

Meeting of the Sandy Springs City Council was held on August 6, 2024 5:00 PM, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 5:00 p.m.

II. Roll Call and General Announcements

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

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. **Bill Griffith, 9580 Roberts Dive, Atlanta** - Roberts Drive Sidepath

V. Approval of Meeting Agenda

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Jody Reichel**, 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. **2024-186** Meeting Minutes
July 16, 2024 City Council Work Session
July 16, 2024 City Council Meeting
July 31, 2024 City Council Special Called Meeting
- B. **2024-187** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 509 Hilderbrand Drive in Land Lot 70 of the 17th District, City of Sandy Springs (Tax ID #17-0070-0002-036-0); S2-193 Hammond Drive Widening Project

Resolution No. 2024-08-104

- C. **2024-188** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 581 Hammond Drive in Land Lot 70 of the 17th District, City of Sandy Springs (Tax ID #17-0070-0001-012-3); S2-193 Hammond Drive Widening Project

Resolution No. 2024-08-105

- D. **2024-189** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 611 Hammond Drive in Land Lot 70 of the 17th District, City of Sandy Springs (Tax ID #17-0070-0001-001-8); S2-193 Hammond Drive Widening Project

Resolution No. 2024-08-106

VII. Presentations

- A. **2024-190** Purple Heart Day - August 7, 2024

Mayor Rusty Paul presented the Purple Heart Day presentation.

Tonight is National Night Out but it is also Purple Heart Day in the City of Sandy Springs. **Councilmember Tibby DeJulio** is the lone Purple Heart member of this Council and the City of Sandy Springs thanks him for his sacrifice.

A PROCLAMATION HONORING PURPLE HEART RECIPIENTS WAS READ

- B. **2024-191** TSPLOST Program Update

VIII. Public Hearing

- A. **2024-192** Request for Mayor and City Council Consideration of an Ordinance to Set the Ad Valorem Tax Rate of the City of Sandy Springs
Public Hearing 1

Eden Freeman, City Manager, presented an ordinance to set the ad valorem tax rate of the City of Sandy Springs.

The Georgia Taxpayers Bill of Rights, in effect since 2000, requires the City to advertise a millage rate as a property tax increase if this rate is not fully rolled back. This is the first of three required public hearings to establish the annual millage rate for the City of Sandy Springs.

The rate established by the City's Charter is 4.731%. The millage rate combined with the homestead exemption results in a lower tax burden than most of its neighboring municipalities. By leaving the millage rate the same, the City continues to ensure superior, responsive customer service and the high quality of services to the residents of Sandy Springs. Notice has been advertised that the City of Sandy Springs will hold public hearings on Tuesday, August 6th at 5:00 pm and Tuesday, August 20th at 8:30 a.m. The City of Sandy Springs will set the millage rate on August 20th at 6:00 p.m. following the final public hearing. No action is required of the City Council at this time.

There being no public comment, **Mayor Rusty Paul** closed the public hearing.

Councilmember Melody Kelley asked is the amount of \$52,192,000 for taxes levied reflected in the budget?

City Manager Freeman said the amount included in the total tax levy is a projection by the Tax Commissioner's Office based on if all taxes are collected. Over the last few years that is not the number the City has received. The number included in the FY 2025 budget is \$44,500,000 which is a slight increase. I am hesitant to budget \$52,000,000 because the City will not collect that amount.

- B. **2024-193** ABL No. 27407
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for 915 Crestline Catering, LLC-915 Crestline Parkway, Sandy Springs, Georgia 30328. The Applicant is Andy A. Chopra for Consumption of the Premises of Beer and Wine

Toni Carlisle, Chief Financial Officer, presented a recommendation to approve an Alcoholic Beverage License Application for 915 Crestline Catering, LLC-915 Crestline Parkway, Sandy Springs, Georgia 30328. The applicant is Andy A. Chopra for Consumption of the Premises of Beer and Wine.

This is a New Alcohol License for Consumption on the premises of Beer and Wine and the business is located at-915 Crestline Parkway, Sandy Springs, Ga 30328. The applicant submitted a completed application on May 31, 2024 and has passed the background investigation.

There being no public comment, **Mayor Rusty Paul** closed the public hearing.

Motion and vote. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve an Alcoholic Beverage License Application for 915 Crestline Catering, LLC-915 Crestline Parkway, Sandy Springs, Georgia 30328. The motion carried by unanimous vote.

- C. **2024-194** ABL No. 27323
Request for Mayor and City Council Consideration of Approval of an Alcoholic Beverage License Application for Vinny's NY Pizza and Grill-111 Glenridge Point Parkway, Sandy Springs, GA 30342. The Applicant is Bhav Avhad for Consumption on the Premises of Beer, Wine, and Distilled Spirits

Toni Carlisle, Chief Financial Officer, presented a recommendation to approve an Alcoholic Beverage License Application for Vinny's NY Pizza and Grill-111 Glenridge Point Parkway, Sandy Springs, GA 30342. The Applicant is Bhav Avhad for Consumption on the Premises of Beer, Wine, and Distilled Spirits.

This is a Change of Ownership for Consumption on the premises of Beer, Wine and Distilled Spirits. The business is located at-111 Glenridge Point Parkway, Sandy Springs GA 30342. The applicant submitted a completed application on May 31, 2024 and has passed the background investigation.

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Andy Bauman**, to approve an Alcoholic Beverage License Application for Vinny's NY Pizza and Grill-111 Glenridge Point Parkway, Sandy Springs, GA 30342. The Applicant is Bhav Avhad for Consumption on the Premises of Beer, Wine, and Distilled Spirits. The motion carried by unanimous

vote.

IX. New Business

- A. **2024-195** Request for Mayor and City Council Consideration to Approve the Purchase of Equipment for the City of Sandy Springs Fire Department and to Authorize the City Manager to Execute Documents to Effectuate Same

Keith Sanders, Fire Chief, presented a recommendation to approve the purchase of equipment for the City of Sandy Springs Fire Department and to authorize the City Manager to execute documents to effectuate same.

This Equipment purchase will continue the apparatus replacement program adopted by the City in 2018. The program was developed to have frontline apparatus moved to reserve status upon delivery of new fire trucks. Currently we have one (1) Aerial Truck and two (2) Engine Pumpers that are placed in service when a Frontline apparatus goes out of service due to mechanical issues.

One of the reserve Engines will be traded in when the two (2) 2022 Engine purchases are delivered June 2025. For this current Engine purchase Ten-8 will give a trade-in value of \$30,000.00 for one (1) Reserve Engine. The Department will continue to utilize the Pumpers until the new Engine is built and delivered. There is a forty-eight (48) month delivery time due to supply chain limitations.

This new Pierce Custom Enforcer Pumper will replace one (1) frontline Pumper, which will be placed in reserve status once the new fire apparatus has arrived and placed in service. Frontline apparatus are transitioned to reserve status after ten (10) years of service.

Currently, the Department has a total of seven (7) Pumpers in the City-wide deployment model improving the overall service delivery and ISO score.

Pierce has been the City's single source provider of fire apparatus since its inception. Pricing for the Equipment is in accordance with the competitively bid contract (RFP No.1905) awarded to Pierce by the National Purchasing Partners (NPP). RFP 1905 became effective May 27, 2020 and is valid until May 27, 2025 (with an option for three (3) additional 1-year renewals). Under the City's purchasing policies, the City is authorized to utilize competitively procured contracts provided through other governmental entities. Ten-8 and Pierce representatives have stated that the pricing under the RFP 1905 contract is the most competitive and forms the basis of what would be provided to the City under a standalone bid scenario.

Pricing includes:

- One (1) Pierce Custom Pumper with Equipment: \$1,339,290
- NPP.Gov Discount: \$10,440
- North End Consortium Discount: \$22,000
- Pre-pay Discount: \$174,150
- Trade-in for one (1) 2013 Pierce Quantum Pumper: \$30,000
- Total Cost: \$1,102,700
- Delivery Time: Thirty-six (36) months
- Payment Mode: Purchase Order upon approval

- Payment Due Date: Pre-payment upon approval (30 days)

The City of Sandy Springs Fiscal Year 2025 Operating Budget has appropriated funding available for this purchase with financing provided through PNC Equipment Finance, LLC at an interest rate of 4.94% for three (3) years with first payment due May 2025.

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember John Paulson**, to approve the purchase of equipment for the City of Sandy Springs Fire Department and to authorize the City Manager to execute documents to effectuate same.

Councilmember Reichel asked where does the City keep the reserve units kept? How often are they used?

Fire Chief Sanders said they are used regularly. We have a rotational maintenance contract to maintain our apparatus. Three apparatus in reserve are either stored in the basement of Station 4, at the new Station 5, or Station 3.

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

Resolution No. 2024-08-107

- B. **2024-196** Request for Mayor and City Council Consideration of an Ordinance to Amend Section 105.20 of the City of Sandy Springs Code of Ordinances Entitled "International Property Maintenance Code"; to Provide for an Effective Date and for Other Purposes

Ginger Sottile, Director of Community Development, presented a recommendation to approve an ordinance to amend Section 105.20 of the City of Sandy Springs Code of Ordinance entitled "International Property Maintenance Code"; to provide for an effective date and for other purposes.

Earlier this year, several inconsistencies between the International Property Maintenance Code (IPMC) and the City's Code were noted in the processing of cases through the Sandy Springs Municipal Court. The IPMC regulates the conditions and maintenance of all properties, buildings, and structures within the City to ensure that they are safe, sanitary, and fit for occupation. The adoption of this proposed amendment will keep the City's Codes consistent with the IPMC.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Jody Reichel**, to approve an ordinance to amend Section 105.20 of the City of Sandy Springs Code of Ordinance entitled "International Property Maintenance Code"; to provide for an effective date and for other purposes.

Councilmember Paulson said in reading through these, I saw no substantive changes. For instance, does the City increase the frequency of inspections? Please provide more information about whether this is just name and text changing, or if there is anything more substantial.

Dan Lee, City Attorney, said this discussion is mainly about an obscure part of the International Building Code (IBC) where the defendant has a right to appeal the matter before it goes to court. This does not fit Georgia law or the City's procedure. This has become apparent with apartments. Code

Enforcement identifies the problem, notifies the property owner, and gives them an opportunity to correct it before any punitive action is taken. Some of the language in the IBC that Sandy Springs and other cities adopt is obscure. This has been held against the City and does not fit our processes. This is to remove the requirement which allows actions to be appealed before going to court.

Councilmember Paulson stated someone can go directly to court rather than through an intermediary reviewer.

Dan Lee, City Attorney said some jurisdictions adopting this take the complaints of Code Enforcement personnel to the Appeals Board instead of through a citation process. There is still due process for all the property owners that are charged. Before anyone is charged, Code Enforcement routinely gives thirty to sixty days for correction of the problem. This is not in the IBC.

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

Ordinance No. 2024-08-11

- C. **2024-197** Request for Mayor and City Council Consideration to Approve the Purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to Authorize the City Manager to Purchase the Credits

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve the purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to authorize the City Manager to purchase the credits.

The T58-1 Boylston Drive at Hammond Dive Intersection Realignment Project will involve permanent impacts to 135 linear feet of perennial stream channel associated with a culvert extension that is necessary for the realignment. As such, the Project must meet the permitting requirements outlined in Section 404 of the Clean Water Act (“CWA”). Part of the Section 404 Permit requires the purchase of compensatory Environmental Mitigation Credits (the “Credits”) when more than 100 linear feet of stream is impacted. The extent of the impacts necessitates the purchase of Credits, which can be purchased from approved mitigation banks in the service area.

The required credits have been unavailable for purchase statewide until recently. There are now Credits available for purchase from the Wauka Mountain II Mitigation Bank. The Project requires a total of 1,215 Stream Mitigation Credits at a cost per credit of \$195.00 for a total purchase price of \$236,925.00. There are adequate funds available in the T58-1- for the Purchase of the Credits.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Melody Kelley**, to approve the purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to authorize the City Manager to purchase the credits.

Councilmember Mular asked is there a named stream there, or is it unnamed?

Public Works Director Martin said the one on site may not be named.

Maggie Grant, CIP Project Manager, Public Works said it is not named.

Councilmember Mular said we may have discussed this with the Abernathy Greenway South Project. This sounds like an antiquated process to have to search for credits and they may not be in our jurisdiction.

Public Works Director Martin said we had the same experience in securing stream credits for the PATH 400 Project. In this case, oversight and administration is provided by the U.S. Army Corps of Engineers. The City abides by their regulations and they also provide information on available bankers that we could purchase the stream credits from. It is the City's decision to secure the credits with the particular banker. Once secured, we complete the core permit that goes along with that.

Councilmember Mular said it is a fascinating process though it is not local. Thank you **Public Works Director Martin** and staff for your efforts in getting them for this project.

Public Works Director Martin said with the projects currently in front of us we have had to seek stream credits, but at some point we may create our own credits and bank.

Councilmember Tibby DeJulio asked for more information on the environmental mitigation stream credits.

Public Works Director Martin said this project will impact about one hundred and thirty-five linear feet of this creek. As a part of this impact, we are shifting it around and more. Our consultant takes the evaluation form required by the U.S. Army Corps of Engineers, and applies a matrix of questions against those impacts and the impact to the conditions to this site, which is then scored. The one thousand two hundred and fifteen stream mitigation credits for this impact is the number we seek from the bankers.

Councilmember DeJulio asked is the stream being moved and the City has to pay a penalty to the government?

Public Works Director Martin said because the changes at Boylston Drive at Hammond Drive impacts the creek, we must move it.

Mayor Paul said please confirm this is not a navigable stream, and that the U.S. Army Corps of Engineers is in charge of all navigable streams and waterways in state. They were a dam building organization until there were no more place to build them. Their new mission is that all streams led to a navigable stream and therefore they are in charge of all water in the United States.

Public Works Director Martin said the Clean Water Act has a big part in this also and the Core also has some responsibilities under this Act.

Mayor Paul stated they were looking a new mission when they could not build dams anymore and this is how we ended up where we are.

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

Resolution No. 2024-08-108

- D. **2024-198** Request for Mayor and City Council Consideration to Approve a Contract Award to Blue Level Services, LLC to Construct the 6775 Lisa Lane and 6785 Lisa Lane

Pond Rehabilitation Project and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a contract award to Blue Level Services, LLC to construct the 6775 Lisa Lane and 6785 Lisa Lane Pond Rehabilitation Project and to authorize the City Manager to execute the contract.

In 2022, the City engaged an engineering firm to develop plans for removal of accumulated sediment and correct deficiencies in the stormwater located at 6775 Lisa Lane and 6785 Lisa Lane. The Project corrects the diminished capacity inside the detention pond and rehabilitate the existing infrastructure and bring the drainage system up to City standards. The Project scope consists of:

- Remove and haul off 300 cubic yards of accumulated silt and sediment
- Replace 66 linear feet of gravity weir wall with stone veneer
- Replace 18” HDPE
- Install Rip Rap guide channel
- Rehabilitate Outlet Control Structure
- Install landscaping
- Install a sediment marker for inspection and future maintenance

The Project was originally programmed for completion in FY 2025; however, in October 2023 the City’s maintenance crews observed failure of a portion of the gravity weir wall, therefore, the Project was re-prioritized for earlier construction schedule. In December 2023, the Project was bid, but later had to be cancelled due to funding limitations.

To advance the Project, the City issued another Invitation to Bid (“ITB”) 24-069 on May 22, 2024 seeking bids from qualified contractors to construct the Project. A non-mandatory pre-bid site visit was held on May 30, 2024. Bids from six (6) contractors were received on June 21, 2024. Bid results were as follows:

Bidder	Bid
Blue Level Services, LLC.	\$298,367.64
Meba & T Transportation, LLC. (non-responsive)	\$34,730.00
Precision 2000, Inc.	\$499,645.13
SCA Construction, Inc.	\$394,607.25
Site Engineering, Inc.	\$536,976.00
Vertical Earth, Inc.	\$469,521.47

Upon review of the bids, staff recommends that award be made to the lowest most responsible and responsive bidder, Blue Level Services, LLC in the amount of \$298,367.64.

The engineer’s construction cost estimate for the Project is \$350,000.00. There are adequate funds available in the Stormwater Capital Maintenance and Improvements Account budget to award this contract.

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melissa Mular**, to approve a contract award to Blue Level Services, LLC to construct the 6775 Lisa Lane and 6785 Lisa Lane Pond Rehabilitation Project and to authorize the City Manager to execute the contract.

Councilmember Jody Reichel said there may not be a week where someone does not call about a retention pond in their yard, or a stormwater drainage issue. Why is the City responsible for this and not others?

Public Works Director Martin said we have adopted some ponds over time. For instance, the City's Municipal Separate Storm Sewer System (MS4) report identifies about thirty-four ponds that we have the responsibility to inspect and maintain. Of those, about twenty-one are at private residential addresses. Those come to the City through a number of means. For example, work was recently completed at a private pond near Falcon Chase. It depends on the past work performed, the responsibilities, and whether the City entered into agreements to maintain that work.

Dan Lee, City Attorney, said whether or not the City has responsibility is uniquely determined by each circumstance. It may be the pond was created and deeded to the City, or it controls major roadway water. It may also be may connected to a roadway that the City gained from Fulton County. In each instance, the City is only responsible for the ponds that have been deeded and accepted by the City. This one is on the list mentioned and maintained by the Environmental Protection Division (EPD).

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

Resolution No. 2024-08-109

- E. **2024-199** Request for Mayor and City Council Consideration to Approve a Construction Agreement Between the City of Sandy Springs and the Georgia Department of Transportation for Construction of the City of Sandy Springs' Portion of the PATH 400 Multiuse Trail Extension Project and to Authorize the Mayor to Execute the Agreement

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a construction agreement between the City of Sandy Springs and the Georgia Department of Transportation for Construction of the City of Sandy Springs' Portion of the PATH 400 Multiuse Trail Extension Project and to authorize the Mayor to execute the agreement.

The City entered into a Project Framework Agreement ("PFA") with GDOT for the Project that outlined each entity's funding commitments. The original PFA was approved by Mayor and Council on November 16, 2016 to provide funding for the preliminary engineering portion of the Project.. A revised PFA was approved on February 4, 2020 for additional engineering funding. In June 2023 the PFA was revised again to include additional design, purchase of mitigation credits, utilities and construction funds. On May 21, 2024, Mayor and City Council approved a construction contract with F.S. Scarbrough in the amount of \$20,150,923.94 for the construction of Segments 1 and 3 of the Project; GDOT has approved that award recommendation.

The Agreement outlines the expectations and requirements for both parties as they relate to the receipt of federal funds for the construction of the Project. GDOT is the direct recipient of funds from the Federal Highway Administration (FHWA) and will provide oversight of the project and administer the funds. The City will execute the Project in accordance with the FHWA regulations and this Agreement.

The construction of the 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.

CONSTRUCTION	Current Contract Amount
GDOT (80%)	\$16,120,739.15
COSS (20%)	\$4,030,184.79
TOTAL	\$20,150,923.94

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 vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Andy Bauman**, to approve a construction agreement between the City of Sandy Springs and the Georgia Department of Transportation for Construction of the City of Sandy Springs' Portion of the PATH 400 Multiuse Trail Extension Project and to authorize the Mayor to execute the agreement. The motion carried by unanimous vote.

Resolution No. 2024-08-110

- F. **2024-200** Request for Mayor and City Council to Approve the Purchase of a 6 x 3 Display Wall for the Traffic Management Center at City Springs from Utilicom Supply Associates, LLC

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve the purchase of a 6 x 3 display wall for the Traffic Management Center at City Springs from Utilicom Supply Associates, LLC.

The City of Sandy Springs is committed to optimizing traffic management for its traffic management infrastructure in support of the Council's priorities of transportation accessibility, customer services, and public safety. Since 2008, Sandy Springs has operated a TMC. The first TMC was constructed at the Morgan Falls Building. In 2018, the TMC at City Springs was constructed. The TMC video wall is a critical component to monitor, manage, and operate the City's Advanced Traffic Management System (ATMS) which includes 132 traffic signals, 43 miles of aerial and underground communications fiber, 130 CCTV cameras, 72 Blue tooth travel time devices, 160 Glance devices, 27 vehicle approach warning flashers, 50 radar speed feedback signs, and associated devices. The TMC is also used for incident response and special-events traffic management.

Due to the quickly evolving world of technology, the TMC video wall needs to be rehabilitated to provide optimal operations. The existing array of 12 video screens is coming to the end of its functional life and cannot be upgraded "as-is" since the monitor size is no longer available. One of the video screens has begun to degrade. Staff recommends purchasing equipment, installation, and integration services from Utilicom which will be compatible with the existing Video Wall server which is installed in the TMC server room. The proposed Video Display Wall supports the display multiple arrays, CCTV video projection, and traffic management dashboards used in the TMC.

Capital Project T2504 in the approved FY25 Budget provided adequate funding for the TMC Video Display Wall replacement.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve the purchase of a 6 x 3 display wall for the Traffic Management Center at City Springs from Utilicom Supply Associates, LLC.

Councilmember Mular asked how long does it take to replace the entire wall? What is the plan to still manage operations while that is being reconfigured?

Kristen Wescott, Transportation Unit Manager, Public Works said most importantly, because of our strong IT support we can monitor remotely while the wall is being reconstructed and access any cameras installed for intersection surveillance. More information from the vendor can be provided on the timeframe to replace. It is a matter of having all the equipment ready to go and at that point the process may be completed in about one to two weeks.

Councilmember Mular said it sounds like that an accessible plan and business will continue as usual.

Public Works Transportation Unit Manager Wescott said we have access to all dashboards and signal monitoring platforms while that is being done.

Councilmember Melody Kelley asked what is the reason this was not bidden out? Does the City have a relationship with Utilicom?

Public Works Transportation Unit Manager Wescott said yes. This vendor is on the Georgia Department of Labor's (GDOT) state contract and we buy a lot of signal equipment from them. The previous video wall was provided by the same company. They also worked with the City for the Emergency Operation Center wall on the fourth floor for example.

Councilmember Kelley said it sounds like the City is not required to bid this sort of purchase out.

Public Works Transportation Unit Manager Wescott said there is always an opportunity to do that.

Mayor Paul said buying off a state or federal contract is also an alternate procurement process without having to go through the bidding process. They negotiate the lowest possible price and each vendor listed has signed an agreement that they will not sell any products at a cheaper price. This is often done with specialty equipment.

Public Works Transportation Unit Manager Wescott said with the installation of the original video wall, we have a computer system that runs it. That may be operational with the new wall but not compatible with another system, and would have to be replaced and upgraded as well.

Mayor Paul this morning I was at red light for some time. Can a traffic signal be remotely monitored and corrected when it is not functioning properly?

Public Works Transportation Unit Manager Wescott said yes. This is done in real time from the call center.

Mayor Paul said it ultimately changed.

Public Works Transportation Unit Manager Wescott said that is one of the benefits of our system. Also, we have Bluetooth devices that are installed on major corridors throughout the City. There may be an obstruction out of the ordinary and you may not know that. We are always working diligently on the

recurring congestion on places we know to get the most capacity out of our system. We look at the health of the system to diagnose what created the problem. Sometimes it is more complicated. This is a hazardous situation and I encourage everyone who comes across a signal that is not cycling properly to contact the call center. We monitor this even after hours.

Mayor Paul said after speaking to someone at the call center, it was working again quickly in less than a minute.

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

Resolution No. 2024-08-111

G. **2024-201** Request For Mayor And City Council Consideration to Participate in the New National Opioids Settlement with Kroger Co.

Dan Lee, City Attorney presented a recommendation to participate in the New National Opioids Settlement with Kroger Co.

In December 2021, the City of Sandy Springs (City) adopted the Georgia Memorandum of Understanding (“MOU”) relating to the National Opiate Litigation 2017 class action involving Johnson & Johnson, Janssen Pharmaceuticals, Inc., OrthoMcNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. The City has used these funds to purchase Narcan for City facilities and to design and implement a program focused on opioid-related education. Since that time, a nationwide settlement agreement (Settlement) has been reached to resolve the legal claims against the regional supermarket pharmacy Kroger Co. related to alleged misconduct related to opioids.

The settlement requires Kroger Co. to pay over \$1.2 billion to be used by participating states and subdivisions to remediate the impacts of the opioid crisis and to be paid over a term of 11 years. To be considered for initial participation calculations and payment eligibility, the City of Sandy Springs must submit an executed Participation Form and Memorandum of Understanding on or before August 12, 2024. The exact amount the City will receive will be determined after all participating states and subdivisions have been determined.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to participate in the New National Opioids Settlement with Kroger Co.

Councilmember DeJulio asked how many were approved in the past and how much money was received?

Eden Freeman, City Manager, said thus far, the City received \$74, 706 in 2023, 88, 685 in 2024, and recently a \$28,000 payment. We have utilized the funds to purchase Narcan. A recent change in state law allows Narcan to be more readily available in public facilities, and we want to explore developing an education program that coordinates with youth leadership and schools on how to deliver that program. There are stringent requirements for how the funds can be utilized and we are being creative for how to use those funds.

Councilmember Paulson said the City had a fentanyl seminar in January. Was this partially paid for by these monies?

City Manager Freeman said yes. It was about \$3,400.

Councilmember Paulson said hopefully more of those seminars can be done.

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

Resolution No. 2024-08-112

X. Reports

A. 2024-202 Mayor and Council Report

Mayor Rusty Paul said tonight's meeting will end early to allow for participation in National Night Out.

Yesterday I met with Congressman Rich McCormick and his team, along with mayors in his district and in North Fulton, to review his process for figuring out how community funded projects will be decided within the federal budget. He used an approach similar to Congressman Price in looking for people who wanted to go into a military academy. He will have a committee of people which includes someone from every city in the district, and some from the counties to vet projects and make recommendations on which projects should be funded. It will be interesting to follow that process because the City of Sandy Springs has benefited from some of those in the past.

I was invited to participate in the Swiss National Day celebration. Not many know that Switzerland's Southeastern Consulate is located in Sandy Springs, and many of the consular corps from metro Atlanta were there. They are important like other consulates here and I am delighted that a small portion of Switzerland is in the City of Sandy Springs.

Councilmember John Paulson said the number of Purple Heart veterans doubled while the meeting was in session. The City of Sandy Springs thanks Desert Storm veteran Ed Haron for his sacrifice.

B. 2024-203 Staff Reports

There were no Staff Reports.

XI. Executive Session

There was no Executive Session.

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 6:15 p.m.

