

Partnership for Public Facilities and Infrastructure Act Guidelines Committee
Minutes
January 8, 2016

Call to Order: The third meeting of the Partnership for Public Facilities and Infrastructure Act Guidelines Committee was held on Friday, January 8, 2016, via conference call. The meeting convened at 10:00 A.M. Those in attendance and constituting a quorum were:

Present: Kerry Armstrong, Kevin Byrne, Greg Schlich on behalf of Doug Davidson, Sam Guest, Bill Polk, Jim Thomas, William Wade, Jason Ward, and Jim Woodward

Absent: Jeffery Parker

Staff Attendees: Stephanie Beck, Bakia Parrish, Diana Pope, Katy Sharp, and Rebecca Sullivan

New Business:

I. Call to Order

The Chairman, Jim Woodward, called the meeting to order and discussed the goal of the meeting. Members will discuss the initial draft of the P3 guidelines.

II. Approval of November 13 Meeting Minutes

Members were provided a copy of the November 13 meeting minutes for review. The Chairman asked for a motion to approve. Kerry Armstrong moved to approve. Jason Ward seconded the motion. Minutes were approved by unanimous vote.

III. General Discussion

The Chairman informed the Committee of his meeting with Senator Hunter Hill. Hill is a co-sponsor of SB 59 and would be willing to attend a committee meeting.

Prior to the meeting, the Chairman provided all of the Committee members with a copy of the draft guidelines for discussion. The Chairman noted, while Virginia guidelines have and continue to serve as a great resource, they are different from Georgia's requirements. Therefore, the Committee's draft has been restructured to meet Georgia's P3 Act requirements. The Chairman drafted an introduction to describe the P3 Act, provide instructions for local government (whether they adopt the guidelines or create their own), and list best practices. Members of the Committee expressed their approval of the introduction and draft layout. They also liked the idea of incorporating best practice commentary for each section of the guideline.

There was general discussion regarding Article I, Statutory Overview. The first item discussed was Section C, Approval Process. The Chairman mentioned that Virginia has a section in its guidelines on public hearings and public approval. He asked the Committee if they would like to consider this process for Georgia. It was proposed to list this as a best practice. During this discussion, the Committee also addressed its concern regarding open records and the public's ability to request and review unsolicited proposals. Understanding that the Official Code of Georgia (O.C.G.A.) is very sound on its provisions for open records and every document is subject to the Open Records Act, members suggested including a disclaimer stating that any unsolicited proposal is subject open

records. Staff member, Rebecca Sullivan informed the Committee of an exception to the Open Records Act. O.C.G.A. 50-18-72 (34) states that trade secrets are exempt from disclosure. The Committee further suggested to add this exemption to the disclaimer.

The next item under Article I was Section D, Interim and Comprehensive Agreements. The Chairman noted the statute calls for a comprehensive agreement but does not specifically provide for an interim agreement, however, the Committee may choose to incorporate such. The Committee stated they like the idea of including an interim agreement within the guidelines. The Chairman asked Sam Guest and Doug Davidson to help draft a comprehensive agreement and asked the Committee to think of items to include in an interim agreement, if that option is chosen.

There was also general discussion regarding Article II, Model Guidelines. The Chairman briefly discussed each of the eight requirements with the group. The Chairman asked the group to spend some time drafting initial language for each of the eight requirements and send thoughts and suggestions to him. The Chairman will compile a draft of Article II before the next Committee meeting.

Next Meeting: The next meeting will be held Friday, February 12, 2016.

Adjournment: Meeting adjourned at 11:18 a.m.

Minutes Prepared By: Bakia Parrish, Staff Member