

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Special Called Session
Tuesday, May 21, 2019
6:04 p.m.
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in a special called session. Present: Mayor Girtz, Commissioners Davenport, Parker, Link, Wright, Denson, NeSmith, Edwards, Herod, Thornton, and Hamby. No one was absent.

The purpose of the meeting was to conduct public hearing #2 on the proposed FY20 budget as required by the Taxpayer Bill of Rights passed by the Georgia General Assembly in 1999; consider financing for Landfill Phase V construction loan; resolution on clean and renewable energy; public hearing on SPLOST 2020 projects; and any other item in proper order.

Public hearing #2 on the proposed FY20 budget as required by the Taxpayer Bill of Rights passed by the Georgia General Assembly in 1999.

Citizen input

The following citizen input was received.

1. Chris Dowd – supported payment for inmate labor.
2. Paula Loniak – supported tiny houses.
3. Angie McElhannon – opposed any tax increase.

New business – Considered under suspension of Rules

Citizen input

The following citizens spoke in favor of clean energy resolution.

1. Carol Myers
2. Deborah Gonzales
3. Cole Ehlers

A motion was made by Commissioner Denson, seconded by Commissioner Parker, to adopt the following resolution. The motion passed by unanimous vote.

100% CLEAN AND RENEWABLE ENERGY RESOLUTION

BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, there is a strong scientific consensus regarding the reality of climate change and the connection between anthropogenic factors that create greenhouse gases, and how it is affecting our community now, and how current projections show what future generations will experience; and

WHEREAS, the combustion of fossil fuels, through direct emissions and through secondary climate change impacts, poses a threat to human and environmental health globally through increased air and water pollution, sea level rise, climate-driven extreme weather events, and accelerated loss of species and habitats; and

WHEREAS, Athens-Clarke-County is highly vulnerable to the effects of climate change on

residents, public infrastructure and the local economy, and the development of locally-generated renewable sources of energy will increase the resilience of Athens-Clarke County and reduce the impacts of power loss during natural disasters; and

WHEREAS, Athens has maintained a high poverty rate over the years, and black and brown communities and other economically disadvantaged people will experience the economic, environmental, health, and social harms of climate change disproportionately, and spend more of their income on energy than median households in our community; and

WHEREAS, “Clean and renewable” energy pertains to energy sources that are less detrimental to the environment than fossil fuels, and the switch to clean energy sources will reduce air, water and land pollution and the associated impacts on public health and public spending; and

WHEREAS, energy use is a holistic system, with conservation and transportation electrification being highly prioritized in order to guarantee that resources are optimized to their fullest potential during Athens’ transition to 100% renewable energy; and

WHEREAS, at both a national and local level, household income, home ownership status, race, and age are historically correlated with the likelihood that a household will spend more of its total income on energy expenses; therefore, it is imperative that we prioritize low-income, black, brown, and senior communities with policies and programs to decrease their energy burden through the adoption of sustainable and renewable technologies; and

WHEREAS, the Unified Government of Athens-Clarke-County is a leader in environmental sustainability and has used energy conservation, solar energy systems, solar thermal systems, and a landfill gas recovery system to save more than \$450,000/year in energy expenses while generating nearly 15% of its energy needs from renewable sources; and

WHEREAS, the work from local utilities has increased energy efficiency and the amount of grid energy provided by renewable sources, which has led to Georgia being one of the leading states for the deployment of solar power; we further recognize the major role utility providers will play in transitioning our community to clean and renewable energy; and

WHEREAS, the development of the renewable energy sector has already created 76,500 high-paying jobs in Georgia, with significant growth expected as less spending is used on out-of-state energy sources; and

WHEREAS, non-traditional tools such as renewable energy certificates, community solar installations, solar energy procurement agreements, property-assessed clean energy loans, and virtual net metering are essential for Athens to rapidly transition to 100% renewable status by 2035; and

WHEREAS, on April 26, 2016, a previous body of this Commission committed to increasing the use of renewable energy in both the public and private sectors, and since that time, Athens has been recognized as a SolSmart Community for its work in advancing the use of solar energy; and

WHEREAS, youth and future generations will be impacted more significantly by climate disruption than those currently in positions of power. We must recognize that youth will inherit the effects of the bad decisions of the past, have the most to lose from a lack of action in the present, and will spend their lives leading the transition to a truly green and sustainable economy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of Athens-Clarke County, Georgia:

Section 1: The Unified Government of Athens-Clarke County will obtain 100% of its energy needs from clean and renewable energy sources produced on-or-for Unified Government properties by 2035, and it will decrease the use of third-party renewable energy certificates to not more than 40% of its total energy portfolio by 2050; and

Section 2: The community of Athens-Clarke County will obtain 100% of its electricity needs from clean

and renewable sources by 2035, and all other energy needs will be met by 100% clean and renewable energy sources by 2050; the Unified Government of Athens-Clarke County will implement policies and programs and lead a comprehensive effort to support this transition; and

Section 3: These efforts will work in a manner to redress historical inequities in our community by prioritizing resources to train and hire people from within marginalized communities to participate in the energy efficiency and renewable energy workforce, and by facilitating energy efficiency upgrades, opportunities for clean transportation, and renewable energy installations in low-income communities; and

Section 4: The Unified Government of Athens-Clarke County commits itself to developing a clean energy action plan within 18 months of the adoption of this resolution, by inviting partnerships with utilities, institutional partners, industries, businesses, and individuals, as well as collaborating with surrounding communities in achieving aligned clean energy and equity goals; this body also commits to revisiting these goals and associated planning efforts as technologies, policies, and economic feasibility of these commitments change; and

Section 5: The Unified Government of Athens-Clarke County urges the Athens-Clarke County Pension Board and the Athens-Clarke County Deferred Compensation Board to re-evaluate its position about the role fossil fuels play in Athens-Clarke County employees' retirement funds and how they impact the health of ACC retirees' investments, and continue reviewing fossil fuel divestment strategies. Athens-Clarke County encourages increasing investments in renewable and sustainable energy sources.

Section 6: The Mayor and Commission hereby direct the Manager and ACCGOV staff to support this resolution.

A motion was made by Commissioner Wright, seconded by Commissioner Edwards, to adopt a resolution, Attachment #1 of agenda report dated April 29, 2019, authorizing an intergovernmental agreement with the Solid Waste Management Authority for the purpose of issuing \$4,765,989.00 of debt to JP Morgan Chase Bank for the construction of the Athens-Clarke County Landfill Phase V; and authorize the Mayor and appropriate staff to execute all related documents.

A substitute motion was made by Commissioner Hamby, seconded by Commissioner Thornton, to adopt a resolution, Attachment #1 of agenda report dated April 29, 2019, authorizing an intergovernmental agreement with the Solid Waste Management Authority for the purpose of issuing \$4,765,989.00 of debt to JP Morgan Chase Bank for the construction of the Athens-Clarke County Landfill Phase V; authorize the Mayor and appropriate staff to execute all related documents; re-engage discussion with the landfill area community; and place this item on a future work session.

The substitute motion passed by unanimous vote and the following resolution was declared adopted.

RESOLUTION OF THE MAYOR AND COMMISSION OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA APPROVING AND AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF AN INTERGOVERNMENTAL CONTRACT WITH THE SOLID WASTE MANAGEMENT AUTHORITY OF ATHENS-CLARKE COUNTY; APPROVING THE ISSUANCE OF THE SOLID WASTE MANAGEMENT AUTHORITY OF ATHENS-CLARKE COUNTY PROMISSORY NOTE AND RELATED LOAN AGREEMENT; AND FOR RELATED PURPOSES

WHEREAS, the Solid Waste Management Authority of Athens-Clarke County (the "Authority") has been created and is existing pursuant to the Regional Solid Waste Management Authorities Act, O.C.G.A. § 12-8-50 *et seq.* (the "Act"); and

WHEREAS, under the Act, the Authority has, among others, the power to acquire, install and construct of certain property for use as or in connection with a facility for the collection, storage or final disposal of solid waste in Athens-Clarke County, Georgia (each an "undertaking") and to issue notes in connection with such undertakings; and

WHEREAS, the Unified Government of Athens-Clarke County, Georgia (the "Unified Government") requires the expansion and improvement, including extensions and improvements to the

existing landfill to provide an additional “Phase V Cells 1A and 1B” of approximately 8.6 acres in size in Athens-Clarke County (the “Project”), and the Unified Government is authorized pursuant to the Constitution and laws of Georgia to acquire and undertake the Project; and

WHEREAS, Article IX, Section III, Paragraph I(a) of the Georgia Constitution authorizes, among other things, any county, municipality or other municipal corporation of the State of Georgia to enter into an agreement, for a period not exceeding 50 years, with another county, municipality or municipal corporation or with any other public agency, public corporation or public authority for joint services, for the provision of services, or for the provision or separate use of facilities or equipment, provided that such Intergovernmental Contract deals with activities, services or facilities which the contracting parties are authorized by law to undertake or to provide; and

WHEREAS, the Authority, by its resolution adopted May 21, 2019 (the “Authority Resolution”) proposes to finance the Project through the issuance of its Promissory Note in the principal amount not to exceed \$4,765,989 (the “Note”) pursuant to a bid received from JPMorgan Chase Bank, N.A. (the “Lender”) and a related Loan Agreement between the Authority and the Lender (the “Loan Agreement”), and the Note will be secured by an assignment by the Authority of the Intergovernmental Contract referred to below; and

WHEREAS, the Authority and the Unified Government propose to enter into an Intergovernmental Contract (the “Intergovernmental Contract”) with respect to the Project, and under the Intergovernmental Contract the Unified Government will agree to pay to the Authority amounts required to make the payments due with respect to the Note.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia, as follows:

Section 1. The execution, delivery and performance of the Intergovernmental Contract be and the same are hereby authorized. The Mayor is hereby authorized to execute and deliver such Intergovernmental Contract on behalf of the Unified Government, which Intergovernmental Contract shall be in substantially the form attached hereto as Exhibit “A” with such changes, insertions or omissions as may be approved by the Mayor of the Unified Government, and the execution of the Intergovernmental Contract by the Mayor of the Unified Government as hereby authorized shall be conclusive evidence of any such approval.

Section 2. The Unified Government acknowledges that it has received a copy of the Authority Resolution and the financing commitment of the Lender, that it approves the Note and the Loan Agreement, and that the Note will be payable as to principal and interest in accordance with the terms thereof, and approves the issuance by the Authority of the Note.

Section 3. In connection with the execution and delivery of the Intergovernmental Contract, the proper officers, agents and employees of the Unified Government are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents, assignments, allocations and certificates as may be necessary to carry out and comply with the provisions of the Intergovernmental Contract and are further authorized to take any and all further actions and to execute and deliver any and all further documents, assignments, allocations and certificates as may be necessary or desirable in connection with the issuance by the Authority of the Note and the execution, delivery and performance of the Intergovernmental Contract.

Section 4. All acts and doings of the Unified Government which are in conformity with the purposes and intents of this Resolution and in furtherance of the issuance of the Intergovernmental Contract shall be, and the same hereby are, in all respects, approved and confirmed.

Section 5. This Resolution shall take effect immediately upon its adoption.

Public hearing on proposed SPLOST 2020 projects

The following citizen input was received.

1. Carol Myers – supported #51 renewable energy; #52 sustainability investment; and #84 energy sustainability
2. Gordon Rhodes – more information needed on Tallassee Forest project
3. Diane Dunston – supported #67 Gaines School Youth Development Center
4. Ross Watson – requested more information on designated projects
5. Joan Sheldon - supported #60 Bear Hollow renovation
6. Chris Smart – supported #60 Bear Hollow renovation
7. Michael Smith – opposed #81 Classic Center
8. Chris Dowd – opposed #81 Classic Center, supported #84 energy sustainability

9. Mickey Luke – supported #51 renewable energy; #52 sustainability investment; and #84 energy sustainability
10. Angie McElhannon – all residents should be included.
11. Tommy Valentine – supported #61 Beech Haven Park
12. Nnemme Clayton – supported #84 energy sustainability

The meeting adjourned at 7:13 p.m.

Clerk of Commission