simpkins, and Assistant City Manager Matt Gore were also present.

- II. Approval of Agenda
Chairman Nash asked for a motion to approve the agenda. DDA Board member Tom Mills made a motion to approve the agenda, seconded by DDA Board member Hugh Wilkerson.

Motion passed 6-0.

- III. Approval of Minutes
 - a. Draft DDA Meeting Minutes – June 21, 2023
Chairman Nash asked for a motion to approve the DDA Meeting Minutes from June 21, 2023. DDA Board member Mark DeArmon made a motion to approve the DDA meeting minutes from June 21, 2023, seconded by DDA Board member Eddie Price.

Motion passed 6-0.

- IV. Old Business
 - a. Financial Report – June 30, 2023
 - b. Update – DDA Property
 - c. Update – Lilburn Community Improvement District and Lilburn Community Partnership
 - d. Update – Development Activities

- V. New Business
 1. Authorization to deed ROW on Main Street to the City of Lilburn. Authorization for the Chairman to sign the plat.
Chairman Nash asked for a motion. DDA Board member Scott Mecredy made a motion to authorize the deed of DDA-owned right-of-way on Main Street to the City of Lilburn, authorizing the Chairman to sign the plat. DDA Board member Joe Nocera seconded the motion.

Motion passed 6-0.

2. Authorization to pay legal fees to Seyfarth Shaw for services delivered during the 2023-2024 fiscal year in an amount not to exceed \$100,000.00 and increase the FY22-23 authorized expenditures from \$60,000 to \$73,204.50.

DDA Chairman Nash asked for a motion. DDA Board member Hugh Wilkerson made a motion to authorize the payment of legal fees to Seyfarth Shaw for services delivered during the FY23-24 fiscal year in an amount not to exceed \$100,000 and increase the FY22-23 authorized expenditures from \$60,000 to \$73,204.50. Board member Tom Mills seconded the motion.

Motion passed 6-0.

3. Approval of DDA Resolution No. 2023-02, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$60,000,000, to finance all or part of the cost of a capital project in the City of Lilburn, Georgia, and authorizing the execution of a letter of intent and inducement agreement. Authorization for the Chairman to sign on behalf of the DDA. Chairman Nash asked for a motion. DDA Board member Scott Mecredy made a motion to approve DDA Resolution No. 2023-02, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$60,000,000, to finance all or part of the cost of a capital project in the City of Lilburn, Georgia, and authorizing the execution of a letter of intent and inducement agreement. Also, this motion authorizes the Chairman to sign all associated documents on behalf of the DDA. DDA Board member Tom Mills seconded.

Motion passed 6-0.

4. Approval of DDA Resolution No. 2023-03, a Resolution approving in principle the issuance of economic development revenue bonds having a maximum principle amount not to exceed \$7,350,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of the deck is for public use. Authorization for the Chairman to sign on behalf of the DDA. Chairman Nash asked for a motion. DDA Board member Tom Mills made a motion to approve Resolution No. 2023-03, a Resolution approving in principle the issuance of economic development revenue bonds having a maximum principle amount not to exceed \$7,350,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of the deck used for public use. Also, authorization for the Chairman to sign associated documents on behalf of the DDA. DDA Board member Joe Nocera seconded.

Motion passed 6-0.

5. Approval of DDA Resolution No. 2023-04, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$10,150,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of which parking deck is for use by RangeWater Development, LLC for private purposes. Authorization for the Chairman to sign on behalf of the DDA.

DDA Chairman Elmer Nash asked for a motion. DDA Board member Joe Nocera made a motion to approve Resolution No. 2023-04, a Resolution approving in principle the issuance of its economic development revenue bonds having a maximum principle amount not to exceed \$10,150,000, to finance or refinance a part of the cost of a proposed parking deck in the City of Lilburn, Georgia, a portion of which parking deck is for use by RangeWater Development, LLC, for private purposes. Also, authorization for the Chairman to sign on behalf of the DDA. Board member Eddie Price seconded.

Motion passed 6-0.

VI. Public Comment
No public comments were received.

VII. Adjournment
Chairman Nash asked for a motion to adjourn the DDA meeting at 7:39 PM. DDA Board member Hugh Wilkerson made a motion to adjourn, seconded by DDA Board member Scott Mecredy.

Motion passed 6-0.

Elmer Nash, DDA Chairman

Date

Jenny Simpkins, DDA Secretary

Date

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment, in its programs or activities. City Clerk, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator.

The City of Lilburn will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Lilburn should be directed to the City Clerk, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.