

MINUTES

LEXINGTON RD TAX ALLOCATION DISTRICT (TAD) ADVISORY COMMITTEE REGULAR MEETING

Tuesday, May 6, 2025: 5:30-6:30 PM
Athens-Clarke County Tennis Center
4460 Lexington Road, Athens, GA 30605

The meetings for the Lexington Rd. TAD Advisory Committee will be available to watch live on YouTube at the link available on the Agenda Center for the Lexington Rd. TAD:
https://youtube.com/live/Q2oyk5q_OrQ?feature=share

Members Present: Dr. Cshanyse Allen (chair), Rhett Butler, Mack Duncan, Jena Haag, and Shane Dekle (arrived 5:43 PM)

Members Absent: Bill Cody and Brantley Colbert

ACC Staff Present: Daniel Young, Economic Development

Visitors: None

1. **Call to Order as a Regular Meeting:**
 - A. Dr. Cshanyse Allen at 5:41 PM
2. **Approval of Agenda**
 - A. Motion to approve agenda: Mack Duncan
Second: Rhett Butler
Unanimous approval of agenda
3. **Approval of Minutes:** March 11, 2025 meeting
 - A. Motion to approve minutes: Mack Duncan
Second: Rhett Butler
Unanimous approval of minutes
4. **New Business:**
 - A. Welcome new committee member Jena Haag
5. **Old Business:**
 - A. Vote on Community-Identified Priority List recommending 100% of funds towards Public Infrastructure Improvements
Motion to approve recommendations: Shane Dekle
Second: Rhett Butler
Four approved, one abstained (Jena Haag), none opposed
 - B. Discussion of TAD Advisory Committee Consolidation
Motion to provide a response as a committee expressing opposition to consolidating the committees: Shane Dekle
Second: Rhett Butler

Unanimous approval of motion

6. **Committee Questions and Discussion**

- A. What are the reasons for recommending consolidation of the TAD committees? The Mayor tasked the Government Operations Committee with reviewing the groups that fall under BACs to better manage and potentially consolidate for numerous reasons including resident engagement and improved management. The topic began to be addressed at the GOC's 9/16/24 meeting beginning approximately 40 minutes into the meeting.
<https://youtu.be/KozfHWFOZ5Q?t=2453>
Additional meetings occurred on 10/21/24; 12//24; 3/17/25; and 4/21/24 culminating in the Manager's Office recommendations to consolidate TAD committees into a single committee. Links can be found through the ACCGov calendar <https://accgov.com/calendar.aspx> and visit the corresponding date, or request time-stamped links to Daniel Young.
- B. Is there a plan for consolidating the TAD Committees? – Presently there is a recommendation from the Manager's Office to consolidate the six committees into a single 10-member committee following the acceptance of the six community-identified priorities lists. At present, three lists have been accepted, two lists are pending M&C vote, and one list has not been generated. Also, at present, the GOC has not made a recommendation to accept the Manager's Office's recommendation.
- C. Is area beautification an appropriate use of TAD funds? – Yes, potentially. The [Redevelopment Powers Law section 3: Definitions](#) (O.C.G.A. 36-44-3) offers two subsections to clarify Redevelopment (36-44-3(5)) and Redevelopment Costs (36-44-3(8)). The justification of using TAD funds (public funds) is important, must be expressed using the "but for" test (i.e. this project would not be otherwise possible but for the existence of TAD funds), and be approved by the appropriate TAD Committee and then the M&C.
- D. What is the process to apply for TAD funds and receive those funds? – Some difference between ACCGov/TAD Advisory Committee initiated and private developer initiated. Below outlines a private developer:
- i. All proposals will come to Economic Development (Daniel Young and/or InvestAthensGA) to receive a template application form;
 - ii. Application is returned to Economic Development along with a financial summary including project budget and financial statement;
 - iii. Economic Development approaches all relevant ACCGov departments to determine feasibility and provides guidance to developer;
 - iv. If developer decides to pursue TAD funding, they will resubmit their application based on earlier recommendations, along with the non-refundable application fee;
 - v. The developer will create a formal proposal for first review by the appropriate TAD Advisory Committee who will make a recommendation

- including approval, denial, modification, or request for further information;
- vi. Recommendation is forwarded to Manager's Office for review and recommendations;
 - vii. Presented to Mayor & Commission for vote to release funds, modify, disapprove, or request further information/action.
 - viii. The developer's process otherwise proceeds through the Planning and Zoning processes, and is subject to other relevant departments and ACCGov ordinances.

ACCGov and/or TAD Advisory Committee recommendations are similar excluding the formality of the fees. The recommendation is brought to Economic Development to then disseminate to the appropriate departments. Any services required beyond ACCGov staff will be subject to the ACCGov procurement processes. Proposals are forwarded to the Manager's Office and eventually to the M&C for approval. Agenda items are required for M&C vote requiring the project and release of funds.

- E. How would the TAD Committee members know if the proposed project legitimately meets the "but for" test? – Committee members would not necessarily need to have that information or the technical skills to make that decision themselves. In some instances, the proposal will clearly outline the justification or clearly fall short. The pre-consultation between the developer and ACCGov staff will inform staff about their perspective on the legitimacy of the need and that information will be shared with the TAD Committee.
- F. Who is the attorney who assisted with the TADs during development? – Dan McRae from Seyfarth Shaw LLP.
- G. What are examples of communities who have successfully utilized TADs? – There are many. The City of Gainesville has examples including a restaurant requesting \$834,000 and a hotel – The National – requesting \$10.973 million. <https://accesswdun.com/article/2021/9/1039683/gainesville-set-to-approve-largest-tad-reimbursement-to-date>

Gwinnett County has a project-specific TAD called The Exchange
<https://www.fuquadevelopment.com/projects.php?project=exchange-at-gwinnett>

7. Date for Next Regular Meeting: June 10, 2025, 5:30 – 6:30 PM

8. Adjourn

- A. Motion to adjourn: Jena Haag
Second: Mack Duncan
Unanimous approval to adjourn
Meeting ended at 6:42 PM