

Work Session Meeting of the Sandy Springs City Council was held on Tuesday, November 17, 2009, at 8:49 p.m., Mayor Eva Galambos presiding.

STAFF DISCUSSION ITEMS

City Attorney

1. Comcast Franchise Agreement.

Assistant City Attorney Cecil McLendon stated the Franchise Agreement was negotiated by GMA with Comcast in light of the Telecommunications Act where Comcast had the opportunity to go to the Secretary of State to find the area, and then operate under the provisions of the Telecommunications Act. It is a five year agreement and requires all cable providers to be treated the same. Some important provisions of the contract are the City cannot have a public access channel until fifteen hours of programming a month can be produced. The franchise fee will continue to be 5%. The customer service standards are in Appendix B of the contract. It gives Comcast a lot of cure time if there are any problems. Comcast was not willing to negotiate on this appendix and once they had the ability to opt for the state franchise agreement, the City lost most of its negotiating position.

There was a consensus of Council to move forward with this item.

2. Use Agreements for Fulton County School Facilities (6).
Dunwoody Springs, Highpoint Elementary; Ison Road Elementary; Woodland Elementary;
Lake Forest Elementary; and Sandy Springs Middle School

Assistant City Attorney Cecil McLendon stated this is the same agreement the City has looked at several times. The only difference is this item says six schools, but Dunwoody Springs didn't have a liaison, so they requested to not be included this year. There will be five schools, each with the same agreement of \$10,000; \$5000 for programming, sports equipment, etc., and the rest used for payment for the use of facilities.

Mayor Eva Galambos stated she was intrigued because she read under no circumstances would the City contributions be considered rental for the property. She wanted to know what the \$5000 could be for other than rental.

Assistant City Attorney McLendon stated it is offset for their fees such as heat and lights in the gym. The rate is half the typical rate for the public. It is the same rate the schools use for non-profit organizations.

Councilmember Karen Meinzen McEnerny wanted to know why the City is paying \$5000 when there are other municipalities, like the City of Alpharetta, that get to use their facilities for nothing.

Assistant City Attorney McLendon stated that question was asked and the answer was that the school board wanted to use the Cities facilities as well, which made their agreement more like an exchange of facilities.

Mayor Galambos asked if the school board is using the Tennis Center or any City facilities.

Assistant City Attorney McLendon stated that he does not think the school system uses any of the Sandy Springs facilities.

There was a consensus of Council to move forward with this item.

Public Works

1. Stream Flood Level Monitoring.

Manager of Storm Water Services David Chastant stated during the recent flooding he was asked if the City could obtain a flood monitoring gage, how much it would cost, and if there was a benefit cost analysis that could be done. He went over the damages the City of Sandy Springs incurred during the flood in 2009. There were eighty-eight homes that reported flooding to the City. There was flooding in three major basins. The majority of the flooding occurred in Nancy Creek, Marsh Creek and Colewood Creek. The gages will issue warnings that come from the National Weather Service. The gages are located north of the City in Alpharetta on Big Creek and the other is south of the City on Nancy Creek. The gages show the real time water level at fifteen minute intervals. They predict based on rainfall what the peak level will be. They do some analysis in terms of developing an action stage to warn citizens, so they can get prepared. The annual cost of operating one gage is \$13,600. Some alternatives to the gages would be better awareness of the two existing USGS gages located outside the City limits; better awareness of existing gages around the City that provide real time data; and creating a program to purchase homes that are located within the floodplain to eliminate repetitive flood losses.

The Hazard Mitigation Grant allows the City to purchase homes that are in the flood plan. The grants are available every year and after every disaster. There is a Grant available right now with applications due January 19, 2010. Typically the grant program is 75% federal money and 25% local. The program is a benefit cost driven analysis and requires a pretty detailed application process. The potential locations for use of the Mitigation Grant are: 6 homes on Pine Forrest Rd., 4 homes on Granite Ridge, 1 home on North Mill Road, 1 home on Tanacrest Court, 10 homes on East Powderhorn Road, 1 home on River Shore Parkway, and 1 home on Riverhill Drive. A rough analysis to purchase all 24 of the homes would be a cost to the City of \$2.2 million dollars with the federal share at \$6.3 million. Since this is a cost benefit driven program, not all the homes will qualify. Also, there is only \$29 million worth of funds for the whole state.

Councilmember Dianne Fries asked if the program includes businesses.

Manager of Storm Water Services Chastant stated that businesses were included, too.

Councilmember Karen Meinzen McEnerny asked if the City were to purchase any of these houses, would the City take ownership to the land and could it be used as a park.

Manager of Storm Water Services Chastant stated the grant requires that the land be used as open space. He showed areas on Nancy Creek and East Powderhorn that could make a nice linear park area.

Mayor Eva Galambos asked which neighborhood, Pine Forest or East Powderhorn, wants to be bought out.

Councilmember Tibby DeJulio stated the Pine Forest neighborhood is more adamant about this.

Manager of Storm Water Services Chastant stated Pine Forest sent the letter to the City requesting assistance.

Mayor Galambos asked how many acres of land are in Pine Forest.

Councilmember DeJulio stated it is approximately three acres of land. He asked about the homes that flood on a regular basis located adjacent to Nancy Creek.

Manager of Storm Water Services Chastant stated that any home can go through this cost benefit analysis whether they are in the flood plain or not, but priority will be given to those in the FEMA flood plain.

Mayor Galambos stated if the City has any interest in purchasing any of the homes, it would be best to choose homes that are next to each other.

Manager of Storm Water Services Chastant stated if the City hired someone to do the flood study work, their initial task would be to do a preliminary assessment of the best options for the City.

Councilmember Meinzen McEnerny asked if a home is on eight acres of land, would FEMA give the City money for just the house or would they give the City money for the land?

Manager of Storm Water Services Chastant stated the Council would have to decide how much the City would want to pay for the property. The Council needs to decide whether the citizen should be paid the value of the property before or after the flood.

Mayor Galambos asked if this idea is highly theoretical, since the City does not have the matching amounts in the budget.

There was additional discussion about the properties that have been flooded.

Mayor Galambos asked if there is any interest from Council to pursue the grant any further.

Councilmember DeJulio said the Council should review the properties in Pine Forest, since they have shown an interest. He then asked if staff can submit the applications for the properties and then decide once FEMA responds.

Manager of Storm Water Services Chastant stated the City does not have to accept the grant, if the desire is not to move forward.

Councilmember Rusty Paul asked if the City will have to spend money to do the application study.

Manager of Storm Water Services Chastant stated the estimated cost to perform the application study on all the properties would be \$63,800; and around \$12,200 for Pine Forest only.

Councilmember Doug MacGinnitie asked about the benefit of this program.

Manager of Storm Water Services Chastant stated FEMA looks at how much they have to pay out. FEMA looks at how much is paid out for different levels of flooding, accumulates those costs, and then decides if it is cheaper to buy the house rather than continue to pay for it in flood insurance claims.

Director of Public Works Tom Black stated sometimes GEMA can help with matching funds at 10-15% and a lot of the times the local matching money is used to demolish the house and remove it. The property has to remain an open lot and all impervious material has to be removed.

City Attorney Wendell Willard stated that the Granite Ridge homes are being continually flooded due to a faulty storm water structure that is under the City's jurisdiction. The property might be worth looking at to do away with that potential problem and liability, especially with a federal cost analysis that gives us assistance.

Assistant City Attorney Cecil McLendon stated before staff moves forward on Granite Ridge there could be some in house analysis of the solutions versus the cost, before the City spends funds.

Manager of Storm Water Services Chastant stated FEMA can do a better job in terms of the benefit cost analysis, because the City does not have the resources in house.

Assistant City Attorney Cecil McLendon stated the staff could determine whether it is beneficial to move forward with the application versus fixing the storm water issue.

Manager of Storm Water Services Chastant stated staff has discussed solving the storm water problem with a larger detention pond.

Councilmember Dianne Fries stated she only feels comfortable moving forward with the application if the property could be used for something.

Manager of Storm Water Services Chastant stated the Granite Ridge property would be a great detention area to reduce the flooding downstream.

City Manager John McDonough suggested that the staff can do an internal cost benefit analysis to determine which properties to move forward with.

Manager of Storm Water Services Chastant stated the Natural Resources Conservation Service EWP program will pay for stream restoration projects and projects that are a threat to life or public property. The program will provide 75% federal money with the City matching 25%. The deadline for applications is Friday, November 18, 2009. He asked if Council is interested in this type of project.

Councilmember Meinzen McEnerny said to submit the list and we can learn more about it.

Manager of Storm Water Services Chastant asked Council if they are interested in the flood gages.

Mayor Galambos stated the conclusion was to educate the citizens on how to use the existing current flood gages.

Community Services

1. 2010 Census Preparation Update.

Community Service Manager Dan Coffey gave an update on the census and a PowerPoint presentation to Mayor and Council. He stated in previous years citizens received the long form for completion, but in 2010 they will receive the short form. The questionnaire only asks a few simple questions including name, relationship, gender, age, date of birth, race and whether the respondent owns or rents the household. The form does not ask any sensitive information such as income or social security number. To date, the City has received over \$2 million worth of federal funds based on census data. The census will also be used for researching efforts at the state and local level.

The two primary goals for the 2010 census are to increase the questionnaire response rate by encouraging all residents to complete and return the census before April 1, 2010, and communicate the importance of completing and returning the questionnaire to ensure an accurate resident count. To achieve these goals, staff has developed an outreach plan that encompasses a wide range of communication methods designed to reach, educate, and motivate numerous and diverse audiences across the City to respond to the census. Staff used traditional and non-traditional communications such as the City's website, Facebook, press

releases and many more. Staff created an outreach timeline that started in September of 2009 and goes beyond April 2010 and includes targeting the hard to count groups. The Census Bureau suggests that Cities form a complete count committee which is comprised of representatives from community organizations such as Rotary clubs, schools, and Kiwanis, to help build awareness about the census.

Councilmember Rusty Paul asked when the forms will be mailed.

Community Service Manager Coffey stated the forms will start mailing in late February or early March.

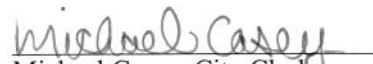
Councilmember Paul asked if the Census Bureau will do the statistical sampling approach.

Community Service Manager Coffey answered yes.

There being no further discussion, the meeting adjourned at 9:35 p.m.

Date Approved: April 20, 2010


Eva Galambos, Mayor


Michael Casey, City Clerk

