

BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (BCID)

Minutes

July 26, 2023

Preamble:

A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on July 26, 2023, pursuant to legal notice, at Terminus 200, 3333 Piedmont Road NE, Suite 1475, Atlanta, GA 30305. Vice Chair Robin Suggs called the meeting to order at 11:43 a.m. Chairman Thad Ellis, who was delayed by traffic, began presiding upon his arrival at 11:46 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 Werbel, Matt Rendle and Amy Knopf.

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

Guests: Heather Lamb, Highwoods Realty.

1. **Board Meeting Minutes from April 26, 2023:** Mr. Durrett asked the Board to approve the Minutes from the April 26, 2023 Board meeting. **MOTION: The draft of the April 26, 2023 Board Meeting Minutes was reviewed by the Board. Mr. Bacchetta made a motion to approve the April 26, 2023 Board Meeting Minutes; seconded by Mr. Werbel. 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 May 31, 2023. The Available Funds Forecast reflects \$21M available in uncommitted funds through September 2029. This report does not include 2029 tax revenue.
3. **Millage Rate:** Mr. Rainey requested the Board to consider and approve our millage rate for 2023. ***Ref New Business #1***
4. **Projects and Programs Report:**
 - a. **Public Safety:** Mr. Peters provided a summary of the Public Safety program. The BCID previously approved providing a monthly gift card to be awarded to an outstanding officer each month. Major Mitchell has reported that this program has been very successful. We have used our Traffic officers, Bike Officers, and supplemental patrol to reduce incidences of street vendors impeding traffic and safety at intersections. In 2022, BCID approved the purchase 6 new APD vehicles to be used in Zone 2, and to date, two of those vehicles have been placed in

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service at Zone 2.

- b. **Peachtree Phase 3 Update:** Mr. Peters provided a summary of the project. The project is complete, and BCID will be hosting a ribbon-cutting event in September.
- c. **Piedmont Widening:** Mr. Peters presented a summary of the project. GDOT will open bids on October 26th and a contractor will be chosen prior to Thanksgiving. Georgia Power has already begun its utility work. BCID will host a groundbreaking event before the holidays.
- d. **Wieuca-Phipps Roundabout:** Mr. Peters presented a summary. There are two more parcels to acquire and then the project will be advertised by the end of August.
- e. **Lenox Road Complete Street:**
 - i. **Section 1:** Mr. Peters presented a summary of the project. We should be wrapping up two ROW parcels including Simon Properties and hope to advertise for construction bids in late September.
 - ii. **Section 2:** Mr. Peters presented a summary of the project. We have worked with Kimley-Horn to develop two designs for consideration. The first is more grade-level and the second includes a raised bridge. The Board provided feedback regarding the design.
 - iii. **Section 3:** Mr. Durrett reported that BCID was not awarded a GTIB grant but was offered a GTIB loan. BCID is seeking a different grant for this project.
- f. **Infrastructure Maintenance:** Ms. Suggs asked the status of the replacement of missing light poles on Peachtree. Mr. Peters explained he is working with Georgia Power in hopes they might cover the costs.
- g. **HUB404:** Mr. Durrett provided a summary of the project. Mr. Durrett asked the board to ratify a contract with Dentons for \$120K to continue its work. Mr. Werbel requested periodic reports be required of Dentons accounting for its services. **Ref New Business #2.** BCID was not awarded the RAISE grant but Atlanta Beltline was awarded \$25M to continue the beltline to Lindburgh Drive. Mr. Durrett asked the board to de-commit our local match of \$1.5M. **Ref New Business #3.** Without the RAISE grant, HUB404 will need to raise an additional \$400K to get to 30% design. He will be discussing with Atlanta Regional Commission and City of Atlanta about possible funding opportunities. Mr. Durrett reported that HUB404 will kick off the capital campaign to raise \$10M from the private sector in September. Ms. Suggs asked once the park is complete, how will general operations be funded and requested a breakdown of anticipated funding sources for HU404. Mr. Durrett stated that this was provided in the conceptual

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design documents, but it is not expected to be funded by BCID.

- h. **BUC:** Ms. Starling reported that we saw a jump in the BUC ridership with the additional service hours added. With AT&T coming back to Lenox Park, there was some discussion with property management about joining the BUC service but AT&T decided to go a different service.
- i. **PATH400:** Ms. Starling reported that construction is moving forward and is looking great. She offered to take the board members on a tour if they are interested.
- j. **New Board Member:** Mr. Bacchetta announced to the board that he is retiring and asked that Heather Lamb be allowed to step into his seat. The board thanked him for his service to Buckhead and the BCID board. *Ref New Business #6*
- k. **West Paces Ferry:** Mr. Peters presented a proposal for BCID to work with the City of Atlanta to pave West Paces Ferry. Summit Construction Development has been chosen as the contractor for an amount not to exceed \$4.4M. All expenses will be reimbursed by City of Atlanta. Jacobs will manage the contractor. *Ref New Business #5*

NEW BUSINESS:

1. **Millage Rate:** The Board was asked to set our millage rate for 2023. **MOTION: Ms. Suggs made a motion to set the BCID millage rate at 3 mills for 2023; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.**
2. **HUB404 – Dentons:** The Board was asked to ratify the extension of the Dentons contract to continue legal services for HUB404. **MOTION: Mr. Bacchetta made a motion to ratify the 12 month extension of the Dentons contract for \$120K for HUB404; seconded by Mr. Rendle. The motion passed 6-1 with Ms. Suggs opposed.**
3. **HUB404:** The board was asked to de-commit the \$1.5M local match for the unsuccessful HUB404 application for the RAISE grant. **MOTION: Mr. Ames made a motion to de-commit the \$1.5 local match for the unsuccessful HUB404 RAISE grant; seconded by Mr. Werbel. No objections were recorded. The motion passed unanimously.**
4. **Buckhead Marketing Plan:** The Board was asked to commit \$27K to cover the cost for a Buckhead marketing plan for traffic mitigation during construction. **MOTION: Ms. Suggs made a motion to commit \$27K for a Buckhead Marketing Plan; seconded by Mr. Bacchetta. No objections were recorded. The motion passed unanimously.**
5. **West Paces Ferry:** Mr. Peters asked the board to approve a contract with Summit Construction Development to pave West Paces Ferry Road in an amount not to exceed \$4.4M contingent on reimbursement by the City of Atlanta. **MOTION: Mr. Bacchetta made a motion to approve the Summit Construction Development contract for an**

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amount not to exceed \$4.4M contingent upon City of Atlanta reimbursement; seconded Mr. Werbel. No objections were recorded. The motion passed unanimously.

6. **New Post 4 Board Member:** Mr. Bacchetta announced his impending professional retirement and his resignation from the BCID Board of Directors effective at the conclusion of today's Board meeting. He serves in elected Board Post 4 in a 4-year term that expires spring 2025. Mr. Rainey advised that the CID Act provides the Board could either call for a special election, or appoint a new Board member in that Post to serve until the next regularly scheduled election which would be spring 2025. **MOTION: Mr. Rendle made a motion to appoint Heather Lamb to serve in Post 4 effective immediately after the adjournment of today's Board meeting; seconded by Mr. Werbel. No objections were recorded. The motion passed unanimously.**

The Board meeting adjourned at 1:25 p.m.

The next Board meeting is scheduled for October 25, 2023.

APPROVED BY THE BOARD, this 25th day of October, 2023.

 _____, Secretary