

## MINUTES

### **MALL AREA REDEVELOPMENT COMMITTEE MEETING**

Tuesday, February 7, 2023- 3:00pm-5:00pm  
ACCGov Planning Department Auditorium  
120 W. Dougherty St., Athens, GA 30601

The meetings for the Mall Area Redevelopment Committee will be available to watch live on YouTube at the link available on the calendar entry on the ACCGov homepage or this particular meeting can be viewed at the link provided here:

<https://youtube.com/live/JhHY3zm-DDk?feature=share>

**Members Present:** Mayor Kelly Girtz, Commissioner Jesse Houle, Commissioner Mike Hamby, BOE Member Dr. Mumbi Anderson, BOE Member Linda Davis

**Members Absent:** None

**ACCGov Staff Present:** Ilka McConnell, Caitlin Dye, Blaine Williams, and Judd Drake

**Development Team Present:** Jon Williams, Ken Neighbors, Isaac Yilma, Mark Jennings and Brian Lu

**A. Call to Order as a Special Called Meeting: Caitlin Dye, Business Development and Incentives Coordinator, ACCGov Economic Development Department**

1. Meeting began at 3:04 PM

**B. Approval of Amended Agenda**

1. Motion to approve: Mayor Kelly Girtz  
Second: Commissioner Mike Hamby  
Unanimous vote to approve agenda

**C. Old Business:**

1. Update of Mall Timeline
  - i. The developers have agreed to give an extra two weeks before a vote is needed.
  - ii. Vote is needed by February 21, 2023.
  - iii. Will more than likely meet two more times after this meeting.
2. Continued Discussion of the Community Benefits Agreement
  - i. The document provides a date for start of construction. We need this date to make sure we are investing in a viable project.
  - ii. We also have a requirement in the document that the Owner be accountable and responsible for developing, constructing, and completing the project in its phases. An exhibit lists out what those phases entail but more detail is truly needed in it.
  - iii. It's important to realize that in addition to the normal contractual provisions of a development agreement, we also have a schedule obligation that lists the community benefits requirements.

- iv. There are provisions in the document for checks and balances that call for termination in the event that certain critical goals are not met.
- v. A Verification Agent will be our “policeman” and will more than likely be an investment banker who is good with numbers and have real work experience. This agent will make determinations that are intended to be binding. However, there will be an appeal process internally involving public bodies.

#### **D. Committee Discussion and Questions**

1. Mayor Girtz would like the appeal process to be as streamlined as possible so that it isn’t laborious. Currently, the CBA lists that both the BOE and Mayor and Commission must vote on the appeal.
  - i. Dan states that the most laborious process is litigation and the CBA terminates litigation.
2. Commissioner Houle asked if the verification agent would also be policing the more subjective performance commitments, such as sufficient minority contracting.
  - i. Dan replied that it wouldn’t be as the agent’s expertise is on the monetary side; the responsibility relies on the other party to the agreement, the Commission/ACCGov Staff.
3. The CBA is hopefully going to be delivered on Friday, February 10<sup>th</sup> but it’s not guaranteed.
4. All attachments should be uploaded to the agenda for the meeting.
5. Commissioner Houle would like to see the ROI information, given that the NDA signed by ACCGov staff shouldn’t preclude them from sharing information internally.
6. A 3 day separation between when the CBA is delivered to when a meeting is scheduled has been requested.

#### **E. Date for Next Meeting: TBD**

#### **F. Adjourn**

1. Motion: Commissioner Mike Hamby  
Second: BOE Commissioner Linda Davis  
Unanimous vote to adjourn
2. Meeting was adjourned at 4:04PM