

Meeting of the Sandy Springs City Council was held on May 21, 2024, Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:46 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Councilmember John Paulson, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

Members Absent: Councilmember Melody Kelley

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. **Bill Griffith, 9580 Roberts Drive, Sandy Springs** - Roberts Drive Sidepath Scoping Study

V. Approval of Meeting Agenda

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember John Paulson**, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melissa Mular**, to approve the consent agenda. The motion carried by unanimous vote.

- A. **2024-118** Meeting Minutes
May 7, 2024 City Council Work Session
May 7, 2024 City Council Meeting

VII. Presentations

- A. **2024-119** 15th Anniversary of the Yardian Angels Proclamation

Mayor Rusty Paul presented a proclamation in recognition of the 15th Anniversary of the Yardian Angels. Representatives from the Yardian Angels were in attendance to receive the proclamation.

- B. **2024-120** A Proclamation in Recognition of May 19 - 24, 2024, EMS Week

Mayor Rusty Paul presented a proclamation in recognition of May 19 - 24, 2024, EMS Week.

Representatives from AMR were in attendance to receive the proclamation.

VIII. Public Hearing

- A. **2024-121** TA24-0002
Request for Mayor and City Council Consideration of an Amendment to the City Code of Ordinances Sec. 105-19. State Minimum Standards Adopted

Jesus Davila, Manager of Building and Land Development, presented a recommendation to approve Text Amendment TA24-0002, an ordinance to amend City Code of Ordinances Section 105-19. State Minimum Standards Adopted.

This proposed code amendment is related to the plumbing code. The City Code of Ordinances currently requires adoption of the latest version of the International Plumbing Code as published and amended by the Department of Community Affairs (DCA).

Although the current City Code as it relates to plumbing standards is consistent with the state mandate, the Department of Community Affairs does not list the Metro Water District - Water Efficiency Code Requirements on their website because they are not statewide code requirements. Therefore, the City needs to adopt this standard to stay in line with the rest of the region.

There was no public comment.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Jody Reichel**, to approve Text Amendment TA24-0002, an ordinance to amend City Code of Ordinances Section 105-19. State Minimum Standards Adopted.

Resolution No. 2024-05-07

IX. New Business

- A. **2024-122** Request for Mayor and City Council Consideration of a Resolution to Approve a Memorandum of Agreement by and Between the City Of Sandy Springs and the Fulton County Soil and Water Conservation District Georgia and to Authorize the Mayor to Execute the Agreement

Jesus Davila, Manager of Building and Land Development, presented a recommendation to approve a Memorandum of Agreement by and between the City Of Sandy Springs and the Fulton County Soil and Water Conservation District Georgia and to authorize the Mayor to execute the agreement.

Georgia Soil and Water Conservation Commission (GSWCC) authorizes the City to conduct the review and approval of erosion and sediment control plans without the necessity of referring the application and plans to GSWCC, so long as the City complies with the conditions specified in their MOA. In turn, the District will review and carefully consider the monthly reports submitted by the City and shall make recommendations with regards to the adequacy of the program and its compliance with the Erosion and Sedimentation Act of 1975.

The successful execution of this MOA will keep the City current and in compliance with the rules and regulations set forth by GSWCC.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to approve a Memorandum of Agreement by and between the City Of Sandy Springs and the Fulton County Soil and Water Conservation District Georgia and to authorize the Mayor to execute the agreement.

Councilmember Paulson said the City should be charging them for doing their work if doing it for them.

Jesus Davila, Manager of Building and Land Development Davila said in prior years, the District required the City to present projects to them to ensure compliance with state ordinance. Since that time the City has proven at bi-monthly meetings and other meetings with the District, to be capable and knowledgeable to process, review, and critique our projects based on our ordinances.

Mayor Paul said rather than the City doing their work, they are removing a layer of bureaucracy between the City's staff and what must be done.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2024-05-64

- B. **2024-123** Request for Mayor and City Council Consideration to Approve Contract Award to F.S. Scarbrough, LLC for Construction Services for the City of Sandy Springs' Portion of the PATH 400 Multiuse Trail Extension Project and to Authorize the City Manager to Execute the Contract

Allen Johnson, Public Works TSPLOST Program Manager presented a recommendation to approve contract award to F.S. Scarbrough, LLC for construction services for the City of Sandy Springs' portion of the PATH 400 Multiuse Trail Extension Project and to authorize the City Manager to execute the contract.

The PATH 400 Trail Extension project is the northern segment of PATH400, a 5.2-mile walkable, bikeable trail being constructed on the public land adjacent to SR 400 extending from the northern tip of Morningside neighborhood in Midtown northward to the southern part of City of Sandy Springs inside the Perimeter. The proposed path will tie into the I-285/SR 400 Interchange Improvement Project (PI 0000784), which extends the overall trail by 0.6 miles. PATH400, including this segment, is identified as a regionally significant trail in Atlanta Regional Commission's ("ARC") Regional Trail Vision.

The proposed project will construct a portion of the PATH 400 Trail Extension Project located within the limits of the City of Sandy Springs (1.8 miles of the overall 2.3 miles). Due to the existing funding amount, the entire length of the Project cannot be constructed. The Project has been divided into three segments; the limits of the segments have been adjusted to make full use of the current construction funding. Segments 1 and 3 will be constructed as part of this Project. Segment 2 can be constructed when funds become available. This proposed construction will include The City of Atlanta will be constructing the portion of the PATH 400 Trail Extension project within its jurisdiction (0.5 miles).

Meeting of the City of Sandy Springs City Council
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
May 21, 2024 Following Work Session
Page 4 of 10

On January 31, 2024, the City issued Invitation to Bid (“ITB”) No. 24-033 seeking bids from qualified contractors to perform construction services for the Project. A pre-bid meeting was held on February 29, 2024. The following five (5) bids were received by the April 12, 2024, deadline:

Company	Amount
Engineer’s Estimate	\$20,038,898.95
F.S. Scarbrough, LLC	\$20,150,923.94
Vertical Earth, Inc.	\$24,382,754.56
Astra Group, LLC	\$25,185,755.00
Crowder Construction Company	\$26,067,933.94
Strack, Inc	\$26,400,000.00

Upon review of the responses, City staff recommends that contract award be made to the lowest, responsible, and responsive bid from F.S. Scarbrough in the amount of \$20,150,923.94.

The construction of this project will be funded through a combination of local funds and federal funds through GDOT per the City’s executed Project Framework Agreement with GDOT. In addition, the City approved an Intergovernmental Agreement with the City of Atlanta on January 2, 2024, to pay for a portion of the project that will be constructed within the Atlanta city limits. The City’s local construction match is funded with TSPLOST 2021 funds under S2121.

There are adequate funds available from all funding sources to award the contract.

Motion and second. A motion was made by **Councilmember Tibby DeJulio** seconded by **Councilmember Andy Bauman**, to approve contract award to F.S. Scarbrough, LLC for construction services for the City of Sandy Springs’ portion of the PATH 400 Multiuse Trail Extension Project and to authorize the City Manager to execute the contract.

Councilmember DeJulio asked when will this project start and how long will it take?

Public Works TSPLOST Program Manager Johnson said according to the engineer’s estimate, construction is anticipated to be about three years and may begin in the fall. GDOT has already sent the bid tabulations and they will provide construction authorization next month.

Councilmember DeJulio asked is GDOT contributing financially to this project?

Public Works TSPLOST Program Manager Johnson said yes, they are contributing 80%.

Councilmember Bauman said this project is a big deal and has been discussed for years. It is the kind of transformative project that we should be proud of. Since it will be three years, hopefully there can be renderings, signage, or branding with a QR code that notifies people in the area of what is coming.

Councilmember John Paulson said it is interesting 5.2 miles is expensive, but it is a complicated area. Does Scarbrough have experience in building this type of path?

Public Works TSPLOST Program Manager Johnson said they have done a lot of grading and wall type work and are getting into the market with this kind of project, and it is probably a reason the City got a good price. They are GDOT prequalified and have positive references.

Councilmember Paulson said the City has a trail project in the North End that is taking longer than

expected and costed more money. I want to make sure we do not have that situation here.

Public Works TSPLOST Program Manager Johnson said someone from the City's staff will be there continuously. We were requesting an 80/20 split for GDOT prequalified construction and engineering inspection (CEI) work.

Councilmember Paulson said I will encourage the Perimeter Community Improvement Districts (PCID) to help the City with this.

Public Works TSPLOST Program Manager Johnson said it is nice that there has been a partnership with the whole area.

Councilmember Melissa Mular said some projects the City will build are trails and side paths and we see the same type of quality builders. Going forward is there a list of prominent builders for these types of projects?

Public Works TSPLOST Program Manager Johnson said we ensure that word gets out with builders and have heard good things about Scarbrough.

Mayor Paul said there is some skepticism because some contractors failed on simple sidewalk projects.

Public Works TSPLOST Program Manager Johnson said we reviewed with engineers for any potential issues and are confident.

Mayor Paul said it is a \$4,000,000 savings if the City approves.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2024-05-65

- C. **2024-124** Request for Mayor and City Council Consideration of Approval of an Ordinance Authorizing an Amendment to the City of Sandy Springs FYE2024 Budget for the Purpose of Allocating Funding for the Creation of a 'Real Time Crime Center'

Dan Nable, Major, presented a recommendation to approve an ordinance authorizing an amendment to the City of Sandy Springs FYE2024 Budget for the purpose of allocating funding for the creation of a 'Real Time Crime Center'.

The Sandy Springs Police Department ("SSPD") has proposed that a Real Time Crime Center ("RTCC") be included in the Police Headquarters /Municipal Court Project (Project No. PF002), which is currently under construction. The initial approval of the construction of the facility did not include funds for an RTCC.

As a result, a RTCC will be included in the Project as a new Capital Project (Project No.: PD-241).

It is SSPD's position that in order to operate in the most effective and efficient way, an RTCC is a necessary and integral part of the department as a whole. A functioning RTCC provides the Crime Analysts the resources they need to identify criminal actors while the crime is occurring, or shortly

thereafter, increasing the likelihood that the offender(s) will be apprehended. The benefits of being able to identify and apprehend perpetrators in a timely manner are clear.

Other functions of the RTCC include, but are not limited to the following:

- Assist detectives in the identification of suspects,
- Locate vehicle crashes and identify at fault drivers,
- Ensuring the addresses in the mapping system are correct and updated often,
- Providing crime stats, trends, and patterns to the Division Commanders and to members of the public,
- Assisting with Open Records Requests,
- Cell phone mapping,
- Providing backgrounds and profiles of identified suspects,
- Social Media investigations,
- Threat assessments and officer safety bulletins,
- Assisting other agencies,
- Gathering intelligence regarding protests, demonstrations, and special events,
- Police Reporting system data quality.

The total cost of the RTCC is \$776,771.00. SSPD proposes to utilize \$610,000.00 from the SSPD Seizure/Forfeiture/Escrow accounts to fund the majority of the creation of the RTCC, and allocating the remaining funding, in an amount of \$166,771.00, from the Police Capital Lease funds.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to approve an ordinance authorizing an amendment to the City of Sandy Springs FYE2024 Budget for the purpose of allocating funding for the creation of a 'Real Time Crime Center'.

Councilmember Paulson said the City is already building the police headquarters and this is being added. Have you coordinated with the contractors for the needs to facilitate in the new building?

Major Nable said yes. We have met to ensure that the proposed Real Time Crime Center has blocking in the wall, electrical, and more so that we are already in place should this item be approved today.

Councilmember Paulson asked what is an example of a Real Time Crime Center that is working?

Major Nable said one is a robbery at Wells Fargo where the suspects left the bank with money containing tracking location technology, and also Flock licensed plate readers were used and officers were able to identify a suspect vehicle. The suspects tried to conceal the identity of the vehicle but it was located and they were apprehended with technology.

Vote on the motion. The motion carried by unanimous vote.

Ordinance No. 2024-05-08

- D. **2024-125** Request for Mayor and City Council Consideration to Approve a Contract Award to Utilicom Supply Associates, LLC for the Procurement of Hardware and Software for the New Real Time Crime Center and to Authorize the City Manager to Execute

the Contract

Dan Nable, Major, presented a recommendation to approve a contract award to Utilicom Supply Associates, LLC for the procurement of hardware and software for the new Real Time Crime Center and to authorize the City Manager to execute the contract.

City staff has proposed that the Real-Time Crime Center be integrated into the new Police Headquarters and Municipal Court building, which represents a significant enhancement to our City's law enforcement capabilities. The RTCC will serve as a centralized hub for real-time monitoring, data analysis, rapid response to criminal activities, and ultimately contributing to a safer and more secure community.

Utilicom has been identified as a preferred state contractor and has previously collaborated with the City on the Emergency Operations Center ("EOC"), and the Traffic Management Center ("TMC") projects. Through collaborative efforts with the Police Department, Utilicom has demonstrated a thorough understanding of our requirements and provided tailored solutions that align with our objectives.

The Police Department has conducted thorough pricing evaluations and engagement exercises with Utilicom. Based on these assessments, City Staff believes Utilicom is the most suitable vendor to fulfill the hardware and software requirements for the RTCC. Their expertise aligns closely with the specific needs and objectives outlined for this critical initiative.

We believe that awarding the contract to Utilicom will ensure seamless integration of hardware and software components, efficient project implementation, and ongoing support and maintenance services.

The total cost of the RTCC is \$776,771.00. SSPD proposes to utilize \$610,000.00 from the SSPD Seizure/Forfeiture/Escrow accounts to fund the majority of the creation of the RTCC, and allocating the remaining funding, in an amount of \$166,771.00, from the Police Capital Lease funds in Project PD241.

Motion and second. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Andy Bauman**, to approve a contract award to Utilicom Supply Associates, LLC for the procurement of hardware and software for the new Real Time Crime Center and to authorize the City Manager to execute the contract.

Councilmember Jody Reichel asked is the new equipment coming now or when the building is complete?

Major Nable said it will be in the process when the contractor notifies Utilicom of the award. When the building is finished next April or May that will be ready and there will be no delay.

Councilmember Reichel asked will the software equipment be antiquated as there are often updates?

Major Nable said no. The recommendation for the money being spent is for current top of the line technology. Also we are having the contractor build with the ability for us to expand or swap electronics if needed.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2024-05-66

- E. **2024-126** Request for Mayor and City Council Consideration of a Resolution to Authorize Award of Contract and Task Order in Connection with the City's Solicitation for General Government Services (Call Center Services)

Dan Coffey, Interim Communications Director presented a recommendation to approve award of contract and task order in connection with the City's solicitation for general government services to Faneuil.

The City issued RFP #24-044 for Call Center Services on February 28, 2024. A proposal conference was held on March 13, 2024. Bid Proposals were due on April 3, 2024. The proposals were examined for compliance with the solicitation submittal instructions. Twenty-five (25) proposals were received and thirteen were found to be non-responsive. Compliance issues with the submittals were documented and the offerors were notified.

Faneuil will be paid a not-to-exceed price of \$637,020 for providing call center services for FY 2025. The contract includes a five percent annual escalator for years two and three, and a four percent escalator for years four and five of the contract period, subject to annual appropriations.

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melissa Mular**, to approve award of contract and task order in connection with the City's solicitation for general government services.

Councilmember Andy Bauman said the Council is now being asked to approve a higher bidder and not the lower. and this also raises a red flag. Fortunately the City has experience with Faneuil and councilmembers are in the loop on this. How common is it to go with the low bidder on a service based contract and trading off the quality of this vendor versus the other?

Interim Communications Director Coffey said follow-up interviews were conducted with Twenty Second Century Technologies. They did not have start-up costs which cover training and hiring of staff and they did not provide information to a specific question regarding staffing. Additionally they indicated they planned to provide additional staffing though the written proposal was not clear and their cost price proposal indicated the company absorbs the cost of incentives, such as the cost-of-living adjustment (COLA). Based on their prior contract submitted the evaluation team determined that Faneuil had a better rate.

Councilmember Bauman said in other words the numbers did not add up. Not sure we have a disqualifying process under the value services process versus competitive bidding. Based on this, the lower bidder did not meet the qualification standard. Is there a difference with this process in supporting this request to pay a lot more than this other bidder?

Dan Lee, City Attorney, said the law does not require the lowest bidder, it requires the lowest most responsible bidder. The standard that **Interim Communications Director Coffey** outlined is what the committee thoroughly reviewed to see if it was responsible and made a determination that it was not responsible to the price presented.

Councilmember Bauman said they started out with twenty-five different bidders and we ended up discussing two. Though there was a discussion on two, it seems like we are down to one. Is this an accurate assessment?

City Attorney Lee said it is. When someone has been there ten years, it is well accepted that the newcomer has to present how they make the changeover. This bid was asked again and again about how that would be accomplished and was unable to supply.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2024-05-67

X. Reports

A. 2024-127 Mayor and Council Report

Mayor Rusty Paul said I served on the Georgia Municipal Association (GMA) Task Force reviewing Local Option Sales Tax (LOST). We completed our work going into legislative session and continued to work during to update based on legislative reaction. GMA decided to continue and expand that task force and I have been invited to participate. We are looking at broader issues besides LOST and Service Delivery Strategy (SDS). The county must initiate flexible LOST and Fulton County is unique with the flexible LOST penny because the City of Atlanta, East Point, College Park, and Hapeville have a Municipal Option Sales Tax (MOST). In Fulton County, they would be excluded from conversation over the flex penny and would not be eligible for it. It would be for other cities if the voters decided they wanted to lower the property taxes through that method. This complicates that particular issue. There were conversations to expand MOST as an option to pay for stormwater repairs that are growing and need to be paid rather than using the General Fund. Unfortunately under the current law and based on conversations with legislators, they are willing to lower the threshold but not to the point where the City of Sandy Springs would qualify because you need a certain amount of wastewater to qualify, and if the threshold were lowered we do not treat any wastewater. Those are not options available for us now and task force may be bringing some proposals back to the legislature that may provide an opportunity to have a conversation in the community about how to use other methods besides property taxes to pay for some of the services we were discussing when we pass the budget.

Recently I participated in two Israeli Independence Day celebrations. This is a tough time for people in Israel and around the world and I am proud to celebrate with the Consul General the 76th Independence Day for the State of Israel.

The Sandy Springs Education Force (SSEF) had their annual appreciation breakfast where they honor many people who contribute to the education of our City. **Councilmember Melissa Mular, Councilmember Melody Kelley**, and I attended this event. No community is great without a great school system and SSEF does a phenomenal job of providing community resources to our public schools and I am always delighted to participate.

There was a great turn out for the Sandy Springs Police Department Benevolent Fund Golf Tournament. I hope we raised a lot of money to take care of our first responders who may have the need.

Eden Freeman, City Manager, announced the City of Sandy Springs has a new Communications Director coming on board and we will welcome Carter Long very soon.

Councilmember John Paulson asked did the governor sign a bill regarding squatters?

Mayor Paul said yes.

Councilmember Paulson said there is now state legislation. Has it been delineated enough so that our police force can make it effective?

Mayor Paul said yes. It is a well-written bill that turns this from a civil matter to a criminal matter and the police department can act sooner.

B. **2024-128** Staff Reports

There were no staff reports.

XI. Executive Session

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to recess from regular order and enter executive session for the purposes of real estate and pending litigation discussion. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

The Executive Session began at 7:44 p.m.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to adjourn the executive session and return to regular order. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

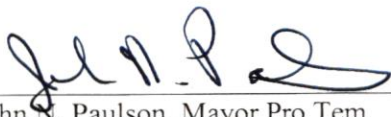
The Executive Session ended at 7:59 p.m.

XII. Adjournment

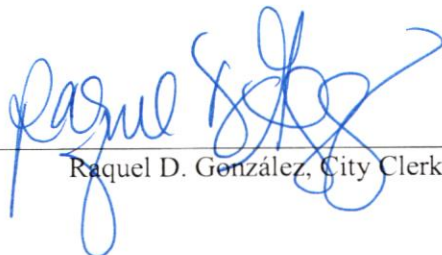
Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember John Paulson**, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 8:00 p.m.

Approved: June 4, 2024



John N. Paulson, Mayor Pro Tem



Raquel D. González, City Clerk