

Regular Meeting of the Sandy Springs City Council was held on Tuesday, March 2, 2010, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Rabbi Barbara Metzinger with Temple Emanuel offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Galambos led the Pledge of Allegiance.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:00 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence cell phones and pagers at this time. Additionally, those wishing to provide public comments, either during a public hearing or during the Public Comment portion of the meeting, are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Eva Galambos present.

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

(Agenda Item No. 10-043)

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Meeting Agenda. Councilmember DeJulio seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 10-044)

1. Meeting Minutes:
 - a. July 21, 2009 Regular Meeting
 - b. July 21, 2009 Work Session*(Michael Casey, City Clerk)*

(Agenda Item No. 10-045)

2. Outdoor Warning Sirens Grant
(Jeff Scarbrough, Senior Deputy Fire Marshall)

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda. Councilmember Jenkins seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

Alcoholic Beverage License

(Agenda Item No. 10-046)

1. 11499 - Approval of Alcoholic Beverage License Application for Johnny's N.Y. Style Pizza at 7887-A Roswell Rd, Sandy Springs, GA 30350. Applicant is John C. Deems for Consumption on Premises of Wine, Malt Beverage & Distilled Spirits

Director of Operations Wayne Wright stated this application is for a new owner at an existing location requesting on premises consumption of beer and wine. The application has been reviewed by staff and all administrative requirements have been met. It has also been appropriately advertised for public hearing tonight. The staff recommends approval.

Mayor Eva Galambos called for public comments either for or against this application. There were no comments from the public.

Motion and Second: Councilmember Jenkins moved for approval of Agenda Item No. 10-046, an Alcoholic Beverage License Application for Johnny's N.Y. Style Pizza at 7887-A Roswell Rd, Sandy Springs, GA 30350. Councilmember Fries seconded the motion.

Councilmember Tibby DeJulio stated the application requested approval for Wine, Malt Beverages and Distilled Spirits. He asked if the application is just for beer and wine or for distilled spirits, also.

Director of Operations Wright stated the application is for beer and wine only.

Councilmember Ashley Jenkins clarified that her motion was for approval of consumption on premises of wine and malt beverages only.

Vote on the Motion: The motion carried unanimously.

(Agenda Item No. 10-047)

2. 11595 - Approval of Alcoholic Beverage License Application for Roswell Package Store at 6401 Roswell Rd, Sandy Springs, GA 30328. Applicant is Bhalchandra D. Patel for Retail/Package of Wine, Malt Beverage & Distilled Spirits

Director of Operations Wayne Wright stated the application is for a new owner at a previously permitted location. The request is for package sales of beer, wine and distilled spirits. The application has been reviewed by staff and all administrative requirements have been met. It has also been appropriately advertised for the public hearing tonight. The staff recommends approval.

Mayor Eva Galambos called for public comments either for or against this application. There were no comments from the public.

Motion and Vote: Councilmember Meinzen McEnery moved for approval of Agenda Item No. 10-047, an Alcoholic Beverage License Application for Roswell Package Store at 6401 Roswell Rd, Sandy Springs, GA 30328. Councilmember Fries seconded the motion. The motion carried unanimously.

Housing

(Agenda Item No. 10-048)

3. Public Hearing for Analysis of Impediments to Fair Housing

Community Development Block Grant Manager Vann McNeill stated Agenda Item No. 10-048 was presented to Council on January 5, 2010, and following that presentation approval was given to advertise it for 30 days for public comment. No comments were received and all that remains prior to submitting it to HUD is the Public Hearing.

Mayor Eva Galambos called for public comments either for or against this application. There were no comments from the public.

Motion and Vote: Councilmember DeJulio moved for approval of Public Hearing for Analysis of Impediments to Fair Housing. Councilmember Paulson seconded the motion. The motion carried unanimously.

I) UNFINISHED BUSINESS

(Agenda Item No. 10-037)

1. An Ordinance to amend Chapters 109-222(c)(8) of the Code of the City of Sandy Springs to define and standardize exemptions to the City of Sandy Springs Stream Buffer Protection Ordinance related to Minor Land Disturbing Activities.

Assistant Director Building and Development Blake Detwiler stated this item was presented to Council on February 16th and is related to the standardization and definition of Minor Land Disturbing Activities that would be allowed in stream buffers. Per Council's directive, under Item Number 1, elevated structures such as decks, gazebos, patios, walkways, viewing platforms, and/or open picnic shelters, the provision that all flooring and decking be built in a pervious manner to allow for the infiltration of storm water has been added.

Motion and Vote: Councilmember Meinzen McEnery moved for approval of Agenda Item No. 10-037, an Ordinance to amend Chapters 109-222(c)(8) of the Code of the City of Sandy Springs, to define and standardize exemptions to the City of Sandy Springs Stream Buffer Protection Ordinance related to Minor Land Disturbing Activities. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Ordinance No. 2010-03-06

J) NEW BUSINESS

(Agenda Item No. 10-049)

1. Consideration of Approval of a Contract with Georgia Management Agency for the US Department of Energy's Energy Efficiency Block Grant LED and Solar School Zone Projects

Transportation Planning Manager Garrin Coleman stated in May of 2009 staff came to Council with the Energy Efficiency Block Grant award of \$851,000. A portion of that, \$430,000, was set aside for replacing the remaining incandescent signals with LED technology and also buying 23 solar powered school beacons. The contract was put out for bid and staff would like to award the contract in a not to exceed amount of \$260,000. The low bid was \$212,993, but additional field work may be required to run some of the solar signs out to areas that can receive sunlight.

Motion and Second: Councilmember Jenkins moved for approval of Agenda Item No. 10-049, a Contract with Georgia Management Agency for the US Department of Energy's Energy Efficiency Block Grant LED and Solar School Zone Projects. Councilmember Fries seconded the motion.

Councilmember Jenkins asked about intended usage of the additional funds.

Transportation Planning Manager Coleman stated that the energy efficiency conservation strategy in the application has other areas where funds can be expended for transportation needs. There is an excess of \$170,000 that staff would like to spend, possibly on the expansion of the fiber network.

Councilmember Jenkins stated several of the school districts want solar powered speed signs and indicated that some portion of that money should go towards those.

Transportation Planning Manager Coleman stated it would be necessary to approach the project manager at the Department of Energy, with the help of Grant Administrator Eden Freeman, to find out exactly what would be allowed.

Mayor Eva Galambos expressed this should be much more allowable than the expansion of the fiber optics.

Transportation Planning Manager Coleman stated that the fiber optics is under the savings in fossil fuels. The travel time studies on Roswell Road show the Traffic Management Center in conjunction with the fiber and being able to control the signaling coordination actually saves fossil fuels and energy. The actual run proposed would be from Roswell Road, down Abernathy Road, down River Valley Road, down to Riverside. Then the City would utilize the conduit on I-285, which is currently GDOT's, and run it down to Powers Ferry and Northside Drive. That would bring the City 14 additional signals that could be controlled directly from TMC.

Councilmember John Paulson stated that there appears to be over a half-million dollars left over. He inquired if staff has itemized where the funds would be spent.

Transportation Planning Manager Coleman responded that Community Development would be coming forward with an RFB for solar and energy efficiency on Fire Stations 1 and 2.

Councilmember Paulson asked if Public Works is requesting that the \$500,000 be given to them to do as they wish, or if they will come back to Council with a plan showing where the money is to be expended.

Transportation Planning Manager Coleman indicated that it can be done either way. The \$430,000 was originally allotted for the LED project. Tonight's discussion is to ascertain if there are any other items needing to be addressed for the Department of Energy Grant.

Councilmember Dianne Fries asked if it would be appropriate to allot a certain percentage for Councilmember Jenkins suggestion for the solar powered speed signs.

Councilmember Jenkins stated she did not know the cost of the signs.

Councilmember Fries stated they are around \$3,000.

Transportation Planning Manager asked how many schools would be included.

Councilmember Jenkins stated her understanding is three, but she would find out the exact number.

Mayor Galambos stated that they need to know more about the amounts. It is necessary to take into account the extension of the fiber optics in a more comprehensive manner than just allocating some money on it.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2010-03-14

(Agenda Item No. 10-050)

2. Operating Agreement Sandy Springs Farmers Market, LLC

City Attorney Cecil McLendon stated since the discussion of this item at a previous Work Session, a draft agreement has been put together based on some basic requirements as well as some necessary legal requirements. There are a few minor changes to be made to the contract in order to iron out the details, but they are not substantive.

Motion and Second: Councilmember Collins moved for approval of Agenda Item No. 10-050, an Operating Agreement For a Farmers Market Between the City and Sandy Springs Farmers Market, LLC. Councilmember DeJulio seconded the motion.

Councilmember Karen Meinzen McEnery supports the idea, but is concerned that the opportunity was not put out for bid or offered to other people who may have been interested in providing these services. She also suggested an amendment that the management of the market includes recycling bins for recyclable materials for each day that they are in operation.

Councilmember Chips Collins accepted Councilmember Meinzen McEnery's friendly amendment.

Councilmember John Paulson asked how often the Farmers Market reports to the City. Is it monthly or quarterly reporting?

City Attorney Cecil McLendon stated the reporting information is in paragraph 3B on page 2.

Councilmember Dianne Fries asked if 3(a) is a charge of \$10 a month.

Councilmember Ashley Jenkins answered yes, it is a monthly fee.

Councilmember Fries asked City Attorney, Wendell Willard, if this agreement leans towards a gratuity. She asked if the City is opening themselves up for somebody coming to Hammond or Morgan Falls and saying that they want the same deal, \$10 a month, to hold a farmer's market on the other side of town on City property.

City Attorney Wendell Willard responded that he does believe the City would be in that situation as far as gratuity, because a service is being provided to the community that Council feels is an important benefit to the City. The City has the means through a contract of making that type of guided plan for them to develop and use the property. The City is giving them the space for it, but they have certain financial obligations they have to meet. Mr. Willard indicated that for each proposal that is presented to the City, Council weighs the benefit factors of how it may be needed and how it can benefit the City.

Councilmember Fries wanted to address the quality control issue and asked if there is something the Market needs to go through in order to get certified.

City Attorney McLendon stated this is subject to all the Health Department rules. The entire agreement incorporates all of the other rules and regulations that he could think of. Those have to be met just as any other venue that is selling food items.

Councilmember Fries stated some of those things are not listed. She does not want the Market to assume that they've done everything and not had the conversation with whomever it is in the City to make sure that they are checking on everything.

City Attorney McLendon indicated he feels the Market has been tied down significantly to meeting all rules and regulations, and most of that is likely be the Fulton County Health Department requirements.

Councilmember Fries stated she would like this to be a bit tighter considering that it is on City property. She worries about who controls things, especially if it is being left up to the Fulton County Health Department.

Mayor Eva Galambos stated there is no one else to leave it to.

Councilmember Fries asked about the proper check offs being used.

City Attorney McLendon agreed that there are several issues in the contract where the language could be cleaned up. Council's approval needs to be subject to legal being satisfied with the terms. He would review that issue and be sure it is worked out appropriately. There shouldn't be an issue with having language in the contract that everyone agrees with that would sufficiently cover any issues.

Mayor Galambos asked how electricity is accessed, since the contract language mentions refrigeration.

City Attorney McLendon stated that through the special events process, they had a conversation with Robert Wheeler from the Building Department to discuss how they would access electricity, and he indicated it would have to be coordinated through the Building Department.

Mayor Galambos asked if there are ways to link them to electricity from the Target parking lot.

City Attorney McLendon believes there are methods of doing that.

City Attorney Willard stated that Georgia Power can provide access through the power lines right there at the property and set up separate metering for them. It is something they can have installed and he expects they would want installed.

Councilmember Collins stated the weekend of the Sandy Spring Festival needs to be reserved, because they use that parking lot. The contract needs to include the dates for the festival and that those dates are subject to change.

Councilmember Fries asked if the Market is only on Saturdays.

Councilmember Collins answered yes, the Market is only on Saturdays.

Councilmember Tibby DeJulio asked if it will be every Saturday.

Councilmember Collins answered yes, the Market is every Saturday. He then stated that Mr. Bauman and Mr. Langfelder were available to comment on the health issues.

Councilmember Fries added an amendment to the motion that the contract includes the requirement that there is a separate power meter.

Councilmember Collins asked the operators if this request was feasible.

Andy Bauman stated just a couple of vendors may want electricity for refrigeration. There are other markets without refrigeration and the vendors bring freezers that hook up to their trucks. It would be a nominal amount of electricity. If it's flowing through the City he would rather find a way to estimate the cost and just reimburse the City, rather than paying for the installation of a meter for a couple of hours on a Saturday for 35 weeks of the year. Conceptually, reimbursing for the cost of electricity is perfectly agreeable. There should be good ways to estimate what it is. There are light poles on the lot and he thinks that is what is being referred to in accessing electricity through the light poles. He is not sure if they are City or Georgia Power light poles.

Councilmember Meizen McEnery stated having separate meters is a much cleaner thing and the City doesn't have minimum amounts of electricity to pay for.

Councilmember Jenkins asked what the cost would be.

Mr. Bauman stated he has no idea what a meter would cost.

City Attorney Willard stated the attorneys will work with the operators and find a comfortable solution. A line can be run and a sub-meter, which shows how much power flows through there, can be used. It will not be a cost incurred by the City for electricity.

Mr. Bauman stated they are working very closely with the Georgia Department of Agriculture. They attended the Georgia Organics tradeshow in Athens two weeks ago and received a lot of guidance from them, the Georgia Organics Association, and other farmers markets. Part of their policy is that they are doing site visits. No farm will sell without a personal site visit from them. There is an application process. They have certifications they need to provide. The applicants have met with other very successful markets for guidance on this.

Councilmember Fries asked if there is a certification vendors could have.

Mr. Bauman stated raw fruit, raw vegetables, and uncooked foods are actually very lightly regulated. A lot of providers go through a certified naturally grown or certified organic, but less and less certified organic due to cost. Between the certification, the application, and the review process, it is discretionary. They have installed practices and they are going to do site visits. They have already hired somebody who worked for two years at another farmers market to help them part-time to get through that vendor review process.

Councilmember Fries asked if it would be unreasonable to defer this item for two weeks to give the attorneys time to come up with a new contract.

City Attorney McLendon stated it would be ok with him to draft a new contract, but he questioned if there would be issues with the start up.

Mr. Bauman stated that they would like the Council to give a policy direction, so that they can continue to incur costs. Based on the feedback from the community and the Council, they have no qualms, but their preference is for approval today. He doesn't think any large issues have been identified. There is some tweaking that is being done with the agreement. They hope that Council can give guidance based on

policy. He requests that City Council approve the agreement with a little bit of flexibility based on the City Attorney's guidance.

Councilmember Fries stated she would like to see what changes are made in the contract before she agrees to it.

Mayor Galambos stated that Council often instructs legal counsel as to what changes they would like to see in the contract and leave the actual wording up to them. One concern was not being open-ended about the electricity cost and there is a way of addressing that in the contract. The other issue was that whatever certifications are available, to make sure they have all been issued and that the products are sold healthy.

Councilmember Collins asked if the contract is terminable at will.

Mr. Bauman answered yes, thirty days.

Councilmember Collins stated if the City got into a contract and later found that there was something awful about the contract, they would have the right to terminate it. But, more likely, the City would call them back in and agree to an amendment. He supports the contract. Mr. Bauman and Mr. Langfelder have been doing a ton of work and spending a lot of money just on faith. He thinks it's time to give them something definitive in writing.

Mayor Galambos stated there is a motion on the floor, with one friendly amendment about recycling and another about the Festival dates.

Councilmember Paulson asked who in the City is responsible for overseeing the Farmers Market, if this contract is approved.

City Manager John McDonough stated it would fall under his office and Grant Administrator, Eden Freeman, is the point person on the project.

Motion and Vote: Councilmember Collins moved for approval of an Operating Agreement with Sandy Springs Farmers Market, LLC to include a recycling program, provisions for the dates during the Sandy Springs Festival, provisions for separate electricity usage with the details to be worked out by the City Attorney, and that all certifications have to be met. Councilmember DeJulio seconded the motion. The motion carried unanimously.

K) REPORTS AND PRESENTATIONS

a) Presentation of the Annual Financial Report – Mauldin & Jenkins

Assistant City Manager-Finance and Administration Amy Davis stated the Mayor and Council had a copy of the City's Comprehensive Annual Financial Report for the year ending June 30, 2009, and a schedule of federal grants, the single audit. The annual report covers the operations of the City and the Hospitality Board and it did come back with a clean opinion. She introduced the auditors from Maudlin and Jenkins, lead auditor Adam Frailey and James Bence.

Lead Auditor Adam Frailey reiterated that Mayor and Council had copies of the Annual Audit Agenda, the City's Comprehensive Annual Financial Report (CAFR), and the single audit report. The City had to have a single audit this year, as they did last year. It is an audit of federal award programs. Anytime there are expenditures of federal awards over \$500,000 in one given year, there has to be an audit in accordance with the Single Audit Act. The results of those are in the information provided. He stated he

was going to focus most of his attention on the Annual Audit Agenda, because it summarizes the audit and the results of it.

Councilmember Dianne Fries stated it would have been nice to have the documentation before the meeting to have time to review them.

Mayor Eva Galambos stated getting an explanation of the documentation will enable Council to review them more intelligently.

Assistant City Manager Davis stated the information was just received today at 2:30 p.m.

Lead Auditor Frailey stated page 1 talks about why the auditors are here, the purpose of the audit agenda, and the last item is to answer questions. He is with Mauldin & Jenkins and is the partner in charge of the engagement and James Bence is the manager in charge of the engagement. Page 2 talks about the different responsibilities an audit involves. The City of Sandy Springs' responsibility is for the financial statements. Their responsibility as auditors is to express an opinion on those financial statements. They have to follow certain auditing standards and make sure the statements are in accordance with certain accounting standards for local governments. In accordance to those standards they did issue an unqualified opinion, which is a clean opinion, meaning that the financial statements are fairly presented in all material respects, in accordance with the applicable accounting standards required for local governments. The headers on page 3 are Statement of Assets and Statement of Activities. These are the City's government-wide financial statements that pull all of the assets, liabilities, revenues, expenses, and everything from the City all into one balance sheet and one income statement. Some of the highlights noted are the governmental activities net assets, which is the equity assets of the City, roughly increased from about \$162 million to \$183 million. The next paragraph talks a little bit about what these numbers mean. Obviously, these are large numbers. One thing to keep in mind is that a lot of the City's assets are roads, infrastructure, and bridges. The accounting standards require them to break things into what is invested in capital assets of that equity position. The equity position that is invested in capital assets is about \$134 million. What that means is roughly \$48 million, the remaining amount, is unrestricted and considered available for operations.

Councilmember Fries asked if this is cash.

Lead Auditor Frailey answered not necessarily. It could be cash, receivables, inventory, and other assets other than the capital assets such as the infrastructure, the office furniture, cars, and the more liquid things. It is the other stuff less the current account payables the City may have had at June 30th.

The remainder of that page is a Cliff Notes version of the footnotes. In the CAFR there are several statements, which show a lot of data for the City, and then there are footnotes to help with understanding that data. The Cliff Notes version of the footnotes is available so that when reading through the CAFR Council can look back and know what each of the footnotes is saying and what to get out of it. The bottom of Page 5 includes information about compliance reports. The City had to endure a Single Audit. All local governments are required to have an audit in accordance with government auditing standards, called the Yellow Book Audit which was also part of the Single Audit. They issued clean opinions on that as well. Page 6 discusses some of the required communications. Under their auditing standards, they are always required to communicate in writing certain required communications to an audit committee or equivalent. It goes through different responsibilities, accounting policies, managements, judgments, and accounting estimates. These financial statements are full, but can be estimates in some cases and the estimates are audited. They looked at the supporting documentation to find out what brought those about, and felt they were reasonable in the circumstances that they were being used. Page 7 goes through some more required communications. Under Significant Difficulties, they did not encounter any difficulties with management as far as not being helpful. The City's management was more than helpful and

cooperative to help through the audit process. They did have some audit adjustments, which were discussed with management, made to the City's accounting reports, and are reflected in the financial report. They had no disagreements. On page 8 they didn't have any significant issues that they had to discuss with management in order to issue their reports or serve as City auditors. Lastly, they are the independent auditors that come in and do the audit independently rather than being a part of management or having any ties. Starting about halfway on page 8, it talks about accounting recommendations and other related matters. They did have some things that are required in the standards that they cited as findings, which go for a few pages. They also have things called Management Points, which are things they notice as they are going through the audit and suggest to management as recommendations to help a process here or make something smoother there, which starts on Page 11. All of those items, whether they are findings or the Management Points, have all been discussed with the City's finance department. His understanding is the department is working now to correct these items and come up with effective ways of dealing with some of the Management Points. Those items go through the bottom of Page 13, which is where there is a section to keep everyone abreast of things coming down the pipeline, whether it is accounting standards, auditing standards, or the American Recovery and Reinvestment Act, which is stimulus package money that a lot of cities are receiving. Item 2 is the new GASB accounting standards. GASB is the standard-setting authority for local governments. These are some of the new statements that are coming out, 49 and 51, and their implementation dates. They want the City to stay ahead of the curve. Number one is the accounting and how things should be accounted for, but also to be aware as they are making decisions what kind of ramifications that makes on the actual financial reporting. That goes to page 16 with Item 3.

Mauldin and Jenkins has started offering free CPE classes for clients to take advantage of during the budget cuts and budget restraints, during the tough economic times. Each of their clients is on a mailing list for those quarterly classes and they encourage people to take advantage of them. He asked Mayor and Council if there were any questions.

Councilmember John Paulson asked for some background on the \$34 million adjustment on page 9. Does it have something to do with storm water?

Lead Auditor Frailey answered yes; it has to do with infrastructure. When dealing with infrastructure it is always a large number. When the City was incorporated, it was required to put its entire infrastructure, whether it is roads, bridges, or storm water, as assets. This gets into the weirdness of governmental reporting, but it's only government-wide and those assets get put on the reporting. There was an oversight which required almost \$34 million to be put on those storm water infrastructure assets that did not get put on at that time.

Councilmember Karen Meinzen McEnerny asked if this has to do with the fact that the City is in the middle of a big inventory and didn't know there were a certain number of kept basins.

Lead Auditor Frailey stated the financial statements are filled with estimates, as far as valuing all that information when the City was first incorporated from Fulton County. He believes it wasn't known and then the inventory was still going on during the audit process and was only 45% complete. At that time they were notified and they determined it needed to be reported.

Councilmember Paulson asked if there were implications anywhere else. Does the City pay more or have different ratios to hit because of this? This is a significantly big number.

Lead Auditor Frailey stated this is so people have the best picture of what the City's financials look like and to make them as accurate as possible. Storm water assets are a big item and need to be on the report. People look at the financial statements and try to see the health of the City's financials.

Councilmember Tibby DeJulio asked if Council is correct in assuming that this really wouldn't have any major significance unless the City went to the credit markets.

Lead Auditor Frailey stated he is not in that field of work, but would say different creditors look at financials in different ways. Any local government has to report on two different methods of accounting, modified accrual and full accrual. This only shows up in the government-wide statements in the full accrual perspective. Some creditors like to look at the modified accrual, the general fund, and how it looks and other special revenue funds and those types of things. He is not sure he can answer, but it certainly adds to the equity position of the City as a whole, under the full accrual method.

Councilmember Paulson asked if the City was incorporating monthly procedures to reconcile subsidiary ledgers as suggested on page 9.

Lead Auditor Frailey stated it is his understanding that the City is doing that now. The City has hired an outside consultant firm to help get that in line and staff is going to set up a set of procedures to make sure it's done timely on a monthly basis.

Mayor Galambos suggested that Assistant City Manager Davis supply Council with the current status of where things stand with the various recommendations where the City wasn't totally up to snuff, so that Council has some reassurance that these items are being taken care of and if they are not being taken care of, when they will be taken care of. She thinks Council needs to go back and read this material very carefully, so there will be understanding on what is brought back to Council as updates.

Councilmember Fries asked for clarification on page 12, number 6, concerning the recommendation or suggestion that Excel creates inherent risk for errors.

Lead Auditor Frailey stated yes, Excel carries a greater risk anytime you deal with capital assets and a large volume of capital assets; as discussed with the error that needed to be corrected in the amount of almost \$34 million. The accounting standard requires a subsidiary listing be kept of all the assets the City owns; but also depreciate those assets using a calculation required under the standard.

Councilmember Fries asked if he could recommend better software.

Lead Auditor Frailey stated the City currently uses HTE accounting software and there is a module that the City has where these assets can be populated into that software and do the things that it needs to do to keep track of and depreciate the capital assets. If that is not a desirable option, the City needs to find software to house and account for those assets.

Assistant City Manager Davis stated staff has contacted HTE and they are going to try to download the Excel asset worksheets directly into the system. The problem is staff has not been trained on the assets module, but is currently being trained. Staff is going to populate the system within the next few months.

Mayor Galambos stated she thinks it would be helpful if the Finance Department would address the deficiencies and provide Council in writing how they are being addressed. Then Council can read them and have a better understanding.

Assistant City Manager Davis stated part of the requirement of the State is to publish a Corrective Action Plan. She stated she would make sure Council receives a copy of that as well.

b) Mayor and Council Reports

Mayor Eva Galambos announced that Oz Hill resigned from the Board of Appeals after five years of good service. She nominated Jim Squire to take his place.

Motion and Vote: Councilmember Fries moved to approve the nomination of Jim Squire to the Board of Appeals. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Resolution No. 2010-03-15

Councilmember Dianne Fries announced that March 3rd statewide, is the kickoff spring walking and bicycling season, by participating in Georgia Walk-to-School Day. This is sponsored by GDOT and its Safe Route to School Resource Center. The International Walk-to-School Day is in the fall.

Mayor Eva Galambos stated it would be nice to make a big to-do about it in the fall to enforce the reason the City is putting in sidewalks near the schools, because the City wants kids to walk to school.

Councilmember Karen Meinzen McEnery stated the school board is looking at places where they can cut so they can meet their budget gap and one of them is driving kids to school that live within 1.5 miles of the school. Lake Forest Elementary is one of the schools where they are currently driving the children. Hopefully by next fall the sidewalk at Lake Forest will be open.

L) PUBLIC COMMENT

Pam Jones, 6205 Mountain Brook Lane, stated she is with the Community Action Center. She thanked Mayor and Council for their support of the Community Action Center over the years. She wants to bring to the attention of Council and the CDBG Block Grant Manager the omission of the sidewalk extension from Roswell Road up to the Community Action Center. She stated that the sidewalk extension was in the original plan when it was a Fulton County allocated fund. It is her understanding that the sidewalk extension is not currently in the CDBG Grant. She is making an appeal to get it added back in for safety reasons. There are 100 senior citizens in the Hellenic Towers that walk to the Community Action Center along with many families with children walking from the buses. It is a very dangerous spot. Given that these funds are allocated for low to middle income families, they want the sidewalk extension added back in the grant.

Mayor Eva Galambos thanked Mrs. Jones and stated it was on the Work Session agenda.

Community Development Block Grant Manager Vann McNeill stated the draft for the 2010 allocations are on the Work Session Agenda, but it does not take in the Hightower Trail area. That area was not surveyed.

Mayor Galambos stated it will be discussed during the Work Session Meeting.

(Agenda Item No. 10-051)

M) EXECUTIVE SESSION - Litigation

Motion and Vote: Councilmember Fries moved to enter into Executive Session to discuss litigation to include the City Manager, City Attorney, City Clerk, and Director of Community Development, Nancy Leathers. Councilmember Jenkins seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 7:00 p.m.

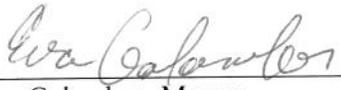
Motion and Vote: Councilmember Jenkins moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session adjourned at 7:20 p.m.

(Agenda Item No. 10-052)

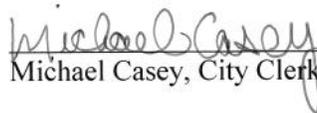
N) ADJOURNMENT

Motion and Vote: Councilmember Fries moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 7:21 p.m.

Date Approved: August 3, 2010



Eva Galambos, Mayor



Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

March 2, 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 2nd day of March, 2010, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

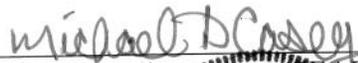
Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any 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, Mayor

Sworn to and subscribed before me,
this 2ND day of MARCH, 2010.



Notary public

