

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

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:58 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, Councilmember Andrew Bauman

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. **John Zamer, 9845 Trace Valley** - Ban Bows and Arrows
2. **Meredith Powers, 600 Arignon Court, Sandy Springs** - Bow Hunting
3. **Melinda Freeman, 7815 Landowne Dr.** - Bow Hunting in Sandy Springs Deforestation of Saplings by Deer
4. **Missy Eshpeter, 8975 River Run** - Bow Hunting
5. **Patty Berkovitz, 800 Crest Valley Drive, NW** - Opposition to Bow Hunting
6. **William Head, 9855 Trace Valley** - Bow Hunting
7. **Ronda Smith, 76 Long Island Place** - Bow Regulations

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, 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 Melody Kelley, to approve the consent Agenda. The motion carried by unanimous vote.

- A. **2022-354** Meeting Minutes
December 6, 2022 City Council Work Session
December 6, 2022 City Council Meeting
- B. **2022-355** 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 6272 Mt. Vernon Oaks Drive in Land Lots 35 and 36 of the 17th District, City of Sandy Springs (Tax ID #17-0036-0001-058-9); TS-192 Mt. Vernon Highway Corridor Improvements Project

Resolution No. 2022-12-193

VII. Presentations

A. 2022-356 Annual Audit and Comprehensive Financial Report

Adam Fraley, Mauldin and Jenkins, presented the Annual Audit and Comprehensive Financial Report. The City is required to undergo an annual audit by independent CPAs. City Staff did provide all requested information. An unmodified opinion was issued, or a clean opinion, meaning financials were presented fairly in all respects. Some highlights include

Financial Statements and Footnotes

Statement of Net Position – Entity Wide (Full Accrual).

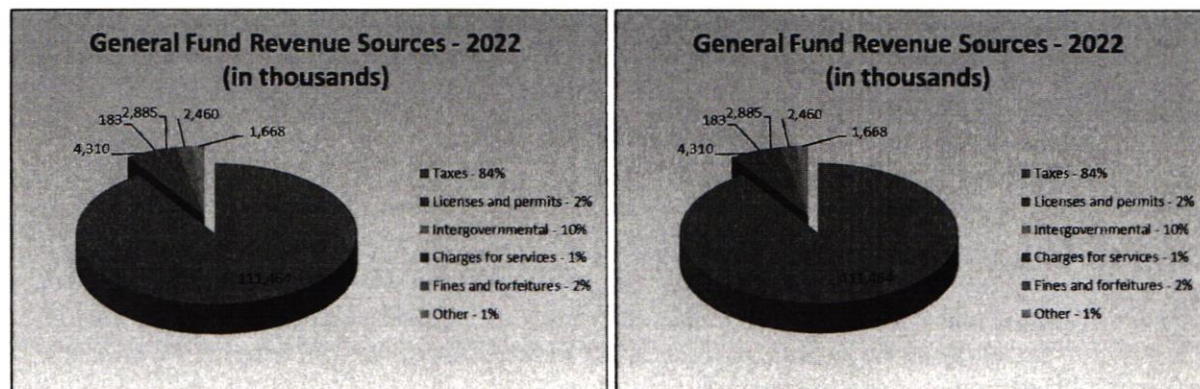
- **Assets.** Total assets and deferred outflows increased from approximately **\$759,079,000 to \$786,614,000**
 - Cash and cash equivalents increased from approximately **\$180,176,000 to \$180,773,000**.
 - Capital assets net of accumulated depreciation and amortization increased from approximately **\$503,348,000 to \$522,187,000**.
- **Liabilities.** Total liabilities and deferred inflows decreased from approximately **\$274,170,000 to \$269,508,000**
- **Net Position.** The City's net position (or equity) increased from approximately **\$484,908,000 to \$517,106,000**. This increase is reconciled on the City's "Statement of Revenues, Expenses and Changes in Net Position".
 - Approx. **\$67,925,000** of the City's net position is restricted.
 - Approx. **\$330,328,000** of the City's net position represents the City's investment in capital assets, net of related debt.

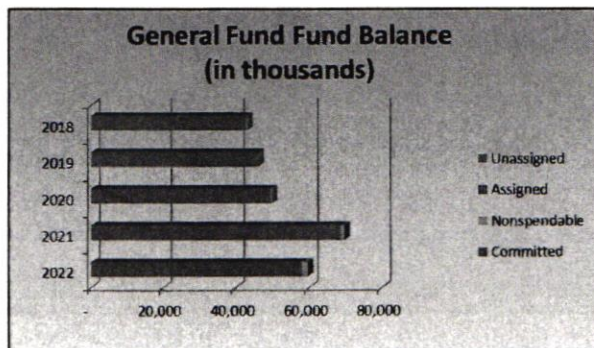
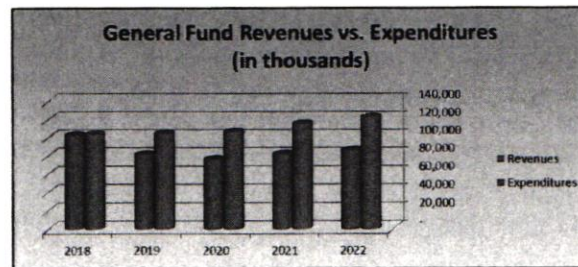
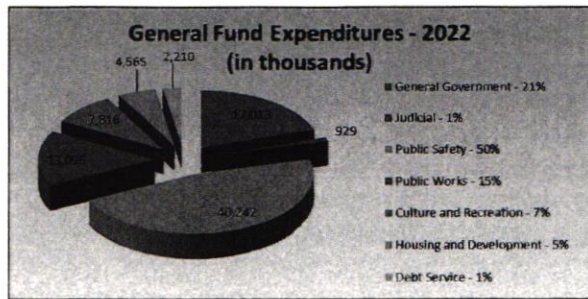
Financial Statements and Footnotes (Continued)

Operations

- Total program revenues increased from approximately **\$39,971,000 to \$43,203,000**.
- Total program expenses increased from approximately **\$119,590,000 to \$128,204,000**.
- Total general revenues increased from approximately **\$106,119,000 to \$117,199,000**.
- The change in net position (i.e., net income) amounted to an increase of approximately **\$32,198,000**.

A Single Audit was issued. There were no difficulties. City staff was cooperative and timely.





There was one finding in the audit. Governmental Accounting Standards Board Statement ("GASB") No. 87, *Leases*, requires the City to implement a new standard this year, which is an accounting detail as to how leasing items should be reported. Audit adjustments were required to accurately report balances under GASB Statement No. 87, as follows:

- Recognition of a \$2,546,093 right-to-use lease asset and lease liability as of July 1, 2021.
- Amortization of the lease asset totaling \$825,305 for the fiscal year ended June 30, 2022.
- Reclassification of \$792,733 from rent expenses to reflect a decrease in the lease liability as of June 30, 2022.

It is recommended that the City carefully review its financing agreements each year to ensure that all material leases are properly reported in accordance with Generally Accepted Accounting Principles.

The City did have two or three findings last year that did not repeat in the current audit. Internal controls were strengthened.

Other notes and recommendations include:

1. During our testing of the Municipal Court's detail listing of liabilities, we noted a total of six (6) court cases which have been outstanding for more than one year in the detail listing. The total amount of the liability related to these outstanding court cases totaled approximately \$11,000. We recommend management, in conjunction with the Municipal Court, review these cases periodically to ensure amounts are properly reported as a liability as well as disbursed to the appropriate parties subsequent to adjudication by the courts.
2. During our testing of revenues in the Tree Fund we noted the special revenue fund was established by the City pursuant to its Tree Conservation Regulations which stipulates that "funds maintained in the Sandy Springs Tree Bank are administered by the director of the

department of community development pursuant to the rules and regulations regarding said funds as established by the Sandy Springs City Council for the purposes of replacing tree canopy/canopy preservation amounts.” We noted this portion of the City’s code was established several years ago and needs to be updated to bring the reporting of this fund into compliance with Governmental Accounting Standards Board (GASB) Statement No. 54 which defines the requirements of special revenue funds. We recommend the City take formal action to commit the revenue stream in the Tree Fund in accordance with its fund balance policy so that the intent of the City code is updated to comply with the requirements of GASB Statement No. 54 for special revenue funds.

Councilmember John Paulson stated reports with no significant findings make life easier. What is your opinion on sales tax increase trends?

Mr. Fraley replied there has been an uptick in sales tax and special tax across most city and county governments.

Councilmember Melody Kelley asked what is the standard amount for the percentage of your general fund revenue that your property taxes should take.

Mr. Fraley stated there is no rule-of-thumb. It is a little different everywhere. We are looking at fund balance reserves to determine health. The City is in a good position this regard.

Councilmember Mular asked are you seeing other municipalities impacted by remediation for cyber attacks.

Mr. Fraley replied yes, there were a number one to two years ago. Things may have settled, but this is a new threat that everyone has to contend with.

Councilmember Jody Reichel stated there is \$188,000,000 in cash or cash equivalents. Do you recommend the City save or invest these funds.

Mr. Fraley stated about \$94,000,000 of the City's \$188,000,000 in cash or cash equivalents is in the GA Fund 1 investments, which is nice. Continuing to use that would be great.

Eden Freeman, City Manager, noted Staff is working on an investment strategy to soon share with Mayor and City Council.

VIII. Public Hearing

- A. **2022-357** Request for Mayor and City Council Consideration of Adoption of the City Springs Master Plan Update

Jonathan Corona, Pond and Company, Consultant Team Project Manager, presented the draft City Springs Master Plan. The City Springs Master Plan Update kicked off in January of 2022 to serve as the ten-year update to the original 2012 City Center Master Plan. The City retained the professional consulting services of Pond & Company to assist the staff planning team and the community with identifying the appropriate projects, policies and programs to continue to build on the success of City

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Springs. Since the original plan, City Springs has been built from the ground up and has become the heartbeat of the Sandy Springs community. The district now includes City Hall, the Performing Arts Center, City Green, as well as new residential units, retail and restaurants. Public engagement opportunities included two in-person public open houses, two online engagement activities, one in-person Farmers' Market pop-up event, and two rounds of stakeholder discussions with commercial property owners, business owners, and residents in the District. The feedback gathered from these events has informed the recommendations for the City Springs Master Plan Update. The City Springs Master Plan Update provides an action plan with policies and programs that are rooted in a market analysis and vetted by the public that will guide future development and growth for the City Springs District. The Planning Commission passed a motion to approve the City Springs Master Plan Update as it was presented to them at their November 16, 2022 meeting.

The City Springs Master Plan Update study area includes the Roswell Road Corridor from I-285 to Vernon Woods Drive; Sandy Springs Circle and adjacent properties to the west; and abutting single family neighborhoods to the east. Topics covered by the planning process included: land use and opportunity site development; placemaking opportunities; economic development and market realizations; and transportation improvements, mobility, connectivity and parking strategies. The Plan development included several engagement opportunities, including property owners, business owners and the general public.

The Plan is:

-  A framework document to help the City of Sandy Springs proactively plan for future development in the City Springs District.
-  An opportunity to engage the public and help create something that will truly represent Sandy Springs.
-  A method to identify opportunity projects and to begin thinking about how to distinguish City Springs from other communities regionally.
-  A 10-year vision for the City Springs District.

The Plan is not:

-  A detailed site design effort.
-  A zoning or other regulatory document.
-  An absolute and definitive vision for City Springs. It must remain flexible to account for changing market conditions, new technologies, and changing demographics.

The Plan is meant to be a living document.

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PLANNING PRINCIPLES

- 1 Leverage existing and new infrastructure opportunities to promote safe, multi-modal connectivity.
- 2 Invigorate the District's built environment by encouraging high quality development and implementing pedestrian-scale urban design practices.
- 3 Reinforce a sense of place and community identity by expanding a network of neighborhoods and outdoor spaces to encourage activity, interaction, and gathering.
- 4 Continue to catalyze market-driven private investment and foster a vibrant living, dining, entertainment, and shopping destination.

Plan Elements include:

- Expand open space opportunities
- Sustainable Infrastructure
- Main Street Concepts
- Walkable Streetscapes and experimental pedestrian network
- Active efforts to further establish community identity
- Near-term growth in proximity to City Springs Campus to spark development opportunity

Market Opportunities identified include:

MARKET OPPORTUNITIES

Retail	Office	Residential
• Neighborhood-oriented shopping • Upscale conveniences • New-to-market restaurants • Entertainment/recreation concepts • Increased boutique/independent retailer shopping	• Appeal to smaller firms seeking relatively affordable rents • High-amenity, walkable area located in the highly-educated, higher-income north Metro suburbs	• Strong market support for higher-end single unit and multi-unit developments in City Springs • Catering to young professionals who desire a more authentic urban/suburban setting with amenities

Recommendations identified include:

POLICIES & PROGRAMS

- Regulations and actions designed to guide decision-making
 - Design Guidelines
 - Development and Property Enhancement
 - Building Height
 - Wayfinding Signage
 - Open Space
 - Transportation Improvements
 - Street Network
 - Parking
 - Stormwater Management



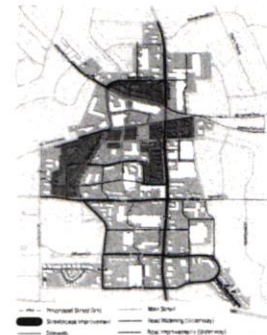
REDEVELOPMENT & INVESTMENT

- Opportunity Sites
 - Near-term property rehabilitation
 - Long-term redevelopment opportunities
- Potential Uses
 - Destination Restaurants
 - Brewery Cluster
 - Artist Studios & Co-working Spaces
 - Townhomes
 - Boutique Hotel
 - Mixed-use Office, Services, Food & Beverage
 - Mid-rise Condos/Apartments
 - Active Adult Living & Medical/Wellness Cluster



PUBLIC REALM IMPROVEMENTS

- Streetscape Enhancements
 - Sidewalk connections
 - Walkable streets & street enhancements to accompany new development projects
- Active Main Streets along Bluestone Road and Hilderbrand Drive



PUBLIC REALM IMPROVEMENTS

- Multi-modal Enhancements
 - Partnerships with private developers to create pedestrian and bicycle connections
 - Multi-use paths
 - Enhance pedestrian crossings across the study area
 - MARTA coordination



PUBLIC REALM IMPROVEMENTS

- Placemaking & Identity
 - Near-term and long-term art walk opportunities
 - Parks that double as stormwater facilities
 - City Springs gateway improvements



The Plan includes an Action Plan Matrix for implementation over the next ten years, which includes action items; associated planning principles; term identified projects (short-, mid-, long-); and organization/agency/departments responsibilities.

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

Motion and second. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Melody Kelley, to approve the adoption of the City Springs Master Plan Update.

Councilmember Melissa Mular stated it is good to see there will be some design guidelines and there is still interest in dog parks. In terms of parking in the neighborhoods, there is discussion in the recommendations that there is no need for permitted parking. However, this is something that the City should monitor as City Springs expands. The Plan recommends a height change from eight to six stories. What is the thought behind that recommendation.

Project Manager Corona stated that was a recommendation from the public, but it is recommended that further study be done.

Councilmember Mular asked are there any strategies the City should use to help achieve parcel mobilization.

Consultant Corona replied yes. In the Redevelopment and Policy section- bonus height incentives are noted if parcels will be combined. This would require a level of coordination by the City to address issues of topography.

Councilmember Mular asked of the record of accomplishments, are there target dates for goals that are going.

Kristin Smith, Assistant City Manager, stated many of the goals are far-reaching without a specific timeframe.

Councilmember Mular noted the Plan states that multifamily with retail is needed to get more people living in Sandy Springs, which will then translate to for-sale products. Is there a way to bridge the gap so there is less of the first and more of second.

Project Manager Corona stated the market would need to mature to get more of the product. To expedite that process, it is important to encourage mixed use.

Councilmember John Paulson asked by adopting the City Springs Master Plan, is Council adopting the short, medium, and long term goals. What is the next step?

Assistant City Manager Smith replied the work plan is a guiding document. After adoption of the City Springs Master Plan, the staff will identify specific projects and scope of work, which would then be presented to the Mayor and City Council during the budget process.

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

Resolution 2022-12-195

IX. New Business

- A. **2022-358** Request for Mayor and City Council to Authorize a Contract Award to Reeves Young for Final Construction of Veterans Park, and to Authorize the City Manager to Execute a Contract

Dave Wells, Director of Facilities/Capital Construction and Building Operations, presented a recommendation to award a contract to Reeves Young for the final construction of Veterans Park in the amount of \$399,492.00, based upon the evaluation of proposals in accordance with the criteria and process described in the Request for Qualifications #23-042, Construction Manager at Risk Services for Veterans Park, ("RFQC"). The City of Sandy Springs ("City") conducted a qualifications-based solicitation ("Solicitation") to identify and select a construction firm with the capacity and demonstrated experience to provide construction services ("Services") as CM at Risk for final construction of Veterans Park at City Springs. On October 26, 2022, the City issued its RFQC seeking responses ("Proposals") from highly qualified and experienced firms to perform the Services described in the RFQC. Proposals were due on November 22, 2022, no later than 2:00 PM E.S.T. The City received Proposals from the following four (4) firms ("Offerors"):

Reeves Young, LLC ("Reeves Young")
Turner Construction Company ("Turner")
Astra Group, LLC ("Astra")
MAPP, LLC

Proposals were initially examined for administrative compliance with Solicitation submittal instructions and at that time disqualified MAPP for not following mandatory submittal instructions.

Section 5 of the RFQC identified the criteria on which the City would evaluate Proposals. The City

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evaluated Proposals to determine which one represented best value for the City. While cost was considered, it was not the sole determining factor in the evaluation process. The City reviewed and carefully considered the past performance (references) history of the Offerors, as described in the RFQC. Criteria for the technical component of Proposals was as follows:

1. Qualifications
2. Experience / References
3. Capabilities

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 Turner. Both Offerors clearly demonstrated a superior understanding of the Project, with experience very relevant to the size and scope of the Project.

The fee proposals submitted by the two (2) Offerors qualifying for further consideration were as follows:

Offeror	General Conditions (lump sum to include pre-construction)	Construction Fee (as a percentage of direct cost and General Conditions cost)	Bonding Cost
Reeves Young	\$399,492.00	3.25%	\$68,000.00
Turner	\$421,618.00	3.75%	\$73,200.00

Following further consideration of the two (2) most qualified Offerors, the Evaluation Committee particularly noted the following qualities in reaching the conclusion that Reeves Young represents the best value for the City:

- Experienced team
- Similar experience with projects of similar size and scope
- Good references from past projects

There are adequate budgeted funds available for this contract under project code F2104. Once pricing has been completed by the CM and Guaranteed Maximum Pricing (GMP) is set, any additional funds required for construction of the park will be requested from Council at that time.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve a contract award to Reeves Young for final construction of Veterans Park, and to authorize the City Manager to execute a contract.

Councilmember John Paulson asked what are the odds for the park being ready in November 2023.

Director Wells replied there are very good odds the park will be ready.

Councilmember Andy Bauman asked what happens next. Will the Council approve the GMP?

Director Wells replied yes. The CM at Risk process will expedite the project. Design is about 90% finished. This Contractor will help to bring on subs, such as landscaping and for the fountains. The GMP will be available sometime in March, which will then be presented.

Councilmember Bauman asked is there an approved scope of work, by vote, other than the options presented in the September Work Session.

Director Wells replied that was the last time a discussion on the park's construction was presented. At that time, the Council provided consensus, or guidance, on different elements of the park.

Councilmember Bauman stated there was not a consensus in the classic sense of a work session. I am opposed for the \$1,300,000 estimated budget. There were three Council members opposed to that option. Is Staff designing towards the \$1,300,000 estimated fountain-project with a 1,200,000 gallons of usage a year.

Councilmember Jody Reichel stated I am uncomfortable approving this without the final cost.

Director Wells stated there is an architect estimated project budget of \$4,700,000, as presented to Council in April, 2022.

Eden Freeman, City Manager, under this contract, Reeves Young will provide a line-item pricing, creating the opportunity to do some value engineering. The GMP will be presented to the Mayor and City Council no later than March, 2023. Based on the guidance provided at the September, 2022 Work Session, Staff did move forward with the design. The currently presented award is only for the construction manager at risk contract. This is not the GMP providing the direction to move forward and construct.

Councilmember Bauman stated the September, 2022 Work Session resulted in a 3 to 3, and it is presumed the Mayor was in favor of the design, but this is not a typical consensus. I am in favor of the park and do not want to delay it. But, when it comes to the GMP, I am presently not in favor with overall amount of the estimated budget, which includes that amount of money and that amount of water usage. I do not favor the current direction of the design. I will look for value engineering options at the time the GMP is presented. Currently there is a \$438 per square foot fountain that will evaporate two Olympic-size pools of water.

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

Resolution No. 2022-12-195

- B. **2022-359** Request for Mayor and City Council Consideration of Approval of Contract Award to NV5 Engineers and Consultants, Inc. for Design Services on Windsor Parkway Sidewalk Gap Fills Project S2161, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to award a contract to NV5 Engineers and Consultants, Inc. ("NV5"), to provide design services for the Windsor Parkway Sidewalk Gap Fill Project S2161 ("Project"). The City of Sandy Springs plans to construct approximately 2,440 linear feet of sidewalk, curb and gutter, retaining wall, stormwater system, and associated improvements on the south side of Windsor Parkway, filling sidewalk gaps between Windsor Court and Dalmer Road. On August 4, 2022, the City issued a Request for Quote ("RFQ") seeking quotes from qualified consultants to perform design services for the Project. The following three (3) responses were received by the September 1, 2022, deadline:

Consultant	Quote
American Engineers, Inc.	\$427,500.00
Atkins North America	\$365,830.35
NV5	\$209,689.00

Upon review of the responses, staff recommends that award be made to the lowest, most responsible and responsive quote of NV5, in the amount of \$209,689.00. There are adequate funds available in the TSPLOST 2021 Sidewalk Program for the Project.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Andrew Bauman, to approve the a contract award to NV5 Engineers and Consultants, Inc. for Design Services on Windsor Parkway Sidewalk Gap Fills Project S2161, and to authorize the City Manager to execute the contract.

Councilmember Tibby DeJulio thanked Staff for getting the project organized and done. It needs to be done.

Councilmember John Paulson asked who is NV5. Their bid is about 60% lower than the others.

Public Works Director Martin stated NV5 has been a perineal design consultant for the City for a number of years, though under other names. Staff went through an extensive scoping exercise for these major sidewalk projects to better understand the detail of needs. NV5's pricing is probably a reflection of them understanding the scope of the projects, whereas the other consultants may be impacted by the challenges of the market or possibly not understanding the scope as intended.

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

Resolution 2022-12-196

- C. **2022-360** Request for Mayor and City Council Consideration of Approval of Contract Award to NV5 Engineers and Consultants, Inc. for Design Services on Riverside Drive Sidewalk Project S2165, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a commendation to award a contract to NV5 Engineers and Consultants, Inc. ("NV5") to provide design services for the Riverside Drive Sidewalk Project S2165 ("Project"). The City of Sandy Springs plans to construct approximately 1,610 linear feet of sidewalk, curb and gutter, retaining wall, stormwater system, and associated improvements on the west side of Riverside Drive from the existing sidewalk at the Interstate-285 interchange south to the Mt. Vernon Highway intersection. On August 4, 2022 and September 23, 2022, the City issued a Request for Quote ("RFQ") seeking quotes from qualified consultants to perform design services for the Project. The following three (3) responses were received by the October 19, 2022, deadline:

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Consultant	Quote
NV5 Engineers and Consultants, Inc.	\$160,675.00
Atkins	\$335,428.00
American Engineers, Inc.	\$349,000.00

Upon review of the responses, staff recommends that award be made to the lowest, most responsible and responsive quote of NV5, in the amount of \$160,675.00. There are adequate funds available in the TSPLOST 2021 Sidewalk Program for the Project.

Motion and second. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Melissa Mular, to approve a contract award to NV5 Engineers and Consultants, Inc. for Design Services on Riverside Drive Sidewalk Project S2165, and to authorize the City Manager to execute the contract.

Councilmember Andy Bauman asked of all of the projects, is there simultaneous work going on with property owners for right-of-way coordination. How much work is done in parallel? The City would like as much right-of-way donated as possible.

Public Works Director Martin replied first there is contact with the neighborhood and surveying work. Right-of-way will occur when the project is a little further in the preliminary design.

Councilmember Bauman stated these are high interest projects, in localized areas. Will the projects all be noticed on the City website?

Public Works Director Martin replied yes, that is the intent.

Councilmember Bauman stated the website being kept updated is desirable to help keep citizens updated. It is helpful for the Council to refer citizens to the website so as to not have to go through staff. It has been sort of hit-or-miss at times. This can be discussed at the Retreat about how there can be additional resources. I encourage a contact project manager. Perhaps a button on the site to put citizens in direct contact with the project manager, creating some standardization.

Eden Freeman, City Manager, stated in the upcoming weeks, there will be additional staff coming on board in the Communications Department to help.

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

Resolution 2022-12-197

- D. **2022-361** Request for Mayor and City Council Consideration of Approval of Contract Award to NV5 Engineers and Consultants, Inc. for Design Services on the Gap Fill Sidewalks Project S2188, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to award a contract to NV5 Engineers and Consultants, Inc. ("NV5") to provide design services for the Gap Fill Sidewalks Project S2188 ("Project"). The City of Sandy Springs ("City") plans to construct approximately 1,202 LF

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of sidewalk, curb and gutter and associated improvements on five separate “gap-fill” sidewalk segments that were part of the previously established priority-scored list of Capital Sidewalk Projects. These segments were identified as “gap fill” projects because they are short segments that provide a connection between existing sidewalk networks or segments. The following segments are included in the Project:

- Segment 1: Windsor Parkway (940 Windsor Parkway to Peachtree Dunwoody)
- Segment 2: South Johnson Ferry Road (Existing Sidewalk to Brookhaven City Limit)
- Segment 3: Glenridge Drive (Messina Way to Existing Sidewalk at Spalding Trace)
- Segment 4: River Exchange Drive (3000 River Exchange Drive to Spalding Drive)
- Segment 5: Allen Road (at Northeast Corner of Sandy Springs Circle Intersection)

On August 1, 2022 and September 21, 2022, the City issued a Request for Quote (“RFQ”) seeking quotes from qualified consultants to perform design services for the Project. The following two (2) responses were received by the October 19, 2022 deadline:

Consultant	Quote
NV5 Engineers and Consultants, Inc.	\$154,125.00
American Engineers, Inc.	\$270,000.00

Upon review of the responses, staff recommends that award be made to the lowest, most responsible and responsive quote of NV5, in the amount of \$154,125.00. There are adequate funds available in the TSPLOST 2021 Sidewalk Program for the Project.

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember John Paulson, to approve a contract award to NV5 Engineers and Consultants, Inc. for Design Services on the Gap Fill Sidewalks Project S2188, and to Authorize the City Manager to Execute the Contract. The motion carried by unanimous vote.

Resolution No. 2022-12-198

- E. **2022-362** Request for Mayor and City Council Consideration of Approval of Contract Award to Kimley-Horn and Associates, Inc. for Design Services on Lake Forrest Drive (City Limit to Long Island Drive) Sidewalk Project S2185 and Lake Forrest Drive (Long Island Drive to Mt. Paran Road) Sidewalk Project S2183, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation of a contract award to KimleyHorn and Associates, Inc. for Design Services on Lake Forrest Drive Sidewalk Project S2185 and Lake Forrest Drive Sidewalk Project S2183. The project will be let in two phases. The City of Sandy Springs (“City”) plans to construct approximately 4,590 linear feet of sidewalk, curb and gutter, retaining wall, stormwater system, and associated improvements on the west side of Lake Forrest Drive, from the City limit to Long Island Drive (S2185) and from Long Island Drive to Mt. Paran Road (S2183). Due to the proximity of S2185 and S2183, many design-related tasks can be combined into one effort. The final limits of the project will be determined by the construction budget, which refers to where to break the separate construction phasing, such as the impacts of right-of-way timing or utility timing. It is the intent of the City to provide separate plan sets for S2185 and S2183, including full construction documents.

Motion and second. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Jody Reichel, to approve a contract award to Kimley-Horn and Associates, Inc. for Design Services on Lake Forrest Drive (City Limit to Long Island Drive) Sidewalk Project S2185 and Lake Forrest Drive (Long Island Drive to Mt. Paran Road) Sidewalk Project S2183, and to authorize the City Manager to execute the contract.

Councilmember Andy Bauman stated the segment from Long Island Drive to Mount Paran does not necessarily complete a loop. A loop can be completed. The City should prioritize making sure the City Limits to Long Island will get done. The topography is tricky, and there may be a couple of homes that may miss out, but the loop will be completed. The City of Atlanta has probably left several segments south of the dam to Chastain, possibly because of the trickiness of Tall Oak. It may make sense to coordinate with City of Atlanta.

Public Works Director Martin replied Staff believes the budget is available to take the project all the way to the City limit. Staff will make initial contact with the City of Atlanta.

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

Resolution No. 2022-12-199

- F. **2022-363** Request for Mayor and City Council Consideration of Approval of Contract Award to Kimley-Horn and Associates, Inc. for Design Services on Mt. Paran Road and Powers Ferry Road (Rebel Trail to Carol Lane) Sidewalk Project S2186, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to award a contract to Kimley-Horn and Associates, Inc. ("Kimley-Horn") to provide design services for the Mt. Paran Road and Powers Ferry Road (Rebel Trail to Carol Lane) Sidewalk Project S2186 ("Project"). The City of Sandy Springs ("City") plans to construct approximately 4,440 LF of sidewalk, curb and gutter, retaining wall, stormwater system, and associated improvements to provide a continuous sidewalk system along Mt. Paran Road from Rebel Trail to the intersection with Powers Ferry Road and on Powers Ferry Road from Rebel Trail to Carol Lane. On August 18, 2022, the City issued a Request for Quote ("RFQ") seeking quotes from qualified consultants to perform design services for the Project. The following two (2) responses were received by the September 21, 2022, deadline:

Consultant	Quote
Kimley-Horn and Associates, Inc.	\$246,590.67
Atkins North America	\$797,500.00

Upon review of the responses, staff recommends that award be made to the lowest, most responsible and responsive quote of Kimley-Horn, in the amount of \$246,590.67. There are adequate funds available in the TSPLOST 2021 Sidewalk Program for the Project.

Motion and second. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Jody Reichel, to approve a contract award to Kimley-Horn and Associates, Inc. for Design Services on Mt. Paran Road and Powers Ferry Road (Rebel Trail to Carol Lane) Sidewalk Project

S2186, and to authorize the City Manager to execute the contract.

Councilmember Andy Bauman thanked the Mayor and City Council for prioritizing sidewalks on the south side of the city. The Lake Forrest Drive project was prioritized by the latest TSPLOST. This project completes a significant connection and loop just north of Chastain Park.

Councilmember John Paulson asked why there is a significant difference in the bid pricing.

Public Works Director Martin replied there are areas that the City is seeking alternative development with the design consultant, which may explain the difference in costs. There may be additional scope needed. The City did not receive quotes from all its design consultants, which may be a reflection of the market. The City also put a lot of work out around the same time, which bidders considered.

Councilmember Andy Bauman stated the Kimley-Horn bid seems relatively consistent with bids the City has received throughout the process. The Atkins bid is the outlier.

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

Resolution No. 2022-12-200

- G. **2022-364** Request for Mayor and City Council Consideration of an Amendment to the City of Sandy Springs FY 2023 Budget to Allow the Transfer of Funds for the T-3000 Capital Paving Program

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to amend the City of Sandy Springs FY 2023 Budget to allow the transfer of funds for the T-3000 Capital Paving Program. The City advertised for bids the FY 2023 Capital Improvement Program ("CIP") / Local Maintenance Improvement Grant ("LMIG") Paving Program and received bids on October 14, 2022. The bid received by the lowest, most responsive and responsible bidder, Blount Construction, is \$6,135,303.70. Current funds available in T-3000 Capital Paving Account total \$6,046,184.81. The total requested amount for the budget amendment is \$100,000 for additional funds to be transferred to the T-3000 Capital Paving Account. This amount is required to fully fund the amount of the lowest bid for the FY 2023 CIP/LMIG Paving Contract. The amount of \$100,000 is proposed to be transferred from unobligated funds in the Public Works Contractual Services Account.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve an amendment to the City of Sandy Springs FY 2023 Budget to allow the transfer of funds for the T-3000 Capital Paving Program. The motion carried by unanimous vote.

Ordinance No. 2022-12-23

- H. **2022-365** Request for Mayor and City Council Consideration of Approval of Contract Award to Blount Construction Company, Inc. for FY 2023 CIP and Local Maintenance Improvement Grant Paving, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a

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contract award to Blount Construction Company, Inc. for the FY 2023 CIP and Local Maintenance Improvement Grant paving. At the June 15, 2021 City of Sandy Springs ("City") Council meeting, the City's consultant, MDS Technologies, Inc. ("MDS"), presented its findings for the FY2021 pavement condition index ("PCI") study performed on all City-owned streets. Based on these findings, MDS recommended a list of streets by year for resurfacing. Pavement condition index scores for the FY2023 streets ranged from 22 to 62, and streets were identified to be the next priority for resurfacing in the continuation of Operation Pave On. Seeking a qualified contractor to perform all of the subsurface, resurfacing, striping, and related work on the approved streets ("Project"), the City issued an Invitation to Bid for the Project on September 14, 2022. A pre-bid conference was held on September 28, 2022. Six (6) bids were received on October 14, 2022, as follows:

Firm	Total Bid
Blount Construction Company, Inc.	\$6,135,303.70
NWGP, Inc.	\$6,504,845.00
Allied Paving Contractors, Inc.	\$6,973,855.00
Stewart Bros., Inc.	\$9,247,565.00
Baldwin Paving Company, Inc.	\$10,294,241.70
E.R. Snell Contractor, Inc.	\$10,680,950.00

The bids received were evaluated by staff. Based on review and analysis, staff recommends that the City award a contract to Blount, who submitted the lowest, most responsive and responsible bid in the amount of \$6,135,303.70. The City will be responsible for all work associated with the Project. There are adequate funds in Project T-3000 to award this contract. The staff-prepared estimate for the Project is \$6,100,000.00.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to approve a contract award to Blount Construction Company, Inc. for FY 2023 CIP and Local Maintenance Improvement Grant Paving, and to Authorize the City Manager to Execute the Contract.

Councilmember Tibby DeJulio stated the ranking for paving seems low.

Public Works Director Martin replied in the three-year program, in prior years, the City had not picked of some minor streets with low scores. These were short segments with low traffic. These streets are being picked up in this project. The current target average PCI is 80.

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

Resolution No. 2022-12-201

- I. **2022-366** Request for Mayor and City Council Consideration of Approval for the Mayor to Sign the Application Signature Page and Cover Letter for Submittal by Public Works to the Georgia Department of Transportation for the Fiscal Year 2023 Local Maintenance and Improvement Grant

William H. Martin, Jr., AIA, Public Works Director, recommended the Mayor and City Council approve the list of streets, Local Maintenance Improvement Grant ("LMIG") Application Signature Page, and Cover Letter for consideration by the Georgia Department of Transportation ("GDOT") for the Fiscal Year 2023 LMIG. Annually, GDOT allows submissions by local governments for funding of needed projects within city, county or state rights-of-way. In furtherance of Operation Pave On, the Public Works Department has compiled a list of roads in need of resurfacing to submit to GDOT for

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funding under this Grant. The application is due to GDOT by February 1, 2023. The attached list represents approximately 3.57 miles of roads that are in need of resurfacing. The list was compiled using the 2021 pavement condition index (PCI). The streets to be submitted represent streets within the FY 2023 Capital LMIG Resurfacing Project. There is a required 30% minimum local match to the LMIG. The City's LMIG distribution is \$974,708.56. The estimated amount to complete this work, which includes all items necessary to complete the resurfacing of these roads, is \$1,340,454.97. It is recommended that the City submit work in excess of the necessary amount to insure expenditure of the entire grant plus the required 30% local match.

Proposed Street List			
Road Name	Beginning	Ending	Length (Miles)
BALMORAL RD	PEACHTREE DUNWOODY RD	LONGCHAMPS DR	0.22
GLEN ERROL RD	CLAIRE ROSE LN	LONG ISLAND DR	0.82
N RIVER PKWY	ROSWELL RD	CARROLL MANOR DR	0.79
NORTHGREEN DR	SPALDING DR	NORTHGREEN DR	0.75
ROBERTS DR	SR 400 BRIDGE	GETTYSBURG PL	0.99
			3.57 mi

If the City chooses to submit these roads, the financial impact to the City will be the 30% required match of \$292,412.57, plus any funds that may be above and beyond that amount to complete the submitted list.

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Melissa Mular, to approve the Mayor to sign the Application Signature Page and Cover Letter for submittal by Public Works to the Georgia Department of Transportation for the Fiscal Year 2023 Local Maintenance and Improvement Grant. The motion carried by unanimous vote.

Resolution No. 2022-12-202

- J. **2022-367** Request for Mayor and City Council Consideration of an Amendment to the City of Sandy Springs FY 2023 Budget to Allow the Transfer of Funds for the T-9100 Bridge Maintenance Program

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to amend the City of Sandy Springs FY 2023 Budget to allow for the transfer of funds for the T-9100 Bridge Maintenance program. The City advertised for bids the FY 2023 Bridge Maintenance Program and received bids on November 17, 2022. The bid received by the lowest, most responsive and responsible bidder, Massana Construction, Inc., is \$1,684,439.00. Current funds available in the T-9100 Bridge Maintenance Account total \$1,643,575.00. The total requested amount for the budget amendment is \$50,000 for additional funds to be transferred to the T-9100 Bridge Maintenance Account. This amount is required to fully fund the amount of the lowest bid for the FY 2023 FY 2023 Bridge Maintenance Contract. The amount of \$50,000 is proposed to be transferred from unobligated funds in the Public Works Contractual Services Account.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember John Paulson, to approve an amendment to the City of Sandy Springs FY 2023 Budget to allow the transfer of funds for the T-9100 Bridge Maintenance Program. The motion carried by unanimous vote.

Ordinance No. 2022-12-24

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- K. **2022-368** Request for Mayor and City Council Consideration of Approval of Contract Award to Massana Construction Company, Inc. for FY 2023 Bridge Maintenance and Repair Services, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to award a contract to Massana Construction for the FY 2023 Bridge Maintenance and Repair Services. The City has allocated funding on an annual basis for the maintenance and repair of City bridges as part of the T-9100 Bridge Maintenance Program. Using the Georgia Department of Transportation's most recent bridge maintenance and repair report ("Report"), plans and bid schedules were developed under contract with the City's design consultant, AECOM.

The City issued an Invitation to Bid Number 23-040 for Bridge Maintenance and Repair Services on October 19, 2022 with a pre-bid conference on November 4, 2022. Three (3) bids were received on November 17, 2022 as follows:

Firm	Total Bid
Massana Construction Company, Inc.	\$1,684,439.00
E&D Contracting Services, Inc.	\$1,763,274.00
M & J Construction Company of Pinellas County, Inc.	\$2,315,703.40

The bids received were evaluated by staff and based on review and analysis, staff recommends that the City award the Contract to the lowest, most responsive and responsible bidder, Massana Construction Company, Inc., in the amount of \$1,684,439.00. The engineer's prepared estimate for this work was \$1,400,000.00.

There are adequate funds available in the T-9100 Bridge Maintenance Program for the Project.

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Jody Reichel, to approve the Request for Mayor and City Council Consideration of Approval of Contract Award to Massana Construction Company, Inc. for FY 2023 Bridge Maintenance and Repair Services, and to Authorize the City Manager to Execute the Contract.

Councilmember Tibby DeJulio asked how many bridges will be worked on under this contract.

Public Works Director Martin replied 17 of the City's 21 bridges are in the scope of service. The scope of service includes a variety of services ranging between the bridges, such as erosion control, and painting. The performance period is 300 days.

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

Resolution No. 2022-12-203

- L. **2022-369** Request for Mayor and City Council Consideration of Approval of the Settlement and Dismissal of the Lawsuit by the City Against A-1 Construction Co. and Granite Surety Company; to Authorize the City Manager to Execute the Same; and for Other Purposes

Dan Lee, City Attorney, presented the Settlement and Dismissal of the lawsuit by the City of Sandy Springs gains A-1 Construction Company and Granite Surety Company. A-1 (with Granite as their contracted surety) were chosen by competitive bid to be the contractor on the Brandon Mill sidewalk

project. The contract was for an amount approximately, \$1,014,000.00. A-1 was only \$100,000.00 into the contract before staff identified significant contract failures and removed the contractor from the job. Notwithstanding notices to the surety, the surety failed to provide for a subsequent contractor and the city was forced to rebid the remainder of the project. This procurement required an additional \$366,000 toward the completion of the project. The surety failed and refused to honor its contract and the city filed a lawsuit. Meanwhile, the contractor went into bankruptcy court and the city was forced to prosecute its interest in the bankruptcy court as well as the Federal District Court to collect the amounts due. This matter was filed in January of 2022. The settlement proposal makes the City whole in the payment of the additional \$366,000.00 needed for the completion contractor and reimburses the City approximately \$166,000.00 in attorneys' fees.

It is recommended the Mayor and Council accept and approve this settlement proposal whereby the additional costs experienced by the City due to the failures of the contractor and the surety for the contractor are being fully reimbursed to the City upon the payment of \$550,000.00.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to approve the Settlement and Dismissal of the Lawsuit by the City Against A-1 Construction Co. and Granite Surety Company; to authorize the City Manager to execute the same; and for other purposes. The motion carried by unanimous vote.

Councilmember Tibby DeJulio asked does the City maintain a list of surety companies that the City does not want its contractors to use.

City Attorney Lee replied yes, the City should never take a contractor that has Granite Surety. The City gets most of its standards written in these types of contracts from the Georgia Department of Transportation. If the contractor becomes insolvent, then they cannot do this job. If you can get a surety bond, then you have passed the test of solvency. They were negligent in the beginning to sell this bond to this contractor.

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

Resolution 2022-12-204

X. Reports

A. 2022-370 Mayor and Council Report

Mayor Rusty Paul reported the L.O.S.T. will be completed Wednesday, December 21. Fulton County Chairman Robb Pitts will sign the certificate in the morning, followed by the City of Sandy Springs, and then finally the City of Atlanta.

Also, the city is expecting colder weather than has been experienced in the last five years. There are people out in the cold. Hopefully, the Fire Department will keep watch, and maybe local churches and synagogues can host warming stations. We need to make sure we do what we can to provide some shelter.

Councilmember Andy Bauman reported DJ Dan Blankowski passed the other night. Dan has DJ'd at many City events. Also, his wife works for the Finance Department. Condolences go out to her and her

family.

Next, what is the ETA on the marquees?

Dave Wells, Director of Facilities/Capital Construction and Building Operations, replied there is an issue with the boring right now. City Staff is trying to get electrician proposals. Staff will come back to Council with sizing information and other details.

Councilmember Andy Bauman continued it was helpful to hear from the Georgia Department of Natural Resources regarding hunting. Hopefully the Council can continue conversations after the first of the year.

B. 2022-371 Staff Reports

Eden Freeman, City Manager, reported the City's emergency management and weather response team is convening in anticipation of the coming freezing weather. Residents are reminded to take care of their water pipes. Additional information will be provided to Mayor and City Council to share across their social media platforms, which will to help residents plan and prepare.

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 an executive session for the purposes of real estate and litigation discussions. The motion carried unanimously.

Passed Yes 6, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman
Nays: None

The executive session began at 9:06 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 6, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman
Nays: None

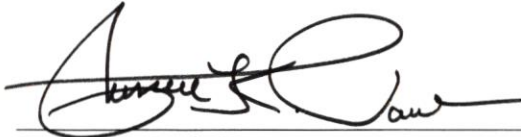
The executive session ended at 9:21 p.m.

Adjournment

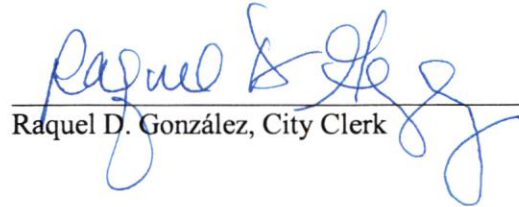
Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 9:21 p.m.

Approved: January 3, 2023

A handwritten signature in black ink, appearing to read "Russell K. Paul", written over a horizontal line.

Russell K. Paul, Mayor

A handwritten signature in blue ink, appearing to read "Raquel D. González", written over a horizontal line.

Raquel D. González, City Clerk