

BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT (CID)

Minutes

October 27, 2009

- 1) A Meeting of the Board of Directors of the Buckhead Community Improvement District was held on October 27, 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 3:35 pm.

The Board Secretary checked off attendance and reported that a quorum was present. Members in attendance in addition to Mr. Allman were: John Lundeen, Vice Chairman, Larry Gellerstedt, Mike Romstad, Robin Loudermilk, Howard Shook, Claude Petty, and Scott Selig. Jim Durrett, Executive Director, Denise Starling, Executive Director for BATMA, Brian McHugh, Project Manager, Lynn Rainey, Board Attorney, Sara Cuomo, BATMA and BCID Office Manager, and Jo-Anne Carlson, Board Secretary were also present. Guests present included Eric Cox of American Coach, Dan Gibbs and Tommy Harber of Fortis, Joe Hughes of Georgia Tech, Sally Silver of NPU-B, John Schaffner of the Buckhead Reporter, Dan Sherman of Epstein Beeker & Green PC, Laura Hughes of R2GA, Doug Crawford of D.L. Crawford Assoc. Inc., Kendall Craig of the Buckhead Alliance, and Garth Peters of the Buckhead Coalition.

- 2) A draft of the Minutes from the September 29, 2009 Board meeting was reviewed. Mr. Petty put forth the motion to approve the Minutes; seconded by Mr. Lundeen. The motion passed unanimously.

Treasurer's Report: Mr. Durrett noted the inclusion of the standard monthly reports and payables in the board packets and gave a brief review. He noted that everything was essentially the same as last month – Ms. Cuomo concurred. Mr. Durrett also mentioned that the 2009 bills for taxes have gone out and the due date is December 1st for some of them.

- 3) Shuttle Report: Ms. Starling referred the board to page 16 of the board packet. It shows a memo regarding audit findings of CMAQ funds for BATMA and two other TMAs. The findings were not positive and may affect funding. The Federal Highway Administration has frozen 2010 TMA funding until the audit issues have been resolved. BATMA has reserves to continue for 1 year of operations, but this does not

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include the Van Pool program or some of BATMA's subsidy programs. Both Ms. Starling and Mr. Durrett are working together to prepare BATMA's response and to resolve these issues. Regarding the old shuttle buses, College Park has hired a consultant to work on their operating plan. Ms. Starling is working with College Park and GRTA to move the bus transfer forward. Ms. Starling invited the Board to attend BATMA's Go Green / Commute Clean Awards ceremony on October 29th, which will also celebrate BATMA's ten-year anniversary.

4) Van Pool Report: see (3) above.

5) Executive Director's Report:

a. Peachtree Boulevard Project Update:

1) Phase II – Funding and Bid Let Schedules: Mr. McHugh told the board that the bid let date has been moved back about three weeks. Fulton County has to finish some proposals which affect the process. Construction, then, will probably not start until mid to late February 2010. He is also working on water easements, trying to get the City to finish work on them before the beginning of construction so the new road won't be dug up at a later date.

2) Peachtree Phase III – Study and Evaluation – Mr. McHugh said that URS has produced an alternate cross-section for the area from Maple to Shadowlawn. The goal is to try to make the streetscape design similar to that used in Phase II. Meetings are planned with stakeholders for comments on the new cross-section within the next two weeks.

b. Piedmont Corridor Implementation:

1) Habersham: Mr. McHugh told the Board that Kimley-Horn has finished the new schematics, and the design is a favorable improvement for the intersection.

2) 3 / 2 Conversion & Peachtree / Pharr Segment: Mr. McHugh referred the Board to page 18 of the Board packet. He continues to work with GDOT and ARC to get a P.I. number for this project. A copy of the traffic study has been sent to Gerald Ross and Joe Basista.

c. SPI-9: Ms. Starling referred the Board to tab 1 in the supplemental section of the packet. A steering committee meeting was held earlier this week to discuss changing the overlay to a stand-alone district for SPI-9. The updated document

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was well received. Stakeholder meetings will be held between November 2nd and 12th, and public meetings will be held toward the end of November or early December.

- d. Village Streetscape Program: Mr. Durrett told the Board that he and Brian McHugh will be meeting with Steve Cadranel and Jim Woodcox on Wednesday about short term ideas for the Village – sidewalks, etc. Mr. Petty raised concerns about the CID spending money or assuming liability on things for which Ben Carter properties is responsible. Mr. Loudermilk and Mr. Durrett told Mr. Petty that the goal is to bring these issues out in the open, look at other possibilities without the CID spending any money or assuming liability. A discussion followed. The Board also discussed doing streetscape improvements in the Village away from Ben Carter properties to show that the commitment is still there. The board asked for a clarification of what previous discussions were years ago by the CID on the Village streetscape project.
- e. Concourse Bridge update: Mr. McHugh mentioned that work continues on the 50 percent design drawings. He is also working to resolve the Meridian condominium issues. Stakeholder meetings with the five affected property owners should begin in the next two weeks.
- f. Buckhead Alliance – Mr. Durrett asked Mr. Loudermilk to briefly talk about the Buckhead Alliance. Mr. Loudermilk outlined the goals of the Alliance (which are also shown on page 19 of the board packet). The goal is to provide unity among residents, businesses, and property owners to present a ‘collective’ voice for Buckhead. A discussion followed. Sally Silver said that funding is important and that you need all the players at the table having the same conversation. The board asked to continue the discussion at the November 11th meeting.
- g. Board Retreat Follow-up Meeting: Mr. Durrett reminded the Board of the follow-up meeting for the Board retreat which will take place on November 11th. He plans to contact board members individually with suggestions for projects to discuss at the meeting.
- h. CID Expansion: – Mr. Durrett told the Board that both he and David Allman met with Tim Stack and Holly Snow of Piedmont Hospital regarding the CID expansion. They are on board and want to move forward. His next task is to engage the steering committee.

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6) New Business:

a) Shuttle Holiday Funding Request – Ms. Starling referred the board to page 20 of the board packet. She proposes to expand the Shuttle service right after Thanksgiving, and will introduce service in the Village. A discussion followed as to where in the Village the shuttle should go – down Maple or Piedmont Road. A motion was placed before the board by Mr. Lundeen to approve shuttle funding for the holidays in the amount of \$18,192; seconded by Mr. Loudermilk. Unanimously approved by the Board.

b) SPI-9 Public Meetings Budget – Ms. Starling noted that a budget needed to be approved for SPI-9 public meetings to cover facility rentals and so on. A motion was placed before the board by Mr. Gellerstedt to approve a budget of \$3,200 for SPI-9 Public Meetings; seconded by Mr. Lundeen. Unanimously approved by the Board.

c) Red Fields to Green Fields Presentation and Opportunity - Mr. Durrett introduced Joe Hughes from Georgia Tech, who gave a presentation regarding the Red Fields to Green Fields initiative. Referring the board to the handouts, he summarized the goals of the initiative, which include finding ways to turn foreclosed real estate assets on bank books into useful parcels such as green spaces. Atlanta was used for the analysis in the initiative. Atlanta could be used as part of a pilot program, and a shovel ready plan needs to be developed. \$5 Billion may be available for purchase of real estate in the Atlanta area. Laura Hughes is Executive Director of the newly formed Red Fields to Green Fields Atlanta (R²GA) and mentioned that a board and funding is needed to develop the program, engage Atlanta's leadership and be shovel ready for February 2010. A discussion ensued. Mr. Durrett said he will work with a subset of the board to discuss this program, and prepare to make a decision at the November 11th Board retreat follow-up meeting.

d) SPI-12 Grant Application – Ms. Starling referred the Board to page 25 of the board packet. SPI-12 is the only overlay left in the City. The goal would be to convert to a stand alone. It is complex, includes issues such as connectivity, affordable housing, signage and AMTRAK. The grant application is due to ARC by November 20th. Call for projects is once or twice a year. There is a 50 percent match. Mr. Petty was not for the idea. A discussion followed. The board was hesitant to pursue this. They asked for more information. Mr. Allman asked that Ms. Starling meet with Jim Feldman and others affected by this for a discussion. Ms. Starling said she would be willing to do so. Mr.

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Durrett said a decision could be made at the November 11th special board meeting.

e) Approval of Invoices – Mr. McHugh and Ms. Cuomo told the Board about two invoices that were paid in advance for Phase II work – construction documentation and work on stimulus funding – but need to be ratified as they are outside the Phase II budget. A motion was placed before the board by Mr. Loudermilk to approve the Georgia Public Strategies invoice for \$2,500 and the Imaging Technologies invoice (through URS) for \$1,589.27; seconded by Mr. Gellerstedt. Unanimously approved by the Board.

Mr. Selig gave a brief update on the Atlanta Sustainable Ordinance.

- 7) The meeting adjourned at 5:35 pm. The next regularly scheduled Board meeting will be in the same location on November 24 at 3:30 pm.

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

Secretary