



DEVELOPMENT AUTHORITY MEETING MAY 16, 2023

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
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 Minutes from the meeting of February 21, 2023

B. Conflict Waiver: Development Authority and the City of Alpharetta for the Jobs Creation Grant

C. Conflict Waiver: Development Authority and the City of Alpharetta for the partial funding of Tech Alpharetta

V. WORKSHOP

A. Development Authority Financial Update

VI. NEW BUSINESS

A. Fifth Amendment to Intergovernmental Agreement: Alpharetta Development Authority Local Jobs Grant Program

VII. PARTNER UPDATES

A. Kathi Cook, Director of Community and Economic Development

VIII. DISCUSSION

IX. ADJOURNMENT



DEVELOPMENT AUTHORITY MEETING FEBRUARY 21, 2023 ACTION SUMMARY

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

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This document includes limited presentation by Development Authority and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. CALL TO ORDER

❖ Chairman Jack Nugent called the meeting to order at 5:12 p.m.

II. ROLL CALL

Board Members Present: (4-2)

Jack Nugent (Chair)

Jill Bernard

John Goss

David Chatham

Board Members Absent:

Shawn Allen

Morgan Smith

Staff present:

Lance Morsell, Economic Development Manager

Charlotte Christian, Economic Development Coordinator

Greg Mayfield, Development Authority Legal Counsel

III. STATEMENT OF PURPOSE

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❖ Chairman Jack Nugent read the statement of purpose.

IV. CONSENT AGENDA

a. Approval of January 17, 2023 Development Authority Meeting Minutes

❖ Vice Chairwoman Jill Bernard offered a motion to approve the Development Authority Meeting Minutes from January 17, 2023.

○ Member David Chatham seconded the motion.

▪ The motion was approved 4-0.



DEVELOPMENT AUTHORITY MEETING FEBRUARY 21, 2023 ACTION SUMMARY

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

V. WORKSHOP

a. Financial Update

Lance Morsell and Charlotte Christian presented an update of the Development Authority's current financials.

❖ No action was taken on this item. This presentation was for information purposes only.

b. Connect Forward Grant

Lance Morsell presented a draft of the potential grant application and received feedback and suggestions from the board. Mr. Morsell indicated that staff would work on a new draft taking that feedback into consideration and discuss necessary details with legal counsel. Mr. Morsell indicated that a full proposal would be brought to the development authority for consideration at a future meeting.

❖ No action was taken on this item. This presentation was for discussion purposes only.

VI. PARTNER UPDATES

a. Karen Cashion, CEO and President of Tech Alpharetta

Karen Cashion provided updates on Tech Alpharetta's incubated startups, speaker series, workshops, and mentorship programs, and Tech Alpharetta's traditional and social media social media reach in 2022. Slides from the presentation are attached.

❖ No action was taken on this item. This presentation was for information purposes only.

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

Deborah Lanham provided updates on the Alpharetta Chamber and its Downtown District initiative. Slides from the presentation are attached.

❖ No action was taken on this item. This presentation was for information purposes only.

c. Lance Morsell, City of Alpharetta Economic Development Manager

Lance Morsell provided updates on the ongoing efforts to create the Economic Development Strategic Plan, recent staff tours of local businesses, and staff training updates.

❖ No action was taken on this item. This presentation was for information purposes only.

VII. DISCUSSION

- Development Authority Members discussed their desire for a unified city-wide web-based calendar of events and discussed potential benefits of media outreach.

❖ No action was taken on this item.

VIII. ADJOURNMENT

- ❖ With there being no further business to hear or discuss, Chairman Nugent adjourned the meeting at 6:40 p.m.

Respectfully submitted,
Charlotte Christian, Economic Development Coordinator



STAFF REPORT

Department: Community & Economic Development
Submitted By: Charlotte Christian
Meeting Date: May 16, 2023

AGENDA ITEM:

Conflict Waiver: Development Authority and the City of Alpharetta for the Jobs Creation Grant

STAFF RECOMMENDATION:

Approve a Conflict Waiver regarding Jarrard & Davis, LLP joint representation of the City of Alpharetta and the Development Authority of Alpharetta related to a funding arrangement for a local jobs program.

ITEM DESCRIPTION:

Consideration of approval of a Conflict Waiver regarding Jarrard & Davis, LLP joint representation of the City of Alpharetta and the Development Authority of Alpharetta related to a funding arrangement for a local jobs program and authorize the Development Authority Chairman to execute all documents.

Jarrard and Davis is the counsel of record for both the City of Alpharetta and Development Authority of Alpharetta and would represent both parties in conjunction with a funding arrangement for a local jobs program. Out of an abundance of caution, it is recommended that the parties execute conflict waivers acknowledging and agreeing Jarrard and Davis's representation of the parties.

ATTACHMENTS:

1. City of Alpharetta - Development Authority - Conflict Waiver (dev authority) (Jobs Program)

**CONFLICT WAIVER REGARDING JARRARD & DAVIS, LLP JOINT
REPRESENTATION OF THE CITY OF ALPHARETTA AND THE
DEVELOPMENT AUTHORITY OF ALPHARETTA RELATED TO A FUNDING
ARRANGEMENT FOR A LOCAL JOBS PROGRAM**

WHEREAS, Jarrard & Davis, LLP is the City Attorney for the City of Alpharetta, Georgia (“**City**”);

WHEREAS, Jarrard & Davis, LLP is the general counsel for the Development Authority of Alpharetta (“**Development Authority**”);

WHEREAS, the City Council and the Development Authority Board of Directors are presently considering a funding arrangement for a local jobs creation grant program administered by the Development Authority (“**Jobs Program**”);

WHEREAS, Jarrard & Davis, LLP proposes to represent the City and the Development Authority with respect to the Jobs Program funding arrangement;

WHEREAS, Jarrard & Davis, LLP seeks the informed consent of the Development Authority to undertake joint representation of the City and the Development Authority for the following reasons:

- The interests of the City and the Development Authority are aligned;
- There is a low probability that an actual conflict will arise; and
- If an actual conflict occurred where independent and zealous representation could not be provided, withdrawal would occur.

NOW THEREFORE, in light of the above, the Development Authority does hereby approve the joint representation of the City and the Development Authority and correspondingly waives any apparent or potential conflict of interest arising from or

attributable to the representation of the City and the Development Authority by the law firm of Jarrard & Davis, LLP in the funding arrangement for the Jobs Program.

This _____ day of July 2022.

**DEVELOPMENT AUTHORITY OF ALPHARETTA,
GEORGIA**

BY: _____
Jack Nugent, Chairman



STAFF REPORT

Department: Community & Economic Development

Submitted By: Charlotte Christian

Meeting Date: May 16, 2023

AGENDA ITEM:

Conflict Waiver: Development Authority and the City of Alpharetta for the partial funding of Tech Alpharetta

STAFF RECOMMENDATION:

Jarrard and Davis is the counsel of record for both the City of Alpharetta and Development Authority of Alpharetta and would represent both parties in conjunction with a funding arrangement for a local jobs program. Out of an abundance of caution, it is recommended that the parties execute conflict waivers acknowledging and agreeing Jarrard and Davis's representation of the parties.

ITEM DESCRIPTION:**ATTACHMENTS:**

1. Development Authority - Conflict Waiver Tech Alpharetta 2023

**CONFLICT WAIVER REGARDING JARRARD & DAVIS, LLP JOINT
REPRESENTATION OF THE CITY OF ALPHARETTA AND THE
DEVELOPMENT AUTHORITY OF ALPHARETTA RELATED TO A FUNDING
ARRANGEMENT FOR TECH ALPHARETTA**

WHEREAS, Jarrard & Davis, LLP is the City Attorney for the City of Alpharetta, Georgia (“**City**”);

WHEREAS, Jarrard & Davis, LLP is the general counsel for the Development Authority of Alpharetta (“**Development Authority**”);

WHEREAS, the City Council and the Development Authority Board of Directors are presently considering a funding arrangement for Tech Alpharetta, Inc., a Georgia nonprofit corporation (“**Tech Alpharetta**”);

WHEREAS, Jarrard & Davis, LLP proposes to represent the City and the Development Authority with respect to the Tech Alpharetta funding arrangement;

WHEREAS, Jarrard & Davis, LLP seeks the informed consent of the Development Authority to undertake joint representation of the City and the Development Authority for the following reasons:

- The interests of the City and the Development Authority are aligned;
- There is a low probability that an actual conflict will arise; and
- If an actual conflict occurred where independent and zealous representation could not be provided, withdrawal would occur.

NOW THEREFORE, in light of the above, the Development Authority does hereby approve the joint representation of the City and the Development Authority and correspondingly waives any apparent or potential conflict of interest arising from or

attributable to the representation of the City and the Development Authority by the law firm of Jarrard & Davis, LLP in the funding arrangement for Tech Alpharetta.

This _____ day of May 2022.

**DEVELOPMENT AUTHORITY OF ALPHARETTA,
GEORGIA**

BY: _____
Jack Nugent, Chairman



STAFF REPORT

Department: Community & Economic Development
Submitted By: Charlotte Christian
Meeting Date: May 16, 2023

AGENDA ITEM:

Development Authority Financial Update

STAFF RECOMMENDATION:

No action is necessary; this item is for information purposes only.

ITEM DESCRIPTION:**ATTACHMENTS:**

1. FY 2023 Financial Management Report - Dev Authority (9-Mar 2023)



STAFF REPORT

Department: Community & Economic Development
Submitted By: Charlotte Christian
Meeting Date: May 16, 2023

AGENDA ITEM:

Fifth Amendment to Intergovernmental Agreement: Alpharetta Development Authority Local Jobs Grant Program

STAFF RECOMMENDATION:

Approve the Fifth Amendment to the intergovernmental contract for the Alpharetta Jobs Creation Grant Program for the period July 01, 2023, through June 30, 2024 and authorize the Mayor to execute all necessary documents.

ITEM DESCRIPTION:

Consideration of approval of the Fifth Amendment to the Intergovernmental Agreement for the Alpharetta Jobs Creation Grant Program for the period July 01, 2023, through June 30, 2024 and authorize the Development Authority Chairman to execute all necessary documents.

As a means of incentivizing business location and expansion and the hiring of Alpharetta residents for jobs created through such business location and expansion, the Development Authority entered into an agreement with the City of Alpharetta to create the Alpharetta Jobs Creation Grant Program.

As the program is currently structured, for each job created in Alpharetta by a new or expanding business that qualifies for the Georgia Job Tax Credit Program and for which a current resident of the City of Alpharetta is hired, the City will pay to the business a direct grant of \$250 to \$500 per new employee up to a maximum cumulative amount of \$80,000. The grant may be claimed for eligible new full-time, permanent jobs at the Alpharetta facility and may be claimed in years two and three if the Alpharetta resident continues to be employed.

Approved by City Council on May 1st, 2023. If approved by the Development Authority, it would extend the program for the period of July 01, 2023, through June 30, 2024.

ATTACHMENTS:

1. City of Alpharetta - Dev. Authority - Fifth Amendment - IGA for Jobs Program

FIFTH AMENDMENT TO INTERGOVERNMENTAL CONTRACT

THIS FIFTH AMENDMENT TO INTERGOVERNMENTAL CONTRACT (this “*Amendment*”) is effective as of July 1, 2023, by and between the City of Alpharetta, Georgia, a municipal corporation of the State of Georgia (the “*City*”), and the Development Authority of Alpharetta, Georgia, a public body corporate and politic of the State of Georgia (the “*Authority*”).

WITNESSETH:

WHEREAS, the City has legal authority to provide funding to the Authority 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 employment opportunities in and for the City; and

WHEREAS, on or about October 21, 2013, the City and the Authority entered into an Intergovernmental Contract to administer the local jobs creation grant program to promote employment opportunities in and for the City (the “*Intergovernmental Contract*”); and

WHEREAS, the City has provided a total of \$60,000 in funding to the Authority for the local jobs creation grant program (as described in the Intergovernmental Contract, the “*Program*”) (initial funding of \$40,000 in FY2014, and an additional \$20,000 in FY2015); of this funding amount, approximately \$32,500 remains available for use by the Authority for the Program in accordance with the Intergovernmental Contract; and

WHEREAS, the Intergovernmental Contract has been amended by the parties on January 8, 2019, July 22, 2019, July 1, 2021, and July 1, 2022 to extend the term of the Program and allow for the continued use by the Authority of the funding made available by the City for the Program; and

WHEREAS, the Intergovernmental Contract expires as of June 30, 2023, and both the City and the Authority deem it beneficial and appropriate to further extend the term of the Intergovernmental Contract through June 30, 2024.

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

1. The term of the Intergovernmental Contract is extended through June 30, 2024. Either party may terminate the Intergovernmental Contract, as amended, upon thirty (30) days prior written notice. Upon the termination, uncommitted funds shall be returned to the City. Committed funds shall continue to be administered by the Authority in accordance with the terms of the Program.

2. Except as provided herein, the other terms of the Intergovernmental Contract, as amended, shall remain in full force and effect.

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

CITY OF ALPHARETTA, GEORGIA

By: _____ (SEAL)
Jim Gilvin, Mayor

APPROVED AS TO
SUBSTANCE:

Christopher J. Lagerbloom, City Administrator

APPROVED AS TO FORM:

JARRARD & DAVIS, LLP

Molly N. Esswein, City Attorney

**DEVELOPMENT AUTHORITY OF ALPHARETTA,
GEORGIA**

By: _____ (SEAL)
Jack Nugent, Chairman