

## BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (BCID)

### Minutes

January 25, 2023

#### **Preamble:**

A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on January 25, 2023, pursuant to legal notice, at Tower Place 100, 3340 Peachtree Road NE, Suite 1640, Atlanta GA 30326. Chairman Thad Ellis called the meeting to order at 8:02 a.m.

#### **Attendance:**

Attendance was recorded and it was reported that a quorum was present. Members in attendance in addition to Mr. Ellis were Robin Suggs, Jim Bacchetta, Herbert Ames, Scott Snipes, Scott Werbell, Howard Shook, and Amy Knopf.

Also in attendance were Jim Durrett, Executive Director; Tony Peters, Director of Capital Projects and Programs; Matt Gore, Projects and Programs Manager; Denise Starling, Livable Buckhead Executive Director; Rebecca Stokes, Director of Finance; Lynn Rainey, Board Counsel.

Guests: Clark Kennedy, Kimley-Horn

1. **Board Meeting Minutes from October 26, 2022, and December 12, 2022:** Mr. Durrett asked the Board to approve the Minutes from the October and December 2022 Board meetings and the December 2022 Executive Session. **MOTION: The draft of the October 26, 2022 Board Meeting Minutes and December 12, 2022 Board Meeting Minutes and Executive Session were reviewed by the Board. Ms. Suggs made a motion to approve the October 26, 2022 and December 12, 2022 Board meeting and Executive Session; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.**
2. **Treasurer's Report:** Mr. Ames provided the Board with a review of the monthly financial reports included in the Board packet, current as of November 30, 2022. The Available Funds Forecast reflects \$8.2M available in uncommitted funds through September 2023. This does not include 2023 tax revenue.
3. **Projects and Programs Report:**
  - a. **Public Safety:** Mr. Peters provided a summary of the Public Safety program. Once again, Zone 2 won the crime reduction award for 2022. The BCID is exploring the option to do an electronic billboard in appreciation. Ms. Suggs asked what the costs were for the billboard and Mr. Peters responded approximately \$8,000. BCID continues to have a great relationship with Major Mitchell and have discussions about what APD needs. Starting this year, the BCID and The Buckhead

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Coalition will purchase monthly \$500 gift cards that will be given to the officer of the month. BCID will contribute \$300 and The Buckhead Coalition will contribute \$200. Mr. Peters also stated with partnership with Livable Buckhead, The Buckhead Coalition, Zone 2, the City of Atlanta and the mayor, our safety plan has made significant changes in the last two years. Mr. Ames stated that Major Mitchell and Zone 2 have done a great job working with the licensing boards for Buckhead restaurants & bars. Ms. Starling reported that she will be working with NPU and licensing review board this year.

- b. **Peachtree Phase 3 Update:** Mr. Peters provided a summary of the project. We plan to do the paving in March when the weather is better. Once complete, we will be hosting a ribbon cutting event.
- c. **Piedmont Widening:** Mr. Peters presented a summary of the project. We are wrapping up the ROW process and hope to be bidding the project in March 2023.
- d. **Wieuca-Phipps Roundabout:** Mr. Peters presented a summary. There are a few more parcels to acquire and then we will advertise the project. This will be the first project that we will be bidding the project and not required to go through the City of Atlanta procurement process.
- e. **Piedmont Roswell Habersham:** Mr. Peters presented a summary of the project. We have submitted the concept plan to GDOT and should have their remarks next month.
- f. **Lenox Road Phase 1:** Mr. Peters presented a summary of the project. We are still working on ROW including Simon Properties. The project includes doing a deeper milling so the repaving of this section is more successful. *Ref New Business #1*
- g. **Lenox Road Phase 2:** Mr. Gore presented a summary of the project. We reviewed the qualifications of firms to develop the initial design concept. Kimley-Horn was selected. *Ref New Business #2*
- h. **Lenox Road Phase 3:** Mr. Durrett stated that GDOT has the concept plan and we are expecting approval in February as we have already responded to their comments. Mr. Durrett provided a financial outline of what is needed for this project going forward. The next step would be to move forward with the design and engineering work with Pond and also with Rogers Partners. With projected outside funding including a GTIB loan application of \$2M and grant application of \$1.165M, Mr. Durrett asked the board for a \$5M commitment plus the \$2M loan repayment obligation for this project. Mr. Durrett also stated there is the option to name this bridge after Sam Massell. An example would be The Sam Massell Gateway. Mr. Ellis asked if the \$5M commitment would only be used if other outside funding comes in. Mr. Durrett confirmed. Mr. Ames asked if \$1.6M would

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get the project to 30% design which in turn would provide a more accurate estimate of construction costs. Mr. Durrett confirmed. Ms. Suggs expressed concern about the amount of BCID funds are being invested into this project as it is tied to the HUB404 project. She also stated concern of not having a clear understanding of future costs related to HUB404 and the BCID financial commitment. A discussion ensued wherein it was understood that the bridges have independent utility for the Lenox Road project. Mr. Durrett stated that to make this section of Lenox Road walkable, we must elevate it for safety. ***Ref New Business #4 & 5.***

- i. **West Village Streetscapes:** Mr. Gore provided a summary. We are going through the punch list items next week. The last big item will be paving Roswell Road which is most likely happen in March due to weather restraints. Mr. Peters stated there will be a de-commitment once the project is complete. Mr. Durrett stated it is a great success to have the City, State and BCID work together with this project.
- a. **Infrastructure Maintenance:** Mr. Gore reported we will be restarting the paver replacement in March. We are expecting another 3-4 months of construction.
- b. **HUB404:** Mr. Durrett provided a financial summary of the project to the board. Mr. Durrett went through detail of outside funding received and what sources are is currently being applied for. The next step for the project will be to move forward to 30% of the design. We are seeking a \$6.5 RAISE grant and need a local commitment for the application. MARTA has agreed to do the NEEPA study for the project valued at \$2M. Mr. Durrett provided the board a financial forecast through the next BCID cycle including tax revenue of 2029. Ms. Suggs asked if an annual 4% increase of tax revenue is reasonable. Mr. Durrett stated that he felt it is a conservative projection. Mr. Durrett was asked to provide the board more details of the HUB404 project. ***Ref New Business #9.***
- c. **2023 Administrative Budget:** The board was provided a detail of the 2023 administrative projected budget of \$1,070,396.20. Ms. Suggs asked if we removed a PR expense from 2023 budget. Ms. Stokes confirmed that we are not budgeting PR expenses related to the BuckheadATL plan. ***Ref New Business #7***
- d. **2023 Programs Budget:** The board was provided a detail of the 2023 annual programs budget of \$2,330,650. This budget was reduced 6% from 2022. Mr. Gore explained that the reduction of the infrastructure budget is based on amount of work expected this year. ***Ref New Business #8.***
- e. **BUC:** Mr. Durrett stated that the current budget continues the service through June 2023 but we need obligate 6 months of program management and public

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relations. *Ref New Business #6.*

- f. **LBI Year-End Presentation:** Ms. Starling presented the board with 2022 accomplishments, successes, and achievements of LBI. *Ref New Business #8*

**NEW BUSINESS:**

1. **Lenox Road Section 1:** The board was asked to ratify \$4,763.50 for additional ROW and lighting expenses. **MOTION:** Mr. Ames made a motion to ratify \$4,763.50 for the additional ROW and lighting expenses; seconded by Ms. Knopf. No objections were recorded. The motion passed unanimously.
2. **Lenox Road Section 2:** The Board was asked to commit \$110,000 for a Kimley-Horn contract to complete the concept design. **MOTION:** Mr. Ames made a motion to commit \$110,000 toward the Kimley Horn contract to complete the concept design; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.
3. **Lenox Road Section 3:** The board was asked to approve a total commitment of \$7M that includes \$5M local commitment and \$2M for repayment of GTIB loan. **MOTION:** Mr. Ames made a motion a commitment of \$7M that includes \$5M local commitment and \$2M repayment of GTIB loan; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.
4. **Lenox Road Phase 3:** The board was asked to approve the GTIB grant of \$1.165M and loan application of \$2M. **MOTION:** Mr. Bacchetta made a motion to approve the GTIB grant of \$1.165M and loan application of \$2M; seconded by Mr. Ames. No objections were recorded. The motion passed unanimously.
5. **HUB404:** The Board was asked to commit \$1.5M for local match for the \$6.5M RAISE grant application. **MOTION:** Mr. Ames made a motion to commit \$1.5M for a local match for the \$6.5 RAISE grant conditioned upon Mr. Durrett meeting with the HUB404 Conservancy within the next 60 days to discuss the project and funding; seconded by Mr. Bacchetta. The motion passed 7-1 with Ms. Suggs opposed.
6. **2023 Administrative Budget:** The Board was asked to approve a commitment of \$1,070,396.20 for 2023 administrative expenses. **MOTION:** Mr. Snipes made a motion to approve a commitment of \$1,070,396.20 for 2023 administrative expenses; seconded by Mr. Ames. No objections were recorded. The motion passed unanimously.
7. **2023 Programs Budget:** The board was asked to approve a commitment of \$2,330,650. **MOTION:** Ms. Suggs made a motion to approve a commitment of \$2,330,650 for 2023 program expenses; seconded by Mr. Ames. No objections were recorded. The motion passed unanimously.
8. **BUC:** The board was asked to approve \$11K for Livable Buckhead to continue project

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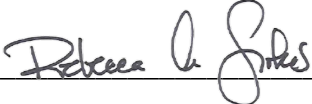
management and PR expenses for the BUC through June 2023. **MOTION: Ms. Suggs made a motion to approve a commitment of \$11K for project management and PR expenses through June 2023; seconded by Mr. Ames. No objections were recorded. The motion passed unanimously.**

9. **Livable Buckhead Annual Support:** The board was asked to approve \$250K in annual support for LBI in 2023. **MOTION: Mr. Snipes made a motion to approve \$250K in support for LBI in 2023; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.**

The Board meeting adjourned at 9:38 a.m.

The next board meeting will be held April 26, 2023.

APPROVED BY THE BOARD, this 26th day of April, 2023.

, Secretary