

Minutes - Draft

**PECS-Planning, Economic Development & Community Services
Committee**

Tuesday, November 30, 2021

10:00 AM

Special Called Meeting

This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available

*(1) via live stream on DCTV's webpage,
(2) on DCTVChannel23.TV*

Meeting Started At: 10:00AM

Attendees: Commissioners Johnson, Davis Johnson, Rader, Terry, Bradshaw, Cochran-Johnson, Patrick

Present 3 - Member Jeff Rader, Chairperson Larry Johnson, and Member Mereda Davis Johnson

I. MINUTES

2021-3400 Commission District(s): ALL
Minutes for the November 9, 2021 Planning, Economic Development, and Community Services Committee Meeting
MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be approved. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

II. APPOINTMENT INTERVIEW

[2021-3398](#)

Commission District(s): All

Appointment of Jose Paniagua to the DeKalb County Public Library Board of Trustees

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be recommended for approval to the Board of Commissioners, due back on 12/14/2021. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

-interview conducted by the commissioners to Mr. Paniagua

III. DISCUSSION

Employee Affordable Housing

Landed

-information provided by Ian Magruder, Head of Partnerships - Landed

-Question JR: the shared equity or return that was mentioned, is that inclusive or exclusive of your return on investment? In other words do you get your \$50,000 plus 25%, or is it 25% of the entire capital gain?

I Magruder: for example if someone purchased a \$500,000 home, and it went up by 100,000, then the homebuyer would share back in 25% of that gain or \$25,000. After 30 years they decide they want to sell, the homebuyer would pay back the initial 50 plus 25, or \$75,000. On the other hand, if the home depreciated by \$100,000 then they would only owe back 50 minus 25 or \$25,000. We hope that homes will appreciate over the long term, but if they don't, we will cushion - or share in the loss.

-Question MDJ: how do you all differ from a lender?

I Magruder: we differ in several ways. First, we do not offer loans; we work alongside lenders, and someone would have to work with a lender in the financing process. Second, there is no interest rate, it is a shared investment.

-Question MDJ: if a buyer takes out a loan, the person would need decent credit. If they had a first and second mortgage would that put you in third place? What are your credit qualifications?

I Magruder: we don't do a hard pull on credit, we rely on our partner lenders to do that. Having said that, we are highly dis-incentivized to put people in homes they cannot afford. If there was a default, the lender would come in first position. We're not looking at traditional affordable housing, we are really looking at middle income housing (teachers, nurses, county employees with a stable paycheck, etc.).

-Question MDJ: if there is a first and second mortgage on the home, those 2 would take priority and would you all take the third position?

I Magruder: yes we would come in second position and we wouldn't work on a property that already has a first and second mortgage

-Question LCJ: regardless of down payment, your investment will cap at 25% equity or depreciation at the time of buyout? This is not a 30 year program, correct? What does the buyout look like?

I Magruder: great question. Regarding appreciation, it depends on how much Landed invests. The max amount that we invest is 15%, and for each 1% that we invest, we share in 2.5% of depreciation. I have used this program personally as well. Regarding buyout, the homebuyer decides when they want to exit anytime; they can do that by selling the home, refinancing (our most common form of exiting), or an all-cash buyout if their financial situation has changed. The homeowner gets to decide, and we encourage people to exit when they feel financially ready.

-Question LCJ: you mentioned several banks; how many different banking options do you have available to purchasers?

I Magruder: We have 12 nationwide that we work with. Around 3 in the Atlanta area that offer competitive interest rates on the open market; we have no financial agreement with these lenders so you can choose the lender that you want.

-Question TT: regarding the investors for Landed, what percentage of foreign investors do you have?

I Magruder: we have a Canadian pension fund, which is one of the largest in Canada. I don't believe we have any others.

-Question TT: have employees in the DeKalb Housing Authority taken advantage of this?

I Magruder: I can check those numbers and get back to you. We have had people putting offers on homes, I'm not sure at this moment if they've been accepted.

-Question TT: could you tell me about accessibility dwelling units?

I Magruder: We don't finance ADU's specifically on their own

-Question MDJ: what is your foreclosure rate?

I Magruder: we are fortunate to not have had a single default yet of the over 850 homes we have invested in

-Question MDJ: does the payout of your investment get larger the longer the person is in the home?

I Magruder: it depends on what housing prices do in the Atlanta area; we see the areas we invest in as consistently appreciating areas; that is one of our theses that we put forward. The percentage is fixed when the homebuyer purchases the home

-Question MDJ: are there any hidden fees?

I Magruder: no, we don't charge fees for closing; we share in part of the buyers side brokers fees, which helps us to continue to operate; we connect buyers with partner real estate agents in the Atlanta area as referral fees

-Question JR: if a couple buys jointly does only one have to be a qualifying applicant? What is the role of the sponsoring government?

I Magruder: to your first question, that is correct. To your second question, we are asking the partner organization to share this program with your employees for marketing purposes; there is no agreement that we would sign on to with you. This is just to help employees in their search for homebuyers. Employees hear about this from their employer.

-Question MDJ: do you work with minority lenders or real estate agencies?

I Magruder: I know the people we work with prioritize diversity, and we look for that in our search for partners. We also have

a high amount of diversity in our team. If there are any lenders you think of please let me know so we can get in touch with them.

-LJ: I have had our internal DeKalb County vet this organization and they found this to be a worthy project. Mr. Williams please look into this program that is offered.

CHaRM Facility

-comment by County Attorney Ernestes

-V Ernestes: we are continuing to work on the structure of the MOU for our CHaRM facility. I would ask that you defer this to the next meeting

-LJ: ok we will bring that back to our next meeting

IV. STATUS UPDATE

Proposed Updates to Chapter 14 per GA EPD for Post-Construction Stormwater Management

-information provided by Director Baker, Deputy County Attorney Welch

-Question JR: I don't see this as an item for action on the agenda. This item would have to be introduced to the agenda. I have a motion when ready

*-JR: Motion to sponsor this onto the agenda, for the earliest possible meeting for action in December, as proposed by Staff
Second MDJ*

Vote: yes unanimous

Leaf Blower Code Enforcement

-information provided by Deputy County Attorney Welch

-Question LJ: regarding incentives, what would the cost to the county be to move small businesses to electric?

That would depend on the level of incentive and the time period that the board would consider. We have looked at rebated programs in Watershed as an incentives example as a model. There could be a number of incentives from percentages to fees; we would recommend a limit for business owners regarding how many they would be able to apply for. Today we don't have a good number of the leaf blowers utilized in the county.

-LJ: I want you all to look at that, because there could be a buyback from the County to have the equipment replaced.

-Question LJ: will there be a penalty for businesses that use gas blowers? Please look at nuances such as this to take into the cost of the person on the street who can't afford to get electric equipment

-Question JR: one of the features of our noise ordinance has time of day restrictions to limit business activities. I'm wondering as an incentive we could limit time of day restrictions that use equipment that meet certain sound requirements at a time of day. Secondly, I would appreciate staff working to identify any federal funding programs that could help subsidize this changeover program.

-Question LJ: Law please provide all the implications and the pros and cons as well regarding this. I don't want a slippery slope impacting small businesses for this equipment

-Question MDJ: I would like to see if Legal can look into an exception for electric blowers; they are not as noisy nor do they pollute the air. If that is a possibility, you would have more people gravitating toward electric blowers

-LJ: I just wanted an update and then you can bring it back when ready

-LCJ: I think it's the noise and decibels that cause people to be more and more concerned about their use. Mr. Welch I sent you a list across the US of what municipalities have done, including their buyback programs; there are funds available at the federal level and state also. For individuals the general rebate is \$100 and for businesses the general rebate we found in research is \$500.

-Question TT: I sent an email regarding my comments on this. I agree with the commissioners comments today. I would also like to see what it would take for our own internal departments and an analysis of how much it would cost to move to electric equipment transition plan.

-RP: a concern I have with this idea is regarding the certificate of compliance. This would add to that list of complications to get a business license, which I have received several complaints about. What is the response time we have for our staff to respond to a noise ordinance concern? The idea that one gas powered blower can be used per parcel, who will keep up with this? That doesn't seem like the right approach to me.

-LJ: these are questions that can be answered with a focus group. These are great questions that Law can bring back to us after we talk offline.

Decide DeKalb IGA

-information provided by Deputy County Attorney Welch

-Question LJ: is this the same agreement we've been reviewing since October?

M Welch: there is a new section 2.2 that would require a seat at the table for stakeholders if there is an abatement being considered by Decide DeKalb. We are asking for feedback to ensure the structure meets the board's expectation

-LJ: I don't want to replace the development authority and their decision-making. When you get your outside counsel to review please take this into consideration

-Question JR: I appreciate circulation of the legal document; that helps to clarify the process and clear path. I would appreciate our staff getting a copy of the City of Atlanta and Invest Atlanta's IGA. Where this is a parallel to do a side by side comparison so we know how Invest Atlanta handles these areas where we would delegate on to Decide DeKalb. I see Atlanta making progress on affordable housing development; many successful projects at affordability are financed by what Invest Atlanta has called urban residential investment authority. I would like to see some reference to an analysis and the establishment of an urban residential investment authority as part of this toolkit. I would propose the first meeting of next year we come back and try to develop a markup; getting input from commissioners on the leaf blower ordinance and this so we can act on it in a relatively quick basis. That would give us the opportunity to walk it around and look at best practices, feasibility of a URFA and understand the relationship for an incentives policy.

-Question LJ: is there a budget for this ask?

JR: there could be a budget attached for the urban residential investment authority. We would need input from staff and Mr. DeBarr on how that could be accomplished.

LJ: most of the document is ready. Is it possible to look at the new year to amend? I would like to get something completed so that they can work on economic development, rather than hold the document?

JR: I don't think the commissioners have fully looked into this yet, as there is some of it needing to be fleshed out, as we got the document yesterday. Additional comments related to the nuances of the document.

-Question MDJ: we've been reviewing this for quite some time, and there are usually additions to the terms of the agreement. I think that to delay would further delay progress for economic growth. I think that once you have a contract given to us, we begin to negotiate the terms of the agreement, rather than saying what we would like to see. But we are now changing terms when you bring something like section 2.2. This would give us veto power over their board. Is that what we want to do? I'm ready to move forward on this contract and make amendments as needed. But I don't care particularly for section 2.2, because that would give us veto power over their board. I am for moving forward with an IGA with the understanding that if changes are needed, we can do so as an amendment in the new year.

-JR: I disagree with that comment as a characterization of veto power; it is not veto power and is not intended to be. There are things in the terms sheet that we refer to that aren't in that IGA. Third, one thing we discussed in the past, most of the development authority's activity is in the faster growing part of the county, and there is not much in this document that would substantially change that. I don't think there is an imperative at this moment and we don't hamstring Decide DeKalb with month-to-month agreement.

-LJ: as a committee, let's make a motion to hear it in our second meeting in December. We will have it also on the agenda for the 21st to bring this particular item back on the 21st. On the 14th we should have a solid read of the document and then we can bring this back on the 21st

-LJ: we will discuss it at our meeting on the 14th and it will be on the agenda for the 21st

-JR: Motion to defer pending our meeting on December 14th

Second MDJ

Vote: yes unanimous

V. AGENDA ITEM

Previously Heard Agenda Items:

[2021-3244](#) Commission District(s): All
To Appropriate \$1,000,000 from Non-Departmental - General Fund - Reserve for Contingencies to Georgia Piedmont Technical College for the Regional Transportation & Training Center.

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be recommended for deferral to the Board of Commissioners, due back on 12/14/2021. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

-update provided by Law Department

-LJ: we will bring this back at our next meeting

New Agenda Items:

[2021-3356](#) Commission District(s): All
RFP - Proposal No. 20-500560 In-Home Services for Older Adults, Persons with Disabilities, and Their Caregivers (Multiyear Contract): for use by the Department of Human Services (HS). Consists of the provision of In-Home Services (homemaker, personal care, and in-home respite) for Non-Medicaid Home and Community-Based Services (HCBS) to older adults and persons with disabilities who reside in DeKalb County. Recommend award to the sole responsive and responsible proposer: Rem-Kiks Health Care Services, Inc. Amount Not To Exceed: \$1,042,637.50.

MOTION was made by Mereda Davis Johnson, seconded by Jeff Rader, that this agenda item be recommended for approval. to the Board of Commissioners, due back on 12/14/2021. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

-information provided by CPO Horner

-additional information provided by Director Scott

-Question TT: I know internally we have a \$15 minimum wage. Do we have stats on wages for this provider?

D Scott: We do not; it is subcontracted out as this is not a county organization

-TT: in future contracts we should be looking at prevailing wages and \$15 minimums at least for employees that do a difficult job

-MDJ: motion to approve

Second JR

JR: so there is no prevailing wage provision in this contract? Do you have information on the prevailing wage for this vendor?

D Blackwell: that is correct sir; we have been looking at that, as you stated we've had a big issue nationally with the prevailing wage. We have been ensuring that vendors can maintain their labor force moving forward

D Scott: it is a state, supply and demand, and a rate issue that needs further discussion

Vote: yes unanimous

2021-3430

Commission District(s): All

Extension of the Lease with The Task Force for Global Health, Inc. for office space in the building located at 330 Ponce de Leon Avenue, Decatur, Georgia 30030

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be recommended for approval. to the Board of Commissioners, due back on 12/14/2021. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

-no additional information requested

2021-3432

Commission District(s): All

Extension of the term of the 1984 operating agreement for Grady Hospital between Fulton County, DeKalb County, and the Fulton-DeKalb Hospital Authority for an additional two years.

This agenda item was no official recommendation

-item not heard in committee

2021-3391

Commission District(s): 4 & 6

To consider consenting to the deannexation of property located at 4640 East Ponce de Leon Avenue, Tucker, Georgia 30084.

This agenda item was no official recommendation

-V Ernstes: this item has been deferred to a special called meeting for executive session on the 7th. Please have this remain on your agenda and after the 7th we can determine the direction of this.

Meeting Ended At: 12:07PM

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be adjourned meeting. The motion carried by the following vote:

Yes: 3 - Member Rader, Chairperson Johnson, and Member Davis Johnson

Barbara H. Sanders-Norwood CCC, CMC