

## BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (BCID)

### Minutes

October 25, 2023

#### **Preamble:**

A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on October 25, 2023, pursuant to legal notice, at Terminus 200, 3333 Piedmont Road NE, Suite 1475, Atlanta, GA 30305. Chairman Thad Ellis called the meeting to order at 11:30 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, Heather Lamb, Herbert Ames, Scott Werbel and Matt Rendle.

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: Brian Wander, Marriott Atlanta Buckhead; Anthony Rodriguez, HUB404 Conservancy; Ben Donsky and Howard Kozolof, Agora Partners; and Matthew Katzmark, Carr Riggs & Ingram.

1. **Board Meeting Minutes from July 26, 2023:** Mr. Durrett asked the Board to approve the Minutes from the July 26, 2023 Board meeting. **MOTION: The draft of the July 26, 2023 Board Meeting Minutes was reviewed by the Board. Mr. Rendell made a motion to approve the July 26, 2023 Board Meeting Minutes; seconded by Ms. Suggs. 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 August 31, 2023. The Available Funds Forecast reflects \$18.9M available in uncommitted funds through September 2029. This report does not include 2029 tax revenue.
3. **2022 Audited Financials:** Mr. Katzmark presented his Audit of the 2022 BCID Financial Statements, reported that no findings were noted, and issued an unqualified clean opinion. Ms. Stokes was congratulated. ***Ref New Business #1***
4. **Projects and Programs Report:**
  - a. **Piedmont Widening:** Mr. Peters presented a summary of the project. GDOT will open bids on November 17 and a contractor will be chosen prior to Christmas. Georgia Power has already begun its utility relocation work.
  - b. **Wieuca-Phipps Roundabout:** Mr. Peters reported that construction bids were to be opened on October 27. This will be an 18-month construction contract.

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c. **Lenox Road Complete Street:**

- i. **Section 1:** Mr. Peters reported that bids for construction will advertised in November and opened before Christmas. This will be an 18-month construction contract
  - ii. **Section 2: Mr. Peters reported that** Kimley Horn is finishing up their initial feasibility work that included bridge placement. We will be asking board for approval of next phases of design at their January 2024 board meeting. City of Atlanta Moving Atlanta Forward TSPLOST program has committed \$6M to the construction of this project
  - iii. **Section 3:** Mr. Peters reported that Pond is continuing their engineering work to get to 60% plans complete. We are in the final phase of determination of getting a \$10M Safe Streets 4 All grant from the US DOT to go towards construction.
- d. **HUB404:** Mr. Durrett provided a summary of the project. An application was submitted for the Federal NAE Grant and Mayor Dickens will be lobbying US DOT Secretary Buttegieg for the NAE grant to be awarded. Mr. Durrett and Mr. Ellis met with Mayor Dickens who will also be looking for \$415K to go toward this project or toward the Sam Massell Gateway element of Lenox Section 3. ***Ref New Business #2.*** Mr. Durrett introduced Agora Partners who provided a presentation on the anticipated start up and operational costs for the first seven years of the park. Mr. Durrett reported that HUB404 will kick off the capital campaign to raise \$10M from the private sector to go toward the Sam Massell Gateway.
- e. **PATH400:** Ms. Starling reported that construction is moving forward and is looking great. Due to an area of high elevation, there are some additional expenses expected to correct the handrail height for safety. She offered to take the board members on a tour if they are interested.
- f. **Threepat/Clean Car year-End Messaging:** Ms. Starling reported with the holidays coming, LBI will be pushing the Clean Car Campaign as there is still a high percentage of theft from automobiles.
- g. **Miracle on Peachtree:** Ms. Starling reported that LBI will be hosting holiday events that include a Hot Chocolate Crawl, Christmas tree in Charlie Loudermilk Park and Christmas Wreaths.
- h. **Development Review Committee:** Ms. Starling reported on the projects that came through the DRC for review and plan approval.

**NEW BUSINESS:**

1. **2022 Audited Financials:** The Board was asked to accept the Audit of the BCID 2022

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Financial Statements. **MOTION:** Mr. Ames made a motion to accept the Audit of the BCID 2022 Financial Statements; seconded by Mr. Werbel. No objections were recorded. The motion passed unanimously.

2. **Consent Agenda:** The Board was presented a Consent Agenda (attached) for review and committing a net of \$1,450,334.21. **MOTION:** Ms. Lamb made a motion to approve the Consent Agenda as presented that committed a net total of \$1,450,334.21; seconded by Mr. Werbel. The motion passed 5-1 with Ms. Suggs opposed.
3. **West Paces Ferry:** Mr. Peters asked the board to approve a commitment of an additional \$3.4M contingent on reimbursement by the City of Atlanta. **MOTION:** Ms. Suggs made a motion to approve a commitment of \$3.4M contingent upon City of Atlanta reimbursement; seconded Mr. Rendle. No objections were recorded. The motion passed unanimously.
4. **Peachtree Road Pedestrian & Median Lights:** **MOTION:** Ms. Suggs made a motion to approve NTE \$935,000 for a pedestrian and median light retrofit and pole replacement proposal for a portion of Peachtree Road; seconded by Mr. Ames. No objections were recorded. The motion passed unanimously.

The Board meeting adjourned at 1:45 p.m.

APPROVED BY THE BOARD, this 24th day of January, 2024.

  
\_\_\_\_\_, Secretary