

Public Facilities Authority of the City of Sandy Springs meeting was held Tuesday, May 9, 2006, 5:30 PM, Mayor Eva Galambos presiding.

Councilmembers Present: Councilmember Tibby DeJulio, Councilmember Dianne Fries, Councilmember Dave Greenspan (arrived at 5:55 PM), Councilmember Ashley Jenkins, Councilmember Karen Meinzen McEnerny, and Councilmember Rusty Paul.

Call to Order

Mayor Galambos called the meeting to order at 5:30 PM.

Cecil McLendon, Attorney at Law, requested that the Authority meet in Executive Session to discuss future acquisition of real estate pursuant to O.C.G.A. 50-14-3(4).

The Executive Session adjourned at 5:47 PM

Mayor Galambos reconvened the meeting of the Authority at 5:47 PM.

I. Discussion on Creating By-Laws for the Public Facilities Authority.

Mayor Galambos stated that the first item on the agenda is to discuss creating by-laws for the Public Facilities Authority.

Attorney Cecil McLendon stated he has prepared draft by-laws for this Authority that has been circulated for review to the members. These by-laws are based on the public facilities law. Discussion followed regarding the power of imminent domain. Attorney McLendon will research the power of imminent domain prior to finalizing the by-laws.

Mayor Galambos had a question regarding the fiscal year and asked would it be the same as the City's fiscal year. It was agreed that it would be the same fiscal year as the City of Sandy Springs.

Motion and Vote: Councilmember DeJulio moved to approve the by-laws to form and requested that the condemnation provisions be reviewed to ensure consistency with Georgia law. Councilmember Karen Meinzen McEnerny seconded the motion. There was no discussion. The motion passed unanimously.

II. Consider Approving Lease Agreement for Police/Municipal Court Space

Mayor Galambos stated that the next item is the approval of a lease agreement for the Police/Municipal Court space.

City Manager John McDonough stated that Police Chief Gene Wilson will be presenting the terms of the lease. This is a two part process. One is the lease agreement between the City of Sandy Springs and Synergy and the sublease agreement between the Authority and the City of Sandy Springs.

Police Chief Gene Wilson stated that the building is a 32,800 square foot building at Barfield and Hammond. The first year the lease will be \$11.50 per square foot and it will increase by \$0.50 per year for the first four years. The first year cost is \$377,200 and the fourth year cost will be \$426,400. They have given us an improvement allowance in the amount of \$6.50 per square foot or approximately \$200,000 and they will also let us sublease. We have asked for and they have given us additional parking that is needed.

Councilmember Jenkins asked if the address could be provided to the public. Police Chief Wilson replied yes and stated that the address is 5995 Barfield Road. It is at the northeast corner of Barfield and Hammond.

Councilmember Fries asked if we were leasing the whole building. Police Chief Wilson stated that the building would be occupied by the Police and Municipal Court and there may be some small amount of space that we will sublease.

She stated that she asked that question because of the comment made regarding parking. City Manager McDonough stated that initially we were looking at 90 parking spaces and we now have 124 spaces.

Attorney Cecil McLendon stated that he is happy to review this lease. There are some provisions and certain areas that we may need to look at before we enter into an agreement.

City Manager McDonough stated that he is requesting Council approval of this lease based on final negotiations and legal review.

Motion and Vote: Councilmember Jenkins moved to approve the lease agreement for Police/Municipal space based on final negotiations and legal review. Councilmember Fries seconded the motion. There was on discussion. The motion passed unanimously.

III. Consider Approving a Sublease with the City of Sandy Springs for Police/Court Space

Attorney Cecil McLendon stated that he has also prepared a draft proposed sublease regarding the Barfield Road property and a proposed prime lease on the property.

City Manager McDonough stated that this would simply be a sublease based on the same terms and conditions between the Authority and the City of Sandy Springs.

Councilmember DeJulio stated that we are talking about subleasing the entire building to the City of Sandy Springs and then letting the City sublease. Councilmember Jenkins stated that the sublease is the Authority and the City of Sandy Springs contract. Councilmember Greenspan stated that if we approve the sublease of the Authority then the Council will have to approve the lease with the Authority. He was informed that was correct.

Motion and Vote: Councilmember Jenkins moved to approve the sublease between the Authority and the City of Sandy Springs regarding the Barfield Property, and a prime lease on the property for the Police Department. Councilmember Greenspan seconded the motion. There was on discussion. The motion passed unanimously.

Adjournment

The Public Facilities Authority meeting adjourned at 6:00 PM.

Date approved: _____

Jeanette R. Marchiafava, City Clerk

Eva Galambos, Mayor