

AGENDA - REGULAR MEETING

JOINT DEVELOPMENT AUTHORITY OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA AND THE CITY OF WINTERVILLE

Wednesday, May 3, 2023 – 6:00 pm
City Hall, 301 College Avenue, Room 103

Directors in Attendance: Erica Cascio, Dodd Ferrelle, Kelly Girtz, Stephanie Lynn

Directors Absent: Gabriella Sandberg

Others in Attendance: Greg Sowell (counsel), Ilka McConnell (staff)

- **Call to Order as a regular meeting at 6:00pm:** Erica Cascio, Vice Chair/Interim Chair

- **Approval of Agenda:** Directors
 - Motion to approve the agenda: Stephanie Lynn
 - Second: Dodd Ferrelle
 - Agenda approved by unanimous vote of Directors

- **Approval of Minutes for 2/1/2023 meeting:** Directors
 - Motion to approve minutes for 2/1/23 regular meeting: Stephanie Lynn
 - Second: Kelly Girtz
 - Minutes approved by unanimous vote of Directors

- **New Business:**
 1. Updates on Northeast GA FoodBank expansion project: Ilka McConnell shared that the site for the new FoodBank facility is under development with tree removal, site preparation, etc. A team including ACCGov, Skanska (Owners Rep for project) JDA, FoodBank, Northeast Georgia Regional Commission, and Kevin Price Construction has been working closely together to coordinate the project. Ilka shared a copy of the first change order, which is a reduction in project cost.
 - i. Discussion & vote upon resolution to authorize Ilka McConnell to serve as JDA signatory for FoodBank project Change Orders, within the specific criteria outlined in the attached resolution. Ilka and Greg Sowell explained the resolution and the signatory criteria.
 1. Motion to authorize Ilka McConnell as signatory, per the criteria outlined in the attached resolution: Kelly Girtz
 2. Second: Dodd Ferrelle
 3. Motion to authorize Ilka McConnell as signatory per the criteria outlined in the attached resolution approved by unanimous vote of the Directors

2. Discussion of whether an Authority like the JDA can serve as a fiscal sponsor for economic development-generating non-profit activity:
Stephanie Lynn
 - i. Motion to table this item until next JDA Regular meeting because we have so many items to discuss during this meeting: Stephanie Lynn
 - ii. Second: Dodd Ferrelle
 - iii. Motion to table item until next JDA Regular meeting approved by unanimous approval of the Directors
3. Nominations and vote upon new JDA Board Chair: Directors
 - i. Motion to table nominations until empty Director seats have been filled: Erica Cascio
 - ii. Second: Stephanie Lynn
 - iii. Motion to table until empty Director seats have been filled approved by unanimous vote of Directors
4. Nominations and vote upon JDA Board Secretary: Directors
 - i. Motion to table nominations until empty Director seats have been filled: Erica Cascio
 - ii. Second: Stephanie Lynn
 - iii. Motion to table until empty Director seats have been filled approved by unanimous vote of Directors

- **Old Business:**

1. JDA Turntable Revolving Loan Fund:
 - i. Update on loan repayments: Stephanie Lynn
 - ii. Discussion & vote upon filing Statement(s) of Claims in Magistrate Court (small claims court) for businesses who appear to be operating and generating revenue but which we have sent to collections with no success
 1. Greg Sowell briefly shared an overview of the process to file claim in Magistrate Court and what is involved.
 2. Board members discussed potential repayment agreements to be accepted from loan recipients once Magistrate Court claim judgements have been made.
 - a. Motion to authorize Ilka McConnell to file the claim in Magistrate Court on behalf of the JDA for amounts under \$15,000 owed by JDA emergency loan recipients: Stephanie Lynn
 - b. Second: Dodd Ferrelle
 - c. Motion approved by unanimous vote of the Directors

- iii. Discussion of future phase of Turntable Revolving Loan Fund program: Directors
 1. Stephanie Lynn shared draft/proposed loan criteria and details from discussions with loan administrator First American Bank & Trust for the next phase of the Turntable Revolving Loan Fund (RLF), which included:
 - a. Min of 2 years operating in ACC as a business, evidenced by ACC Business Occupation Tax payment
 - b. Interest rate to be determined, likely between 3% to 4%, to make it accessible and beneficial to small businesses
 - c. Collateral required
 - d. Discussion of proposed fee for loan administrator First American Bank & Trust to administer the loan program, including underwriting and some collections, other duties
 2. Board briefly discussed how to target the loan criteria strategically and how to best target and market to ACC businesses for whom the RLF would be beneficial
 3. The Board agreed that Stephanie, Erica, and Ilka will come back at August 2023 meeting with some recommendations for loan criteria for the Board to discuss and consider.

- **Treasurer's Report:** Stephanie Lynn

1. Stephanie Lynn presented the Treasurer's Report. Operating funds are a challenge because the JDA currently does not have revenue generation. Stephanie suggested that the Board might consider using revolving loan fund late fees towards JDA operating. Ilka McConnell & Kelly Girtz shared that the proposed FY 2024 ACCGov budget included roughly \$18,000 toward JDA operating expenses for FY24, to cover annual JDA audit, subscription for QuickBooks bookkeeping software, and public officials insurance policy premium.
2. Erica Cascio suggested and the Directors discussed whether the JDA might consider shifting a defined amount of RLF funds to a Certificate of Deposit at First American Bank & Trust (FABT). The interest earnings could be potentially used towards JDA operating expenses. Stephanie Lynn will work with FABT to open the CD.
 - i. Motion to leave \$250,000 in the JDA revolving loan account and move the balance of the RLF to a CD at First American Bank & Trust: Stephanie Lynn
 - ii. Second: Dodd Ferrelle
 - iii. Motion approved by unanimous vote of the Directors

- **Counsel's Report:** Greg Sowell

1. Greg is working with FABT on a draft of a new and updated servicing agreement, which is proposed to have a term of 3 years, for the JDA Revolving Loan Fund. Will have the draft ready to share for review by the Directors at August regular meeting
- **Staff Report:** Ilka McConnell
 1. None
 - **Next Regular Meeting:** August 2, 2023 - 5:30pm
 - **Adjourn**
 1. Motion to adjourn the meeting at 7:07 pm: Stephanie Lynn
 2. Second: Dodd Ferrelle
 3. Adjournment of the meeting approved by unanimous vote of Directors

Resolution for JDA Signatory for FoodBank Project:

The Board of Directors of the Joint Development Authority of Athens-Clarke County (JDA) resolve and do hereby authorize Ilka McConnell, Economic Development Director and Borrowed Staff to the JDA to approve and sign on behalf of the JDA the following documents without further approval from the Board of Directors for the *FOOD BANK OF NE FOOD BANK OF NEGA Expansion Project – CDBG 21cv-x-029-3-6246* (the Project).

Any Change Order provided that the net amount of the change order is negative or zero provided that the Change Order has been signed by all parties prior to the JDA approval and signature.

Any Change Order provided that the net amount of the change order is less than \$20,000 provided that the Change Order has been signed by all parties prior to the JDA approval and signature.

Any Change Order that changes the Contract Time or the date of Substantial Completion without a change in contract amount (inclusive of previous change orders) provided that the Change Order has been signed by all parties prior to the JDA approval and signature .

The Final Adjusting Change order provided that the net amount of the change order is less than \$100,000 provided that the Change Order has been signed by all parties prior to the JDA approval and signature .

Pay Applications provided that all parties that have review approval have also signed the pay application prior to the JDA approval and signature.

This authorization is effective the date of this resolution, May 3, 2023, and continues until Final Completion of the project.

The parties for approval and signature of a change order are the Contractor, the Architect, the ACC Representative, the Food Bank and the JDA.