

Special Called Meeting of the Sandy Springs City Council was held on Friday, April 9, 2010, at 3:00 p.m., Mayor Eva Galambos presiding.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 3:10 p.m.

ROLL CALL

City Clerk Michael Casey called the roll.

Mayor: Mayor Eva Galambos present.

Councilmembers: Councilmember Dianne Fries, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio, Councilmember Karen Meinzen McEnery present. Councilmember John Paulson and Councilmember Chip Collins were absent.

(Agenda Item No. 10-086)

EXECUTIVE SESSION – Potential Litigation

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss potential litigation with the City Manager and the City Attorney included. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 3:12 p.m.

Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Jenkins seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 4:19 p.m.

(Agenda Item No. 10-087)

1. A Resolution by the City of Sandy Springs, Georgia, for Transparency and Integrity in its RFP Process for the Delivery of Municipal Services to the City

City Attorney Wendell Willard stated the proposed Resolution relates back to conversations with representatives of subcontractors and their attorney dealing with the proposed new RFP's put out by CH2M HILL. The Resolution addresses covenants contrary to the best interest of the City. For this reason, the City wants to give its position prior to the RFP's becoming final. The Resolution contains:

NOW THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Corporation shall not prohibit, in any manner, direct communication between representatives of the City and contractors performing services for the City to obtain information relating to the description, levels and provision of such services; and

City Attorney Willard stated the purpose behind this provision is that the City will soon be preparing RFP's to describe the services under a new contract to be entered into by the City with a provider as of July 1, 2011. The City has asked for this access and has received communication from CH2M HILL that access will be granted. The City has also been told there are signed confidentiality agreements between

the contractors and CH2M HILL. The City is not privy to these agreements and to what extent they address the rights of the City to this access.

2. Through the term of the existing agreements anticipated to end June 30, 2011, the Corporation shall not enter into any agreements or covenants with any party which would serve to deter any party from having full, independent, and open access to any bidding process; and

City Attorney Willard stated the current RFP's of CH2M HILL are attempting to place all current suppliers of services to the City as subcontractors under covenants not to compete. That is not in the best interest of the City because if the City has a need to make any change, there may not be the ability for that party to be a continuing provider of that service. The City wants the current providers of services to have the rights to make a decision at a future time whether they will go forward with potential contracting through the RFP with CH2M HILL; or any third party; or should Council make a decision to have individual contracts for specified services divided up and not have a universal type contract. That is a decision Council has not reached and is not prepared to make at this time.

3. That all contracts entered into contrary to the above would be adverse to the best interest of the City.

Motion and Vote: Councilmember Jenkins moved to approve A Resolution by the City of Sandy Springs, Georgia for Transparency and Integrity in its RFP Process for the Delivery of Municipal Services to the City. Councilmember DeJulio seconded the motion. The motion carried unanimously.

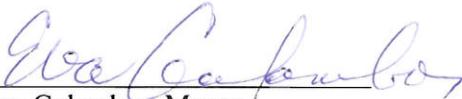
Resolution No. 2010-04-27

(Agenda Item No. 10-088)

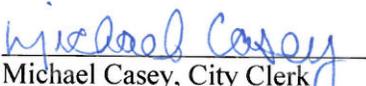
ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 4:25 p.m.

Date Approved: October 19, 2010



Eva Galambos, Mayor



Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

April 9, 2010

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 9th day of April, 2010, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, pursuant to O.C.G.A. 50-14-2(1).

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.

Eva Galambos
Eva Galambos, Mayor

Sworn to and subscribed before me,
this 9TH day of APRIL, 2010.

Michael D. Casey
Notary public (SEAL)

