



**BUCKHEAD COUNCIL
OF NEIGHBORHOODS**
www.buckheadcouncil.org

BUCKHEAD COUNCIL OF NEIGHBORHOODS

Meeting Minutes

Peachtree Presbyterian Church, Room 2202

November 14, 2019

6:45 - 8:00 PM

Meeting Agenda

INTRODUCTIONS

MINUTES

Gordon Certain, Secretary – Adoption of Minutes

TAXES/TADS

GA State Sen. Jen Jordan

GA State Rep. Betsy Holland

Fulton County Commissioner Lee Morris

Mindy Kaplan: Taxes/TADS Task Force

TRANSIT/TRANSPORTATION

GA State Rep. Deborah Silcox

ATL Board Member Dr. Steve Dickerson

Robert Patterson and David Gylfe: Transportation Task Force

PUBLIC SAFETY

Nemonie Nooks: Zone 2 Community Prosecutor

CONDITION OF STREETS

Debra Wathen: Condition of Streets

TREE ORDINANCE REWRITE

deLille Anthony: Tree Ordinance Rewrite

2020 Meeting Schedule: Jan 9 – Mar. 13 – May 14 – Sept. 10 – Nov. 12

Neighborhood		Neighborhood Attendees		
Brandon	Beth Beskin			
Brookwood Hills	Frank Bellavia	Robert Fransen		
Buckhead Condo Alliance	Anne McKillips			
Buckhead Village	Fred Wooten			
Castlewood	Jeff Neville	Michelle Neville		
Chastain	Mindy Kaplan			
Collier Hills	David Gylfe			
Cross Creek	Debra Wathen			
Garden Hills	deLille Anthony	Bill Bozarth	Jeff Clark	Charles Meriwether
Grant Estates/ S. Tuxedo Park	Kim Shorter			
Lindbergh Morosgo	Lydia Toomer			
Margaret Mitchell	Lindsay Bellasi	Robin Morgan		
Memorial Park	Glenn Cartledge			
Morningside-Lenox Park	Julian Bene			
Mt Paran-Northside	Shea Roberts	Jennifer Rose	Larry Samuelson	
North Buckhead	Lisa Aman	Gordon Certain	Shayna Flash	Sue Mills
	Robert Patterson	Scott Peterson	Henny Whelchel	John Whelchel
	Nancy Wylie			
Paces	Laurel Lucey			
Peachtree Heights East	James Burge	Betsy Holland	Marilyn Huffman	Sam Huffman
Peachtree Heights West	Jim Bell	Ida Bell		
Peachtree Hills	Ted Fleming			
Peachtree Park	Peter Davis	Robert Myers	Shawn Perez	David Stoddard
	Mary Walsh			
Peachtree Road	James Curtis			
Pine Hills	Ed Archer	Marie Tvaroch	Keb Wyant	
Riverside/Grove Park	Amber Connor			
South Tuxedo Park	Mary Norwood			
Springlake	Jason Holland			
Tuxedo Park	Grady Clinkscales	Cynthia Davison	Alan Gay	Mark Kozin
	Elizabeth Utt	Ginger Wheeler		
Wesley Battle	Maureen Becker	Shelli Wojohn		
West Paces Northside	Tom Tidwell	Maria Furth		
Wildwood	Dal Burton			
Unknown	Taurean McCrea			
Office/Organization		Other Attendees		
APD	Unknown Name	Ken Allen (retired)		
APS	Erica Long			
ATL	Steve Dickerson			
Atlanta City Council	Matt Westmoreland (Post 2)		Jim Elgar Loring Heights - J.P. Matzigkeit's office	
BBA	Jim Kobal			
Fulton County Commission	Lee Morris, Brookwood Hills, Fulton County Commission District 3			
Dark Horse	David Kozaricci			
Fulton County District Attorney	Brittany Brown-Becker (Fulton County DA Office)		Nemonie Nooks (Zone 2 Community Prosecutor)	
MARTA	Colleen Kiernan			
Platinum Group Security	Danier Poolman			

INTRODUCTIONS

The meeting's 78 attendees from 32 Buckhead neighborhoods introduced themselves. A quorum of 26 BCN member neighborhoods was present.

MINUTES

BCN Secretary Gordon Certain

Gordon Certain gave a synopsis of the October meeting and then called for a vote to adopt the October meeting minutes. They were approved.

Mary Norwood informed the attendees that she had just learned that Major Shaw, our Zone 2 Commander, has retired and will be replaced by Major Andrew Senzer, who has been the Commander of Zone 3. We hope to have the new Major attend our January BCN Meeting. We all look forward to meeting him and working with him. The Buckhead Life Restaurant Group at the request of BCN has donated a \$100 Gift Certificate for Major Shaw in appreciation for his great leadership for our Zone and our City.

Mary Norwood announced that the BCN now has 37 member (paying) neighborhoods and represents 90% of Buckhead Neighborhoods. The BCN is a wonderful, unifying voice for the Northern Arc of the City—all the way from Brookhaven to the Chattahoochee River.

TAXES/TADS

GA State Sen. Jen Jordan

Senator Jen Jordan: Specifically what Mary wanted us to come and talk about is taxes. And explain what we believe the legislature could do. Could we mandate that the authority of the Fulton County Development Authority would be outside of the City of Atlanta? And then that Invest Atlanta would operate within the city limits. We have spoken with Legislative Council, and I did a lot of research to see if we could introduce local legislation to do this. However, what was confirmed to me by the Legislative Council was that this was not something we could do with local legislation.

But I do think that the Fulton County Commission could do something with this issue by redefining the jurisdictional boundaries. The Development Authority is a creature of Fulton County; they were created by Fulton County, so Fulton County could say "Going forward, you can only offer these incentives outside the City of Atlanta."

At the State level, we know, just as you do, that commercial valuations are out of whack. Commercial property within the City of Atlanta is being undervalued; whether because of abatements or tax incentives that have been handed out or it may be just because of the process. I know that Commissioner Morris has said that before. It's a real burden on the county because commercial property owners can take the County to court and they'll have their experts. They've got all the money and all the resources to fight their evaluation, and many times the county has just had to capitulate.

What we have now is a system where the tax burden is really being borne by the property owners, the residential property owners in the City of Atlanta and Fulton County. We've got to work on that. Tom Tidwell has been communicating with us about some statutory fixes that could or should be used with respect to commercial appraisals. We're going to look at all of those recommendations to design the criteria in a way that will make sure the people on the ground have the tools they need.

We're trying to fix it. We're working with the school board. We're working with the City Council, and we're communicating with the County Commission because what's important is to have all the stakeholders to be on the same page. It's important because we know it's not working now and at the end of the day we want people to stay in their homes. We don't want people leaving our neighborhoods and leaving Buckhead to go over to Cobb County because there aren't any property taxes for seniors there. We don't want that and so we've got to fix this problem.

Mary Norwood commented that she will mobilize BCN members and other Buckhead residents to come to the Capitol and if there are hearings where we need to be there.

Jen Jordan: We will certainly get that word out about when we have these hearings. I'm the chair of the Fulton County delegation in the Senate. I'll make sure that that is communicated to y'all so that even if you can't be there there live, you can submit testimony.

TAXES/TADS – continued

GA State Rep. Betsy Holland

Betsy Holland: Jen's right. On the House side of the Fulton County delegation, we're having these same discussions: with three points that fall under the umbrella of affordable housing; impacting what we're doing with TAD's; with Atlanta and Fulton County impacting the way they are taxing seniors and impacting the way we're valuing commercial properties. All of these have a direct impact on what's making housing affordable. Not just in this part of Fulton County but in Southeast Atlanta or up in Sandy Springs, so there's a need across Fulton County. It just doesn't always look the same way as it does here.

What I'm most passionate about at this point is the disproportionate taxation of our commercial properties versus our residential properties, and there's no better way to put a target on your back as a politician than to start arguing with big business, but we're seeing literally that businesses are being taxed at maybe 10% of what they get sold for the next year on the market.

I mean when I get my residential tax assessment and it's exactly what I paid for my house three years ago. And so it just doesn't seem fair in the way we're doing taxations. And a lot of it is because of the abatements and incentives that we're giving developers. I'm hearing from residents who are concerned with development out of control in Buckhead. And they're saying that maybe we shouldn't be incentivizing developers to be doing as much work building up in our neighborhoods and then we're losing the tax base altogether when we're providing these incentives and the tax base has been shifting to us. So I'm glad that Superintendent Carstarphen was here at the last meeting to talk about this. Because it's very easy to say. "Well, it's just all too much spending at the schools. And that's what's driving my property taxes." As I understand it, Dr. Carstarphen said that we aren't managing the TADs as well as we could be.

And I don't think we're making sure that we have a fair process for assessing all of the different kinds of properties that we have in Buckhead.

I also want to say that I'm not a fan of just wiping out all the taxes for anybody over the age of 65, but I'm also not a fan of the idea of people not being able to stay in their homes over the age of 65. We need some sort of calculation that can reduce the tax burden on seniors, the people who bought their homes 40-50 years ago and didn't expect this sort of development popping up around them to jack up their property tax valuations to put them in a position where they can't afford to stay in their homes. We shouldn't inadvertently weaken the Atlanta Public Schools or the City or County by taking away the income stream that they would need. So we're trying to find that compromise. A few things have already been put in the hopper for 2020 that would potentially view income as a way of deciding what sort of property tax bracket people would fall into and we'll see if that gets anywhere.

TAXES/TADS – continued

Fulton County Commissioner Lee Morris

First of all, this is my first time here since my sweet wife Gilda passed away and I want to thank you for the floral arrangement and everything you did with respect to that service. She was quite an extraordinary person.

This whole issue of taxes has been my focus during the five years on the County Commission. I've been addressing four issues: one is Homestead exemptions. I worked with Beth on the floating homestead exemption for the City of Atlanta. I personally believe, ladies, that that we need to do that with APS millage rate. It will soon be the only jurisdiction in the county without a floating homestead exemption. And the whole concept is that when I buy my house, I know that I can afford the payments and I know that I can afford the taxes, but, when my tax bill goes up \$12,000 as it was proposed to do in 2017, I didn't have another thousand dollars a month. I don't have a pension. I'm living on my savings and so I will have to move to Cobb County when my term is up.

If I don't move to Cobb County, I'll at least move to Sandy Springs where millage rate is less than half of that in the city of Atlanta. And when you consider the Fulton County Schools millage rate being lower than APS... Atlanta's total tax bill millage rate for those of us in Buckhead is 26% higher than that of Sandy Springs. That's that's an astounding number.

So I told Rusty Paul that if I don't go to Cobb, I'll at least move up to Sandy Springs. I believe that APS needs to do the floating homestead exemption. The concept again: you buy the house, you know what your household budget can afford and you can absorb a 3% or 2.6% increase; you can't necessarily absorb the 50% in my case 83 percent--increase in any given year.

So it'll be the only jurisdiction that doesn't have it soon in the county. All the others have decided that

they can live on a 3% increase every year along with whatever growth there might be. If there is not enough growth, they can impact the millage rate. So I think that's important. Some people say, "Well, how is it fair? If I've lived in my house a long time and don't have that much of an increase over time and somebody else buys it and he or she doesn't have that homestead exemption?" My answer is there's nothing fair about the property tax. There really isn't. It is not based on the services that you receive. That \$200,000 home receiving the same services as that \$800,000 home--maybe more — it has nothing to do with the ability to pay.

That person in a \$300,000 home, may be making \$500,000 a year. That person in the \$800,000 home may have been there forever and has an \$85,000 a year income. So there's nothing fair about it, but we ought to do something that allows people to stay and I think the floating homestead exemption at APS is one of them. I've been working on the TADS issue. I've finagled the Board of Commissioners to appoint me as the Board of Commissioners appointee. I'm on Invest Atlanta's Board, which controls the TADs so I'm working on that from the inside now. Unfortunately, none of the TADs are going to go away for a while: Atlantic Station is now projected to end in 2027 name part of it is because some of the projects in that TAD got abatements years ago, so we're not adding. You've all heard it: 1/6 of the tax base in the City is inside a TAD. Those properties inside that TAD, all the police and fire and other city services being provided to that 1/6 of the tax base is not being paid for by those taxpayers in those TADs. Those taxes are being paid for by folks in this room and elsewhere.

Invest Atlanta is projecting to close a couple of them and we did have a little progress in our last meeting. We actually paid for a fire station out of one of the TAD increments, which otherwise would have come out of the general fund of the city. It was a nice thing to do...small victories.

The undervaluation of commercial properties. Of course, I asked for the audit at the county level when Julian and other heroes of mine – Bill Bozarth is here – started bringing it to our attention. It is a problem. We're trying to figure out what we can do, Jen, at the county level. We're outgunned. I mean, the actually doesn't do a bad job and the assessors don't do a bad job with the initial valuations in many cases, but you know how you got a \$300,000 tax bill. It's worth it to you to hire a fleet of lawyers and real estate experts and the County just doesn't have those resources. We've added resources. We've added budget to the : buor dget for staff and other resources, but you know, there's so much involved that these folks prevail at the BOE and they prevail at the Superior Court and there's a lot of money at stake. On the average 45 percent of sales price, they're being valued at and so a lot of money is being left on the table. There are legislative suggestions from the assessors, from the Board of Assessors, from the MuniCap audit, and from the Internal Auditor of the county.

This state wants to be the best state for doing business. It's going to be a tough haul. Those commercial property owners are pretty powerful lobbyists. So that'll be a tough one.

I've also been working on the Development Authority question. I appointed Meria Carstarphen to the Development Authority and then my colleagues wouldn't allow her to continue. I appointed Tom Tidwell who's doing a great job down there raising questions. Robb Pitts and I threatened to do the jurisdictional question. Our County attorney disagrees with the legislative staff. Basically the Development Authority was created by the state — empowered by the county. You know that the membership of the board was created by the County. The County Attorney at first said we could not change the makeup of how those people are appointed. We wanted to add an APS rep and a Fulton County school rep.

First, the county attorney said we didn't have the power to do that. Only the legislature did. I finally convinced the county attorney that that was wrong because while the creation of the Development Authority was a state creation, it does say that we are the ones to select the members. So she changed her mind about that and so we substituted two at-large members for an APS rep and a Fulton County school rep but my colleagues did not want them to be elected school board members or School staff, so Meria was not eligible to be reappointed. But the school system, starting in a couple of years when these current terms are up, will be able to select an appointee who is deciding how to spend some of their General Fund dollars.

That is a big issue. We also were able to to convince the Development Authority to start allowing public comment; to put their agendas out before the meeting; to have the agenda other than just say Jones LLC. When you looked at the agenda, you couldn't tell if it's an office building or an apartment building; what the address was; what city it was in--so at least we've we've made some progress in that respect. Still a long way to go and I hope we'll figure out who really does have that question. We have some other development authorities who actually have the power to abate County taxes and Fulton County School taxes.

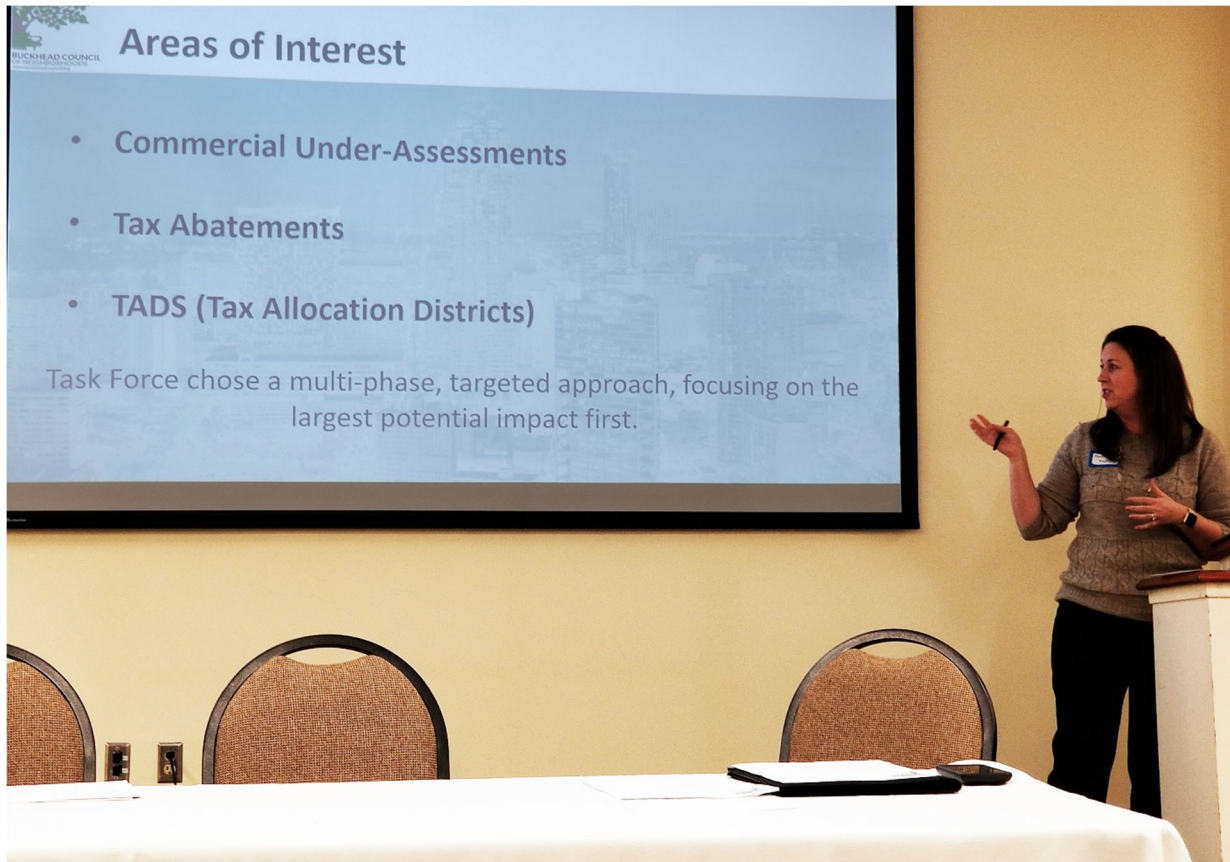
Some of you may have read, the City of South Fulton has a Development Authority now. It hasn't done any deals yet, but it's going to. It won't affect City of Atlanta taxes. It will affect your County general fund taxes and it will affect Fulton County school taxes. So we may just have too many players in this whole abatement question. Tom's asking the the great question, "Would these projects happen if they used the 'but for..' test? Would they happen without the abatements?" And I'm convinced myself that an awful lot of them would have, so basically we're just giving this money away.

Mary Norwood: Thank you, Lee. Thank you for doing that analysis so that we've got that to work from.

TAXES/TADS – continued

Mindy Kaplan: Taxes/TADS Task Force

Next, we have Mindy Kaplan, who volunteered to chair the Taxes/TADS Task Force that many of you asked for at our October meeting.



Mindy Kaplan

Mindy Kaplan: I have a really great task force that's helping with this whole process. Ben Howard, Debra Wathen, Mary Reed, and then we have our fabulous advisors Tom Tidwell and Julie Bene helping us through this process as well and we'll be bringing in more folks having those discussions and making sure that we're going down the right track. So this is very preliminary, but wanted to give everyone an update right in line with everything that you guys have already said.

So our areas of interest where the commercial under-assessments, tax abatements in the TADs, which we've gone over but we wanted to look at it from a multi-phase targeted approach. Focusing on one of those areas at a time so that we can come up with really good targeted recommendations and then be able to socialize that with the key players as we walk through this process.

So, of course we chose the commercial under-assessments first. It's the biggest bang for the buck here. We looked at the Fulton County audit which was mentioned earlier. Julian's been doing analyses over the course of the years looking at different numbers. We were comparing the appraised value, which essentially drives the property taxes on Commercial properties versus the sales price and this is in millions and you can see these variances are very large.

In nature, regardless of whether you're looking at the numbers from 2018 on the Fulton audit or a combination of 2016 to 2018 on the Fulton on it or Julian's numbers, they're all within a general same range. On average we're looking at about 60.2% so they are only appraised at about sixty point two percent of the sale value. So being that that drives our taxes, obviously, there's a lot of lost revenue there.

We take those numbers, adjusting the appraised value to the Fair Market Value, bringing it more in alignment with that sales number, could increase tax revenues between approximately 200 million and 400 million dollars on an annual basis. And if we do that, then that could lower homeowners' property taxes between 15 and 25 percent, provide additional public services. So help fund more police in our neighborhoods; help pave our roads--any other public services in our County and City or some combination of the two. Many of our task force members thought it would probably be some combination of the two because there are lots of the other discussion areas that BCN is covering. That's assuming that we're targeting appraisal value of 90% of fair market value. So we're not even trying to assume that we're going to get to that hundred percent mark but somewhere near there.

What are we going to be looking for when we come up for these recommendations? We're going to call for fairly appraised commercial properties in order to lower the millage rate and reduce the tax burden on homeowners while maintaining or enhancing the level of public services. That's our overall goal as we're going through that process and looking at potential recommendations that might help balance things out. Essentially, you have the same pie because we want to maintain or enhance but balance between commercial and residential because right now as already been mentioned, we're carrying the burden.

We came up with four ideas to try to help this process again. These are drafts. We still want to socialize these more but wanted to share the direction that we're going in. The first one is increased funding for the tax assessors--what was mentioned earlier that they're up against very strong, very established attorneys from these owners. And so we're saying "Hire more hearing officers and in-house attorneys" to really handle this process and make sure that they're adequately trained that they're on par with who they're meeting with in the courtroom. Some of these were also raised in some form within the Fulton County audit, so they're not all our ideas per se. The second one is require audited financials and the most recent independent private appraisal be submitted as part of the commercial property appeal process. So for the commercial properties, they're not valued the same ways that our homes are; they're done on an income and expense basis, but the appraisers don't necessarily have access to that information. And so most of these organizations, or these property owners, they have financials, they're tracking whether or not they're being profitable. They may have their mortgage facts. They have investors. So this information is more than likely available. It's just making them submit it to the assessors if they want their values lower.

Areas of Interest

- **Commercial Under-Assessments**
- **Tax Abatements**
- **TADS (Tax Allocation Districts)**

Task Force chose a multi-phase, targeted approach, focusing on the largest potential impact first.

Phase I - Commercial Under-Assessments

Large variances between appraised values and sales exist.*

	Appraised Value (\$M)	Sale Price (\$M)	Variance (\$M)	% of FMV
FULTON Audit 2018	\$ 616	\$1,109	\$ (493)	55.5%
FULTON Audit 2016-18	\$ 2,839	\$4,244	\$ 1,404	66.9%
BENE 2018-19	\$ 965	\$16,559	\$ (694)	58.2%
				60.2%

* The Task Force reviewed the

- (1) Fulton County Tax Assessor's Office Review of Commercial Properties dated 7/7/17/19,
- (2) AJC article from 5/24/19 entitled, "Findings confirm AJC-Channel 2 Action News Investigation",
- (3) AJC article on 11/15/18 entitled, Fulton tax officials often undervalue Atlanta Commercial properties, and
- (4) Analysis performed by Julian Bene, former Invest Atlanta board member.

Phase I - Commercial Under-Assessments

Adjusting appraised values to fair market value could increase tax revenues by between approximately \$200M and \$400M.

This revenue increase could lower homeowners' property taxes by 15% to 25%, provide additional public services, or some combination of the two.*

* Assumes that appraised commercial real estate is between 55.9% and 66.9% of sales price, on average, and that the target appraisal value is 90% of fair market value.

#3: "Adopt and or revise the Fulton County assessor's office records and retention policy." We don't know if they have one but so it may be new or it may be a revision requiring that all documentation supporting a successful appeal and thus maintained and available for public inspection for at least four years. So in reviewing the Fulton County audit, they noticed that none of the supporting documentation once it was in appealed and the appeal was successful, none of that documentation was being maintained. So there was nothing to go back and say well, why did you choose this number? Does that number really makes sense? There's nothing to go back on. So what we're saying is that all the documentation in #2 is maintained for at least four years, so we have it throughout that freeze period and then plus one year. And then to really kind of pull it all in is that annual independent audits be performed for property sales for the preceding calendar year to insure that the appraised value is at least 90 percent of sales price and if it is not, to identify the root cause of that discrepancy. So have that be a monitoring control on an annual basis whether it be from the auditor or a QA Department, whatever makes sense, but that somebody is doing this analysis and then they're sharing that with the public so that there's true transparency as to why these numbers are being decided.

Our next step, like I said, this is still very preliminary. We have some more work to do but we plan on holding more discussions with the various key stakeholders and soliciting input and feedback. Did we miss something? Should something be tweaked? And then we are going to prepare a resolution to be reviewed and adopted by BCN so that we can go out and advocate for these different changes. And then once we finish with the commercial under assessments, we're going to move on to tax abatements and TADs. We expect this is going to be a multi-month long process to really get it figured out.

Mary Norwood: That's excellent. Thank you so much.

Phase I - Recommendations Goal

BCN calls for fairly appraised commercial properties in order to lower the millage rate and reduce the tax burden on homeowners, while maintaining or enhancing the level of public services.

Phase I - Recommendations

1. Increase funding for Fulton County Tax Assessors Office so they can hire and adequately train more hearing officers and in-house attorneys to handle the appeals process*
2. Require audited financials and the most recent independent private appraisal be submitted as part of the commercial property appeal process*
3. Adopt and/or revise a Fulton County Assessors Office Records and Retention policy requiring that all documentation supporting a successful appeal be maintained and thus, available for public inspection, for at least 4 years.*
4. Perform annual, independent audits of property sales for the preceding calendar year to ensure appraised value is at least 90% of sales price and if it is not, to identify root cause of the discrepancy.

* Similar concerns and recommendations were raised in the Fulton County Audit -Tax Assessors' Office Review of Commercial Properties.

Next Steps

- Continue holding discussions with various key stakeholders and soliciting input/feedback
- Develop a Commercial Under-Assessments Resolution for review/adoption by BCN
- Begin review of the tax abatements and TADs

TRANSIT/TRANSPORTATION

GA State Rep. Deborah Silcox

Deborah Silcox: Thank you so much for having me tonight. I'm Deborah Silcox. I was born and raised in Sandy Springs so I've been here in this community all my life. I'm a two-time cancer survivor. I'm very grateful to be here and be able to give back to the community that loved on me so much when I was so ill as a senior at Riverwood high school.

I want to commend you all first of all for your wonderful resolution about Transit. I have a millennial daughter that's working at Cox in Sandy Springs and she bought an old condo here in Buckhead and has been fixing it up and she drives up to Lindbergh and rides the train every day. And she says, "Mom we've got to have more Transit" almost every single day. We do need more Transit and I am very much an advocate for that and routinely ride MARTA to the airport and really would encourage you all to do likewise.

To give you a little bit of background about where we are on a state level from the Gold Dome: We passed House Bill 930 in 2017 that created the ATL. The ATL is the Metro Atlanta Rapid Transit Authority. That's an addition to MARTA, which is of course the transit system that we know.

MARTOC stands for the Metro Atlanta Rapid Transit Oversight Committee. So under the MARTA Act of 1968, the legislature created this committee that acts as a check on MARTA to make sure that they're doing their job and I think they're doing a great job. I am chairman of that committee. Under the ATL, though, this legislation under HB 930, the ATL's job--unlike MARTA which just to provide to provide transit, the ATL's job is to develop a regional plan. So for the very first time in the history of Georgia, we actually had the legislature embrace and recognize the significance of needing a regional transit plan in the 13 County Metro area, which was thrilling for me. I was really excited because I think this was a really long time coming and part of that legislation asks for all all those 13 counties to be divided into districts and every legislator had to nominate someone from their District to represent that area on the ATL board. I nominated Dr. Steve Dickerson who is a retired Georgia Tech professor and got his PhD in transportation transportation systems at age 25 at MIT. He has been working in van systems and in transit for a long time. I'm really delighted that he's serving on that board representing our district for the ATL.

As MARTOC chairman, of course, I've attended a lot of MARTA meetings, but I've also attended these ATL meetings because this is all supposed to come together to develop a regional transportation plan. The ATL now has been designated part of the legislation as the recipient of all the federal funds and so while MARTA will still continue to get the majority of those funds, they can also allocate those funds to other transit systems. And ideally, of course we will have all these systems coordinated with Cobb and Gwinnett, DeKalb and Clayton--all these systems coordinated just like when you get on an airplane and you scan your phone for your boarding pass, that you can go from system to system, i.e. Go from a train to a bus to a van to a scooter to whatever you need to get to your next destination so that you don't have to get into a vehicle. And one thing that I think is critical this year in spite of the governor's call for budget cuts, he has exempted from those cuts K through 12, Medicaid and transportation. And I think this is really a critical thing because in order for the ATL to really become empowered to do this regional plan in a meaningful way, they are going to have to have a much more significant budget. And so I have encouraged Chris Tomlinson who is the director over there to ask for significantly more funds and I'm hopeful that we will approve a budget that includes those funds because they do need the funds. They are very actively studying a number of things. For example, I was downtown at their quarterly board meeting yesterday, and they're looking at things that we can do now even though we haven't built new things, they are looking at new technology. For example: a new radio system that the buses could communicate with the traffic lights to speed up the those lights changing to make the buses and more timely to stay on schedule. They presented evidence that the timeliness of our transit systems is as important on an economic development level as the existence of those systems. They shared that in other cities when these new companies come and they're looking at possibly bringing their company to Atlanta, They want to know that #1 We have a transit system, but they also want to know that it's timely and that they run on the schedule. So their workers can predictably get from point A to B in a predictable amount of time.

Another thing I wanted to mention was we had House Bill 511 last year. It would have introduced (to raise money for Transit) a tax or fee on Uber and Lyft a 50 cents per ride which would go towards Transit. That bill did not pass but because we're on a biennial system, that bill is still alive this year and I'm very hopeful that we do pass that. We need more funds for Transit and this would be a source of those funds. At the end of the day our biggest obstacle to developing a full-fledged transit system is hinging on a consistent source of funds. So, I think a fee on these shared rides is a good start.

Questioner: In terms of it being kind of a Intercounty are there other counties that are putting money towards this or is it just at the state level?

Deborah Silcox: That's an excellent question. We have all these systems. We have bus systems in Cobb County and Gwinnett County and all these different counties. But we don't have them coordinated so you



Deborah Silcox

can't necessarily get on a bus in Gwinnett County and come to Buckhead and get on a train on a schedule. All those schedules are not coordinated. What we need is to be able to someone conduct all of these systems together and that's part of ATL's job: to coordinate all these systems that we have--not only to build new systems and develop new routes but to coordinate our schedules.

QUESTION: A lot of the impact we're feeling is coming from counties outside our areas and trying to come in. Absolutely. We're feeling that burden. Because they're all congesting in this area. And I was just wondering if there's any kind of allocation or tax to those specific districts that are more commuter districts to fund more of Transit from their District?

Deborah Silcox: And I think we're going to have to have some more TPLOST type legislation that you know, we have ESPOST for Education. We have TSPLOST for transportation, but I think we're going to have to look at using some of those monies to better develop transit.

Mary Norwood: That's a good point. You're saying that if they are the instigator of an awful lot of the commuting traffic, should there be some thoughts about

QUESTIONER: If they are radius you are from the Center?

Deborah Silcox: Atlanta doesn't do this, but I know for example in London that you have to pay a lot more if you bring a car into the city, you have to pay a whole lot more. So the incentives are there for people to take transit into the city as opposed to taking a car into the city and I know for a fact that you're exactly right: The City of Atlanta doubles in size every single workday because people come from all these other counties to work in Atlanta.

TRANSIT/TRANSPORTATION – Continued

ATL Board Member Dr. Steve Dickerson

Deborah, I did get my doctorate at age 25, but it was in automation. and I consider transportation to be a noxious hobby and I'm following up on that noxious hobby. One thing I wanted to point out was that I have a daughter who lives in historic Brookhaven and you don't seem to get people to show up from historic Brookhaven. So I'll mention it to her and see if you can join in some way but they're paying their fees apparently. Yeah.

The first question: I asked this last time: "How many of you do NOT have a smartphone?" (No hands were raised) Okay, now we know the solution to the transportation problem. We simply have to put in the smartphone the applications that make it more attractive to ride together. That's a pretty sophisticated question in the total. But basically we can use the smartphone to make our transportation better and by definition, you can't do it without increasing the average number of people per vehicle. So that does deal with MARTA; it deals with carpools; it deals with van pools; it deals with buses. It deals with making the buses more coordinated--moving faster and in charging tolls. To give you an example that might have something to do with Buckhead. I would like us to get to the point where going through Buckhead, that would be one of the zones that would charge a toll if you had one person in the vehicle and didn't live in Buckhead. You'd have to have the application and when you got into Buckhead.

This is a 13 County area so Buckhead is a very small part of it. But when you get into Buckhead you would be charged a toll at certain times of day if you don't have more than one passenger. That will enable us to make the traffic move faster in Buckhead and encourage people to ride together.

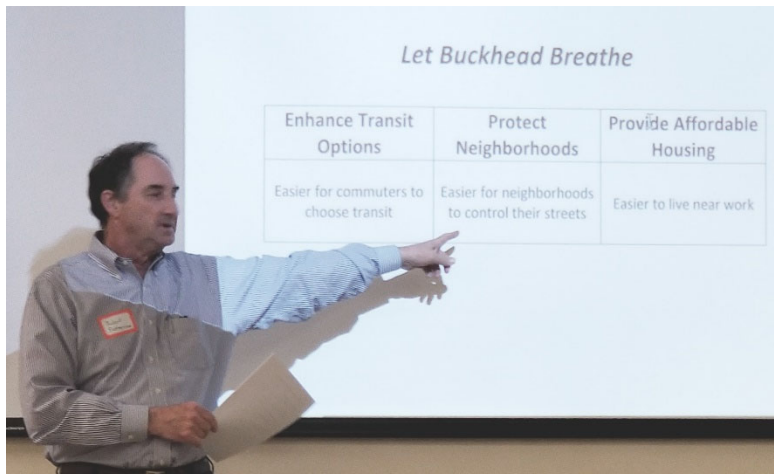
I represent this territory Zone 3, which is parts of DeKalb, Cobb, Gwinnett, and Fulton. Each of the ten zones is roughly 450,000 people. I invented Uber and Lyft -- actually 19 years ago. I'm also working on developing some start-up companies based on that technology right now.

Mary Norwood: Next we have Robert Patterson and David Gylfe who are heading up our Transportation Task Force.

TRANSIT/TRANSPORTATION - Continued

Robert Patterson: Transportation Task Force

Robert Patterson: Last spring the task force drafted their transportation resolution, which basically rested on three-legged stool: Three key components: Mass transit; Protect neighborhoods—to control how cars move through them—how fast they move through; Provide affordable housing meaning specifically that people who work in Buckhead can actually afford to live in Buckhead in affordable housing. No one of these is sufficient. You can't just fix transit. You can't just fix one of these others, but



Robert Patterson

if we could have seen some success at all three, I think we have compound effect across the board.

Over the summer this resolution was put out to the neighborhood associations and the vast majority of those neighborhoods approve the resolution. We paid attention to those neighborhood associations that voted against our Transportation Resolution, those comments were also heard. So even though we're very happy that the vast majority of neighborhood associations passed the amendment (27-3-6), I want everybody know that we heard what you said and it's all factored in in terms of priorities and going forward. Earlier this week, Mary mailed out the resolution to basically all the transit agencies

and her letter is here with the meeting's handouts. It was sent to to the top two or three people in every agency that was listed in the resolution, i.e. Board Chair or our Board Representative, Executive Director.

Mary Norwood: The letters were delivered to the post office on Tuesday afternoon on Wednesday. We find out that there is a new Transportation Commissioner or the City of Atlanta and I mailed a packet to him today saying, "Welcome aboard." We listed all of the recipients because we wanted all of them to know all the other people that also received it, so no one is in a silo.

Robert Patterson: We all know transit things take a long time. I'll just update on what I consider the low-hanging fruit, which is Express buses because that is a type of transit that can happen much more quickly than constructing a rail line, which might take 10 or 15 years. So what are Express buses? I realized a lot of people don't know what those are first of all because we don't have any coming into Buckhead. We also don't have any coming out of Buckhead. So we don't see those. One of the neighborhood associations who voted against our resolution partly because they were concerned about MARTA buses driving around empty and questioned why would we want more buses driving around empty.

Express buses are different. First of all, they all originate out in suburban areas like Cobb County. They are on schedules. You usually reserve a seat when you pay for your seat. They come in. They're nice cushy air-conditioned buses with Wi-Fi. They run very full. Typically, they do require some subsidy because they don't quite pay for themselves. We don't have any coming into Buckhead. If you work in downtown; if you work in Midtown; Perimeter, you'll see there are a lot of Express buses coming in. They are loaded with almost every seat taken--usually with people from Cobb County or wherever.

All these different places that they originate, but none come to Buckhead, so everybody who has to get the Buckhead, if they work here, they're in their car or they're served by MARTA. So Express buses are also for areas that really aren't served by MARTA. So we had a meeting this past month with the head of ATL, Councilman Matzigkeit and with several of us from BCN: Hosted by Marta but really the idea was to build up energy around having Express buses come in to Buckhead. Hopefully therefore for needing less cars to come into Buckhead. The next steps coming out of that is in fact is ATL's going to help take lead that charge and with MARTA's help facilitate meetings with Cobb County Transit and also Gwinnett transit. To start planning how these buses would operate how they operate.

TRANSIT/TRANSPORTATION – Continued

David Gylfe: Transportation Task Force

David Gylfe: The City has hired a new Transportation Commissioner Josh Rowan and they have published a new transportation plan: Transportationplan.atlantaga. I would recommend everyone read it online. And I want to mention that Tuxedo Park has hired an Engineering Firm to prepare a traffic and transportation study for their neighborhood.

Cynthia Davison: Yes. We met with Jacobs yesterday during our first steering committee meeting.

Mary Norwood: So we're on our way and they plan to be finished and ready for adoption in four months. We are taking matters into our own hands and we will share all of the good information and initiatives with everybody in BCN. So you'll all be part of that.

PUBLIC SAFETY

Nemonie Nooks: Zone 2 Community Prosecutor

Nemonie Nooks: I am the Zone 2 community prosecutor with the Fulton County District Attorney's office. I'm here on behalf of district attorney Paul Howard. I just have a couple of announcements. But first I wanted to introduce two of my colleagues who are here with me today. We have Lydia Toomer. She is the Community Court Director and a community prosecution supervisor, and also a newly implemented BCN board member representing the Lindbergh Morosgo area. We also have Brittany Brown Becker. She is our director of Criminal Justice policy and programs with our office.



Nemonie Nooks

So I just wanted to discuss a couple of things. The first topic would be our new project that we're currently working on. It is regarding juvenile offenders in the City. So as you all probably know it's been quite an issue. Most of you all probably remember a few years back, NPU-D Member Michael Lash, he and his family were victims of an incident involving juvenile offenders in which they forced their way inside the home their home and Mr. Lash was subsequently shot in both legs. and those offenders were prosecuted. However, that was one of the cases that spurred D.A. Howard to implement of the project "Level Up", which is a project here towards juvenile offenders.

Basically, what the project will be doing is focusing on offenders who've been arrested three or more times. We find that once a juvenile offender has been arrested three more times, they are more likely to commit more serious violent felonies and become adult offenders and that's what we're trying to prevent. So basically we will be providing wraparound services for our juveniles which includes aftercare programs, family interventions--even down to the basics as providing meals. What we found is a lot of our kids, once they leave school, that's the last meal that they'll eat for the day. So we're working with Atlanta Police Foundation and family faith-based organizations around the city to provide mentoring services and mental health services for the kids so that we can

prevent them from getting that next arrest and put them back on the right track.

We need your help. *If* you're interested in volunteering, mentoring with the program or anything else, please let me know after the meeting. We just hired our new staff. They will be starting on November 27. So we will be getting the ball rolling by the end of the year.

The next topic I wanted to talk about was the community concerns regarding jail overcrowding and the issue of bonds, especially regarding the Fulton County Jail. We've heard your concerns. District Attorney Howard is currently working with the Atlanta Police Foundation, APD, the City of Atlanta and Fulton County to create proposed legislation so that we can fix these issues. He has asked me to extend a personal invitation to anyone who would like to find out more about the legislation and to provide their input.

Also asked me to extend an invitation to you, Chairman Norwood, if you would like to provide input on behalf of the Buckhead community and to learn more about the legislation as well. And also if you have any questions about that, we have Brittany Brown Becker in the back and she can answer any of your questions.

I have a handout with two Zone 2 cases that we are currently working on. The first one is Jermaine Hewitt. This defendant has been terrorizing the community for the last couple of years. He is currently in custody but he's been charged with robbery by force. He was riding around the neighborhood on Piedmont Rd, Pharr Road, Peachtree Road looking for nice vehicles. Elderly victims: He would follow you to wherever you were going, approach you usually at gunpoint and take your nice ring, your nice earrings, your Rolex watch.

So we are prosecuting two of his cases and we need your help. We need you to come out to the Fulton County Courthouse on December 4th, Courtroom 5-C at 9:30 am. We had a good court turnout his last hearing which we were successful. Amber Connor, Susan Lindley, Mary Norwood and some other Buckhead members were there. We're also prosecuting another case of his in which he shot one of the victims in the leg while they were trying to flee while he was attempting to rob him. So we want to keep him in jail. We don't want him out any time soon. Yes.

Mary Norwood: But it's really important. I want to intervene. Amber and I were down at that hearing. This perpetrator harmed the victim so bad that he has had five surgeries in his leg. The other case that Nemonie just mentioned: Mr. Lash who was maimed in a home invasion. In that case, the young perpetrators were tried as adults. They had maimed this wonderful father of two in the home invasion. When a perpetrator harms someone so badly that their next three or four years are filled with pain and operation and they will never be the same. that is why she wants us there on December 4 – Fulton County Courthouse Courtroom 5-C at 9:30 am.

Amber, Susan and I were there on October 25. The victims were there. Our presence made a difference with that judge. We have to send a very strong signal that you cannot come into our community and hurt and maim innocent people.

Nemonie Nooks: you are interested, just email me or give me a call and we can arrange I can get you in touch with our co-wash director so that we can arrange for you all to come. I also like to add that he is facing life in prison on this case, especially the one regarding Mr. Sam Austin--the case in which the victim shot.

Mary Norwood: Ken Allen, as you may remember, has been the head of the IBPO which is the International Brotherhood of Police Officers. He is retired which means he can tell us the unvarnished truth and he gave me some information about body cameras.

PUBLIC SAFETY – Continued

Ken Allen: Police Body Camera Policy Issues

First I want to thank you for putting in place the pay raises that have come through. It changed a lot of significant lives. The other thing I want to ask you is how many of you have to take a camera with you to the bathroom. I mean--even required to have it on while you're in the bathroom. The policy that they came forward with that his body cam where our officers have to have it in buffering mode the entire time that they started up the shift and continually go through the shift without turning it off. This is a policy that was written by Command Staff that do not have to wear a body cam. They put that policy on the officers—lieutenants and below. This requirement that has gone forward and this is something I want to change and get some support from the community. As you know, this is about a body cam. A body cam is about interaction with the public. The other neighboring counties that we have around here only require it when they have to engage with the community for any type of police action. That's when they have to turn it on.

Our decision of the policy because of some of the pressures that have put it been put on by some of the the activists: our policy came forward where we have to have it on from the minute you get started (think about somebody that gets a call from one side of Buckhead in the Bolton Road area that has become over here to deal with a shoplifter). Do you know that that officer records that 20 minutes in the car. Then later they have to do a report. Even if they get there -- a noise complaint. You've got a noise complaint that happens on Pharr Road and you're coming down from the other side of it. You have 15 minutes of traffic.

This is a policy that was written poorly by people that are that aren't wearing them. We have officers that being charged with a first offense for not having activated it. What do you think the officer gets? Suspended for four days! For the second offence? 16 days! Our officers are looking for other places to go. This is a policy that we've got to rewrite and make it something that is going to be acceptable to the officers to be able to do their jobs. It's an important tool--a tool that they need but it can't be something that is so outlandish that is making people look for other jobs. I have an officer that I just had to suspend for three days. Guess what he did? A burglary call came up. He went on radio saying, "I'll go with the officer." It was dispatched to another officer. He said, "I'll go as a backup." The original officer drives to the house and goes in. This secondary officer drives the area for 9 minutes looking for the suspect. Nobody finds the suspect. He didn't turn his body cam on. Three-day suspension! That officer who's an FTO and one of our better performing officers has put in three applications.

That's what I'm saying. This is something that we've got to address, something that we're going to rewrite. I'm so glad you're here because you're the people I'm coming to so we can rewrite this and make it something that's that is much more feasible so that these guys can do their job.

Now it's not just the bathroom issue that you have that are going on at that the course of what you have just provided using the restroom, but we have many females that are on the department as well that have other female issues that you have to deal with and it has to stay on camera that buffers back two minutes if they get a call that's dispatched while they're in the bathroom. What is the requirement? It has to be activated immediately.

You know again, it's created by people that don't have to wear it and it says in the policy captains and above don't even have to go to the training but yet they're the ones that are putting this forward. We need to rewrite the policy and get one that is a little more acceptable and something that I think is a little more reasonable.

CONDITION OF STREETS

Debra Wathen: Condition of Streets

Traffic is a big concern, but the condition of our streets also affects our lives in a big way. We started out with potholes and we got a lot of potholes filled and I encourage everybody to download the ATL 311 app because you can take a picture and send it in. A picture is so valuable in getting something fixed and completed. So take a picture of it. You can send it in instantly, so keep doing that but that is just a little Band-Aid on a big problem.

Our Commissioner of Public Works gave a year-end review where he agreed that our streets are in really bad shape and it's becoming more and more of a crisis in the City because the worst shape the streets are in, the more it costs to repair them. The other problem he presented is we have a limited supply of contractors that can actually pave a good street. A good example that you know is West Paces Ferry. They didn't do such a great job.

So having a good contractor is important and I think that the City is working to try to find contractors from outside the Atlanta area that can come in and do this work. But while he was there, he said in response to this problem, he was going to commission a study that would grade each and every street in the City. Each City Councilperson got a little summary sheet that said the names of their streets and what kind of condition they were in. But I knew there was more information and thanks to Matt Westmoreland, he sent me a spreadsheet that was a monster. The spreadsheet itself at the bottom have 32 tabs with definitions and criteria along with the actual survey information itself.

When you review the actual condition of the street, there were 13,000 lines and sixty-seven columns across. Well, I whittled it down to a page and picked out the information that I thought was really important and it's all on this one sheet of paper. See Exhibit A.

But when you look at the statistics, I broke it down by district. And if you look at our districts: seven, eight, and nine. Seven's got some decent roads. District 8 has the most one of the highest percentages --- (if you look at the far right hand side under District 8) the fair to very poor percentage of streets is pretty bad if you also look at District 8 and look at the totals that's there under the dollars to repair, it is the highest number on the list. So District 8 has the most work that needs to be done and District 9 is right behind them.

Let's drill down that information a little bit further. So I pulled a sample of streets from that information and just to give you an idea of what kind of information it was. See page 2 of Exhibit B and take a look at Blackland: when they broke them down into each of the segments, it's not looking too good. When you get down to Mount Paran, it's not looking good either. You can see all the different pieces of Mount Paran, so you can see how many times they were rated fair or marginal. It's got a few goods, but mostly marginal. For Habersham they thought was in pretty good shape, it had a few fairs.

West Wesley had a whole mixed bag with each little section rated differently. So I'm not really sure how they're going to use this information because this section is good, but then you go another few feet down the road and the next section is bad. So it's going to take some work to decipher. Paces Ferry Road was not listed as West Paces. It's all Paces Ferry together and it was rated in great condition. So we have some challenging work to do.

I also spoke to Mr. Jackson about what they were going to do with this report now that they have it and he said, "We're going to use it to help us figure out which streets we're going to pave." But there's no traffic information on this spreadsheet. I asked him, "Are you going to give consideration to the streets that have the most traffic?" And he said, "Yes, we will." So that is another piece of the puzzle that needs to be incorporated into this work because I think for the most part they try to do a good job.

At least, we have the City trying to do something and we as a community need to continue to speak to our City Council representatives and make sure that they pushing to get those paving dollars up here because we need it and I will say honestly it's not just us. It's numbers all across the city but this shows that we really could use a little help.

I also got information from Renew Atlanta. I asked them what streets were going to be paved and they sent me finally the list of projects in district 7 8 and 9.

This (Exhibit C) is a list of paving projects; the ones in yellow are for the Buckhead area. So that's just the City. That's not Renew Atlanta. The final report, Exhibit D is very interesting since it shows the condition of all streets in Council Districts 7, 8 and 9.

Mary Norwood: Take a look. We'll get this information up on the website take a look at the streets that you know and see if you agree with what the City says. Debra has gone to a tremendous amount of trouble to get that information for us, so take a look and then go out take a picture if you think their evaluation isn't right, send a photo and let them know. So we need to do that, because as the City decides to do these projects, let's make sure we're getting the best bang for the buck. Debra will send the BCN reps their streets in their in their areas.

Mary Norwood: I went to the meeting in Southside where we think that they didn't expected very many people for the tree ordinance and rewrite. There were 130 people there. deLille was there. I was there. We were the two of the few Buckhead residents there because it was on the other side of town.

TREE ORDINANCE REWRITE

deLille Anthony: BCN Tree Canopy Chair

I'm the tree canopy chair for the Buckhead Council. I also have a tree activist group called "The Tree Next Door" treenextdoor.org. We put out this flyer here. If this is the first time that we actually have data on tree loss and replacement in Atlanta. This data has been collected since 2008 on the trees that are on private property which represents about 90% of the tree canopy. The data that's being collected on public property, we still have not gotten because that is not managed in Arborist Division, but it's managed by the Parks Department and it's been difficult to get it. But at least we have 90% of the data on what's happening to our tree canopy, which you can see in a nutshell we have thousands of thousands of trees coming down each year and they're not getting replaced.

The City tries to say, "We're doing a real good job of replacing the healthy trees that we permit but when you add in the trees that they permit as being DDH, which is dead dying and hazardous, you suddenly realize the replacement is not so good at all. It's about sick as been about 60 percent of the trees lost over the past two years that have not been replaced. It's been getting worse and that's why I focused on the last two years, but when you look at inch per inch-- because these replacement trees are small compared to the big ones they're taking down, when you look at inch per inch, it's about 93% of the canopy that's not being replaced. We cannot keep going like this or we are not going to have a tree canopy and Atlanta, just so that you know, we have the most dense tree canopy of any major metropolitan city in the country. And that is our claim to fame. We got the mountains. We have no oceans. We have nothing else really nature-wise except for a tree canopy.

The meeting on the southside caused the meeting on the Northside to be canceled. I want to back up a little bit and just give you an overview of what's been going on with the tree ordinance rewrite. Back in 2017, the City signed a contract with a company called Bio-Habitats to do what's called an Urban Ecology framework study, which was going to feed in to the rewrite of our tree ordinance.

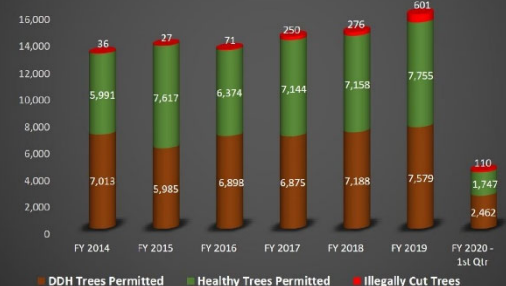
The Urban Ecology framework study was really a good idea. It was supposed to take a step back and look more comprehensively at the ecology of Atlanta and then have trees fit into that and what we needed to do in order to preserve our tree canopy. What came out of that study about a year later and said, "We think that we can get to 50 percent tree canopy." We were delighted, because back in 2014, which was the last time we had a canopy assessment that's been released to the public. (There's one in 2018 that

ATLANTA IS LOSING THOUSANDS OF TREES!

- Lack of meaningful enforcement and adherence to DDH (dead, dying, or hazardous) standards of practice is resulting in thousands of healthy trees lost each year.
- 10% of land area in Atlanta is in parking lots and most do not have more than 5% canopy. Only five DDH parking lot trees have been replaced since FY 2014.
- Tree ordinance rewrite is seven months behind original schedule. Latest iteration is not the promised "first draft" but a conceptual review with empty templates to be filled in later. **Why is it taking so long to write the first draft?**
- No community feedback is included in this latest iteration. Homeowners are still allowed to cut one tree a year — which the community said they didn't want — but NO appeals or posting process, nor any enforcement policies, are in this iteration.
- Atlanta residents deserve better for the more than \$1.2 million spent — and that amount was just for the first consultant. A second one was hired this fall.

Private Property Trees Permitted for Removal

> 50% of trees are permitted as DDH (dead, dying, hazardous)
- DDH Trees don't have to be replaced or recompensed
Number of trees cut illegally more than doubled last year



hasn't been released yet.) So 2014 is the only one we have and it said that we had 47 percent tree canopy. As you can see we don't have 47% anymore, we don't know what it is, but certainly not 47%. They said, "We think we can actually grow it to 50%." So they did a presentation last spring to show us this. But it was really strange when they presented in April. We really couldn't connect the dots. All they really came up with was "We're going to make some forested land and the west side of Atlanta and down south and we're going to preserve that and we're going to protect the area around streams, but there was no protection at all for these residential neighborhoods, especially the single family homes. We have a bulk of our tree canopy like almost 80% and they didn't have any answer for that.

When people stood up and said, "Hey, how about where I live? There's no stream there. How about protection for my trees?" So they said, well, we're going to come back to you in June and we're going to present a first draft--a look at the tree ordinance." They did come back in June but what they had was not a first draft. They had first draft outline and it was a PowerPoint presentation. The problem with the outline is that it has some proposals in there that were so radical that people just sat there shell-shocked.

They had four meetings: one on the South, one on the West, East, and North. The Northside was the last one to see it and a lot of people in the North had gotten phone calls from the people in the East, South and West to say "You can't believe what they're going to show you. So by the time it got to the Northside the Buckhead people were pretty rambunctious and said, "We don't like this. This is crazy."

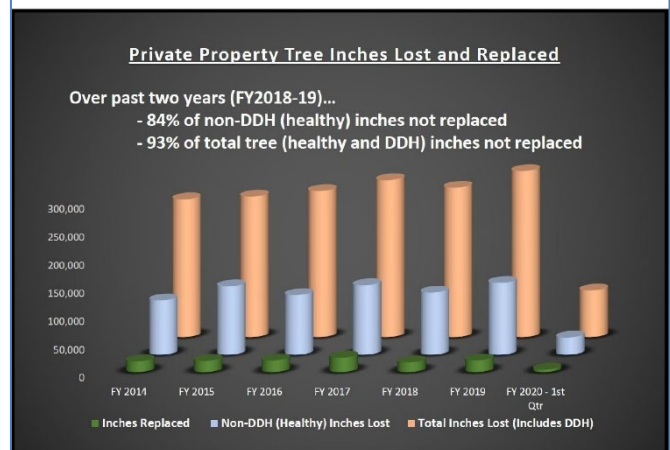
Let me tell you some of the things they were proposing. The biggest thing they were proposing which was to take everything behind closed doors. Literally they wanted to do all decisions on which trees come down without any public oversight. Right now, they can make these decisions but you get to see what decisions they're making and if you think that they're not making decisions according to the tree ordinance, you're allowed to appeal. They were going to say no. No. No, we're going to do all this decision making ourselves and if we decide that the developers are literally quote doing everything right, then there's no need for an appeal because "we, the City" has decided they're doing everything right. As you can imagine, there was huge public backlash to that. Another proposal they had which gave a lot of people on heartburn was they wanted to allow each homeowner to be able to take down one tree a year in their yard as long as the City decided it was not a high-value tree, but they couldn't define what high value meant.

There may be times where a homeowner definitely needs to take down a tree that's not dead, but there are ways to do that. It's a hazardous tree, they get a DDH permit. If it's just a tree they really hate and they want to take it out and put something else there, they get a landscape permit. There are already permits out there that exist to get rid of these trees.

But one tree free a year! People said, "I live in a neighborhood where there's only two or three trees per lot. The whole thing could be decimated in four years. So the City went back and basically went quiet for the rest of the summer and then in August they had a meeting with City Council which City Council said, "Where's your draft? You've been promising it to us." Tim Keane was pretty much put on the spot. Tim didn't have a first draft and he said I hired the wrong people to do this and Natalyn Archibong said to him, "When will you have a first draft?" He said, "By November 1st." They hired a company called Urban Canopy Works to actually help support BioHabitats.

November 1st came. All we knew is that there were going to be some meetings: one of these on November 6th or November 7th; Nov 6th on the Southside; Nov 7th on the Northside. On Nov 4th, they released the materials for this first draft and the materials consisted of a PowerPoint presentation. There wasn't a first draft and this time the PowerPoint presentation had collapsed from what it was back in June

CITY OF ATLANTA: TREES LOST AND REPLACED



and it only had two things in it. The two things were a matrix to decide how much to charge for different types of trees to take them down and the proposal to allow people to take down one tree a year. So they presented this and came out with it on Nov 4th online. On Nov 5th they had a meeting with the technical committee that's supposed to be advising them the whole time which they've completely shut out of the process. A lot of these people on the technical committee have talked to me and said that they haven't been consulted. The technical committee sat down with the consultants and said, "You better not go to the public tomorrow with this because if you do there will be a revolt." The consultants ignored this advice. They presented on Nov 6th, and there really was a kind of a revolt and Councilman Matt Westmoreland was there. And Matt stood up and apologized to the audience.

Tree Ordinance Rewrite – Continued

City Councilmember Matt Westmoreland: Tree Ordinance Rewrite

When apologies are in order, it's usually easy to do the right thing. That was a painful recounting of an accurate situation. It was a really rough meeting to sit through. I apologized for wasting everybody's time in the room. There were three other council members there. I stressed that this is a really important issue to me and to my colleagues. deLille, you and I have talked a lot about this over the last year. The tree canopy is an incredible asset to the city. We have not done this process right. I've been learning more about the 2014 draft ordinance that never really made it out of committee. But we've got one chance to protect our canopy. It's a citywide issue. Trees are incredible asset across Atlanta. And I think you know from Natalyn's comments and from mine that night that we're not pleased with where things are. And we're the legislative branch and we're ready to start legislating and moving that process forward.

Tree Ordinance Rewrite – Continued

deLille Anthony: Tree Ordinance Rewrite

deLille Anthony: Where do we go from here? The City at a November 6th meeting said that they would have a draft by the end of March and that it will all be over by the end of March but quite honestly considering where they are right now, we don't see it. We don't see how they can be there in March.

The problem is, trees are coming down every month. Some trees are going to come down, but we think too many trees are coming down. In order to sort of stem this rate and also to get more replanting, we need to have an ordinance that fixes that. A lot of tree activists are saying, "We'll just write it ourselves. We're tired of waiting on the City." It's a pretty big undertaking. I don't know if there's enough volunteer hours out there to get the ordinance written in two or three months, but there're definitely certain sections of the ordinance that need to be fixed more than others.

And we do have a baseline ordinance from 2014. It's a fairly good rewrite that probably needs some tweaking but we could start from there and see if we couldn't get that to pass. The other thing is to make some quick fixes. There are some inconsistencies and some vague language in the ordinance. If we tighten that up, that could save a lot of trees. So the Tree Canopy Committee of the Buckhead Council will be meeting sometime in the next two weeks to sit down and talk about what we want to do as a Buckhead Council and if you would like to join us please email me at deLille@treenextdoor.org, or if you can't remember that, there's an email at the bottom of the flyer.

Questioner: Are we looking at what other cities have done? We can't be the only people thinking about this.

deLille Anthony: Yes, and that was actually deleted from the City's presentation after the technical committee met with them. They issued another presentation that deleted everything other cities are doing. So that has come up. Why aren't we at least borrowing from other people?

AJOURN

Mary Norwood: I want to thank you all for coming. Have a happy holiday.

Note: These minutes were completed on December 6, 2019 by BCN Secretary Gordon Certain with considerable editing help from Mary Norwood and proofreading help from Sue Certain.

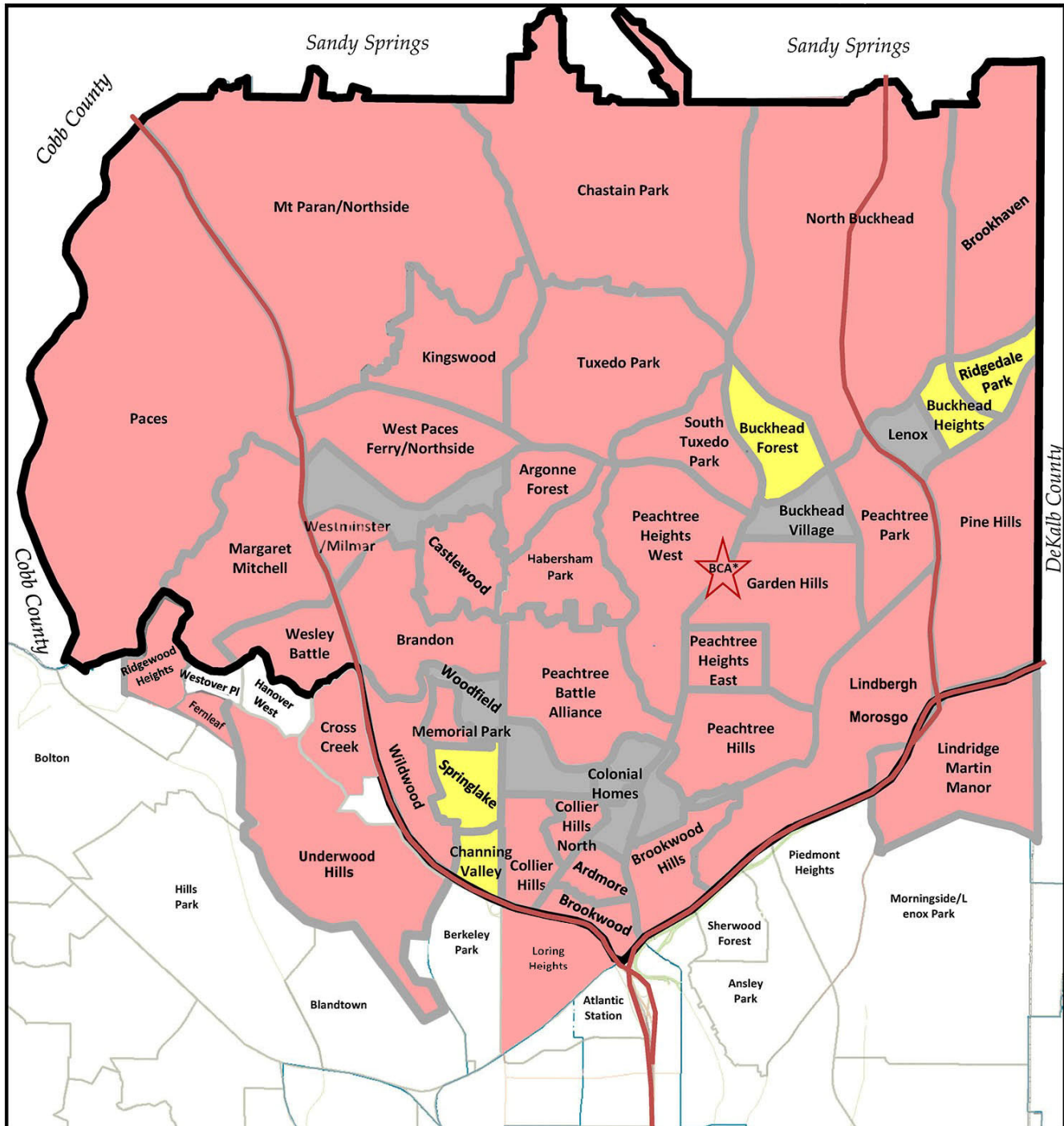
The initial transcription of the audio recoring of this meeting was made by an online service, Sonix.com, which reports its transcription accuracy rates as about 90%. The draft Sonix transcript was then compared to the presentations and recording. Edits were made to the draft transcript as appropriate to convey the speaker's message and to follow writing and punctuation conventions. Should there be questions about the edited trascript included in these minutes, they can be reviewed. Please share your

BCN Meeting Minutes – November 14, 2019

comment(s) with Gordon Certain by email at gccertain@comcast.net, subject: "BCN MINUTES".

Buckhead Council of Neighborhoods

Paid Membership as of 12/4/19



* BCA = Buckhead Condo Alliance

LEGEND

Paid Membership as of 12/4/2019

YES

NO

N/A