

**DEVELOPMENT AUTHORITY OF FULTON COUNTY
REGULAR MEETING HELD ON
TUESDAY, NOVEMBER 18, 2014 AT 2:00 P.M.
IN THE 4th FLOOR CONFERENCE ROOM
FULTON COUNTY GOVERNMENT CENTER BUILDING**

MINUTES

Present were the following Members of the Authority:

Mr. Robert J. Shaw – Chairman
Dr. John E. Maupin, Jr. – Vice Chairman
Dr. Samuel D. Jolley, Jr. – Secretary
Mr. Walter Metze – Treasurer
Mr. Sam Bacote – Board Member
Mr. Steve Broadbent – Board Member
Ms. Regina Page – Board Member

Also present were Mr. Al Nash, Executive Director, Mr. Lewis C. Horne, Jr. and Ms. Sandra Z. Zayac, attorneys for the Authority. Ms. Doris Coleman and Ms. Sabrina Kirkland, staff of the Authority, were also present. Due to medical necessity following surgery, Mr. Metze participated via teleconference.

The meeting was called to order by Chairman Shaw and Dr. Jolley gave the invocation.

RECOGNITION OF VISITORS: Also present were Mr. Edward Leidelmeijer of Commissioner Hausmann's office.

OLD BUSINESS:

Final Bond Resolution for Portman 230, LLC ("Portman") Mr. Tom Harrold of Miller & Martin PLLC appeared with Mr. Jan Hunekin, a visiting attorney from Frankfurt, Germany in connection with the request for a final bond resolution for the issuance of \$80,000,000 in taxable bonds for the refurbishment of the 230 Peachtree building which was constructed in 1964. The project will allow the creation of approximately 100 jobs associated with the hotel and approximately 300 new jobs associated with the office space. Mr. Nash explained that the building's current value allows for property taxes of approximately \$372,000 per year. The renovation and improvements to the building should at least double that tax revenue to the County in the first year after completion. Upon questions from the Authority, Mr. Harrold explained that no new tenants had been identified, but the passport office would remain in the building. Upon a motion made by Dr. Maupin, which was seconded by Dr. Jolley, the Authority unanimously approved the final bond resolution for Portman.

Final Bond Resolution for The Coca-Cola Company ("Coca-Cola") Mr. Tom Harrold of Miller & Martin PLLC appeared in connection with the request for a final bond resolution for the issuance of \$50,000,000 in taxable bonds for the acquisition and installation of machinery,

fixtures and equipment for the Cola-Cola Headquarters facility in Midtown. Mr. Harrold explained that the Company had appeared before the Authority in 2011 and received an inducement resolution. The project was delayed as a result of the economy and the changing soft drink market. Coca-Cola had committed to create 600 new jobs and the commitment has been reached and exceeded. The Company continues to create new jobs at the facility. Mr. Nash commented that this project provides another example of the Authority assisting a corporate citizen to retain jobs and expand in Fulton County. The project is expected to create approximately \$1.5 million in local sales tax and \$2 million in state wide sales tax and is estimated to generate approximately \$4.7 million in additional property tax revenue over a ten year period. Upon questions from the Authority, Mr. Harrold explained that Coca-Cola Enterprises, a separate business entity, is located at the SunTrust Plaza. Upon a motion made by Mr. Broadbent, which was seconded by Dr. Jolley, the Authority unanimously approved the final bond resolution for Coca-Cola.

Assignment of 1075 Peachtree, LLC Phase II Project to 1065 Midtown Owner, LLC Ms. Zayac explained that 1075 Peachtree, LLC was requesting a resolution to approve the assignment of the 1075 Peachtree Phase II project to 1065 Midtown Owner, LLC (the “New Lessee”). The Authority had received information regarding the New Owner prior to the meeting. Upon a motion made by Mr. Broadbent, which was seconded by Dr. Maupin, the Authority unanimously approved the resolution approving the New Lessee.

Modification of Robert W. Woodruff Arts Center, Inc. Series 2009A Bonds Mr. Bill Holby of King & Spalding LLP appeared in connection with the request for a resolution allowing for a modification to the Series 2009A bond documents. The modification would permit a SunTrust Bank affiliate to purchase and hold the bonds in its own portfolio. The Series 2009A bonds are currently variable rate bonds backed by both a SunTrust letter of credit and a letter of credit from the Federal Home Loan Bank. The modification will allow the letters of credit to be canceled and allow for a reduced variable interest rate of 67% of 1 month LIBOR plus ½%. Upon a motion made by Dr. Maupin, which was seconded by Mr. Broadbent, the Authority unanimously approved the resolution.

Final Bond Resolution for Piedmont Realty Partners, LLC (“Piedmont”) Mr. Dan McRae and Mr. Chris Compton of Seyfarth Shaw LLP appeared in connection with the request for a final bond resolution for the issuance of \$84,000,000 in taxable bonds for the development of a mixed use facility on 11th and Juniper Streets in Midtown. Mr. Nash reminded the Authority that the current taxes being paid on the property were approximately \$56,000 per year and the development would allow the property tax revenue to increase to approximately \$588,000 the first year after completion. The project would also allow for the upgrade of a currently dilapidated lot in Midtown. Upon a motion made by Dr. Jolley, which was seconded by Dr. Maupin, the Authority unanimously approved the final bond resolution for Piedmont.

NEW BUSINESS:

Letter of Inducement and Final Bond Resolution for SVC Manufacturing, Inc. (“SVC”) Mr. Dan McRae and Mr. Chris Compton of Seyfarth Shaw LLP appeared with Ms. Mariya Hurwitz, Manager of Economic Development for PepsiCo, Ms. Kathy Alfano of PepsiCo, Ms. Benita Chinn, Plant Director of PepsiCo and Art Brown of the South Fulton Economic Development Department in connection with the request for a letter of inducement and final bond resolution for the issuance of \$33,500,000 in taxable bonds for the acquisition and installation of machinery, fixtures and equipment for the PepsiCo facility in the Westgate District of South Fulton County. The facility currently produces Gatorade, Tropicana and Propel drinks and maintains approximately 325 to 350 employees. The project will allow the facility to implement bottle redesign and introduce other innovations to its products. Mr. Nash commented that this exciting project allows a corporate citizen to retool a facility to allow for expansion in Fulton County. Upon questions from the Authority, Ms. Hurwitz explained that PepsiCo has MFBE goals for purchasing and the company tracks the information. The Company has won awards for MFBE utilization and PepsiCo’s minority spending nationally was in the billions in 2013. Ms. Alfano commented that the Fulton County facility is one of the three largest in the Country for these products. Upon a motion made by Dr. Maupin, which was seconded by Mr. Broadbent, the Authority unanimously approved the letter of inducement for SVC. Upon a motion made by Dr. Jolley, which was seconded by Mr. Broadbent, the Authority unanimously approved the final bond resolution for SVC.

Letter of Inducement for Related Development, LLC (“Related”) Mr. Dan McRae and Mr. Chris Compton of Seyfarth Shaw LLP appeared with Mr. Ed Allen, Vice President of Development of Related in connection with the request for a letter of inducement for the issuance of \$110,000,000 in taxable bonds for the development of a mixed use facility on the city block bounded by 14th Street, West Peachtree, Spring Street and 13th Street in Midtown. The project will include commercial retail, office, eight levels of parking and a 28 story residential unit tower. Mr. Allen explained that this project is phase I of a two phase development and they anticipate that the phase II project involving commercial space on 14th Street to be forthcoming. Mr. Nash explained that this was an important development for the region and the Midtown area and that the current tax revenue on the property is approximately \$37,000 annually. The project is expected to generate over \$13 million in property tax revenue for the County over a ten year period. Upon questions from the Authority, Mr. Allen explained that the project would not involve public green space, but a street facing plaza is anticipated. Upon a motion made by Mr. Broadbent, which was seconded by Dr. Jolley, the Authority unanimously approved the letter of inducement for Related.

Letter of Inducement for Comcast Corporation & Affiliates (“Comcast”) Mr. Matt Nichols and Mr. Madison Barnett of Sutherland Asbill & Brennan LLP appeared with Mr. Scott McDonald, Director of Governmental Affairs for the Big South and Mr. Andy Macke, VP of Government Affairs for Comcast in connection with the request for a letter of inducement for the issuance of \$66,000,000 in taxable bonds for personal property, computer equipment and the build out of a data center relating to Comcast’s potential expansion in Georgia. Mr. Nash mentioned that the project would bring at least 150 jobs and additional technology infrastructure to Georgia. Upon a motion made by Mr. Broadbent, which was seconded by Dr. Maupin, the Authority unanimously approved the letter of inducement for Comcast.

ITEMS FOR APPROVAL:

None.

DISCUSSION:

None.

Minutes. The minutes from the Special Meeting held on October 24, 2014 were presented to the Authority for approval. Upon a motion made by Dr. Jolley, which was seconded by Mr. Broadbent, the Authority unanimously approved the minutes of October 24, 2014 as presented. The minutes from the Regular Meeting held on October 28, 2014 were presented to the Authority for approval. Upon a motion made by Dr. Jolley, which was seconded by Mr. Bacote, the Authority unanimously approved the minutes of October 28, 2014 as presented.

NEXT MEETING:

Chairman Shaw announced that the next meeting will be a Regular Meeting to be held on December 9, 2014, at 2:00 p.m. in the 4th floor conference room, room 4056.

There being no further business, the meeting was adjourned.

Samuel D. Jolley, Jr.

Dr. Samuel D. Jolley, Jr., Secretary