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Residents Challenge Braves Deal at Bond Hearing.

MARIETTA — Cobb Commission Chairman Tim Lee didn't have much to say when he was subpoenaed Monday for a six-hour bond hearing concerning the new Atlanta Braves stadium.

The county hopes to issue up to \$397 million in bond proceeds to pay for the stadium, but before it does, a Cobb Superior Court judge must sign off on the deal.

Fourteen Cobb residents filed challenges to the bond deal, and nine were present during Monday's hearing before Cobb Superior Court Judge Robert Leonard.

Leonard said he hopes to have a decision on whether to validate the bond issuance by the end of the month.

Attorney Tucker Hobgood, a former president of the Rotary Club in Marietta, is opposed to the bond issuance and quizzed Lee on several components of the deal, prompting Lee to direct him to the financial agreement.

"What you're stating seems to be the obvious," Lee told Hobgood at one point as the attorney read over parts of the agreement.

Hobgood said the Braves would own most of the rights to the stadium. He said documents regarding the project imply the stadium will be privately owned, arguing there will be no public use for the facility.

"The agreements don't show sufficient public use," Hobgood said. "You can see this is not intended for public use."

Taxpayers, Hobgood said, should not be forced to pay for a project they will not use.

"This is a private agreement and shows that the Braves get to call all the shots," he said.

Larry Wills of Marietta, a retired recycling consultant who also challenged the deal, quizzed the county's financial advisor, Dianne McNabb, about taxpayer contributions to the project.

McNabb said the bonds will come from Cobb County revenues, but said she didn't know if any revenues would come from Marietta taxpayers.

Another challenger, Christopher Peters, said the project serves no public benefit and the board "overstepped its boundaries by creating special districts to supply revenue."

The Cobb Board of Commissioners created a special tax district in February, which roughly follows the same boundaries as the Cumberland Community Improvement District. Revenues from the new district will go toward paying off the bond debt.

Commissioners are violating the Constitution, Peters argued, because the General Assembly, not

local governments, should authorize these extensions of taxes and special districts.

Yet Kevin Moore, attorney for the Cobb-Marietta Coliseum & Exhibit Hall Authority, argued the Supreme Court ruled revenue bonds secured by valid intergovernmental agreements are constitutional.

Almost 10 motions to intervene were denied by Leonard because they were filed after the start of the hearing.

by Asia Ashley
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