

Work Session of the Sandy Springs City Council was held on May 2, 2023, at Following PFA, Mayor Rusty Paul presiding.

I. Presentations

Mayor Rusty Paul called the meeting to order at 6:17 p.m.

A. 2023-120 Georgia General Assembly 2023 - 2024 Legislative Session Update

The **Honorable Shea Roberts, Georgia House of Representatives - District 52** and **Honorable Deborah Silcox, Georgia House of Representatives - District 53** presented the Georgia General Assembly 2023 - 2024 Legislative Session Update.

Honorable Shea Roberts, Georgia House of Representatives - District 52 said this was a unique session and her third time in attendance. New leadership in both Chambers brought some unpredictability. There were 25 new Democratic House members and about 18 Republican House members. This is a lot of new people but our freshman class on both sides is impressive and gave me hope for the future. Proud that my Democratic Caucus supported Jon Burns for the Speaker of the House of Representatives. He had large shoes to fill following Speaker David Ralston, but he commanded respect in the House Chamber. There was more bipartisan work on some important issues and unfortunately many of our House sponsored bipartisan bills were hung up in the Senate. For example, HB520 which was intended to expand on Speaker Ralston's Mental Health Parity Bill, was voted unanimously out of the House and never got a vote in the Senate. The same was true for HB404 which was the housing bill that would have finally given tenants protection. The anti-Semitism bill in the City of Sandy Springs is another important bill that stalled. Hopefully the parties next time can come to some resolution because it is important and proud to support that. Another stalled bill, despite having 90 house members sign on to the bill, was HB71 which would have protected the Okefenokee Swamp from mining. It was disappointing it did not get a committee hearing because it is a valuable natural resource for our state. All these bills are still alive for 2024 and we hope we can move them next session.

The 2024 State of Georgia Budget passed at the end of the night. For the first time in decades, HOPE scholarship will cover 100% of public university students' tuition costs. Also, the **Honorable Imani Barnes, Georgia House of Representatives - District 86** lobbied tirelessly before Session started so that every K-12 child had fully funded school breakfast and lunch and \$6,000,000 was allocated for this. The budget also provided for a \$2000 salary boost for teachers, making it the average \$61,000 which is the highest in the Southeast. Other salary increases included \$6,000 for state troopers and \$4,000 for correction officers. There was also a \$66,000,000 cut to the State University System budget, but Georgia **Governor Brian Kemp** has publicly said he is looking to fill some of the holes that were left in the budget in 2024.

The Judiciary Non-Civil Committee was busy, and we worked about 35 hours in a five-day period. Governor Kemp signed some bills which includes increasing penalties for those who illegally damage critical infrastructure such as power grids and election systems. SB60 addresses issues related to stolen materials like catalytic converters and makes it harder for thieves to sell. HB584 was the red flag bill addressing school shootings in Nashville, Uvalde, Parkland, and others and, it is inconceivable that none of our Public Safety bills related to gun safety can get a hearing to address this gun violence but remain hopeful. HB 425 was filed at the request of some Sandy Springs constituents, and it was to amend the Georgia Code which provides that nothing shall preclude a city or county from reasonably regulating or prohibiting the discharge of firearms within the political subdivision. My bill would have included

language for the discharging of bows as this has been a concern for people. Unfortunately, this also did not get a hearing but will be persistent.

Honorable Deborah Silcox, Georgia House of Representatives - District 53 said she is delighted to return to the House this year and have the support of many Sandy Springs people. As Chairman of the MARTA Committee, hopeful that we can get more transit all over Atlanta. Also named Vice Chair of the Non-Civil Judiciary Committee and worked together with **District 52 Georgia House of Representatives Roberts**. There are many interesting bills like the one on catalytic converters being stolen from cars. This increases the noise from the car and has been a huge complaint. Will be on a study committee in conjunction with MARTA and the Buckhead Council of Neighborhoods because Marta is not going to roll out their Bus Rapid Transit (BRT) lanes. The legal question is who owns those lanes because DOT already has authorization to have cameras on those lanes. If it is the City of Atlanta, City of Sandy Springs or, another city, the question becomes whose lane is it and who is going to make the rules. MARTA wants cameras to control BRT lanes and for enforcement of cars going into those lanes illegally. On the other hand, the Buckhead Council of Neighborhoods wants cameras for these cars or vehicles that are making too much noise because street racing in the City of Atlanta is so bad that patients in Piedmont Hospital cannot sleep. Will be looking at these issues with other representatives over the summer and working with MARTA and the Buckhead Council Neighborhoods.

The governor is about to sign the budget and there is \$1,250,000 for up to 20 new Georgia State Patrol officers to be in a post in Buckhead. Though it is not in the City of Sandy Springs, this will help **Kenneth DeSimone, Police Chief**, and those here to enforce and deter a significant amount of crime in Buckhead. The Atlanta Police Department (APD) has a no chase policy and the Georgia State Patrol for example has assisted the APD in over 400 high-speed chases in the last year alone with many of those individuals being street racers.

There is also \$614,000 for our new Anne Frank Center for education and responsibility. This is the first time the state has funded the Georgia Commission on the Holocaust with state funds. The City of Sandy Springs has contributed significantly which included the donation for the property. This will be a great place for kids to learn the importance of a true democracy and the importance of not being hateful and prejudicial. Hopefully every school child in Georgia can come to the center. You have hired a consultant to finalize the building and hopeful we can get shovels in the ground before the end of the year.

Other highlights of the budget include \$115,700,000 in school security grants and every Georgia public school will have \$50,000 to enhance their security the way they choose. We also gave \$4,900,000 to the Georgia Bureau of Investigation (GBI) to maintain the Georgia Crime Information Center (GCIC). One reason there are many repeat offenders is judges do not have the correct rap sheets. The legislature tasked GCIC with getting this up to date and we are embracing this and moving forward. The governor stated there are about 1000 to 2000 that commit repeat crimes in Georgia and hopeful this money will be used wisely, and we can get the right rap sheets in front of the judges to put behind bars people that are committing multiple crimes in multiple jurisdictions. With DNA evidence, there are people being exonerated for crimes they never committed after serving 20 to 30 years behind bars. We passed HB88 to allow the victims' families to reopen cold cases to hopefully have resolution and restitution even if that person has passed away for many years.

One of Governor Kemp's main themes has been to crackdown on gangs. We passed a bill that is going to substantially increase the penalties for people who try to recruit minors as young as eight years old to commit crimes and participate in these gangs.

The main initiative for First Lady of Georgia Marty Kemp is fighting human trafficking with the

Georgians for Refuge, Action, Compassion, and Education (GRACE) Commission. We passed another bill that is helpful to anyone seeking refuge or a shelter. SB42 is a great bill to catch sex traffickers in Georgia and is going to increase the penalties for any public establishments that are required to post the national hotline number which has saved thousands of victims.

Education is the largest part of our budget, and we are fully funding all our public schools according to the Quality Basic Education (QBE) formula and, are putting \$13,100,000,000 to fund this. As mentioned, there are also \$7000 raises for teachers which makes Georgia the highest in the Southeast for the average teacher pay. There is an emphasis on early literacy because of how scores particularly in reading and math went down statewide. We passed HB538 to require the State Board of Education to approve high quality instructional materials with the emphasis on phonics. Hopeful this focus on literacy, particularly phonics, will help students in Georgia improve their scores. For the students struggling to earn their high school degree, HB87 authorizes the Georgia Board of Education to finance and establish completion special schools to give opportunity for students struggling to complete high school and are working. There are about 75 existing locations statewide where they can come in the evening as they are and complete a high school degree.

It was disappointing when HB520 the mental health bill did not pass but we still provided \$2,400,000 for substance abuse recovery programs and funding into mental health services. We rewrote the medical waiver for the first time after I served on the Department of Health and Human Services Board under former Georgia Governor Sunny Perdue. The general assembly added 500 slots to the now COMP (Comprehensive Support) Waiver Program to support individuals with intellectual and developmental disabilities for \$9,400,000. If individuals with intellectual disabilities go to Georgia colleges, there is an additional \$1,000,000 in tuition grants.

HB129 expands eligibility for the Temporary Assistance for Needy Families (TANF) program to pregnant women for the first time and will help many women struggling. We will push for the mental health bill again next year and hopeful we can pass the School Choice Program which allows kids in the bottom 25% of all the public schools in Georgia to have \$6,500 to use in as an educational savings account to an alternative school of their choice which includes homeschooling or a tutor.

Mayor Rusty Paul thanked the presenters for their efforts and response when he reached out. You supported the City's position on most issues, and it is greatly appreciated. We worked on the anti-Semitism bill for two years which died on the last day, but we will move this at some point. We appreciate the Anne Frank Exhibit in getting legislature's help as Council carried the load for years. Thankful for Chairman David Knight who put it in the budget to get it done. We are waiting on Governor Kemp to sign the redistricting bill that you worked on and made the necessary changes to get us into compliance with minimal disruption to the individual districts.

Representative Silcox said it is great all districts were less than 1% which means people are happy with their Council.

Councilmember Andy Bauman said this community is unique around the state. We have representatives from both parties in the City of Sandy Springs and we are truly purple and better for it compared with other locations that have one or the other. Was not aware of something you mentioned.

House of Representative Silcox said she is proud the Georgia House is mixed in seating for Democrats and Republicans which promotes a better place. Congress in Washington could take note of the Georgia House because we have a great system. Delighted to have new Speaker Jon Burns who allowed more democratic bills to go through than the past. We want the best ideas from everybody.

Councilmember Bauman said one of the problems in the area, is the backlog of cases especially homicides, assaults, and rapes in Fulton County courts. COVID made it worse, but those cases do not just go away at every level including police, victims and even defendants. What can be done to advocate at the state legislature to assist Fulton County or any jurisdiction with the backlog that is affecting public safety and how we do business? It is a significant threat.

Representative Silcox said the Georgia Supreme Court Chief Justice delivered the State of the Judiciary and said there were over 4,000 cases in Fulton County that have not received a speedy trial. **Fulton County District Attorney Fani Willis** is doing the best she can with the additional resources provided to work through this backlog. Hopeful that if she gets the indictments she wants between July 1st and September so she can move with full force. Do not know if there is any more that can be done. The City of Atlanta has a lot of reserve money and federal money sitting around. It would be helpful if the City of Sandy Springs and others would encourage the City of Atlanta to use some of that money to at least get these people adjudicated. They should be guaranteed a speedy trial under the Georgia Constitution and that has not happened.

Mayor Paul thanked **Representative Silcox** and **Representative Roberts** for being here. We have study committees, LOST negotiations, and more things that will have an impact and look forward to working with you over the summer and when the session starts in January.

II. Public Works

B. 2023-121 2023 Stormwater Management Plan Overview

Amir Fallahi, Stormwater Services Unit Manager, presented the 2023 Stormwater Management Plan.

On October 25, 2022, the City completed the Phase II MS4 Notice of Intent (NOI) for the scheduled reissuance of the Municipal Separate Storm Sewer System (MS4) permit and submitted the NOI to the Georgia Environmental Protection Division (EPD) in accordance with the City's MS4 Permit requirements. On December 6, 2022, the new MS4 Permit went into effect. Permittees are required to submit an updated Stormwater Management Program (SWMP) within 180-days of the effective date of the reissued MS4 Permit (June 4, 2023).

The City has prepared its SWMP in accordance with the MS4 Permit. The SWMP outlines how the City plans to implement and comply with MS4 Permit requirements. SWMP is considered a supplement to the MS4 Permit and contains Standard Operation Procedures, Schedules, Inspection Forms, and other documents needed to support permit implementation. Key updates to the 2023 SWMP include:

- **Revise City owned/maintained Stormwater Ponds inventory.** The City's previous SWMP reported 44 City-owned/maintained ponds. Current legal interpretation indicates all Fulton County easements did not become City of Sandy Springs easements upon incorporation. As such, the updated City-owned/maintained ponds inventory should be 34. Staff is removing 10 ponds in the current inventory with no City easements and no City maintenance records. The 34 ponds include 18 pond with City of Sandy Springs easements and 16 with Fulton County easements and City of Sandy Springs regular maintenance history.
- **Revise measurable goal to mirror permit requirement for Street Sweeping.** The change mirrors permit requirement in Table 4.2.6(a) BMP #4.

2018 SWMP	2023 SWMP
Sweep an average of 260 miles of roadway monthly, or 3,120 miles annually	Sweep at least 1 mile per year
2018 MS4 Permit	2023 MS4 Permit
Sweep at least 1 mile per year	Sweep at least 1 mile per year

- **Revise Municipal Facilities Inventory to mirror permit requirements.** The 2018-2022 Municipal Inventory (14) included most Parks. The 2023 Municipal Inventory (7) will only include facilities with potential to cause pollution per Permit requirement (fueling, material storage, etc.): Fire Stations, Fleet Maintenance, Trowbridge Warehouse, and Morgan Falls Athletic Fields.

The SWMPs are subject to review and approval by GA EPD.

The previous iteration of the MS4 Permit was issued in December 2017 and the City submitted its corresponding SWMP, which was approved in February 2019 following 2 rounds of reviews and revisions by GA EPD.

The City tracks its SWMP implementation throughout each reporting year (January 1st through December 31st) and submits an annual report, due by February 15th of each year, documenting permit compliance for the previous reporting year.

Councilmember John Paulson asked who is responsible for the 10 ponds the City removed?

Stormwater Services Unit Manager Fallahi replied Fulton County has always had the ultimate responsibility because these ponds were dedicated to them, not to Sandy Springs.

Councilmember Melody Kelley asked what does it mean to be listed a municipal facility in the context of this plan?

Stormwater Services Unit Manager Fallahi said any city-owned and operated facility that has potential threats for any kind of pollution should be reported.

Councilmember Kelley asked do you monitor pollution?

Stormwater Services Unit Manager Fallahi said yes. We have annual inspections and reporting.

Councilmember Kelley asked do we have a decent relationship with Fulton County for those 10 ponds and others?

Dan Lee, City Attorney, said no. When the City was formed, there was thought that everything Fulton County in the newly formed City limits became everything City and, it is not the status of the law. There is a basic law that says for property to be owned by the City, whether it is fee simple title or an easement, requires three things: conveyance from the owner, acceptance by the Council, and the recording of the deed. None of these easements were accepted by the City and, never presented by Fulton County for ownership or title transfer to the City and they remained the property of Fulton County. This issue came to a head in Arlington Cemetery where Fulton County owns a huge drainage easement there. It was a target of a lawsuit filed against the City of Sandy Springs and my predecessor brought Fulton County into

the claim. The decision all the way to the Supreme Court of Georgia said as mentioned, once you own it you also have the responsibility of it until you convey it, and it is accepted by the City and those have never been accepted. The ones **Stormwater Services Unit Manager Fallahi** is suggesting that the City leave on the report to the EPD, the City has an interest in those ponds. Stormwater is a tough issue to manage and to determine who has ownership. Things done on the City streets by the City requires the city do something to control and maintain that water. Some of these ponds left in the EPD report fit that category. The ten that are coming out have no City bearing and are titled in the name of Fulton County. Fulton County has not been respondent to our inquiries about partnering or participating. We have an issue now on the north end where a roadway is in danger and needs an easement to fix it. Fulton County has it and we have reached out to them to try and get ownership of that easement and they have been non-responsive.

Councilmember Kelley asked are they also responsible for having a stormwater management plan?

Stormwater Services Unit Manager Fallahi said yes. Each municipality and county are required to have one.

C. **2023-122** Hammond Drive Corridor Improvement Bridge Type Selection Overview
(Project No. S2-193)

Allen Johnson, TSPLOST Program Manager, presented the Hammond Drive Corridor Improvement Bridge Type Selection Overview (Project No. S2-193).

The Hammond Drive Corridor Concept Plan incorporates a pedestrian underpass at Kayron Drive crossing of the "New Hammond Drive" four lane roadway. This was developed as a result of neighborhood outreach and visioning meetings.

The design consultant for the S2193 – Hammond Drive Corridor Improvements project analyzed five potential bridge types for the project. With each option, the consultant provided a construction cost estimate as well as the projected cost for maintaining the bridges over the lifespan of the structures.

Summary and Cost Comparison

Alternative	Construction Cost	Maintenance Cost	Total
1 (AASHTO 90')	\$997,425	\$323,172	\$1,320,597
2A (Bulb Beam 125')	\$1,469,271	\$425,081	\$1,894,352
2B (U Beam 125')	\$2,015,000	\$425,081	\$2,440,081
3A (Box Beam 90')	\$1,209,000	\$323,172	\$1,532,172
3B (Adjacent Box Beam 90')	\$1,360,125	\$184,137	\$1,544,262
4 (Cast in Place Arch 160')	\$2,901,600	\$545,796	\$3,447,396
5 (Cast in Place with Center Bent 90')	\$1,289,450	\$331,333	\$1,620,783

Considering these factors, bridge Type 3B (adjacent box beams) provides a cost-effective design solution while delivering the aesthetic "ceiling-like" feature beneath the bridge deck that the City and the local neighborhood seek from this project. This selection will enhance the pedestrian experience of the future Hammond-Glenridge community connector included in this project.

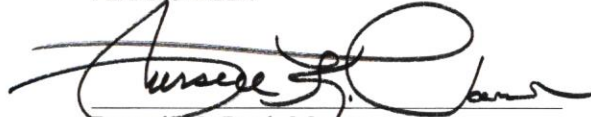
Councilmember John Paulson stated he agrees the Type 3B option is a good one. With the simple AASHTO beam, critters sit there. People are walking, not driving their cars under there, but birds have an uncanny ability to hit what they aim for.

III. Council Discussion Items

There being no further business, the meeting adjourned at 7:07 p.m.

RESOLVED this 16th day of May 2023.

APPROVED:



Russell K. Paul, Mayor

Attest:



Raquel D. González, City Clerk
(Seal)

