AGENDA
COUNCIL MEETING
4040 S. BERKELEY LAKE RD.
BERKELEY LAKE, GEORGIA 30096
JULY 16, 2026

6:30 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 June 18, 2026, Council Meeting
b) Minutes of June 18, 2026, Council Work Session
c) Financial Statements of May 2026 – Unaudited
d) 2025 Financial Statement - Audited

OLD BUSINESS

a) O-26-262 – Amendment to Chapter 78, Zoning, Article X, Commercial Use District

NEW BUSINESS

a) 2025 Stormwater Project – Final Change Order for Project Close-Out

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
JUNE 18, 2026

ATTENDANCE

Mayor: Lois Salter
Council Members: Skip Dahlstrom, Bill Lacy, Bill Lyons and Chip McDaniel
City Officials: Leigh Threadgill - City Administrator, Thomas Mitchell – City Attorney

Members of the Public: 15 Members of the Press: 0

CALL TO ORDER

Salter called the meeting to order at 8:03 PM. A quorum of council members was in attendance.

Salter recognized Michela Monteiro, the newest city employee.

AGENDA

Salter solicited a motion regarding the agenda.

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

PUBLIC HEARING

a) O-26-262 – Amendment to Chapter 78, Zoning, Article X, Commercial Use District

Salter solicited comments on the proposed zoning ordinance amendment to create a C-2, General Business, district.

Gary Volino, 380 Lakeshore Drive, introduced himself and provided the following comments. I requested a C-2 zoning district to be created for the property at 4477 Peachtree Industrial Boulevard. The purpose is that the current zoning won't allow the type of facility that I would like to build, which is an indoor sports (pickle ball, padel, golf simulators, F-1 simulators) and the real reason for the C-2 is an outdoor putting area and a dog park. It's a complex alright. That's what we want to build and from what I understand the C-2 ordinance is necessary to do that. I filed a text amendment to create that C-2 zoning. I totally understand that the city is involved in this UDO. I knew that. Matter of fact, I looked up the first meeting in August 2024 when my business partner, my civil engineer and I met with Leigh. And Leigh said look you really need to wait for this, we're about to embark on this new rezoning, and you really need to wait for that. I didn't realize it was going to take a couple of years, but it did, or it's going to at least. And I'd like to offer this C-2 zoning that matches the UDO, that's the intent of this. As a matter of fact, what I did originally was take the Gwinnett County code for the C-2 and say this is what we want to adopt. And that's where TSW actually starts. If you understand zoning, which I've gotten a big education on this thing, you can not deviate a lot from the zoning by Gwinnett County because if you do, I have to take my plans to Gwinnett County, and Gwinnett County will ask what is this. What I mean by that, that you can't deviate a lot, you can add a lot of tree and noise ordinances, and you can take out hookah bars and vape shops, but when it comes to the actual coding itself of what C-2 involves, it involves a lot of water and sewer hookup, which the city does not provide but the county does provide. It involves the cutting in of a road for turning lanes. I totally understand we don't want two sets of codes. I don't want two sets of codes; I'm a citizen here. I have read the UDO, and I do see the C-2 codes in there and they fit what I want to do perfectly and match up very well with Gwinnett County's codes, which is what I would expect. I want to be able to move forward on at least being able to present my concept to the public of what I'm trying to create. And the reason for doing that is right now I'm in a holding pattern. I've been in a holding pattern for 18-19 months, and now I'm in a holding pattern for another six months. After that six months, I then have to create the plans and present them to the city. The city has to hold at least two public hearings. We're talking about another three to four months after the six months. What I'm really asking, we all know what the UDO contains now, we have an extensive draft. I encourage you all to look at it and figure out a way that conceptually I could present to the public, we could have a public hearing, about what I'm trying to do there so I can get feedback from the public, we don't want a dog park, we don't want a putting green. What are the issues here. Maybe it's liquor sales? I'd like to have beer and wine in this place. I have to wait six months to do that, and I've already waited 18-19 months, and then I have to wait another 3 months before I can present. I am sympathetic about what we're trying to accomplish here, and I completely agree on the UDO. I had no idea it was going to take two years, and maybe nobody knew it was going to take two years. I'm trying to figure out a way not to wait another 9 months before getting feedback from the public.

Salter asked if that was the end of his comments.

Volino responded that it was but asked if he would get an answer.

Salter responded no and explained that the council would be talking about it later in the agenda.

Chris Holben, 325 Lakeshore Drive, has lived here 52 years and is concerned about rushing into this. Over the years, I've had two developers come in and clear cut the property. We had terrible problems. They had to clean out the pond and it cost me a lot of money. And then the bank takes the same property back. It's a dangerous piece of property. Rich Edinger, my engineer, has told me that. David Heuter, United Consulting, has told me that. And I have an arborist who has told me that. I want to caution that we want to do this right. If we don't, we could have a lot of problems.

Volino responded that he just gave Chris (Holben) a USB of the plans of what we're trying to do. He told me to give it to his engineer. I am completely aware, I live on that lake, I don't want anything disturbed with his pond and I don't want anything disturbed in the lake. I have agreed with Chris that we will work together to make sure this works for both of us and all of his surrounding neighbors. I'm not rushing into this.

There were no further comments, and the public hearing was closed.

CONSENT AGENDA

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

a) Minutes of May 21, 2026, Council Meeting
b) Minutes of May 21, 2026, Council Work Session
c) Financial Statements of April 2026 – Unaudited

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

OLD BUSINESS

a) O-26-262 – Amendment to Chapter 78, Zoning, Article X, Commercial Use District

Threadgill: The Planning & Zoning Commission considered this request to create a C-2, General Business, district at their April meeting. After much discussion, the commission recommended approval and asked staff to try to create an amendment that would follow TSW's recommendations for the C-2 district proposed in the draft Unified Development Ordinance (UDO). Unfortunately, when staff compared the applicant's proposal to the draft UDO, it became clear that there is no separate, discrete set of C-2 district regulations in the draft UDO; there is no single section that can be transplanted into the city's current zoning ordinance. Regulations pertaining to the C-2 district are woven throughout the UDO. Staff has recommended denial of this request to create a C-2 district outside of and in advance of the UDO because the UDO is the avenue by which the new C-2 district should be created to ensure the C-2 regulations that are adopted are comprehensive and vetted through the UDO public process. The proposed ordinance to amend the current zoning ordinance to create a C-2 district is up for second read consideration, and if so desired, adoption.

McDaniel made a motion to place on second read O-26-262, an ordinance to amend Chapter 78, Zoning, to add a new C-2, General Business, district in Article X, Commercial Use District. Lyons seconded the motion.

McDaniel stated that the whole council wants to be very careful and carefully consider this request because it requires that both a new district be created and a subsequent rezoning of property. We enacted a moratorium last month for six months on any zoning changes. Even if we approve this new C-2 district, the second thing that has to happen is for the property to be rezoned to the new district to allow its development.

All were in favor and the motion passed.

NEW BUSINESS

a) R-26-03 – Resolution to name the City's Greenspace "Bernie's Woods"

Salter proposed a resolution as follows:

A resolution of the Mayor and Council of the City of Berkeley Lake to designate the City's Greenspace to "Bernie's Woods".

Whereas, the Mayor and Council of the City of Berkeley Lake wish to create a special honor for their former Mayor, Bernie Cohen;

Whereas, Cohen's remarkable vision, courage, and tenacity led to the City's ownership of the beautiful area we have called The Greenspace and

Whereas, this protected forest has been enjoyed for years by so many,

Now, Therefore, the Mayor and Council of the City of Berkeley Lake do hereby resolve that the Greenspace shall be named "Bernie's Woods."

Salter continued, "If the City Council approves this resolution, my hope is to place two signs in the greenspace, which would then be called Bernie's Woods, something that explained to people down into the future who Bernie was and what he did and why this area has been named after him. I do not know what else to say beyond remarkable vision, courage, and tenacity, but he certainly had all of those things."

Dahlstrom made a motion to adopt R-26-03, a resolution renaming the City's Greenspace "Bernie's Woods." Lacy seconded the motion. All council members were in favor and the motion passed.

PUBLIC COMMENTS

Faye Harwell, 381 Lakeshore Drive, expressed her gratitude.

Marcie Zielazienski, 506 Lakeshore Drive, noted that Bernie lived in the future. He was a scientist and he envisioned this.

ADJOURNMENT

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

Salter adjourned the meeting at 8:20 PM.

Submitted by:

____
Leigh Threadgill, City Clerk

COUNCIL WORK SESSION
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
DRAFT MINUTES
JUNE 18, 2026

ATTENDANCE

Mayor: Lois Salter
Council Members: Skip Dahlstrom, Bill Lacy, Bill Lyons, Chip McDaniel and Rebecca Spitler
City Officials: Leigh Threadgill - City Administrator, Thomas Mitchell - City Attorney, Michela Monteiro-Special Projects Coordinator, Rob Hiller – City Marshal, and Andy Anderson – Deputy City Marshal

Members of the Public: 4 Members of the Press: 0

WORK SESSION

Salter reviewed the agenda with the council and solicited questions regarding the items for consideration.

Threadgill presented training materials related to public safety and planning and zoning as orientation for new council members and a refresher for existing council members.

The work session was adjourned.

Submitted by:

____
Leigh Threadgill, City Clerk

City of Berkeley Lake

Budget vs. Actuals: Budget_FY26_P&L - FY26 P&L

January - May, 2026

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
100 100 General	430,127.08	1,587,856.00	-1,157,728.92	27.09 %
320 320 SPLOST Income	230,765.30	2,125,743.00	-1,894,977.70	10.86 %
Total Income	**$660,892.38**	**$3,713,599.00**	**$ -3,052,706.62**	**17.80 %**
GROSS PROFIT	**$660,892.38**	**$3,713,599.00**	**$ -3,052,706.62**	**17.80 %**
Expenses				
1 Gen Govt	196,418.52	607,035.00	-410,616.48	32.36 %
2 Judicial	1,794.50	9,449.00	-7,654.50	18.99 %
3 Public Safety	59,513.51	175,421.00	-115,907.49	33.93 %
4 Public Works	75,293.96	547,645.00	-472,351.04	13.75 %
6 Culture and Recreation	7,160.04	23,915.00	-16,754.96	29.94 %
7 Housing and Development	44,136.58	224,390.00	-180,253.42	19.67 %
SPLOST Expenses	79,658.00	2,125,743.00	-2,046,085.00	3.75 %
Total Expenses	**$463,975.11**	**$3,713,598.00**	**$ -3,249,622.89**	**12.49 %**
NET OPERATING INCOME	**$196,917.27**	**$1.00**	**$196,916.27**	**19,691,727.00 %**
NET INCOME	**$196,917.27**	**$1.00**	**$196,916.27**	**19,691,727.00 %**

City of Berkeley Lake

Income & Expense

May 2026

	TOTAL
Income	
100 100 General	84,063.87
320 320 SPLOST Income	48,388.75
Total Income	**$132,452.62**
GROSS PROFIT	**$132,452.62**
Expenses	
1 Gen Govt	35,888.70
3 Public Safety	10,078.91
4 Public Works	8,498.79
6 Culture and Recreation	2,062.00
7 Housing and Development	9,717.40
SPLOST Expenses	14,220.00
Total Expenses	**$80,465.80**
NET OPERATING INCOME	**$51,986.82**
NET INCOME	**$51,986.82**

City of Berkeley Lake

Balance Sheet

As of May 31, 2026

	Total
Assets	
Current Assets	
Bank Accounts	
General Fund	$5,406,880.79
SPLOST Fund	$1,443,594.63
Suspense 1.11.1000	0.00
Total for Bank Accounts	**$6,850,475.42**
Accounts Receivable	
Accounts Rec 1.11.1900.1	34,440.19
Total for Accounts Receivable	**$34,440.19**
Other Current Assets	
1.11.27 Grant Receivable	0.00
Accounts Rec - SPLOST 1.11.2000	89,961.75
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	8,938.00
QuickBooks Tax Holding Account	1,198.62
Taxes Receivable 1.11.1600	$8,215.01
Undeposited Funds 1.11.1114	600.00
Total for Other Current Assets	**$168,913.38**
Total for Current Assets	**$7,053,828.99**
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 for 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

City of Berkeley Lake

Balance Sheet

As of May 31, 2026

	Total
Total for Other Assets	**$0.00**
Total for Assets	**$18,508,878.13**
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	26,245.69
Operating AP	0.00
SPL2005 Admin Facil- City H-AP*	0.00
SPLOST account - Suntrust-AP*	0.00
Total for Accounts Payable	**$26,245.69**
Credit Cards	
Anderson Credit Card (8186)	0.00
BOZEMAN, MARTY (0241)	0.00
Hiller Credit Card (8402)	44.95
Hunter Credit Card (0891)	56.71
Threadgill Credit Card (3322)	726.16
Wilhite Credit Card (1132)	0.00
Total for Credit Cards	**$827.82**
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	11,336.21
Direct Deposit Payable	-0.01
MyGov	-70.00
Payroll Liabilities	$66.10
PR Tax Payable - Fed 1.12.1300	0.00
PR Tax Payable - State 1.12.1310	1,198.62
PTO Accrual	18,078.46
Regulatory Fees Payable	19,793.24
Retainage Payable	$0.00

City of Berkeley Lake

Balance Sheet

As of May 31, 2026

	Total
Total for Other Current Liabilities	**$50,402.62**
Total for Current Liabilities	**$77,476.13**
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 for Long-term Liabilities	**$0.00**
Total for Liabilities	**$77,476.13**
Equity	
Fund Bal Unrsvd 1.13.4220	5,340,823.10
Investmt in fixedassets 1.13.4K	11,327,229.85
Opening Bal Equity	0.00
Reserve for prepaids 1.13.4125	8,938.00
Reserved for Debt Service	0.00
Restricted for Debt Svc 1.13.4105	0.00
Restricted4CapitalProj 1.13.4155	1,501,521.11
Retained Earnings 1.13.3000	55,972.67
Net Income	196,917.27
Total for Equity	**$18,431,402.00**
Total for Liabilities and Equity	**$18,508,878.13**

CITY OF BERKELEY LAKE, GEORGIA

ANNUAL FINANCIAL REPORT

FOR THE YEAR ENDED
DECEMBER 31, 2025

CPAs & ADVISORS

CITY OF BERKELEY LAKE, GEORGIA

ANNUAL FINANCIAL REPORT

FOR THE YEAR ENDED
DECEMBER 31, 2025

CITY OF BERKELEY LAKE, GEORGIA

ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED DECEMBER 31, 2025

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MAULDIN & JENKINS
CPAs & ADVISORS

INDEPENDENT AUDITOR'S REPORT

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

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and each major fund of the **City of Berkeley Lake, Georgia** (the "City") as of and for the year ended December 31, 2025, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying 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, as of December 31, 2025, and the respective changes in financial position, and the budgetary comparison for the General 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 (GAAS) 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 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 principles 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.

MAULDIN & JENKINS, LLC • 200 GALLERIA PARKWAY S.E., SUITE 1700 • ATLANTA, GEORGIA 30339-5946
770-955-8600 • FAX 770-980-4489 • www.mjcpa.com
MEMBERS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

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'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 GAAS 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 GAAS 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'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'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, as listed on the table of contents, 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's basic financial statements. The schedules of expenditures of special purpose local option sales tax proceeds, as required by the Official Code of Georgia 48-8-121, are presented for the 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 schedules of expenditures of special purpose local option sales tax proceeds, 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 24, 2026 on our consideration of the City'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'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 the City's internal control over financial reporting and compliance.

Mauldin & Jenkins, LLC

Atlanta, Georgia
June 24, 2026

Management's discussion and analysis of the financial performance of the City of Berkeley Lake, Georgia (the "City") is intended to provide the readers of these financial statements with an overview of the City's financial activities for the year ended December 31, 2025.

FINANCIAL HIGHLIGHTS

- Assets of the City exceeded its liabilities by $18,122,097 (net position), representing a $553,000 or 3.15% increase over the prior year.
- Unrestricted net position increased from $4,868,391 to $5,398,757, an increase of $530,366 or 10.89%.
- As of December 31, 2025, the City's governmental funds reported combined ending fund balances of $6,769,074, an increase of $451,627.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise 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'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, liabilities, and deferred inflows and outflows of resources, with the difference between them 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 City'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.

The government-wide financial statements can be found on pages 9 and 10 of this report.

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 uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City are considered governmental funds.

Governmental funds are used to account for essentially the same functions reported 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.

The basic governmental fund financial statements can be found on pages 11-14 of this report.

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 can be found on pages 15-28 of this report.

Government-Wide Financial Analysis

Summary of the City's Net Position
December 31, 2025 and 2024

	Governmental Activities	
	2025	**2024**
Assets:		
Current and other assets	$ 6,890,252	$ 6,445,602
Capital assets	11,357,215	11,229,760
Total assets	18,247,467	17,675,362
Liabilities:		
Long-term liabilities	4,762	9,297
Other liabilities	120,608	96,968
Total liabilities	125,370	106,265
Net position:		
Net Investment in capital assets	11,347,918	11,232,434
Restricted	1,375,422	1,468,272
Unrestricted	5,398,757	4,868,391
Total net position	$ 18,122,097	$ 17,569,097

The net position of a governmental entity may serve as an indicator of the entity's financial position. The City's net position at December 31, 2025 was $18,122,097 as compared to $17,569,097 at December 31, 2024. At December 31, 2025, a total of $11,347,918 of net position, or 62%, was invested in capital assets (e.g., land, buildings, infrastructure, equipment, etc.) net of related debt. At December 31, 2024, a total of $11,232,434 of net position, or 64%, was invested in capital assets net of related debt. The City had restricted net position of $1,375,422 and $1,468,272 at December 31, 2025 and 2024, respectively. These balances are restricted for capital projects and playground improvements. The remaining balances of net position, $5,398,757 and $4,868,391 at December 31, 2025 and 2024, respectively, are considered unrestricted and may be used to meet the City's ongoing obligations to citizens and creditors.

Summary of Changes in the City's Net Position
Years Ended December 31, 2025 and 2024

	Governmental Activities	
	2025	2024
Revenues:		
Program revenues:		
Charges for services	$ 96,279	$ 101,367
Capital grants and contributions	565,583	955,713
General revenues:		
Property taxes	531,280	411,829
Franchise taxes	288,414	273,699
Alcoholic beverage taxes	28,800	30,803
Other taxes	296,898	403,596
Unrestricted investment earnings	193,109	209,454
Miscellaneous	3,085	4,986
Total revenues	2,003,448	2,391,447
Expenses:		
General government	623,581	460,395
Police	144,106	150,714
Courts	3,660	9,149
Public works	557,185	406,100
Recreation	12,200	76,846
Planning and economic development	109,035	90,513
Interest	681	517
	1,450,448	1,194,234
Change in net position	553,000	1,197,213
Net position, beginning of year	17,569,097	16,371,884
Net position, end of year	$ 18,122,097	$ 17,569,097

Net position of the City increased by $553,000 in 2025 and $1,197,213 in 2024. Total revenues decreased from $2,391,447 in 2024 to $2,003,448 in 2025. This represents a decrease of $387,999 or 16.22%. The primary decrease in revenue was due to less capital grants as the City's closed out the ARPA Fund in 2024 and recognized revenues of $329,257. Property taxes increased $119,451 or 29% as the assessed value increased.

Total expenses increased from $1,194,234 in 2024 to $1,450,448 in 2025. This represents an increase of $256,214 or 21.45%. General government expenses increased $163,186 or 35.44% primarily due to non-capital SPLOST expenses and salary costs. Public works expenses increased $151,085 or 37.20% primarily due to non-capital SPLOST expenses.

Analysis of the City's Funds

The net change in fund balance for the City's governmental funds was an increase from the prior year of $451,627. This increase was primarily the result of General Fund revenues exceeding expenditures.

The General Fund saw an increase in fund balance of $519,670 due to budgeted revenues exceeding expenditures. The fund has a fund balance of $5,402,652 at December 31, 2025.

The 2014 SPLOST Fund saw a decrease of $2,200 in fund balance as the fund closed out and spent the remaining cash from the 2014 SPLOST program.

The 2017 SPLOST Fund saw a decrease of $183,823 in fund balance as capital outlay exceeded interest earnings. The fund has a fund balance of $363,065 at December 31, 2025.

The 2023 SPLOST Fund saw an increase in fund balance of $117,980 as SPLOST collections exceeded capital outlay. The fund has a fund balance of $1,003,357 at December 31, 2025.

General Fund Budgetary Highlights

The General Fund Statement of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual, can be found on page 14. The final budget, as adopted, anticipated revenues of $1,496,245 and expenditures of $959,624. Actual revenues were $1,467,088, which were $29,157 less than budgeted due to less grant revenue. Actual expenditures were $947,418, which were $12,206 better than budgeted. Overall, the City's net change in fund balances were $16,951 less than anticipated.

Capital Assets

The City's investment in capital assets for its governmental activities as of year-end amounts to $11,357,215 (net of accumulated depreciation). The investment in capital assets includes land, construction in process, land improvements, buildings and improvements, infrastructure, machinery and equipment.

Readers should refer to Note 5 of the financial statements for more information on capital asset activity.

Long-Term Debt

The City's long-term debt consists of a subscription-based IT arrangement (SBITA) payable and compensated absences. Principal payments on the SBITA totaled $4,319 in fiscal year 2025 and the balance at December 31, 2025 is $9,297. The remaining balance is payable over two years.

Readers should refer to Note 6 of the financial statements for more information on long-term debt activity.

Economic Factors and Next Year's Budgets and Rates

The City's elected officials considered many factors when adopting the budget for the year ending December 31, 2026. 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 2026 millage rate at the roll-back rate.
2.) In the 2026 budget, the Georgia Power franchise tax revenue was increased by 15% due to recent trending.
3.) In the 2026 budget, occupation tax revenue was reduced by 16% due to the loss of several businesses.
4.) The City continues to expend general and SPLOST funds in operation of its own stormwater management program.
5.) On the revenue side, prior year reserves are proposed for use to dredge a pond partially located in the city's greenspace and for road maintenance funded by the GDOT Local Maintenance Improvement Grant.
6.) In the 2026 budget, public works expenditures were increased 222% due to the following:
    a. Pond dredging, funded largely by prior year reserves
    b. Increased costs associated with roadside clean-up
    c. Increased costs associated with outsourcing EPD compliance tasks to the City Engineer

Requests for Information

The annual financial statements are designed to provide a general overview of the City's finances. Questions concerning any of the information provided should be addressed to the City Administrator, City of Berkeley Lake, 440 South Berkeley Lake Rd, Berkeley Lake, Georgia 30096.

CITY OF BERKELEY LAKE, GEORGIA

STATEMENT OF NET POSITION
DECEMBER 31, 2025

		Governmental Activities
ASSETS		
Cash and cash equivalents	$	6,533,659
Taxes receivable		220,705
Intergovernmental receivable		125,953
Prepaid items		9,935
Capital assets, nondepreciable		5,110,225
Capital assets, depreciable, net of accumulated depreciation/amortization		6,246,990
Total assets		18,247,467
LIABILITIES		
Accounts payable		20,718
Accrued liabilities		19,791
Unearned revenue		60,241
Long-term liabilities:		
SBITA liability, due within more than one year		4,762
SBITA liability, due within one year		4,535
Compensated Absences, due within one year		15,323
Total liabilities		125,370
NET POSITION		
Net investment in capital assets		11,347,918
Restricted for:		
Capital projects		1,366,422
Playground improvements		9,000
Unrestricted		5,398,757
Total net position	$	18,122,097

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

CITY OF BERKELEY LAKE, GEORGIA

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2025

		Program Revenues			Net (Expenses) Revenues and Changes in Net Position
			Operating	Capital	
		Charges for	Grants and	Grants and	Governmental
Functions/Programs	**Expenses**	**Services**	**Contributions**	**Contributions**	**Activities**
Governmental activities:					
General government	$ 623,581	$ 94,779	$ -	$ 13,378	$ (515,424)
Public safety	144,106	-	-	32,108	(111,998)
Judicial	3,660	1,500	-	-	(2,160)
Public works	557,185	-	-	506,719	(50,466)
Culture and recreation	12,200	-	-	13,378	1,178
Housing and development	109,035	-	-	-	(109,035)
Interest on long-term debt	681	-	-	-	(681)
Total governmental activities	$ 1,450,448	$ 96,279	$ -	$ 565,583	(788,586)

General revenues:	
Property taxes	531,280
Alcohol beverage taxes	28,800
Franchise taxes	288,414
Insurance premium taxes	221,921
Other taxes	74,977
Unrestricted investment earnings	193,109
Miscellaneous	3,085
Total general revenues	1,341,586
Change in net position	553,000
Net position, beginning of year	17,569,097
Net position, end of year	$ 18,122,097

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

CITY OF BERKELEY LAKE, GEORGIA
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2025

	General	2014 SPLOST	2017 SPLOST	2023 SPLOST	Total Governmental Funds
ASSETS					
Cash and cash equivalents	$ 5,265,552	$ -	$ 363,065	$ 905,042	$ 6,533,659
Taxes receivable	220,705	-	-	-	220,705
Intergovernmental receivable	27,638	-	-	98,315	125,953
Prepaid items	9,935	-	-	-	9,935
Total assets	$ 5,523,830	$ -	$ 363,065	$ 1,003,357	$ 6,890,252
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES					
Liabilities:					
Accounts payable	$ 20,718	$ -	$ -	$ -	$ 20,718
Accrued liabilities	19,791	-	-	-	19,791
Unearned revenue	60,241	-	-	-	60,241
Total liabilities	100,750	-	-	-	100,750
Deferred inflows of resources:					
Unavailable revenue-property taxes	20,428	-	-	-	20,428
Total deferred inflows of resources	20,428	-	-	-	20,428
Fund balances:					
Nonspendable:					
Prepaid items	9,935	-	-	-	9,935
Restricted:					
Capital projects	-	-	363,065	1,003,357	1,366,422
Playground Improvements	9,000	-	-	-	9,000
Unassigned	5,383,717	-	-	-	5,383,717
Total fund balances	5,402,652	-	363,065	1,003,357	6,769,074
Total liabilities, deferred inflows of resources, and fund balances	$ 5,523,830	$ -	$ 363,065	$ 1,003,357	

Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported in the governmental funds.	
Capital assets, net of depreciation/amortization	11,357,215
Property taxes receivable not available to pay for current-period expenditures and, therfore, are unavailable in the governmental funds.	20,428
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds.	
Compensated absences	(15,323)
SBITA liabilities	(9,297)
Net position of governmental activities	$ 18,122,097

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

CITY OF BERKELEY LAKE, GEORGIA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2025

	General	2014 SPLOST	2017 SPLOST	2023 SPLOST	Total Governmental Funds
REVENUES					
Property taxes	$ 1,144,180	$ -	$ -	$ -	$ 1,144,180
Licenses and permits	91,413	-	-	-	91,413
Intergovernmental	30,435	-	-	513,890	544,325
Charges for services	3,366	-	-	-	3,366
Fines and forfeitures	1,500	-	-	-	1,500
Investment income	193,109	-	6,855	14,403	214,367
Miscellaneous	3,085	-	-	-	3,085
Total revenues	1,467,088	-	6,855	528,293	2,002,236
EXPENDITURES					
Current:					
General government	554,017	-	-	-	554,017
Public safety	85,094	-	-	-	85,094
Judicial	3,660	-	-	-	3,660
Public works	189,247	-	-	-	189,247
Culture and recreation	5,202	-	-	-	5,202
Housing and development	105,198	-	-	-	105,198
Capital outlay	-	2,200	190,678	410,313	603,191
Debt service:					
Principal	4,319	-	-	-	4,319
Interest	681	-	-	-	681
Total expenditures	947,418	2,200	190,678	410,313	1,550,609
Excess (deficiency) of revenues over (under) expenditures	519,670	(2,200)	(183,823)	117,980	451,627
Net change in fund balances	519,670	(2,200)	(183,823)	117,980	451,627
FUND BALANCES, beginning of year,	4,882,982	2,200	546,888	885,377	6,317,447
FUND BALANCES, end of year	$ 5,402,652	$ -	$ 363,065	$ 1,003,357	$ 6,769,074

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

CITY OF BERKELEY LAKE, GEORGIA

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED DECEMBER 31, 2025

Amounts reported for governmental activities in the statement of activities are different because:		
Net change in fund balances - total governmental funds	$	451,627
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.		
Acquisition of capital assets		237,612
Depreciation and amortization expense		(126,447)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the governmental fund statements.		1,212
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.		
Change in compensated absences		(15,323)
The repayment of the principal of long-term debt consumes the current financial resources of governmental funds. However, does not have any effect on net position.		
Repayment of SBITA principal		4,319
Change in net position - governmental activities	$	553,000

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

CITY OF BERKELEY LAKE, GEORGIA

GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2025

	Budget			Variance With
	Original	Final	Actual	Final Budget
REVENUES				
Taxes:				
Taxes	$ 1,086,741	$ 1,145,392	$ 1,144,180	$ (1,212)
Licenses and permits	78,786	91,413	91,413	-
Intergovernmental revenues	24,491	58,380	30,435	(27,945)
Charges for services	1,881	3,366	3,366	-
Fines and forfeitures	-	1,500	1,500	-
Investment income	80,002	193,109	193,109	-
Miscellaneous	400	3,085	3,085	-
Total revenues	1,272,301	1,496,245	1,467,088	(29,157)
EXPENDITURES				
Current:				
General government	604,943	488,401	554,017	(65,616)
Public safety	166,968	144,106	85,094	59,012
Judicial	9,439	3,660	3,660	-
Public works	170,240	197,222	189,247	7,975
Culture and recreation	21,990	12,200	5,202	6,998
Housing and development	238,578	109,035	105,198	3,837
Debt service:				
Principal	4,319	4,319	4,319	-
Interest	681	681	681	-
Total expenditures	1,217,158	959,624	947,418	12,206
Excess of revenues over expenditures	55,143	536,621	519,670	(16,951)
Net change in fund balances	55,143	536,621	519,670	(16,951)
FUND BALANCES, beginning of year	4,882,982	4,882,982	4,882,982	-
FUND BALANCES, end of year	$ 4,938,125	$ 5,419,603	$ 5,402,652	$ (16,951)

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

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The City of Berkeley Lake, Georgia, (the “City”) was incorporated in 1956 and operates under a Mayor-Council form of government and provides the following services to its citizens: public safety, public works, culture and recreation, housing and development, judicial, and general and administrative services.

The financial statements of the City have been prepared in conformity with the accounting principles generally accepted in the United States of America as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant accounting policies of the City are described below.

B. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Government-wide financial statements do not provide information by fund but aggregate the City’s governmental activities. Governmental activities are normally supported by taxes and intergovernmental revenues. The statement of net position will include noncurrent assets and noncurrent liabilities. In addition, the government-wide statement of activities reflects depreciation and amortization expense on the City’s capital assets.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not considered program revenues are reported instead as general revenues.

Separate financial statements are provided for the governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. Government-Wide and Fund Financial Statements (Continued)

The City reports the following major governmental funds:

The ***General Fund*** is the City's primary operating fund. It is used to account for resources traditionally associated with government, which are not required legally or by sound financial management to be accounted for in a different fund.

The ***2014 SPLOST Fund*** is a capital project fund the City established to account for the financial resources provided from a one cent special purpose local option sales tax approved by voters in 2014.

The ***2017 SPLOST Fund*** is a capital project fund the City established to account for the financial resources provided from a one cent special purpose local option sales tax approved by voters in 2017.

The ***2023 SPLOST Fund*** is a capital project fund the City established to account for the financial resources provided from a one cent special purpose local option sales tax approved by voters in 2023.

C. Measurement Focus and Basis of Accounting

The government-wide financial statements are reported using the *economic resources measurement* focus and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Sales taxes are recognized predominately when the underlying transaction occurs. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement* focus and the *modified accrual basis of* accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay for current obligations. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Revenue related to reimbursement basis grants are recognized as allowable expenditures are incurred. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. Measurement Focus and Basis of Accounting (continued)

Property taxes, sales taxes, intergovernmental grants, and investment income associated with the current fiscal period are all considered to be susceptible to accrual. All other revenue items are considered to be measurable and available only when cash is received by the City.

D. Deposits and Investments

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of purchase.

The local government investment pool, "Georgia Fund 1," created by OCGA 36-83-8, is a stable asset value investment pool, which follows Fitch's criteria for AAAf-rated money market funds and is regulated by the Georgia Office of the State Treasurer. 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 per share value). The asset value is calculated weekly to ensure stability. The pool distributes earnings (net of management fees) on a monthly basis and determines participants' shares sold and redeemed based on $1 per share.

E. Prepaid Items

Payments made to vendors for services that will benefit periods beyond December 31, 2025 are recorded as prepaid items in both government-wide and fund financial statements. These items are accounted for using the consumption method.

F. Interfund Receivables and Payables

Activity between funds (if any) that is representative of lending/borrowing arrangements outstanding at the end of the year, as well as all other outstanding balances between funds is reported as "due to/from other funds."

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

G. Capital Assets

Capital assets, which include property, plant, equipment, infrastructure and right-to-use assets, are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than $10,000 and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation. As allowed under GASB Statement No. 34, the City did not capitalize any infrastructure purchased or donated prior to the implementation of GASB Statement No. 34.

The cost of normal maintenance and repairs that do not add to the value of the assets or materially extend assets' lives are not capitalized.

Capital assets and right-to-use assets of the City are depreciated/amortized using the straight-line method over the following useful lives:

Buildings and improvements	25
Furnitures and fixtures	5-20
Machinery and equipment	5-10
Infrastructure	50-100
Right to use subscriptions	3-5

H. Compensated Absences

It is the City's policy to permit employees to accumulate earned, but unused paid time off ("PTO") benefits. All compensated absences classified as PTO are accumulated, and an estimate for the time to use during employment has been accrued. A liability for these amounts is reported in the governmental funds only if they have matured, for example, as a result of employee termination and retirements.

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

I. Net Position and Fund Equity

Fund equity at the governmental fund financial reporting level is classified as "fund balance." Fund equity for all other reporting is classified as "net position."

Fund Balance – Generally, fund balance represents the difference between the assets, liabilities and deferred inflows of resources under the current financial resources measurement focus of accounting. In the fund financial statements, governmental funds report fund balance classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. Fund balances are classified as follows:

- ***Nonspendable*** – Fund balances are reported as nonspendable when amounts cannot be spent because they are either (a) not in spendable form (i.e., items that are not expected to be converted to cash) or (b) legally or contractually required to be maintained intact.

- ***Restricted*** – Fund balances are reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the City or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

- ***Committed*** – Fund balances are reported as committed when they can be used only for specific purposes pursuant to constraints imposed by formal action of the City Council through the adoption of a resolution. Only the City Council may modify or rescind the commitment, also by resolution.

- ***Assigned*** – Fund balances are reported as assigned when amounts are constrained by the City's intent to be used for specific purposes, but are neither restricted nor committed. Through resolution, the City Council has authorized the City Administrator to assign fund balances.

- ***Unassigned*** – Fund balances are reported as unassigned as the residual amount when the balances do not meet any of the above criterion. The City reports positive unassigned fund balance only in the General Fund. Negative unassigned fund balances may be reported in all funds.

Flow Assumptions – When both restricted and unrestricted amounts of fund balance are available for use for expenditures incurred, it is the City's policy to use restricted amounts first and then unrestricted amounts as they are needed. For unrestricted amounts of fund balance, it is the City's policy to use fund balance in the following order:

- Committed
- Assigned
- Unassigned

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

I. Net Position and Fund Equity (Continued)

Net Position – Net position represents the difference between assets and deferred outflows of resources and liabilities and deferred inflows of resources in reporting which utilizes the economic resources measurement focus. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used (i.e., the amount that the City has spent) for the acquisition, construction or improvement of those assets. Net position is reported as restricted using the same definition as used for restricted fund balance as described in the section above. All other net position is reported as unrestricted. The City applies restricted resources first when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

J. Deferred Outflows of Resources and Deferred Inflows of Resources

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

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

K. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, deferred inflows of resources, and deferred outflows of resources, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

L. Subscription-Based Information Technology Arrangements

The City has entered into a non-cancellable long-term subscription-based information technology arrangement (SBITA) for its information technology infrastructure. The City recognizes a right-to-use subscription asset and corresponding subscription liability in the government-wide financial statements.

At the commencement of the subscription term, the City measures the subscription liability at the present value of payments expected to be paid during the term. The right-to-use subscription asset is initially measured as the sum of the initial subscription liability amount plus payments made to the vendor before commencement of the subscription term and capitalizable implementation costs, less any incentives received from the vendor at or before commencement.

Key estimates and judgments related to the City's subscription assets and liabilities include how the City determines: (1) the discount rate it uses to discount the expected subscription payments to present value, (2) lease term, and (3) subscription payments:

- The City uses the interest rate charged by the vendor as the discount rate. When the interest rate charged by the vendor is not specified, the City generally uses its estimated incremental borrowing rate as the discount rate.
- The lease term includes the noncancellable period of the subscription term. Subscription payments included in the measurement of the subscription assets and liabilities are composed of fixed payments due to the vendor over the subscription term.

The City monitors changes in circumstances that would require a remeasurement of its subscription assets and liabilities and will remeasure them if changes occur that are expected to significantly affect the reported amount of subscription assets and liabilities.

Subscription assets are reported with capital assets and subscription liabilities are reported with long-term debt on the statement of net position.

NOTE 2. LEGAL COMPLIANCE - BUDGETS

Budgets and Budgetary Accounting

The City of Berkeley Lake, Georgia follows these procedures in establishing the budgetary data reflected in the financial statements:

1. The City's annual budget is prepared based on anticipated revenues and appropriated expenditures. Revenue anticipation is designed to help insure fiscal responsibility and maintain a balanced budget. Budgeting is the responsibility of the Mayor and the City Council members, with assistance provided by the City Administrator and her designated staff persons.
2. Public hearings are conducted to obtain taxpayer comments.
3. Prior to January 1, the budget is legally enacted by passage of an ordinance.
4. The level of legal budgetary control is the department level. Council approval is required to increase or decrease the total budget of any department.
5. Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America. Annual appropriated budgets are adopted for the General Fund. A project length budget is adopted for all Capital Projects Funds.

The budget was amended throughout the year. At December 31, 2025, the General Government department in the General Fund had expenditures in excess of appropriations of $65,616. This excess was funded by savings in other departments and available fund balance.

NOTE 3. DEPOSITS AND INVESTMENTS

Governmental fund balances in excess of amounts required for the City's daily operating activities were invested in the Georgia Fund 1 during the year. Georgia law authorizes local governments to invest in the following types of obligations:

1. Obligations of the State of Georgia or of any other states;
2. Obligations issued by the United States;
3. Obligations fully insured or guaranteed by the United States Government or governmental agency;
4. Obligations of any corporation of the United States Government;
5. Prime bankers' acceptances;
6. Georgia Fund 1 state investment pool; and
7. Repurchase agreements; and Obligations of other political subdivisions of the State of Georgia.

NOTE 3. DEPOSITS AND INVESTMENTS (Continued)

Any bank deposit in excess of the total FDIC-insured amount must be secured by 110% of an equivalent amount of State or U.S. obligations or the bank is required to participate in the State's pledging pool.

Investments, with a fair value of $4,431,158 consist of an investment in the Georgia Fund 1, a local government investment pool managed by the State of Georgia Office of the State Treasurer. As the investment in the Georgia Fund 1 represents ownership of a portion of a large pool of investments these amounts are not categorizable for custodial risk disclosure. The City's investment in the Georgia Fund 1 has been valued at fair value and are reported as cash equivalents.

Credit Risk:

At December 31, 2025, the City's investment in the Georgia Fund 1 was rated AAAf/S1 by Fitch's and had the following weighted-average maturity:

Investment	Maturities	Fair Value
Georgia Fund 1	51 day weighted-average	$ 4,431,158

Interest Rate Risk:

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of investments. The City manages interest rate risk by limiting maturities to three years.

Fair Value Measurements:

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs. The Georgia Fund 1 is an investment pool which does not meet the criteria of GASB Statement No. 79 and is thus valued at fair value in accordance with GASB Statement No. 31. As a result, the City does not disclose the investment in the Georgia Fund 1 within the fair value hierarchy.

NOTE 3. DEPOSITS AND INVESTMENTS (Continued)

Custodial Credit Risk - Deposit:

Custodial credit risk for deposits is the risk that, in the event of the 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. State statutes require all deposits and investments (other than federal or state government instruments) to be covered by depository insurance or pledged securities. Amounts that exceed standard depository insurance limits are required to be collateralized either: (1) individually by the financial institutions through pledged obligations of the U.S. Government, obligations back by the full faith and credit of the U.S. Government, obligations of the State of Georgia or other states, or obligations of counties, municipalities, or public authorities of the State of Georgia, or (2) participation in the State of Georgia Secure Deposit Program. As of December 31, 2025, the financial institutions holding the City's deposits are participants of the State of Georgia Secure Deposit Program, which is administered by the Office of the State Treasurer, requires participating banks holding deposits of public funds to pledge collateral at varying rates depending on the tier assigned by the State.

NOTE 4. RECEIVABLES

The City receives property tax assessments from Gwinnett County, Georgia. Tax bills were levied on all real and personal property as of September 15. The due date for these taxes was November 15, and after that date, both penalty and interest are accrued until the taxes are collected.

Receivables at December 31, 2025 are as follows.

	General	2023 SPLOST	Total
Receivables:			
Taxes receivable	$ 220,705	$ -	$ 220,705
Intergovernmental receivable	27,638	98,315	125,953
Net total receivables	$ 248,343	$ 98,315	$ 346,658

NOTE 5. CAPITAL ASSETS

Capital asset activity for the fiscal year ended December 31, 2025 was as follows:

	Beginning Balance	Increases	Decreases	Transfers	Ending Balance
Governmental activities:					
Capital assets, not being depreciated:					
Land	$ 4,872,613	$ -	$ -	$ -	$ 4,872,613
Construction in process	-	237,612	-	-	237,612
	4,872,613	237,612	-	-	5,110,225
Capital assets, being depreciated/amortized:					
Machinery and equipment	214,922	-	-	-	214,922
Buildings and improvements	1,769,588	-	-	-	1,769,588
Furnitures and fixtures	60,994	-	-	-	60,994
Infrastructure	5,795,331	-	-	-	5,795,331
Right-to-use subscription	22,730	-	-	-	22,730
Total	7,863,565	-	-	-	7,863,565
Less accumulated depreciation/amortization for:					
Machinery and equipment	128,311	20,292	-	-	148,603
Buildings and improvements	710,502	45,374	-	-	755,876
Furnitures and fixtures	60,994	-	-	-	60,994
Infrastructure	583,881	56,235	-	-	640,116
Right-to-use subscription	6,440	4,546	-	-	10,986
Total	1,490,128	126,447	-	-	1,616,575
Total capital assets, being depreciated/amortized, net	6,373,437	(126,447)	-	-	6,246,990
Governmental activities capital assets, net	$ 11,246,050	$ 111,165	$ -	$ -	$ 11,357,215

Depreciation/amortization expense was charged to functions/programs of the City as follows:

Governmental activities:	
General government	$ 45,502
Public works	11,098
Culture and recreation	6,998
Public safety	59,012
Housing and development	3,837
Total depreciation/amortization expense - governmental activities	$ 126,447

NOTE 6. LONG-TERM LIABILITIES

Activity of the long-term liabilities of the City for the fiscal year ended December 31, 2025 is as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Amount Due Within One Year
Governmental activities:					
SBITA liabilities	$ 13,616	$ -	$ 4,319	$ 9,297	$ 4,535
Compensated absences	11,425	3,898	-	15,323	15,323
Governmental activities long-term liabilities	$ 25,041	$ 3,898	$ 4,319	$ 24,620	$ 19,858

Note: The change in compensated absences is shown as a net change.

The City entered into a noncancellable subscription-based information technology arrangement (SBITA) reported in governmental activities. This arrangement involves the City's right-to-use software. An initial SBITA liability was recorded in the amount of $25,000. As of December 31, 2025, the value of the lease liability was $9,297. The City is required to make annual payments of $5,000 through 2027. As the arrangements do not contain stated specified interest rates, the City has used its incremental borrowing rate for similar assets of 5.0% as the discount rate for the SBITA. The right-to-use asset has a 5-year estimated useful life and the value of the right-to-use asset as of the end of the current fiscal year was $22,730 and had accumulated amortization of $10,986.

Future principal and interest payments on the City's SBITAs at December 31, 2025 are as follows:

	Principal	Interest	Total
2026	$ 4,535	$ 465	$ 5,000
2027	4,762	238	5,000
	$ 9,297	$ 703	$ 10,000

NOTE 7. JOINT VENTURE

Under Georgia law, the City, in conjunction with other cities and counties in the ten (10) county Atlanta area, is a member of the Atlanta Regional Commission and is required to pay annual dues thereto. Membership in a Regional Commission is required by the Official Code of Georgia Annotated (OCGA) Section 50-8-34 which provides for the organizational structure of the Regional Commission in Georgia.

The Regional Commission Board membership includes the chief elected official of each county and municipality of the area. OCGA 50-8-39.1 provides that the member governments are liable for any debts or obligations of a Regional Commission. Separate financial statements may be obtained from:

Atlanta Regional Commission
229 Peachtree St NE
Suite 100
Atlanta, Georgia 30303

NOTE 8. PENSION 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 hours per week.

Effective January 1, 2009, the City has a five year vesting schedule as follows:

At one year	20%
At two years	40%
At three years	60%
At four years	80%
At five years	100%

Three employees were eligible and participated in the 401(a) plan for the year ended December 31, 2025. City contributions to the plan totaled $55,625 and employees do not contribute to the plan.

The City also offers a 457(b) plan. Three employees were eligible and participated in the 457(b) plan for the year ended December 31, 2025. Employee contributions to the plan totaled $27,813 and the City does not contribute to the plan.

NOTE 9. RISK MANAGEMENT

The City is exposed to various risks of losses related to: torts, thefts 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 Property and Liability Insurance Fund and the Georgia Municipal Association Group Self-Insurance Workers' Compensation Fund, public entity risk pools currently operating as common risk management and insurance programs for member local governments.

As part of these risk pools, the City is obligated to pay all contributions and assessments as prescribed by the pools, to cooperate with the pool's 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 pool's agents 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 government contract and in accordance with the worker's compensation law 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.

Settled claims in the past three (3) years have not exceeded insurance coverage.

NOTE 10. COMMITMENTS AND CONTINGENCIES

Litigation:

The City is involved in pending lawsuits in the normal course of the City's business. Liability, if any, which might result from these proceedings, would not, in the opinion of management and legal counsel, have a material adverse effect on the financial position of the City.

SUPPLEMENTARY INFORMATION

CITY OF BERKELEY LAKE, GEORGIA

SCHEDULE OF EXPENDITURES OF
SPECIAL PURPOSE LOCAL OPTION SALES TAX PROCEEDS
2014 SPLOST
FOR THE YEAR ENDED DECEMBER 31, 2025

	Original Estimated Cost	Current Estimated Cost	Prior Years Cumulative Expenditures	Total Current Year Expenditures	Total Cumulative Expenditures
EXPENDITURES					
Administrative Facilities	$ 170,625	$ 49,719	$ 47,519	$ 2,200	$ 49,719
Streets, Roads, and Bridges	863,463	1,104,131	1,104,131	-	1,104,131
Total	$ 1,034,088	$ 1,153,850	$ 1,151,650	$ 2,200	$ 1,153,850

CITY OF BERKELEY LAKE, GEORGIA

SCHEDULE OF EXPENDITURES OF SPECIAL PURPOSE LOCAL OPTION SALES TAX PROCEEDS 2017 SPLOST FOR THE YEAR ENDED DECEMBER 31, 2025

	Original Estimated Cost	Current Estimated Cost	Prior Years Cumulative Expenditures	Total Current Year Expenditures	Total Cumulative Expenditures
EXPENDITURES					
Administrative Facilities	$ 259,710	$ 259,710	$ 1,000	$ 19,946	$ 20,946
Public Safety Facilities and Equipment	64,927	64,927	8,037	-	8,037
Streets, Roads, and Bridges	1,530,432	1,530,432	1,814,198	170,732	1,984,930
Total	$ 1,855,069	$ 1,855,069	$ 1,823,235	$ 190,678	$ 2,013,913

CITY OF BERKELEY LAKE, GEORGIA

SCHEDULE OF EXPENDITURES OF
SPECIAL PURPOSE LOCAL OPTION SALES TAX PROCEEDS
2023 SPLOST
FOR THE YEAR ENDED DECEMBER 31, 2025

	Original Estimated Cost	Current Estimated Cost	Prior Years Cumulative Expenditures	Total Current Year Expenditures	Total Cumulative Expenditures
EXPENDITURES					
Administrative Facilities	$ 70,371	$ 70,371	$ -	$ 23,232	$ 23,232
Public Safety Facilities and Equipment	168,889	168,889	-	-	-
Recreational Facilities and Equipment	70,371	70,371	-	-	-
Streets, Roads, and Bridges	2,505,193	2,505,193	-	387,081	387,081
Total	$ 2,814,824	$ 2,814,824	$ -	$ 410,313	$ 410,313

COMPLIANCE SECTION

MAULDIN & JENKINS
CPAs & ADVISORS

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Honorable Mayor and Members
of City Council
City of Berkeley Lake
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 the City of Berkeley Lake, Georgia (the "City") as of and for the year ended December 31, 2025, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated June 24, 2026.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting ("internal control") as a basis for designing 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's internal control. Accordingly, we do not express an opinion on the effectiveness of the City'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 a 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 consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from 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 no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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 result 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.

Mauldin & Jenkins, LLC

Atlanta, Georgia
June 24, 2026

ORDINANCE NO. 26-262

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BERKELEY LAKE TO AMEND CHAPTER 78. "ZONING," ARTICLE X, "COMMERCIAL USE DISTRICT", BY ADDING NEW SECTIONS 78-281 THROUGH 78-285 TO PROMULGATE REGULATIONS PERTAINING TO A NEW GENERAL BUSINESS (C-2) DISTRICT; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

SECTION I.

IT IS HEREBY ORDAINED, by the governing authority of the City of Berkeley Lake that Chapter 78 of the Code of Ordinances, entitled "Zoning," shall be amended by adding the following sections to Article X, Commercial Use District:

78-281, C-2, general business district
78-282, Uses permitted
78-283, Grassing and paving required
78-284, Buffer zones established
78-285, Area, yard, height and supplementary regulations as to C-2 commercial use district

ARTICLE X. COMMERCIAL USE DISTRICT

Sec. 78-267. General purposes of commercial districts.

The commercial districts established in this article are designed to promote and protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

(1) To provide sufficient space, in appropriate locations in proximity to residential areas, for local retail development catering to the regular shopping needs of the occupants of nearby residences, with due allowance for the need for a choice of sites.

(2) To provide appropriate space, and in particular sufficient depth from a street, to satisfy the needs of modern local retail development, including the need for offstreet parking spaces in areas to which a large proportion of shoppers come by automobile, and to encourage the natural tendency of local retail development to concentrate in continuous retail frontage, to the mutual advantage of both consumers and merchants.

(3) To protect both local retail development and nearby residences against fire, explosion, toxic and noxious matter, radiation and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity and glare and other objectionable influences.

(4) To protect both local retail development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses on the lower floors, by regulating the intensity of local retail development, by restricting those types of establishments which generate heavy traffic, and by providing for offstreet parking and loading facilities.

(5) To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities, with due allowance for the need for a choice of site.

(6) To provide freedom of architectural design, in order to encourage the development of more attractive and economic building forms, within proper standards.

(7) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the city, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of the land and buildings and to protect the city's tax revenue.

(Code 2004, § 39-1001)

Sec. 78-268. C-1 neighborhood business district.

The C-1 neighborhood business district is designed to provide for local shopping and include a wide range of retail stores and personal service establishments which cater to frequently recurring needs. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by prohibiting local service and manufacturing establishments which tend to break such continuity.

(Code 2004, § 39-1002)

Sec. 78-269. Uses permitted.

In C-1 neighborhood business districts, the following uses shall be permitted:

(1) Any retail, financial or personal business or service providing convenience goods and services to nearby residential areas, except gasoline stations and drive-through eating places.

(2) Within the C-1 neighborhood business district, automobile parking is permitted within the front yard setback provided a street barrier strip is provided so that no automobile can back into the bordering street.

(3) Communication towers and antennas subject to the requirements of Chapter 77, Standards for Wireless Communication Facilities.

(Code 2004, § 39-1003; Ord. No. O-103-09, 6-18-2009)

Sec. 78-270. Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

(Code 2004, § 39-1004)

Sec. 78-271. Buffer zones established.

In all C-1 neighborhood business districts a buffer strip at least 50 feet wide is required where said neighborhood business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Chapter 42 - Natural Resources, Article VII - Buffers, Landscape and Trees, Division 2 - Buffer Regulations.

(Ord. No. O-118-10, § 1, 10-21-2010)

Editor's note(s)—Ord. No. O-118-10, § 1, adopted Oct. 21, 2010, repealed § 78-271 in its entirety and enacted new provisions to read as herein set out. Prior to amendment § 78-271 pertained to similar subject matter. See Code Comparative Table for derivation.

Sec. 78-272. Area, yard, garage, height and supplementary regulations as to C-1 commercial use district.

The following regulations shall apply to commercial uses:

(1)	District area	Minimum	Ten acres.
(2)	Lot area	Minimum	30,000 square feet.
(3)	Lot frontage	Minimum	150 feet.
(4)	Lot depth	Minimum	200 feet.
(5)	Front yard	Minimum	75 feet.
(6)	Rear yard	Minimum	25 feet.
(7)	Side yard	Minimum	25 feet.
(8)	Building height	Maximum	Two stories or 40 feet, whichever is less.
(9)	Location of driveways	At least	100 feet from street intersection; at least 100 feet from each other measured at the center of the driveway.

(Code 2004, § 39-1006)

Secs. 78-273—78-~~292~~280. Reserved.

Sec. 78-281. C-2 general business district.

The C-2 general business district is intended to provide adequate space in appropriate locations among major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 general business district is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

Sec. 78-282. Uses permitted.

In C-2 general business districts, the following uses shall be permitted:

Commented [LT1]: Uses with asterisks are to address the catch all use categories that leave question as to whether more specific uses would be allowed within them. Ex: body art studio or massage therapy as general personal service use. These would not be allowed under the general heading general personal service use, but that isn't clear here. The proposed UDO will have definitions for each use category, which will help. However, deriving a use list from a use table is problematic because the list doesn't capture the context of where uses are or aren't permitted.

Public and Institutional Uses

a) Place of Worship
b) Commercial School
c) Daycare Center

Commercial Uses

a) General indoor recreation and entertainment*
b) Club, private
c) Convention hall or event facility
d) General food and beverage*
e) Food caterer
f) General medical
g) Medical laboratory
h) General office
i) Radio and television studio
j) General personal service uses*
k) Animal care, indoor
l) Copy and print business
m) Funeral home (without crematorium)
n) Health Club
o) Instructional studio
p) General retail uses*
q) Department store
r) Furniture store
s) Home improvement
t) Retail bank
u) General wholesale trade

Sec. 78-283. Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

Sec. 78-284. Buffer zones established.

A buffer strip at least 50 feet wide is required where said business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Chapter 42 – Natural Resources, Article VII – Buffers, Landscape and Trees, Division 2 – Buffer Regulations.

Sec. 78-285. Area, yard, height and supplementary regulations as to C-2 commercial use district.

Commented [LT2]: This isn't identical to the applicant's proposal because it doesn't include accessory building standards. There is language in the city's code that says all structures in nonresidential districts are considered primary structures. The draft UDO also has different standards than those proposed by the applicant.

(1)	Building Height	Maximum	40 feet
(2)	Lot Width	Minimum	100 feet
(3)	Lot Depth	Minimum	100 feet
(4)	Front Yard	Minimum	35 feet
(5)	Corner Side Yard	Minimum	10 feet
(6)	Side Yard	Minimum	10 feet
(7)	Rear Yard	Minimum	35 feet

Secs. 78-286-78-292. - Reserved.

SECTION 2:

Should any article, section, subsection, paragraph, clause, phrase or provision of this ordinance be adjudged invalid of held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4.

This ordinance shall be effective upon adoption.

Passed and adopted by the Mayor and Council on this ______ day of ____________ 2026

____
LOIS D. SALTER
Mayor

ATTEST:

____
LEIGH THREADGILL
City Clerk

Planning Commission
Consideration: April 14, 2026

1st Reading: May 21, 2026

2nd Reading and Public Hearing: June 18, 2026

Council Adoption:

City of Berkeley Lake
Staff Analysis

CASE NUMBER:	PZTA-26-02
CODE SECTIONS:	ARTICLE X, Section 78-281 – 78-285 - C-2, General Business District Regulations
PURPOSE:	AMENDMENT TO CREATE A C-2 District
MEETING DATE:	MAY 21, 2026 CITY COUNCIL

PURPOSE:

The owner of 4477 Peachtree Industrial Boulevard is requesting the city adopt a C-2, General Business, district for the purpose of creating a district that allows the use (indoor recreation center) that he proposes to develop on the property.

ANALYSIS:

The city received a request to amend the zoning ordinance to create a new zoning district, C-2, General Business, for the purpose described above.

All of the non-residential properties annexed in the 2011–2012-time frame were zoned Gwinnett County – Annexed (GC-A) upon annexation. The GC-A district froze the Gwinnett County zoning standards that applied to the property immediately prior to annexation. The city has been applying 2011 Gwinnett County zoning standards to the annexed non-residential areas for 15 years.

Properties that were annexed had been zoned neighborhood business (C-1), general business (C-2), light industrial (M-1), heavy industrial (M-2), office and institutional (O&I) and single-family residence (RZT) when in unincorporated Gwinnett County. If an owner wanted to change the zoning from GC-A (C-1) to GC-A (C-2), he could not. He could only apply to rezone his property to a City of Berkeley Lake zoning district. While the city has a C-1, M-1 and O&I zone, the city does not have a C-2, M-2 or RZT zone. Therefore, there is no comparable city zoning district for several of the properties that were annexed.

In the time since annexation, two rezonings have been approved in the annexed areas. Both changed the zoning designation from GC-A to a city district, one from GC-A (C-2) to C-1 (4790 Peachtree Industrial Boulevard) and one from GC-A (O&I) to M-1 (4487 South Old Peachtree Road).

The applicant for this text amendment owns a property that was zoned C-1 with conditions while in unincorporated Gwinnett County, and under the GC-A district that currently governs the property, those standards still apply. He wishes to develop the property with a use that is not permitted by the current zoning of the property. But the city doesn't have a district for him to zone to that allows his proposed use either. The use that he is interested in developing on the property, indoor recreation center, requires the city to adopt a new zoning district.

The city has been working with TSW, a team of experts, to create a Unified Development Ordinance (UDO) that would include the creation of new zoning districts to accommodate annexed properties so that there is no longer a need to rely on obsolete Gwinnett County zoning standards for regulation of annexed property. A C-2 district is proposed to be included in the UDO. However, the UDO is comprehensive, including not only zoning regulations but also other development regulations such as landscaping and sign regulations. It is not yet ripe for action given the iterative process of review and revision to create a draft that is suitable for adoption.

However, the applicant is interested in pursuing development of the property now and has submitted a draft C-2 district, modeled after current Gwinnett County zoning regulations, to allow development of his property to proceed. Unfortunately, it is not as simple as copying Gwinnett County code into the city's zoning ordinance. There are conflicts in regulation as well as a difference in how use permissions are represented that prevent a seamless adoption of current Gwinnett County standards as city standards.

During the Planning & Zoning Commission's deliberation of this request, staff was asked to try to revise the applicant's proposal to be consistent with the permitted uses included in the draft C-2 district that is proposed as part of the UDO. This proved to be a task that required a much more comprehensive change to the city's zoning ordinance. As an example, the proposed UDO seeks to define each use category in the permitted use table. These definitions are important to interpret and administer the use permissions. In trying to fulfill the P&Z Commission's request, staff realized that to revise the applicant's text amendment proposal to be consistent with the consultant's proposed draft is much more complex than just making sure the permitted use list is the same.

RECOMMENDATION:

This text amendment application is a change to city policy. It creates a new zoning district and must be carefully evaluated for unintended consequences. While it doesn't change the zoning of any individual property, it creates a district to which a property can be zoned if requested, subject to evaluation and analysis in accordance with the zoning standards that currently exist in the city's zoning ordinance.

Because of the importance of land use regulation through zoning, the city must ensure that zoning code changes that seek to create new districts are carefully prepared so that any new districts created are in harmony with the city.

Staff recommends denial of the text amendment to avoid adoption of a temporary, rudimentary, C-2 district, under which development could be authorized and vested, that would be replaced by the adoption of a robust and publicly vetted C-2 district as part of the Unified Development Ordinance, which is currently being drafted.

Rec'd 3/11/26

City of Berkeley Lake
P&Z Committee
4040 S. Berkeley Lake Road NW
Berkeley Lake, GA 30096

February 4, 2026

Re: Letter for Creating a C2 District for 4477 Peachtree Industrial Blvd.

The concept for Berkeley Lake Sports Club is a recreation destination for Berkeley Lake residents. Berkeley Lake consists of multiple neighborhoods which do not have tennis courts and clubhouses. BL Sports Club plans to fill that void with a modern clubhouse with meeting space, café, golf simulators, F1 simulators, padel and pickleball courts.

The facility will provide padel courts and pickleball courts (demand dependent), but indoor golf simulators and F1 simulators are other planned recreational activities. A meeting room for game playing and general meetings will be available. The bathrooms will be designed to be locker rooms. The planned café is a healthy and fresh menu of salads, sandwiches and protein shakes Exercise equipment and a bar area for alcohol sales may be added based on demand.

The current zoning for the land is C1, which is designed for neighborhood businesses serving residents within the proximity of the community. This letter serves as a text amendment to create a C2 district, which expands the commercial use of the C1 code. The properties immediately south of the property are zoned C-2 per Gwinnett County records. Furthermore, the City of Berkeley Lake has engaged with Georgia Tech Urban Design Studios and TSW, a zoning and development consulting company. Both have tentatively recommended Berkeley Lake to incorporate the Gwinnett County C2 zoning.

Specifically, the code to be incorporated into the code would be the Gwinnett County C2 Zone:

C-2 General Business District.

Purpose and Intent. The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 General Business District is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

DEVELOPMENT REQUIREMENTS

Minimum lot size: N/A
Minimum lot width: 100 feet
Minimum lot depth: 100 feet
Setbacks Principal Building:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35 feet (min)

Setbacks Accessory Buildings:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35feet (min)

Building Height:

1. Principal Building Height: 40 feet (max)
2. Accessory Building Height: 35 feet (max), but not higher than the height of therincipal building.

C-2 PERMITTED USES

The following uses are permitted by right in the C2 district.

The uses set forth in the table below shall be permitted only as listed and only in the manner so listed.

P: A permitted use.
S: A special use requiring a Special Use Permit subject to approval.
C: A conditional use subject to additional requirements.

Land Use	C-2
General Commercial Uses	
Eating and Drinking Establishments, not included below	**P**
Brewpub	P
Restaurant, with drive-in or drive-thru service	P

Lodging Establishments, not included below	P
Bed and Breakfast Inn	P
Extended Stay Facility	S
Business, Medical, or Professional Offices, not included below	**P**
Automobile Brokerage Office, no storage of vehicles	C
Medical Laboratory	P
Radio, Recording, or Television Studio	P
Personal Services Establishments, not included below	**P**
ATM, standalone drive-up	P
Animal Care Establishment, indoor only	P
Animal Care Establishment, with outdoor pens or runs	S
Check Cashing/Payday Loan Establishment, Standalone	S
Catering Service Establishment	P
Daycare Facility	P
Locksmith Establishment	P
Massage Therapy Establishment	P
Tattoo and Body Piercing Studio	P
Tutoring and Learning Center	P
Retail Sales or Rental of Goods Establishments, not included below	**P**
Copy and Print Store	P
Department or Wholesale Store	P
Discount, Dollar, or Thrift Store	S
Furniture Sales or Rental Store	P
Fireworks Sales, ancillary use	P
Fireworks Sales Establishment, principal use	S
Garden Supply Center	S
Home Improvement or Building Supply Store	P
Precious Metals Dealer Establishment	P
Smoke, Novelty, or CBD Shop	P
Entertainment and Recreation Uses	
Indoor Entertainment and Recreation Facilities, not included below	P
Health or Fitness Center	P
Hookah, Vapor, or Cigar Lounge	S/C
Lounge or Nightclub Establishment	S
Microbrewery or distillery Facility	C
Movie Theater	P

Pool or Billiard Halls	P
Shooting or Archery Range, indoor	S
Special Events Facility	P
Outdoor Entertainment and Recreation Facilities, not included below	**S**
Aircraft Landing Field, private	S
Recreational Vehicle Park or Campground	S
Civic and Institutional Uses	
Civic, Private and Public Institutions, not listed below	**P**
Club, Lodge, or Fraternal Organization Facility	P
Cemetery or Mausoleum	S/C
Community Center or Cultural Facility	P
Place of Worship	P
School, college, private, trade, or similar	C
Shelters, community or residential	S
Hospitals and Related Healthcare Facilities, not included below	**P**
Nursing Home	P
Residential Rehab Center (alcohol or drug)	S
Personal Care Home, congregate	P
Personal Care Home, Group	P
Automobile, Truck, Recreational Vehicle, Motorcycle, Boat, ATV, and Related Uses	
Vehicle Rental and Related Services Establishments, not included below	**S**
Vehicle Repair, Service, and Body Work Establishments, not included below	S
Convenience Store, with fuel pumps	S
Parts and Accessories Store, without installation	P
Parts and Accessories Store, with installation	S
Vehicle Washing Establishment	S/C
Emissions Inspections Establishment	C
Vehicle Sales and Related Services Establishments	**S/C**
Industrial Uses	
Contractors Offices, not included below	
Carpet or Upholstery Cleaning Service Office	S
Landscaping Contractors Office	S

Ambulance or Medical Transport Company	S
Carpet or Upholstery Cleaning Service	S
Crematory, as a principal use	S
Stone Yard or Stone Cutting Establishment	S
Warehouse, Wholesale, and Distribution Facilities, not included below	
Self-Storage Facility, indoor climate controlled	S/C
Outdoor Sales, Storage and Display Uses	
Outdoor Sales and Storage of Goods, not included below	**S/C**
Public or Private Parking Garage or Lot, standalone	P
Outdoor Display of Goods, retail	C

Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

Buffer zones established.

A buffer strip at least 50 feet wide is required where said business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Berkeley Lake Code of Ordinances.

Please contact Gary Volino with questions or comments.

Gary Volino
gvolino@hotmail.com
Cell: 678-362-5229

Gary D. Volino

CHANGE ORDER NO.: 2

Owner:	**City of Berkeley Lake**	Owner's Project No.:	
Engineer:	**Keck & Wood, Inc.**	Engineer's Project No.:	**241290**
Contractor:	**Cajenn Construction & Rehab Services**	Contractor's Project No.:	
Project:	**2025 CIPP Stormwater Project**		
Contract Name:	**2025 CIPP Stormwater Project**		
Date Issued:	**6/24/26**	Effective Date of Change Order:	**6/24/26**

The Contract is modified as follows upon execution of this Change Order:

Description:

Final contract price adjusted to match actual work performed.

Change in Contract Price	Change in Contract Times
Original Contract Price: $ 302,316.00	Original Contract Times: Substantial Completion: 45 Ready for final payment: 60
Increase from previously approved Change Orders: $ 2,500.00	**Increase** from previously approved Change Orders: Substantial Completion: 0 Ready for final payment: 0
Contract Price prior to this Change Order: $ 302,316.00	Contract Times prior to this Change Order: Substantial Completion: 45 Ready for final payment: 60
Decrease of this Change Order: $ 18,517.00	**Increase** this Change Order: Substantial Completion: 119 Ready for final payment: 119
Contract Price incorporating this Change Order: $ 283,799.00	Contract Times with all approved Change Orders: Substantial Completion: 164 Ready for final payment: 179

	Recommended by Engineer (if required)	Accepted by Contractor
By:	Adam Hutton	Cristy S. Jennings
Title:	Assc. VP	President
Date:	6/24/26	06/24/2026
	Authorized by Owner	Approved by Funding Agency (if applicable)
By:		
Title:		
Date:		