

Regular Session Meeting of the Sandy Springs City Council was held on Tuesday, August 18, 2020 at 6:39 p.m., Mayor Rusty Paul presiding.

I. CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:39 p.m.

II. ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Raquel D. González made the general announcements and called the roll. Given the meeting format, those wishing to provide general public comment were instructed to submit their comments by 12pm. Those comments were emailed to the City Council in advance of the meeting. They were also published with the agenda. All public comments are made a part of the official meeting record.

Mayor Rusty Paul – present.

Council Members present: Council Member John Paulson, Council Member Steve Soteres, Council Member Chris Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio and Council Member Andy Bauman.

III. PLEDGE OF ALLEGIANCE – Mayor Paul led the Pledge of Allegiance.

IV. PUBLIC COMMENT

City Clerk Raquel D. González announced the City had received two (2) public comment cards.

V. APPROVAL OF THE AGENDA

Motion and Vote: Council Member DeJulio moved that the meeting agenda be approved for Tuesday, August 18, 2020. Council Member Paulson seconded. Mayor Paul called for a roll call vote. The motion carried unanimously.

VI. CONSENT AGENDA

- A. 2020-202** August 4, 2020 City Council Special Called Meeting Minutes
August 4, 2020 City Council Work Session Minutes
August 4, 2020 City Council Regular Meeting Minutes
August 11, 2020 City Council Special Called Meeting Minutes
- B. 2020-203** Request for Mayor and City Council Consideration of Right-of-Way Dedication to the City of Sandy Springs within the City of Sandy Springs Fire Station #2 property located at 139 Johnson Ferry Road

RESOLUTION NO. 2020-08-88

- C. 2020-204** Request for Mayor and City Council Consideration of Resolution to Approve Memorandum of Understanding between Solidarity Sandy Springs, Inc. and the City of Sandy Springs, Georgia, for the Solidarity Sandy Springs Food Pantry Program; to Authorize the City Manager to Execute Same; and for Other Purposes

RESOLUTION NO. 2020-08-89

- D. 2020-205** Request for Mayor and City Council Consideration of a Resolution to Ratify Actions to Acquire Insurance Coverage for the City and to Approve Policies; to Authorize the City Manager To Execute Documentation Effectuating Same; and for Other Purposes

RESOLUTION NO. 2020-08-90

Motion and Vote: Council Member Bauman moved to approve the consent agenda for Tuesday, August 18, 2020. Council Member Reichel seconded. Mayor Paul called for a roll call vote. The motion carried unanimously.

VII. PRESENTATIONS – None.

VIII. PUBLIC HEARING – None.

IX. NEW BUSINESS

- A. 2020-206** Request for Mayor and City Council Consideration of Approval of Contract Award of Pavement Markings

Public Works Director Marty Martin presented Public Works staff, in junction with Purchasing, advertised for a Pavement Marking contract that consolidated previously two separate contracts, a hand-striping and a long-line payment striping contract. That advertisement took place on July 1, 2020; bids were received from two (2) qualified bidders on July 23, 2020. The receipt of those bids indicated Roadside Specialties at \$47,103.35 for the work quoted at the time. Peak Pavement quoted a price of \$84,290.95. The work scoped at the time was used as the basis for bid with the intent to award additional work to the successful low bidder based on an also provided price sheet from each of the competitive bidders. Based upon staff review of the bids provided, and the price sheets provided by the bidders, staff recommends award of the pavement marking contract to Roadside Specialties in the amount of \$47,103.35, with the intent that the remainder of the City's Fiscal Year 2021 Pavement Marking program would also be applied against this contract. The contract allows for renewals years to continue the paving contract into the future.

Motion and Second: Council Member Reichel moved to approve agenda item 2020-206, Consideration of Approval of Contract Award of Pavement Markings. Council Member Soteres seconded.

Council Member Soteres asked if Wildcat Paving submitted a price? There is a large pricing discrepancy between the two received bids.

Public Works Director Martin stated that Wildcat Paving submitted a late and non-compliant submittal. That is why they were not listed here before the Council for voting. He stated that one of the big challenges with striping work, and we received a good sense of what the market would offer us in this case, is mobilization has a big impact on cost and the contractor's ability to render the work. The way we typically envision implementing striping work is on a few mobilizations per year, as opposed to a weekly service contract. With the price, all-in-one, that we received from the successful low bidder we would anticipate two or three mobilizations throughout the fiscal year to execute \$50,000 worth of work. That is the challenge for some of the payment marking contractors is the ability to stage and mobilize with pricing. Much like the paving program where we try to mobilize once, it is much the same with this contract. Yes, there is a large disparity, there is a range with the numbers. Our history had been that mobilization had historically cost us more. With getting this all-in-one contract, we think we are enjoying the economies of a single contract, as well as the economies of pulling together some mobilizations here. We have worked with Roadside Specialties previously and they performed satisfactorily. This contract is for striping over-and-above that striping required in the traditional paving contract.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-91

- B. 2020-207** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 1500 Sunnybrook Farm

Public Works Director Marty Martin presented stated that this agenda item and the next three (3) are all in support of obtaining right-of-ways and easements to construct Project TS-171 Roberts Drive Sidewalk that extends from Northridge Road, south to the frontage on Davis Academy, on Roberts Drive. Staff recommends that Council accept an agreement to purchase real estate on 1500 Sunnybrook Farm Road. The acquisition is 478 square feet of Fee Simple right-of-way; 3,216.83 square feet of permanent easement for the construction and maintenance of stormwater drainage; and, 6,390 square feet of temporary construction easement on this property. The proposed work, to include the easements, will significantly clear within the right-of-way area the established buffer along the busy Roberts Drive roadway. The appraised fair market value for this acquisition is \$30,100.00, which the owners have accepted. Staff recommends approval.

Motion and Second: Council Member Paulson moved to approve agenda item 2020-207, Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 1500 Sunnybrook Farm. Council Member Soteres seconded.

Council Member Paulson remarked this project, and the following three on the evening's agenda, complete the sidewalk path from Northridge Road to Spalding Road. This is something that this community has wanted for a number of years. It is a good project.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-92

- C. 2020-208** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 8235 Roberts Drive

Public Works Director Marty Martin presented the right-of-way acquisition is on the parcel immediately 1500 Sunnybrook Farm. It seeks the acquisition of 595 square feet of temporary construction easement on a property at 8235 Roberts Drive. The appraised fair market value for this temporary construction easement acquisition is \$2,000. With the acceptance of the owners of this offer, staff recommends this item be approved.

Motion and Vote: Council Member Paulson moved to approve agenda item 2020-208, Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 8235 Roberts Drive. Council Member Soteres seconded. Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-93

- D. 2020-209** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 1501 Sunnybrook Farm Road

Public Works Director Marty Martin presented the acquisition is for 170 square feet of Fee Simple right-of-way and 523 square feet of temporary construction easement. The appraised fair market value for this acquisition is \$3,900, which the property owners have accepted. Staff recommends approval.

Motion and Vote: Council Member Paulson moved to approve agenda item 2020-209, Consideration of Acceptance of an Agreement to Purchase Real Estate in Connection with the TS-171 Roberts Drive Sidewalk Project, 1501 Sunnybrook Farm Road. Council Member Soteres seconded. Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-94

- E. 2020-210** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Donate Fee Simple Right of Way and Temporary Construction Easement in Connection with the TS-171 Roberts Drive Sidewalk Project (8105 Roberts Drive)

Public Works Director Marty Martin presented the request completes the right-of-way requirements for TS-171 Roberts Drive Sidewalk Project. Bid request will be published in the upcoming weeks, with the final recommendation being brought before Council in November or December 2020. At 8105 Roberts Drive, The Davis Academy, the City requires a small construction easement to tie-in to the construction proposed in the project. The appraised fair market value of the land is \$900. The Davis Academy opted to donate the property rights needed to construct the project to the City of Sandy Springs. Staff recommends approval of the acceptance of this donation.

Motion and Second: Council Member Paulson moved to approve agenda item 2020-210, Consideration of Acceptance of an Agreement to Donate Fee Simple Right of Way and Temporary Construction Easement in connection with the TS-171 Roberts Drive Sidewalk Project (8105 Roberts Drive). Council Member Reichel seconded.

Council Member Reichel thanked Davis Academy. It is a great school

Mayor Paul thanked the Academy for their cooperation and donation.

Council Member Bauman thanked Council Member Paulson for his work to see the project completed. It is a good sidewalk project.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-95

- F. 2020-211** Resolution to approve the purchase of certain property located at 620 Morgan Falls Road in Sandy Springs (Parcel Numbers No. 17 0030 LL0678 (7.42 Acres) and 17 0030 LL0587 (5.1 Acres); to authorize the City Manager to cooperate and further the objective; and for other purposes.

City Manager Andrea Surratt stated this presentation in follow up to the actions taken during Public Facilities Authority meeting. We have growth in our community and organization, and the Public Safety Building has been an item on City Council's agenda for a number of years. The Sandy Springs Police Department (SSPD) and the Municipal Court currently in five different buildings across the city, as well as a simulation shoot house in Doraville, Georgia. Because we have been very frugal over the years, the properties have worked and served us well. The SSPD has expanded its size in terms of the number of officers and they are in facilities that is not at standards required. The City Council adopted its current year priorities in January 2020, and Public Safety is at the top of the list. At that discussion, Council asked staff to continue the search for options for consideration of a future Public Safety headquarters. The Special

Needs Assessment was completed in 2018, which identified the type of space most important for the Police Department and Municipal Court. It included other public safety functions, such as future Fire operations and future training opportunities. Staff identified five sites that met the criteria for the Public Safety Headquarters. 620 Morgan Falls Road is the preferred property. This property was originally listed at \$17M and is now available for \$11M. This is a significant savings and a very prudent use of taxpayer dollars if approved. This property includes 7.3 acres on Morgan Falls Road; which is at a signalized intersection at Roswell Road. It is centrally located in the northern part of the City and has easy access and connectivity to the major thoroughfares in Sandy Springs. There is an existing structure on the site. The renovation costs will be lower than costs of new construction. With a total of 12 acres, there are potential future uses available such as new fire station uses, auxiliary police uses, regional training facility, and the vehicle maintenance facility. The Municipal Court and Police Department both need a specialty type of facility that can be 'hardened' to provide secure access points so employees and customers are safe. This could be a campus that could be safely secured, not in conflict with a neighborhood, and has good access to major roadways.

The Public Facilities Authority (PFA) would purchase the property, as was done with the construction of City Hall and the Performing Arts Center. The contract calls for \$100K earnest money as down payment within thirty (30) days from execution of the Purchase Agreement. Further, a \$200K additional payment sixty (60) days from the execution of the Purchase Agreement. In addition, there will be additional expenditures, i.e., inspections, survey, environmental studies that are incident to the sale. The full contract price is \$11,025,000, funded by a combination of sources. Primarily, the funding will come from a transfer from the General Fund to the PFA, a \$3M savings from the expected refinancing of our current bonds for the City Springs project, and also funds that are already available in the PFA remaining from the City Springs project. We are currently calculating the total amount needed from the General Fund transfer, waiting on the closing of that bond refinancing. We are also bringing a sizeable contingency, from the FY2021 Budget, which includes an undesignated fund balance that we knew we might be able to move forward with the purchase of the property. This will be brought together in a final financing package in the coming months. In order to quickly effectuate the two down payments, we will take those from the City Springs PFA transfer. We will do approximately \$500,000 in order to have enough necessary to effectuate the two down payments and the beginning of funds for architectural design and site prep. Finally, we will establish, through the PFA, a separate line item for the entire project. When the remaining available sources are quantified, we will transfer from the other sources and bring back to the Council a full reporting describing all the sources and expenditures.

Motion and Second: Council Member Paulson moved to approve agenda item 2020-211, Approve the Purchase of certain property located at 620 Morgan Falls Road in Sandy Springs (Parcel Numbers No. 17 0030 LL0678 (7.42 Acres) and 17 0030 LL0587 (5.1 Acres); to authorize the City Manager to cooperate and further the objective; and for other purposes. Council Member DeJulio seconded.

Council Member Paulson stated this is a great purchase. Not only would this give the police department a compliant facility but this would be permanent home and will be constructed to satisfy the requirements of the police department and Municipal Court. What was the appraisal?

Council Member Burnett asked how much square footage do we currently have for our court and police. What is the rental rate that we are paying for the 60,000 square feet?

City Manager Surratt stated the appraisal comes right in at \$11M. Right now we have a little less than 60,000 square feet for both Court and police. The police need closer to 100,000 square feet, all combined with Court. We can obtain that with this facility and have room for future expansion. The current rental rate can be provided at a future time.

Council Member Bauman stated we will have a chance with our AAA rating to take advantage of historically low interest rates. When we look at the history of these numbers, this is a solid real estate

purchase. We all recognize that post-COVID, maybe the seller had limited options, but one of their options was to not sell and wait it out. This is a building that we have all toured. Close to 100,000 square feet, we are paying sub \$100 square foot the building piece and we get the extra land. Our constituents are very supportive our police and first responders. This is a really good location. There is no better time to show support for the police department. This purchase may help with recruitment as well.

Council Member DeJulio said the genesis of the city hall started with the Target property. Originally, they asked for \$14M, and during the economic turndown of 2008 we purchased it for approximately \$7M. The same thing with this particular property. When we look at what has happened with interest rates, our cost of refinancing, our cost of refinancing the debt we have on the city hall building, this will turn out to be an exceptional purchase for the police and the people of Sandy Springs.

Council Member Reichel stated having gotten to know many of the police officers, they all say how much they love working for Sandy Springs.

Mayor Rusty Paul said that there is not a greater group of people than our first responders and they are beloved in this community. The police department and court have been very patient with the City of Sandy Springs. Their locations are extremely deficient in security, public safety, employee and citizen safety. This will give us an opportunity to create a state-of-the-art safety building and a Court facility.

Vote on the Motion: Mayor Paul called for a roll call vote. The motion carried unanimously.

RESOLUTION NO. 2020-08-96

X. REPORTS

A. 2020-212 Mayor and Council Report

Mayor Rusty Paul requested a point of personal privilege to extend his gratitude to Council and others in the community who have been very supportive and understanding of his absence over the last few weeks due to the passing of his wife's sister. In times like this, when humanity shows its best, thank you to all.

Council Member Reichel commented the old strip club on Roswell Road near Long Horn is torn down.

Council Member Paulson asked about the CARES Act funding as it relates to state, county, and city. How much money has the City actually expended? As the CARES Act ends December 31, 2020, do we have an estimate of how much we are going actually spend by the end of the year? What has the communication been between the City and Fulton County? Fulton County has indicated that they are going to purchase several million dollars' worth of PPE equipment coming up; is the City getting PPE from them?

Fire Chief Keith Sanders responded, as of mid-August the City has spent between \$550K and \$600K. That does not include that we benefitted from the subsidy that we had with AMR. As of this evening, they have spent approximately \$250K, as well, and have requested any help that we can give them should we get any CARES funds. AMR has minimized the impact for our first responders by the role that they have taken on the scenes where we have COVID patients. Looking to the end of the year, we will be well over \$1.5M, including what the impact is with AMR. Those numbers may go up as we continue to deal with the pandemic into the next year. The City turns in our 'burn rate' monthly to Fulton County Emergency Management. In return, this month, the City received its first PPE allotment from Fulton County – worth approximately \$27K. Based upon our burn rate, we will get that same monthly disbursement. We still are submitting documentation to Fulton County as far as the two CARES grants. We have also applied for the Public Assistance Grant, which we will rely upon toward the end of this journey should we not get any funding out of the CARES Act. We are very engaged with Fulton County in identifying places in the City where we set up testing facilities. On Monday, August 24 CORE will open a testing site on Roswell Road

and we will be sending out a message communicating that. They will be in place for one month. We are looking for additional sites as well. We are engaged with our apartment complexes, as well as senior facilities that may be considered hotspots. They are engaged with the Department of Public Health on that matter.

Council Member Bauman asked what is the update on the Fulton County CARES funding injunction.

Mayor Rusty Paul reported that Council Member Paulson has had some conversations with Commissioners Ellis and Ms. Hausmann. Chairman Pitts has made some statements which most of the mayors did not find very helpful. A conversation about the County's distribution to the cities began a couple of weeks ago among the 13 mayors of Fulton County, excluding Atlanta. Atlanta received a direct allocation. When we learned that the County was going to split \$2.5M amongst 13 cities, we knew there was no way the cities would be made whole. Fulton County is 99% municipalized and the County Commission is arguing that because they are spending money countywide, that every cities' citizens are benefitting. Every other county in the state is either working out some kind of arrangement to share those funds. The Governor is allocating the state level funds; it made it a 52 / 48 split between the counties and the cities; the other five counties, DeKalb, Cobb, Gwinnett, Clayton and Fulton, follow that model. There are conversations going on among the cities and the counties elsewhere. Many cities believe that an amicable solution will be reached along those lines. Fulton is the only county that has no real conversations going on with its cities about how those funds should be allocated. There was a vote by the 13 mayors, and has been ratified by most of the Councils in Fulton County, to begin litigation to make sure that Fulton County does not spend all of that money until the cities have had an opportunity to get around the table and discuss the appropriate allocation of those resources. It is a real disappointment. In other experiences, such as TSPLOST, the county and the city have worked together. But this does not seem to be the case with the CARES funding. The litigation is about preventing Fulton County from spending all the \$104M without the cities sitting around the table and working through some negotiated settlements that make sure that the money is used for what is supposed to be used for and that it is shared equitably among all the people in Fulton County.

B. 2020-213 Staff Reports

1. June 2020 Unaudited Financials

City Manager Surratt reported the year end financials, covering the month of June and wrapping up FY 2020. We are still in a growth position for our budget. We came in at 108% over what we budgeted, so we take a very purposeful strategy of conservatively planning our expenditures and conservatively planning our revenues. We are slightly down from June 2019 (112%) and June 2018 (111%), which is about \$2M less in real dollars. Total revenues coming in are 108.48% of budget; while we are down from our previous years, we are still up over our anticipated budget amount. The General Fund expenditures account shows 91% in expenditures to the adopted budget and the Local Option Sales Tax, one of our indicators of COVID impact, is down approximately 5%. We are at 100% of the fiscal year 2020. We are impacted, not necessarily in the property tax category, but in those that are related to the purchase of goods, travel, tourism and gas. We continue to monitor the markets, our expenditures and our operating line items, and we are still holding the line on not filling positions as we creatively repurpose people into existing jobs that need some attention and holding off on unnecessary capital expenditures, with the exception of the recommendation tonight to move forward with the practical purchase of land for the Public Safety Headquarters.

Council Member Burnett stated virtually all of our departments have come in under budget; collectively, we are \$10M under our budget of \$116M in expense. At this point, can we tell how much of that was related to just good management and how much may have been related to a sort of, COVID impact, on expenditures?

City Manager Surratt stated every year the City does a great job of bringing funds back to put in the fund balance. With the COVID impact we may see that part next year. It is more of a testament to the staff's ability to manage their budgets well and our Finance Department to anticipate the dollars needed for each line item.

XI. EXECUTIVE SESSION

A. 2020-215 Real Estate & Litigation

Motion and Vote: Council Member Paulson moved to suspend Regular order and enter into Executive Session for the purposes of discussing real estate and litigation. Council Member Burnett seconded. Mayor Paul called for a roll call vote. The motion carried unanimously.

Executive Session began at **7:56 p.m.**

Motion and Vote: Council Member Paulson moved adjourn Executive Session and return to the Regular Session. Council Member Reichel seconded. Mayor Paul called for a roll call vote. The motion was carried 5-0. Council Member DeJulio absent.

Executive Session ended at **8:48 p.m.**

XII. ADJOURNMENT

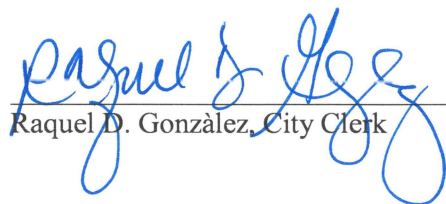
Motion and Vote: Council Member Paulson moved adjourn the meeting. Council Member Soteres seconded. Mayor Paul called for a roll call vote. The motion was carried 5-0; Council Member DeJulio was absent.

Regular Session ended at 8:50 p.m.

Dated approved: September 1, 2020.



Russell K. Paul, Mayor



Raquel D. Gonzalez, City Clerk