



SANDY SPRINGS

CITY CLERK'S OFFICE

PUBLIC FACILITIES AUTHORITY

Rusty Paul, Chairman

John Paulson – District 1

Steve Soteres – District 2

Chris Burnett – District 3

Jody Reichel – District 4

Tibby DeJulio – District 5

Andy Bauman – District 6

Tuesday, January 7, 2020

Public Facilities Authority

Following Council Meeting

1. **CALL TO ORDER** - Chairperson Rusty Paul
2. **ROLL CALL** - Secretary Coty Thigpen
3. **APPROVAL OF MEETING AGENDA**
4. Approval of the October 15, 2019 Public Facilities Authority Meeting Minutes
- NEW BUSINESS**
5. Consideration of a Resolution to accept a Quitclaim Deed from the City of Sandy Springs for the Properties of Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway Park, and Morgan Falls Overlook Park
6. Consideration of a Resolution of the City of Sandy Springs Public Facilities Authority to Appoint the City Manager of Sandy Springs, Georgia as the General Manager of the City of Sandy Springs Public Facilities Authority
7. **ADJOURNMENT**

Special Called Public Facilities Authority Meeting of the Sandy Springs was held on Tuesday, October 15, 2019 at 6:48 p.m., Chairperson Rusty Paul presiding.

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

STAFF DISCUSSION ITEMS

Administration

1. **PFA19-30 CALL TO ORDER** – Chairperson Rusty Paul

2. **PFA19-31 ROLL CALL** – Secretary Coty Thigpen

Secretary Thigpen called the roll.

3. **PFA19-32 APPROVAL OF MEETING AGENDA**

Motion and Vote: Member Paulson moved to approve the Meeting Agenda for the October 15, 2019 Special Called Public Facilities Authority meeting. Member DeJulio seconded the motion.

The motion carried unanimously.

4. **PFA19-33** Approval of the September 3, 2019 Special Called Public Facilities Authority Meeting Minutes

Motion and Vote: Member Paulson moved to approve the September 3, 2019, Agenda Item PFA19-33, Special Called Public Facilities Authority meeting minutes. Member Burnett seconded the motion.

The motion carried unanimously.

NEW BUSINESS

5. **PFA19-34** Resolution to Approve Third Amendment to Master Lease for Retail Space in Government Building at City Springs

Assistant City Manager Jim Tolbert – presented that on April 19, 2016 at a specially called meeting, the PFA adopted a resolution approving, among other things, the Master Lease Agreement (“Master Lease”) by and between the PFA, as lessor, and City Springs Owner, LLC (“Developer”), as lessee. The Master Lease contains certain terms and conditions governing the Developer’s buildout and lease of retail space contained within the government building (“Building”) at City Springs. On June 19, 2018, the PFA approved a First Amendment to the Master Lease related to the allocation of costs to repair and maintain grease traps serving the Building.

On October 2, 2018, the PFA approved a Second Amendment to the Master Lease (“Second Amendment”) for the purpose of allowing an enclosure of a portion of the retail leased space to a restaurant doing business as “The Select.” Pursuant to that approval, The Select completed the enclosure of the adjacent patio area on May 15, 2019.

The proposed amendment to the Master Lease attached to the resolution (“Third Amendment”) incorporates the additional square footage caused by the enclosure of the patio space and provides for the additional 523 square footage to be used in lease payment calculations. The proposed Amendment to Short Form of Lease

attached to the resolution, the original of which was recorded in Fulton County records related to the leased premises, reflects the increased square footage and will likewise be filed with Fulton County.

Motion and Vote: Member Reichel moved to approve Agenda Item PFA19-34, Resolution to Approve Third Amendment to Master Lease for Retail Space in Government Building at City Springs. Member Soteres seconded the motion.

The motion carried unanimously.

PFA RESOLUTION NO. 2019-10-25

6. PFA19-35 Public Facilities Authority Bank Signatory Change

Finance Director Karen Ellis presented that currently, the Performing Arts Center Finance Manager and the City Finance Director are authorized signers on both of the Public Facilities Authority's bank accounts with SunTrust Bank. This change will replace the Finance Manager with the Executive Director of the Performing Arts Center and add the City Clerk as an additional signer.

Motion and Vote: Member Burnett moved to approve Agenda Item PFA19-35, Resolution for Public Facilities Authority Bank Signatory Change. Member DeJulio seconded the motion.

The motion carried unanimously.

PFA RESOLUTION NO. 2019-10-26

7. PFA19-36 ADJOURNMENT

Motion and Vote: Member DeJulio moved to approve Agenda Item PFA19-36, Adjournment. Member Reichel seconded the motion.

The motion carried unanimously.

There being no further discussion, the meeting adjourned at 6:55 p.m.

Date Approved: November 1, 2019.

Russell K. Paul, Chairperson

Coty Thigpen, Secretary



SANDY SPRINGS

GEORGIA

TO: City of Sandy Springs Public Facilities Authority Board

FROM: James Tolbert, Assistant City Manager

DATE: December 30, 2019 for Submission onto the Regular Agenda of the January 7, 2020 Public Facilities Authority Board Meeting

ITEM: Consideration of a Resolution to accept a Quitclaim Deed from the City of Sandy Springs for the Properties of Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway Park and Morgan Falls Overlook Park.

Assistant City Manager's Recommendation:

The Assistant City Manager recommends the Sandy Springs Public Facilities Board accept a Quitclaim of the properties of Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway Park, and Morgan Falls Overlook Park from the City of Sandy Springs.

Background:

The City of Sandy Springs holds title to the properties at Hammond Park, Sandy Springs Tennis Center, and Morgan Falls Overlook Park via quitclaim deeds from Fulton County recorded shortly after the City's incorporation. After incorporation, the City also assembled the properties for the Abernathy Greenway Park and currently holds title to same.

Discussion:

Accepting a Quitclaim of these public park properties to the Public Facilities Authority would allow more flexibility in the use of these properties, including without limitation the ability to contractually commit to the expenditure of funds on park projects and services beyond one year. Although the City is limited by the Georgia Constitution in its ability to contractually commit to the expenditure of public funds beyond one year, the state constitution does grant the City the right to enter into contractual obligations with its Public Facilities Authority for the performance of governmental services. Through such contracts the City can make enforceable financial commitments for up to forty (40) years.

Alternatives:

The Board could decide not accept the quitclaimed properties.

Financial Impact:

Attachments:

- Quitclaim Deed
- Resolution

RESOLUTION NO. 2020-XX-XX

**STATE OF GEORGIA
COUNTY FULTON**

**A RESOLUTION OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES
AUTHORITY TO ACCEPT A QUITCLAIM DEED FROM THE CITY OF SANDY
SPRINGS FOR THE PROPERTIES OF HAMMOND PARK, SANDY SPRINGS TENNIS
CENTER, ABERNATHY GREENWAY AND MORGAN FALLS OVERLOOK PARK;
AND OTHER PURPOSES.**

WHEREAS, the City of Sandy Springs (“City”) holds title to the property known as Hammond Park, having been conveyed by Quitclaim Deed from Fulton County to the City of Sandy Springs, dated 12/08/2006, filed 12/12/2006 and recorded in Deed Book 44050, Page 628, Fulton County, Georgia records; and

WHEREAS, the City holds title to the property known as Sandy Springs Tennis Center, having been conveyed by Quitclaim Deed from Fulton County to the City of Sandy Springs, dated 12/08/2006, filed 12/12/2006 and recorded in Deed Book 44050, Page 692, Fulton County, Georgia records; and

WHEREAS, the City holds title to the property known as Abernathy Greenway, having been conveyed by various instruments from individual property owners in Land Lots 57, 87 & 126 of the 17th District of Fulton County, to the City of Sandy Springs, filed between 6/12/2007 and 8/22/2014 and recorded in Fulton County, Georgia records; and

WHEREAS, the City holds title to the property known as Morgan Falls Overlook Park, having been conveyed by Quitclaim Deed from Fulton County, a political subdivision of the State of Georgia to the City of Sandy Springs, a municipality of the State of Georgia, dated 12/08/2006, filed 12/12/2006 and recorded in Deed Book 44050, Page 649, Fulton County, Georgia records; and

WHEREAS, to have more flexibility in its use of the subject properties, at its January 7th, 2020 meeting the Sandy Springs City Council (“City Council”) is scheduled to vote on a resolution to quitclaim its interests in Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway and Morgan Falls Overlook Park (“Resolution”) to the City of Sandy Springs Public Facilities Authority (“Authority”); and

WHEREAS, should the City Council approve the Resolution, the Authority desires to accept the quitclaim of the City’s interest in Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway and Morgan Falls Overlook Park.

NOW THEREFORE, BE IT RESOLVED by the Board members of the City of Sandy Springs Public Facilities Authority while in session on January 7, 2020 at 6:00 p.m., that, should the Sandy Springs City Council approve the Resolution at its January 7th, 2020 meeting, the Board accept a Quitclaim Deed in favor of the Sandy Springs Public Facilities Authority for the properties of Hammond Park, Sandy Springs Tennis Center, Abernathy Greenway and Morgan Fall Overlook Park in the City of Sandy Springs, Georgia.

RESOLVED this 7th day of January, 2020.

RESOLUTION NO. 2020-XX-XX

Approved:

Russell K. Paul, Chairman

Attest:

Coty Thigpen, Clerk

(Seal)

RESOLUTION NO. 2020-XX-XX

**STATE OF GEORGIA
COUNTY FULTON**

**A RESOLUTION OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES
AUTHORITY TO APPOINT THE CITY MANAGER OF SANDY SPRINGS, GEORGIA
AS THE GENERAL MANAGER OF THE CITY OF SANDY SPRINGS PUBLIC
FACILITIES AUTHORITY; TO ESTABLISH AN EFFECTIVE DATE AND OTHER
PURPOSES.**

WHEREAS, the bylaws of the City of Sandy Springs Public Facilities Authority ("Authority") authorize the Authority to appoint a General Manager to have general charge of the business operations of the Authority and all of its dealings, subject to control of the Authority; and

WHEREAS, the Authority desires to appoint Andrea Surratt, City Manager of the City of Sandy Springs, Georgia, as General Manager of the Authority, to serve at the pleasure of the Authority.

NOW THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES AUTHORITY AND IT IS RESOLVED BY AUTHORITY OF SAID AUTHORITY AS FOLLOWS:

Andrea Surratt is hereby appointed as General Manager of the Authority pursuant to applicable provisions of the Authority's bylaws.

APPROVED AND ADOPTED this 7th day of January, 2020.

Approved:

Russell K. Paul, Chairman

Attest:

Coty Thigpen, Clerk

(Seal)