

The Regular Meeting of the Sandy Springs City Council was broadcast live via webinar, teleconference, and Facebook on Tuesday, April 21, 2020, at 6:35 p.m., Mayor Rusty Paul presiding.

MOMENT OF SILENCE

I. CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:35 pm.

II. ROLL CALL

City Clerk Raquel D. González called the roll and made the general announcements.

Mayor Rusty Paul – present.

Council Members present: Council Member John Paulson, Council Member Steve Soteres, Council Member Chris Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio and Council Member Andy Bauman.

III. PLEDGE OF ALLEGIANCE – Mayor Paul led the Pledge of Allegiance.

IV. PUBLIC COMMENT

There were no public comment cards received.

Mayor Paul closed the Public Comment period.

V. APPROVAL OF MEETING AGENDA

Motion and Vote: Council Member DeJulio moved to approve the agenda for the Regular Meeting on Tuesday, April 21, 2020. Council Member Reichel seconded. Mayor Paul called for a roll call vote. The motion passed unanimously.

VI. CONSENT AGENDA

A. 2020-96 Approval of Meeting Minutes

April 7, 2020 City Council Regular Meeting

B. 2020-97 Request for Mayor and City Council Consideration of Acceptance of a Permanent Drainage Easement for the Pine Forest Stormwater Project – 425 Pine Forest Road

RESOLUTION NO. 2020-04-46

- C. 2020-98** Request for Mayor and City Council Acceptance of a Real Estate Agreement for the purchase of a Permanent Drainage and Temporary Construction Easement for the Riverside Stormwater Project – Capital Homes Design, 5752 Riverside Drive

RESOLUTION NO. 2020-04-47

- D. 2020-99** Request for Mayor and City Council Acceptance of a Permanent Drainage Easement for the Pine Forest Stormwater Project – 435 Pine Forest Road

RESOLUTION NO. 2020-04-48

Motion and Vote: Council Member Bauman moved that the consent agenda for April 21, 2020 be approved. Council Member Reichel seconded. Mayor Paul called for a roll call vote. The motion passed unanimously.

VII. NEW BUSINESS

- A. 2020-100** Request for Mayor and City Council Consideration of a Purchase and Sale Agreement for Property Located 6026 Kayron Drive (Tax Parcel # 17-0071-0003-054-2)

Director of Public Works William H. Martin, Jr., AIA presented the staff's buy recommendation in support of the Hammond Drive Widening Project. 6026 Kayron Drive is within Sandy Springs, located along Hammond Drive. It is a single family residence built in the 1950s on an approximate 20,000 square foot lot. Staff has negotiated a Purchase and Sale Agreement wherein the City may acquire the property for the purchase price of \$465,000.00. On first review, the property looks to be suitable as a lease property for First Responders / Public Safety Officers. There are sufficient funds within the TSPLOST budgeted project TS-193 to support this purchase and staff recommends acceptance and approval of this Purchase and Sale Agreement.

Motion and Second: Council Member Bauman moved approval of agenda item 2020-100, Consideration of Purchase and Sale Agreement for Property Located at 6026 Kayron Drive (Tax Parcel # 17-0071-0003-054-2). Council Member DeJulio seconded.

Council Member Burnett stated this is, as purchases go for us, is on the high side. We are north of \$23.00 a foot land value. I remember this home has been renovated recently, is that correct?

Public Works Director Martin responded yes. You are also correct about this being toward the higher end of the range for purchases. The purchase price is supported by comparable sales in the area.

Council Member Burnett replied it would be interesting if we could assess this value 30-60 days from now to see where the values might be at that time. As we are negotiating, we need to be cognizant and of where the market is going on the residential front. We have a lot more properties to buy other than this one. We want to be careful not to over-buy.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion passed unanimously.

RESOLUTION NO. 2020-04-49

- B. 2020-101** Request for Mayor and City Council Consideration of a Resolution to approve the Bond Resolution of the City of Sandy Springs Public Facilities Authority (The "Authority") authorizing the issuance of the City of Sandy Springs Public Facilities Authority Taxable Refunding Revenue Bonds (City Of Sandy Springs City Center Project), Series 2020 in the aggregate principal amount of not to exceed \$198,000,000; to authorize the execution of a First Amendment to Lease Agreement between the Authority, as Lessor, and the City, as Lessee; to authorize the Mayor and other Officers and Officials of the City to take such further actions as are necessary to provide for the Issuance and Delivery of the revenue bonds described herein; and for other purposes.

City Attorney Dan Lee presented that this is the Mayor and Council side of the discussion held earlier in the City of Sandy Springs Public Facilities Authority meeting immediately preceding this meeting. This is authorizing that you will continue the lease as it is written now, if refinanced as previously described.

Motion and Second: Council Member DeJulio moved approval of agenda item 2020-101, Resolution to approve the Bond Resolution of the City of Sandy Springs Public Facilities Authority (The "Authority") authorizing the issuance of the City of Sandy Springs Public Facilities Authority Taxable Refunding Revenue Bonds (City Of Sandy Springs City Center Project), Series 2020 in the aggregate principal amount of not to exceed \$198,000,000; to authorize the execution of a First Amendment to Lease Agreement between the Authority, as Lessor, and the City, as Lessee; to authorize the Mayor and other Officers and Officials of the City to take such further actions as are necessary to provide for the Issuance and Delivery of the revenue bonds described herein; and for other purposes. Council Member Reichel seconded.

Council Member Bauman stated for the record, these meeting minutes should make reference to all of the minutes of the Public Facilities Authority as would be applicable here.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion passed unanimously.

RESOLUTION NO. 2020-04-50

VIII. REPORTS

- A. 2020-102** Mayor and Council Report

Mayor Rusty Paul reported that he received a letter dated April 16, 2020, which basically says that the Georgia Department of Transportation has reviewed the submitted construction final close-out documents and found them to be acceptable. This is regarding some of the issues the City has had with outstanding audits for projects over in the Perimeter area. Those projects have been audited and now approved so there is no further liability that the City faces as a result. This is good news.

Mayor Paul also received a letter from Tamara Carrera, Executive Director, at the Community Assistance Center (CAC). I cannot tell you what an amazing job the CAC is doing in serving so many people who are hurting and suffering through not only the virus, but the economic reverberations of this situation. In a lot of ways, the economic impact of the virus is much greater, in some respects, than the virus itself. It has affected so many more people in the aggregate, and there a lot of people who are hurting. They are afraid of losing their businesses, their jobs; many of them are unemployed now. When I came to City Hall today, I had several letters from employers here in town. They have basically laid off all their employees. These are large and small mom-and-pops. Many of them are required to notify us when they have a major layoffs. It is heartbreaking to see the number of people who are having to lose their jobs in today's environment. It was heartwarming to see the work that CAC has done.

He stated that the restaurants have stepped up. A lot of the restaurants that have closed but still have food are doing things like preparing meals for our first responders; preparing meals and taking them up to the hospitals for the healthcare workers. There are just some amazing stories that can only come out when you are facing difficult times.

The Governor issued a new Executive Order beginning the process of opening up the state. The City staff had already set up a meeting today to begin the conversation of planning the return to normalcy. The Governor's Executive Order has generated a lot of conversation around the state. My heart goes out to him, this is a very difficult decision that he's got to make. He's hearing the same stories I'm hearing, getting the same letters I am getting, of the number of people who are unemployed. We are trying to thread a very delicate, difficult needle in this time. There is no right decisions that are going to be made that will make everyone happy. Whatever we are going to do, in our effort to return to normalcy, we are going to be focusing on the safety and health of our community. We are going to make of sure that, above everything else. As we implement the Governor's Executive Order – and we have no choice because he's said there are no local preemptions, which I understand because we got into a whole mishmash of regulations. Dunwoody had one set; Brookhaven had a set; Sandy Springs had a set; and it was creating a lot of confusion. So this is one of those times when I am normally a very strong local decision guy; we are having the least uniform rules that everyone can understand and apply. I think it's important, some of us may agree or disagree with the governor, and my sympathies are with him because I know how difficult these decisions can be. I know he's listening to Dr. Toomey and a lot of different people and trying to make the right decision. This is just one time I'm glad I'm not the governor, and not having to make these decisions myself. We are going to do what we can, in Sandy Springs, our top priority is going to be protecting the health, safety, well-being and wellness of our community as we go about implementing these things. There are still a lot of questions; we

need some guidance from the State on enforcement. Are they relying on our code enforcement? Our police department? There are a lot of unanswered questions that we don't have right now and hopefully, we'll get some more guidance from the State. I know that there is some concern among our staff about having to go out, particularly, the code enforcement and police, about implementing this. I'm sure we will be getting additional information from the Governor's Office. It is a very challenging time for all of us. This meeting is a typical example of that. We are going to get through this. This too shall pass. In the meantime, we need to make the best decisions that we can, given the information that we have, erring on the side of public safety and public health.

Council Member Reichel stated that she has volunteered several times in last couple of weeks at the Community Assistance Center. It has really become the highlight of my days. The lines when I get there are already around the building and it is so nice that we have people that are dropping off food and the different stores that are able to donate food. I just want everyone to know that anything you donate is definitely going to good use.

Council Member Bauman wished to give a shout out to Jason Sheets, who owns Hammock's and Under the Cork Tree. Under the Cork Tree has a food pantry and the line has been around the corner. On Easter, a group of volunteers assembled Easter bags for families of goods. After the customers went through the food pantry they also picked up a couple of Easter bags. What a blessing that they have done. I know that there are many other stories, but I wanted to single them out. They have had hundreds, if not thousands, of visits since this began.

Mayor Paul stated Jason, William, and the guys over there are doing wonderful work. That story is repeated across a number of restaurants in this community. We have students that are putting up pop-up pantries. There is a saying, "Tough times don't last, but tough people do." Generous people also last and we have a community, with all kinds of people jumping to the opportunity to reach out and help other people. When you face adversity, the true spirit and the true character of your community comes through. I cannot tell you how excited I am to be the mayor of a town that is so thoughtful, so generous, and so caring of its fellow citizens. It is both businesses and citizens. It has been an amazing sight for me and I just want to thank everybody. I echo what all of us have really said here tonight. What an amazing community.

B. 2020-103 Staff Reports

1. 2020-104 February 2020 Unaudited Financials

Chief Finance Officer Karen Ellis reported we are at two-thirds of the fiscal year. Revenues are trending above 85%. This is primarily due to two very large, one-time revenues that we see, which include the insurance premium tax that we get in October and the franchise tax that we get in February. So that is the reason for such a large over-the-budget amount for revenues. Expenditures are trending at almost 56% at 67% of the budget, and they are trending as they normally do. Our semi-annuals have not occurred at this point.

2. 2020-105 Economic Development COVID-19 Operational Update

Economic Development Director Andrea Worthy presented an Economic Development COVID-19 Operational updated. During the crisis, our major focus has been working to supply companies with updates and provide available resources. We have been triaging a stream of requests from businesses. Just in our department alone, the inquiries have more than doubled what the pre-COVID volumes were. Lots of people wanting to vent about the processes going on. The City Council took a lot of action to this early-on by delaying occupational tax and alcohol revenue deadlines and by allowing our restaurants to remain open for curbside pick-up during this pandemic. Visit Sandy Springs has been a great partner in this. They have provided the online portal for the restaurants to use to quickly update the community on their operating status and to promote curbside offerings. As we move into the recovery phase, we are going to be thinking about some different ways of doing things.

There are three major initiatives that we have begun at this time to provide resources to the business community. (1) Working with Communications, we are promoting the COVID-19 Business Resources page. It is directly available from the City's COVID main page. We launched that page on March 17th and since then we have had 1,000 unique page views for business resources. The average visit to that site has gotten longer. This page is a one-stop shop for resources and new information. We link the partners and we link to any type of information we feel might be relevant to the business community. For instance, Governor Kemp made his announcement yesterday and we are expecting additional guidelines to come out for business operations. (2) We have created a new COVID business resource bulletin, and we added all of the business licenses that we have in Sandy Springs that have a valid email address. For the duration of this event, they are getting specific COVID related information as we receive it. In the beginning that was going out about once a week. The open rate of that particular publication is 27% and the click-through rate is up almost 90%, or 89% from the pre-COVID newsletter. This tells me that people are finding the information helpful. (3) In talking with our economic development partners around the region, we realize that the work of economic development is to step back and look at the bigger pictures and figure out where are the gaps. Specifically, in some of our conversations with our economic development partners – the cities of Roswell, Inc., Alpharetta and Milton, as well as our other North Fulton partners, the Greater North Fulton Chamber, Georgia Power, and the Georgia Department of Economic Development – we thought there was a need for a business survey to understand exactly what businesses need. We put it out last week, the first phase, for approximately eight to nine days. We hope the responses will help us identify specifically what types of resources and programs that we can seek on behalf of our business community, both from a local, regional and state level. This is really a partnership with our North Fulton people. We distributed it to all of our email distribution lists; shared with our other partners in the area, including the Sandy Springs Chamber. Roswell, Inc. helped us get a Spanish version of the survey translated. We plan to send this at multiple points throughout this crisis, asking for additional pieces of information. The survey just closed yesterday, so these results are preliminary. There will be additional information that comes out that we will share as we continue to evaluate the results.

[Economic Development Director Worthy presented the preliminary COVID-19 Business Impact Survey results, which are incorporated into these Minutes and made a part thereof.]

For the survey, Caroline Davis on our team took the lead on getting together a draft and she has been the point of contact for the entire North Fulton team to do this correctly. I was happy to hear on today's internal call with our North Fulton team that they recognized her out loud for her efforts. Thank you to Caroline.

The number one thing that all of our partners recommend is that businesses need to speak or communicate with their lender, landlord or utilities about forbearance. The survey reported that 35% of respondents have not reached out, which is somewhat concerning. They are the most special resource that you can use. The businesses will have to be patient with them, the banks are overwhelmed with a lot of the things that they have to do with the Small Business Administration (SBA) loans that are coming through. The other thing, continue to monitor the changing landscape. Everyday some new piece of information comes out. Again, yesterday's announcement by Governor Kemp to re-open Georgia. We expect guidance will be coming later this week. Also, today Congress passed additional funding for the Paycheck Protection Program (PPP) and some other things. Our staff and partners will work through the next couple of days to figure out what this really means, and then reporting on the website and newsletter. We are continuing to hear from our SBA partners and the SBA Development Center that you need to talk with your banking representation and apply for the Paycheck Protection Program even though one level of funding has stopped. Congress passed new legislation today that will provide additional funding. There is no application fee to do that. The other thing is unemployment. We are getting calls from self-employed and sole providers who were a little confused as to what it all means. The Georgia Department of Labor has given us the indication that these groups are now eligible for unemployment. The Georgia Department of Labor is also overwhelmed. They are getting 50,000 calls a day and they have a little under 1,000 staff working to process claims. They are in the process of hiring a lot of people, but it is going to take a while. They have processed as many claims to-date in 2020 as they did in all of 2019. They are working weekends and overtime to get this processed. Also, looking into additional grants and loan programs that may be of use. Those will all be in our COVID business bulletins and on our website. If you wish to sign up for the business bulletins, please go to the City's website. You can also contact Caroline Davis or myself if you have any questions. The biggest take-away from all this is, there is help out there. The SBA is being challenged in all areas, but be persistent in what you are seeking. We can help you out with that. The Sandy Springs Perimeter Chamber hosted an excellent webinar that had members of the SBA staff and the Small Business Development Center that really answered some really detailed questions about the Paycheck Protection Program and the Emergency Economic Program. You can find that on the homepage for the Sandy Springs Chamber.

Council Member Bauman stated restaurants and businesses are going to make their own decisions, as well as employees and consumers. Whether a restaurant opens or not, is really under their own circumstances. I've seen people try to shame businesses that are deciding to reopen, and I would hope that we would all condemn that roundly. I would hope that our community would not do that. If employees in one of these re-opened business segments, for whatever reason decided that they cannot or would prefer not to work, from safety concerns, has the Georgia Department of Labor issued guidance as to whether they can continue to collect unemployment or because their field has been re-opened, do we have an answer on whether they can continue to collect?

Economic Development Director Worthy responded that we do not have an answer at this time. Once we have the information we'll provide the information on the website and through the business bulletin.

Council Member Burnett shared that in round one of SBA's program virtually all banks in the country relegated the program to their existing clients. If there was a company that was banking with a larger entity, one of those megabanks, in many cases they did not get into the queue because those banks began at the top of their largest client list and worked their way down to allocate funds. Today there was a class action lawsuit filed against one of those banks for discriminatory lending practices and its administration of the Paycheck Protection Program. I expect more to come. In round two we are going to see opportunities open for a lot more of the smaller businesses. All of our companies who have not contacted their bank about the PPP are encouraged to do that now. There will be another \$400 billion available. We want to put that word out there. Companies need to move quickly because these funds will be fully utilized over the next week or two.

Economic Development Director Worthy commented with respect to the PPP and the SBA loans, we are hearing from those that did have existing banking relationships. Some of those were even taking a while to get funds, but we are now hearing from people that submitted paperwork, three and four weeks ago, that they are receiving their funds. It is just a slow process.

Mayor Paul stated that there are a lot of businesses who made an application under the PPP in the first round and didn't get funded. Do they have to re-apply for the second round?

Council Member Burnett replied not if they are already in the queue and have a number. In our case, we processed about 8600 applications and about 6700 of them got approved. We still have roughly 1900 in the queue and they will be the first ones to be addressed in round two. So those who are in the queue will get their approvals and dollars first. That is why it is important to get in as fast as you can. If you are not already in the queue, you want to be there the first morning that your bank re-opens for applications.

Council Member DeJulio recalled that it was reported of those \$450 billion that was going to be available only about \$30 billion would be available to small businesses. The rest would be going to the businesses with 500 employees or above. Additionally, over the last several years, we've made a lot of incentives to businesses to come here to Sandy Springs. Is this going to cause these businesses any problem because they've had to lay off a lot of people and it is going to bring them down below the guidelines we set for these businesses? If so, have we made any type of provisional plan of how we are going to handle this?

Economic Development Director Worthy responded all of the incentives recipients signed a contract in our call-back provision should they not meet the obligations of those contracts. We have already had one instance of where that occurred. We had a business, a bakery, that moved their headquarters locations here and they had a change in business operations last year, and they decided to move out of Sandy Springs. They refunded the incentives that were given to them. We do send out annual certifications that the businesses have to certify that they are still in compliance.

I am not aware that any of our incentive folks are not meeting their current obligations. If that changes, they will have to refund their waivers.

City Attorney Lee added that there is an opportunity for the Development Authority and the Mayor and Council, like any contract, to amend the contract for the hardship that we are talking about.

XI. EXECUTIVE SESSION

1. 2020-106 Real Estate

Mayor Paul stated we will be going to a different site to protect the confidentiality of the Executive Session. Since this is being streamed, should we adjourn the regular session now? Is that how it should be done or do we have to come back into this channel and public adjourn the Council meeting?

City Attorney Lee replied in order to give public access and for the public to know when to make that access, the motion to go into Executive Session should be to suspend regular order as normal and we need to call the time that we will go back into regular session to make the vote to end the meeting. Just like they would know to come back into the chamber.

City Clerk Gonzalez added the Zoom session will continue to run, displaying a screensaver advising the Council is in Executive Session until the Council returns to the meeting. Yes, the Council should log back into the Zoom session for adjournment of the regular session.

City Attorney Lee stated to preserve the openness of the public portion of this meeting, we need to say when we will be out of Executive Session. It is 7:25 pm now. In addition to Real Estate, there is a Litigation matter that he would need to discuss with the Mayor and City Council.

Mayor Paul announced that we would return to the regular session of the Mayor and City Council meeting at 7:45 pm.

Motion and Vote: Council Member Paulson moved to suspend regular order and move into Executive Session for the purposes of discussing Real Estate and Litigation, with a notice that we will reconvene, come out of Executive Session, at 7:45 pm. Council Member Bauman seconded the motion. Mayor Paul called for a roll call vote. The motion carried unanimously.

Council Member Paulson asked were we going to conduct further business after we come back from Executive Session.

Mayor Paul responded no, there is no further business after Executive Session. We will just simply adjourn.

Executive Session began at 7:26 pm

Motion and Vote: Council Member Paulson moved to adjourn Executive Session. Council Member Soteres seconded the motion. Mayor Paul called for a roll call vote. The motion carried unanimously.

Executive Session adjourned at 7:46 pm

XII. ADJOURNMENT

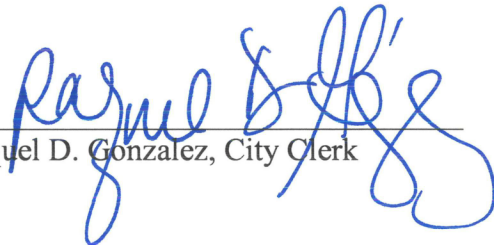
Motion and Vote: Council Member Paulson moved to adjourn. Council Member Soteres seconded the motion. Mayor Paul called for a roll call vote. The motion carried unanimously.

The meeting adjourned at 7:46 pm

Date Approved: May 5, 2020.



Russell K. Paul, Mayor



Raquel D. Gonzalez, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

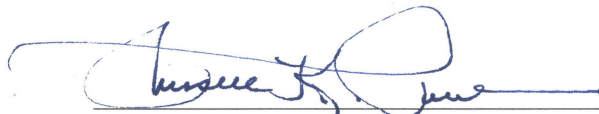
April 21, 2020

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Russell K. Paul, Mayor of the City of Sandy Springs, who on oath says that to the best of his knowledge and belief, on the 21st day of April, 2020, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

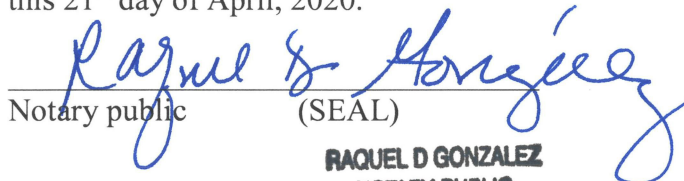
Discussion or voting on real estate matters and pending litigation pursuant to O.C.G.A. 50-14-3(b)(1);

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.



Russell K. Paul, Mayor

Sworn to and subscribed before me,
this 21st day of April, 2020.



Notary public

(SEAL)

RAQUEL D GONZALEZ
NOTARY PUBLIC
FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES 04/22/2022