

Meeting of the Sandy Springs City Council was held on September 20, 2022 Following the Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:18 p.m.

II. Roll Call and General Announcements

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

Members Absent: Councilmember Andrew Bauman

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. Joe Fitzgerald, 945 Redding Drive - Thank you / Johnson Ferry Lights

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melody Kelley, to remove agenda item 2022-262 from the agenda (Resolution Authorizing a Change Order to Amend the Existing Contract with Hussey Gay Bell for Architectural, Engineering, and Construction Administration Services for New Fire Station #5 to Accommodate Increase in Proposed Construction Cost and Authorizing the City Manager to Execute the Change Order) and approve the meeting agenda as amended. 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. **2022-251** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right-of-Way and Temporary Construction Easement on that Certain Tract of Land Located at 223 Mt. Vernon Cove (TAX ID# 17-0071-0005-045-8), Lying in Land Lot 71 of the 17th District, City of Sandy Springs, Fulton County, Georgia

Resolution No. 2022-09-128

- B. **2022-252** Request for Mayor and City Council Consideration of the Dedication of a Temporary Construction Easement on Property Located in Land Lot 68 of the 17th District Known as 5375 Long Island Drive, Parcel No. 17-0121-LL-043-9 City of Sandy Springs, Fulton

County, Georgia

Resolution No. 2022-09-129

VII. Presentations

There were no presentations.

VIII. Public Hearing

Karina Reyna, Assistant City Clerk, read the rules to the public hearing.

A. 2022-253 RZ22-0004

Request for Mayor and City Council Consideration of a Zoning Map Amendment from CS-3 (City Springs, 3 stories maximum) to CS-6 (City Springs, 6 stories maximum) for property located at 5810 Roswell Road (Parcel # 17 009000020094) and 0 Allen Road (Parcel # 17 009000020615)

Ginger Sottile, Community Development Director, presented RZ22-0004, a request for Mayor and City Council consideration of a Zoning Map Amendment from CS-3 (City Springs, 3 stories maximum) to CS-6 (City Springs, 6 stories maximum) for property located at 5810 Roswell Road (Parcel # 17 009000020094) and 0 Allen Road (Parcel # 17 009000020615). The Applicant requests a Zoning Map Amendment for 5810 Roswell Road (Parcel # 17 009000020094) & 0 Allen Road (Parcel # 17 009000020615) from the CS-3 (City Springs, 3 stories maximum height) zoning district to CS-6 (City Springs, 6 stories maximum height) zoning district. The applicant seeks to develop the property with six stories of mixed-use, to include multi-unit, restaurant, and office. The proposed uses are permitted in the City Springs zoning district. The current use at the subject site is classified as Major Vehicle Service and Repair in the Development Code. This use is considered "legal nonconforming" since it is not an allowed use under the current development code. The existing development is contained on two (2) individual CS-3 zoned lots, with multiple commercial buildings which facilitate the use of major vehicle service and repair, including the storage and general parking of many vehicles. The site has little to no screening, making outdoor storage visible to all neighboring sites and traffic on Allen and Roswell Roads.

The goal with Rezoning is to consider the appropriateness of the proposed change, rather than the specifics of a future development. In the case of this Rezoning, the requested change is with the permitted height, from three (3) stories to six (6) stories, not affecting the permitted uses. Particular consideration should be focused on physical impacts to view sheds and increased density to the immediate and neighboring areas, especially as it pertains to the vision of the Next Ten Comprehensive Plan and City Springs (Center) Master Plan.

Staff recommends approval of Zoning Map Amendment (Rezoning) RZ22-0004. The Planning Commission recommended approval at the August 17, 2022, meeting.

Mayor Rusty Paul opened the public hearing.

Support

1. **Connor McNalley, Applicant, 999 Peachtree Street NE, Atlanta**

2. Pete Hendricks, 6085 Lake Forrest Drive, Suite 200, Sandy Springs

Opposition

- 1. David Couchman, 8890 Huncliff Trace, 30350**
- 2. Melanie Couchman, 8890 Huntcliff Trace**

Mayor Paul closed the public hearing.

Motion and second. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Jody Reichel, to approve the RZ22-0004, a Zoning Map Amendment from CS-3 (City Springs, 3 stories maximum) to CS-6 (City Springs, 6 stories maximum) for property located at 5810 Roswell Road (Parcel # 17 009000020094) and 0 Allen Road (Parcel # 17 009000020615). The motion passed.

Councilmember Melissa Mular asked how many parking spaces will be available in the two stories beneath the building. Are you required to complete a traffic study?

Mr. McNalley replied there are approximately 300. That is 1.5 spaces per unit. This number also includes parking for retail. Parking is determined based off one parking spaces for one-bedroom units and 2 parking spaces for two-bedrooms, plus additional parking for retail. The application was required to submit counts from an engineer. Staff reviewed difference in traffic volume from existing use and the proposed use. The difference was not enough to trigger a traffic study.

Councilmember Mular asked is the co-working space for tenants only.

Mr. McNalley replied the coworking space is for both tenants and others. This is provided as a resource to tenants, but also available in the commercial space. This is huge demand for this space, even in suburban communities. If the coworking is not being utilized, it could be converted into another retail use. The space works for any other office use.

Councilmember Tibby DeJulio stated on Allen Road the building setback is 30 feet, and on Roswell Road it is 3 feet.

Mr. McNalley stated the building is setback 30 feet, but 3 feet after the first three stories. This is due to the change in the massing of building after 3 stories.

Councilmember Jody Reichel asked is the coworking space being rented out by the month.

Mr. McNalley replied there will be a few small office space that people can rent, but also desks available for rent. There are also bathrooms and coffee stations.

Councilmember Melody Kelley asked is the City's economic development incentive housing for affordable housing.

Kristin Smith, Assistant City Manager, replied there are two eligibility requirements: (1) project must create at least 150 new or replacement units and 20% of those units are made available to individuals/families whose incomes are no more than 120% of AMI; or (2) any housing projects of at least 150 units that replaces 150 rental units with no less than 75% of units intended for homeownerships.

This is a potential waiver of building permits fees and impact fees, at the discretion at the City Council. Also, while a traffic report wasn't required for this rezoning, it would be required at the time of permitting.

Councilmember Kelley stated it is hard being on the other side of this and this is not a decision to take likely. I am thinking about tonight's work session, where the recurring them was staffing. There is not another way to continue to function as a city without incentivizing and encouraging an environment where businesses flourish.

Mayor Paul stated 62% - 64% of city's housing stock is rental. Atlanta is only 54%, and Johns Creek is 64% ownership, and Roswell is much lower. I have much time how to create more ownership opportunities in this city, because we have cutoff a whole generation of people from the ability to create family wealth. This is a complex and convoluted problem. This property is a gateway to the city. Down the street there are townhomes on Allen Road, with more property on Allen Road can be turned into the type of housing the community would like to see. This was high on my list on being my first veto, if it were to pass, but I have decided it is probably the best utilization on the corner that we are going to get. Should the Council be patient to see what might happen when the market changes, but who knows how long that will be. I am reluctantly in support of this project, and will not veto it if is approved.

Vote on the motion. The motion passed.

Passed Yes 4, No 1, Abstained 0

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

Nays: Melody Kelley

Ordinance No. 2022-09-15

- B. **2022-254** Request for the Mayor and City Council Consideration of a Resolution to Transmit the Draft FY 22 Capital Improvement Element (CIE) Annual Update to the Atlanta Regional Commission and the Georgia Department of Community Affairs for Review.

Ginger Sottile, Community Development Director, presented a resolution authorizing the transmittal of the Draft FY 2022 Capital Improvement Element (CIE) Annual Update to the Atlanta Regional Commission and the Georgia Department of Community Affairs for review. The Annual Financial Report has been adjusted to reflect the 2022-2023 beginning balances, impact fees collected and accrued interest for each public facility type. The Work Program was updated to show changes in estimated costs of specific Public Safety and Road Improvements projects and to include subprojects of intersection improvements, as listed in the Community Work Program chapter of the CIE adopted October 18, 2016. All local governments that utilize an impact fee system under the Georgia Development Impact Fee Act must include a Capital Improvements Element ("CIE") in their comprehensive plans and update the CIE portion of their plan annually. The City of Sandy Springs is required to approve an annual update to the CIE and Short Term Work Program by October 31, 2022. The State requires that only a draft be submitted and that the local government not take any official action to adopt or put into effect a CIE prepared in accordance with the Development Impact Fee Compliance Requirements until the CIE is first submitted to the regional development center, the Atlanta Regional Commission, for review. The draft of the annual update of the CIE and Work Program has been prepared by staff in accordance with the Development Impact Fees Compliance Requirements and the Minimum Planning Standard and

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Procedures for Local Comprehensive Planning established by the state of Georgia. It take a couple of weeks to review the report.

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

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Melissa Mular, to approve the resolution to transmit the Draft FY 22 Capital Improvement Element (CIE) Annual Update to the Atlanta Regional Commission and the Georgia Department of Community Affairs for review. The motion carried by unanimous vote.

Resolution No. 2022-09-130

- C. **2022-255** ABL_BILL#96281 - Approval of Alcoholic Beverage License Application for Thai Chef LLC, d/b/a Sweet Chili - 8725 Roswell Rd Unit 1 Sandy Springs GA 30350. Applicant is Bo Supyen for Consumption on The Premises Wine and Malt Beverage

Toni Carlisle, Chief Financial Officer, presented ABL 96281, an Alcoholic Beverage License Application for Thai Chef, LLC, doing business as Sweet Chili, at 8725 Roswell Road, Unit 1, Sandy Springs, Georgia 30350, for Consumption on the Premises Wine and Malt Beverages. Applicant Bo Supyen has met all requirements and staff recommends approval.

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

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Jody Reichel, to approve the ABL 96281, an Alcoholic Beverage License application for Thai Chef LLC, doing business as Sweet Chili, at 8725 Roswell Rd., Unit 1, Sandy Springs, GA 30350, applicant Bo Supyen for Consumption on The Premises Wine and Malt Beverage. The motion carried by unanimous vote.

IX. New Business

- A. **2022-256** Request for Mayor and City Council to Approve a Contract Award to JHC Corporation to Construct the Sandy Springs Trail 2A Project and Authorizing the City Manager to Execute a Contract

Michael Perry, Recreation and Parks Director, presented a request to approve a contract award to JHC Corporation to Construct the Sandy Springs Trail 2A Project. The Sandy Springs Trail Master Plan was approved on October 15, 2019. On February 4, 2020, the PATH Foundation was awarded a Master Agreement for trail design and construction management. Subsequently, Trail 2A was identified as the initial trail segment based on the proximity to Roswell Road with access to the Chattahoochee River and Overlook Park on Morgan Falls Road.

This Project is being constructed on private properties where the City has acquired easements. The Project begins at Morgan Falls Overlook Park and follows the Georgia Power Road to the River onto Fulton County property, through the Edgewater property, and ends at the intersection of Cimarron Parkway at Roswell Road. The Project has a total distance of 9914 linear feet or 1.88 miles.

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The Project consists of the construction of an 8'- 12' wide multi-use, 5-inch concrete and 6-inch pervious concrete trail, retaining walls, drainage structures, pedestrian bridges, top-down boardwalk with concrete decking, roadway realignments, landscaping, trail signage, and amenities.

On July 6, 2022, the City issued an Invitation to Bid ("ITB") seeking bids from qualified contractors to construct the Project. Bids from three (3) contractors were received on August 19, 2022.

Bid results were:

Bidder	Bid
JHC Corporation	\$7,803,554.65
Astra Group, LLC	\$8,750,000.00
Tri Scapes	\$12,685,466.43

Upon review of the bids, staff recommends award be made to the lowest most responsible and responsive bidder, JHC Corporation, in the amount of \$7,803,554.65. Staff has contacted provided references and representatives of other past projects with positive results. JHC Corporation has successfully completed several similar projects within the last three (3) years including trails/greenway projects in August, Columbus and Albany.

The engineer's construction cost estimate for the Project is \$9,000,000. There are adequate funds available in account number P2201 to fund this Project.

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Jody Reichel, to approve a contract award to JHC Corporation to construct the Sandy Springs Trail 2A Project and authorize the City Manager to execute a contract.

Councilmember John Paulson asked is the City paying all of the \$7,800,000 of the cost.

Recreation and Parks Director Perry replied no, the City received a \$3,000,000 grant from the Georgia Department of Resources for the project. The City must provide the \$4,800,000 balance as a match.

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

Resolution No. 2022-09-131

- B. **2022-257** Request for Mayor and City Council Consideration of Approval of a New Memorandum of Understanding for SWAT Team Assistance to Add Chamblee as a Participating Agency and to Authorize the Mayor and Police Chief to Execute Same

Norm Vic, Captain, Sandy Springs Police Department, The City of Sandy Springs ("City") has been a member of North Metro SWAT and a party to the MOU with the Cities of Brookhaven, Dunwoody, and Johns Creek (each a "Participating Agency") since 2013. On April 19, 2022, City Council approved a revised MOU that addressed certain matters not adequately addressed in the original MOU, such as equipment requirements, maintenance and operation, and liability for damage to equipment. Some time ago, the City of Chamblee expressed an interest in joining North Metro SWAT. Chamblee, like the other North metro cities, historically has relied on County police to assist them in tactical operations, often resulting in inadequate service to its citizens.

Over the past five (5) years, Chamblee has only had six (6) SWAT activations; therefore, North Metro SWAT would likely not see a significant increase in activations. However, bringing Chamblee into North Metro SWAT will add personnel. The most difficult part of operating North Metro SWAT is ensuring there are enough members to complete the mission.

North Metro SWAT has had ongoing conversations with Chamblee, and members of the Chamblee Police Department have been invited and participated in SWAT trainings. Chamblee has already had three (3) officers meet rigorous requirements to join North Metro SWAT. In addition to SWAT positions, there are also positions in the Crisis Negotiators and Logistics teams, which also fall under the command of North Metro SWAT. The parties have determined that adding Chamblee as a Participating Agency in North Metro SWAT will make it possible to deliver tactical operations services more strategically, efficiently, and effectively with increased personnel, accountability and responsiveness.

Attached is a new MOU which adds Chamblee as a member of North Metro SWAT and a Participating Agency to the MOU. Pursuant to the new MOU, Chamblee participates equally with the other Participating Agencies in sharing resources and responsibility. Chamblee has also agreed to assist with financial requirements of North Metro SWAT by purchasing gear and other equipment that the SWAT team needs. Specifically, Chamblee has agreed to purchase a tactical drone for SWAT operations.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve the new Memorandum of Understanding for SWAT Team Assistance to add Chamblee as a Participating Agency and to authorize the Mayor and Police Chief to execute same.

Councilmember John Paulson stated Chamblee is on the other side of Brookhaven. Logistically, how does this work?

Captain Vic replied that typically the agency requesting support will share the meet-up location. Sand Springs police officers are coming from all directions, as far south as Coweta County and as far north as Paulding County. Mobile resources, such as armored vehicles, are located in Dunwoody, Brookhaven and Sandy Springs. So response times are adequate.

Mayor Paul stated this also increases the territory to cover, whose population now is likened to City of Atlanta. Do you feel the current resources are adequate?

Captain Vic replied that in the last five years, City of Chamblee has had six SWAT call-outs, responded to by DeKalb County. It is not anticipated that this will be significant impact.

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

Resolution No. 2022-09-132

- C. **2022-258** Request for Mayor and City Council to Approve Contract Awards to Multiple Vendors to Provide On-Call Disaster Recovery Services for the City of Sandy Springs and to Authorize the City Manager to Enter into Contracts with Such Vendors

Keith Sanders, Sandy Springs Fire Rescue, Chief, presented a request for approval of contract awards to multiple vendors to provide On-Call Disaster Recovery Services for the City of Sandy Springs. On

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June 15, 2022, the City issued a Request for Qualified Contractor (RFQC) 22-058, "City of Sandy Springs Disaster Recovery Services," to solicit responses ("Proposals") from qualified contractors to perform disaster recovery services for the City of Sandy Springs ("City"). The term "disaster recovery services" is broadly defined as services for damage to structures caused by fire, explosion, vehicle accident, natural disaster, or other causes, as determined by the Fire Chief or designee. Such services are to be provided by a properly licensed and approved company selected through this competitive solicitation process to provide victim assistance to citizens and businesses during and after times of disaster and to protect personal and real property, to include securing such property from additional damage, theft, vandalism, or trespass. The City's intent by issuing the RFQC is to establish a call list of vendors that are qualified to provide disaster recovery services.

The City's Purchasing Office conducted a non-mandatory pre-Proposal meeting online on June 28, 2022. The due date for Proposals was July 19, 2022. In response to the RFQC, the City received Proposals from the following six (6) firms: Global Restoration; Paces; Paul Davis of North Fulton; Servpro of North Fulton; Servpro of Panthersville; and Southeast Restoration Group.

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 three (3) members ("Evaluation Committee"):

Chris Campbell, Division Chief
Scott McCullers, Division Chief of Administration
Keith Sanders, Fire Chief

The following criteria was used to evaluate technical components of the proposals, as set forth in the RFQC:

PROPOSAL CRITERIA	DESCRIPTION	POINTS
Project Understanding/ Methodology	Description of the Offeror's understanding of the proposed Services as outlined in the RFQC and the Offeror's demonstration of understanding of the magnitude of the Scope of Services and the desired outcomes for the Services. The overall approach should include any tools or methodologies that are needed to complete the proposed Services on time and within scope.	30% 30 points possible
Schedule/Statement of Work	Include a schedule and work plan in sufficient detail to determine how each task shall be accomplished. The work plan should describe how the Offeror proposes to complete the Services, shall be sufficiently detailed to highlight the effectiveness of the Proposal, and should spell out how this work can be performed in a cost-effective manner.	20% 20 points possible
Project Personnel	Provide information on personnel to be assigned to this project for the Offeror as well as assignment of key personnel of any sub-contractors. Personnel should have experience in a variety of fields necessary to complete the requirements of this project.	20% 20 points possible
Similar Experience	Demonstrate that the firm(s) and personnel have experience and expertise with the subject matter and have demonstrated performance of work that is similar in type and scope to the Services to be provided. The Offeror shall submit a minimum of three (3) projects of similar scope completed in the last five (5) years. Include service contract description, location, cost, status, and client contact information. The service contract references should reflect the firm's experience with planning and implementing transit signal priority.	30% 30 points possible
Technical Scoring	Total points received by Offeror based on technical scoring criteria.	100% 100 points possible
TOTAL POINTS POSSIBLE		100%

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The selected vendors will be paid through insurance proceeds and, to the extent there is not insurance, it is a loss to the company. The awarded vendors are required to indemnify the City against any and all claims and liability arising out of the performance of the disaster recovery services.

Following individual Proposal review and scoring, the Evaluation Committee met to discuss the Proposals. Below are the consensus results:

	Project Understanding Methodology	Schedule/Statement of Work	Project Personnel	Similar Experience	Total
Vendor	30 pts	20 pts	20 pts	30 pts	100 pts
Southeast Restoration Group	30	20.0	19.7	29.7	99.4
Paul Davis of North Atlanta	29.3	20.0	19.7	28.3	97.3
SERVPRO OF North Fulton	29.7	19.0	19.3	29.0	97.0
Paces	27.0	17.3	17.3	28.7	90.3
SERVPRO of Panthersville	22.3	16.0	17.3	25.3	80.9
Global Restoration	18.7	17.7	17.0	24.3	77.7

Based on the criteria stated in the RFQ, the contents of Proposals, and results of the evaluation as shown above, the Evaluation Committee recommends that the Mayor and City Council award multiple contracts for on-call disaster recovery services to the following vendors: Southeast Restoration Group; Paul Davis of North Atlanta; and Servpro of North Fulton.

Motion and second. A motion was made by Councilmember Jody Reichel, seconded by Councilmember John Paulson, to approve contract awards to multiple vendors to provide On-Call Disaster Recovery Services for the City of Sandy Springs and to authorize the City Manager to enter into contracts with such vendors.

Councilmember Jody Reichel asked do apartment complexes require residents to have renters insurance. Also, has the City worked with these vendors before?

Chief Sanders replied the apartment complexes would have to require that of their residents. There was an apartment fire earlier in the morning today, and one of the services were called. The City has worked with some of the vendors in the past. The City Council approved a similar award in 2016, and tonight's action is really a renewal of sort.

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

Resolution 2022--09-133

D. **2022-259** A Resolution to Authorize the Lease of Ten New Cardiac Defibrillators/Monitors for the City of Sandy Springs Fire Department and

Authorizing the City Manager to Execute Documents to Effectuate Same

Keith Sanders, Sandy Springs Fire Rescue, Chief, presented a resolution to authorize the lease of ten new cardiac defibrillators / monitors for the City of Sandy Springs Fire Department. The ten (10) new Cardiac Defibrillators/Monitors will replace existing frontline Physio Control LifePak 15, which will be traded in on this lease. Currently there are ten (10) units in service, one each on all frontline response apparatus. Seven (7) of these units are no longer under warranty beginning 2022. Physio Control would continue to maintain these monitors under the current service agreement; however, the fee schedule would increase. After reviewing the various purchase and lease options, examining the emerging technology for various vendors, and considering the life of the equipment in question, it was decided to pursue a lease option. This option gives us the most flexibility, and better return on investment with trading the current models in on new technology in the future. The City will work through EMS Superstore to purchase the equipment, including ten (10) Philips Healthcare Tempus Pro Cardiac Monitors, in an amount not to exceed \$412,033.19 in total over 5 years.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to approve the resolution to Authorize the Lease of Ten New Cardiac Defibrillators/Monitors for the City of Sandy Springs Fire Department and Authorizing the City Manager to Execute Documents to Effectuate Same.

Councilmember Tibby DeJulio stated this is a very important purchase.

Mayor Rusty Paul stated there was a time when it was reported if someone had cardiac arrest in Sandy Springs, there would be only a 1% chance of survival. Basically, the City had highly trained people who would arrive too late. The City has focused on improving response times and state-of-the-art technology to save lives. The City has achieved a wonderful record.

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

Resolution 2022-09-134

- E. **2022-260** Request for Mayor and City Council to Approve Acceptance of a Conserve Georgia Grant and to Approve the Execution of an Agreement with the Georgia Department of Natural Resources for the Construction of Trail Segment 2A

Catherine Mercier-Baggett, Sustainability Manager, presented a request to accept a Conserve Georgia Grant and to approve the execution of an agreement with the Georgia Department of Natural Resources for the construction of Trail Segment 2A. The City applied for the Georgia Department of Natural Resources Conserve Georgia Grant, under the Georgia Outdoor Stewardship Program, in October 2021. The application was for funds to assist with the cost of construction of Trail Segment 2A that will connect Overlook Park at Morgan Falls to Roswell Road at Cimarron Parkway ("Project"). The amount requested was \$3 million.

In Spring 2022, the City received confirmation that Trail Segment 2A passed the first phase of the grant selection process. Documentation for the second phase was submitted in May 2022, including an estimated total budget of \$9.6 million. The GA DNR provided a Project Agreement in late August, confirming the award of a \$3 million grant to the City. The grant will cover approximately 38.5% of the total construction costs of Trail Segment 2A. Funding is available in capital project P-2201.

The firm selected for construction of Trail Segment 2A submitted a bid of \$7.8 million, lower than the PATH Foundation's estimate at the time of the second phase submittal. This reimbursement grant will cover approximately 38.5% of the construction costs. The City is required to provide a cash match to cover the remaining construction costs of approximately \$4.8 million.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the acceptance of a Conserve Georgia grant and to approve the execution of an agreement with the Georgia Department of Natural Resources for the construction of Trail Segment 2A. The motion passed.

Passed Yes 4, No 0, Absent 1

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel

Nays: None

Absent: Tibby DeJulio

Resolution No. 2022-09-135

- F. **2022-261** Request for Mayor and City Council Consideration of a Service Agreement with Keep North Fulton Beautiful to provide services, events, and programs

Catherine Mercier-Baggett, Sustainability Manager, presented a request to approve a service agreement with Keep North Fulton Beautiful to provide services, events and programs. Keep North Fulton Beautiful ("KNFB") is a Keep American Beautiful affiliate that predates the incorporation of the City, celebrating 40 years of existence this year. KNFB operates the Sandy Springs Recycling Center located on Morgan Falls Road. Between 2013 and 2021, the Recycling Center processed nearly 8,400 tons of paper, plastic, glass and metal, the equivalent of diverting 465 garbage trucks from the landfill. In addition to the regular collection of materials, KNFB provides environmental education, manages clean-up opportunities, and hosts a Household Hazardous Waste Collection event every other year. The proposed KNFB Service Agreement follows similar terms as prior agreements. Rather than offering training to school teachers, KNFB will enhance its public engagement programs. For example, it will assist the City in establishing Adopt-a-Stream teams of volunteers to monitor water quality in our local streams.

Annually, \$95,000 is budgeted for regular operations and \$50,000 for capital improvements to the Recycling Center site and building. The City will additionally reimburse the expenses associated with the Household Hazardous Waste Collection every other year, up to \$75,000. Support to KNFB amounts to \$145,000 annually, with an additional \$75,000 every other year. This amount is included in the General Administration Budget 1001595-521240 for nonprofit services.

The Agreement is valid for one year, with four automatic renewals unless terminated.

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Melissa Mular, to approve the Service Agreement with Keep North Fulton Beautiful to provide services, events, and programs.

Councilmember Melody Kelley asked how much the facility is used and are there challenges related to capacity. There have been complaints about the hours of operation. What could expansion look like for

the facility? It is concerning there is only this one site. The City should consider how to increase its capacity.

Sustainability Manager Mercier-Baggett replied similar to the experience of the waste industry, KNFB is experiencing staffing shortage. KNFB executive director is certified as a worklift operator, and was working by herself on Saturday morning. Hours were also reduce to provide the staff with the time to tidy the site. At this time KNFB is fully staffed and operating at full capacity. There is a high demand to drop off materials. There was a masterplan done a few years ago, but the site's boundaries are set by Fulton County. The City does not own the site.

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

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- G. **2022-262** Request for Mayor and Council of the City of Sandy Springs to Approve Resolution Authorizing a Change Order to Amend the Existing Contract with Hussey Gay Bell for Architectural, Engineering, and Construction Administration Services for New Fire Station #5 to Accommodate Increase in Proposed Construction Cost and Authorizing the City Manager to Execute the Change Order

**The agenda item was removed from discussion.*

- H. **2022-263** Request for Mayor and City Council Consideration of a Resolution to Approve a Contract with Cooper Company for the Construction of Fire Station No. 5 and Authorization of the City Manager to Execute the Contract

Keith Sanders, Sandy Springs Fire Rescue, Chief, presented a resolution to approve a contract with Cooper Company for the Construction of Fire Station No. 5. On May 25, 2022, the City issued its Request for Proposals ("RFP") to seek responses ("Proposals") from highly qualified and experienced contractors to construct the Project. Proposals from three (3) contractors were received on June 28, 2022. The City received Proposals from the following three (3) firms ("Offerors"):

1. Cooper & Company
2. Headley Construction
3. Reeves Young

Following individual review and scoring, the Evaluation Committee members met to discuss the Proposals. The Evaluation Committee reached consensus and selected the two (2) highest scoring Offerors as qualified for further consideration. These Offerors were Reeves Young and Cooper & Company. Both Offerors demonstrated a superior understanding of the Project, with past experience very relevant to the size and scope of the Project.

COMPANY	BASE PROFESSIONAL FEE
Cooper & Company	\$ 8,020,000.00
Reeves Young	\$ 8,065,245.00

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Staff recommends contract award to Cooper Company, for construction of the City's New Fire Station 5, and authorization for the City Manager to execute a contract with Cooper, subject to approval of the City of Sandy Springs Legal and Finance Departments.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve the resolution to Approve a Contract with Cooper Company for the Construction of Fire Station No. 5 and Authorization of the City Manager to Execute the Contract.

Councilmember John Paulson asked is there a materials pricing deescalation clause in the contract.

Dave Wells, Director of Facilities/Capital Construction and Building Operations, replied it is ten month construction process and staff does not anticipate pricing going down. Contractors are still reporting that pricing will go up, but if pricing does go down then the City can take advantage of the pricing.

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

Resolution 2022-09-137

- I. **2022-264** Request for Mayor and Council of the City of Sandy Springs to Approve Fund Transfer for Project Budget Deficit; and to Authorize the City Manager to Execute the Contract and an Ordinance to Authorize Amending the City of Sandy Springs FY2023 Budget to Authorize a Transfer Between Projects

Dave Wells, Director of Facilities/Capital Construction and Building Operations, presented a request to approve a fund transfer for the Project budget deficit; and to Authorize the City Manager to execute an Ordinance to Amending the City of Sandy Springs FY2023 Budget to authorize additional funding for the Fire Station No. 5 project, PF-004. On October 20, 2020, Mayor and Council approved a Supplemental Bond Resolution authorizing the issuance of Revenue Bonds Series 2020B, and funds were allocated to the following projects: \$10,000,000 for New Fire Station #2; \$900,000 for Fire Station #3 building additions; and \$5,000,000 for New Fire Station #5. Fire Station #3 was placed on a temporary design and construction hold and Mayor and Council authorized the re-allocation of funds to be transferred from the Fire Station #3 project to Fire Station #5 at August 2, 2022 Council Meeting.

On May 25, 2022, the City issued its Request for Proposals ("RFP") to seek responses ("Proposals") from highly qualified and experienced firms to perform construction services for new Fire Station #5 ("Project"). The Evaluation Committee recommended Cooper & Company for contract award, as it was determined Cooper & Company represented the best value for the City with the base bid amount of \$7,500,000 plus allowances totaling \$8,020,000. The projected budget for this Project is currently \$9,701,965.50, itemized as follows:

Budget Detail	Amount
Original Funding	\$5,000,000.00
Re-Allocated Funds from Fire Station 3	\$900,000.00
Cost to Date (through 9/12/2022)	(\$837,203.41)
Encumbrances to Date (through 9/12/2022)	(\$100,220.82)
Remaining Project Funds	\$4,962,575.77

Less Additional Construction Cost	Amount
Construction- Cooper (Base Bid + Allowances)	\$8,020,000.00
Testing Services	\$75,000.00
FF&E	\$171,500.00
BearCom	\$20,000.00
Cana	\$500.00
Gym Equipment	\$40,000.00
Network Equipment	\$20,000.00
HGB Contract Admin. + Re-Bidding Fee	\$245,637.50
Contingency 12%	\$1,109,328.00
Subtotal	\$9,701,965.50

Funding Deficit \$4,739,389.73

The total actual cost to date for this project is \$937,424.23 (including encumbrances) leaving an available balance (Fire Station #5/P0004) for this Project of \$4,962,575.77.

The budget deficit for this project is \$4,739,389.73. Staff proposes transferring \$2,000,000 from Capital Contingency (within the Capital Projects Fund) to the Public Facilities Authority (PFA) Fund to assist in funding the Fire Station 5 project. The remainder of the needed project funding (up to an additional \$2,000,000) will be provided using a pay-as-you-go (PAYGO) model through transfers from the City's General Fund. The PAYGO model will allow for semi-annual contributions of \$500K over the next two fiscal years starting in FY2023 (this transfer amount could be accelerated as of the FY2023 mid-year review). During the course of the project, at any point in time, project costs incurred may not exceed the amount of revenues received by the PFA from General Fund transfers. Any funding transferred to the PFA but unused in the Fire Station 5 project will be returned to the City's General Fund.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve fund transfer for Project budget deficit; and to authorize the City Manager to execute the contract and an ordinance to authorize amending the City of Sandy Springs FY2023 Budget to authorize a transfer between projects.

Mayor Rusty Paul stated costs are going up a lot. This is a challenge the City will have on projects going forward, trying to figure out bids coming in a lot higher than anticipated. The City will have to manage how to spend its resources on projects going forward.

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

Ordinance No. 2022-09-16

- J. **2022-265** Resolution Authorizing the Execution of an Intergovernmental Agreement By and Among the Cities of Alpharetta, Georgia, City of Atlanta, Georgia, City of Chattahoochee Hills, Georgia, City of College Park, Georgia, City of East Point, Georgia, City of Fairburn, Georgia, City of Hapeville, Georgia, City of Johns Creek, Georgia, City of Milton, Georgia, City of Mountain Park, Georgia, City of Palmetto, Georgia, City of Roswell, Georgia, City of South Fulton, Georgia, City of Sandy Springs, Georgia, for Sharing of Certain Costs Related to Local Option Sales Tax Negotiation with Fulton County, Georgia

Mayor Rusty Paul presented the Intergovernmental Agreement by and among the Cities of Alpharetta, Georgia, City of Atlanta, Georgia, City of Chattahoochee Hills, Georgia, City of College Park, Georgia, City of East Point, Georgia, City of Fairburn, Georgia, City of Hapeville, Georgia, City of Johns Creek, Georgia, City of Milton, Georgia, City of Mountain Park, Georgia, City of Palmetto, Georgia, City of Roswell, Georgia, City of South Fulton, Georgia, City of Sandy Springs, Georgia, for sharing of certain costs related to Local Option Sales Tax Negotiation with Fulton County, Georgia. All the cities are concerned there has not been enough public awareness of these negotiations. In an effort to prepare the public of this potential loss of revenue and to advocate for citizens to engage their Fulton County Commissioners, informing them of the need to reach an agreement for an equitable split of LOST revenue, the Participating Parties desire to develop and implement a campaign effort by engaging the services of two (2) firms experienced in such campaigns. Robinson Republic, LLC/Ohio River South, Inc. specializes in public/media relations and Bedrock Advocacy specializes in public engagement. Pursuant to the IGA, the Participating Cities agree that Sandy Springs will contract with these firms and pay the cost of services, with the Participating Cities reimbursing Sandy Springs pro rata on the basis of their percentages of total population in the 2020 census data. The IGA provides that the cost of the services shall not exceed \$210,000.00 without further approval of the Participating Cities. The cost to the Participating Cities of engaging the services of the two (2) firms will not exceed \$210,000.00. The cost to Sandy Springs is its pro rata share of the cost based on percentage of total population in the 2020 census.

This is intended to present an accurate, factual picture of what would happen based on different options being discussed right now.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the resolution Authorizing the Execution of an Intergovernmental Agreement By and Among the Cities of Alpharetta, Georgia, City of Atlanta, Georgia, City of Chattahoochee Hills, Georgia, City of College Park, Georgia, City of East Point, Georgia, City of Fairburn, Georgia, City of Hapeville, Georgia, City of Johns Creek, Georgia, City of Milton, Georgia, City of Mountain Park, Georgia, City of Palmetto, Georgia, City of Roswell, Georgia, City of South Fulton, Georgia, City of Sandy Springs, Georgia, for Sharing of Certain Costs Related to Local Option Sales Tax Negotiation with Fulton County, Georgia.

Councilmember Melody Kelley asked why is the public relations work being outsourced, versus working within the Cities' communications departments.

Mayor Rusty Paul replied none of the cities have the bandwidth to take on this effort at the moment.

Councilmember Tibby DeJulio asked how can we know the County will not do a public relations effort on their side. For this type of campaign, \$210,000 does not seem like a large investment. What services are included.

Mayor Rusty Paul replied the County may do that. The County is yet to explain what it will use its increased resources for. The Cities do not want these negotiations to be done in secret. This Council prides itself on doing things out in the open. There will be PR efforts to alert the news media and inviting people to the townhall meetings and negotiation meetings. There will be other engagements with voters at various events, and probably some digital communications and phone calls to ensure people are aware.

Eden Freeman, City Manager, advised the City of Sandy Springs' portion of the presented contract is \$21,277.

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

Resolution No. 2022-09-138

X. Reports

A. 2022-266 Mayor and Council Report

Mayor Rusty Paul reported there will be a Townhall Meeting on LOST on Wednesday, September 21 at 7:00 p.m. in Roswell. This is hosted by the North Fulton Mayors, and Mayor Holiday Ingram from East Point and representatives from City of Atlanta will attend as well. The Fulton County Commissioners have been invited to participate as well. There will be a mediation on Friday, September 23.

B. 2022-267 Staff Reports

1. July 2022 Unaudited Financials

Toni Carlisle, Chief Financial Officer, presented the July 2022 Unaudited Financials. The revenues are at 1.37% and expenditures are at 7.66% of the budget. Building Permits achieved 28% of the budget, related to the Fairfield Homes project.

Councilmember John Paulson asked when FY 2022 will be closed out.

Chief Financial Officer Carlisle advised the City's auditors will arrive in early October, so shortly thereafter.

XI. Executive Session

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to suspend regular order and enter into an executive session for the purpose of real estate and litigation discussions. The motion carried unanimously.

Passed: Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio

Nays: None

The executive session began at 8:07 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 unanimously.

Passed: Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio

Nays: None

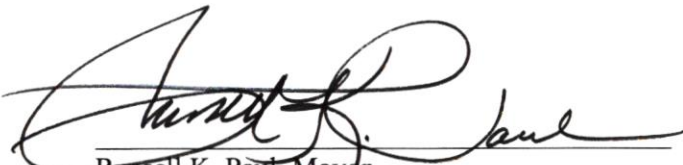
The executive session ended at 8:38 p.m.

XII. Adjournment

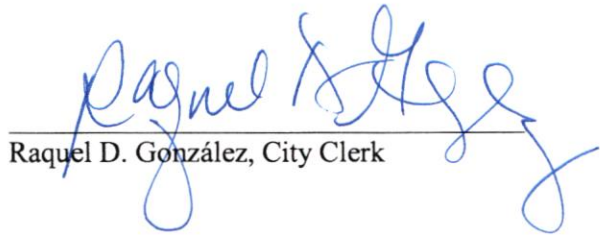
Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 8:38 p.m.

Approved: December 6, 2022



Russell K. Paul, Mayor



Raquel D. González, City Clerk