

Special Called Meeting of the Public Facilities Authority was held at Sandy Springs City Hall, 1 Galambos Way, Sandy Springs, Georgia, 30328, on October 2, 2018, at 6:31 p.m.

CALL TO ORDER

1. **PFA18-75** **Chairman Rusty Paul** called the meeting to order at 6:31 p.m.

ROLL CALL

2. **PFA18-76** **Secretary Michael Casey** called the roll.

Authority Members Present: Member John Paulson, Member Steve Soteris, Member Chris Burnett, Member Jody Reichel, Member Tibby DeJulio and Member Andy Bauman.

APPROVAL OF MEETING AGENDA

3. **PFA18-77** Add or remove items from agenda

Motion and Vote: Authority Member DeJulio moved to approve the Public Facilities Authority meeting agenda for the October 2, 2018 Special Called Meeting. Authority Member Burnett seconded the motion. The motion carried unanimously.

4. **PFA18-78** Meeting Minutes

1. September 4, 2018 Public Facilities Authority meeting
(*Michael Casey, Secretary*)

Motion and Vote: Authority Member Paulson moved to approve the Public Facilities Authority meeting minutes of the September 4, 2018 Special Called Meeting. Authority Member Reichel seconded the motion. The motion carried unanimously.

5. **PFA18-79** Resolution to Decrease the Guaranteed Maximum Price for Construction of the City Springs Project, as Established by Change Order #22 Pursuant to the Provisions of a Certain Contract for Construction Between the City of Sandy Springs, GA and Holder Construction Group, LLC, Dated June 30, 2015, and to Authorize the General Manager to Execute the Change Order (Change Order #22)

General Manager John McDonough gave the City Springs Update PowerPoint presentation dated October 2, 2018.

Motion and Vote: Authority Member Paulson moved to approve Agenda Item No. PFA18-79, a Resolution to Decrease the Guaranteed Maximum Price for Construction of the City Springs Project, as Established by Change Order #22 Pursuant to the Provisions of a Certain Contract for Construction Between the City of Sandy Springs, GA and Holder Construction Group, LLC, Dated June 30, 2015, and to Authorize the General Manager to Execute the Change Order (Change Order #22). Authority Member Soteris seconded the motion. The motion carried unanimously.

PFA Resolution No. 2018-10-132

6. **PFA18-80** Resolution to Approve Second Amendment to Master Lease for Retail Space in Government Building at City Springs and to Approve Plans and Specifications as required by Master Declaration

General Manager John McDonough stated on April 19, 2016, the PFA adopted a resolution approving, among other things, the master lease agreement by and between the Public Facilities Authority, as lessor, and Sandy Springs City Center, LLC (“Developer”), as lessee. The master lease contains certain terms and conditions governing the developer’s buildout and lease of retail space contained within the government building at City Springs. On June 19, 2018, the PFA approved a first amendment to the master lease related to the allocation of costs to repair and maintain grease traps serving the building. The developer now desires another amendment to the master lease for the purpose of allowing an enclosure of a portion of patio space. The space totals approximately 560 square feet. In the picture displayed, that area is currently an unclosed patio. The Select restaurant would like to expand its footprint into that area. The area will still have the ability to open. The enclosed space will be more useable for the restaurant and more customer friendly. The developer has entered into a sublease for a portion of the retail leased space to a restaurant doing business as “The Select.” They requested that a portion of the adjacent patio area be fully enclosed for its use pursuant to certain plans and specifications. Under the master lease, the patio space is not calculated in the amount of leased space for lease payment purposes. The enclosure will increase the square footage used as leased space, which will increase the amount of lease income based on the method of calculation in the master lease. The developer desires the PFA’s approval to move forward with the enclosure, based upon the plans and specifications presented with this agenda item. The proposed amendment to the master lease (“Second Amendment”) documents the enclosure and provides for the additional square footage to be used in lease payment calculations. Additionally, the right to construct and operate within the enclosure is personal to the Select. Therefore, the PFA retains the right to require the lessee to remove the enclosure and return the patio area to the condition existing prior to construction of the enclosure upon termination of the sublease with The Select. If the PFA requests removal, it will be at the sole expense of the developer. When the construction of the enclosure is complete, the developer will cause a survey to be performed and the short form of the lease, which was recorded in Fulton County records related to the leased premises, will be amended and recorded to reflect the enclosure. On April 19, 2016, the PFA also approved that certain master declaration of covenants, conditions and restrictions for City Springs, dated June 15, 2016. The master declaration sets forth standards in Article 5 including, but not limited to, certain design guidelines and requires approval of plans and specifications for improvements. The attached letter from the developer is to obtain the PFA’s approval for the plans and specifications to construct the enclosure, as required by the master declaration. The General Manager and the PFA Attorney recommend approval of the attached resolution, second amendment to the master lease, and letter approving plans and specifications as required by the master declaration.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. PFA18-80, a Resolution to Approve the Second Amendment to the Master Lease for Retail Space in the Government Building at City Springs and to Approve Plans and Specifications as required by the Master Declaration. Council Member Reichel seconded the motion. The motion carried unanimously.

PFA Resolution No. 2018-10-133

7. **PFA18-81** ADJOURNMENT

Motion and Vote: Authority Member DeJulio moved to adjourn the meeting. Authority Member Burnett seconded the motion. The motion carried unanimously. The meeting adjourned at 6:45 p.m.

Public Facilities Authority Special Called Meeting

Tuesday, October 2, 2018

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Date Approved: November 6, 2018



Russell K. Paul, Chairman



Michael D. Casey, Secretary