

BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)

Minutes

June 23, 2009

- 1) A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on June 23, 2009 pursuant to legal notice in the Regent Partners Conference Room located on the 15th Floor of Tower Place 100 Building, 3340 Peachtree Road, Atlanta, Georgia. Chairman David Allman called the meeting to order at 3:30 pm.

- 2) The Board Secretary checked off attendance and reported that a quorum was not present. Members in attendance in addition to Mr. Allman were: John Lundeen, Vice Chairman, Scott Selig, and Robin Loudermilk. Scotty Greene, Executive Director, Denise Starling, Executive Director for BATMA, Brian McHugh, Project Manager, Jo-Anne Carlson, Board Secretary, and Lynn Rainey, Board Attorney were also present. Guests present included Garth Peters of the Buckhead Coalition, Sean Pharr and Don Harris of URS, John Garrett of American Coach, Malory Hunter of Foresite Group and Sara Cuomo, Office Manager for the Buckhead CID and BATMA. As a point of note, since he was unable to attend the May 27 Board election at which he was re-elected, John Lundeen was sworn in as a Board member by Lynn Rainey at the start of the meeting.

- 3) The draft of the Minutes from the May 27, 2009 Board meeting were not reviewed. The motion to approve the Minutes will take place at the July 28th Board meeting.

- 4) Treasurer's Report: Mr. Greene noted the inclusion of the standard monthly reports and payables in the board packets, and mentioned that the \$16.4 million in outside funds for Peachtree Phase II shown on the financials will be reduced to around \$15 million. This is forecasted to be 100% funded stimulus money, which has to go through certain steps for approval. The July 16th GDOT Board meeting will approve projects for bid letting in September, October and November. The Peachtree Phase II Project is set for bid letting in late October. The approval process for funds includes a 10 day public comment period, through August 7th; the approval of a TIP amendment by ARC on August 26th. The GRTA Board would then issue its approval before certification around September 9th, and then it's placed before the Governor.

Mr. Allman would like to know how much assessments have been collected so far for 2008, and what is still under appeal. He would also like to know where we are with

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funds post-Peachtree and how costs and revenues are projected over the rest of the life of the CID.

Mr. McHugh referred the Board to a handout entitled 'Right of Way' which showed Sources and Uses re: the Peachtree Phase II project. The total cost for the project is roughly \$30 million. He pointed out that Utility cost is estimated at \$700,000 which CID is being asked to fund 100%. Mr. Allman asked if there were any contingencies. Mr. Greene mentioned there is a \$2 million contingency which, legally, the CID has to pay, for additional right of way costs.

- 5) Shuttle Report – Village Shuttle Routes: Ms. Starling referred the Board to the 'Buckhead Village Shuttle Service Proposal' handout. She mentioned that she met with Board members and business owners as part of the process in getting the proposal together. The handout shows the number of buses that would be required (two), two alternate routes, the hours of operation (commuter hours and lunchtime service), fifteen minute headways, costs and sources of revenue. The annual cost would be \$232,623. Mr. Allman asked the Board to think of as many questions as they could concerning the proposed service to send to Ms. Starling as she continues work on this proposal. Questions could include: what kind of bus services do we have now? Headway? Projected demand? He mentioned that the August 4th retreat could be a place to discuss ideas and direction for the Village – promotion, how would a shuttle route fit? Future considerations could include the Northern Concourse Bridge and its effect on the shuttle system. Mr. Lundeen would like to know the headway for the number 23 MARTA bus, and also how long a commitment would we have to make to American Coach re: use of shuttle buses. Mr. Garrett stated to the Board that he just bought a new bus and if that were used, then the commitment would be one year; however, he has other vehicles where commitment wouldn't matter.

Ms. Starling informed the Board that the FTA and GRTA are working with College Park and the CID to transfer our 10 dormant shuttle buses by September.

Ridership is up, there is \$1,500 revenue from ReMax advertising and 'the buc' has two new advertisers.

- 6) Executive Director's Report:
 - a. Peachtree Boulevard Project Update:

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- 1) Phase I Update – There was no report.
 - 2) Phase II – Funding and Bid Let Schedules: see 4).
 - 3) Phase III – Preliminary Engineering ROW Plan Estimates and Schedules – Mr. Greene referred the Board to a handout that showed a proposal for URS to complete construction drawings for Phase III, from Shadowlawn to Maple. He mentioned that a preliminary engineering report has already been paid for, and the environmental has already been approved. The remaining tasks would be to ready this project for TIP, get construction and right of way drawings and purchase right of way, get donations. Should we do this, Mr. Greene said this could be ready to bid by October 2010. His question to the Board is whether to pay URS \$100,000 to get it ready to build out. A discussion ensued.
- b. Piedmont Corridor Implementation:
- 1) Habersham: Mr. Greene told the Board that Mr. Lundeen is working on a meeting with Sandy Binder of Northwest Mutual to try to resolve the outstanding issues. Both Mr. Greene and Mr. McHugh will meet with Mr. Lundeen to bring him up to date on the issues as they stand.
 - 2) 3 / 2 Conversion & Peachtree / Pharr Segment: Mr. Greene informed the Board that the contract has been executed, which merged the services of Kimley-Horn and URS. A meeting with the engineering staff, Brian McHugh and Denise Starling will take place soon to begin the process and work on having a deliverable by March 2010 to be ready and eligible for Phase II stimulus funds.
- c. SPI-9: Ms. Starling referred the Board to the proposed schedule extending through September 21 on page 27 of the Board packet for approval of the SPI-9 document.
- d. Concourse Bridge update: Mr. McHugh gave a brief update. Easement descriptions from MARTA should be ready by late summer.
- e. Buckhead Interim Sidewalk Rehab – Mr. McHugh and Mr. Greene met with Ben Carter Properties to discuss the sidewalk issues in the Village. Ben Carter Properties provided an estimate of \$49,000 to do three blocks of sidewalk. Mr. Allman would like to know what the City's responsibility is, what part the CID has to play, and how to encourage Ben Carter's commitment to the community and its surroundings. Mr. Allman mentioned taking up the issue with the Commission at the City. He would like to have an action at the next Board meeting – perhaps a letter to Ben Carter Properties.

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Mr. McHugh mentioned that he did a drive-through with Brickman, and is working on getting a proposal for a weed cutting program. He will have a proposal at the next Board meeting.

7) New Business:

a) Phase II Utility Relocation – As a quorum was not present, a motion was not sought for this item. It will be addressed in the July 28 Board meeting.

b) Buckhead Village Sidewalk Rehab - As a quorum was not present, a motion was not sought for this item. It will be addressed in the July 28 Board meeting.

c) Peachtree Phase III Preliminary Engineering (URS) – As a quorum was not present, a motion was not sought for this item. It will be addressed in the July 28 Board meeting.

d) Peachtree Corridor Phase 2 Final ROW Costs & Budget Amendment – As a quorum was not present, a motion was not sought for this item. It will be addressed in the July 28 Board meeting.

8) Miscellaneous – Mr. Greene informed the Board of the upcoming retreat on August 4th. Six members have said they were available that day. A confirmation will be sent out to the members, and he will try to get at least one other member to attend. Other attendees will be staff and a facilitator, and he asked the Board for suggestions on other possible attendees.

Mr. Allman asked the Board to mark their calendars for August 25th. After the Board meeting, there will be a combined Phase 2 funding and Scotty Greene appreciation party. Mr. Greene mentioned that the timing of the celebration is also at the 10 year anniversary mark for BATMA and the BCID and should be included as part of the celebration.

9) Executive Session – Without the objection of anyone present, the Board members went into Executive Session to discuss an employment matter and to meet with legal counsel pertaining to potential litigation. At the conclusion of the Executive Session, the Board members returned to Open Session without objection.

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10) The meeting adjourned at 5:45 pm. The next regularly scheduled Board meeting will be in the same location on July 28 at 3:30 pm.

APPROVED BY THE BOARD, this _____ day of _____, 2009.

Secretary