

**Meeting of the City of Sandy Springs City Council
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
August 2, 2022 at Following Work Session
Page 1 of 11**

Meeting of the Sandy Springs City Council was held on August 2, 2022, Following the Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 7:07 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Councilmember John Paulson, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

Members Absent: Councilmember Melody Kelley

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

There was no public comment.

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Jody Reichel, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the consent agenda. The motion carried by unanimous vote.

- A. **2022-188** Meeting Minutes
July 19, 2022 City Council Work Session
July 19, 2022 City Council Meeting

VII. Presentations

- A. **2022-189** Purple Heart Day Proclamation

The Purple Heart Day Proclamation was presented at the Public Facilities Authority Special Called Meeting.

VIII. Public Hearing

- A. **2022-190** Request for Mayor and City Council Consideration of a Resolution to Approve RC-22-09SS, a Metropolitan River Protection Certificate for Property Located at 100 Morgan Falls Road

Michele McIntosh-Ross, Planning & Zoning Manager, presented the recommendation to approve RC22-0009, a Metropolitan River Protection Certification for property located at 100 Morgan Falls Road, which is consistent with the Chattahoochee Coordinator Plan. Properties within 2,000 feet of the Chattahoochee River are subject to the Chattahoochee River Corridor Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor. The applicant, the City of Sandy Springs, proposes the construction of Trail Segment 2A for Parcel ID: 17 0077 LL0136. The site is located in Vulnerability Category "E" with a proposed impervious area of 41,786 square feet and Vulnerability Category "F" with a proposed impervious area of 1,519 square feet. ARC reviewed the proposal and found that the project is consistent with the Chattahoochee River Corridor Plan.

There being no public comment, **Mayor Rusty Paul** closed the public hearing.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the RC-22-09SS, a Metropolitan River Protection Certificate for property located at 100 Morgan Falls Road. The motion carried by unanimous vote.

Resolution No. 2022-08-94

- B. **2022-191** Request for Mayor and City Council Consideration of a Resolution to Approve RC-22-10SS, a Metropolitan River Protection Act Certificate for Property Located at 8070 Jett Ferry Road

Michele McIntosh-Ross, Planning & Zoning Manager, presented the recommendation to approve RC22-0010, a Metropolitan River Protection Certification for property located at 8070 Jett Ferry Road, which is consistent with the Chattahoochee Coordinator Plan. Properties within 2,000 feet of the Chattahoochee River are subject to the Chattahoochee River Corridor Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor. The property owner proposes the construction of a pool. The site is located in Vulnerability Category "E" with a proposed impervious area of 3,167 square feet. ARC reviewed the proposal and found that the project is consistent with the Chattahoochee River Corridor Plan.

There being no public comment, **Mayor Rusty Paul** closed the public hearing.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve RC-22-10SS, a Metropolitan River Protection Act Certificate for property located at 8070 Jett Ferry Road. The motion carried by unanimous vote.

Resolution No. 2022-08-95

IX. New Business

- A. **2022-192** Request for Mayor and City Council Consideration to Approve Participation, Approve Entering a Memorandum of Understanding to Accomplish this Purpose, and Authorize the Submission of an Application to the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Dan Nable, Sandy Springs Police Department, Captain, presented a recommendation to enter into a memorandum of understanding with the City of Atlanta to apply for the FY 2022 Edward Byrne Memorial Assistance Grant (JAG) Program. The U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) program provides funding necessary to support criminal justice initiatives, including providing additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. The U.S. Department of Justice is currently seeking applications for funding for the FY 2022 JAG Program to assist criminal justice efforts to prevent and reduce crime and violence and to improve the administration of the criminal justice system. The City of Sandy Springs (City) is eligible to receive a formula amount of \$16,540. The City of Sandy Springs Police Department (SSPD) recommends these funds to be used to purchase an additional electric motorcycle to assist with patrol and to promote public trust between the community and the SSPD. The Department currently has two in inventory. The proposed third electric motorcycle will supplement the SSPD Street Crimes Unit and allow officers to engage in directed patrol of property crime hot spots, which are often tied to the drug trade, including sellers and distributors. The electric motorcycles provide a measure of stealth while officers are on patrol in high crime areas and can be easily hidden in areas where officers can observe criminal activity undetected, but allow quick and quiet response and access to areas a standard patrol car cannot. Additionally, similar to patrolling on bicycles, officers on electric motorcycles are able to interact closely with the public while on patrol as well as at various special events, thereby promoting police legitimacy and improving public/private relationships. There is an opportunity to enhance law enforcement activities on the existing and pending trails.

The City has been identified by the Bureau of Justice Assistance as a disparate jurisdiction and must submit a joint application to include all eligible applicants in the disparate grouping. To be eligible, the City is required to apply for the program along with Fulton County, the City of Alpharetta, the City of Atlanta, the City of College Park, the City of East Point, the City of Roswell, and Union City. The City of Atlanta is serving as the fiscal agent and will submit the application on behalf of all participating disparate municipalities. The City must enter into a memorandum of understanding that establishes the terms of the conditions of the grant and the obligations of the parties. Once awarded, the City of Atlanta will be responsible for distributing award funds to the other jurisdictions. The City of Sandy Springs is eligible to receive a formula amount of \$16,540. The award is based on the City's proportion of the three-year average number of violent crimes committed in the state of Georgia. Although this grant program does not require a match, it is anticipated that the awarded funds will not be sufficient to cover the entire cost of the electric motorcycle. Forfeiture funds can be used to cover the estimated additional cost of \$10,000.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Jody Reichel, to approve participation, approve entering into a Memorandum of Understanding to accomplish this purpose, and authorize the submission of an application to the FY 2022 Edward Byrne Memorial Justice Assistance Grant Program.

Mayor Rusty Paul stated this is the first time the City has had to partner with other cities for this grant.

Eden Freeman, City Manager, replied yes. Fulton County has been determined to be a disparate jurisdiction. City Staff is currently investigating why this change in status has occurred.

Councilmember Tibby DeJulio stated 10 to 12 years ago, the police department had motorcycle officers, but it was not the best experience. Why is the Department going back to motorcycles?

Captain Nable replied at the time, the Department programmed two Harley motorcycles that were primarily used for enforcement of traffic and emergency response. The proposed electric motorcycle will be used for law enforcement purposes in different environments, such as patrolling trails and parking decks.

Vote. The motion carried by unanimous vote.

Resolution No. 2022-08-96

- B. **2022-193** Request for Mayor and City Council Consideration to Amend the City of Sandy Springs Fiscal Year 2023 Budget to Appropriate Funds for the Capital Projects Fund and the Capital Improvement Plans Fund

Toni Carlisle, Chief Financial Officer, presented a request to authorize and amendment to the FY 2023 Budget to appropriate \$13,868,305 awarded to the City from the US Department of the Treasury Coronavirus State and Local Fiscal Recover Fund (commonly known as ARPA) to the police headquarters and municipal court project to cover the shortfall in funding. Additionally City Staff retracts the request for the reallocation of \$900,000 for Fire Station No. 3 to the police headquarters and municipal court, as printed in the evening's agenda, and instead requests the City Council reallocate the \$900,000 funds from Fire Station No. 3 to Fire Station No. 5 for the shortfall in funding.

The American Rescue Plan Act of 2021 appropriated \$10 billion dollars to the Treasury department to provide payments to governmental entities to carry out critical capital projects. The Guide for the Coronavirus capital projects fund states a recipient of State and Local Fiscal Recovery Funds may use the allocated funds as revenue replacement to cover costs incurred during a specified period for one or more eligible projects. An eligible project includes a capital project designed to address a critical need of the community to be served by it. Eligible project costs include costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment and facilities.

The City received the first tranche of these funds in May 2021 and expressed a desire to utilize as revenue replacement. Staff has requested the second tranche in the same amount or \$6,934,152.50 and proposes utilizing funds for the same project, the police headquarters and municipal court.

In regard to the reallocation of the \$900,000 for Fire Station No. 3, a temporary hold has been placed on design and construction due to budget concerns. Staff recommends the \$900,000 is reallocated to Fire Station No. 5 to offset the deficit in funding.

The financial impact of this recommendation is to prevent a shortfall in funding for the police headquarters and municipal court project and Fire Station No. 5.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the an amendment to the City of Sandy Springs Fiscal Year 2023 Budget to

Appropriate Funds for the Capital Projects Fund and the Capital Improvement Plans Fund. The motion carried by unanimous vote.

Ordinance No. 2022-08-08

- C. **2022-194** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 283 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-040-9); TS-192 Mt. Vernon Highway Corridor Improvements Project

William H. Martin, Jr., AIA, Public Works Director, presented an agreement to purchase Fee Simple Right-of-Way and Temporary Construction Easement on properties located at 283 Mt. Vernon Cove (Tax ID 17-0071-0005-040-9); 855 Mt. Vernon Highway (Tax ID 17-0035-LL-062-4); 6260 Mt. Vernon Oaks Drive (Tax ID 17-0036-0001-055-5); and 6284 Mt. Vernon Oaks Drive (Tax ID 17-0036-0001-061-3) for the TS-192 Mt. Vernon Highway Corridor Improvements Project.

283 Mt. Vernon Cove is owned by Valerie Y. McNeil. The acquisition is for 203.96 square feet of Fee Simple Right of Way and 546.74 square feet of Temporary Construction Easement. The City's Appraised Fair Market Value offer was \$12,419.00 and Staff has reached an amicable settlement in the amount of \$15,000.00 with the property owner. In seeking the additional \$2,581.00, the property owner has submitted recent sales comparables to the City as support for the agreement. These sales comparables have been verified and deemed to be valid. The increase of \$2,581.00 is reasonable and Staff recommends acceptance and approval by the Council.

855 Mt. Vernon Highway is owned by DYS Properties, LLC. The acquisition is for 695.21 square feet of Fee Simple Right of Way and 108.11 square feet of Temporary Construction Easement on the subject commercial property. The City's Appraised Fair Market Value offer was \$24,300.00 and Staff has reached an amicable settlement in the amount of \$30,000.00 with the property owner. In seeking the additional \$5,700.00, the property owner submitted a recent sale comparable as support for the agreement. The City considers the comparable appropriate and the parties have agreed to a Final Offer of Settlement in the amount of \$30,000.00 to avoid any potential condemnation actions. The increase of \$5,700.00 is reasonable and Staff recommends acceptance and approval by the Council.

6260 Mt. Vernon Oaks Drive is owned by Hamid Arjmand. The acquisition is for 792.10 square feet of Fee Simple Right of Way and 38.08 square feet of Temporary Construction Easement. The City's Appraised Fair Market Value offer was \$38,641.00 and Staff has reached an amicable settlement in the amount of \$40,000.00 with the property owners. Included in the City's offer was mitigation compensation, also known as a "Cost-To-Cure", in the amount of \$6,750.00 due to the project's negative impact on landscaping along the property's rear frontage along Glenridge Drive. The property owner has submitted recent sales comparables to the City seeking an additional \$1,359.00 to accommodate for recent real estate market activity. The increase has been deemed reasonable and Staff recommends acceptance and approval.

6284 Mt. Vernon Oaks Drive is owned by Juan and Kathy Camarero. The acquisition is for 281.32 square feet of Fee Simple Right of Way and 242.37 square feet of Temporary Construction Easement. The City's Appraised Fair Market Value offer was \$17,586.00 and Staff has reached an amicable settlement in the amount of \$21,000.00 with the property owners. Included in the City's offer was mitigation compensation, also known as a "Cost-To-Cure", in the amount of \$5,400.00 due to the project's negative

impact on landscaping along the property's rear frontage along Mt. Vernon Highway. The property owner has submitted recent sales comparables, as well as a landscaping quote to the City seeking an additional \$3,414.00 to accommodate for recent real estate market activity as well as for additional landscape buffering on the house-side of the existing wall to help restore privacy along the rear of the property.

Sufficient funds are available in Project TS-192 Mt. Vernon Highway Corridor Improvements Project for each of the presented acquisition recommendations.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Tibby DeJulio, to approve the acceptance of an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 283 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-040-9); TS-192 Mt. Vernon Highway Corridor Improvements Project. The motion carried by unanimous vote.

Resolution No. 2022-08-98

- D. **2022-195** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 855 Mt. Vernon Highway in Land Lot 35 of the 17th District, City of Sandy Springs (Tax ID# 17-0035- LL-062-4); TS-192 Mt. Vernon Highway Corridor Improvements Project

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember John Paulson, to approve the acceptance of an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 855 Mt. Vernon Highway in Land Lot 35 of the 17th District, City of Sandy Springs (Tax ID# 17-0035- LL-062-4); TS-192 Mt. Vernon Highway Corridor Improvements Project. The motion carried by unanimous vote.

Resolution No. 2022-08-99

- E. **2022-196** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 6260 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-055-5); TS-192 Mt. Vernon Highway Corridor Improvements Project

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember John Paulson, to approve acceptance of an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 6260 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-055-5); TS-192 Mt. Vernon Highway Corridor Improvements Project. The motion carried by unanimous vote.

Resolution No. 2022-08-100

- F. **2022-197** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 6284 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District,

City of Sandy Springs (Tax ID# 17-0036-0001-061-3); TS-192 Mt. Vernon Highway Corridor Improvements Project

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember John Paulson, to approve acceptance of an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 6284 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-061-3); TS-192 Mt. Vernon Highway Corridor Improvements Project. The motion carried by unanimous vote.

Resolution No. 2022-08-101

- G. **2022-198** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 1225 Spalding Drive in Land Lot 378 of the 6th District, City of Sandy Springs (Tax ID #06-0378- LL-005-1); TS-111 Pitts Road at Spalding Drive Intersection Project

William H. Martin, Jr., AIA, Public Works Director, presented an agreement to purchase Fee Simple Right-of-Way and Temporary Construction Easement on property located at 1225 Spalding Drive (Tax ID 06-0378-LL-005-1) for the TS-111 Pitts Road at Spalding Drive Intersection Project. The property is owned by Robert E. Layton, as trustee of the 1225 Spalding Drive Revocable Trust of 2017. The acquisition is for 408.98 square feet of Fee Simple Right of Way and 984.49 square feet of Temporary Construction Easement. City Staff and the property owner have come to an amicable agreement in the amount of \$63,100.00. The City's appraised fair market value offer was \$58,600.00. Due to the nature of the acquisition that involves the relocation of a privacy fence and gate system, the property owner provided the City with an estimate that was greater than the City's Cost to Cure Mitigation proposal. Therefore, the additional \$4,500 is considered reasonable and Staff recommends Council acceptance and approval of the agreement. Sufficient funds are available in Project TS-111 Pitts Road at Spalding Drive Intersection for this acquisition.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve acceptance of an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 1225 Spalding Drive in Land Lot 378 of the 6th District, City of Sandy Springs (Tax ID #06-0378- LL-005-1); TS-111 Pitts Road at Spalding Drive Intersection Project.

Councilmember John Paulson asked if this is the last piece of property needed for the project.

Public Works Director Martin replied no, there are another five purchases remaining. Several others are in the works.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-08-102

- H. **2022-199** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Real Estate on that Tract of Land at 5100 Northland Drive in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040- LL-077-5) Associated with the T-0060/PATH 400 Trail Extension Project

William H. Martin, Jr., AIA, Public Works Director, presented an agreement to purchase real estate on the tract of land at 5100 Northland Drive (Tax ID 17-0040-LL-5) associated with the T-0060/PATH 400 Trail Extension Project. The property owners are Michael E. Schulte and Sally Schulte. The acquisition of 347.80 square feet of Permanent Easement for Construction and Maintenance. City Staff and the property owners have come to an amicable agreement in the amount of \$4,000.00. The City's Appraised Fair Market Value offer was \$2,900.00. The owners have submitted an estimate of \$1,100 to restore impacted irrigation that is within the acquisition area that was not initially detected during the appraisal process. The estimate has been deemed reasonable for the work involved and Staff recommends acceptance and approval of the proposed.

Sufficient funds are available in Project T-0060 PATH 400 Trail Extension Project for this acquisition. This Project contains FHWA/GDOT funding and the City has entered into a contract with GDOT to be reimbursed for Right of Way Acquisition costs for the Project. The maximum amount of reimbursement is \$688,000.00. This is the second Agreement reached on the project and this amount of \$4,000.00 is fully eligible for reimbursement.

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Jody Reichel, to approve the acceptance of an agreement to purchase real estate on that tract of land at 5100 Northland Drive in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040-LL-077-5), associated with the T-0060/PATH 400 Trail Extension Project. The motion carried by unanimous vote.

Resolution No. 2022-08-102

- I. **2022-200** Request for Mayor and City Council Consideration to Approve a Contract Award to The Dickerson Group to Construct 155 Stewart Drive Drainage Maintenance and Improvement Project and Authorizing the City Manager to Execute a Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to award a contract to The Dickerson Group (Dickerson) to construct the 155 Stewart Drive Drainage Maintenance and Improvement Project (Project) and to authorize the City Manager to execute the contract, subject to the approval of the City of Sandy Springs Legal and Finance Departments. In 2021, the City engaged an engineering firm to develop plans for replacement of the damaged or deficient stormwater infrastructure at 155 Stewart Drive. The Project corrects deficiencies in the infrastructure found during a 2021 study and brings the drainage system up to City standards. The Project scope consists of:

- Replacing two existing curb inlets with new single wing catch basins
- Replacing 26' of existing deteriorating 18" reinforced concrete pipe "RCP" cross drain pipe
- Adding two new single wing catch basins and 76' of 18" RCP storm pipe along Stewart Drive to improve roadway drainage
- Repairing curb and gutter
- Replacing 300 square yards of asphalt pavement to provide proper surface drainage.

To advance the Project, the City issued an Invitation to Bid ("ITB") on June 1, 2022 seeking bids from qualified contractors to construct the Project. Bids from three (3) contractors were received on July 8, 2022. Bid results were: The Dickerson Group, Inc. - \$244,788.50; GS Construction, Inc. - \$291,390.00; and Site Engineering, Inc. - \$378,400.00.

Upon review of the bids, staff recommends that award be made to the lowest most responsible and responsive bidder, The Dickerson Group, Inc., in the amount of \$244,788.50. The engineer's construction cost estimate for the Project is \$202,554.00. There are adequate funds available in the Stormwater Capital Maintenance and Improvements Account budget to award this contract.

Motion and vote. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Tibby DeJulio, to approve a contract award to The Dickerson Group to construct the 155 Stewart Drive Drainage Maintenance and Improvement Project and Authorizing the City Manager to Execute a Contract. The motion carried by unanimous vote.

Resolution No. 2022-08-103

- J. **2022-201** Request for Mayor and City Council Consideration to Approve Contract Awards to Gresham Smith, Atlas Technical Consultants, LLC, and Colliers Engineering & Design, Inc. for the City of Sandy Springs Right of Way Acquisition Services, and to Authorize the City Manager to Execute the Contracts

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve contract awards to Gresham Smith; Atlas Technical Consultants, LLC; and Colliers Engineering & Design, Inc. for the City of Sandy Springs Right-of-Way Acquisitions Services, and to authorize the City Manager to execute the contracts.

The purpose of the solicitation is to establish an on-call list of qualified right of way acquisition contractors that the City may utilize on as-needed basis. The need for right of way acquisition resources arises from the recent referendum approving the continuance of the TSPLOST program as well as programmed Capital Improvement Program projects. On April 20, 2022, the City issued a Request for Qualified Contractor (RFQC) 22-049, "City of Sandy Springs Right of Way Services," to solicit responses (Proposals) from qualified contractors to perform right of way acquisition services. The City's Purchasing Office conducted a non-mandatory pre-Proposal meeting online on May 2, 2022. The due date for receipt of Proposals was May 20, 2022. The City received Proposals from the following five (5) firms: Atlas Technical Consultant, LLC, Colliers Engineering & Design, Inc., Columbia Engineering and Services, Inc., Gresham Smith, and The Bernard Johnson Group, Inc. Proposals were initially examined by the City's Purchasing Office for administrative compliance with submittal instructions. No administrative compliance issues were noted. Proposals were evaluated by an evaluation committee consisting of the following five (5) members (Evaluation Committee): Allen Johnson, TSPLOST Program; Manager Kerry Missel, Land Administration Manager; Christine Schultz, TSPLOST Project Manager; Wesley Waters, CIP Unit Manager; and William H. Martin Jr, Director of Public Works. Based on the criteria stated in the RFQC and results of evaluation, the Evaluation Committee recommends that the City award multiple contracts for the proposed right of way acquisition services to Gresham Smith, Atlas Technical Consultants, LLC and Colliers Engineering & Design, Inc. Adequate funds were budgeted for FY23 under the TSPLOST and CIP Programs to fund services that include, but are not limited to, right of way acquisition services.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melissa Mular, to approve a contract awards to Gresham Smith, Atlas Technical Consultants, LLC, and Colliers Engineering & Design, Inc. for the City of Sandy Springs Right of Way Acquisition Services, and to authorize the City Manager to execute the contracts.

Councilmember John Paulson asked how will each of the three contractors be tasked.

Public Works Director Martin advised contractors will be tasked based on availability, as a primary consideration, and perhaps specialty on occasion.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-08-104

X. Reports

A. 2022-202 Mayor and Council Report

Mayor Rusty Paul reported the new school year starts next week. Mayor Paul mailed a letter to Fulton County Schools and many of the City's private schools inviting them to meet with the Sandy Springs Police Department to discuss safety issues. The Sandy Springs Police Department has since met with Fulton County Schools and there is a memorandum of understanding in the works that will soon be presented to City Council for consideration. It is important to understand who is responsible for what in cases of emergencies. The police department has also met with several private schools in the community. The City has traditionally had a great relationship with the Jewish day-schools. The City has now engaged many of the other private schools. School safety is on everyone's mind. This is only the start of a dialogue. It is an ongoing process.

Ken DeSimone, Sandy Springs Police Department, Police Chief, stated the Sandy Springs Police Department enjoys the support from and its relationship with many other law enforcement agencies, such as the FBI, DEA and Fulton County Sheriff's Office. Many of the agencies' leadership were in attendance at 2022 National Night Out event, which was packed and well-attended.

Mayor Paul continued to report there have been two meetings on the LOST negotiations. The 15 cities are united, with active participation from all of the mayors, including City of Atlanta. The Cities and the County are a long way apart on what is believed to be a fair distribution of the LOST funds. After 60 days of negotiations, the parties have a choice between mediation or arbitration. The 15 Cities are united in believing that arbitration is the right approach. This is an open, public process. Mediation would be a private, confidential conversation. However, the Cities have also agreed to first go into mediation and follow with arbitration, which the County is considering. Council and Staff are reminded not to propose too many projects until Cities know what is to be expected from a revenue perspective.

Eden Freeman, City Manager, advised the LOST revenue is approximately 28% of the City of Sandy Springs' budget, with the amount fluctuating based on consumer spending.

B. 2022-203 Staff Reports

There were no staff reports.

XI. Executive Session

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to suspend the regular order and enter executive session for the purposes of real estate

and litigation discussions. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

The executive session began at 8:01 p.m.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to adjourn the executive session and return to regular order. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

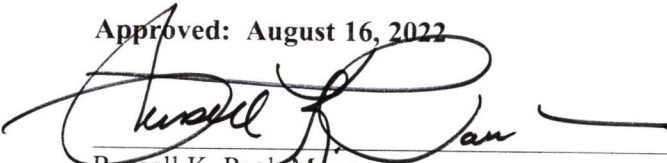
The executive session ended at 9:01 p.m.

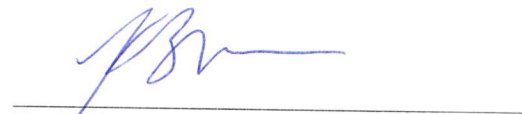
XII. Adjournment

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 9:01 p.m.

Approved: August 16, 2022



Russell K. Paul, Mayor

Karina Reyna, Assistant City Clerk