



SANDY SPRINGS

GEORGIA

SANDY SPRINGS DEVELOPMENT AUTHORITY

William "Chip" Collins, Chairperson

John Paulson, Vice Chairperson

Dan DiLuzio, Secretary/Treasurer

Toshia Battle

Joe Houseman

Sunny Park

Ed Ukaonu

Thursday, February 18, 2021

Special Called Meeting Agenda

8:30 AM

The February 18, 2021 Sandy Springs Development Authority Meeting will be held virtually.

Live-stream: Zoom Webinar: <http://spr.gs/2021ssda>

Teleconference: Dial Options (for higher quality, dial a number based on your current location):

- 1 312 626 6799
- 1 646 558 8656
- 1 301 715 8592
- 1 346 248 7799
- 1 669 900 9128
- 1 253 215 8782

Webinar Id: 878 0236 9769

Call to Order - Chair

Roll Call - Recording Secretary

Approval of Meeting Agenda

Approval of Meeting Minutes

DA2021-04 January 14, 2021 Sandy Springs Development Authority Meeting

New Business

DA2021-05 Request for Consideration of a First Amendment to the Memorandum of Agreement Between the City of Sandy Springs and the City of Sandy Springs Development Authority

(Presented by Kristin Smith, Assistant City Manager)

DA2021-06 Request for Consideration to Authorize Additional Funding for the Small Business Relief Assistance Program

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance. The City will make reasonable accommodations for those persons.

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SANDY SPRINGS

GEORGIA

(Presented by Kristin Smith, Assistant City Manager)

Other Business

Adjournment

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SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Sandy Springs Development Authority Members

FROM: Kristin Smith, Assistant City Manager

DATE: February 12, 2021 Submission for the February 18, 2021 Meeting

ITEM: Request for Consideration of a First Amendment to the Memorandum of Agreement Between the City of Sandy Springs and the City of Sandy Springs Development Authority

Recommendation:

Staff recommends approval of the attached First Amendment to the Memorandum of Agreement ("Amendment") between the City of Sandy Springs ("City") and the City of Sandy Springs Development Authority ("Authority").

Discussion:

At its November 17, 2020 meeting, City Council allocated budget funding from the City's general fund in the amount of \$1,200,000 for a Small Business Relief Grant Program ("Program"). The purpose of the Program is to promote continuity of small businesses in the City that have been impacted by the COVID-19 pandemic, to encourage retention of employees, and to otherwise further economic development within the City.

Because the purpose of the Program is to promote and encourage economic development, the City contracts with the Authority for administration of the Program. The Agreement was approved on December 15, 2020. In support of the program, the Authority allocated \$100,000 at its December 17, 2020 meeting.

The City received 160 eligible applications totaling \$1,637,223. An additional allocation of \$327,223 is needed to fund all eligible applications.

Financial Impact:

The Mayor and City Council will consider the allocation of \$277,223 at the February 16, 2021 regular meeting. The attached MOA will provide those additional funds to the Authority to fund some remaining eligible applications. An additional \$50,000 is needed to fully fund the program.

Alternatives:

The Authority could opt not to approve the MOA to distribute additional funds.

Attachments:

1. First Amendment to MOA



FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF SANDY SPRINGS AND THE CITY OF SANDY SPRINGS DEVELOPMENT AUTHORITY IN FURTHERANCE OF ECONOMIC DEVELOPMENT

THIS FIRST AMENDMENT ("First Amendment") to the Memorandum of Agreement ("Agreement") is made and entered into as of February 16, 2021, by and between the CITY OF SANDY SPRINGS ("Sandy Springs"), and the SANDY SPRINGS DEVELOPMENT AUTHORITY ("Authority").

RECITALS

WHEREAS, the City made a financial commitment of \$1,200,000 to the Authority for the purpose of awarding funds to qualifying small businesses meeting the criteria and other requirements of the Small Business Relief Assistance Program ("Program"); and

WHEREAS, the Authority partners with the City to award funds to eligible small businesses on a first-come, first-served basis; and

WHEREAS, the Authority contributed \$100,000 to the Program at its December 17, 2020 meeting; and

WHEREAS, the City received 160 eligible applications totaling \$1,637,223; and

WHEREAS, an additional allocation of \$327,223 is needed to fund all eligible applications; and

WHEREAS, the Authority is anticipated to award an additional \$50,000 in funding to the Program at its February 18, 2021 meeting and \$277,223 will be needed to fully fund all applications; and

WHEREAS, the parties deem it beneficial and appropriate to amend the Agreement to provide additional funding to fund all eligible applications; and

WHEREAS, in order to fully fund all qualifying applications received in response to the Program, the Mayor and City Council hereby consider a budget amendment totaling \$277,223; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein, and such other good and valuable consideration the receipt of which is hereby acknowledged, the parties do hereby amend the Agreement as follows:

I. AMENDMENT TO 1. OBLIGATIONS OF THE CITY

Section 1 of the Agreement, Obligations of the City, shall be deleted in its entirety and the following shall be inserted in lieu thereof:

1. Obligations of the City

The City hereby makes a financial commitment of \$1,477,223 to the Authority, upon the terms and conditions stated herein, for the purpose of awarding such Funds to qualifying small businesses meeting the criteria and other requirements of the Program.

Businesses receiving Funds will be required to sign a contract with the Authority to ensure accountability of the use of such Funds. Funds will be paid out as a reimbursement after all contract requirements are met by the business receiving the Funds, including proper documentation of the expenditure of Funds.

III. GOVERNING LAW

This First Amendment shall be governed in all respects by the laws of the State of Georgia.

IV. ENTIRE AGREEMENT

The Agreement, as amended by this First Amendment, constitutes the entire agreement between the parties with respect to the subject matter contained herein. Except for the terms and conditions of the Agreement as set forth above, all prior agreements, representations, statements, negotiations, and undertakings are hereby superseded. Neither party has relied on any representation, promise, nor inducement not contained herein.

V. NOTICES

All notices or other communications required or permitted to be given under this First Amendment shall be in writing and shall be deemed to have been duly given when (a) delivered personally in hand, (b) when mailed by certified or registered mail, return receipt requested with proper postage prepaid, addressed to the appropriate party at the following address or such other address as may be given in writing to the parties, or (c) transmitted by electronic mail transmission:

If to the City:

Andrea Surratt, City Manager
1 Galambos Way
Sandy Springs, GA 30328
E-Mail: asurratt@sandyspringsga.gov

With copies to:

Dan Lee, City Attorney
1 Galambos Way
Sandy Springs, GA 30328
E-Mail: cityattorney@sandyspringsga.gov

If to the Contractor:

With copies to:

VI. SEVERABILITY

The terms and provisions hereof are severable such that if any term or provision is declared or found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the remaining terms and provisions of this First Amendment.

VII. MISCELLANEOUS

a. Capitalized terms used but not defined herein shall have the meanings set forth in the Agreement.

b. All other terms and conditions of Agreement not inconsistent with this First Amendment shall remain in full force and effect.

c. In the event of any inconsistency or conflict between the terms of this First Amendment and of the Agreement, the terms of this First Amendment shall control.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be duly executed by their duly authorized officers as of the day and year set forth next to each signature.

CITY OF SANDY SPRINGS, GEORGIA

By: _____
Andrea Surratt, City Manager

Date of Execution

ATTEST:

Approved as to form:

By: _____
City Clerk

Assistant City Attorney

(SEAL)

CITY OF SANDY SPRINGS DEVELOPMENT AUTHORITY

By: _____
William "Chip" Collins, Chairman

Date of Execution

ATTEST:

Name: _____
Title: Secretary



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Sandy Springs Development Authority Members

FROM: Kristin Smith, Assistant City Manager

DATE: February 12, 2021 Submission for the February 18, 2021 Meeting

ITEM: Request for Consideration to Authorize Additional Funding for the Small Business Relief Assistance Program

Recommendation:

Staff recommends consideration of a Development Authority allocation of \$50,000 to fully fund the Small Business Relief Assistance Grant Program.

Discussion:

At its November 17, 2020 meeting, City Council allocated budget funding from the City's general fund in the amount of \$1,200,000 for a Small Business Relief Grant Program ("Program"). The purpose of the Program is to promote continuity of small businesses in the City that have been impacted by the COVID-19 pandemic, to encourage retention of employees, and to otherwise further economic development within the City.

Because the purpose of the Program is to promote and encourage economic development, the City contracts with the Authority for administration of the Program. In support of the program, the Authority allocated \$100,000 at its December 17, 2020 meeting.

The City received 160 eligible applications totaling \$1,637,223. An additional allocation of \$327,223 is needed to fund all eligible applications

At its February 16, 2021 regular meeting, the City considered an additional allocation of \$277,223 to fund some remaining eligible applicants. An additional \$50,000 is needed to fully fund the program.

Financial Impact:

The Development Authority has approximately \$143,596 in available funding.

Alternatives:

The Authority could opt not to fund the remaining eligible applications.

Attachments:

None