

THE BUCKHEAD COUNCIL OF NEIGHBORHOODS

Presbyterian Church, Room 2209
January 8, 2015
6:45 - 8:30 PM

Meeting Agenda

- I. Welcome & Introductions
- II. Approval of Minutes
- III. Review/Admit Any New Member Neighborhoods
- IV. Goals and Strategic Priorities
 - Education
 - Transportation
 - Development/Infrastructure
 - Other (Legislative, NPU, Parks, Voter Education/Registration, etc.)
- V. Speakers
 - Councilmember Felicia Moore**
 - Councilmember Andre Dickens**
- VI. Community Concerns
- VII. New Business / Announcements
- VIII. Next Meeting – TBA
- IX. Adjourn

Neighborhood Planning Unit F

Neighborhood Planning Unit F

Lindridge-Martin Manor, Morningside-Lenox Park, Piedmont Heights, Virginia-Highland

January 4, 2015

Dear Mayor Reed and Honorable Council members,

At its December meeting, the members of NPU-F voted to send a letter to Atlanta City Council urging its elected leaders to honor the BeltLine TAD contract and pay Atlanta Public Schools (APS) the money currently owed APS under that contract. We believe that the current political conversation has evolved into a debate between supporting the City's public school system and supporting the BeltLine. Rather, the enlightened and informed approach would recognize that each are important to building and sustaining a city of which we can be enormously proud.

The NPU believes that failure on the part of the City to honor its contractual agreements sets a dangerous precedent that potentially threatens the future economic vitality of the BeltLine. After all, what business entity would want to pursue a relationship with a city either unwilling or unable to honor its contractual obligations? Such behavior could potentially rob the City of the economic development benefits that the BeltLine can and is delivering.

By defaulting on its obligation to APS, the City of Atlanta also sends the message that the City's leaders are not committed to its public education system and the students that comprise it. Thriving cities have thriving public education systems, and thriving public education systems help build and sustain thriving cities. The relationship should be mutually beneficial, not adversarial as has been falsely suggested.

NPU-F asks you to lead on this matter in a manner that serves the citizens who elected you. Please honor the current contractual agreement, and then encourage an honest and informed dialogue between the Mayor, APS, and City Council that offers a persuasive policy and/or economic argument in support of renegotiating the future debt owed APS. This discussion cannot occur, however, under the ongoing threat of non-payment on behalf of the City. Our citizens, and most important, our students deserve better.

Respectfully,



Debbie Skopczynski
Chair, NPU-F

Position Letter – APS/Beltline TAD Payment

December 30, 2014

To: Neighborhood Collaborative Group
From: Andre Dickens, Atlanta City Council Post 3 at-Large
Subject: Beltline TAD

I first want to thank each and every one of you for dedicating your time and efforts to help improve our public schools, give our teachers the tools they need, and make sure the 52,000 students of the Atlanta Public Schools (APS) get the quality education they need and deserve. I deeply admire volunteers and concerned parents like yourself who sacrifice your time for helping all of our children.

I am a proud product and parent of a daughter at APS. As an elected official, I understand that in order to have a thriving City with economic opportunities we need a thriving, successful public school system. Nothing is more important.

I understand discussions between the City and APS regarding the Beltline Tax Allocation District (TAD) payments are ongoing. I urge discussions to continue and be resolved so that we can combine our energy toward other pressing challenges. However, this matter involves two of the most important public policies affecting our future – public education and economic development. It is a false choice to say that we must choose between making our payments to APS or preserving the Beltline. We can do both and we will.

We cannot risk damaging our bond rating or the reputation of the City.

Thus, I call for the City to make the required payment of \$6.75 million that was due on January 1, 2014. Upon completion of this payment owed, I request the Mayor and City Council members and representatives of the Atlanta Public School Board to come together with formal discussions

on forging a path forward on future payments that will be fair to our kids and our schools while also not hindering the development of the Beltline.

The Beltline is one of the most creative and unique opportunities to generate economic development and growth to emerge in decades. And I want to thank APS for not only being the number one investor in the Beltline but in agreeing to allow the City to use a portion of the TAD – for Beltline developmental purposes – in exchange for payments over 20 years from the TAD.

In order to encourage this type of cross-governmental cooperation for the betterment of our communities (one of my highest priorities as demonstrated by legislation I authored and we passed that forms a joint committee between council members and school board members), we must share trust and confidence and transparency. That is why I have signed the Pledge urging the City to fulfill its obligations to APS. We will never build public trust if we don't do what we say we will.

This is a difficult issue. But that's why the public elected us – to make difficult decisions in the public's best interest.

We have an obligation to help our kids whether through wrap-around services for our students or lower class sizes or even an early education program.

Thank you again for reaching out to me as your City Council member. I look forward to working with you on this issue and many others in the near future.

Warm Regards,

Andre Dickens



(http://andredickens.com/temp/?page_id=186)



(http://andredickens.com/temp/?page_id=112)

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FACT SHEET

Payments Owed by City of Atlanta to APS Relating to the Beltline TAD

- Atlanta Public Schools (APS), City of Atlanta and Atlanta Development Authority (now Invest Atlanta) entered an Intergovernmental Agreement on 12/31/05.
- The Georgia Supreme Court declared the use of educational taxes in TADs as unconstitutional. In 2009, a new law was passed that allowed educational taxes to be used for TAD purposes. Accordingly, the City and APS signed an amendment to the 2005 Agreement which changed the effective date to that new law, with the start of the payments to begin in January 2013 instead of the originally scheduled date of 2011.
- The Agreement: In exchange for the City's use – for Beltline developmental purposes – of a portion of the Beltline TAD (Tax Allocation District) educational taxes, APS will receive a sum of \$162,436,302 payable of 20 years from the TAD.
- The payments from the City to APS were to begin in 2013 and end in 2030. The payments in lieu of taxes (PILOTS) are due to APS on January 1 of each year, beginning 2013. APS did receive the payment of \$1,950,000 in 2013. But nothing since then.

➤ The 20 year payment term:

➤ 2011: \$0	2021: \$8,326,977.00
➤ 2012: \$0	2022: \$8,326,977.00
➤ 2013: \$1,950,000.00	2023: \$8,326,977.00
➤ 2014: \$6,750,000.00	2024: \$8,326,977.00
➤ 2015: \$6,750,000.00	2025: \$8,326,977.00
➤ 2016: \$7,600,000.00	2026: \$9,365,152.00
➤ 2017: \$7,500,000.00	2027: \$9,428,377.00
➤ 2018: \$8,326,977.00	2028: \$15,056,142.00
➤ 2019: \$8,326,977.00	2029: \$15,516,311.00
➤ 2020: \$8,326,977.00	2030: \$16,004,504.00.

- The 2009 Amendment delayed the start of the payments from 2011 to 2013. The \$20 million -paid prior to 2011 - was for the taxes attributable to the years in which the Agreement was void due to the Georgia Supreme Court decision. The money is not attributable to the annual TAD payments which were set to begin in January 2013.
- The intention of APS and the City entering this Agreement was to provide a way for APS to contribute to the development of the Beltline without assuming an unreasonable amount of risk.
- Unfortunately, neither the City nor Invest Atlanta have made the required payments to APS according to their contractual obligations.
- In clear violation of the Agreement – and evidenced by their own public financial statements – the City has unilaterally chosen to place other obligations (including Fulton County and Beltline staff, consultants and expenses) ahead of the required payments to APS. The City is obligated to make payments to APS after the bond payments before paying any other redevelopment costs.

- The City's actions is not only a breach of their legal duties and obligations to APS, but also a breach of their duty under Georgia law.
- In addition, the City has failed to make this year's payment in the amount of \$6.75 million. The next payment of \$6.75 million is due in January 2015.
- Including interests and attorney fees, the City currently owes APS more than \$8 million. This does not include the payment scheduled for January 2015.
- The City has received great benefit from this Agreement with APS, in the form of tens of millions of dollars in educational taxes and revenue attributable to the TAD. APS, on the other hand, has most certainly not received benefit – due to the actions by the City.
- Enforcement of this Agreement in no way is an intention to hinder or disrupt the development of the Beltline project. Indeed, it is a false choice.
- APS is the biggest investor in the Beltline.
- The motivation of the APS on this matter are – first and last – our students and their future.

Atlanta BeltLine and APS should unify, not divide, our city – for all our sakes

Posted in Guest Columns

Date: January 3rd, 2015, 5:11 pm



By Guest Columnist **CEASAR MITCHELL**, *president of the Atlanta City Council*

Nearly 10 years ago, when I was a primary sponsor of the BeltLine legislation, I believed in its power to unify and transform the Atlanta community and improve our quality of life.

Around the same time, I launched the College Prep Series, an educational initiative to help local high school students and their parents prepare for the journey to college.

Promoting both community development and education are important to me, as an Atlanta native, and to so many others citizens, because it is undeniable that world-class cities must excel simultaneously in both of these areas.



Caesar Mitchell

This inescapable fact brings me to the current state of affairs between the City of Atlanta and Atlanta Public Schools concerning the Atlanta BeltLine project.

The road leading to the current impasse between our two governmental bodies is a long and winding one. It is highlighted by a Georgia Supreme Court challenge, a state constitutional amendment and a very deep economic recession.

However, the path forward is a straightforward one where political and civic jostling is set aside and the unifying spirit of partnership symbolized by the BeltLine, and ultimately required to save our youth, is affirmatively embraced. It is in that spirit of coming together that I will aggressively do everything in my power as president of the Atlanta City Council to resolve the contractual dispute for the sake of Atlanta's children and our intown neighborhoods.

For starters, I will ask the Atlanta City Council to set aside \$13.7 million dollars from our \$137 million city reserves for the purpose of paying the past due amount owed to APS under the current agreement.

When coupled with the more than \$25 million lump sum previously paid by the city to APS in connection with the Supreme Court ruling, sequestering roughly 10 percent of the city's reserve represents a significant commitment on the part of the city.

But this show of good faith is only part of the solution. Thus, I humbly caution my committed friends at APS, who are working very hard to improve educational outcomes and transform our school system, not to misinterpret this good faith attempt to drive home a resolution as a capitulation on a number very critical issues.

It is undisputed that the city has an obligation to make good on the past due payments based on the current agreement. This obligation should be honored. By the same token, it is apparent that the economics that existed when the initial contract was struck no longer exist or at a minimum, will not exist for some time.

Moreover, the subsequent amendments to the agreement only kicked the can down the road to preserve the relationship, and as a result, were a stop-gap at best. A sustainable resolution to the current problem is much deeper than two annual installment payments.

Additionally, the future implications of a strong City of Atlanta – APS relationship are far broader than the BeltLine.

As such, I will also propose that the payment of this amount be preconditioned on the execution of a refashioned agreement between the parties within 60 days coupled with a commitment by Atlanta BeltLine Inc. to repay the city reserves over a reasonable period of time.

Finally, as an added incentive for both parties, if a mutually-acceptable, long-term resolution is not reached within 60 days, I will work with the School Board Chair Courtney English to reconvene our two bodies to urge a sustainable legislative solution.

It is high time to put this unfortunate distraction to rest. Our collective energies are better spent focused on other pressing issues such as student performance, college and career readiness, community development, youth safety and fiscal collaboration.

Last year, when I brought the City Council and Atlanta Board of Education together in an effort to elevate the issue, I had no idea that many months later we would still be languishing in the hazy maze of discord.

As a consequence, an unfortunate signal has been sent to taxpayers that the persons entrusted with the power to right track this issue lack either the motivation or the intent to find common ground.

Even more grave, supporters of the BeltLine have been pitted against supporters of our schools, and parents like myself who believe in the promise of the BeltLine have been put in the untenable position of being forced to choose. Most disheartening is that our youth are stuck in the middle scratching their heads and asking what in the world are the adults doing.

Two weeks ago, I watched the entire Atlanta community come together as Benjamin E. Mays High School played for the High School 5A state football championship – the first time for an APS school in nearly 25 years.

This high school championship experience, though we fell short on the field, was a victory for the players, school, families and our city.

It was also a crucial reminder for the Atlanta community that we are stronger when we come together and rally around a common goal. To paraphrase a well-known slogan, the BeltLine and our city's youth should be where Atlanta's government, business and neighborhoods rally together. The two should never ever be pitted against one another.

It is time to be our best selves and resolve this issue.

Onward, Upward, Together Atlanta!

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