



# DEVELOPMENT AUTHORITY MEETING NOVEMBER 15, 2022

ALPHARETTA CITY HALL  
THIRD FLOOR EXECUTIVE CONFERENCE ROOM #318  
2 PARK PLAZA  
5:00 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. STATEMENT OF PURPOSE**

*The Development Authority of Alpharetta is granted powers and jurisdiction through the State of Georgia General Assembly and a resolution adopted by the Alpharetta City Council on September 3, 1996. The function of this Authority is to promote the public good and general welfare, trade, commerce, industry, general tax base and the employment opportunities available in the City of Alpharetta.*

**IV. CONSENT AGENDA**

**A.** Approval of October 18, 2022 Development Authority Meeting Minutes

**V. OLD BUSINESS**

**A.** Alpha Loop Foundation Memorandum of Understanding

**VI. PARTNER UPDATE**

**A.** Karen Cashion, CEO and President of Tech Alpharetta

**B.** Deborah Lanham, CEO and President of the Alpharetta Chamber of Commerce

**C.** Charlotte Christian, City of Alpharetta Economic Development Coordinator

**D.** Kathi Cook, City of Alpharetta Director of Community Development

**VII. ADJOURNMENT**



# DEVELOPMENT AUTHORITY MEETING

## UNAPPROVED MEETING MINUTES

OCTOBER 18, 2022

ALPHARETTA CITY HALL  
EXECUTIVE CONFERENCE ROOM #318  
2 PARK PLAZA  
5:00 PM

### I. CALL TO ORDER

- ❖ Chairman Nugent called the meeting to order at 5:04 p.m.

### II. ROLL CALL

- Board Members Present:

- ❖ Jack Nugent (Chair)
- ❖ Morgan Smith
- ❖ Jill Bernard
- ❖ David Chatham
- ❖ Shawn Allen
- ❖ John Goss

- Staff present:

- ❖ Kathi Cook, Director of Community Development
- ❖ Lance Morsell, Economic Development Manager
- ❖ Charlotte Christian, Economic Development Coordinator
- ❖ Greg Mayfield, Development Authority Legal Counsel

### III. STATEMENT OF PURPOSE

*The Development Authority of Alpharetta is granted powers and jurisdiction through the State of Georgia General Assembly and a resolution adopted by the Alpharetta City Council on September 3, 1996. The function of this Authority is to promote the public good and general welfare, trade, commerce, industry, general tax base and the employment opportunities available in the City of Alpharetta.*

- ❖ Chairman Jack Nugent read the statement of purpose.

### IV. CONSENT AGENDA

#### a. Approval of Meeting Minutes

- ❖ Board Member Jill Bernard offered a motion to approve the Development Authority Meeting Minutes from August 16, 2022.
  - Board Member David Chatham second the motion.
  - The motion was approved 6-0.

## V. NEW BUSINESS

### A. Alpha Loop Foundation Memorandum of Understanding

- Economic Development Manager Lance Morsell introduced the item.
  - Mr. Morsell said that before the board was a request for \$20,000, via a Memorandum of Understanding, for the Alpha Loop Foundation to build a website.
  - ❖ Given that Member John Goss and Morgan Smith were also members of the Alpha Loop Foundation board, Mr. Morsell asked them to recuse themselves to avoid a conflict of interest.
    - Members John Goss and Morgan Reynolds left the room for the remainder of this item.
- Director of Community Development, Kathi Cook, then spoke about the history of the Alpha Loop Foundation.
  - Director Cook and John Goss have been working on the creation of the Alpha Loop foundation for three years.
  - The purpose of the Foundation is to raise funds for the Alpha Loop, similar to the Beltline Partnership in the City of Atlanta. The Beltline Partnership has been able to get corporate sponsorships to give funds to construct the Beltline and get sponsorship of sections of the Beltline.
  - City Council recently approved a Memorandum of Understanding and agreement whereby they will match up to \$2,000,000 of the funds raised by the foundation. They also granted the foundation exclusive rights to the Alpha Loop logo. The foundation plans to use that logo to create a website, have events, and have merchandise to promote the economic development benefits of the Alpha Loop. Director Cook compared the future economic benefits of the Alpha Loop to that of the Beltline but on a smaller scale.
  - The City is having a ground breaking ceremony and will start construction on a 1-mile new section of the Alpha Loop in late October, but is still looking for funding for a section that will include a tunnel under Haynes Bridge as well as a section that will connect Haynes Bridge over to North Point Mall. This foundation can help raise funds for the future expansion and pay for these sections.
  - Director Cook has had interactions with corporations looking to get involved with the Alpha Loop but said that the City is not equipped to deal with sponsors. She said that having a foundation and these private groups is important.
- Mike Shuster, a member of the Alpha Loop board, came forward to present this item.
  - Mr. Shuster explained that he is a founding member of the Alpha Loop Foundation and a lawyer, and he has been assisting the Alpha Loop Foundation pro-bono. Alpha Loop Foundation has now been established as a 501c3 charitable organization.
  - The Alpha Loop Foundation was started 3 years ago but was slowed during covid. They have been given about \$5,000 to file with the IRS to establish the 501c3 organization status. They are requesting \$20,000 from the Development Authority to fund the creation of their website and raise awareness of their foundation and allow them to start approaching public sponsors.

- The Development Authority discussed the following:
  - Director Kathi Cook noted that when City officials approach corporations and businesses (in order to solicit donations or involvement), it would be helpful to have a website to point these businesses to.
  - Chairman Jack Nugent asked if the agreement made with the City of Alpharetta at the October 3<sup>rd</sup> City Council had been backdated to match fund the Alpha Loop Foundation had already raised. Mr. Shuster replied it was not.
  - Chairman Jack Nugent asked how long the Alpha Loop would be after all the currently planned sections were built. Director Cook replied about 8 miles.
  - Chairman Jack Nugent asked if each mile cost around 15 million. Director Cook replied that only this new section between Haynes Bridge and Northwinds was planned to cost that much, and that was because of the needs of the terrain including the elevated bridge.
  - Member Jill Bernard asked where the new section was located. Director Cook described the area between Haynes Bridge and Northwinds.
  - Chairman Jack Nugent asked if the \$20,000 would be for the Foundation's website. Mr. Morsell replied that it would and introduced Lindsey Pace from id8. Mr. Morsell explained that id8 has worked with the City of Alpharetta's Economic Development department in the past and would be doing the Alpha Loop Foundation's website.
  - Ms. Pace described her work with the City of Alpharetta and other cities like the City of Canton and explained how her firm, id8, is working on the branding and website for the Alpha Loop Foundation. Ms. Pace explained that she would be working with multiple city departments and the Alpha Loop Foundation to ensure everyone was on the same page.
  - Mr. Morsell pointed out that the MOU that was being discussed was a draft that would be subject to legal review before a final copy could be brought back in front of the development Authority for finalization. He noted that this MOU contained pro-forma requirements similar to other MOUs that the Authority has previously approved.
  - Chairman Jack Nugent brought up that they did not have an updated financial statement, but felt it was important they take a look to ensure they have the appropriate funds. Mr. Morsell then passed around a financial handout of the Authority's budget as of a month ago.
  - Member Shawn Allen asked if the line indicating \$183,000 budget was missing any other pending obligations. Chairman Jack Nugent said that it was \$183,000, but that items that have been brought up but not been acted upon are the Brookside/Connected Forward Grant. Mr. Morsell confirmed that this was the case. Chairman Jack Nugent pointed out that the next budget item is a \$20,000 ask, so that would leave \$148,000. He asked what money was coming in from bond revenues and asked how much that was. Mr. Morsell said there would be a payout from the school, but that he did not have that number available; he said they did receive a \$119,000 payout with the closing of TPA Lakeview in September.
  - Chairman Jack Nugent emphasized he wanted to be mindful about the money, particularly assuming the North Point Mall redevelopment moves forward.
  - Member Shawn Allen said that the nature of the loop is that it covers a large part of Alpharetta and is not just for a small region. Shawn said that it would affect a lot of people and that he was willing to make a motion.
  - Member David Chatham agreed and said that the walkability was one of the biggest draws of the City and said he could not think of a better way to spend their money.
- Chairman Jack Nugent said that the motion then would be not to approve a memorandum of understanding because the submitted document was a draft, but to approve the Economic Development Department moving forward with the legal team moving forward to come up with a final Memorandum of Understanding. Member Shawn Allen said that they would need to add that they agree to the expenditure of \$20,000, subject to the Memorandum of Understanding.

- ❖ Board Member Shawn Allen offered a motion to approve that the Development Authority agree to the expenditure of \$20,000 to the Alpha Loop Foundation pending an agreed upon memorandum of understanding.
  - Board Member David Chatham seconded the motion.
  - The motion was approved 4-0-2.
    - Chairman Jack Nugent, and Board members Jill Bernard, David Chatham, and Shawn Allen voted in favor of the motion. Board members Morgan Smith and John Goss abstained.
    - It was clarified that this would be put on the next meeting's consent agenda once an MOU was finalized.
- ❖ Board Members John Goss and Morgan Smith re-entered the meeting.

#### Windward Technical Assistance Panel Funding

- Lance Morsell came forward to present this item.
  - Mr. Morsell explained that the Technical Assistance Program (TAP) is run through the Urban Land Institute (ULI). The focus of the panel would be to invigorate the Windward office corridor, increase walkability, and encourage visitors and residents to stay after the 9-5. Mr. Morsell said he has experience working with the urban land institute in the past in his capacity with the City of Doraville.
  - Urban Land institute approached Director Kathi Cook a year ago about the possibility of a project.
  - Windward presently has a 18% vacancy. The panel focus would be on the east side of Georgia 400.
  - It was noted that a new development, Continuum, will be on the west side of GA-400.
  - Staff had plans to meet Thursday with members from the Urban Land Institute to review the City's application.
  - Three areas were proposed by city staff as focus point for the panel. One of the areas is a 63-acre area that includes the terraces at windward, which has had a lot of office and retail closing.
  - Mr. Morsell explained that the request would be to grant \$20,000 of Development Authority funds to fund the TAP study. It was explained that though the application had not yet been accepted, the application did ask for the funding source to be explained, and thus why the request was being made prior to application approval.
- The Development Authority discussed the following:
  - Member Shawn Allen asked how vacancy compared across the region.
  - Member Morgan Smith asked if the reported vacancy rate included sublet spaces; Mr. Morsell replied that it did not account for subleasing.
  - Mr. Morsell read the scope of work questions outlined in the application.
  - Member Shawn Allen asked if the \$20,000 was the cost to apply or whether that was the amount needed for the TAP study if the application was approved. Mr. Morsell replied that amount was needed only if the application was approved.
  - Member Shawn Allen noted that many recommendations the city would receive from this study would be for private ownership and asked if staff knew if the owners would be

receptive. Director Cook replied that she had spoken to one of the owners of one of the shopping centers, and that they are excited. Mr. Morsell said he is working with planning to identify the owners of the other parcels.

- Member Shawn Allen asked why the ULI experts would not also look at Brookside if they are already coming into look at Areas in Windward. Mr. Morsell said ULI wanted to focus on narrowly tailored areas.
- The Development Authority discussed the following:
  - Chairman Jack Nugent said that ULI has always been the most respected group in the industry.
  - Member Jill Bernard pointed out that on the northwest side of Windward Parkway, there is no or limited sidewalk connectivity and that sidewalks were important to connectivity and after hours in the area.
  - Member David Chatham agreed that ULI was the top of the commercial research groups and pointed out that there is no activity there because he felt like there is no retail there. He said he was encouraged by the fact that ULI was interested and said that he would support this because there is a real need in the area.
  - Member David Chatham commented that having ULI's stamp will interest private owners and provide creditability.
- Mr. Morsell noted that if there was a move to approve, it would be pending final review of the resolution given that the application is still pending approval.
  - ❖ Board Member Morgan Smith offered a motion to approve.
    - Board Members John Goss and Jill Bernard seconded the motion.
    - The motion was approved 6-0.
    - Mr. Morsell noted that this item would appear on a future consent agenda once the application has been accepted to receive final approval from the Development Authority.

## VI. WORKSHOP

### A. Development Authority Regulations and Oversight

- Economic Development Manager Lance Morsell presented this item:
  - Mr. Morsell said there's been conversation in the press about the power of dev authorities in the state of Georgia. The Georgia General assembly has made a resolution to study development authorities.
  - The Rivian deal is one example of the high-level deals in Development Authorities, and a judge halted that deal in state court. Mr. Morsell said he wanted to point out that this could happen with any incentives the development authority puts out.
- The Authority discussed various aspects of the Resolution and various aspects of the Rivian Case.
  - ❖ No action was taken on this item. The presentation was for information purposes only.

## VII. PARTNER UPDATE

### A. Karen Cashion, CEO and President of Tech Alpharetta

- ❖ Ms. Cashion could not be present at the meeting, but instead sent an update via email.
- ❖ No action was taken on this item. The presentation was for information purposes only.

### A. Deborah Lanham, CEO and President of the Alpharetta Chamber of Commerce

- The Alpharetta Chamber netted approximately \$24,000 from their Ladies Night event
  - The Chamber now has a high school intern, Keira.
  - The next Chamber event is the Season of Celebration and they will have “gift wrap shack” from 12-3 p.m. on Friday, 12/9/22, where volunteers will provide free gift wrapping. The chamber is working with City of Alpharetta Special Events Coordinator, Hilary Lew, to plan their events. The Chamber is coordinating with downtown shops to offer specialty drinks.
  - The Chamber has been using Promotional Solutions for their signage and sandwich boards.
- ❖ No action was taken on this item. The presentation was for information purposes only.
- ❖ Member Morgan Smith excused herself and left the meeting at 6:36 p.m.

**B. Lance Morsell, City of Alpharetta Economic Development Manager**

- Mr. Morsell noted that Mark Wingate had resigned from the Development Authority and reported that the mayor had been notified and will nominate a new member.
  - UPS Supply Chain Solutions has now pulled their office site off the market and plans to return to office.
  - Mr. Morsell noted that there had been requests by development authority members for a bus, and that he had spoken with Chairman Jack Nugent about focusing on the Brookside area of the city. Chairman Nugent said that he welcomes recommendations on where the tour should go. Mr. Morsell said that a tour may be arranged as a special session.
- ❖ No action was taken on this item. The presentation was for information purposes only.

**VIII. ADJOURNMENT**

- ❖ Chairman Nugent adjourned the meeting at 6:44 p.m.

Respectfully submitted,  
Charlotte Christian, Economic Development Coordinator



# DEVELOPMENT AUTHORITY STAFF REPORT

SUBMITTING DEPARTMENT: ECONOMIC DEVELOPMENT

SUBMITTED BY: LANCE MORSELL

DRAFTED BY: LANCE MORSELL

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- I. AGENDA ITEM TITLE: ALPHA LOOP FOUNDATION WEBSITE MOU
  - II. RECOMMENDATION: APPROVAL OF THE ALPHA LOOP FOUNDATION
  - III. REPORT IN BRIEF: THE ALPHA LOOP FOUNDATION IS ASKING FOR A **\$20,000** DIRECT PAYMENT FOR THE CREATION OF A CENTRALIZED WEBSITE FOR THE GROUP. THE GOAL OF THIS WEBSITE IS TO FURTHER PROMOTE AND LEGITIMIZE THE FOUNDATION'S WORK. THIS INCLUDES INFORMATION ON THE LOOP ITSELF, EVENTS, AND A DIRECT DONATION PAGE.
  - IV. FISCAL IMPACT: **\$20,000** OF THE DEVELOPMENT AUTHORITY FUNDS
  - V. DISCUSSION:
  - VI. ATTACHMENTS:
    - Alpha Loop MOU

## **MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING** (this “**MOU**”) is effective as of November 15, 2022, by and between the Alpha Loop Foundation, Inc., a Georgia nonprofit corporation (the “**Foundation**”), and the Development Authority of Alpharetta, Georgia, a public body corporate and politic of the State of Georgia (the “**Authority**”).

### **WITNESSETH:**

**WHEREAS**, the Authority has legal authority to provide funding to facilitate projects or programs within the authorized purposes of the Authority; and

**WHEREAS**, one of the authorized purposes of the Authority is to promote economic development opportunities in and for the City of Alpharetta, Georgia (the “**City**”); and

**WHEREAS**, the Foundation is an Alpharetta-based, Georgia nonprofit corporation that promotes the experiential, multi-use trail network that is the Alpha Loop. The Alpha Loop is a major economic development driver for the City of Alpharetta; and

**WHEREAS**, the Authority deems it beneficial and appropriate to enter into this MOU with the Foundation for the purposes set forth herein.

**NOW, THEREFORE**, in consideration of the premises and undertakings as herein set forth, it is agreed by and between the Foundation and the Authority as follows:

1. **Funding.** The Authority shall make funding available to the Foundation in an amount not to exceed TWENTY THOUSAND DOLLARS (\$20,000.00), payable by the Authority to the Foundation after execution of this MOU (the “**Authority Funds**”). The Authority Funds shall be used solely for the professional design, creation, and development of high-quality website for the Foundation dedicated to promotion of the Alpha Loop and the Foundation’s work (the “**Website**”).

2. **Core Purposes.** The Foundation shall use the Authority Funds to build and implement the Website. The Website shall be designed, constructed, and operated in a manner that supports and promotes the Foundation’s mission and the activities, benefits, economic development, and growth of the Alpha Loop. The Foundation is positioned to be the organization that leads the success of the Alpha Loop forward. A thriving multi-use trail requires unity in purpose and mission, implementation of a competitive marketing strategy, and a consistent event and program calendar, all of which the Foundation shall work to promote. The Website shall deliver up-to-date information about the Alpha Loop and the various activities, meetings, and events involving the Alpha Loop community and provide visitors to the Website an opportunity to make direct donations to the Foundation in support of the Alpha Loop. The Foundation’s ability to receive direct donations for the Alpha Loop is critical in having a well-established and successful Website.

3. Expanded Activities and Strategies. The Foundation shall develop and execute the following activities and strategies:

- a) Engage a qualified professional website developer to design, create, and develop the Website;
- b) Pursue ongoing development of “Quality of Place” and “Quality of Life” recreation and culture via the Alpha Loop;
- c) Create and provide an accessible and convenient donation mechanism or portal through the Website that allows for direct investment in the Alpha Loop;
- d) Sponsor one to two annual events a year that promote the Alpha Loop and its broader economic development benefit to the community, and actively advertise and promote such events through the Website;
- e) Explore additional economic development opportunities; and
- f) Actively engage in long range master planning through regularly scheduled board meetings of Foundation Board of Directors.

4. Implementation. In performing the services and activities under this MOU, the Foundation will:

- a) Provide regular written monthly updates to the Authority on the creation, implementation, execution, and operation of the Website;
- b) Work with the City of Alpharetta’s Economic Development staff to ensure compliance with this MOU and serve as a liaison to the Website design contractor;
- c) Plan and execute one to two annual events that promote the Alpha Loop and its economic vitality to the Alpharetta community;
- d) Coordinate with relevant City of Alpharetta Departments on any events planned that impact the community at large.

5. Funding/Sustainability. This one-time payment of Authority Funds is intended to fund the Foundation’s creation of the Website where information on the Alpha Loop trail, the Foundation, and access to donation platforms will be housed. This payment is not intended to serve as a Foundation-wide funding mechanism.

6. Additional Deliverables. The Foundation will perform the following additional services for the benefit of the Authority and to promote economic development within the City:

- a) Maintain the active engagement of the Foundation’s Board of Directors and staff in a strategic manner to promote the Alpha Loop;
- b) Further build the brand and digital marketing infrastructure of the Foundation and the Alpha Loop beyond the Website;
- c) Execute events and plan signature events that are specific to the Alpha Loop; and

- d) Increase engagement of proximate residents and visitors alike in the activities of the Alpha Loop.

7. Term. The term of this MOU shall be one (1) year. Upon termination, any unspent or uncommitted funds shall be returned to the Authority.

8. No Third-Party Beneficiaries. Nothing contained in this MOU is intended to or shall create a contractual relationship with, cause of action in favor of, or claim for relief for, any third party, or otherwise be deemed to create rights in any third party, including any agent, contractor, subcontractor, consultant, or subconsultant of the Foundation. Absolutely no third-party beneficiaries are intended by this MOU. Any third party receiving a benefit from this MOU is an incidental and unintended beneficiary only.

9. Counterparts. This MOU may be executed in several counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

10. Applicable Law. This MOU is being entered into with the intent that the laws of the State of Georgia shall govern its construction and enforcement.

[SIGNATURES ON FOLLOWING PAGE]

**IN WITNESS WHEREOF**, the parties hereto, acting through their duly authorized representatives, have caused this MOU to be executed, sealed, and delivered, all as of the day and year first written above.

**ALPHA LOOP FOUNDATION, INC.**

By: \_\_\_\_\_  
John Goss, President

(SEAL)

**DEVELOPMENT AUTHORITY OF ALPHARETTA,  
GEORGIA**

By: \_\_\_\_\_  
Jack Nugent, Chairman

(SEAL)