City Council Meeting & Public Hearing
SEPTEMBER 8, 2025
OFFICIAL MINUTES
Office of the City Clerk
ALPHARETTA CITY HALL
COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

OFFICIAL MINUTES

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at https://www.youtube.com/user/alpharettagov.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

2. ROLL CALL

- Council Members
  - Mayor Jim Gilvin
  - Mayor Pro Tem Dan Merkel
  - Donald F. Mitchell
  - John Hipes
  - Fergal M. Brady
  - Douglas J. DeRito
- Staff
  - Chris Lagerbloom, City Administrator
  - Patrick Jaugstetter, City Attorney
  - Lauren Shapiro, City Clerk
  - Brad Denkinger, Police Chief
  - Brooke Lappin, Director of Courts
  - Charlie Jewell, Director of Economic Development

- Kathi Cook, Director of Community Development
- Kelsie Speight, City Solicitor
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Trent Lindgren, Police Chief
- Deanna McKay, Public Communication & Engagement Coordinator
- Kurt Kirby, Projects Manager

3. PLEDGE TO THE FLAG

4. WORK SESSION ITEMS

A. Cultural Arts Commission's Recommendation for Public Art Installations

City Council review and discussion of two sculptures that were recommended by the Cultural Arts Commission to be installed along the Alpha Loop. The sculptures are Life Wheel and Completion.

- Projects Manager, Kurt Kirby, came forward to present this item.
- There were no questions or comments by the City Council.

B. Tax Allocation District #3: North Point Redevelopment Plan

City Council discussion of a proposed Tax Allocation District for the North Point area.

- Director of Community Development, Kathi Cook, came forward to present this item.
- Gary Mongeon with KB Advisory Group came forward to present regarding a potential Tax Allocation District. The presentation is attached hereto as "Exhibit A."

CITY COUNCIL DISCUSSION

- Council Member DeRito asked about TAD processes, timelines, and successes in other similar jurisdictions and whether a new referendum is required.
- Council Member Hipes asked about revenue generation in the selected TAD area or if it is less than current costs incurred.
- Council Member Brady asked how long do we create this TAD for and what if the tax digest grows?

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 8/25/2025)

Consideration of approval of the City Council meeting minutes from the meeting of August 25, 2025.

B. **Property Damage Only Release: City of Alpharetta, Sean Alpeter, and Allstate Property and Casualty Insurance**

Consideration of approval of a Property Damage Only Release between the City of Alpharetta, Sean Alpeter, and Allstate Property and Casualty Insurance Company for an incident that occurred on or about July 9, 2024 and with authorization for the Mayor to execute all necessary documents.

- ❖ Council Member Hipes offered a motion to approve the Consent Agenda.
  - Council Member DeRito seconded the motion.
  - The motion was approved unanimously (6-0).

6. NEW BUSINESS

A. **Fiscal Year 2026 GDOT Local Maintenance and Improvement Grant**

Consideration of adoption of a resolution authorizing the submittal of a Fiscal Year 2026 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and with authorization for the Mayor to execute all necessary documents.

- City Attorney, Patrick Jaugstetter, read the Resolution title aloud.
- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The Georgia Department of Transportation (GDOT) has begun accepting applications for the Fiscal Year 2026 Local Maintenance and Improvement Grant (LMIG) Program.
- Per GDOT guidelines, the following projects are allowable under the LMIG program:
  - Preliminary engineering (including engineering for right-of-way plans and utility plans), Construction supervision and inspection, utility adjustments or replacement, patching, leveling, and resurfacing a paved roadway, grading, drainage, base, and paving existing or new roads, replacing storm drain pipes or culverts, intersection improvements, turn lanes, bridge repair or replacement, sidewalk adjacent (within right-of-way) to a public road or street, roadway signs, striping, and guardrail installation, signal installation or improvement, aggregate surface course for dirt road maintenance.
- The LMIG budget for FY 2026 is based on the collection of motor fuel taxes from FY 2025. The amount of each local government's allocation is based on the total centerline road miles for your local road system and the total population of your city as compared with the total statewide centerline road miles and total statewide population.
- All LMIG projects must be completed as soon as possible, but substantially complete within three years from the date of the LMIG application. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government.
- The City of Alpharetta was allocated $781,161.80 through the fiscal year 2026 Local Maintenance and Improvement Grant (LMIG) program. There is a match requirement

of 30% for this grant. The City must add $234,348.54 of funding towards this project, for a total of $1,015,510.34. This match is currently budgeted in the Public Works capital budget under milling and resurfacing.

- The Public Works Department proposes to use the FY2026 LMIG allocation and match to fund milling and resurfacing of approximately 8.18 lane miles of City-maintained roads. A list of proposed roads, description of work, length, and cost associated are provided as an attachment to this request.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member DeRito offered a motion to adopt a Resolution authorizing the submittal of a Fiscal Year 2026 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and authorize the Mayor to execute all necessary documents.

  - Mayor Pro Tem Merkel seconded the motion.
  - The motion was approved unanimously (6-0).

B. Invitation to Bid 26-001: Fiscal Year 2026 Milling and Resurfacing

Consideration of approval to award Invitation to Bid 26-001 to Triple R Paving for an amount totaling $4,016,796.73 for the Fiscal Year 2026 Milling and Resurfacing Project with approval of the associated contract and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends that Mayor and Council approve the award of a contract for Invitation to Bid 26-001 to Triple R Paving for an amount totaling $4,016,796.73 for the Fiscal Year 2026 Milling and Resurfacing Project with approval of the associated contract and with authorization for the Mayor to execute all necessary documents.
- The City of Alpharetta maintains over 550 lane miles of roadway. Each year the City budgets dollars towards the milling and resurfacing of these roads. Accomplishing this task extends the roads' useful life and increases the roads' ability to handle traffic volumes.
- Public Works utilizes the services of a third party to drive city-maintained streets to evaluate roadway conditions. Each road is inspected for various criteria: patching, rutting, longitudinal cracks, etc. The objective was to collect accurate data and information about the City’s road inventory and surface conditions that would allow the City’s staff to optimize their plan for road network repair and rehabilitation under budget constraints.
- After entering last year's milling and resurfacing, data was put into the system and our current average Pavement Condition Index (P.C.I.) score is 75.6. This score places the

City in the good classification. A score below 75 would place the City in the fair classification.

- The information collected during past inspections, in conjunction with historical repair, rehabilitation information, and traffic information, helps the City make consistent and cost-effective decisions for roadway preservation. Based on these ratings, 44 locations adding up to 23 lane miles were included in the annual offering.
- One road due to insufficient/failing subgrade will be treated with soil cement. Soil cement is a process in which the asphalt, subgrade, and soil are pulverized on-site and mixed with cement to create a new subgrade.
- Webb Bridge Park parking lots will also be resurfaced as part of this contract. The Webb Bridge Park parking lots have significant degradation and are currently in need of resurfacing.
- The Department of Public Works prepared a request for bids (ITB 26-001) for the FY 26 Milling and Resurfacing road list. The City advertised for competitive bids on June 12th, 2025. Bids for the project were received on July 17th, 2025, and the City received a total of ten bids.
- An Add Alternate cost option was included in the bid documents schedule of items for permanent roadway striping. Triple R Pavings cost for the Alternate was $158,000.00, resulting in the lowest submitted total bid. Included within the scope of work is the resurfacing of Academy Street and revising the striping along Academy Street, predominately in front of City Center. The restriping will improve sight lines coming out of Market Street by enabling vehicles to approach closer to the roadway. Additionally, there has been an ongoing issue of commercial delivery vehicles parking in the middle of Academy Street. The restriping restricts commercial vehicles to park in the middle of the road.
- The apparent low bidder, Triple R Paving, recently completed the Roswell Street paving improvements that were part of the Roswell Street enhancements Capital Project. Triple R Paving has performed milling and resurfacing within the Metro Atlanta area, and provided references came back with positive feedback relating to communication, schedule, quality of work and professionalism.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member DeRito offered a motion to approve the award of a contract for Invitation to Bid 26-001 to Triple R Paving for an amount totaling $4,016,796.73 for the Fiscal Year 2026 Milling and Resurfacing Project with approval of the associated contract and authorize the Mayor to execute all necessary documents and to remove the parking and include the bike shoulder option along Academy Street.

  - Council Member Mitchell seconded the motion.

- The motion was approved unanimously (6-0).

C. Invitation to Bid 26-002: Sidewalk Construction on Multiple Road Sections

Consideration of approval of the award of a contract for ITB 26-002 to Sol Construction, LLC for the construction of sidewalk and the Alpha Loop along multiple road sections for an amount not to exceed $1,958,522.30; approval of the GA Power poles relocation on Cumming Street estimated at $150,000; and authorize the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Alpharetta has experienced growth since the Alpha Loop was originally planned. Development continues to increase, and mixed-use lifestyle centers in various stages of development are emerging throughout the Downtown district. Residents understand the valuable connectivity that the Alpha Loop brings. Residents want to be near the trail, and the development community is eager to build the trail to make that possible. Establishing a clear and comprehensive vision for the Downtown trail is critical to maximizing the public benefit of these private investments and ensuring a cohesive and connected Alpha Loop system for commuters and recreational users alike.
- The current project is to construct Alpha Loop along Roswell Street (Devore Road to Old Milton Pkwy), Kingry Lane (Old Milton Pkwy to Thompson Street), Old Milton Pkwy (Chelsea Walk to 2385 Old Milton Pkwy); and provide 8′ wide sidewalk along Cumming Street from Cricket Lane to Clairmonte Avenue. Some of the major construction elements of this project are listed below:
  1. A 12′ wide sidewalk, illuminated with light poles, will be constructed on the following road sections. On these roads, lights will be bollard style, similar to Alpha Loop north of Thompson Street: a) West side of Roswell Street from Devore Road to Old Milton Parkway; b) East side of Kingry Lane from Old Milton Pkwy to Thompson Street; c) South side of Old Milton Pkwy from Chelsea Walk to 2385 Old Milton Pkwy.
  2. An 8′ wide sidewalk will be constructed along Cumming Street from Cricket Lane to Clairmonte Avenue. To this end, the existing culvert on Cumming Street, near Clairmonte Avenue, will be widened to accommodate the 8′ wide sidewalk.
- Procurement for this project was initiated through Invitation to Bid (ITB 26-002), which was issued on June 12, 2025, with a response deadline of August 7, 2025. For this project, DOAS total invites: 1724 (Georgia Procurement Registry), Bonfire total invited: 1258, and Bonfire document takers: 54 different takers. A total of six submittals were received in response to this invitation.
- After evaluating and verifying the submitted bids, staff from the Public Works Department met with representatives of Sol Construction as the low bidder. The most recent project Sol completed for the city is the Webb Bridge Road roundabout.

- There are 5 power poles that need to be relocated along Cumming Street. With this being a sidewalk-only project, the project will be reimbursable for 90% of the estimated amount per the franchise agreement. The relocation cost is estimated at $150,000 for all power poles.
- Project construction is anticipated to take 14 months from the issuance of a notice to proceed. Work along Roswell Street will be done first due to aspects of the project tying into the Wills Park Bond Project.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member DeRito offered a motion to approve the award of a contract for ITB 26-002 to Sol Construction, LLC for the construction of sidewalk and the Alpha Loop along multiple road sections for an amount not to exceed $1,958,522.30; approval of the GA Power poles relocation on Cumming Street estimated at $150,000; and authorize the Mayor to execute all necessary documents.

  - Council Member Brady seconded the motion.
  - The motion was approved unanimously (6-0).

D. **Purchase and Services Agreement: Tesla, Inc.**

Consideration to approve the purchase of Supercharger equipment from Tesla, Inc., to also approve the purchase of installation services from Infinite Tech Services, to approve the Supercharger Sale & Purchase Agreement between the City and Tesla, Inc. and the Supercharger Long Term Services Agreement between the City and Tesla Energy Operations, Inc., and to provide authorization for the Mayor to execute all necessary documents.

- Police Chief, Trent Lindgren, came forward to present this item.
- This request is for the purchase and installation of four (4) Tesla DC fast charger stations at the Police Headquarters parking lot, located at 2565 Old Milton Parkway, Alpharetta, GA 30009. The project supports the City's growing adoption of electric vehicles (EVs) and expands local charging infrastructure. By investing in EV charging, the City will:
  - Promote sustainability through reduced carbon emissions.
  - Provide convenient charging access for the City's EV fleet.
  - Attract EV drivers to the area, supporting local businesses and increasing economic activity.
  - Generate a return on investment (ROI) through private usage fees, ensuring long-term revenue that offsets capital costs.

    - Locating the chargers at Police Headquarters offers a safe, high-traffic site that maximizes utilization and financial returns, while supporting taxpayers by fostering both a cleaner environment and stronger local economy.

- In December 2024, the City approved the purchase of four (4) Tesla Model Y electric vehicles as a pilot program to evaluate their effectiveness in patrol and administrative operations. Two vehicles were upfitted for patrol use, while the remaining two were designated for administrative purposes. Following this approval, the City was informed of a funding opportunity through the Georgia Power Make Ready Infrastructure Program, which will materially offset installation costs for a DC fast charger that will serve both the City's fleet and the public.

- The proposed charger has the capacity to charge four vehicles concurrently. Total project costs are estimated at $260,000, with the following breakdown:

    - $180,000 – Purchase of four (4) Level 3 DC fast charger with four stations from Tesla. Tesla was approved as single source vendor and the funding for these was approved in the FY2026 Budget.

    - $70,250 – Installation of the four (4) Level 3 DC fast charger and stations by Infinite Tech Services. Infinite Tech Services was approved as a single source vendor and the funding for the installation was approved in the FY2026 Budget).

    - $9,750 – Contingency funds for unforeseen expenses.

- The Supercharger Sale & Purchase Agreement will authorize the sale of Tesla Supercharger electric vehicle charging stations, which includes connectivity equipment, posts, cabinet, and system controller to the City and provides for terms of the sale and purchase agreement.

- The Supercharger Long Term Services Agreement details the service cost per kilowatt hour ($0.10, with a 3% compounding escalation) and dictates the minimum services price per month ($200.00). This agreement automatically renews each year for ten (10) years. Tesla will perform preventative maintenance and internet connectivity management services and the City will be required to provide access to Tesla and its agents to access the system. Additionally, this agreement provides for additional terms, including but not limited to: insurance requirements, pay-per use services, uptime, and address if force majeure events were to occur.

PUBLIC COMMENTS:

- There were no public comments.

❖ Mayor Pro Tem Merkel offered a motion to approve the purchase of Supercharge equipment from Tesla, Inc., to also approve the purchase of installation services from Infinite Tech Services, to approve the Supercharger Sale & Purchase Agreement and the Supercharger Long Term Services Agreement and authorize the Mayor to execute all necessary documents.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

E. Purchase Approval: Vehicular Barricade for Fiscal Year 2026 City Festivals

Consideration of purchase approval for Meridian Rapid Defense Group, LLC to rent, install, and remove vehicular barricades for the City to use during the Fiscal Year 2026 Taste of Alpharetta, Wire & Wood, and Brew Moon events and with authorization for the Mayor to execute all necessary documents.

- Recreation, Parks & Cultural Services Director, Morgan Rodgers, came forward to present this item.
- After hostile vehicle incidents at large, public events increased following the 2016 Bastille Day attack in Nice, FR, Public Safety, Special Events, and Public Works teams sought a better hostile vehicle mitigation (HVM) system for Alpharetta's large street festivals.
- Prior to using Meridian Rapid Defense Group's patented Archer 1200 barricade system in 2020, Public Works rented concrete barricades for $5,790 to protect the Milton Avenue entrance at Highway 9 during the Taste of Alpharetta. Requiring a complex installation process with heavy machinery, these concrete barricades were immovable for event modifications once placed.
- The design of Meridian's Archer 1200s support a pedestrian-friendly footprint, can be deployed and removed quickly in an emergency, and can easily cover non-linear perimeters from various high-speed vehicles for a fraction of the cost of the concrete barricades.
- Following the January 1, 2025, vehicle attack in New Orleans when a hostile truck driver entered an event footprint using the sidewalk, Alpharetta Public Safety required that all HVM systems extend across neighboring flat areas to prevent similar attacks. Each event's footprint was re-examined during an onsite walkthrough with Special Events, Alpharetta Public Safety, and the Meridian account manager to determine the narrowest distance possible for each blockade.
- Staff has received an approved single source form for the service of Meridian Rapid Defense Group's barricades for the Taste of Alpharetta, Wire & Wood, and Brew Moon festivals. If the Mayor and Council approve the request for services as presented, Meridian Rapid Defense Group, LLC will provide, install, and remove vehicle barricades at these four events in Fiscal Year 2026. There is not a contract associated with this approval, and if approved, a purchase order will be provided to the vendor.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member Hipes offered a motion to approve the purchase or Meridian Rapid Defense Group, LLC to rent, install, and remove vehicular barricades at the Fiscal Year

2026 Taste of Alpharetta, Wire & Wood, and Brew Moon events and authorize the Mayor to execute all necessary documents.

- Council Member Mitchell seconded the motion.
- The motion was approved unanimously (6-0).

F. **Resolution: Georgia Environmental Protection Division Recycling and Waste Diversion Grant**

Consideration of adoption of a resolution supporting an application for the Georgia Environmental Protection Division Recycling and Waste Diversion Grant and authorization for the Mayor to execute all necessary documents.

- City Attorney, Patrick Jaugstetter, read the Resolution title aloud.
- Projects Manager, Kurt Kirby, came forward to present this item.
- City Council adopted the City Agricultural Plan on December 12, 2022. Within that plan, there are six key themes that the community identified as a priority area of the plan. One of the themes is to reduce food waste via composting and last summer, the Community Agriculture & Sustainability Services Division launched a decentralized organic waste management program.
- The Georgia Environmental Protection Division has a Recycling and Waste Diversion Grant that would be well suited for the City to apply for funding to support the Community Composting Initiative.
- In partnership with the Recreation, Parks, and Cultural Services Department and the City's grant management firm, Witt O'Briens, staff is preparing an application for this grant in the amount of $2,151,269. There is not a funding match requirement, however, staff plans to identify $88,500 in match in-kind costs, based on staff time and volunteer hours for this project. The application is due on September 30, 2025.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member Hipes offered a motion to adopt a resolution supporting an application for the Georgia Environmental Protection Division Recycling and Waste Diversion Grant and authorize the Mayor to execute all necessary documents.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

G. **Resolution: True North 400 Community Improvement District Expansion**

DEFERRED: This item has been deferred to the September 22, 2025 City Council Meeting.

Consideration of adoption of a resolution consenting to the expansion of the True North 400 Community Improvement District.

H. **Ordinance: Budget Amendment (Jail Operations)**

SECOND READING: The first reading of this item occurred during the August 25, 2025 City Council Meeting.

Consideration of an Ordinance to adopt a Mid-Year Fiscal 2026 Budget Amendment (Jail Operations) for certain funds of the City of Alpharetta, Georgia, appropriating the amounts shown in each budget as expenditures, adopting the item of revenue anticipation, prohibiting expenditures to exceed appropriations, and prohibiting expenditures to exceed actual funding available.

- City Attorney, Patrick Jaugstetter, read the Ordinance title aloud.
- City Administrator, Chris Lagerbloom, came forward to present this item.
- There have been no changes to either the Ordinance or the FY 2026 Mid-Year Budget Request. They are the same as what was approved at the 1st Reading on August 25, 2025.

PUBLIC COMMENTS:

- There were no public comments.

❖ Mayor Pro Tem Merkel offered a motion to adopt an Ordinance for a Mid-Year Fiscal 2026 Budget Amendment (Jail Operations) for certain funds of the City of Alpharetta, Georgia, appropriating the amounts shown in each budget as expenditures, adopting the item of revenue anticipation, prohibiting expenditures to exceed appropriations, and prohibiting expenditures to exceed actual funding available and authorize the Mayor to execute all necessary documents.
   - Council Member Mitchell seconded the motion.
   - The motion was approved unanimously (6-0).

I. PH-25-13 Unified Development Code Text Amendments – Vertiport

SECOND READING: The first reading of this item occurred during the August 25, 2025 City Council Meeting.

Consideration of text amendments to Section 1.4 Definitions and Section 2.2 Permitted Use Districts and Regulations of the Unified Development Code to add definitions related to Vertiports and to assign Vertiport as a permitted or conditional use in certain zoning districts.

- City Attorney, Patrick Jaugstetter, read the Ordinance title aloud.
- Director of Community Development, Kathi Cook, came forward to present this item. This item was considered at the August 7, 2025 Planning Commission meeting. There were no public comments. After discussion, the Commission recommended approval (vote 7-0).
- Staff recommends that Mayor and Council approve text amendments to Unified Development Code (UDC) Article I Section 1.4 Definitions and Article II Section 2.1 Zoning Districts and Section 2.2 to add definitions related to a Vertiport and assign 'Vertiport' as a permitted and conditional use in certain zoning districts. To also amend

UDC Section 1.4 Definitions, to add definitions for Advanced Air Mobility (AAM), eVTOL, Heliport, and Vertiport. Amend UDC Subsection 2.2.11 CUP Community Unit Plan, Subsection 2.2.13 O-I Office-Institutional, Subsection 2.2.16 PSC Planned Shopping Center, and Subsection 2.2.20 MU Mixed Use to add Vertiport as a conditional use. Amend UDC Subsection 2.2.17 L-I Light Industrial and Subsection 2.2.19 SU Special Use to add Vertiport as a permitted use.

PUBLIC COMMENTS:

- There were no public comments.

❖ Mayor Pro Tem Merkel offered a motion to adopt an Ordinance for text amendments to Section 1.4 Definitions and Section 2.2 Permitted Use Districts and Regulations of the Unified Development Code to add definitions related to Vertiports and to assign Vertiport as a permitted or conditional use in certain zoning districts and authorize the Mayor to execute all necessary documents.

  - Council Member Hipes seconded the motion.
  - The motion was approved unanimously (6-0).

J. Ordinance: Alcohol Ordinance Text Amendments

SECOND READING: The first reading of this item occurred during the August 25, 2025 City Council Meeting.

Consideration of adoption of an Ordinance to amend Chapter 4 of The Code of the City of Alpharetta, referred to as the Alcohol Ordinance; to provide for effective dates; and for other purposes.

- City Attorney, Patrick Jaugstetter, read the Ordinance title aloud.
- City Clerk, Lauren Shapiro, came forward to present this item.
- The City Council reviewed and discussed, as a Work Session item, proposed Text Amendments to the City's Alcohol Ordinance during the July 23rd Special Called City Council Meeting and was approved by the Council on August 5, 2025 during its First Reading.
- Since the First Reading, only a few minor changes have been made to the attached ordinance for clarity. Below are the three items that have been amended:
  - 4-17(e): Added the text "or other retail package stores" to provide an option for the Council to grant a minimum distance variance (if desired) from one retail package store to another retail package store, if specific conditions exist (as outline in 4-17(e)(1-6).
  - Added 4-17(e)(1) which was inadvertently left out from the original 4-17 section as additional variance criteria.
  - 4-17(f): Removed references to 4-17(a) as this section was changed within this overall ordinance amendment and the reference is no longer needed.

- The proposed Ordinance adds and amends definitions and distance requirements city-wide as it pertains to alcoholic beverage sales, including the following:
  - Creates definition of "College or College Campus"
  - Creates definition of "Downtown District"
  - Adds clarity to definition of "Eating Establishment" and changes the 50% alcohol/50% food sales requirement from an annual to monthly requirement
  - Creates definition of "Mixed Use Development District"
  - Adds clarity to definition of "Premises" by clarifying ownership
  - Creates definition for "School or School Grounds" and adds clarity as to what types of establishment are or are not considered a school
  - Creates definition of "Treatment Center"
  - Removes all distance requirements for an establishment that sells alcoholic beverages for on-premises consumption, so that only retail package stores will have minimum distance requirements
  - Creates a consistent methodology for how distances should be measured from establishments
  - Creates a variance procedure for retail package stores who are unable to meet the distance requirements from a bus stop, school, park, or other retail package store

PUBLIC COMMENTS:

- There were no public comments.

❖ Mayor Pro Tem Merkel offered a motion to adopt an Ordinance to amend Chapter 4 of The Code of the City of Alpharetta, referred to as the Alcohol Ordinance; to provide for effective dates; and for other purposes.
  - Council Member Brady seconded the motion.
  - The motion was approved unanimously (6-0).

7. PUBLIC COMMENT
   - There were no public comments.
8. REPORTS
   - There were no reports.
9. EXECUTIVE SESSION (IF NECESSARY)

❖ Mayor Pro Tem Merkel offered a motion to recess the meeting
  - Council Member Brady seconded the motion.

- The motion was approved unanimously (6-0).

- Mayor Gilvin recessed the meeting at 8:39 p.m. for the purposes of litigation.
  - ❖ Council Member DeRito offered a motion to reconvene the meeting.
    - Council Member Mitchell seconded the motion.
    - The motion was approved unanimously (6-0).
- Mayor Gilvin reconvened the meeting at 8:53 p.m.

10. ADJOURNMENT

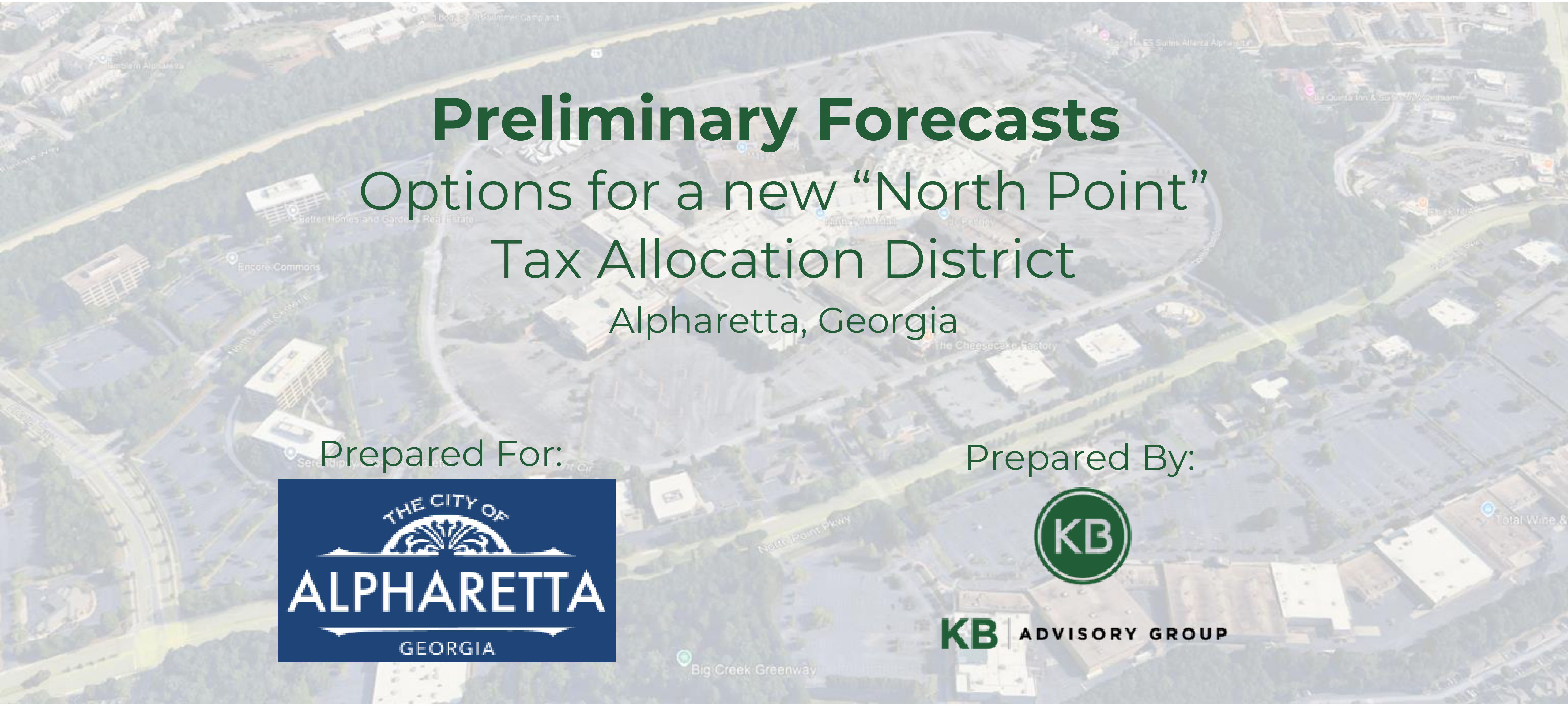
  - ❖ Mayor Pro Tem Merkel offered a motion to adjourn the meeting.
    - Council Member Mitchell seconded the motion.
    - The motion was approved unanimously (6-0).

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:54 p.m.

Respectfully submitted,

Lauren Shapiro, City Clerk

EXHIBIT A



Preliminary Forecasts

Options for a new "North Point" Tax Allocation District

Alpharetta, Georgia

Prepared For:

THE CITY OF ALPHARETTA GEORGIA

Prepared By:

KB ADVISORY GROUP

September, 2025

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The City of Alpharetta has engaged **KB Advisory Group** to evaluate a new redevelopment plan to reconstitute a tax allocation district that would include and possibly extend outward from the North Point Mall. The primary purpose of the proposed TAD would be to provide the City with additional economic incentive tools that may be needed to support a large-scale reuse of the mall property that would be in the best long-term economic interest of the City and the surrounding region.

This report summarizes preliminary findings from this first phase of research, which considered options to appropriately size the redevelopment area and the TAD. With the assistance of the City's Community Development Department and GIS staff, KB analyzed a "study area" that could be considered for inclusion in a new North Point TAD. Factors considered included the (2024) base tax digest within the study area, the potential value of ongoing, proposed or potential future developments in the area and the resulting tax allocation increment or TAD revenue that could be generated over time. The intent of this first phase was to consider options for policy makers to decide on an "optimal" TAD boundary. This phase also provides preliminary forecasts of the aggregate amount of tax allocation increment that could potentially result from future development in the study area.

The following report highlights the research, analysis, and conclusions **KB Advisory Group** reached in this preliminary phase. Findings are based information and valuable input provided by City staff, supplemented by KB's own research, and analysis of the local tax base and area real estate market.

KB Advisory Group, Inc.
999 Peachtree Street NE, Suite 400
Atlanta, GA 30309
404.845.3550
www.kbagroup.com

Overview of Tax Allocation Districts

The Georgia Redevelopment Powers Law

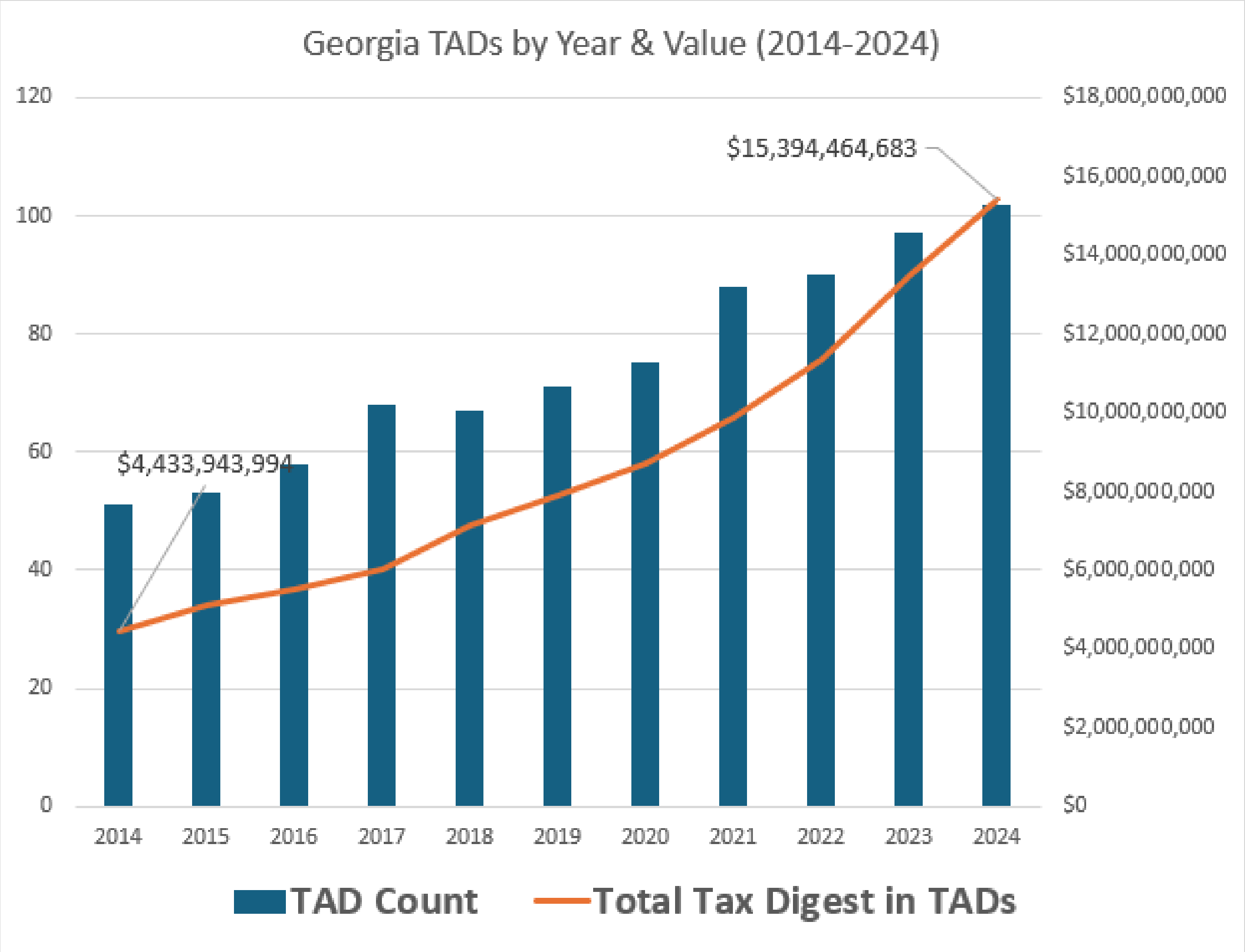
- The Redevelopment Powers Law is Georgia's version of tax increment financing (TIF) —an economic development tool used in 49 states and D.C.
  - **In Georgia, the use of TIF is allowed <u>IF</u> voters authorize (by referendum) their local legislative body to use "redevelopment powers." Such powers can only be applied within qualified "Redevelopment Areas" <u>after</u> the local legislative body adopts a "Redevelopment Plan." The Redevelopment Plan establishes one or more Tax Allocation Districts (TAD's) within the Redevelopment Area**
- TADs are NOT to be confused with community improvement or special service districts – and do NOT impact property taxes collected by those entities

What is a Tax Allocation District (TAD)?

- A TAD, is a geographic area consisting of specific identified tax parcels within a Redevelopment Area where cities and counties may use TIF to stimulate private investment in under-developed or "blighted" properties
  - **A TAD can only be established within a designated Redevelopment Area created by local adoption of an approved Redevelopment Plan**
  - A TAD can contain few or many individual Tax parcels
  - A TAD can encompass all or a portion of the Redevelopment Area – **A Redevelopment Area can also contain more than 1 TAD**
  - A TAD must be "certified" by the Georgia Department of Revenue to establish the base year for financing purposes. If a redevelopment plan is not adopted and the TAD is not certified by the end of 2025, the base year cannot be set until the end 2026.
  - TADs usually have a finite life (typically 25 to 30 years) but can be dissolved by the local government at any time provided there are no debt obligations are outstanding
  - The act of a city to establish a TAD does not commit other taxing jurisdictions to participate. **Consent is voluntary and negotiated via intergovernmental agreements.**

Georgia TADs are increasing in number and impact

- The number of established TADs in Georgia has doubled over the past decade, exceeding 100 in 2024
- The total state-wide tax digest within TADs has grown by 13.3% per year over the past decade, reaching nearly $15.4 Billion in 2024
  - Digest growth within TADs has resulted from the combination of more districts and substantial digest growth achieved by many TADs
- Several successful TADs have achieved annual percentage increases in gross digest that are 2 to 3 times greater than their respective city- and county-wide averages



Source: Georgia Department of Revenue

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Partial List of Georgia Cities & Counties with TADs

- Duluth
- Gwinnett County (6)
- Lawrenceville
- Woodstock
- Atlanta (10)
- Savannah
- Gainesville (2)
- Augusta
- Athens
- Smyrna
- Fayetteville
- Acworth
- Douglas County
- Douglasville
- Clayton County (3)
- East Point (2)
- College Park (2)
- Forest Park
- Marietta (2)
- LaGrange (3)
- Rome (2)
- Flowery Branch
- Lawrenceville
- Kingsland
- Dalton (3)
- Canton
- South Fulton (2)
- Roswell
- Norcross
- Albany
- Holly Springs
- Bulloch County
- Bartow County
- Cartersville
- Columbus (5)
- Lilburn
- St. Marys (2)
- Union City (2)
- Villa Rica
- Conyers (2)
- Hapeville
- Varnell
- Stockbridge
- Dallas

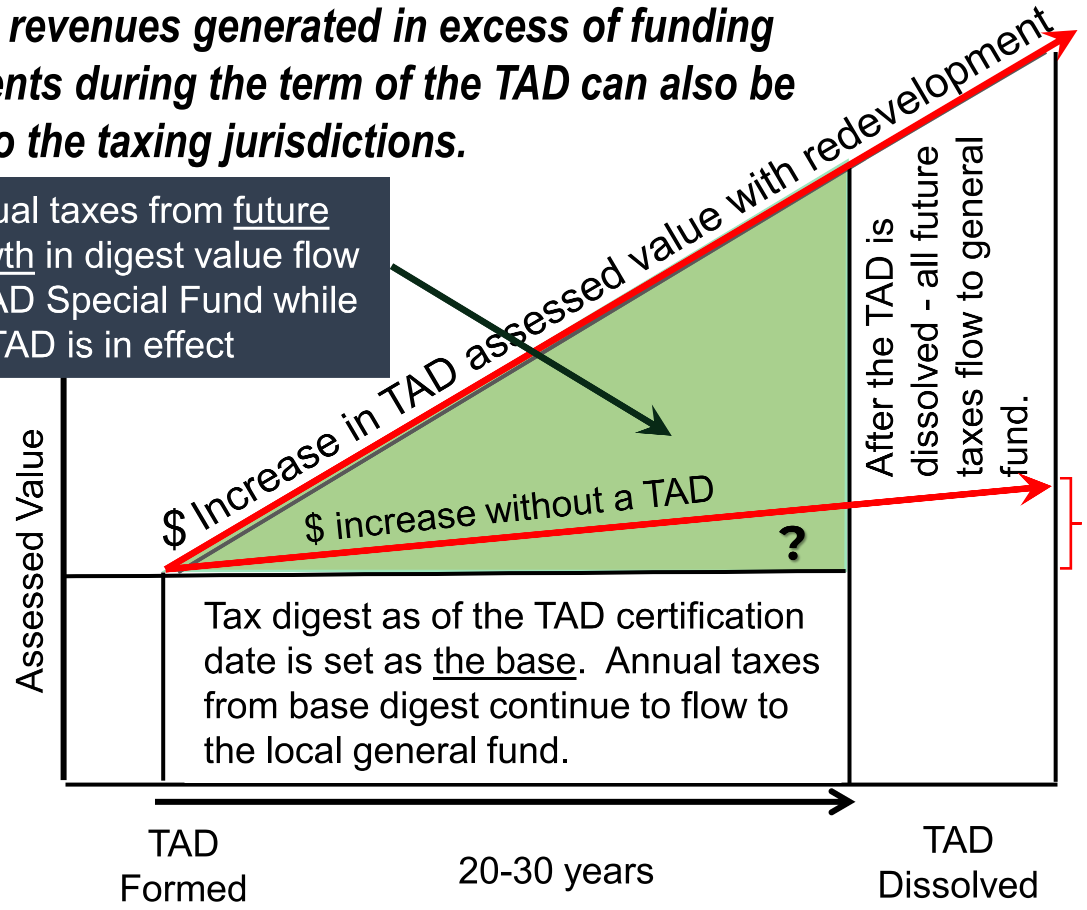
TAD's have been established for a variety of purposes in large and small communities throughout Georgia

How TADs Work

Future ad valorem taxes from <u>new</u> development and future growth are used to pay off TAD commitments.

Real estate, personal property and sales taxes can be pledged for up to 50 years. <u>Typically,</u> only real estate taxes are pledged – usually for no more than 30 years.

Future tax revenues generated in excess of funding commitments during the term of the TAD can also be returned to the taxing jurisdictions.



Achievable tax digest growth and cumulative real property tax revenues without the use of TIF could be much lower over the long run. The only property tax revenue "forfeited" is the growth that would have occurred absent of redevelopment while the TAD is in effect.

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How does TAD financing work?

- TAD bonds or any form of TAD financing are revenue bonds, repaid solely from increased property taxes in district – the local government may, but is not required to provide guarantees
- Communities are increasingly using reimbursement or long-term "pay-go" agreements with developers in place of issuing TAD bonds or using TAD revenues as one funding source to repay or partially repay other types of public financing
- Mathematically, TAD pay-go agreements work much like typical leasehold interest financing issued by local development authorities – but have more flexibility to finance multiple large and small projects within a given district
- TAD funding can incentivize redevelopment either:
  - **Directly** - by providing financial support to catalyst projects to help make them financially feasible or enhance their quality and value to accomplish other local objectives.
  - **Indirectly** - by providing indirect support in the form of offsite improvements, public infrastructure, utilities, amenities, parking decks, etc., which have a public benefit.
- TAD funds typically provide the 8% to 15% of "but for" funding needed to get redevelopment projects financed.

How can revenues from a TAD be used?

- “Eligible Redevelopment Costs” allowed under the Statute include:
- New construction
  - Applies to private, public and tax-exempt property
  - Includes commercial buildings and housing
- Restoration of historic sites and buildings
- Parks, public infrastructure, parking structures and open space amenities
- Transit facilities
- Pedestrian amenities and safety improvements
- Property acquisition, assembly and disposition for redevelopment purposes
- Uses of TAD proceeds can only be spent on redevelopment costs incurred inside the TAD

The 2019 North Point Redevelopment Plan

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REDEVELOPMENT PLAN
TAX ALLOCATION DISTRICT #2
ALPHARETTA NORTH POINT ACTIVITY CENTER

DECEMBER 2019

PREPARED FOR:

THE CITY OF ALPHARETTA

PREPARED BY:

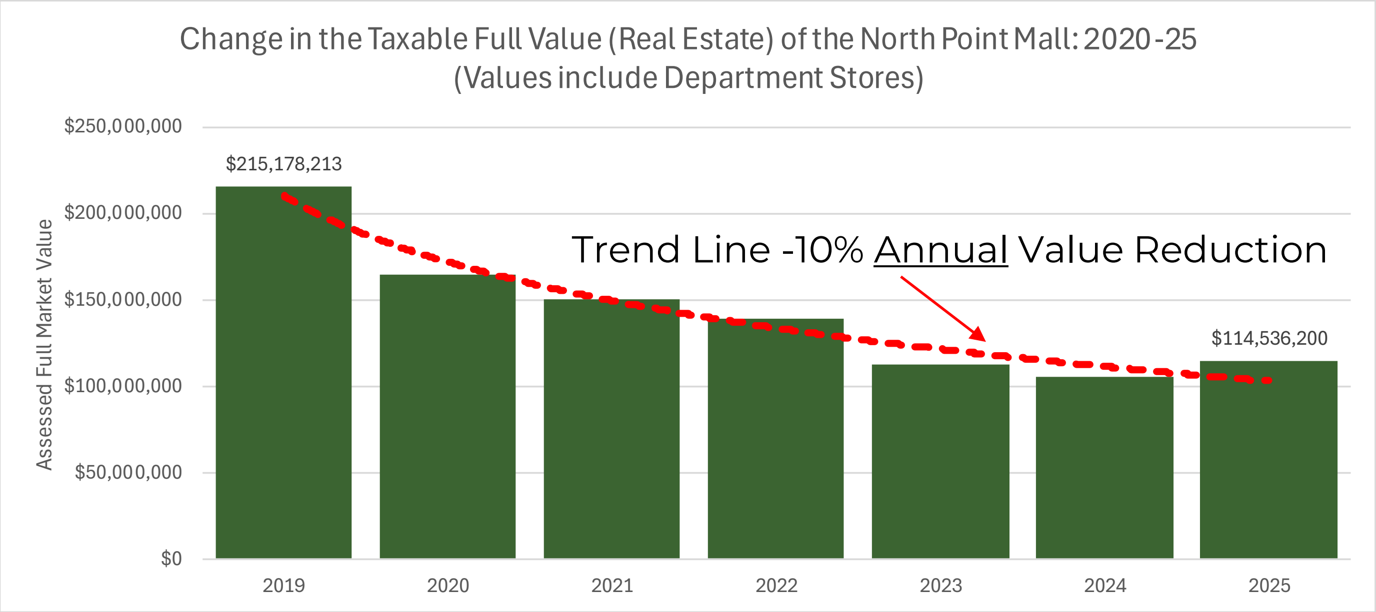
Bleakly Advisory Group

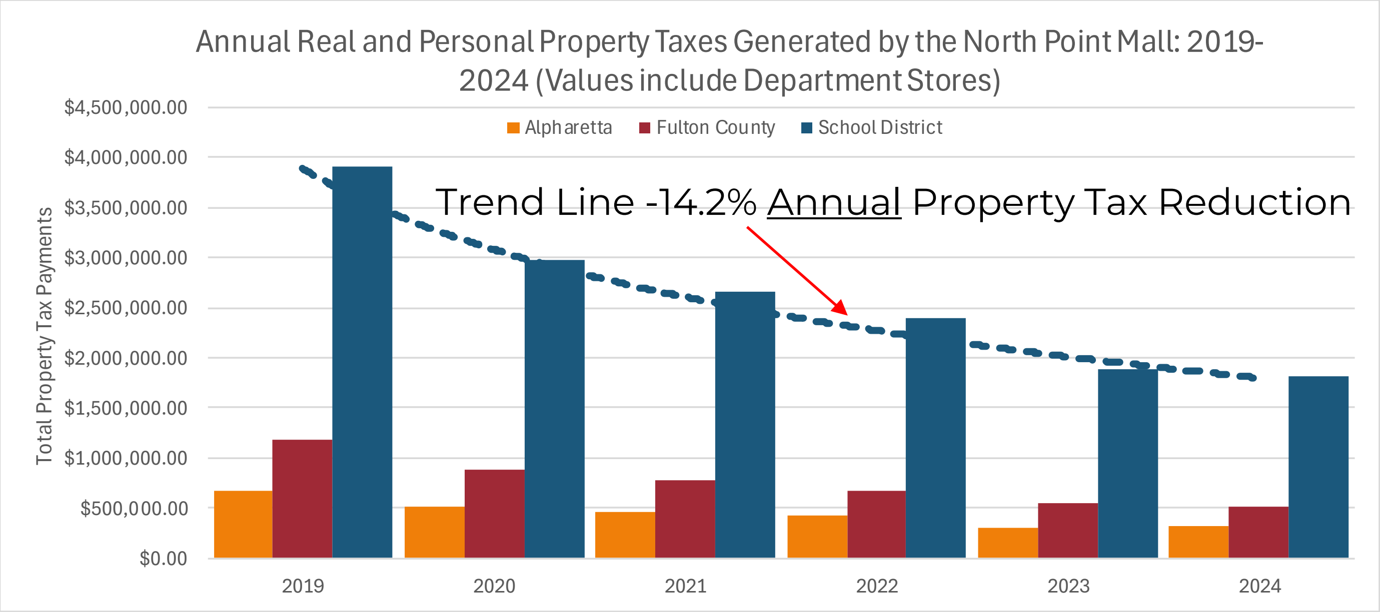
- A redevelopment plan for the North Point area was adopted by the City Council in 2019 and later dissolved in 2023 after COVID
- Characteristics of the 2019 TAD:
  - 138 parcels covering 898 acres
  - $270.7 million TAD certified base digest - 5.7% of the City's 2019 gross digest of $4.76 Billion
- Plan Objective: Generate $65 million to help implement public improvements and amenities recommended in the North Point Activity Center LCI Study
  - Only $4.5 million programmed for "development incentives"

Proposed Uses of Future TAD Proceeds:
Tax Allocation District #2 - Alpharetta North Point Activity Center
(Assumes County and School District Participation)

Potential Uses of TAD Proceeds	Estimated Total Cost	Estimated TAD Contribution	% of Total TAD Proceeds
Public Infrastructure Improvements [1]	$16,900,000	$15,000,000	23.01%
New Parks & Greenspace [2]	$50,350,000	$25,000,000	38.34%
Walkability & Place-Making [3]	$30,800,000	$9,200,000	14.11%
Streetscapes Improvements (Local Match)[4]	$57,500,000	$11,500,000	17.64%
Development Incentives [5]	$10,000,000	$4,500,000	6.90%
TOTALS:	**$165,600,000**	**$65,200,000**	**100.0%**

What has happened since TAD #2 was dissolved?





- The taxable real estate value of the 9 mall parcels has fallen by $100.6 Million (47%) since 2019
- Estimated 2024 City, County and School District property taxes on mall real estate and commercial personal property fell by nearly $2.1 million (53.5%) compared to 5 years ago
- Annual SPLOST, LOST and ELOST collections are likely to have declined by similar or larger percentages
- Distressed regional and super-regional malls are now prevalent throughout Metro-Atlanta and nationally
- Mall redevelopment strategies are requiring increasingly complex, large-scale public/private partnerships

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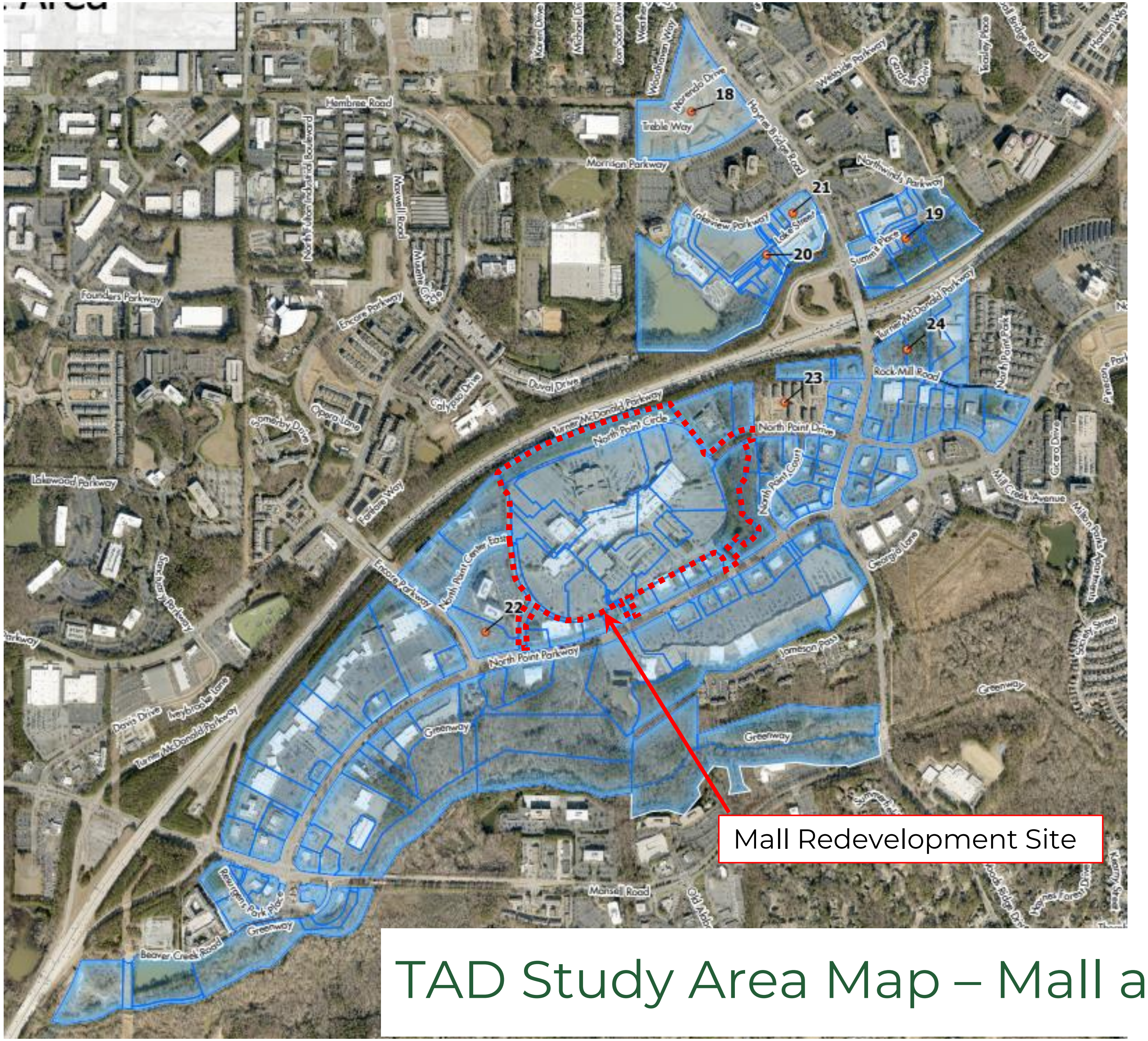
North Point Tax Allocation Increment Forecast

Methodology

- The methodology used to develop tax increment forecasts included these steps:
  - After initial discussions with KB, City staff produced a map of parcels that could potentially be included within a TAD. The "study area" covered a similar geography to the 2019 redevelopment plan and included:
    - Parcels that are likely to be within the boundaries of a mall redevelopment project (Mall Site)
    - Parcels located outside and surrounding the mall, which could be positively impacted by its redevelopment (North Point)
  - Staff also identified and mapped the general locations of developments that were either under construction, permitted and pending construction, currently in the permitting process or have been "proposed."
  - Assembled information included the expected characteristics of each project in terms of latest site plans and building elevations, planned housing and commercial development, potential construction cost and/or sale values.
  - Staff also provided a representative redevelopment scenario for the North Point Mall, which KB analyzed for reasonableness and attached associated real estate values.
  - Using this input, KB estimated the current (2024) tax digest associated with the study area and estimated the potential value of future development at build out. We also made allowances for additional development/value growth over the life of a potential TAD.
- Digest information will be updated to reflect 2025 values before the redevelopment plan is completed



- The North Point Study Area contains 150 parcels covering 853 acres, with a 2024 tax digest of roughly $256.8 million.
- The study area includes 9 parcels that make up the North Point Mall, which cover 94 acres and had a 2024 tax digest of just under $50.9 million.
  - The Mall's RE value has increased slightly in 2025
- The Study Area boundaries encompass 248 fewer acres and have a combined gross tax digest that is 5% smaller than the 2019 North Point TAD.

TAD Study Area Map – Mall and North Point

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Existing (2024) Study Area Real Estate Digest

- GIS staff pulled 2024 parcel data for the study area that is being considered for possible inclusion within a new TAD
- The study area covers 150 parcels and 650 acres
- Included parcels contained $256.8 million in tax gross tax digest in 2024 – representing roughly 2.9% of the City's gross digest of more than $8.9 Billion

Table 1: 2024 Taxable Real Estate Digest - North Point Study Area

Potential TAD Sub Areas	Total Parcels	Existing Housing Units	Parcel Acres	2024 Appraised Full Market Values Land	Improvements	Total FMV	2024 Assessed (40%) Digest Values Land	Improvements	Total Digest	% of 2024 City City Digest
Individual Study Area Summary										
North Point Mall Redevelopment Site	9	-	94.0	$50,630,900	$76,528,500	$127,159,400	$20,252,360	$30,611,400	$50,863,760	0.57%
Balance of North Point	141	853	556.1	$235,703,380	$329,061,380	$564,764,760	$93,923,410	$126,596,740	$205,972,140	2.31%
TOTALS:	**150**	**853**	**650.1**	**$286,334,280**	**$405,589,880**	**$691,924,160**	**$114,175,770**	**$157,208,140**	**$256,835,900**	**2.88%**

Source: Fulton County Tax Assessor, City of Alpharetta GIS and KB Advisory Group, Inc.

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Redevelopment Scenario/North Point Mall

- This table illustrates a potential redevelopment scenario for the North Point Mall that is consistent with comparable mall properties researched by City staff
- In this scenario, the Project's taxable market value at completion approaches $1.9 Billion in 2025$
- Future real estate values and resulting development totals can vary widely depending upon the existence and characteristics of an "anchor" for the project

Table 2: Representative Potential North Point Mall Redevelopment Scenario

North Point Mall Development Component	Estimated Acres	Residential Units/Keys	Commercial SF	Market Value at Build Out [1]	40% Tax Digest [1]
Retail	11.2	-	300,000	$135,000,000	$54,000,000
Restaurants/Entertainment/Mixed Use	5.0	-	200,000	$120,000,000	$48,000,000
MF Apartments	51.0	1,350	-	$536,500,000	$214,600,000
Office	10.0	-	500,000	$225,000,000	$90,000,000
Hotels (450 Keys)	1.2	-	232,500	$191,250,000	$76,500,000
For sale flats (Upper Floors Mixed Use District)	-	550	-	$356,655,000	$142,662,000
For sale townhomes	5.0	100	-	$96,978,000	$38,791,200
Parking structures, amenities & open space	10.5	-	-	$225,000,000	$90,000,000
TOTALS :	**94.0**	**2,000**	**1,232,500**	**$1,886,383,000**	**$754,553,200**

[1] Estimated future market value ad tax digest of proposed development at completion, based on 2025 values.

Sources: Fulton County Tax Assessor, City of Alpharetta and KB Advisory Group, Inc.

Build Out Potential of the TAD Study Area

Table 3: Identified Ongoing, Proposed and Potential Future Development

TAD Subarea	2024 [1] Parcel Digest	Project [1] Acreage	Residential Build Out Single-Family	Residential Build Out Townhomes	Residential Build Out Multi-Family	Residential Build Out Total	Hotel Rooms	Retail SF	Office SF	Total Commercial SF
North Point	$75,523,290	112.3	39	200	417	**656**	140	143,500	1,830,000	1,973,500
North Point Mall	$83,409,200	94.0	-	100	1,900	**2,000**	450	500,000	500,000	1,000,000
TOTALS:	**$158,932,490**	**206.2**	**39**	**300**	**2,317**	**2,656**	**590**	**643,500**	**2,330,000**	**2,973,500**

[1] Estimated acreage and current (2024) digest values for parcels associated with identified potential development projects.

Sources: Fulton County Tax Assessor, City of Alpharetta and KB Advisory Group, Inc.

- The above table aggregates and sorts information provided by the City regarding ongoing and possible future development projects located within the TAD Study Area
- Information was provided on planned and potential projects (including the mall) which, if fully implemented, could collectively result in the construction of more than 2,600 housing units and 2.9 million SF of commercial space in retail, hotels, office and mixed-use buildings
  - These potential projects impact roughly 206 acres (32%) of the 650 total taxable acres within the TAD Study Area
  - Percentages are driven upward by the assumption that the existing 94-acre North Point Mall site will be fully redeveloped within the life of a Tax Allocation District.
  - Additional value growth can be expected in the balance of the Study Area, as identified projects are completed and their resulting economic impacts enhance the value of nearby real estate.

Build Out Potential of the TAD Study Area

- Table 4 summarizes the potential change in real property tax digest that could result from construction of the proposed development projects identified in the TAD Study Area.
- Build-out values attached to each project are estimated and reflect current (2025) pricing, not adjusted for future inflation.
  - Estimates exclude base digest and additional increment growth from other parcels that would also be located within the TAD
- KB estimates that the study area tax digest could increase by $934 million if all identified projects are fully implemented, including $671 million associated with the 93-acre mall site.
  - As noted previously, redevelopment estimates for the mall could vary substantially. The Plan's objective is to maximize the future fiscal and regional economic and fiscal impacts from future development on 93-acres which have lost significant value over the past decade.

Table 4: Estimated Digest Change from Project Implementation

TAD Subarea	2024 [1] Parcel Digest	Estimated Digest at Build Out [1]	Digest Change	Percent Change	% of Total
North Point	$75,523,290	$339,058,000	$263,534,710	349%	28.2%
North Point Mall	$83,409,200	$754,553,125	$671,143,925	805%	71.8%
TOTALS :	**$158,932,490**	**$1,093,611,125**	**$934,678,635**	**588%**	**100.0%**

[1] Estimated current and future tax digest (40% values) of identified development projects/sites at completion. Build out digest is based on 2025 values.

Sources: Fulton County Tax Assessor, City of Alpharetta and KB Advisory Group, Inc.

25-Year TAD Financing Potential

- The capacity of a TAD to support investments in buildings and infrastructure is very sensitive to both the size of the TAD and the degree to which the FCSD consents to support redevelopment

Table 5: Potential Alpharetta TAD #3 Tax Allocation Increment:

Net Present Value - over 25 Years ($ Millions)	No School District Participation	50% School District Participation	Full School District Consent
Mall Redevelopment Site	$93.1	$122.2	$209.4
Balance of North Point	$80.8	$159.6	$180.3
North Point Study Area Totals	$173.9	$281.8	$389.8

Notes:

[1] Cumulative Tax Allocation Increment from real estate taxes only. All scenarios assume full City and County consent and differing levels of School District participation.

[2] Net present value (NPV) of forecasted Tax Allocation Increment discounted at 6%. NVP approximates possible bond proceeds supported by forecasted increment under realistic financing terms.

[3] North Point Study Area includes the Mall and surrounding North Point Parcels.

Source: Fulton County Tax Assessor, City of Alpharetta and KB Advisory Group, Inc.

- Total potential TAD revenues are impacted by 125% between no and full consent by the FCSD. Sizing the TAD to include all of North Point potentially generates 87% more revenue than the Mall site alone.

Proposed uses of Tax Allocation Increment

- If the primary goal of the redevelopment plan is to maximize the future redevelopment and economic impact of a reconfigured North Point Mall, the bulk of future TAD revenues would need to be invested directly in the form of incentives.
- Selected public improvements envisioned in the previous 2019 redevelopment plan could be retained if reduced to 20-25% of total revenues.

Table 6: Proposed Uses of Future TAD Proceeds
(Assumes North Point TAD Boundary and Full City & County Participation)

North Point Study Area TAD	FCSD Consent 0%	FCSD Consent 100%
Suggested Uses of 25-Year Tax Allocation Increment ($ Millions) [1]		
Direct Development Incentives	$147.8	$331.3
Transportation, Parking & Infrastructure	$17.4	$39.0
Streetscapes, Public Amenities & Place-Making	$8.7	$19.5
TOTALS:	**$173.9**	**$389.8**

Notes:
[1] Net Present Value of 25-year cumulative Tax Allocation Increment from real estate taxes only, discounted at 6%.
[2] "North Point TAD" includes the Mall and surrounding North Point Parcels.
Source: Fulton County Tax Assessor, City of Alpharetta and KB Advisory Group, Inc.

- This summary illustrates the potential uses of TAD funds assuming the North Point Study Area is designated as the TAD. As shown, resources to support redevelopment vary by up to $150 million depending on the level of participation by the FCSD.

Conclusions

- Value trends at the North Point Mall have been negative since 2020, resulting in significant annual reductions to both property and sales tax revenues. In this context, establishing a 2025 base value for a TAD may generate more tax revenue in the near term than if recent market trends continue.
- While the North Point Mall could stabilize and redevelop without incentives it is unlikely that the property's long-term fiscal and economic impact on the City and Atlanta Region will come close to what could be possible by employing the financial incentives offered using tax increment financing via the instrument of a TAD.
- At minimum, the proposed TAD should encompass most of the 2019 North Point parcels TAD. Limiting the TAD boundaries to the Mall only may not generate sufficient revenue to achieve the goals of the redevelopment plan.
- Depending on the City Council's objectives for this area, you should consider preserving the option to pledge personal property taxes and possibly sales taxes to support redevelopment.
  - Enabling those options in the redevelopment plan does not require that they be used. However, not addressing them will preclude their availability over the life of the TAD.

Questions

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TERMS and LIMITING CONDITIONS

- **Accuracy of Report:** Every reasonable effort has been made to ensure that the data developed in this assignment reflect the most accurate and timely information possible and is believed to be reliable. This consulting assignment was based on estimates, assumptions, and other information developed by KB Advisory Group ("KBA") from its independent research efforts, general industry knowledge, and consultations with the client for this assignment and its representatives. No responsibility is assumed for inaccuracies in reporting by the client, its agents or representatives, or any other data source used in preparing or presenting this study. The research and reports are based on information that is current as of the date of the report. KBA assumes no responsibility to update the information after the date of the report. The research may contain prospective financial information, estimates, or opinions that represent our view of reasonable expectations at a particular point in time, but such information, estimates, or opinions are not offered as predictions or assurances that a particular outcome will occur. Actual results achieved during the period covered by our prospective analysis may vary from those described in our research and report, and variations may be material. Therefore, nor warranty or representation is made by BKA that any of the projected values or results contained in the work product from this assignment will actually be achieved.
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