



DEVELOPMENT AUTHORITY  
of FULTON COUNTY

141 Pryor Street S.W., Suite 2052, Atlanta, Georgia 30303 - (404) 612-8078

July 22, 2019

**VIA HAND DELIVERY**

Dr. Eloisa Klementich, President and CEO  
Invest Atlanta  
133 Peachtree Street NE, Suite 2900  
Atlanta, Georgia 30303

Dear Floisa,

On behalf of the Development Authority of Fulton County (the "DAFC"), we respectfully decline the request stated in your letter, dated June 28, 2019, for numerous reasons, many of which are outlined below.

The DAFC was created by the Development Authorities Law, which, as you point out, does not provide any prohibition against operation in a municipal jurisdiction. In partnership with Fulton County and its municipalities, the DAFC's mission is to promote economic development projects that will have a significant impact on Fulton County's economic health and competitiveness, including the City of Atlanta. Due to certain limitations in the Georgia Constitution, as compared to some neighboring states, local development authorities, including the DAFC, must necessarily play a principal role in fostering economic development within the State of Georgia and the DAFC serves as a critical Georgia economic development leader. The DAFC has had a long 40 year history of facilitating tax incentive projects and we are proud of the great work we are doing throughout Fulton County. Despite previous attempts to have the Georgia General Assembly ban the DAFC's activities, the Georgia General Assembly declined to do so. Your request is troubling for many reasons, but particularly as it serves as an attempt to circumvent the legislative intent of the Georgia General Assembly.

To say that the DAFC operates "without restraint in the city limits of Atlanta" is also reckless and irresponsible. As mentioned above, the DAFC seeks to partner with Fulton County and its municipalities to promote trade, commerce, industry and employment opportunities in Fulton County. The DAFC has always been mindful of City of Atlanta and Fulton County policies and ordinances, including City of Atlanta Ordinance 16-O-1163, as codified by Atlanta City Code Section 54-1, et seq. (the "Ordinance"). The DAFC works regularly with the City of Atlanta Office of Housing &

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Board Member

**Tom Tidwell**  
Board Member

Ms. Eloisa Klementich  
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Community Development, including providing monthly (and sometimes weekly) updates and maintaining an open dialogue. In fact, the City of Atlanta Office of Housing & Community Development is also working directly with the developers of DAFC multifamily projects located in the City of Atlanta in order to finalize the required land use restriction agreements and to monitor compliance with the Ordinance. In addition, the DAFC has not closed any tax incentive transactions which are 100% affordable/low income and has only considered one because it also had a HUD/low income tax credit component.

As you know, the DAFC's board members are appointed by the Fulton County Board of Commissioners, which are elected officials. Beginning in 2021, two of the at-large positions will include a representative of the Atlanta Board of Education and a representative of the Fulton County Board of Education. We routinely send tax impact information to Atlanta Public Schools and Fulton County Schools, hold a public comment period during all DAFC meetings, and go above and beyond what is required under the law. We are confident that the composition of our board and our discussions with various stakeholders fully allow for all voices and perspectives to be heard.

It is entirely unclear to me how Invest Atlanta is in a better position, or "has a unique insight" to handle many of the things we handle here at the DAFC. Therefore, while the DAFC respectfully declines your request, we assure you that we will continue to operate cooperatively with the 15 cities within Fulton County, including the City of Atlanta. Instead of requesting that the DAFC cease acting as Issuer within the City of Atlanta, perhaps you can suggest ways in which we can solidify and strengthen our partnership to ensure economic development continues within the City of Atlanta and Fulton County.

Sincerely,



Alvin P. Nash  
CEO