



# DOWNTON DEVELOPMENT AUTHORITY

## Board of Directors

Regular Board Meeting

March 10, 2025

10:00 A.M

3921 Church Street, Clarkston, GA 30021

## AGENDA

**Note:** The Board of Directors may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Georgia Open Meetings Act, Georgia Government Code Chapter O.C.G.A. § 50-14-1.

- I. **Meeting Called to Order**
- II. **Roll Call**
- III. **Approval of the March 10, 2025, Agenda**
- IV. **Approval of the February 10, 2025, Meeting Minutes**
- V. **Public Comments:** Any member of the public may address the Board during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes, and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the Planning & Economic Development Director in writing. This will facilitate follow-up by the council or staff. The DDA desires to allow an opportunity for public comment; however, the business of the city must proceed in an orderly, timely manner.
- VI. **Old Business**
  - a. Discuss Downtown Business Survey 2025 rollout.
  - b. Discuss the update on the submission of Lowes Project nomination for The Sutton House / Forty Oaks.
- VII. **New Business**
  - a. Discuss strategic planning for the DDA.
  - b. Discussion of DDA Attorney findings and selection process.
  - c. Discussion on the formulation and submission of Quarterly Reports.
  - d. Discuss an Open House event for Clarkston Business Owners.
  - e. Discussion of the branding efforts for the DDA.
  - f. Discussion of marketing consultants.
- VIII. **Adjournment**



# DOWNTON DEVELOPMENT AUTHORITY

## Board of Directors

Regular Board Meeting  
February 10, 2025  
10:00 A.M  
3921 Church Street, Clarkston, GA 30021

# MEETING MINUTES

**Note:** Jacob Bouie of the Planning and Economic Development Department transcribed this summary of the meeting. The summary is an overview of the meeting and not intended to be a verbatim transcription of the meeting.

The meeting was called to order at 10:04 A.M by Chairman Johnny Garcia.

The following board members were present: Chairman Johnny Garcia, Vice Chairperson Rezwan Ahmad, Director John Gange, Secretary Adria Marshall, and Treasurer Nebiyu Ermiyas.

Director John G. motioned to approve the February 10, 2025, agenda, with a modification to prioritize the discussion and review of the proposed contract from Macauley Investments as the first item under Old Business. The motion was seconded by Vice Chairperson Rezwan and passed with a unanimous vote of 4-0.

Director John G. motioned to approve the January 13, 2025, regular board meeting minutes. The motion was seconded by Vice Chairperson Rezwan with a unanimous vote of 4-0.

### **Old Business**

**A. Discussion and Review of the Proposed Contract from Macauley Investments** – The board reviewed the proposed contract from Macauley Investments and discussed necessary modifications. Questions raised by the board were addressed, providing further clarification on the agreement. Director John G. motioned to approve the contract. The motion was seconded by Vice Chairperson Rezwan and passed unanimously with a vote of 4-0.

**B. Discussion on Consulting Services for the DDA** – The board engaged in a discussion regarding potential consulting services to support the DDA's strategic initiatives. No formal vote was taken.

**C. Review of the Downtown Business Owners Survey** – Secretary Adria M. motioned to accept the business survey with necessary modifications. The motion was seconded by Treasurer Nebiyu and approved by the board.

## **New Business**

**Discussion on the Establishment of "cityofclarkstondda@gmail.com"** – Chairman Garcia established the official email address, "cityofclarkstondda@gmail.com," to streamline communication and organizational matters.

**b. Discussion on the Status of "CITY OF CLARKSTON DDA, LLC"** – Chairman Garcia initiated the process to establish "CITY OF CLARKSTON DDA, LLC." The board is currently awaiting state approval and plans to apply for non-profit status once verification is complete.

**Discussion on the Submission of Lowe's Project Nomination for The Sutton House/Forty Oaks-** Chairman Garcia submitted the nomination for The Sutton House via **cityofclarkstondda@gmail.com**. The board discussed opportunities for cross-collaboration with other commission boards in relation to the project. The board will be notified if the nomination is selected on March 7, 2025.

**Discussion on the Recent Approval of the DDA Map** – The board expressed satisfaction with the newly approved DDA Map, noting improvements such as the inclusion of additional parcels, updated zoning designations, and enhanced clarity compared to the previous version.

## **Adjournment**

The meeting was adjourned at 11:03 AM. Director John G. motioned to adjourn, Secretary Adria seconded, and the motion passed unanimously with a 4-0 vote.

## Attorney Recommendations

### Isaac Yilma

McGuireWoods LLP

T: +1 404 443 5515 | M: +1 404 433 9031

[iyilma@mcguirewoods.com](mailto:iyilma@mcguirewoods.com)

- Had communication with Lisa Cameron

### Johanne Villalona-Cruz

[jvillalonacruz@mcguirewoods.com](mailto:jvillalonacruz@mcguirewoods.com)

M: (404) 443- 5658

- Works at the same firm as Isaac Yilma.

### Blake C. Sharpton

Butler Snow LLP

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577 Mulberry Street, Suite 1225, Macon, GA 31201

### Kirby Glaze

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Phone: (404) 348-4881

Profile [Kirby Glaze – Hecht Walker Jordan, P.C](#)

### Daniel M. McRae

Seyfarth Shaw LLP

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[Website] <http://www.seyfarth.com/DanielMcRae>

[Website] <http://danmcracrae.info>

### R. Kyle Williams

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The Sycamore Building

312 Sycamore Street

Decatur, Georgia 30030

Direct Dial: (404) 373-9351

Cell: (404) 931-7032

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[www.williamsteusink.com](http://www.williamsteusink.com)

- Recommended by City Attorney Stephen Quinn
- “Mr. Quinn spoke with Kyle Williams 01/14/2025 and he confirmed interested in representing the Clarkston DDA. Kyle currently represents the DDAs in Decatur, Stone Mountain and

Avondale. I have found Kyle to be both knowledgeable and easy to work with and I believe that his billable rate will be much more reasonable. Kyle offered to meet by phone or in person with the DDA Chairperson or appropriate representative.

**Thomas P. Lauth**

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Website: [Thomas P. Lauth](#)

**Benjamin J. Brooks**

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<https://www.sgrlaw.com/attorneys/bbrooks/>

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**Cecil G. McLendon, Jr.**

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# McGuireWoods



## Isaac Yilma

Partner

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## PRACTICES

- Affordable Housing
- Banking & Finance
- Nonprofit & Tax-Exempt Organizations
- Public Finance
- Securities & Capital Markets

## INDUSTRIES

- Infrastructure
- Transportation

Isaac concentrates his practice on public and infrastructure finance transactions. Isaac serves as bond counsel, disclosure counsel, underwriter's counsel and issuer's counsel in connection with a broad range of publicly offered and privately placed tax-exempt and taxable financings across many states for local governments, airports, toll roads and surface transportation, water and sewer systems, tax increment/special assessment districts, sports facilities, colleges and universities and multifamily housing facilities.

Isaac also counsels local governments and private companies in connection with economic development incentives packages for new business investments and expansion projects.

## EXPERIENCE

- Special counsel, bond counsel and disclosure counsel to large development authority in connection with the development and financing of a new NFL stadium.
- Represented large municipal airport in connection with the establishment of a commercial paper program and the negotiation of a bank credit facility.
- Bond counsel in connection with the refinancing and extension of high occupancy toll lanes on major interstate highway.
- Bond counsel to community improvement district in connection with general obligation bonds secured by a tiered revenue stream, including district assessments, tax allocation increments, payments-in-lieu of taxes and special service district (SSD) taxes.
- Bond counsel to large municipality in connection with a \$1.2 billion water and sewer refunding bond issue.
- Bond counsel and underwriter's counsel in connection with the issuance of multifamily housing revenue bonds.
- Counsel to development authorities and developers in connection with incentives for economic development and affordable housing transactions.
- Underwriter's counsel in connection with the issuance by a regional water pollution control authority of revenue refunding bonds.
- Bond counsel to large municipality in connection with the competitive sale of general obligation referendum bonds.

- Underwriter's counsel in connection with the issuance of tax increment financing bonds supported by state general fund appropriations.
- Series bond counsel for a state's general obligation bond issuance program.

## EDUCATION

- University of Connecticut School of Law, JD, Editor, *Connecticut Law Review*, 2010
- The University of Georgia, BA, 2006

## ADMISSIONS

- Georgia
- Connecticut

## AFFILIATIONS

Member, National Association of Bond Lawyers

Member, State Bar of Georgia, Government Attorneys and Local Government Law Sections

Member, Atlanta Bar Association

## RECOGNITIONS

Listed, "Legal Elite" for Public Finance/Bond Law, *Georgia Trend* magazine, 2024

Selected for inclusion, "Ones to Watch: Public Finance Law," *The Best Lawyers in America*, 2023, 2024, 2025

Selected for inclusion in America's Leading Lawyers for Business, Public Finance, Georgia, Chambers USA, 2024

## INSIGHTS

- Author, [Five Things Affordable Housing Developers Need to Know About the American Rescue Plan Act](#), *McGuireWoods Legal Alert*, September 8, 2022



Menu

## Kirby Glaze, Of Counsel



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 Phone: (404) 348-4881

In addition to having been a practicing attorney for over 40 years, Kirby Glaze is the Founder and President of Public-Private Partnership Project Management, Inc. (4PM), President, Community Development Partners, Inc. (CDP).

As an attorney, Kirby specializes in representing municipal and government clients including development, industrial, housing and downtown authorities in transactions ranging from bond issues, financial matters, development and construction planning and oversight for public-private ventures.

As president of both 4PM and CDP, Kirby manages a consortium of professionals representing disciplines critical to project development, management and marketing. Kirby has a long history of community development success and public

private partnership project management, including economic revitalization projects, civic centers, housing developments and other community partnerships.

His expertise in public private projects has benefited numerous Georgia municipalities, communities and governmental entities, including Clayton County Housing Authority, College Park Business and Industrial Authority, Hapeville Development Authority, Forest Park Development Authority, College Park Housing Authority, the Monroe Downtown Development Authority, the Downtown Waycross Development Authority, and the Thomasville Downtown Development Authority, the Brunswick Downtown Development Authority, the East Point Business and Industrial Development Authority; as well as the local governments of Athens-Clarke County, Clarkesville, College Park, Harlem, Hapeville, Forest Park, Monroe, Richmond Hill, Springfield, St. Marys, Thomasville, Waycross and Zebulon.

Kirby has also served as program speaker and seminar leader in a variety of university and professional forums, including the University of Georgia's Office of Economic Assistance, the Georgia Economic Developers Association, Georgia Municipal Association, the Georgia Department of Community Affairs, and the Annual Institute for City-County Attorneys. Kirby has served as a member of numerous Quality Growth Resource Teams, helping communities develop strategies for sustainable, quality patterns for growth.

In 2015, Kirby was recognized by the University of Georgia, the Georgia Municipal Association, the Department of Community Affairs, and Georgia Power, as one of the "Champions" of the Georgia Initiative for Community Housing. In 2010 Kirby was recognized by the Georgia Downtown Association and the Georgia Department of Community Affairs for "Outstanding Leadership in Downtown Development" and in 2015, as a "Champion" for his contributions to the Georgia Initiative for Community Housing Program by DCA, the Georgia Municipal Association, the University of Georgia and Georgia Power. A Jonesboro, Georgia native, Kirby graduated with a Bachelor of Arts Degree from the University of Georgia in 1972 and received his law degree from UGA in 1975.

### Site Search

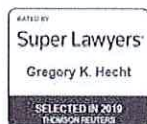
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## BLAKE C. SHARPTON

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### OVERVIEW

Blake Sharpton is the Assistant Practice Group Leader for Butler Snow's Public Finance, Tax Incentives and Credit Markets Group. He focuses his practice on public finance, commercial lending and debt financing, and economic development projects. He represents school districts, cities, counties, development authorities, educational institutions, and underwriters across Georgia and other states. Blake has extensive experience serving as bond counsel, disclosure counsel, bank counsel, borrower's counsel, and underwriter's counsel on a wide variety of tax-exempt and taxable bond transactions. Blake focuses primarily on traditional municipal finance projects such as new educational and general municipal facilities. Blake also routinely works on economic impact projects and transactions such as sports stadiums, entertainment venues, multi-use developments, multi-family housing developments, retail developments, hotels, and airports.

### PRACTICE AREAS

- Economic Development
- Governmental Finance
- Hospital & Healthcare Finance
- Housing Finance
- Public Finance
- Public Finance Tax
- Public-Private Partnerships & Public Facilities
- State & Local Tax
- Charter School Financing

## ABOUT

On an annual basis, Blake is involved in millions of dollars of public finance transactions. Known for creativity and an efficient approach, Blake's clients appreciate practical advice that leads to a desired outcome involving new school buildings, athletic facilities, equipment financings, sports stadiums, entertainment venues, downtown revitalization projects, hotels, housing, general local governmental infrastructure, healthcare facilities, student housing, student activity, water and wastewater facilities

Complementary to his core practice, Blake is also able to provide his clients guidance on liquidity facilities, election law matters, open meetings and open records act issues, construction issues, and municipal and school law issues.

Blake also represents banks and other financial institutions in connection with direct purchases of tax-exempt bonds in connection with tax-exempt transactions.

## EXPERIENCE

### Representative Transactions

- Bond and Disclosure Counsel for the construction of SunTrust Park, the new home of the Atlanta Braves, located in Cobb County, GA. <https://www.butlersnow.com/2015/09/cobb-county-ga-butler-snow-close-bond-transaction-new-atlanta-braves-stadium/>
- Bond and Disclosure counsel for the development of The Grove at Towne Center in Snellville, GA. <https://www.snellville.org/grove-towne-center>
- Bond and Issuer Counsel for Hotel 45. <https://www.choateco.com/project/hotel-45/>
- Bond and Disclosure Counsel for the development of Dempsey Apartments by the Macon-Bibb County Urban Development Authority. <https://www.41nbc.com/dempsey-apartments-local-management-uda-purchases-building/>

## DISTINCTIONS

- *The Legal 500 US*
  - Recognized in the editorial for nationwide Finance: Project Finance, 2024
- *Chambers USA, America's Leading Lawyers for Business*
  - Public Finance (Georgia), 2024
- *Martindale-Hubbell®*
  - AV®-Preeminent™ Peer Review Rated, 2011-2022
- *Georgia Trend*
  - Legal Elite – Public Finance, **2015, 2020**
- *Acquisition International Magazine*
  - Georgia's Legal Elite, 2017

## BAR ADMISSIONS

- Georgia, 2006
- U.S. District Courts
  - Georgia: Northern
- U.S. Court of Appeals
  - 11th Circuit
- Supreme Court of the State of Georgia

## EDUCATION

- Mercer University, J.D., *magna cum laude*, 2006
  - *Mercer Law Review*
  - Brainerd Currie Honor Society
- University of Georgia, B.B.S., Finance and M.I.S., 1998

## ASSOCIATIONS

- Macon Bar Association
- State Bar of Georgia
  - Leadership Academy, 2009
- National Association of Bond Lawyers
  - Securities Law and Disclosure Ad Hoc Subcommittee
    - Co-Chair
- American Bar Association

## PAPERS, PRESENTATIONS & PUBLICATIONS

- Speaker, "Investing in Rural Infrastructure Development," CDFA Intro Rural Development Finance Course, August 4, 2022.
- Presenter, "Using Incentives for Economic Development," UGA Carl Vinson Institute of Government, Tifton, Georgia, March 4, 2022.
- Presenter, "Development Authority Training - Basic," UGA Carl Vinson Institute of Government, 2021, 2022.
- Co-Presenter, "Leveraging of Federal and Local Resources for Public Health Infrastructure in a Rural Health District in Georgia," Georgia Public Health Association's 90th Annual Meeting and Conference, Atlanta, Ga., May 8, 2019.
- Panelist Chair, "16th Annual Tax and Securities Law Institute," TSLI 2018 Panel, Arizona, February 22-23, 2018.
- Speaker, "Tax Law Changes Under the Tax Cuts and Job Act," JDAMA in Atlanta RE, Atlanta, Georgia, January 9, 2017.
- Speaker, "Financing Brownfields With Private Activity Bonds," Brownfields Financing Webinar Series, Webinar, March 9, 2017.
- Co-Author, "Duties of Non-Solicitor Municipal Advisors," National Association of Bond Lawyers Comments on MSRB Rule 9-42.
- Author, "Infrastructure and Energy Session," Moderator at CDFA – GA Roundtable, June 4, 2014.
- Author, "Municipal Advisor on the Roof," City of Dunwoody Accounting Conference, May 22, 2014.
- Author, "Securing Real Estate Related Collateral: Negotiated Promissory Notes, Etc." ICLE – Real Property law Institute, May 15 – 17, 2014.
- Author, "Preparing to Deliver the Bond Opinion: Tax Due Diligence and Documentation Issues," NABL, September 25, 2013.
- Author, "The pain of sequestration is about to hit home," *Macon Telegraph*, August 11, 2013.
- Author, "Bonds as the Bedrock of Development Finance," CDFA, June 4, 2013.
- Author, "Unlocking the Development Finance Toolbox in Georgia," CDFA, February 20, 2013.
- Author, "Municipal Bond Tax Exemption is Worth Saving," *Macon Telegraph*, November 25, 2012.
- Author, "Comments of the National Association of Bond Lawyers regarding Project No. 13-3 Preliminary Views of the Governmental Accounting Standards Board on major issues related to Economic Condition Reporting: Financial Projects."

## CIVIC INVOLVEMENT

- Macon Symphony Orchestra, Past President
- Macon Civic Club
- Mulberry Street United Methodist Church

## ECONOMIC DEVELOPMENT

Our Economic Development team has represented a large and diverse group of manufacturing, energy, processing, distribution, warehousing, health care and other enterprises. Team members have been involved in many of the mega-projects announced in the country over the past 15 years.

Whether developing a greenfield project or expanding at an existing location, Butler Snow can provide a breadth of expert legal, consulting, and business advisory services seldom found in a single family of organizations. Through firm affiliate Butler Snow Advisory Services, we can provide a comprehensive scope of economic development consulting and business advisory services. Through the law firm, we will create a team of substantive area specialists matching the client's needs. Our services begin at the earliest stages of project development and can continue to serve day to day needs long after project completion.

Depending on the client's needs, our team can provide expertise in:

- Site selection
- Negotiation and documentation of large and small incentive packages, including:
  - Provision and preparation of the project site
  - State and local tax incentives and tax planning to abate or minimize property, income, sales and use, contractor's and franchise taxes
  - Loans, grants and other inducements for economic development
  - State income tax credits, such as industrial revenue bond debt amortization credits and new jobs credits and rebates
  - Work-force and training incentives and services
  - Transportation and utility infrastructure
- Project financing
- Tax incentive financing, including industrial revenue bond financing (taxable and tax-exempt) and new markets tax credits and energy tax credits financing
- Environmental permitting and other regulatory and administrative issues

- Utility services
- Labor and employment
- Construction contracting
- Governmental relations and communications

The team's work on mega-projects typically requires the drafting and promotion of special legislation authorizing customized project-specific incentives. In order to assist with the provision of such services, Butler Snow has developed extensive relationships at the local, state and national level over many years with governmental, tax, economic development, civic, legislative and environmental leaders.

## HIGHLIGHTS

- Ten of billions of dollars of industrial projects, including automotive assembly plants, steel mills, defense contractor manufacturing, large electric and gas facilities and renewable energy projects.
- Our representation also includes state and local economic development organizations, so we are well-versed in project development from the public as well as private side.
- The firm was instrumental in the drafting of the federal legislation that created the Gulf Opportunity Zone Act (GO Zone) to help Katrina-stricken areas of our state recover. Butler Snow then created an extensive outreach program (see our website at [www.gozonelaw.com](http://www.gozonelaw.com)) providing advice to hundreds of Mississippi business people on how best to take advantage of this unprecedented federal program.

## NEWS & ARTICLES

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February 4, 2025 | [FIRM NEWS](#) [NEWS](#)

**Butler Snow Attorney Blake Sharpton to Teach Development Authority Training with University of Georgia's Carl Vinson Institute of Government**

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January 25, 2025 | [MEDIA COVERAGE](#)

January 8, 2025 | [FEATURED](#) [FIRM NEWS](#) [NEWS](#)

### Butler Snow Expands Austin Office

#### RELATED PROFESSIONALS



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#### RELATED PRACTICES

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## Dan McRae

Dan McRae is a partner in the Atlanta office of Seyfarth Shaw LLP. He leads the team that handles financing and investing in projects. In the past, he has managed finance and investment transactions amounting to billions of dollars.

Known for his expertise in finance and incentives, Mr. McRae is frequently retained by companies or communities to help them obtain successful project locations.

Mr. McRae was the first attorney to be elected a director of the Georgia Economic Developers Association. He has helped members of Georgia's general assembly draft economic development legislation that has become law in the state of Georgia.

As a member of the National Association of Bond Lawyers, Mr. McRae is listed in the "Red Book" directory of nationally recognized bond lawyers. He represents a number of public authorities that issue bonds in Georgia, and is one of few attorneys in Georgia to have closed a variety of synthetic lease and bondable lease financings. He is also active in such real estate industry associations as Corenet.

Mr. McRae publishes Quick Takes, a newsletter about economic development and finance. He is a faculty member for the University of Georgia's Fanning Institute, which trains development authority board members. He has presented for the American Bar Association, the National Association of Bond Lawyers, the Institute of Continuing Legal

Committee, which has published a series of model acquisition documents and commentaries.

## Education

- J.D., Emory University School of Law (1973) with distinction  
Order of the Coif
- B.A., Emory University (1968)  
Phi Beta Kappa

## Admissions

- Georgia

## Affiliations

- American Bar Association (Negotiated Acquisitions Committee)
- Association for Corporate Growth
- Corenet
- Georgia Economic Developers Association
- National Association of Bond Lawyers



## Thomas P. Lauth

Partner

Public Finance

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For more than 25 years, Tom has focused his practice on a full range of public finance matters.

Tom has represented states, counties, cities, public authorities, hospitals, non-profit and for-profit corporations and limited liability companies, investment banking firms and other financial institutions in a variety of public finance matters as bond counsel, underwriter's counsel, disclosure counsel, borrower's counsel, trustee's counsel and issuer's counsel. These public finance matters have financed and refinanced the cost of acquiring, constructing and equipping hundreds of projects, including student housing, dining facilities, research facilities and other university facilities, hospitals and health care facilities, senior living facilities, mass transit facilities, public schools, private schools and charter schools, sports stadiums and arenas, convention centers, water and sewer projects, renewable energy projects, parks and greenspace, manufacturing facilities, P3 projects, courthouse facilities and other public projects.

The structures of these financings have ranged from the issuance of general obligation bonds, revenue bonds and certificates of participation to the structuring of tax increment financings and leveraged lease/lease-back financings and have utilized a vast array of financial structures and derivative products, including commercial paper, variable rate demand bonds, floating rate notes, liquidity facility secured debt, interest rate swaps, caps and collars and forward purchase agreements.

Tom has served as a moderator, panelist and speaker addressing numerous public finance topics at events and classes sponsored by the National Association of Bond Lawyers, the Georgia Charter Schools Association, the Council of Development Finance Agencies, The University of Georgia and Georgia State University.

Tom advises clients on a wide variety of business and legal issues, including state constitutional and statutory issues and federal tax and securities issues, primarily related to public finance matters. ”

### EXPERIENCE

- Bond counsel to DeKalb County, Georgia in connection with the financing of various water and sewer, greenspace, parks, transportation and library projects through the issuance of tax-exempt bonds and notes in an aggregate principal amount in excess of \$2.5 billion.
- Disclosure counsel and issuer's counsel to Metropolitan Atlanta Rapid Transit Authority (MARTA) in connection with the financing and refinancing of its rapid transit system through the issuance of its sales tax revenue bonds and commercial paper notes in an aggregate principal amount in excess of \$5 billion and the leveraged lease financing of rolling stock and rail line assets valued at approximately \$2 billion (2001 US Rail Deal of the Year Jane's Transport Finance and 2003 Deal of the Year – US Municipal Transportation).
- Bond counsel to Chattanooga-Hamilton County Hospital Authority (dba Erlanger Health System) in connection with the

financing and refinancing of various capital improvements for its hospital facilities.

- Bond counsel to State of Nevada, Office of the Treasurer, in connection with the financing and refinancing of more than 50 capital improvement and natural resources projects aggregating in excess of \$4.5 billion in principal amount.
- Bond counsel and underwriter's counsel to several national and regional investment banking firms in connection with the financing of dozens of student housing facilities, dining facilities, parking facilities, athletic facilities and related higher education projects located throughout the University System of Georgia, including The University of Georgia, Georgia State University, Augusta University, Kennesaw State University, University of West Georgia, Valdosta State University, Georgia Southern University, Georgia Gwinnett College, South Georgia State College, Georgia Highlands College, Gordon State College and Georgia Southwestern State University.

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## Related Services

Public Finance

Development and Improvement Districts

Tax Increment Financing

Disclosure and Securities Law

Governmental Finance

K-12/Charter School Finance

Nonprofit Finance

Public Utilities Finance

Transportation Finance

Public Finance Tax

Finance

Equipment Finance and Leasing

Higher Education Finance

Structured Finance and Securitization

Education

J.D., University of Georgia School of Law, *cum laude*

B.A., University of Notre Dame, with Honors

Admissions

Georgia

Memberships and Affiliations

Fellow - American College of Bond Counsel

National Association of Bond Lawyers

Awards and Distinctions

*Chambers USA*®, Public Finance, Georgia, 2024

*The Best Lawyers in America*®, Public Finance Law, 2022-2025

*Georgia Trends* Legal Elite – Public Finance, 2008, 2013, 2015-2024

*Martindale-Hubbell*®, "AV Preeminent" Rating



## Benjamin J. Brooks

Partner | Atlanta

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### Areas of Practice

Banking and Financial Institutions | Bond and Public Finance Practice | Non-Profit Organizations and Trade Associations | Governmental Associations | Site Selection | Global Supply Chains and Onshoring | Manufacturing

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Mr. Brooks has practiced in Smith Gambrell Russell's Public Finance group since 1998. He specializes in traditional government finance, representing Georgia cities, counties, and school districts in issuing general obligation bonds, contract revenue bonds, sales tax-backed bonds, tax anticipation notes, and annual appropriation obligations. In addition, Mr. Brooks has particular experience in local government financial incentives and tax reduction bonds (bonds for title), 501(c)(3) bonds, manufacturing facility bonds, and certificates of participation.

He regularly serves as bond counsel, underwriter's counsel, lender's counsel, and borrower's counsel in public finance transactions. Mr. Brooks also represents corporate trustees in initial bond issuance as well as post-default matters. Mr. Brooks represents manufacturing and other companies that are relocating or expanding, with an emphasis on foreign direct investment. Mr. Brooks negotiates incentive packages with state and local governments and helps companies successfully implement and receive promised incentives.

Mr. Brooks is a member of the National Association of Bond Lawyers and the Local Government Section of the State Bar of Georgia. He is a graduate of the Regional Leadership Institute for the Metro Atlanta region.

Mr. Brooks received his B.A. degree from Brigham Young University in 1995 and his J.D. degree, with honors, from the University of North Carolina at Chapel Hill in 1998. While attending law school, he served as an Articles Editor of the North Carolina Journal of International Law and Commercial Regulation.

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## Representative Experience

- Representation of **Unified Government of Athens-Clarke County** as bond counsel for the development of the Classic Center Arena project with bonds totaling \$50 million.
- Representation of **Kia Georgia, Inc.** and its **suppliers at Kia's West Point, Georgia plant** as bond and company counsel on six separate tax incentive bond issues totaling more than \$2 billion.
- Representation of a **foreign manufacturing company** making a U.S. investment of \$600 million with a state and local incentive package worth over \$50 million.
- Representation of **Heard County, Georgia School District**, as bond counsel for multiple tax-exempt bond issues totaling more than \$40 million.

## Admissions

Georgia

## Memberships

National Association of Bond Lawyers

## Recognitions

Best Lawyers in America®, Banking and Finance Law; Public Finance Law (2021-2025)



## R. Kyle Williams

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### Founding Partner



404.373.9351(tel:4043739351)



404.378.6049



[kwilliams@williamsteusink.com\(mailto:kwilliams@williamsteusink.com\)](mailto:kwilliams@williamsteusink.com)

Kyle is a founding partner with the law firm of WILLIAMS TEUSINK, LLC. The firm provides legal counsel and advocacy to clients navigating litigation and transactions concerning real estate, commercial, governmental, and corporate issues.

Kyle is a dirt lawyer focusing on land use and development, zoning, permitting and licensing, construction, and general real estate matters representing individual property owners, nonprofits, neighborhoods, homeowner and condominium associations, real estate builders and developers, real estate agents and brokers, and, other real estate professionals concerning residential and commercial property and development issues. He has represented clients in numerous jury, bench, and arbitration trials throughout Georgia and regularly represents clients before state agencies and local governments on permitting, code enforcement, zoning, licensing, and *ad valorem* property tax appeals. Kyle also counsels buyers and sellers navigating residential and commercial transactions, including in contract

negotiation, due diligence investigations, contract enforcement, termination, closings, and resulting litigation. Kyle serves as General Counsel to the Downtown Development Authority for the City of Decatur, the Downtown Development Authority for the City of Avondale Estates, and the Downtown Development Authority of the City of Stone Mountain. Kyle serves by appointment of the Superior Court of DeKalb County, Georgia as a Special Master in land use, zoning, and other real estate matters, including quiet title actions. Kyle also is a Civil Mediator and Neutral registered with the Georgia Commission on Dispute Resolution.

Kyle is a current member and a Past-Chair of the State Bar of Georgia Advisory Committee on Legislation. He is past member of Chief Justice's Commission on Professionalism and past member of the Executive Committee on Real Property Law Section of the State Bar of Georgia. He has been recognized as a Georgia "Rising Star" and "Super Lawyer" in Litigation, Land Use, and Zoning by Georgia "Super Lawyer" and Atlanta Magazine for more than a decade.

Kyle frequently publishes and teaches about land use, zoning, and real estate matters and has served as a zoning legal expert for Urban Land Institute Atlanta Technical Assistance Panel. Kyle is a Part-Time Instructor at Georgia State University College of Law teaching Real Estate Transactions and has been a guest lecturer at the School of City & Regional Planning at Georgia Tech. Kyle graduated with honors from The University of Tennessee, Martin with a Bachelor of Science in Public Administration and received his Doctor of Jurisprudence from The University of Tennessee, College of Law concentrating in advocacy and dispute resolution. Kyle is a past member of the Dean's Circle and Past-Chair of the Alumni Council of his law school. Kyle is a Past President of the Decatur Business Association, Past Chair of both the Decatur Education Foundation and Georgia Equality, and past member of the Board of Directors of DeKalb Pro Bono. Currently, Kyle is a member of the Board of Directors of the DeKalb Bar Association, and Council for Quality Growth. He is a member of the Class of 2021 of the Urban Land Institute Atlanta Center for Leadership and a member of the Class of 2013 of Leadership DeKalb.

## Law School & Education

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- › University of Tennessee College of Law, J.D., 2001
- › University of Tennessee at Martin, B.S., Public Administration, 1998, Honors

## Court Appointments

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- › State Bar of Georgia
- › Supreme Court of Georgia
- › Georgia Court of Appeals
- › United States District Court, Northern District of the State of Georgia

### PRACTICE AREAS

Real Estate Law(<https://williamsteusink.com/real-estate-law/>)

Business Law(<https://williamsteusink.com/business-law/>)

Cecil G. McLendon, Jr.

AV-Rated Martindale-Hubbell Attorney in 2014

404-784-7904

[CGMcLendonJr@gmail.com](mailto:CGMcLendonJr@gmail.com)

- RILEY McLENDON, LLC  
(2006 to present)  
Founded the firm in 2006 with William Riley. Our practice has focused on representing municipalities since inception. Relevant clients include:
  - City of Doraville, Georgia - City Attorney  
(May 2011 to present)
  - Work with Council to identify, refine, and implement policies.
  - Provide regular support and advice to management, department heads, and staff to identify, assess, and respond to day-to-day issues.
  - Evaluate, supervise, and engage in litigation.
  - Significant achievements:
    - Provided legal support for transition from Mayor-managed form of government to City Manager form of government.
    - Drafted and implemented Blight Ordinance.
    - Drafted and implemented Apartment Inspection Ordinance.
    - Investigated, applied strategy, and provided legal support for significant, legislative annexation.
    - Researched, evaluated, and participated in implementation of Public Accommodation Ordinance.
    - Worked in tandem with outside counsel to draft and implement a Sexually-Oriented-Business Ordinance prior to annexation of territory which included multiple, pre-established, sexually-oriented businesses. The ordinance incorporated language addressing all state and federal legal decisions and was tailored to withstand First Amendment challenges.
    - Successfully defended to Denial by the DeKalb County Superior Court a Conditional Use Permit for a cell tower on the grounds that it was located too close to a residential apartment development.
    - Creation of Atlanta Assembly, 450 million dollar mixed-use project.
    - Creation of Lotus Grove, 13 acre mixed-use project.
    - Creation of City Center mixed-use project.
    - Doraville Development Authority - April 2023 – Present
- City of Dunwoody, Georgia - City Attorney  
(February 2014 to June 2022)  
(Assistant City Attorney - December 2008 to January 2014)
  - Work with Council to identify, refine, and implement policies.
  - Provide regular support and advice to management, department heads, and staff to identify, assess, and respond to day-to-day issues.
  - Evaluate, supervise, and engage in litigation.

- Significant achievements:
  - Assisted in all aspects of city formation, startup, and implementation including adoption of ordinances, structure of departments, and implementation of interdepartmental processes and procedures.
  - Provided legal support for expansion of State Farm corporate headquarters (proposed 22 million square feet of space) - from rezoning through first phase of construction including all infrastructure build-out and initial office construction.
  - Oversaw litigation for billboard illegally expanded during city startup. Billboard was ultimately returned to original configuration.
  - Drafted training content for City boards and commissions and conduct regular training for members.
  - Provided legal support for the three-year expansion of the I-285 and Georgia 400 interchange (400,000 cars per day).
  
- City of Peachtree Corners, Georgia - Assistant City Attorney (July 2012 to November 2024)
  - Significant achievements:
    - First limited-services city founded in Georgia: assisted in all aspects of city structure, formation, and adoption of ordinances. Instituted and managed moratoriums while negotiating a unique, intergovernmental agreement with the county for special services. Negotiated intergovernmental agreements with neighboring cities for other special services.
    - Assisted in the creation of Town Center.
  
- City of Sandy Springs, Georgia - Assistant City Attorney (May 2006 to December 2018)
  - Managed daily legal workload for 100,000+ population city in conjunction with other legal staff.
  - Worked with Council to identify, refine, and implement policies.
  - Provided regular support and advice to management, department heads, and staff to identify, assess, and respond to day-to-day issues.
  - Managed and mentored the on-site associate attorney.
  - Significant achievements:
    - All city service departments are outsourced. Drafted original RFPs for first contractors in 2005, and participated in two major revisions to procurement processes and related bids.
    - Provided legal support for \$120+ million City Hall complex with mixed-use space constructed on an underutilized commercial site (unveiled in May 2018). Duties included: collaborating with consultants and contractors on land acquisition, environmental analysis, bidding, design, and construction;

- coordinating land rights with private apartment development, and private- and city-owned commercial space; legal support for construction and implementation of public meeting space and performing arts center; coordination of financing requirements with performing arts center and leased space.
- Provided legal support for the rewrite of new Zoning Ordinance in 2016-17. Issues included structure of new ordinance, and adoption and transition between ordinances.
  - Provided legal support for formation and launch of police and fire departments in 2005.
  - Provided legal support for formation of ChatComm 911 Center created by City.
  - Beginning in 2008, consulted weekly with Community Development Department and Public Works Department to identify and address potential issues and develop responses.
  - Worked with staff to create storm water processes, implement model ordinances, then execute programs and conduct analysis to determine ownership of infrastructure which was ambiguous after founding the city.
  - Provided legal support for draft of original ordinances and subsequent revisions.
  - Provided legal support for land acquisition and real estate issues for city.
  - Provided legal support for city projects including: bidding, award, and implementation.
- City of Johns Creek, Georgia - Assistant City Attorney (November 2006 - April 2014)
    - Worked with Council to identify, refine, and implement policies.
    - Provided support and advice to management, department heads, and staff to identify, assess, and respond to day-to-day issues.
    - Managed and mentored associate attorney who maintained an on-site presence.
    - Supervised and engaged in litigation.
    - Significant achievements:
      - Assisted in all aspects of city formation, startup, and implementation including adoption of ordinances, structure of departments, and implementation of interdepartmental processes and procedures.
      - Ethics Ordinance: combined data from various government and business platforms, and drafted, implemented, and then educated City staff.
      - Massage Parlor Ordinance: researched similar ordinances, drafted within existing state law, and supported implementation with present, qualifying businesses.

- Georgia Department of Transportation - Special Assistant Attorney General (October 2013 - October 2017)
  - Represented GDOT in multiple projects. Supervised and guided team of title examiners, legal staff, GDOT agents, and support staff for right-of-way acquisitions, intersection improvements, and when necessary, condemnation proceedings.
  
- City of Brookhaven, Georgia - Assistant City Attorney (December 2012 - October 2013)
  - Assisted in all aspects of city formation, startup, and implementation including adoption of ordinances, structure of departments, and implementation of interdepartmental processes and procedures.
  - Significant achievements:
    - Worked in tandem with outside counsel to draft and implement a Sexually-Oriented-Business Ordinance prior to incorporation of territory which included multiple, pre-established, sexually-oriented businesses. The ordinance incorporated language addressing all state and federal legal decisions and was tailored to withstand First Amendment challenges.
  
- City of Chattahoochee Hills, Georgia - Assistant City Attorney (December 2007 - May 2008)
  - New city in a large, rural area with significant budgetary constraints. Assisted in all aspects of city formation, startup, and implementation including adoption of ordinances, structure of departments, and implementation of interdepartmental processes and procedures.
  
- City of Milton, Georgia (December 2006 - February 2007)
  - Assisted in all aspects of city formation, startup, and implementation including adoption of ordinances, structure of departments, and implementation of interdepartmental processes and procedures.
  
- COBB COUNTY MAGISTRATE COURT- ASSISTANT MAGISTRATE JUDGE (1998 to 2008)
  - Presided over small claims court and civil hearings.
  - Analyzed requests and, if appropriate, issued arrest warrants, search warrants, and administrative warrants.
  - Reviewed filings for various court processes and responded, i.e. civilian warrant applications, abandoned motor vehicles, bad checks, etc.
  - Developed experience with objective decision-making by analyzing law and facts to determine appropriate conclusions.

- BENTLEY, BENTLEY & BENTLEY - OF COUNSEL  
(1996 to 2006)
  - General civil practice representing a broad range of clients for contract preparation, business transactions, and litigation.
  - Land acquisition for Cobb County Department of Transportation, Oglethorpe Power Company, Georgia Transmission Corporation, Georgia Power Company, Atlanta Gas Light, and Bellsouth. Duties included wide-ranging issues of title, appraisal, negotiation, transactions, and litigation.
  - Substantial work and knowledge of eminent domain, real estate appraisal methodology, land rights analysis and general real estate transactions.
  - Represented the City of Kennesaw, Georgia, the Kennesaw Downtown Development Authority, and the Dawson County Development Authority.

### *Qualifications*

Since passing the Bar in 1996, I've primarily represented public and governmental clients regarding a broad range of civil matters.

Commencing with Bentley, Bentley & Bentley in Marietta, Georgia, I represented numerous public utilities as well as the Cobb County DOT for project land acquisition. At Bentley, Bentley & Bentley, I developed an in-depth understanding of eminent domain, real estate appraisal methodology, land rights analysis, real estate transactions, and project coordination for large land acquisitions. During this time, I also began representing local governments including the City of Kennesaw, Georgia, the Kennesaw Downtown Development Authority, and the Dawson County Development Authority.

In 1998, I was appointed a part-time Magistrate Judge for Cobb County, Georgia. My experience as a magistrate judge provided a foundation in dispassionate and objective decision-making, an approach which is critical to making consistent and fair decisions at a city level.

I shifted the focus of my practice to the creation and representation of new cities in 2005 when the Georgia Legislature authorized the formation of new municipalities. My law partner and I were instrumental in the startup of Sandy Springs, Johns Creek, Milton, Chattahoochee Hills, Dunwoody, Peachtree Corners and Brookhaven. As noted, I continue to represent the cities of Dunwoody, Peachtree Corners and the City of Doraville.

Over the entirety of the last 13 years, I have represented multiple cities working closely with the various city councils and city management teams on a wide range of issues. As a result, I have developed a broad base of knowledge and experience including significant experience with:

- (1) Legislation and Ordinance Drafting;
- (2) Litigation Management;
- (3) Zoning and Land Use;
- (4) Stormwater Management;
- (5) Land Acquisition;
- (6) Real Estate Transactions;
- (7) Project

Construction; (8) Contracts and Bids; (9) Code Enforcement; (10) Alcohol Rules and Regulations; (11) Human Resources; and (12) Bond Issuance.

Moreover, due to the large volume of work my firm conducts across cities simultaneously, necessity requires that I coordinate, manage, and in some cases mentor, other city attorneys. I also have worked extensively with outside attorneys who were assisting with specific issues or serving as insurance defense counsel. As a result of these years of collaboration, I have developed the ability to oversee a team of attorneys and have created a network of specialized, expert attorneys who I call on when the need arises.

I manage a large volume of work by communicating extensively with associate attorneys to provide my input and feedback on issues as they arise. I also make sure that the workload is disbursed in a manner to ensure we are effectively utilizing our resources. With outside attorneys, I require frequent updates to: (1) ensure that costs are reasonable and being kept under control; (2) cases are appropriately moved forward; and (3) an ongoing cost-benefit analysis is being conducted to apprise the City of its options at key decision points during pre-litigation or litigation.

#### *Honors and Education*

- AY-Rated Martindale-Hubbell Attorney in 2014 [AV Preeminent®: The highest peer rating standard. This is given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers.]
- Georgia State University Law Review
- Admitted to the Georgia Bar in 1996: Georgia Supreme Court, Georgia Court of Appeals, Georgia Superior Court and all local jurisdictions
- Georgia State University, Juris Doctorate, 1996
- Georgia State University, Business Administration, 1993