



AGENDA
SPECIAL CALLED COUNCIL MEETING
4040 S. BERKELEY LAKE RD.
BERKELEY LAKE, GEORGIA 30096
JULY 11, 2024

7:00 PM Work Session
8:00 PM Formal Session

Citizens are encouraged to offer comments on issues of concern as agenda items are reached and at the end of the meeting for all other issues. Please limit citizen comments to 2 minutes. Longer citizen comments are welcome in writing and will be added to the official record of this meeting.

WORK SESSION

CALL TO ORDER

AGENDA

PUBLIC HEARING

CONSENT AGENDA

- a) Minutes of April 18, 2024, Council Meeting
- b) Financial Statements of March 2024 – Unaudited
- c) Financial Statements of April 2024 – Unaudited
- d) Financial Statements of May 2024 - Unaudited
- e) 2022 Financial Statement - Audited
- f) Public Works: City Engineer’s Proposal for Stormwater Management Plan Update
- g) Cooperation Agreement with Gwinnett County for the US Department of Housing & Urban Development CDBG Program Urban County Qualification

OLD BUSINESS

NEW BUSINESS

- a) R-24-02, Resolution to Adopt 2024 Millage Rate

EXECUTIVE SESSION *(if needed)*

CITIZEN COMMENTS

ADJOURNMENT

Requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Berkeley Lake government should be made at least five days prior to the event by contacting the ADA Coordinator at 770-368-9484.



COUNCIL MEETING
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
DRAFT MINUTES
APRIL 18, 2024

ATTENDANCE

Mayor: Lois Salter

Council Members: Rodney Hammond, Scott Lee, Bob Smith and Rebecca Spidler

City Officials: Leigh Threadgill - City Administrator, Dick Carothers – City Attorney

Members of the Public: 4

Members of the Press: 0

CALL TO ORDER

Salter called the meeting to order at 8:00 PM. A quorum of council members was in attendance.

AGENDA

Salter solicited motions regarding the agenda.

Hammond made a motion to accept the agenda as submitted. Smith seconded the motion. All council members were in favor and the motion passed.

PUBLIC HEARING

- a) O-24-252 – 2023 Budget Amendment

There were no citizen comments.

CONSENT AGENDA

Salter noted the following as items on the consent agenda and solicited a motion:

- a) Minutes of March 21, 2024, Council Meeting
b) Financial Statements of February 2024 – Unaudited
c) Appointment of Deputy City Marshal – Andy Anderson

Lee made a motion to approve all items on the consent agenda. Spitler seconded the motion. All were in favor and the motion passed.

OLD BUSINESS

a) O-24-252 – 2023 Budget Amendment

Threadgill: O-24-252 is a housekeeping measure to identify a final status of expenses and revenues for 2023. I am requesting that council place the item on second read and adopt the amended budget.

Spitler made a motion to place O-24-252, an ordinance to amend the budget for the year 2023, to repeal conflicting ordinances, to provide for an effective date and for other purposes, on second read and to adopt the amended budget. Smith seconded the motion. All were in favor and the motion passed.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS

Clara Richardson Olguin, 1116 Carroll Court, Norcross, GA, stated that she was happy to be here to introduce herself as a republican conservative leader running for state senate district 7. She gave some brief background and referenced some of the issues that she is focused on including returning parental control in education, championing small businesses and restoring Georgia's value in empowering our community.

ADJOURNMENT

There being no further business to discuss, Lee moved to adjourn. Hammond seconded the motion. All were in favor and the motion passed.

Salter adjourned the meeting at 8:05 PM.

Submitted by:

Leigh Threadgill, City Clerk

City of Berkeley Lake

Budget vs. Actuals: Budget_FY24_P&L - FY24 P&L

January - March, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
100 100 General	299,991.35	1,577,234.00	-1,277,242.65	19.02 %
320 320 SPLOST Income	124,174.35	2,010,412.00	-1,886,237.65	6.18 %
Total Income	\$424,165.70	\$3,587,646.00	\$ -3,163,480.30	11.82 %
GROSS PROFIT	\$424,165.70	\$3,587,646.00	\$ -3,163,480.30	11.82 %
Expenses				
1 Gen Govt	105,729.18	587,425.00	-481,695.82	18.00 %
2 Judicial	1,292.91	9,190.00	-7,897.09	14.07 %
230 ARP Act Expenses 230	7,768.75	348,468.00	-340,699.25	2.23 %
3 Public Safety	31,937.21	169,923.00	-137,985.79	18.80 %
4 Public Works	37,140.33	160,542.00	-123,401.67	23.13 %
6 Culture and Recreation	9,651.21	20,904.00	-11,252.79	46.17 %
7 Housing and Development	6,526.50	226,409.00	-219,882.50	2.88 %
9000.61.1100 Xfer Out - Reserve Fund		54,375.00	-54,375.00	
SPLOST Expenses		2,010,412.00	-2,010,412.00	
Total Expenses	\$200,046.09	\$3,587,648.00	\$ -3,387,601.91	5.58 %
NET OPERATING INCOME	\$224,119.61	\$ -2.00	\$224,121.61	-11,205,980.50 %
NET INCOME	\$224,119.61	\$ -2.00	\$224,121.61	-11,205,980.50 %

City of Berkeley Lake

Income & Expense

March 2024

	TOTAL
Income	
100 100 General	106,604.10
320 320 SPLOST Income	43,331.73
Total Income	\$149,935.83
GROSS PROFIT	\$149,935.83
Expenses	
1 Gen Govt	36,879.94
2 Judicial	70.00
230 ARP Act Expenses 230	1,701.25
3 Public Safety	10,452.48
4 Public Works	9,418.49
6 Culture and Recreation	8,928.51
7 Housing and Development	953.65
Total Expenses	\$68,404.32
NET OPERATING INCOME	\$81,531.51
NET INCOME	\$81,531.51

City of Berkeley Lake

Balance Sheet

As of March 31, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Debt Service Fund	0.00
General Fund	4,673,331.73
SPLOST Fund	1,588,092.66
Suspense 1.11.1000	0.00
Total Bank Accounts	\$6,261,424.39
Accounts Receivable	
Accounts Rec 1.11.1900.1	15,293.23
Total Accounts Receivable	\$15,293.23
Other Current Assets	
1.11.27 Grant Receivable	0.00
Accounts Rec - SPLOST 1.11.2000	79,828.36
AccountsRec-OtherTax1.11.1900.2	0.00
Franchise Tax Rec 1.11.1550	36,000.00
Interest Receivable 1.11.1400	0.00
Prepaid Expense 1.11.3600	0.00
Prepaid items 1.11.3800	0.00
Taxes Receivable 1.11.1600	19,334.99
Undeposited Funds 1.11.1114	225.25
Total Other Current Assets	\$135,388.60
Total Current Assets	\$6,412,106.22
Fixed Assets	
Building & Improvements 1.11.7400	1,770,036.08
Computer Equipment 1.11.6700	48,172.61
Furniture & Fixtures 8.11.7700	71,493.47
Land 8.11.7100	9,392,320.74
Machinery & Equipment 1.11.6500	173,026.24
Total Fixed Assets	\$11,455,049.14
Other Assets	
Accum amort - bond cost	0.00
Amt avail 4 debt svc 9.11.9100	0.00
Bond issuance cost	0.00
Loan Receivable - Facilities	0.00
Loan Receivable - Paving	0.00
To be prov 4 debt 1.11.7500	0.00
Total Other Assets	\$0.00
TOTAL ASSETS	\$17,867,155.36

City of Berkeley Lake

Balance Sheet

As of March 31, 2024

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	5,811.91
Operating AP	0.00
SPL2005 Admin Facil- City H-AP*	0.00
SPLOST account - Suntrust-AP*	0.00
Total Accounts Payable	\$5,811.91
Credit Cards	
BOZEMAN, MARTY (0241)	0.00
Hiller Credit Card (4916)	44.00
Hunter Credit Card (0891)	39.49
Threadgill Credit Card (3322)	547.61
Wilhite Credit Card (1132)	0.00
Total Credit Cards	\$631.10
Other Current Liabilities	
*Sales Tax Payable	0.00
1.12.28 Bonds payable - current	0.00
Accounts Payable Accruals-L*	0.00
Accounts payable-L 1.12.1100.2	0.00
Accrued Expenses 1.12.1150	0.00
Accrued Interest Payable	0.00
Accrued Salaries 1.12.1200	0.00
Accrued SPLOST Expenses 2.12.1250	0.00
Deferred revenue 1.12.2500	20,020.70
Direct Deposit Payable	-0.01
MyGov	-597.00
Payroll Liabilities	66.10
PR Tax Payable - Fed 1.12.1300	0.00
PR Tax Payable - State 1.12.1310	0.00
PTO Accrual	13,385.54
Regulatory Fees Payable	6,024.74
Retainage Payable	0.00
Total Other Current Liabilities	\$38,900.07
Total Current Liabilities	\$45,343.08

City of Berkeley Lake

Balance Sheet

As of March 31, 2024

	TOTAL
Long-Term Liabilities	
Gen Oblig Bond Payable1.12.3000	0.00
GOB Payable - 2009 1.12.3000.2	0.00
GOB Payable - 2011 1.12.3000.3	0.00
GOB Payable - 2012 1 12.3000.4	0.00
SPLOST Loan Payable - Paving	0.00
SPLOST Loan Payable Facilities	0.00
Total Long-Term Liabilities	\$0.00
Total Liabilities	\$45,343.08
Equity	
Fund Bal Unrsvd 1.13.4220	4,281,361.55
Investmt in fixedassets 1.13.4K	11,327,229.85
Opening Bal Equity	0.00
Reserve for prepaids 1.13.4125	0.00
Reserved for Debt Service	0.00
Restricted for Debt Svc 1.13.4105	0.00
Restricted4CapitalProj 1.13.4155	1,979,867.84
Retained Earnings 1.13.3000	9,233.43
Net Income	224,119.61
Total Equity	\$17,821,812.28
TOTAL LIABILITIES AND EQUITY	\$17,867,155.36

City of Berkeley Lake

Budget vs. Actuals: Budget_FY24_P&L - FY24 P&L

January - April, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
100 100 General	358,017.27	1,577,234.00	-1,219,216.73	22.70 %
320 320 SPLOST Income	169,338.29	2,010,412.00	-1,841,073.71	8.42 %
Total Income	\$527,355.56	\$3,587,646.00	\$ -3,060,290.44	14.70 %
GROSS PROFIT	\$527,355.56	\$3,587,646.00	\$ -3,060,290.44	14.70 %
Expenses				
1 Gen Govt	144,593.06	587,425.00	-442,831.94	24.61 %
2 Judicial	1,450.41	9,190.00	-7,739.59	15.78 %
230 ARP Act Expenses 230	7,768.75	348,468.00	-340,699.25	2.23 %
3 Public Safety	42,865.34	169,923.00	-127,057.66	25.23 %
4 Public Works	46,809.32	160,542.00	-113,732.68	29.16 %
6 Culture and Recreation	11,337.65	20,904.00	-9,566.35	54.24 %
7 Housing and Development	7,588.15	226,409.00	-218,820.85	3.35 %
9000.61.1100 Xfer Out - Reserve Fund		54,375.00	-54,375.00	
SPLOST Expenses		2,010,412.00	-2,010,412.00	
Total Expenses	\$262,412.68	\$3,587,648.00	\$ -3,325,235.32	7.31 %
NET OPERATING INCOME	\$264,942.88	\$ -2.00	\$264,944.88	-13,247,144.00 %
NET INCOME	\$264,942.88	\$ -2.00	\$264,944.88	-13,247,144.00 %

City of Berkeley Lake

Income & Expense

April 2024

	TOTAL
Income	
100 100 General	58,025.92
320 320 SPLOST Income	45,163.94
Total Income	\$103,189.86
GROSS PROFIT	\$103,189.86
Expenses	
1 Gen Govt	38,863.88
2 Judicial	157.50
3 Public Safety	10,928.13
4 Public Works	9,668.99
6 Culture and Recreation	1,686.44
7 Housing and Development	1,061.65
Total Expenses	\$62,366.59
NET OPERATING INCOME	\$40,823.27
NET INCOME	\$40,823.27

City of Berkeley Lake

Balance Sheet As of April 30, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
General Fund	4,657,173.45
SPLOST Fund	1,629,762.76
Total Bank Accounts	\$6,286,936.21
Accounts Receivable	
Accounts Rec 1.11.1900.1	11,198.85
Total Accounts Receivable	\$11,198.85
Other Current Assets	
Accounts Rec - SPLOST 1.11.2000	83,326.48
Franchise Tax Rec 1.11.1550	48,000.00
Prepaid items 1.11.3800	4,251.00
Taxes Receivable 1.11.1600	14,995.90
Undeposited Funds 1.11.1114	50.00
Total Other Current Assets	\$150,623.38
Total Current Assets	\$6,448,758.44
Fixed Assets	
Building & Improvements 1.11.7400	1,770,036.08
Computer Equipment 1.11.6700	48,172.61
Furniture & Fixtures 8.11.7700	71,493.47
Land 8.11.7100	9,392,320.74
Machinery & Equipment 1.11.6500	173,026.24
Total Fixed Assets	\$11,455,049.14
TOTAL ASSETS	\$17,903,807.58
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	4,842.92
Total Accounts Payable	\$4,842.92
Credit Cards	
Anderson Credit Card (8186)	71.74
Hiller Credit Card (4916)	65.50
Hunter Credit Card (0891)	537.07
Threadgill Credit Card (3322)	452.00

City of Berkeley Lake

Balance Sheet As of April 30, 2024

	TOTAL
Total Credit Cards	\$1,126.31
Other Current Liabilities	
Deferred revenue 1.12.2500	18,117.10
Direct Deposit Payable	-0.01
MyGov	-156.00
Payroll Liabilities	66.10
PTO Accrual	12,797.72
Regulatory Fees Payable	4,377.89
Total Other Current Liabilities	\$35,202.80
Total Current Liabilities	\$41,172.03
Total Liabilities	\$41,172.03
Equity	
Fund Bal Unrsvd 1.13.4220	4,280,669.91
Investmt in fixedassets 1.13.4K	11,327,229.85
Reserve for prepaids 1.13.4125	4,251.00
Restricted4CapitalProj 1.13.4155	2,006,071.30
Retained Earnings 1.13.3000	-20,529.39
Net Income	264,942.88
Total Equity	\$17,862,635.55
TOTAL LIABILITIES AND EQUITY	\$17,903,807.58

City of Berkeley Lake

Budget vs. Actuals: Budget_FY24_P&L - FY24 P&L

January - May, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
100 100 General	414,295.56	1,577,234.00	-1,162,938.44	26.27 %
320 320 SPLOST Income	172,062.94	2,010,412.00	-1,838,349.06	8.56 %
Total Income	\$586,358.50	\$3,587,646.00	\$ -3,001,287.50	16.34 %
GROSS PROFIT	\$586,358.50	\$3,587,646.00	\$ -3,001,287.50	16.34 %
Expenses				
1 Gen Govt	176,649.51	587,425.00	-410,775.49	30.07 %
2 Judicial	2,915.05	9,190.00	-6,274.95	31.72 %
230 ARP Act Expenses 230	7,768.75	348,468.00	-340,699.25	2.23 %
3 Public Safety	55,140.32	169,923.00	-114,782.68	32.45 %
4 Public Works	63,253.48	160,542.00	-97,288.52	39.40 %
6 Culture and Recreation	11,699.00	20,904.00	-9,205.00	55.97 %
7 Housing and Development	15,810.55	226,409.00	-210,598.45	6.98 %
9000.61.1100 Xfer Out - Reserve Fund		54,375.00	-54,375.00	
SPLOST Expenses		2,010,412.00	-2,010,412.00	
Total Expenses	\$333,236.66	\$3,587,648.00	\$ -3,254,411.34	9.29 %
NET OPERATING INCOME	\$253,121.84	\$ -2.00	\$253,123.84	-12,656,092.00 %
NET INCOME	\$253,121.84	\$ -2.00	\$253,123.84	-12,656,092.00 %

City of Berkeley Lake

Income & Expense

May 2024

	TOTAL
Income	
100 100 General	56,009.69
320 320 SPLOST Income	2,724.65
Total Income	\$58,734.34
GROSS PROFIT	\$58,734.34
Expenses	
1 Gen Govt	32,056.45
2 Judicial	1,464.64
3 Public Safety	12,274.98
4 Public Works	16,444.16
6 Culture and Recreation	361.35
7 Housing and Development	8,222.40
Total Expenses	\$70,823.98
NET OPERATING INCOME	\$ -12,089.64
NET INCOME	\$ -12,089.64

City of Berkeley Lake

Balance Sheet As of May 31, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Debt Service Fund	0.00
General Fund	4,628,647.08
SPLOST Fund	1,673,391.09
Suspense 1.11.1000	0.00
Total Bank Accounts	\$6,302,038.17
Accounts Receivable	
Accounts Rec 1.11.1900.1	8,463.18
Total Accounts Receivable	\$8,463.18
Other Current Assets	
1.11.27 Grant Receivable	0.00
Accounts Rec - SPLOST 1.11.2000	42,422.80
AccountsRec-OtherTax1.11.1900.2	0.00
Franchise Tax Rec 1.11.1550	60,000.00
Interest Receivable 1.11.1400	0.00
Prepaid Expense 1.11.3600	0.00
Prepaid items 1.11.3800	4,251.00
Taxes Receivable 1.11.1600	14,014.18
Undeposited Funds 1.11.1114	455.00
Total Other Current Assets	\$121,142.98
Total Current Assets	\$6,431,644.33
Fixed Assets	
Building & Improvements 1.11.7400	1,770,036.08
Computer Equipment 1.11.6700	48,172.61
Furniture & Fixtures 8.11.7700	71,493.47
Land 8.11.7100	9,392,320.74
Machinery & Equipment 1.11.6500	173,026.24
Total Fixed Assets	\$11,455,049.14
Other Assets	
Accum amort - bond cost	0.00
Amt avail 4 debt svc 9.11.9100	0.00
Bond issuance cost	0.00
Loan Receivable - Facilities	0.00
Loan Receivable - Paving	0.00
To be prov 4 debt 1.11.7500	0.00
Total Other Assets	\$0.00
TOTAL ASSETS	\$17,886,693.47

City of Berkeley Lake

Balance Sheet As of May 31, 2024

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	3,102.59
Operating AP	0.00
SPL2005 Admin Facil- City H-AP*	0.00
SPLOST account - Suntrust-AP*	0.00
Total Accounts Payable	\$3,102.59
Credit Cards	
Anderson Credit Card (8186)	68.88
BOZEMAN, MARTY (0241)	0.00
Hiller Credit Card (4916)	89.00
Hunter Credit Card (0891)	241.40
Threadgill Credit Card (3322)	379.00
Wilhite Credit Card (1132)	0.00
Total Credit Cards	\$778.28
Other Current Liabilities	
*Sales Tax Payable	0.00
1.12.28 Bonds payable - current	0.00
Accounts Payable Accruals-L*	0.00
Accounts payable-L 1.12.1100.2	0.00
Accrued Expenses 1.12.1150	0.00
Accrued Interest Payable	0.00
Accrued Salaries 1.12.1200	0.00
Accrued SPLOST Expenses 2.12.1250	0.00
Deferred revenue 1.12.2500	17,135.38
Direct Deposit Payable	-0.01
MyGov	0.00
Payroll Liabilities	66.10
PR Tax Payable - Fed 1.12.1300	0.00
PR Tax Payable - State 1.12.1310	0.00
PTO Accrual	12,467.08
Regulatory Fees Payable	6,149.54
Retainage Payable	0.00
Total Other Current Liabilities	\$35,818.09
Total Current Liabilities	\$39,698.96

City of Berkeley Lake

Balance Sheet

As of May 31, 2024

	TOTAL
Long-Term Liabilities	
Gen Oblig Bond Payable 1.12.3000	0.00
GOB Payable - 2009 1.12.3000.2	0.00
GOB Payable - 2011 1.12.3000.3	0.00
GOB Payable - 2012 1.12.3000.4	0.00
SPLOST Loan Payable - Paving	0.00
SPLOST Loan Payable Facilities	0.00
Total Long-Term Liabilities	\$0.00
Total Liabilities	\$39,698.96
Equity	
Fund Bal Unrsvd 1.13.4220	4,252,338.54
Investmt in fixedassets 1.13.4K	11,327,229.85
Opening Bal Equity	0.00
Reserve for prepaids 1.13.4125	4,251.00
Reserved for Debt Service	0.00
Restricted for Debt Svc 1.13.4105	0.00
Restricted4CapitalProj 1.13.4155	2,049,699.63
Retained Earnings 1.13.3000	-39,646.35
Net Income	253,121.84
Total Equity	\$17,846,994.51
TOTAL LIABILITIES AND EQUITY	\$17,886,693.47

CITY OF BERKELEY LAKE, GEORGIA

ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED DECEMBER 31, 2023
TOGETHER WITH
INDEPENDENT AUDITOR'S REPORT

JAMES L. WHITAKER, P.C.

CERTIFIED PUBLIC ACCOUNTANT

SNELLVILLE, GEORGIA 30078

**CITY OF BERKELEY CITY, GEORGIA
ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED DECEMBER 31, 2023**

	PAGE
Independent Auditor's Report	1
Management's Discussion and Analysis	4
Basic Financial Statements:	
Government-wide Financial Statements:	
Statement of Net Position	12
Statement of Activities	13
Fund Financial Statements:	
Balance Sheet - Governmental Funds	14
Reconciliation of Fund Balance in Governmental Funds to the Statement of Net Position	15
Statement of Revenues, Expenditures and Changes in Fund Balances - Governmental Funds	16
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities	17
Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual - General Fund	18
Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual - ARPA Fund	19
Notes to the Financial Statements	20
Individual Fund Schedules:	
2014 Special Local Option Sales Tax Fund (SPLOST) Schedule of Revenues, Expenditures and Changes in Fund Balances - Project Length Budget and Actual	37
2017 Special Local Option Sales Tax Fund Schedule of Revenues, Expenditures and Changes in Fund Balances - Project Length Budget and Actual	38
2023 Special Local Option Sales Tax Fund Schedule of Revenues, Expenditures and Changes in Fund Balances - Project Length Budget and Actual	39

JAMES L. WHITAKER, P.C.

Certified Public Accountant
2295 Henry Clower Blvd., Suite 205
Snellville, Georgia 30078
Telephone: 678-205-4438
Fax: 678-205-4449

Member of
The American Institute of
Certified Public Accountants

Member of
Georgia Society of
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

The Honorable Mayor and Members of City Council
City of Berkeley Lake, Georgia

Report on the Audit of the Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of the City of Berkeley Lake, Georgia, as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the City of Berkeley Lake, Georgia's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the City of Berkeley Lake, Georgia, as of December 31, 2023, and the respective changes in financial position, and the respective budgetary comparison for the General Fund and ARPA Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Berkeley Lake, Georgia and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Berkeley Lake, Georgia's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Berkeley Lake, Georgia's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Berkeley Lake, Georgia's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4-11 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Berkeley Lake, Georgia's basic financial statements. The accompanying fund budgetary schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the individual fund budgetary schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 26, 2024, on our consideration of the City of Berkeley Lake, Georgia's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Berkeley Lake, Georgia's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of Berkeley Lake, Georgia's internal control over financial reporting and compliance.



Snellville, Georgia
June 26, 2024

CITY OF BERKELEY LAKE MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of the City of Berkeley Lake, we offer readers of the City of Berkeley Lake's financial statements this narrative overview and analysis of the financial activities of the City of Berkeley Lake for the fiscal year ended December 31, 2023.¹ We encourage readers to consider the information presented in this analysis with their review of the financial statements.

Financial Highlights

- The assets of the City of Berkeley Lake exceeded its liabilities at December 31, 2023 by \$16,371,884. Of this amount unrestricted net position of \$4,252,790 may be used to meet the government's ongoing obligations to citizens and creditors.
- The total net position increased by \$1,201,868. The increase in net position is the result of the City recognizing a grant under the American Rescue Plan Act in the amount of \$172,157 along with an increase in SPLOST funds by approximately \$473,811 and interest earnings of \$172,004.
- As of the close of the current fiscal year, the City of Berkeley Lake's governmental funds reported combined ending fund balances of \$5,810,689 an increase of \$1,126,960 in comparison with the prior year. Of this amount \$4,221,201 is unassigned and available for spending; \$1,543,747 is restricted for Capital Outlay; \$33,491 is restricted for specified grant purposes and \$12,250 is nonspendable and in the form of prepaid expenses.
- At the end of the current year, unassigned fund balance for the general fund was \$4,221,201 or 577.26 percent of total General Fund expenditures.
- The City of Berkeley Lake has long term debt as of December 31, 2023 of \$17,730 which consist of a subscription payable.
- Overall, the City continues to maintain a healthy financial position.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the City of Berkeley Lake's basic financial statements. The City of Berkeley Lake's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the City of Berkeley Lake's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the city's assets, deferred outflows and liabilities and deferred inflows, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City of Berkeley Lake include general government, public safety and courts, highways and streets, public improvements, parks and recreation, and community development. The City had no business-type activity as of and for the year ended December 31, 2023.

Fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City of Berkeley Lake are governmental funds.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between the two.

The City maintains five major governmental funds. The City's major governmental funds are the General Fund, the ARPA Fund, the 2014, 2017 and 2023 Special Purpose Local Option Sales Tax Funds (SPLOST). Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for each major fund. The governmental funds financial statements begin on page 13.

The City of Berkeley Lake adopts an annual budget for its General Fund, the ARPA special revenue fund and a project-length budget for its SPLOST Funds. Budgetary comparison statements have been provided for these funds to demonstrate compliance with the FY 23 budget. The budgetary comparison statements begin on page 18.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements begin on page 20.

Other information. In addition to the basic financial statement and accompanying notes, this report also presents certain other supplementary information which consists of individual fund financial statements / schedules beginning on page 37.

Government-wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. At December 31, 2023, the City's assets exceeded liabilities by \$16,371,884. The City's net position reflects its net investment in capital assets \$10,541,856 (64.4 percent). Capital assets are used to provide services to citizens and they are not available for future spending. Of the total net position of \$16,371,884, \$1,543,747 (9.4 percent) is restricted for capital projects, \$33,491 (.2%) is restricted for specified grant purposes and \$4,252,790 (26.0 percent) is unrestricted.

CITY OF BERKELEY LAKE'S NET POSITION

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Current and other assets	\$ 6,232,063	\$ 5,296,906	\$ -	\$ -	\$ 6,232,063	\$ 5,296,906
Capital assets	<u>10,559,586</u>	<u>10,464,707</u>	<u>-</u>	<u>-</u>	<u>10,559,586</u>	<u>10,464,707</u>
Total assets	<u>16,791,649</u>	<u>15,761,613</u>	<u>-</u>	<u>-</u>	<u>16,791,649</u>	<u>15,761,613</u>
Current liabilities	402,035	591,597	-	-	402,035	591,597
Long-term liabilities	<u>17,730</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>17,730</u>	<u>-</u>
Total liabilities	<u>419,765</u>	<u>591,597</u>	<u>-</u>	<u>-</u>	<u>419,765</u>	<u>591,597</u>
Net Position:						
Net investment in capital assets	10,541,856	10,464,707	-	-	10,541,856	10,464,707
Restricted	1,577,238	1,105,511	-	-	1,577,238	1,105,511
Unrestricted	<u>4,252,790</u>	<u>3,599,798</u>	<u>-</u>	<u>-</u>	<u>4,252,790</u>	<u>3,599,798</u>
Total Net Position	<u>\$ 16,371,884</u>	<u>\$ 15,170,016</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 16,371,884</u>	<u>\$ 15,170,016</u>

A portion of the net position (9.6 percent) represents resources that are subject to external restrictions on how they may be used. The unrestricted net position (\$4,252,790) may be used to meet the government's ongoing obligations to citizens and creditors.

At the end of the current fiscal year, the City of Berkeley Lake is able to report positive balances in all three categories of net position. The same held true for the prior fiscal year.

Governmental activities. Governmental activities increased the City's net position by \$1,201,868. Key elements of this increase are as follows:

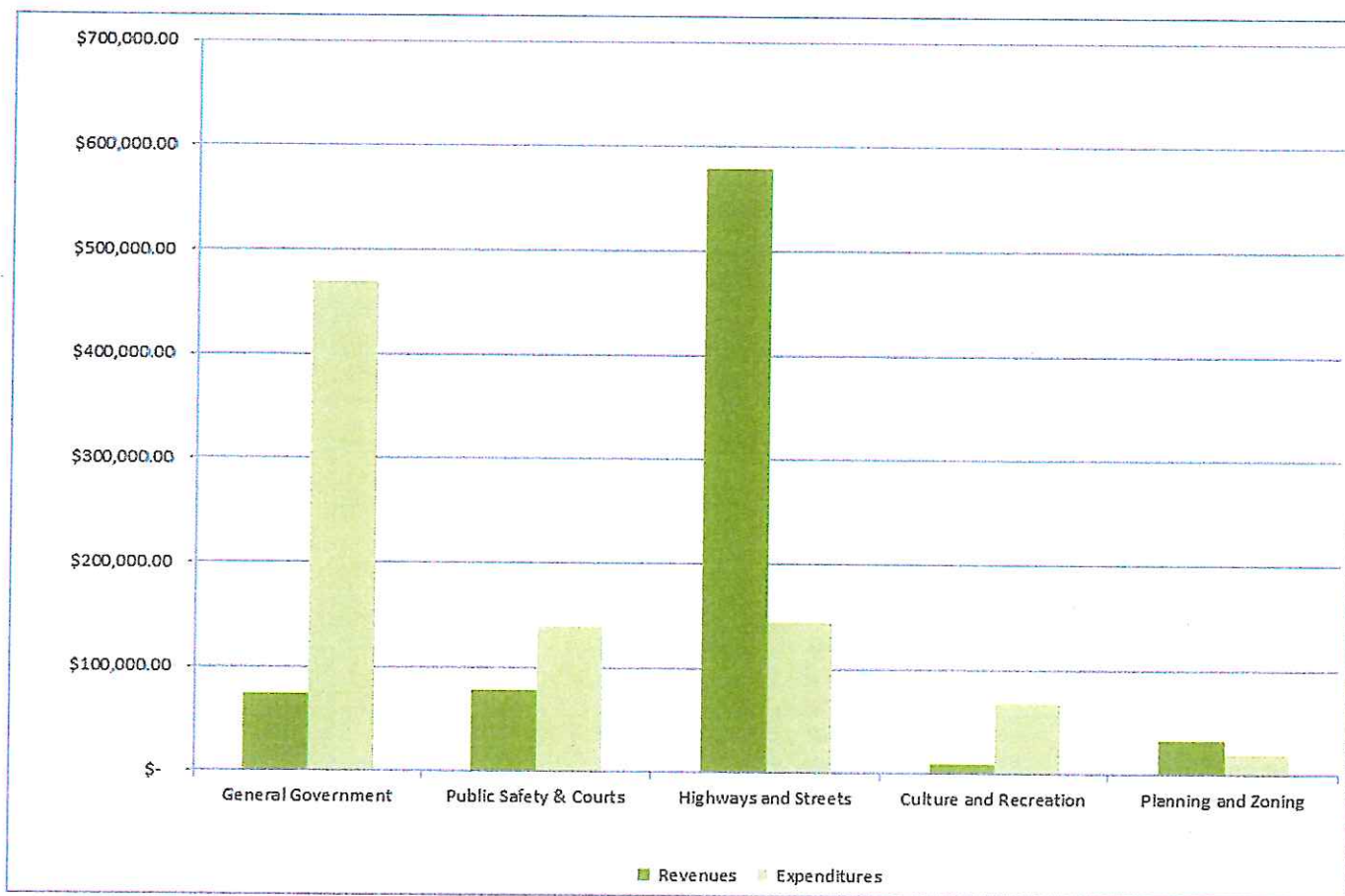
**CITY OF BERKELEY LAKE'S CHANGE IN NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2023**

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Revenues:						
Program Revenues -						
Charges for services	\$ 79,261	\$ 79,641	\$ -	\$ -	\$ 79,261	\$ 79,641
Operating grants and contributions	24,491	-	-	-	24,491	-
Capital grants and contributions	668,789	717,031	-	-	668,789	717,031
General Revenues-						
Property taxes	545,590	506,243	-	-	545,590	506,243
Insurance premium tax	181,484	168,065	-	-	181,484	168,065
Franchise taxes	251,127	239,018	-	-	251,127	239,018
Other taxes	120,917	110,104	-	-	120,917	110,104
Intergovernmental	-	-	-	-	-	-
Interest	149,183	35,207	-	-	149,183	35,207
Other	19,716	3,357	-	-	19,716	3,357
	<u>2,040,558</u>	<u>1,858,666</u>	<u>-</u>	<u>-</u>	<u>2,040,558</u>	<u>1,858,666</u>
Expenses:						
General government	469,244	488,020	-	-	469,244	488,020
Public safety and courts	138,143	126,709	-	-	138,143	126,709
Highways and streets	144,636	107,607	-	-	144,636	107,607
Culture and recreation	67,196	69,885	-	-	67,196	69,885
Planning and zoning	19,102	23,871	-	-	19,102	23,871
Interest on long-term debt	369	-	-	-	369	-
	<u>838,690</u>	<u>816,092</u>	<u>-</u>	<u>-</u>	<u>838,690</u>	<u>816,092</u>
Increase (decrease) in Net Position before transfers	1,201,868	1,042,574	-	-	1,201,868	1,042,574
Transfers	-	-	-	-	-	-
Increase (decrease) in Net Position	1,201,868	1,042,574	-	-	1,201,868	1,042,574
Net Position - beginning of year, adjusted	<u>15,170,016</u>	<u>14,127,442</u>	<u>-</u>	<u>-</u>	<u>15,170,016</u>	<u>14,127,442</u>
Net Position - end of year	<u>\$ 16,371,884</u>	<u>\$ 15,170,016</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 16,371,884</u>	<u>\$ 15,170,016</u>

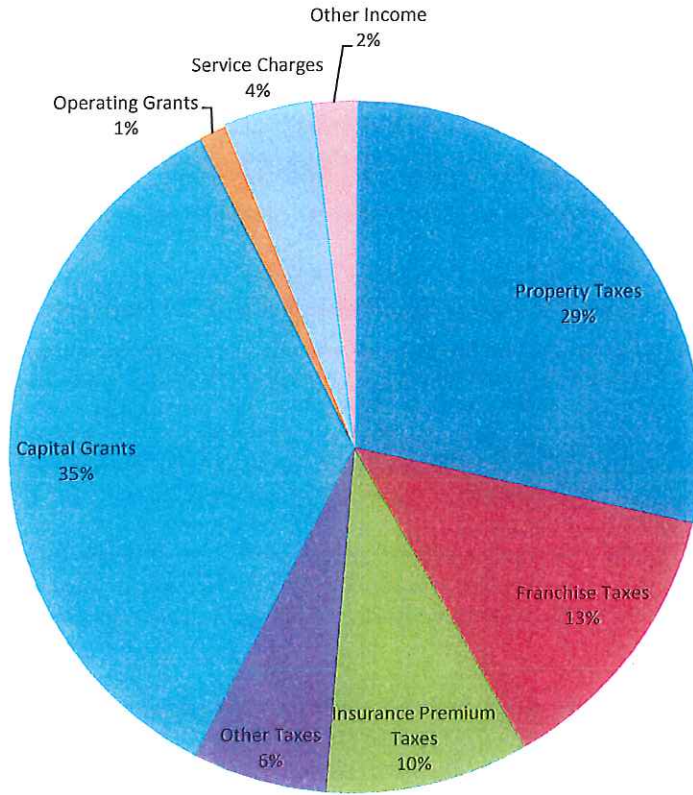
Note – The beginning net position for the year ended December 31, 2021 was adjusted \$(319,147) to record accumulated depreciation on the City's dam and to adjust balances in the capital accounts to match the City's depreciation schedule as of December 31, 2021. The beginning net position for the year ended December 31, 2022, was also adjusted \$(319,683) to record the ARPA grant revenues as being earned when expended, not when received.

- Revenues increased approximately \$182,000 for f/y 2023 over f/y 2022. The most significant increase occurred in interest revenues of \$114,000. An overall increase in tax revenues of approximately \$75,000 also occurred which shows an increase in the strength of the economy.
- Expenses remained consistent with prior years with an increase of \$22,600 or 2.8%.

Expenses and Program Revenues-Governmental Activities



Revenue by Source-Governmental Activities



Financial Analysis of the Government's Funds

As noted earlier, the City of Berkeley Lake used fund accounting to ensure and demonstrate compliance with finance related legal requirements.

Governmental Funds. The purpose of the City's governmental fund financial statements is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the city's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

At December 31, 2023 the City's governmental funds reported combined ending fund balances of \$5,810,689. Of this amount, \$4,221,201 (72.6 percent) is unassigned fund balance, which is available for spending at the government's discretion. The remainder of fund balance is restricted to indicate that it is not available for new spending because \$1,577,238 is restricted for Capital Outlay or grant purposes and \$12,250 is non-spendable consisting of prepaid expenses.

The General Fund is the City's chief operating fund. At the end of the current fiscal year, unassigned fund balance of the general fund was \$4,221,201 while the total fund balance totaled \$4,266,942. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents 577.26 percent of the total general fund expenditures, while total fund balance represents 583.5 percent of that same amount.

During the current fiscal year, the fund balance of the City's general fund increased by \$656,132. Several revenue sources increased during 2023 including business licenses, most tax revenues and interest income.

The ARPA Fund began operations in 2021 with the receipt of the \$400,884 in grant funds from the State of Georgia under the American Rescue Plan Act. The City received another \$400,884 in 2022. The award is to be used for purposes specified under the grant agreement. During 2023, the City expended \$120,865 for stormwater and street improvements and \$51,289 on a vehicle purchase.

The SPLOST Funds are used to account for the acquisition and construction of major capital outlays for equipment, facilities and improvements that were approved by the voters of Gwinnett County, Georgia through the special purpose local option sales tax referendums. During f/y 2023 the SPLOST funds spent \$25,803 on City Hall improvements.

General Fund Budgetary Highlights

The original budget adopted this fiscal year total \$1,253,425. The budget was amended to increase revenues \$259,181 and to decrease expenditures by \$552,117. Increased revenues were primarily due to increases in overall tax revenues, interest and business licenses. Expenditures were primarily lower because of savings on salaries due to turnover in staff and continued evaluation of staffing needs. In addition, savings were realized in lower than budgeted legal and judicial expenditures, unspent contingencies, fewer than expected public works projects and lower than budgeted professional services expenditures.

Capital Asset and Debt Administration

Capital assets. The City's investment in capital assets at December 31, 2023 amounts to \$10,538,750 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, automobiles, equipment, and parks. In 2023, the City made significant street and drainage improvements for \$103,000, purchased a vehicle for \$60,000 and made air conditioning improvements to City Hall for \$25,803.

Additional information on the City's capital assets can be found in note 9 on page 32 of this report.

Long-term obligations. At the end of the current fiscal year, the City had the following outstanding long-term obligations:

CITY OF BERKELEY CITY'S OUTSTANDING DEBT

	<u>Balance</u>
Governmental Activities:	
Subscription payable	17,730
Total Long-Term Debt	<u>\$ 17,730</u>

Additional information on the City's long-term obligations can be found in note 10 on page 33 of this report.

State statutes limit the amount of general obligation debt a governmental entity may issue to 10 percent of its total assessed valuation. The current debt limitation for the City of Berkeley Lake is approximately \$31,000,000.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

The City's elected officials considered many factors when adopting the budget for the year ending December 31, 2024. Budget calculations were based on, but not limited to, the following:

1. Despite inflation and a rise in costs, the City expects to set the 2024 millage rate at the roll-back rate.
2. In the 2023 budget, motor vehicle title taxes were increased by 51% due to 2023 pacing.
3. The 2024 budget reflects continued use of American Rescue Plan Act funds which thus far have primarily been used for stormwater infrastructure improvements.
4. The City continues to expend general, SPLOST and ARPA funds in the operations of its own stormwater management program.
5. In the 2024 budget, general fund expenditures were increased by 11.7% due to the following:
 - a. An increase in the Housing & Development budget line for a professional services expense to re-write the City's zoning and development regulations.
 - b. A 3 % cost of living adjustment, and
 - c. A 30% increase in attorney's fees due to trends in 2023 legal costs and anticipated 2024 costs relative to zoning applications.

Requests for Information

This financial report is designed to provide a general overview of the City of Berkeley Lake's finances, comply with finance-related laws and regulations, and demonstrate the City's commitment to public accountability. Questions concerning this report or requests for additional information can be obtained by contacting the City at (770) 368-9484 or at the following address:

City Administrator
City of Berkeley Lake
4040 South Berkeley Lake Road
Berkeley Lake, GA 30096

This page has been intentionally left blank.

CITY OF BERKELEY CITY, GEORGIA
STATEMENT OF NET POSITION
DECEMBER 31, 2023

	GOVERNMENTAL ACTIVITIES	BUSINESS-TYPE ACTIVITIES	TOTAL
ASSETS			
Cash and cash equivalents	\$ 1,389,598	\$ -	\$ 1,389,598
Investments	2,735,139	-	2,735,139
Receivables, net			
Taxes	219,229	-	219,229
Due from other governments	45,857	-	45,857
Prepaid expenses	12,250	-	12,250
Restricted assets -			
Cash	1,829,990	-	1,829,990
Subscription assets, net of amortization	20,836	-	20,836
Capital assets -			
Non-depreciable capital assets	4,896,618	-	4,896,618
Other capital assets, net of depreciation	5,642,132	-	5,642,132
Total Assets	<u>16,791,649</u>	<u>-</u>	<u>16,791,649</u>
Deferred Outflows			
Deferred outflows	<u>-</u>	<u>-</u>	<u>-</u>
Total Assets and Deferred Outflows	<u>16,791,649</u>	<u>-</u>	<u>16,791,649</u>
LIABILITIES			
Accounts payable -			
Trade	17,273	-	17,273
Accrued expenses -			
Salaries	26,206	-	26,206
Other	4,814	-	4,814
Unearned items	353,742	-	353,742
Long-term obligations-			
Due within one year	4,114	-	4,114
Due within more than one year	13,616	-	13,616
Total Liabilities	<u>419,765</u>	<u>-</u>	<u>419,765</u>
Deferred inflows			
Deferred inflows	<u>-</u>	<u>-</u>	<u>-</u>
Total Liabilities and Deferred Inflows	<u>419,765</u>	<u>-</u>	<u>419,765</u>
NET POSITION - Adjusted			
Net investment in capital assets	10,541,856	-	10,541,856
Restricted for:			
Specified grant purposes	33,491	-	33,491
Capital outlay	1,543,747	-	1,543,747
Unrestricted	4,252,790	-	4,252,790
Total Net Position	<u>\$ 16,371,884</u>	<u>\$ -</u>	<u>\$ 16,371,884</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BERKELEY CITY, GEORGIA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2023**

Functions/Programs	EXPENSES	PROGRAM REVENUES		
		CHARGES FOR SERVICES	OPERATING GRANTS AND CONTRIBUTIONS	CAPITAL GRANTS AND CONTRIBUTIONS
Governmental Activities:				
General Government	\$ 469,244	\$ 45,925	\$ -	\$ 27,691
Courts	970	-	-	-
Public Safety	137,173	-	-	77,788
Highways and Streets	144,636	-	24,491	554,188
Park Areas	67,196	-	-	9,122
Planning and Zoning	19,102	33,336	-	-
Interest	369	-	-	-
Total Governmental Activities	<u>838,690</u>	<u>79,261</u>	<u>24,491</u>	<u>668,789</u>
Business-Type Activities:	-	-	-	-
Total Primary Government	<u>\$ 838,690</u>	<u>\$ 79,261</u>	<u>\$ 24,491</u>	<u>\$ 668,789</u>

General Revenues:

Taxes:
Property taxes
Motor vehicle
Transfer taxes
Alcohol beverage taxes
Franchise taxes
Business and occupational taxes
Insurance premium taxes
Other
Intergovernmental
Investment earnings
Miscellaneous
 Total General Revenues
Transfers
Total General Revenues and Transfers

Change in Net Position

Net Position - beginning, adjusted

Net Position - ending

The accompanying notes are an integral part of these financial statements.

NET (EXPENSE) REVENUE AND
CHANGE IN NET ASSETS

GOVERNMENTAL ACTIVITIES	BUSINESS- TYPE ACTIVITIES	TOTAL
\$ (395,628)	\$ -	\$ (395,628)
(970)	-	(970)
(59,385)	-	(59,385)
434,043	-	434,043
(58,074)	-	(58,074)
14,234	-	14,234
(369)	-	(369)
<u>(66,149)</u>	<u>-</u>	<u>(66,149)</u>
-	-	-
<u>(66,149)</u>	<u>-</u>	<u>(66,149)</u>
423,393	-	423,393
122,197	-	122,197
2,641	-	2,641
31,240	-	31,240
251,127	-	251,127
84,544	-	84,544
181,484	-	181,484
2,492	-	2,492
-	-	-
149,183	-	149,183
19,716	-	19,716
<u>1,268,017</u>	<u>-</u>	<u>1,268,017</u>
-	-	-
<u>1,268,017</u>	<u>-</u>	<u>1,268,017</u>
1,201,868	-	1,201,868
15,170,016	-	15,170,016
<u>\$ 16,371,884</u>	<u>\$ -</u>	<u>\$ 16,371,884</u>

**CITY OF BERKELEY CITY, GEORGIA
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2023**

	MAJOR FUNDS					TOTAL GOVERN- MENTAL FUNDS
	GENERAL	ARPA	2014 SPLOST	2017 SPLOST	2023 SPLOST	
ASSETS						
Cash and cash equivalents	\$ 1,389,598	\$ 332,100	\$ 7,509	\$ 1,171,371	\$ 319,010	\$ 3,219,588
Investments	2,735,139	-	-	-	-	2,735,139
Receivables -						
Taxes, net	219,229	-	-	-	-	219,229
Due from other governments	-	-	-	-	45,857	45,857
Prepaid expenses	12,250	-	-	-	-	12,250
Total Assets	\$ 4,356,216	\$ 332,100	\$ 7,509	\$ 1,171,371	\$ 364,867	\$ 6,232,063
Liabilities:						
Accounts payable -						
Trade	\$ 14,430	\$ 2,843	\$ -	\$ -	\$ -	\$ 17,273
Accrued expenses -						
Salaries	26,206	-	-	-	-	26,206
Other	4,446	-	-	-	-	4,446
Unearned revenues	24,485	329,257	-	-	-	353,742
Total Liabilities	69,567	332,100	-	-	-	401,667
Deferred Inflows of Resources						
Unavailable revenues	19,707	-	-	-	-	19,707
Fund Balances:						
Nonspendable	12,250	-	-	-	-	12,250
Restricted -						
Capital outlay	-	-	7,509	1,171,371	364,867	1,543,747
Street projects	24,491	-	-	-	-	24,491
Playground improvements	9,000	-	-	-	-	9,000
Unassigned	4,221,201	-	-	-	-	4,221,201
Total Fund Balances	4,266,942	-	7,509	1,171,371	364,867	5,810,689
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$ 4,356,216	\$ 332,100	\$ 7,509	\$ 1,171,371	\$ 364,867	\$ 6,232,063

The accompanying notes are an integral part of these financial statements.

CITY OF BERKELEY CITY, GEORGIA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
DECEMBER 31, 2023

Amounts reported for governmental activities in the statement of net assets are different because:

Total fund balances -- total governmental funds	\$ 5,810,689
Capital and subscription assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	10,559,586
Other long-term assets are not available to pay for current-period expenditures and, therefore, are deferred in the funds.	19,707
Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds:	
Subscription payable	(17,730)
Accrued interest payable	(368)
Net position of governmental activities.	\$ 16,371,884

The accompanying notes are an integral part of these financial statements.

CITY OF BERKELEY CITY, GEORGIA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2023

	MAJOR FUNDS					TOTAL GOVERN- MENTAL FUNDS
	GENERAL	ARPA	2014 SPLOST	2017 SPLOST	2023 SPLOST	
REVENUES:						
Taxes	\$ 1,100,990	\$ -	\$ -	\$ -	\$ -	\$ 1,100,990
Business licenses and permits	74,736	-	-	-	-	74,736
Intergovernmental	24,491	172,157	-	109,751	364,060	670,459
Charges for services	4,525	-	-	-	-	4,525
Fines and forfeitures	1,000	-	-	-	-	1,000
Investment income	149,184	-	142	21,871	807	172,004
Miscellaneous	9,714	-	-	-	-	9,714
Total Revenues	<u>1,364,640</u>	<u>172,157</u>	<u>142</u>	<u>131,622</u>	<u>364,867</u>	<u>2,033,428</u>
EXPENDITURES:						
Current -						
General Government	434,063	-	-	-	-	434,063
Municipal Court	970	-	-	-	-	970
Public Safety	147,226	-	-	-	-	147,226
Highways and Streets	114,302	-	-	-	-	114,302
Park Areas	10,575	-	-	-	-	10,575
Planning and Zoning	19,102	-	-	-	-	19,102
Emergency Management	-	-	-	-	-	-
Capital Outlay -						
General Government	-	-	25,803	-	-	25,803
Municipal Court	-	-	-	-	-	-
Public Safety	-	51,289	-	-	-	51,289
Highway and Streets	-	120,868	-	-	-	120,868
Park Areas	-	-	-	-	-	-
Emergency Management	-	-	-	-	-	-
Debt Service -						
Principal	5,000	-	-	-	-	5,000
Interest	-	-	-	-	-	-
Total Expenditures	<u>731,238</u>	<u>172,157</u>	<u>25,803</u>	<u>-</u>	<u>-</u>	<u>929,198</u>
Excess (deficiency) of revenues over expenditures	<u>633,402</u>	<u>-</u>	<u>(25,661)</u>	<u>131,622</u>	<u>364,867</u>	<u>1,104,230</u>
OTHER FINANCING SOURCES (USES):						
Transfers	-	-	-	-	-	-
Proceeds from subscription issue	22,730	-	-	-	-	22,730
Sale of capital assets	-	-	-	-	-	-
Total Other Financing Sources (Uses)	<u>22,730</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>22,730</u>
Net change in fund balances	656,132	-	(25,661)	131,622	364,867	1,126,960
Fund balances - beginning, adjusted	<u>3,610,810</u>	<u>-</u>	<u>33,170</u>	<u>1,039,749</u>	<u>-</u>	<u>4,683,729</u>
Fund balances - ending	<u>\$ 4,266,942</u>	<u>\$ -</u>	<u>\$ 7,509</u>	<u>\$ 1,171,371</u>	<u>\$ 364,867</u>	<u>\$ 5,810,689</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BERKELEY CITY, GEORGIA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL ACTIVITIES
TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2023**

Net change in fund balances -- total governmental funds	\$ 1,126,960
<p>Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.</p>	
Capital outlay	202,557
Depreciation and amortization expense	(116,678)
Net effect of transactions involving capital assets (sales, dispositions)	9,000
<p>Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.</p>	
Property tax	(1,873)
<p>Bond proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the statement of net position. Repayment of bond principal is an expenditures in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.</p>	
Repayments of principal	5,000
Proceeds from debt issues	(22,730)
<p>Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds:</p>	
Change in accrued interest	<u>(368)</u>
Change in net position of governmental activities.	<u>\$ 1,201,868</u>

The accompanying notes are an integral part of these financial statements.

CITY OF BERKELEY CITY, GEORGIA
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

	Budget		Actual	Variance
	Original	Final		
REVENUES:				
Taxes	\$ 977,887	\$ 1,104,598	\$ 1,100,990	\$ (3,608)
Licenses and permits	79,966	74,736	74,736	-
Intergovernmental	23,592	24,491	24,491	-
Charges for services	1,881	4,810	4,525	(285)
Fines and forfeitures	-	1,000	1,000	-
Investment earnings	24,840	149,184	149,184	-
Miscellaneous	400	8,928	9,714	786
Total Revenues	<u>1,108,566</u>	<u>1,367,747</u>	<u>1,364,640</u>	<u>(3,107)</u>
EXPENDITURES:				
Current -				
General government	565,826	433,492	434,063	(571)
Municipal court	9,190	970	970	-
Public safety	170,031	126,937	147,226	(20,289)
Highways and streets	158,643	112,295	114,302	(2,007)
Culture and recreation	224,633	8,665	10,575	(1,910)
Planning and zoning	125,102	18,949	19,102	(153)
Debt service -				
Principal	-	-	5,000	(5,000)
Interest	-	-	-	-
Total expenditures	<u>1,253,425</u>	<u>701,308</u>	<u>731,238</u>	<u>(29,930)</u>
Excess of revenues over (under) expenditures	(144,859)	666,439	633,402	(33,037)
OTHER FINANCING SOURCES (USES)				
Transfers	-	-	-	-
Proceeds from subscription issue	-	-	22,730	22,730
Sale of capital assets	-	-	-	-
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>22,730</u>	<u>22,730</u>
Net change in fund balances	(144,859)	666,439	656,132	(10,307)
Fund balances - beginning	<u>3,610,810</u>	<u>3,610,810</u>	<u>3,610,810</u>	<u>-</u>
Fund balances - ending	<u>\$ 3,465,951</u>	<u>\$ 4,277,249</u>	<u>\$ 4,266,942</u>	<u>\$ (10,307)</u>

The accompanying notes are an integral part of these financial statements.

CITY OF BERKELEY CITY, GEORGIA
ARPA SPECIAL REVENUE FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

	<u>Budget</u>		<u>Actual</u>	<u>Variance</u>
	<u>Original</u>	<u>Final</u>		
REVENUES:				
Intergovernmental	\$ 620,348	\$ 186,288	\$ 172,157	\$ (14,131)
Miscellaneous	-	-	-	-
Total Revenues	<u>620,348</u>	<u>186,288</u>	<u>172,157</u>	<u>(14,131)</u>
EXPENDITURES:				
Capital Outlay -				
Public safety	-	51,288	51,289	(1)
Highways and streets	<u>620,348</u>	<u>135,000</u>	<u>120,868</u>	<u>14,132</u>
Total expenditures	<u>620,348</u>	<u>186,288</u>	<u>172,157</u>	<u>14,131</u>
Excess of revenues over (under) expenditures	-	-	-	-
OTHER FINANCING SOURCES (USES)				
Transfers	-	-	-	-
Sale of capital assets	-	-	-	-
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balances	-	-	-	-
Fund balances - beginning, adjusted	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

A. Basis of Presentation

The City's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations). The more significant accounting policies established in GAAP and used by the City are discussed below.

B. The Reporting Entity

The City operates under a council/mayor form of government and provides the following services: public safety, street maintenance, culture and recreation, public improvements and general and administrative services.

Governmental Accounting Standards Board Statement (GASB) No. 14, as amended by GASB No. 61 defines the reporting entity for determining which potential component units should be included in a primary government's financial statements. Inclusion is based on organizations for which the primary government is financially accountable. In addition, the primary government may determine, through exercise of management's professional judgment, that the inclusion of an organization that does not meet the financial accountability criteria is necessary in order to prevent the reporting entity's financial statements from being misleading. In such instances, the organization should be included as a component unit. The criteria for determining financial accountability includes appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits or to impose specific financial burdens on the City regardless of whether the organization has a separate elected or appointed governing board. Blended component units, although legally separate entities, are, in substance part of the government's operations and are reported with similar funds of the primary government. Since no other entities are controlled by or rely on the City, the reporting entity consist solely of the City.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

C. Basic Financial Statements—Government-Wide Statements

The City's basic financial statements include both government-wide (reporting the City as a whole) and fund financial statements (reporting the City's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business type. Since the City only has three funds, the City considers all of the funds to be major funds. The City has no business-type activities.

The government-wide Statement of Net Position presents the financial condition of the governmental activities of the City at year end. The statement is presented on a consolidated basis and is reported on a full accrual, flow of economic resource measurement basis, which recognizes all long-term assets and receivables as well as long-term debt and obligations. The City's net position is reported in three parts—net investment in capital assets; restricted net position; and unrestricted net position. The City first utilizes restricted resources to finance qualifying activities.

The government-wide Statement of Activities presents a comparison between direct expenses and program revenues for each program or function of the City's governmental activities of the City. Direct expenses are those that are specifically associated with a service, program, or department and therefore clearly identifiable to a particular function. The City does not allocate indirect cost. Program revenues include charges paid by the recipient of the goods or services offered by the program, grants and contributions that are restricted to meeting the operational or capital requirements of a particular program, and interest earned on grants that is required to be used to support a particular program. Revenues which are not classified as program revenues are presented as general revenues of the City, with certain limited exceptions. The comparison of direct expenses with program revenues identifies the extent to which each governmental program is self-financing or draws from the general revenues of the City.

The net costs (by function) are normally covered by general revenue (property, sales or use taxes, intergovernmental revenues, interest income, etc.).

This government-wide focus is more on the sustainability of the City as an entity and the change in the City's net position resulting from the current year's activities.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

D. Basic Financial Statements-Fund Financial Statements

The financial transactions of the city are reported in individual funds in the fund financial statements. Each fund is accounted for by providing a separate set of self-balancing accounts that comprises its assets, liabilities, reserves, fund equity, revenues and expenditures/expenses. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. Fund financial statements are designed to present financial information of the City at this more detailed level. The focus of governmental fund financial statements is on major funds. Each major fund is presented in a separate column. Nonmajor funds, if any, are aggregated and presented in a single column. Since the City has only four funds, the City considers all the funds to be major funds. The various funds are grouped, in the financial statements in this report, into the following fund types:

Governmental Fund Types – Governmental funds are those through which most governmental functions of the City are financed. Governmental fund reporting focuses on the sources, uses, and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purposes for which they may or must be used. Current liabilities are assigned to the fund from which they will be paid. The difference between governmental fund assets and liabilities is reported as fund balance. The following are the City's major governmental funds:

General Fund – The General Fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

American Rescue Plan Act (ARPA) Special Revenue Fund – This fund is used to account for the monies received and the related expenditures under the American Rescue Plan Act. Recipients may use award funds to cover eligible costs incurred during the period that begins March 3, 2021 and ends December 31, 2024.

Capital Projects Funds – Capital Project Funds are used to account for the acquisition and construction of major capital facilities and improvements other than those financed by proprietary funds and trust funds. The SPLOST Funds are used by the City to account for acquisition and construction of major capital facilities that were approved by the voters of Gwinnett County, Georgia through the 2014, 2017 and 2023 special purpose local option sales tax referendums.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

E. Basis of Accounting

Basis of accounting refers to the point at which revenues or expenditures/expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

1. Accrual

Government-wide financial statements are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred.

2. Modified Accrual:

The governmental funds financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

Those revenues susceptible to accrual are taxes, state and federal grants, fines, interest revenue and charges for services. Major revenues that are determined not to be susceptible to accrual because they are either not available soon enough to pay liabilities of the current period or are not objectively measurable include licenses, penalties and miscellaneous revenues which are recorded as revenues when received in cash. Those revenues that are measurable but are not collected within 60 days after year end are recorded as unavailable revenues.

F. Measurement Focus

Government-wide Financial Statements – The government-wide financial statements are prepared using the flow of economic resources measurement focus. All assets and all liabilities associated with the operation of the City are included on the statement of net position.

Fund Financial Statements – All governmental funds are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. The statement of revenues, expenditures, and changes in fund balances reports on the sources (i.e., revenues and other financing sources) and uses (i.e., expenditures and other financing uses) of current financial resources. This approach differs from the manner in which the governmental activities of government-wide financial statements are prepared. Therefore, governmental fund financial statements include reconciliation with brief explanations to better identify the relationship between the government-wide and the statements for governmental funds.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

G. Cash and Cash Equivalents

Cash includes amounts in demand deposits as well as short-term investments with a maturity date within three months of the date acquired by the City.

H. Investments

The City's investments consist of certificates of deposit with a maturity date of three months or greater from the date of purchase and the State of Georgia's Georgia Fund 1. For reporting purposes, all investments are recorded at fair value.

In applying GASB Statement No. 31, the City utilized the following methods and assumptions as of December 31, 2023:

1. Fair value is based on quoted market prices as of the valuation date;
2. The investment portfolio did not hold investments in any of the following: a) items required to be reported at amortized costs; b) items in external pools that are not SEC-registered; c) items subject to involuntary participation in an external pool; and, d) items associated with a fund other than the fund to which the income is assigned.

The City's policy is to hold investments until maturity.

I. Inventory

Inventory is valued at the lower of cost (first-in, first-out) or market. Inventory, if any, in the General Fund consist of expendable supplies held for consumption. The cost is recorded as an expenditure when consumed rather than when purchased. Reported inventories are equally offset by a fund balance reserve, which indicates that they do not constitute "available spendable resources" even though they are a component of net current assets.

J. Prepaid Expenses

Payments made to vendors for service that will benefit periods beyond December 31, 2023 are recorded as prepaid items and are expensed during the period benefited.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

K. Capital Assets

Capital assets purchased or acquired with an original cost of \$10,000 or more are reported at historical cost or estimated historical cost. Contributed assets are reported at fair market value as of the date received. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Buildings and improvements	25 years
Machinery and equipment	5-10 years
Furniture and fixtures	5-20 years
Computers and peripherals	7-10 years
Infrastructure	50-100 years

GASB No. 34 requires the City to report and depreciate new infrastructure assets effective with the year GASB 34 is implemented. Infrastructure assets include roads, bridges, dams, underground pipe (other than related to utilities), traffic signal, etc. The City, in accordance with GASB No. 34 requirements, has elected to record infrastructure assets prospectively. Therefore, infrastructure assets that have not been recorded on the books of the City, such as streets and drainage systems, purchased or constructed by the City prior to January 1, 2002, will not be reported as capital assets in the City's financial statements.

The City did change its capitalization base from \$500 to \$10,000 during 2022. Assets that were purchased prior to January 1, 2022 that were less than \$10,000 were removed from the appropriate capital asset category along with the related accumulated depreciation incurred as of December 31, 2021. The total capital assets removed amounted to \$56,580 along with the related accumulated depreciation of \$33,156 for a net decrease in net position of \$23,424.

L. Accrued Liabilities and Long-Term Obligations

All payables, accrued liabilities, and long-term obligations are reported in the government-wide financial statements. All payables, accrued liabilities, and long-term obligations payable from proprietary funds are reported on the proprietary fund financial statements.

In general, governmental fund payables and accrued liabilities that, once incurred, are paid in a timely manner and in full from current financial resources are reported as obligations of the funds. However, claims and judgments and compensated absences that will be paid from governmental funds are reported as liability in the fund financial statements only to the extent that they are due for payment during the current year. Long-term loans are recognized as a liability on the governmental fund financial statements when due.

M. Revenues

Substantially all governmental fund revenues are accrued. Property taxes are billed and collected within the same period in which the taxes are levied. In applying GASBS No. 33 to grant revenues, the provider recognizes liabilities and expenses and the recipient recognizes receivables and revenue when the applicable eligibility requirements, including time requirements, are met. Resources transmitted before the eligibility requirements are met are reported as advances by the provider and deferred revenue by the recipient.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

N. Expenditures

Expenditures are recognized when the related fund liability is incurred. Inventory costs are reported in the period when inventory items are used, rather than in the period purchased.

O. Compensated Absences

The City accrues accumulated unpaid vacation leave and associated employee-related costs when earned (or estimated to be earned) by the employee. The noncurrent portion (the amount estimated to be used in subsequent fiscal years) for governmental funds is maintained separately and represents a reconciling item between the fund and government-wide presentations. In accordance with the provisions of Statement No. 16 of the Governmental Accounting Standards Board, Accounting for Compensated Absences, no liability is recorded for non-vesting accumulating rights to receive sick pay benefits.

P. Interfund Activity

Interfund activity is reported as loans, services provided, reimbursements, or transfers. Loans are reported as interfund receivables and payables as appropriate and are subject to elimination upon consolidation. Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures/expenses. Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental funds are netted as part of the reconciliation to the government-wide financial statements.

Q. Capitalization of Interest

The City does not capitalize interest cost incurred during the construction period to finance the construction of capital assets.

R. Budgets and Budgetary Accounting

The City Council adopts an annual budget for all of the City's funds. Public hearings are conducted to obtain taxpayer comments. The operating budget includes proposed expenditures and the means of financing them. Formal budgetary integration is employed as a management control device during the year.

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

1. The City Administrator presents a proposed operating budget for the fiscal year commencing the following January 1st. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. The budget is legally enacted through passage of an ordinance.
4. Any revisions that increase expenditures of any department must be approved by City Council.
5. Budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP). Budgets are as originally approved by city council or as last amended.
6. Unexpended budget appropriations at year-end lapse.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

S. Deferred Outflows / Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflow of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense / expenditures) until then. The government has no items that qualify for reporting in this category as of December 31, 2023.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The government has one type of item, which arises only under a modified accrual basis of accounting that qualifies for reporting in this category. Accordingly, the item, unavailable revenue, is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from property taxes.

T. Net Position

Net Position represents the difference between assets plus deferred outflows of resources and liabilities plus deferred inflows of resources. Net investment in capital assets, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction, or improvement of those assets. Net position is reported as restricted when there are limitations imposed on their use either through constitutional provisions or enabling legislation or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments.

The City's government-wide statement of net position reports \$1,577,238 of restricted net position, of which \$1,568,238 is restricted by enabling legislation.

The City first applies restricted resources when an expense is incurred for which both restricted and unrestricted net position are available.

U. Fund Equity – Governmental Funds

As of December 31, 2023, fund balances of the governmental funds are classified as follows:

Nonspendable – amounts that cannot be spent either because they are in nonspendable form or because they are legally or contractually required to be maintained intact.

Restricted – amounts that can be spent only for specific purposes because of constitutional provisions, charter requirements or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

Committed – amounts that can be used only for specific purposes determined by a formal action of City of Berkeley Lake's Council. Berkeley Lake's Council is the highest level of decision making authority for the City. Commitments may be established, modified, or rescinded only through ordinances approved by City Council prior to end of the fiscal year. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken to remove or revise the limitation.

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued):

U. Fund Equity – Governmental Funds – (Continued):

Assigned – amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes. Only the City Council may assign amounts for specific purposes through passage of a resolution. Unlike commitments, assignments generally only exist temporarily and do not normally have to have an additional action taken for their removal.

Unassigned – all other spendable amounts.

As of December 31, 2023, fund balances are composed of the following:

	Non- Spendable Prepays	Capital Outlays	Specified Grant Purposes	Unassigned	Total
General Fund	\$ 12,250	\$ -	\$ 33,491	\$ 4,221,201	\$ 4,266,942
SPLOST Funds	-	1,543,747	-	-	1,543,747
Total	\$ 12,250	\$ 1,543,747	\$ 33,491	\$ 4,221,201	\$ 5,810,689

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the City considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the City Council has provided otherwise in its commitment or assignment actions.

V. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

W. Leasing Activities

During 2022, the City implemented a new accounting standard GASB Statement No. 87 “Leases”. The new standard establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under the Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments’ leasing activities.

As of December 31, 2023, the City has no significant lease agreements that are required to be reported under the new standard either as a lessee or a lessor.

(See Independent Auditor’s Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

2. CASH AND INVESTMENTS

Custodial Credit Risk – Deposits. Custodial credit risk for deposits is the risk that, in the event of a bank failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. As of December 31, 2023, all of the City’s bank balances were covered by either federal depository insurance, by collateral held by the City’s agent in the City’s name, or by collateral held by a third-party custodian bank as part of the Georgia Office of the State Treasurer’s Pooled Funds program.

Investments

The City follows the State of Georgia investment requirements which authorize investment in any securities approved by the State of Georgia for local governments. Authorized investments include certificates of deposit, repurchase agreements, the local government investment pool established by state law, direct and agency obligations of the State of Georgia, and direct obligations issued or guaranteed by the U.S. Government or by a government agency of the United States.

Investments as of December 31, 2023 were as follows:

<u>Investments</u>	<u>Maturities</u>	<u>Fair Value</u>
Georgia Fund 1	26 days average	<u>\$ 2,735,139</u>
		<u>\$ 2,735,139</u>

As of December 31, 2023, the City’s investment in the Georgia Fund 1 was rated AA Af by Standard and Poor’s.

“Georgia Fund 1” created by OCGA 36-83-8, is a stable net asset value investment pool which follows Standard and Poor’s criteria for AA Af rated money market funds. However, Georgia Fund 1 operates in a manner consistent with Rule 2a-7 of the Investment Company Act of 1940 and is considered to be a 2a-7 like pool. The pool is not registered with the SEC as an investment company. The pool’s primary objectives are safety of capital, investment income, liquidity and diversification while maintaining principal (\$1.00 per share value). Net asset value is calculated weekly to ensure stability. The pool distributes earnings (net of management fees) on a monthly basis and determines participant’s shares sold and redeemed based on \$1.00 per share. The fund is managed by the Georgia Office of the State Treasury (OST). OST is guided by the policies of the State Depository Board and OCGA 55-17-2 and 50-17-63.

(See Independent Auditor’s Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

3. PROPERTY TAX

The City’s property taxes are billed and collected by Gwinnett County. The City levies annual real and personal property taxes based on the lien date of January 1. After the adoption of the millage rate, the levy date is September 15, with taxes due on that date through November 15. After this 60-day period, the taxes become delinquent and subject to penalty and interest. At year end, the receivables represent delinquent taxes. At the fund reporting level, if delinquent taxes are not paid within 60 days of year end, they are recorded as deferred revenue since they are not available to finance current expenditures. Property taxes receivable as of December 31, 2023, was \$25,860.

4. RECEIVABLES

Receivables as of year-end, including the applicable allowances for uncollectible accounts, are as follows:

	<u>General</u>	<u>2023 SPLOST</u>	<u>Total</u>
Taxes	\$ 219,229	\$ -	\$ 219,229
Due from other governments	<u>-</u>	<u>45,857</u>	<u>45,857</u>
Gross Receivables	219,229	45,857	265,086
Less: Allowance for Uncollectibles	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 219,229</u>	<u>\$ 45,857</u>	<u>\$ 265,086</u>

5. INTERGOVERNMENTAL REVENUES AND RECEIVABLES

Intergovernmental revenues and receivables reported in the fund financial statements for the year ended December 31, 2023, consist of the following:

	<u>Revenues</u>	<u>Receivables</u>
General Fund		
LMIG	\$ 24,491	\$ -
ARPA Fund		
ARPA Grant	172,157	-
2017 SPLOST Fund		
Gwinnett County - SPLOST	109,751	-
2023 SPLOST Fund		
Gwinnett County - SPLOST	<u>364,060</u>	<u>45,857</u>
Total	<u>\$ 670,459</u>	<u>\$ 45,857</u>

(See Independent Auditor’s Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

6. INTER-FUND TRANSACTIONS

Interfund transfers are used to 1) move revenues from the fund that statute or budget requires to collect them to the fund that statute or budget requires to expend them, 2) use unrestricted revenues collected to finance various programs accounted for in other funds in accordance with budgetary authorizations, and 3) move capital assets between governmental activities and business activities, also within business-type activities. Transfers are eliminated in the governmental fund group or business-type fund group.

There were no interfund transfers or receivables as of or for the year ended December 31, 2023.

7. CONTINGENCIES AND LITIGATION:

Grant contingencies – Amounts received or receivable from grant agencies are subject to audit and adjustments by grantor agencies. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures that may be disallowed by the grantor cannot be determined at this time, although the government expects such amounts, if any, to be immaterial.

At present, the City’s management is not aware of any pending or threatened litigation that would have a material financial effect on the City’s financial condition.

8. JOINT VENTURE

Under Georgia law, the city, in conjunction with other cities and counties in the Metro Atlanta area, is a member of the Atlanta Regional Commission (ARC). Membership in this organization is required by the Official Code of Georgia Annotated (OCGA) Section 50-8-34, which provides for the organizational structure of the Commission in Georgia. The ARC Board membership includes the chief elected official of each county, one representative for all the cities in a member county and 15 citizen representatives. OCGA 50-8-39.1 provides that the member governments are liable for any debts or obligations of the ARC. Separate financial statements may be obtained from:

Atlanta Regional Commission
3715 Northside Parkway
Building 200, Suite 300
Atlanta, Georgia 30327

(See Independent Auditor’s Report

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

9. PROPERTY, PLANT AND EQUIPMENT

Capital asset activity for the year ended December 31, 2023 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental Activities:				
Capital assets, not being depreciated:				
Land	\$ 4,872,613	\$ -	\$ -	\$ 4,872,613
Construction in progress	219,153	102,735	(297,883)	24,005
Total capital assets, not being depreciated	<u>5,091,766</u>	<u>102,735</u>	<u>(297,883)</u>	<u>4,896,618</u>
Capital assets being depreciated:				
Buildings	1,769,588	-	-	1,769,588
Improvements other than buildings	4,659,764	297,883	-	4,957,647
Machinery and equipment	123,141	86,092	(33,541)	175,692
Furniture and fixtures	60,994	-	-	60,994
Computers and peripherals	39,230	-	-	39,230
Total capital assets being depreciated	<u>6,652,717</u>	<u>383,975</u>	<u>(33,541)</u>	<u>7,003,151</u>
Less accumulated depreciation for:				
Buildings	619,754	45,374	-	665,128
Improvements other than buildings	475,133	52,512	-	527,645
Machinery and equipment	97,709	12,294	(33,541)	76,462
Furniture and fixtures	60,994	-	-	60,994
Computers and peripherals	26,186	4,604	-	30,790
Total accumulated depreciation	<u>1,279,776</u>	<u>114,784</u>	<u>(33,541)</u>	<u>1,361,019</u>
Total capital assets being depreciated, net	<u>5,372,941</u>	<u>269,191</u>	<u>-</u>	<u>5,642,132</u>
Governmental capital assets, net	<u>\$ 10,464,707</u>	<u>\$ 371,926</u>	<u>\$ (297,883)</u>	<u>\$ 10,538,750</u>
Subscriptions	\$ -	\$ 22,730	\$ -	\$ 22,730
Accumulated amortization	-	1,894	-	1,894
Subscriptions, net	<u>\$ -</u>	<u>\$ 20,836</u>	<u>\$ -</u>	<u>\$ 20,836</u>
Total	<u>\$ 10,464,707</u>	<u>\$ 392,762</u>	<u>\$ (297,883)</u>	<u>\$ 10,559,586</u>

Depreciation and amortization expense was charged to functions/programs of the primary government as follows:

General government	\$ 52,683	\$ 33,891
Public works	7,375	4,849
Park areas	<u>56,620</u>	<u>56,620</u>
Total depreciation and amortization expense	<u>\$ 116,678</u>	<u>\$ 95,360</u>

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

10. LONG-TERM DEBT AND OTHER OBLIGATIONS

The following is a summary of changes in long-term liabilities reported in the government-wide financial statements for the year ended December 31, 2023:

	Beginning Balance	Increases	Decreases	Ending Balance	Current Portion
Governmental Activities					
Subscriptions payable	\$ -	\$ 22,730	\$ (5,000)	\$ 17,730	\$ 4,114
Total Long-Term Liabilities	<u>\$ -</u>	<u>\$ 22,730</u>	<u>\$ (5,000)</u>	<u>\$ 17,730</u>	<u>\$ 4,114</u>

Subscription-Based Information Technology Arrangements

In January 2023, the City implemented a new accounting standard GASB Statement No. 96 “Subscription-Based Information Technology Arrangements”. The new accounting standard requires the reporting of a right-to-use subscription asset and a corresponding subscription liability for the agreements that qualify under the new standard.

The City has entered into a Subscription-based information technology arrangement (SBITA) involving:

- Flock cameras providing data identifying information

The total cost of the City’s subscription asset is \$22,730, less accumulated amortization of \$1,894. Total amortization expense for the year ended December 31, 2023 was \$1,894.

The future subscription payments under the SBITA agreement using an imputed interest rate of 5% are as follows:

F/Y/E DEC. 31	Subscriptions payable	
	INTEREST	PRINCIPAL
2024	886	4,114
2025	681	4,319
2026	465	4,535
2027	<u>238</u>	<u>4,762</u>
TOTALS	<u>\$ 2,270</u>	<u>\$ 17,730</u>

See Independent Auditor’s Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

11. DEFINED CONTRIBUTION PLAN

The City adopted a defined contribution plan under the GMA 401 (a) Defined Contribution Plan (“GMA Plan”) on November 21, 2013 effective January 1, 2014 for all eligible administrative employees who work forty (40) hours per week.

Waiting Period – The waiting period to participate is six (6) months (not to exceed 12 months) of service calculated from the commencement of the employee’s employment with the City. Eligible employees as of January 1, 2014 were given credit for prior service.

City Contribution Amounts – Under the Plan, the City contributes an amount equal to 10% of the employee’s gross hourly wage or salary compensation and matches 100% of the employee’s contributions up to 10% of the employee’s gross hourly wage or salary compensation.

Vesting Schedule – The vesting schedule is graduated based upon the following table:

<u>Completed Years of Service as Eligible Employee</u>	<u>Vested %</u>
1 year	20%
2 years	40%
3 years	60%
4 years	80%
5 years	100%

City contributions for the year ended December 31, 2023 amounted to \$46,769, of which \$-0- was paid with plan forfeitures. Plan members contributed \$36,285 for the year ended December 31, 2023.

See Independent Auditor’s Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

12. RISK MANAGEMENT

The City of Berkeley Lake is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City has joined together with other municipalities in the state as part of the Georgia Interlocal Risk Management Agency (GIRMA) for property and liability insurance and the Workers' Compensation Self-Insurance Fund (WCSIF), public entity risk pools currently operating as common risk management and insurance programs for member local governments. The Georgia Municipal Association (GMA) administers both risk pools.

As part of these risks pools, the City is obligated to pay all contributions and assessments as prescribed by the pools, to cooperate with the pools' agents and attorneys, to follow loss reduction procedures established by the funds, and to report as promptly as possible, and in accordance with any coverage descriptions issued, all incidents which could result in the funds being required to pay any claim of loss. The City is also to allow the pools' agent and attorneys to represent the City in investigation, settlement discussions and all levels of litigation arising out of any claim made against the City within the scope of loss protection furnished by the funds.

The funds are to defend and protect the members of the funds against liability or loss as prescribed in the member governments' contracts and in accordance with the workers' compensation laws of Georgia. The funds are to pay all cost taxed against members in any legal proceeding defended by the members, all interest accruing after entry of judgment, and all expenses incurred for investigation, negotiation or defense.

Coverages are as follows:

COVERAGE DESCRIPTION – PROPERTY:

Buildings and Contents (Blanket)	\$ 1,454,000
Automobile Physical Damage	Per Application on file with GIRMA

COVERAGE DESCRIPTION – CASUALTY:

Comprehensive General Liability	\$ 2,000,000
Automobile Liability	\$ 2,000,000
Errors and Omissions (Public Officials) Liability	\$ 2,000,000
Employees Benefits Liability	\$ 2,000,000

COVERAGE DESCRIPTION – CRIME

Blanket Bond	\$ 500,000
Computer	\$ 500,000
Depositors Forgery	\$ 500,000
Money and Securities – Loss Inside and Outside the Premises	\$ 500,000

DEDUCTIBLE:

Most coverages are subject to a per occurrence deductible of	\$ 1,000
Cyber coverages are subject to a per occurrence deductible of	\$ 10,000

COVERAGE EXCEPTIONS: None

(See Independent Auditor's Report)

CITY OF BERKELEY LAKE, GEORGIA
NOTES TO FINANCIAL STATEMENTS – (Continued)

13. OTHER REQUIRED INDIVIDUAL FUND DISCLOSURES

Generally accepted accounting principles require disclosures, as a part of the combined statements - overview, of certain information concerning individual funds including-

- A. Deficit fund balances or retained earnings balances of individual funds – As of December 31, 2023, no fund of the City had a deficit fund balance.
- B. Excess of revenues and expenditures over budget - The City had one fund that had two departments that incurred expenditures that materially exceeded the corresponding appropriations. Materiality is defined as if over 5 percent and greater than \$5,000.

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
General Fund -			
Police Department	\$ 126,937	\$ 147,226	\$ (20,289)
Debt Service	\$ -	\$ 5,000	\$ (5,000)

The budget overages were due to a new accounting standard that was implemented into the City’s accounting system during the year. Management will provide training to accounting personnel to ensure accounting standards are properly implemented into the City's accounting system and that the effects of such standards are properly budgeted for.

(See Independent Auditor’s Report)

CITY OF BERKELEY CITY, GEORGIA
2014 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 170,625	\$ 170,625	\$ 16,366	\$ 25,803	\$ 42,169
Streets, Roads & Bridges	<u>863,463</u>	<u>863,463</u>	<u>1,104,131</u>	<u>-</u>	<u>1,104,131</u>
Total	<u>\$ 1,034,088</u>	<u>\$ 1,034,088</u>	<u>\$ 1,120,497</u>	<u>\$ 25,803</u>	<u>\$ 1,146,300</u>

CITY OF BERKELEY CITY, GEORGIA
2017 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 259,710	\$ 259,710	\$ 1,000	\$ -	\$ 1,000
Public Safety Facilities and Equipment	64,927	64,927	8,037	-	8,037
Streets, Roads & Bridges and Related Equipment	<u>1,530,432</u>	<u>1,530,432</u>	<u>1,083,928</u>	<u>-</u>	<u>1,083,928</u>
Total	<u>\$ 1,855,069</u>	<u>\$ 1,855,069</u>	<u>\$ 1,092,965</u>	<u>\$ -</u>	<u>\$ 1,092,965</u>

CITY OF BERKELEY CITY, GEORGIA
2023 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 70,371	\$ 70,371	\$ -	\$ -	\$ -
Public Safety Facilities and Equipment	168,889	168,889	-	-	-
Recreational Facilities and Equipment	70,371	70,371	-	-	-
Streets, Roads & Bridges and Related Equipment	<u>2,505,193</u>	<u>2,505,193</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 2,814,824</u>	<u>\$ 2,814,824</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

This page has been intentionally left blank.

CITY OF BERKELEY LAKE, GEORGIA

REQUIRED REPORTS

IN ACCORDANCE WITH

GOVERNMENT AUDITING STANDARDS

FOR THE YEAR ENDED DECEMBER 31, 2023

JAMES L. WHITAKER, P.C.

CERTIFIED PUBLIC ACCOUNTANT

SNELLVILLE, GEORGIA 30078

CITY OF BERKELEY LAKE, GEORGIA
REQUIRED REPORTS IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS
FOR THE YEAR ENDED DECEMBER 31, 2023

TABLE OF CONTENTS

	<u>PAGE</u>
Report on Internal Control over Financial Reporting and on Compliance and Other Matters	1-2
Report on Schedule of Projects Financed With Special Purpose Local Option Sales Tax	3
Schedule of Findings and Responses	4
Schedule of Projects Finances With 2014 Special Purpose Local Option Sales Tax	5
Schedule of Projects Finances With 2017 Special Purpose Local Option Sales Tax	6
Schedule of Projects Finances With 2023 Special Purpose Local Option Sales Tax	7

JAMES L. WHITAKER, P.C.

Certified Public Accountant
2295 Henry Clower Blvd., Suite 205
Snellville, Georgia 30078
Telephone: 678-205-4438
Fax: 678-205-4449

Member of
The American Institute of
Certified Public Accountants

Member of
Georgia Society of
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT
ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Honorable Mayor and Members of City Council
City of Berkeley Lake, Georgia

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States the financial statements of the governmental activities and each major fund of City of Berkeley Lake, Georgia, as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the City of Berkeley Lake's basic financial statements and have issued our report thereon dated June 26, 2024.

Internal Control over Financial Reporting

In planning and performing our audit, we considered City of Berkeley Lake, Georgia's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Berkeley Lake's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Berkeley Lake, Georgia's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we considered to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City of Berkeley Lake, Georgia's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and is described in the accompanying schedule of findings and questioned costs as item 2023.001.

City of Berkeley Lake, Georgia's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City of Berkeley Lake, Georgia's response to the findings identified in our audit and described in the accompanying schedule of findings and responses. City of Berkeley Lake, Georgia's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

James D. Whitaker, P.C.

Snellville, Georgia
June 26, 2024

**CITY OF BERKELEY LAKE, GEORGIA
 SCHEDULE OF FINDINGS AND RESPONSES
 FOR THE YEAR ENDED DECEMBER 31, 2023**

FINDING	QUESTIONED COST
<p>2023.001 BUDGET VARIANCES</p> <p>Condition: The City's General Fund had two departments that incurred expenditures that materially exceeded their respective appropriations.</p> <p>Criteria: State of Georgia - Department of Audits has determined that any excess of a department's expenditures over its appropriations is a violation of State law.</p> <p>Effect: The City has violated a State law.</p> <p>Cause: Management did not anticipate the effects of a new accounting standard that was implemented during the year ended December 31, 2023.</p> <p>Recommendation: Management should ensure that accounting personnel are properly trained on the effects of new accounting standards.</p> <p>View of responsible officials and planned corrective action: Management agrees with the finding. Management will require appropriate accounting personnel to receive proper training on new accounting standards and determine the effect that they may have on the City's financial statements.</p>	<p>N/A</p>

JAMES L. WHITAKER, P.C.

Certified Public Accountant
2295 Henry Clower Blvd., Suite 205
Snellville, Georgia 30078
Telephone: 678-205-4438
Fax: 678-205-4449

Member of
The American Institute of
Certified Public Accountants

Member of
Georgia Society of
Certified Public Accountants

**INDEPENDENT AUDITOR'S REPORT ON SCHEDULE OF PROJECTS
FINANCED WITH SPECIAL PURPOSE LOCAL OPTION SALES TAX**

Honorable Mayor and Members of City Council
City of Berkeley Lake, Georgia

We have audited the accompanying Schedules of Projects Financed With Special Purpose Local Option Sales Tax for the City of Berkeley Lake, Georgia for the year ended December 31, 2023. These Schedule are the responsibility of the City of Berkeley Lake's management. Our responsibility is to express an opinion on the Schedules of Projects Financed With Special Purpose Local Option Sales Tax based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the Schedules of Projects Financed With Special Purpose Local Option Sales Tax are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the Schedule of Projects Financed With Special Purpose Local Option Sales Tax. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the Schedules of Projects Financed With Special Purpose Local Option Sales Tax. We believe that our audit provides a reasonable basis for our opinion.

The accompanying Schedules of Projects Financed With Special Purpose Local Option Sales Tax are prepared for the purpose of complying with the Official Code of Georgia Annotated, 48-8-121 on the modified accrual basis of accounting and is not intended to be a complete presentation of City of Berkeley Lake's revenues and expenditures.

In our opinion, the Schedules of Projects Financed With Special Purpose Local Option Sales Tax referred to above presents fairly, in all material respects, the original estimated cost, and the current and prior year expenditures for each project in City of Berkeley Lake's resolutions or ordinances calling for the tax for the year ended December 31, 2023, in conformity with accounting principles generally accepted in the United States of America.

James L. Whitaker, P.C.

Snellville, Georgia
June 26, 2024

CITY OF BERKELEY CITY, GEORGIA
2014 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 170,625	\$ 170,625	\$ 16,366	\$ 25,803	\$ 42,169
Streets, Roads & Bridges	863,463	863,463	1,104,131	-	1,104,131
Total	<u>\$ 1,034,088</u>	<u>\$ 1,034,088</u>	<u>\$ 1,120,497</u>	<u>\$ 25,803</u>	<u>\$ 1,146,300</u>

CITY OF BERKELEY CITY, GEORGIA
2017 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 259,710	\$ 259,710	\$ 1,000	\$ -	\$ 1,000
Public Safety Facilities and Equipment	64,927	64,927	8,037	-	8,037
Streets, Roads & Bridges and Related Equipment	<u>1,530,432</u>	<u>1,530,432</u>	<u>1,083,928</u>	<u>-</u>	<u>1,083,928</u>
Total	<u>\$ 1,855,069</u>	<u>\$ 1,855,069</u>	<u>\$ 1,092,965</u>	<u>\$ -</u>	<u>\$ 1,092,965</u>

CITY OF BERKELEY CITY, GEORGIA
2023 SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND
SCHEDULE OF PROJECTS FINANCED WITH SPECIAL
PURPOSE LOCAL OPTION SALES TAX - PROJECT LENGTH BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2023

PROJECT -	Estimated Cost		Expenditures		Total to Date
	Original	Current	Prior Years	Current Year	
	Capital outlay -				
Administrative Facilities	\$ 70,371	\$ 70,371	\$ -	\$ -	\$ -
Public Safety Facilities and Equipment	168,889	168,889	-	-	-
Recreational Facilities and Equipment	70,371	70,371	-	-	-
Streets, Roads & Bridges and Related Equipment	<u>2,505,193</u>	<u>2,505,193</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 2,814,824</u>	<u>\$ 2,814,824</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>



4040 S. Berkeley Lake Road, NW • Berkeley Lake, Georgia • 30096-3016
Phone 770-368-9484 • www.berkeley-lake.com

Department of Audits and Accounts
Local Government Audit Division
270 Washington Street, SW
Suite 4-101
Atlanta, Georgia 30334

The following is management's response to the findings noted in the auditor's report for the year ended December 31, 2023, and dated June 26, 2024, for the City of Berkeley Lake, Georgia.

FINDING:

2023.001 BUDGET VARIANCES

The City's General Fund had two departments that incurred expenditures that materially exceeded their respective appropriations. The variances were the result of a new accounting standard that was implemented into the City's accounting system during the year ended December 31, 2023.

CORRECTIVE ACTION PLAN

Management agrees with the finding. Management will require appropriate accounting personnel to receive proper training on new accounting standards and determine the effects that they may have on the City's financial statements.

Should you have any additional questions or comments please contact me at your earliest convenience.

Sincerely,

Leigh Threadgill, City Administrator
City of Berkeley Lake, Georgia



June 18, 2024

Mrs. Leigh Threadgill
City Administrator
City of Berkeley Lake, Georgia
Sent via email: leigh.threadgill@berkeleylake.com

Re: Proposal for Professional Services
City of Berkeley Lake – 2024 Stormwater Management Plan Update

Dear Mrs. Threadgill:

Keck & Wood, Inc. (“K+W”) appreciates this opportunity of presenting a proposal to provide professional services to the City of Berkeley Lake (“City”) to update the City’s Stormwater Management Plan (SWMP) in accordance with the new Municipal Separate Storm Sewer System (MS4) permit which becomes effective on June 11, 2024. Consideration of our firm for this assignment is most appreciated.

Scope of Services:

K+W will provide the following scope of services:

1. Review of existing plan to determine changes which need to be made for the new permit requirements.
2. Meet with City officials to determine changes, if any, that the City would like to incorporate into new plan.
3. Review and update structural and non-structural BMPs, and ensure BMPs address illicit discharge detection, industrial facilities, construction site management, highly visible pollutant sources, impaired waters, municipal employee training, public education and involvement, post-construction management, and good housekeeping.
4. Update stormwater inventory, stormwater inventory map, and outfall map.
5. Review and update Illicit Discharge Detection and Elimination Program (IDDE) program components and staff training.
6. Review current public education and involvement activities, and update as needed.
7. Review and update, as needed, standards and procedures for controlling runoff from construction sites.
8. Review employee training requirements and procedures and update as needed.
9. Review and update, as needed, the City’s HVPS inventory.
10. Review and update, as needed, the City’s GI/LID inventory to include ownership types and add language that states that all ownership types are inspected and that procedures are in place to enforce maintenance of privately owned GI/LID structures.
11. Submit updated SWMP to EPD for approval.
12. Respond to comments, as needed, from EPD.

Project Delivery Schedule

The Engineer will begin work immediately upon authorization from the City. We expect it could take eight (8) weeks to complete the project.

Fee Schedule

Compensation for work performed shall be according to the Engineer's Hourly Rates in the on-call agreement with the City, not to exceed the amounts listed below. Once per month during the existence of this contract, the Engineer shall submit to the City an invoice for payment based on the actual work performed for the Project through the invoice period.

SWMP Update and EPD Submittal
Addressing EPD Comments

\$7,400 Hourly Not to Exceed
Billed at hourly rates

If you have any questions or would like additional information, don't hesitate to contact me at 678-417-4057. We thank you for this opportunity and look forward to working with the City on this project.

Sincerely,
KECK & WOOD, INC.



Jenni Olivo, P.E.
Stormwater Sub-Market Leader

Accepted by City of Berkeley Lake, GA

By: _____

Title: _____

Date: _____



Greg Sistrunk, P.E.
Vice President

U.S. Department of Housing and Urban Development
CDBG Program Urban County Qualification



COOPERATION AGREEMENT

for

Gwinnett County, Georgia

and

City of Berkeley Lake

Federal Fiscal Years 2025 - 2027

AUTHORITY: HUD - CPD NOTICE 24-02

Table of Contents

<u>Section 1: Federal Requirements</u>	3
<u>Section 2: CDBG Program</u>	3
<u>Section 3: Duration of Agreement</u>	4
<u>Section 4: Federal Grant Restrictions</u>	5
<u>Section 5: Compliance</u>	6
<u>Section 6: CDBG Eligible Project Approval</u>	7
<u>Section 7: Program Income</u>	7
<u>Section 8: Authorizations</u>	8
<u>Section 9: Agreement Execution</u>	9
<u>Section 10: City Clerk Certification</u>	10

GWINNETT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS
COOPERATION AGREEMENT [AUTHORITY: CPD NOTICE 24-02; May 2024]
Program Year 2025-2027
STATE OF GEORGIA – COUNTY OF GWINNETT

This Cooperation Agreement made this [REDACTED] day of [REDACTED], 2024, by Gwinnett County, a political subdivision of the State of Georgia (hereinafter referred to as the "County") and the City of Berkeley Lake, a political subdivision of the State of Georgia (hereinafter referred to as the "City").

Section 1: Urban County Qualification Requirements

The United States Department of Housing and Urban Development (hereinafter referred to as "HUD") has determined that the County is eligible, as an "Urban County", to receive Entitlement Community Development Block Grant (CDBG) funds under Title I of the Housing and Community Development Act of 1974, as amended, to address certain needs of predominantly low and moderate income persons with CDBG funds [and any program income derived from the expenditure of CDBG funds] to be made available during the period beginning with Federal Fiscal Year [hereinafter referred to as "FFY"] 2025 and continuing in place and in full effect until such time in the future as the City shall elect to exclude itself, in accordance with HUD instructions and schedules. The County agrees to provide written notice to the City of Berkeley Lake its rights of future exclusion from the County CDBG Program for each successive three-year qualification period, in compliance with HUD-required notification dates.

HUD permits Urban Counties and their participating municipalities to execute Cooperation Agreements which are to be automatically renewing at the end of each three-year qualification period, unless changes in the Agreement are required by HUD that would necessitate the execution of a new Agreement and/or unless the participating municipality elects to be excluded from the Agreement at the beginning of each three-year cycle. The County and the City agree, herein, to execute this automatically renewing Cooperation Agreement, with these special stipulations [and as further described in this Agreement], beginning with FFY 2025.

Section 2: CDBG Program

The funds received under this Agreement will be used to improve the quality of housing, public facilities, certain public service capital needs, and to create and/or retain jobs, predominantly for low- and moderate-income persons. These funds will benefit low- and moderate-income citizens of the County's incorporated municipalities, if the needs of such persons in these municipalities are included in the Gwinnett County CDBG Program.

This agreement covers the CDBG Entitlement program and, where applicable, the HOME Investment Partnership (HOME) and Emergency Solutions Grants (ESG) Programs (i.e., where the urban county receives funding under the ESG program or receives funding under the HOME program as an urban county or as a member of a HOME consortium).

By executing the CDBG cooperation agreement, the city understands that it:

1. May not apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which it participates in the urban county's CDBG program; and
2. May receive a formula allocation under the HOME Program only through the urban county. Thus, even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments. (Note: This does not preclude the urban county or a unit of government participating with the urban county from applying to the State for HOME funds; and
3. May receive a formula allocation under the ESG Program only through the urban county. (Note: This does not preclude the urban county or a unit of government participating with the urban county from applying to the State for ESG funds.

Participation in this Agreement covers participation in the Community Development Block Grant [CDBG] program per HUD requirements. The County invites the participation of the incorporated municipalities located in Gwinnett County in the Community Development Block Grant Program, upon the respective municipalities dedicating their population counts in support of the County formula allocation of funds and the County agrees to carry out the objectives of the Housing and Community Development Act, as amended, throughout the unincorporated areas of the County and in the City.

During each Program Year, the City has the opportunity to make priority decisions and to submit an application of eligible CDBG activities to the County for consideration. The CDBG activities shall be submitted to the County in accordance with the County's schedule for the preparation of the Consolidated Plan(s), which must be approved by HUD. The list of CDBG activities will be reviewed and scored by the County and potential funding recommendations will be based on the annual competitive CDBG cycle. The County and the City acknowledge that neither party shall obstruct the implementation of the HUD approved Consolidated Plan(s) during the period covered by this Agreement. The County and City jointly agree to work cooperatively each program year to establish a schedule of implementation, which is responsive to the City's needs, while complying with all federal requirements. The County agrees to submit to the City, for review and comment, any plans, which would affect the City, which will involve the use of CDBG funds for implementation.

Section 3: Duration of Agreement

This Agreement remains in effect until CDBG (and, where applicable, HOME and ESG) funds have been received from HUD and program income received (with respect to activities carried out during the three-year qualification period) have been expended by

the City and the County, and the funded activities completed. Neither the County nor the City can terminate or withdraw from the Cooperation Agreement while it remains in effect.

The City pledges its willingness to undertake or assist in the undertaking of eligible CDBG activities funded by the Gwinnett County CDBG Program. The City understands that it remains a part of the County CDBG Program beginning with FFY 2025 and shall remain a member until such time, at the end of any HUD-designated three-year period, as the County provides to the City written notice, in accordance with the HUD-established instructions and schedule, and the City elects not to participate in a new qualification period. The failure of either party to adopt an amendment to the Agreement incorporating all changes necessary to meet the requirements for Cooperation Agreements set forth by HUD for a subsequent three-year Urban County qualification period and to submit the amendment(s) to HUD, as required by HUD, will void the automatic renewal of such qualification period. The County will notify the City, by HUD prescribed dates, for the next and all subsequent three-year qualification periods, of the City's rights to remain a party to the Agreement or elect to choose exclusion from the County CDBG Program.

It is hereby agreed to by the parties signed hereto that neither party shall terminate this Cooperation Agreement after the date first written prior to the end of any three-year qualifying period. The City may choose to exclude itself from the County CDBG Program only at the beginning of each three-year qualifying period, unless the City has exercised its option to exclude itself from the County CDBG Program established under the terms of the Housing and Community Development Act of 1974, as amended. The only other options for termination of this Agreement are the cancellation by HUD of its obligation to the County under the aforementioned Act, or if the County fails to qualify as an Urban County, or if the County does not receive a CDBG grant in any year of the three-year period previously identified. It is also agreed by the parties signed hereto that this Agreement shall remain valid until such time as: (1) HUD requires changes in the Agreement; or (2) the City shall choose to exclude itself from the County CDBG Program; or (3) the County shall no longer qualify to receive CDBG funds.

Section 4: Federal Grant Restrictions

The City understands that it may not apply for grants under the Small Cities or Department of Community Affairs [DCA] State CDBG Program from appropriations for fiscal years during the period in which it is participating in the County's CDBG Program. The City understands that it may not participate in a Consortium except through the County, regardless of whether the County receives a formula allocation.

The County agrees to actively request the City's involvement in the Community Development Block Grant Program and the County agrees to accept the City's interest in undertaking eligible CDBG activities. The City and the County agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing

assistance activities, specifically urban county renewal, and publicly assisted housing within the municipal limits of said City.

Section 5: Compliance

The county and the city agree to "cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities."

The City acknowledges that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations. The City acknowledges that it has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location, which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

The County and the City will take all actions necessary to ensure compliance with the County's certification under Section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The City and the County also have an obligation to comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act, Section 3 of the Housing and Urban Development Act of 1968, and all other applicable laws.

The County acknowledges that it is prohibited from funding activities in or in support of any cooperating city that does not affirmatively further fair housing within its own jurisdiction or that impede the County's actions to comply with its fair housing certification. If the City undertakes any activities with Community Development Block Grant funds, the City will take all required actions to comply with the provisions of Section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable laws.

The City agrees to affirmatively further fair housing within its jurisdiction and to assist the County in the implementation of its HUD approved Consolidated Plan covering the County and the City throughout the effective term of this Agreement.

The City has affirmed that it has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and;
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions."

The city understands that it may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

Section 6: CDBG Eligible Project Approval

The County will have the responsibility for approving projects as eligible for funding, after their selection by the Mayor and Council of the City. The County will also have the responsibility for preparing the Consolidated Plan and for other documents and reports to be submitted to HUD. The City will provide the necessary documentation, with technical assistance from the County, for projects funded with CDBG funds. Pursuant to the requirements of 24 CFR 570.501(b), the City agrees that it will enter a CDBG Subrecipient Agreement [as do all Subrecipients, as set forth in 24 CFR 570.503] for each of the years during which the City remains as a participating municipality in the County CDBG Program for the use of such funds as are approved by the County for the City for each of the respective years.

Section 7: Program Income

If the City generates any program income as a result of the expenditure of CDBG funds, the provisions of 24 CFR 570.504(c), as well as the following specific stipulations, shall apply:

- a. The City acknowledges that it must notify the County of any program income generated through the expenditure of CDBG funds during the calendar month that such program income is generated.
- b. The City acknowledges that any such program income must be expended by the City or paid to the County at the end of the month in which the program income is generated.
- c. The City further acknowledges that the County has the responsibility for monitoring and reporting to the U.S. Department of Housing and Urban Development (HUD) on the generation of any such program income. The responsibility for appropriate recordkeeping by the City and reporting to the County by the City on the generation of such program income is hereby acknowledged by the City. The County agrees, herein, to provide technical

assistance to the City in establishing an appropriate and proper recordkeeping and reporting system, as required by HUD.

- d. In the event of close-out or change in status of the City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County within 30 calendar days following the official date of the close-out or change in status. The County agrees to notify the City, in writing, should close-out or change in status of the City occur as a result of changes in CDBG Program statutes, regulations and/or instructions.

The following standards shall apply to real property (within the control of the City) acquired or improved, in whole or in part, using CDBG funds. The standards are:

- a. The City shall inform the County in writing at least thirty (30) calendar days prior to any modification or change in the use of the real property from that planned at the time of acquisition or improvements, including disposition.
- b. The City shall reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations. Said reimbursement shall be provided to the County at the time of sale or transfer of the property referenced, herein.
- c. Any program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the Cooperation Agreement between the County and the City shall be repaid to the County at the time of disposition or transfer of the property.

Section 8: Authorizations

The Mayor of the City is hereby authorized to execute any and all documents necessary as a condition for the City's participation under the terms of the aforementioned Housing and Community Development Act of 1974, as amended.

Section 9: Agreement Execution

IN WITNESS WHEREOF, the parties hereunto have affixed their signatures on the dates specified below:

For City of Berkeley Lake:

Lois Salter, Mayor, City of Berkeley Lake

Date of Signature

Attest: _____
Leigh Threadgill, City Administrator

Date of Signature

Date Approved: City Governing Body:

[IMPRINT CITY SEAL HERE]

For Gwinnett County:

Nicole L. Hendrickson, Chairwoman
Gwinnett County Board of Commissioners

Date of Signature

Attest: _____
Tina King, County Clerk

Date of Signature

[IMPRINT COUNTY SEAL HERE]

Matthew Elder, Division Director
Gwinnett County Housing Community
Development Division

Date of Signature

Board Action Date: _____

Approved As To Form:

Tracy Lettsome, Senior Assistant County
Attorney

Date of Signature

Section 10: City Clerk Certification

Name of City: City of Berkeley Lake

This is to certify that the authority to execute the attached Cooperation Agreement with the Gwinnett County Board of Commissioners for participation in the Gwinnett County Community Development Block Grant Program, for Urban County Qualification beginning with FFY 2025, and continuing until such time for future Urban County qualification periods as the City might choose to exclude itself from the Gwinnett County Community Development Block Grant Program, was approved and adopted in the regular meeting of the City Council held on:

_____, 2024
Date

This is to further certify that the attached is a true and correct copy of said "Cooperation Agreement," as approved at the City Council meeting held on the date written above.

Signature of City Clerk

Typed Name of City Clerk

Date

Attest: _____
Signature

Print Name of Attestor

Date of Signature

R-24-02

CITY OF BERKELEY LAKE, GEORGIA

**A RESOLUTION TO ESTABLISH THE
CITY OF BERKELEY LAKE 2024 MILLAGE RATE**

WHEREAS, the City of Berkeley Lake, acting through its governing body, is empowered to establish and impose ad valorem property taxes; and

WHEREAS, the Mayor and Council of the City of Berkeley Lake wish to adopt a Resolution levying a rate of taxation, which is established for purposes of financing, in whole or in part, the City's expenses for the fiscal year 2024; and

WHEREAS, the Mayor and Council of the City of Berkeley Lake have reviewed the 2024 budget and property valuation and have concluded that it is in the best interest of the City to set a millage rate of 1.254 mills; and

WHEREAS, the City has previously adopted in compliance with State Law a budget for 2024 and has further made all requirements for giving notice of and publishing information regarding such levy of taxes as may be required by O.C.G.A. § 48-5-32 and other laws.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Berkeley Lake, Georgia that for the calendar year 2024 there is levied on all property in the City of Berkeley Lake subject to taxation an ad valorem tax of 1.254 mills.

SO RESOLVED on this, the 11th day of July, 2024.

Lois D. Salter, Mayor

ATTEST:

Leigh Threadgill, City Clerk