



**MINUTES OF THE
SPECIAL CALLED JOINT MEETING
MAYOR AND COUNCIL & DOWNTOWN DEVELOPMENT AUTHORITY
CITY OF DULUTH, GA
APRIL 8, 2019**

PRESENT: Mayor Harris, Council members Bomar, Carden, Jones, Kelkenberg, and Whitlock, DDA members Bill Weaver, Ken Odum, Pam Smith, Slade Lail, Jim Graham, Richard Meehan, City Manager, City Clerk, Finance Manager, Planning Director, Economic Development Manager, City Attorney

ABSENT: (DDA) Ron Osterloh

Mayor Harris called the meeting to order at 5:00pm.

DDA Vice Chairman Ken Odum call meeting to order at 5:00pm.

I. NEW BUSINESS

1. AMENDMENT OF INTERGOVERNMENTAL AGREEMENT/DEED RESTRICTIONS ON CONVEYANCE HOMESOUTH COMMUNITIES (ASSIGNED TO LENNAR COMMUNITIES) {A,B}

City Manager James Riker came forward to present an amendment to the Intergovernmental Agreement between the City of Duluth and the City of Duluth Downtown Development Authority, and amendment of deed restrictions placed upon the conveyance of property from the City of Duluth Downtown Development Authority to HomeSouth Communities (assigned to Lennar Communities). The amendments relate to a modification of Condition No. 8, Exhibit D contained in both the Intergovernmental Agreement and Deed.

A motion was made by Councilmember Bomar, seconded by Councilmember Kelkenberg, to authorize the amendment to the Intergovernmental Agreement between the City of Duluth and the City of Duluth Downtown Development Authority to amend Condition No. 8 of Exhibit D Conditions of Residential Development as presented, and to authorize the Mayor and City Manager to execute any documents associated with enacting the amendment.

Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.

A motion was made by DDA member Weaver, seconded by DDA member Meehan, to authorize the amendment to the Intergovernmental Agreement as presented, to further authorize an amendment to the Deed Restrictions, and any corresponding documents to amend Condition No. 8 of Exhibit D Conditions of Residential Development as presented, and to authorize the Chairman to execute all necessary documents to enact the amendment.

Those voting for: DDA members Smith, Odum, Weaver, Meehan and Lail
Those abstaining: DDA member Graham
Motion carried.

2. AMENDMENT OF INTERGOVERNMENTAL AGREEMENT/ DEVELOPMENT AND PURCHASE AGREEMENT FOR PUBLIC PARKING DSH DULUTH LLC {C,D}

City Manager James Riker presented an amendment to the Intergovernmental Agreement between the City of Duluth and the City of Duluth Downtown Development Authority, relating to 1.839 +/- acres located at the intersection of Hill Street and Ridgeway Road, and modification of the Development and Purchase Agreement for Public Parking between the City of Duluth Downtown Development Authority and SH Duluth, LLC. The amendment relates to Section 4.3. Duties and Responsibilities – Sale of Public Parking and Exhibit E of the Development and Purchase Agreement for Public Parking.

Questions were addressed by hotel representative Rob Ponder. Mr. Ponder provided information regarding the increase of \$2.4M in labor and construction costs since the original agreement. The City is being asked to contribute additional capital in the amount of \$250,000 to offset the increased costs. Changes to the original design to help reduce costs are also being made.

A motion was made by Councilmember Whitlock, seconded by Councilmember Bomar, to authorize the amendment to the Intergovernmental Agreement as presented relating to Section 4.3. Duties and Responsibilities – Sale of Public Parking and Exhibit E of the Development and Purchase Agreement for Public Parking and all corresponding documents and to authorize the Mayor and City Manager to enact said amendment.

**Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.**

A motion was made by DDA member Graham, seconded by DDA member Lail to authorize the amendment to the Intergovernmental Agreement as presented relating to Section 4.3. Duties and Responsibilities and to further authorize amendment of the Sale of Public Parking and Exhibit E of the Development and Purchase Agreement for Public Parking and all sections of said agreement that may be necessary to achieve consistency and to authorize the Chairman to enact said amendment.

***Those voting for: DDA members Smith, Odum, Graham, Weaver, Meeham and Lail
Motion carried.***

II. ADJOURNMENT

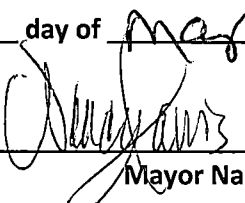
A motion was made by Councilmember Kelkenberg, seconded by Councilmember Jones, to adjourn at 5:33pm.

**Those voting for: Council members Bomar, Carden, Jones, Kelkenberg and Whitlock
Motion carried.**

A motion was made by DDA member Meehan, seconded by Weaver to adjourn at 5:33pm.

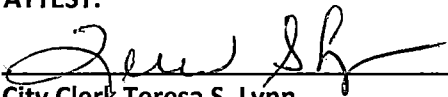
***Those voting for: DDA members Smith, Odum, Graham, Weaver, Meeham and Lail
Motion carried.***

Approved this 13 day of May, 2019.



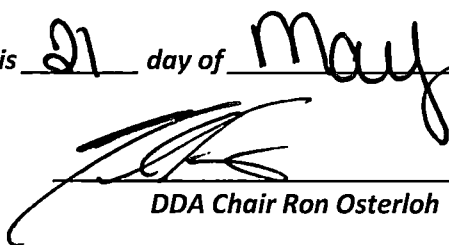
Mayor Nancy Harris

ATTEST:



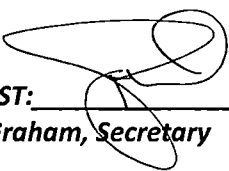
City Clerk Teresa S. Lynn

Approved this 21 day of May, 2019.



DDA Chair Ron Osterloh

ATTEST:



Jim Graham, Secretary