

Regular Meeting and Work Session held Tuesday, December 11, 2007, 6:00 p.m., Mayor Eva Galambos presiding.

Call to Order

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

Roll Call and General Announcements

Mayor Galambos requested that the City Clerk Call the roll.

City Clerk Rowland reminded everyone to silence their cell phone and pagers at this time. Additionally, those wishing to provide public comments, either during a public hearing or at the conclusion of the meeting, are required to complete a public comment card. They are located at the back counter.

Councilmembers Present: Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnery.

Approval of Meeting Agenda

Mayor Galambos asked if there were any changes to the agenda.

Motion and Vote: Councilmember Fries moved to approve the agenda as submitted. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion passed unanimously.

Executive Session - pending litigation & land acquisition

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss pending litigation and land acquisition. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Paul, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session began at 6:05 p.m.

Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Paul seconded the motion. There was no Council discussion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Paul, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 6:30 p.m.

Adjournment

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously. The meeting adjourned at 6:32 p.m.

Work Session Agenda

Staff Discussion Items

Discussion of Impact Fee Ordinance and Program.

Deputy Director of Community Development McNeill gave the following presentation for the Impact Fee Ordinance and Program.

1990 GA Development Impact Fee Act (DIFA)

- O.C.G.A. 36-71-1

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- Establishes minimum standards for adoption of Impact Fee Ordinance
- Purpose:
 - Ensure equitable program for planning and financing public facilities
 - Attribute to new growth and development
 - New growth and development pays no more than proportionate share of cost

DIFA Requirements

- Comprehensive Plan Capital Improvement Element (CIE)
 - State-approved CIE in place prior to adoption of Development Impact Fee Ordinance
 - Sept. 18: CIE in compliance (DCA)
 - Oct. 23: Comp Plan Community Agenda in compliance (ARC)
 - Nov. 13: work session to review ARC & DCA comments
 - Nov. 20: M&CC adopted final Comp Plan Community Agenda
 - Nov. 26: State notified Final Comp Plan adopted & CIE in place

Additional Requirements

- DCA Local Planning Requirements 110-12-2-.04
 - Public hearing
 - Input on CIE projects and intent to development an Ordinance
- O.C.G.A. 36-71-1 DIFA
 - Appointment of 8-member Impact Fee Advisory Committee (IFAC)
- January 16
 - Regular meeting – public hearing #1 on CIE and Impact Fee Ordinance
 - Appointed IFAC
- June 19
 - Regular meeting - public hearing #2 on CIE
- December 18
 - Regular meeting - public hearing #2 on Development Impact Fee Ordinance

Impact Fee Advisory Committee (IFAC)

- Six meetings: January, February, March, July, August & December
- Committee recommendations:
 - Impact fee consistent with surrounding jurisdictions
 - Roswell
 - Alpharetta
 - City of Atlanta
 - Cherokee County
 - Capital program analysis
 - Potential maximum single-family per unit fee - \$11,000
 - Recommend fee between \$2,000-\$2,300
 - Fee includes transportation, public safety, recreation and parks

Impact Fee Advisory Committee (IFAC)

- Example
 - SF home ~ \$500,000
 - \$2,000 impact fee = .4% of home cost
- Recommended fee distribution
 - 80% transportation
 - 10% public safety
 - 10% recreation and parks
- New development – greatest impact on transportation
- Collect maximum administrative fee – 3%

- DIFA 36-71-2-(18)

Who pays the fee?

- New construction
 - Does not include replacement of existing housing
 - Office or commercial square footage
- Potential projects in focus areas for future development
 - GA 400 corridor
 - Roswell Rd. corridor
 - Fee established by net of new projects and old use
- Not a new fee
 - City impact fee only replacing earlier Fulton County fee

Fee Analysis & Ordinance Preparation

- Fee analysis preparation
 - Rod Wilburn, Principal, Jacobs, Carter, Burgess
 - Dave Green, Sr. Technologist, CH2M HILL
 - Available to review calculation methodologies
- Ordinance preparation
 - City Attorney staff
 - Ordinance content – O.C.G.A Code Section 36-71-1
 - References – Roswell, city of Atlanta, Dekalb County
 - Dekalb County most comprehensive

Rod Wilburn, Principal, Jacobs, Carter, Burgess gave the following presentation:

Sandy Springs Transportation Impact Fee - Fee Calculation Methodology

Transportation Impact Fees

- Documented in Comprehensive Plan Community Agenda, Chapter 7: Capital Improvements for Impact Fees
- Projects to address congestion in five-year Capital Improvement Element
- Total Cost - \$ 141,582,122
- Impact Fee Eligible Cost - \$ 56,799,307

Transportation Impact Fees – Eligible Costs

- Impact fees address needs due to new development
- Projects include:
 - Roadway widening
 - New roads
 - Intersection Improvements
 - Sidewalks
- Improvements needed to mitigate current deficiencies are not eligible for impact fee funding
- \$ 56,799,307 (40%) of 5-year CIP is eligible

Calculation of Fee Per Daily Trip

- Cost of impact fee eligible improvements \$ 56,799,307
- Increase in trip ends due to new development – 156,900
- Fee Per Daily Trip = Improvement Cost / Increase in Daily Trip Ends
- Fee Per Daily Trip = \$ 56,799,307 / 156,900
- Fee Per Daily Trip = \$ 362

Mr. Wilburn reviewed some examples on how to get the Transportation Impact Fee Calculations.

Example 1 – Large Corporate Office Building Development

Example: A national company is locating its corporate headquarters here in Sandy Springs. The developer is building a speculative office building and the company is going to occupy 14 floors of this office building. The square footage of the building is 369,416. Square footage of each floor is approximately 24,075 sq. ft.

Calculation: In this case the office building would fall into the *General Office Building* category (710) in the proposed fee schedule. This would require an impact fee of \$1,843.08 per 1000 square foot. The fee would be: 369,416 square feet x \$1,843.08 per 1,000 square feet = \$680,863

Note: Example assumes the property is currently vacant – no active uses are being replaced.

Example 2 – Residential Development

Example: A townhome development is planned along Abernathy Road. Part of Phase II is 7 attached townhomes, each permitted separately, but part of a single building. Units are approximately 3,400 sq. ft.

Calculation: In this case the townhomes would fall into the *Condominium/Townhouse* category (230) in the proposed fee schedule. This would require an impact fee of \$980.07 per unit. The fee would be: 7 units x \$980.07 per unit = \$6,860.49

Note: Example assumes property is currently vacant – no active uses are being replaced.

Example 3 – Commercial Retail Development (with Reduction for Current Active Use)

Example: A mixed-use commercial retail development is planned. It consists of the following uses:

- Home Depot – 102,519 square feet
- New Shops – 38,200 square feet
- Existing Retail – 73,361 square feet
- Publix – 28,800 square feet
- Target – 137,875 square feet
- Bank – 4,128 square feet
- Starbucks – 3,444 square feet
- Circuit City – 20,331 square feet
- Total – 428,958 square feet (355,597 square feet of new development)

The proposed development replaces 400 apartments currently in active use on the site.

Calculation: In this case, each development type would be calculated separately based on its land use category and fee indicated in proposed fee schedule:

- Home Depot – (Home Improvement Superstore - 862) - 102.519 1000sf x \$2,591.68 = \$265,696
- New Shops – (Shopping Center – 820) – 38.2 1000sf x \$4,739.88 = \$181,063
- Existing Retail – 73,361 square feet – NO FEE
- Publix – (Shopping Center – 820) – 28.8 1000sf x \$4,739.88 = \$136,509
- Target – (Shopping Center – 820) – 137.875 1000sf x \$4,739.88 = \$653,511
- Staples – (Shopping Center – 820) – 20.4 1000sf x \$4,739.88 = \$96,694
- Bank – (Walk-in Bank – 911) 4.128 – 1000sf x \$13,840.65 = \$57,258
- Starbucks – (Shopping Center – 820) – 3.444 1000sf x \$4,739.88 = \$15,850
- Circuit City – (Electronics Superstore – 863) 20.331 100sf x \$4,519.72 = \$91,890
- Fee for Added Use - \$1,498,471

The following is the fee reduction for the existing active use:

- Apartments 400 units x \$1,123.91 per unit = \$449,564

The fee for the net of new development is as follows:

Total fee = Fee for added use minus fee for existing active use

\$1,498,564 - \$449,564 = \$1,048,097

Fee Schedule Linked to Trips Generated

- The number of daily trips for each land use type based on information from Trip Generation, 7th Edition, by the Institute of Transportation Engineers (ITE).
- Cost per daily trip is applied to new development
 - Based on estimated new trip generation by land use type
 - Fee is for net increase, existing active uses are subtracted
- Transportation impact fees are based on the fee schedule by land use type

System Improvements Covered in Impact Fees

- Transportation Impact fees cover system improvement needs.
- Developers would still be responsible for project related impacts, such as the need for:
 - Turn lanes
 - Traffic signals
 - Sidewalk connections

Sandy Springs - Public Service and Recreation and Parks Impact Fee - Fee Calculation Methodology

Public Safety and Parks and Recreation Overview / Approach

- Study Period (2007 to 2012)
- Services
 - Public Safety
 - Fire
 - Police
 - Parks and Recreation
 - Park Land
 - Developed Parks

Impact Fees Calculation Methodology

- **Level of Service**
 - Measured as a metric
 - Area per functional population measure
 - Functional Population # per unit (in the case of heavy vehicles)
 - Existing Level of Service (ELOS)
 - Where you are
 - What you are currently providing
 - Level of Service Standard (LOSS)
 - What is recommended
 - What is required
- When LOSS > ELOS - if the level of service standard is set higher than the existing level of service, a “deficiency” is created which needs to be remedied and which must be funded with revenues other than development impact fees.

Basis for Level of Service

Public Service	Components	Existing Levels of	Level of
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<u>Service</u>	<u>Service (ELOS)</u>	<u>Standard</u>
(LOSS)		
Fire 25,145 FP	Fire Station & Office Heavy Fire Vehicles 0.16 sq. ft. / FP 1 vehicle / 2,573 FP	0.22 sq. ft. / FP 1 vehicle /
Police Parks & acres/1,000 Recreation acres/1,000	Police Station Space Developed Acres Undeveloped Acres*	0.09 sq. ft. / FP 0.77 11.79 population 10.5 population

Note: Parks (total acreage) includes National Park land.

Improvement Needed to Meet LOSS

Public Service	2007-08	2008-09	2009-10	2010-11	2011-12	Total (07-12)	Impact Fee Eligible
Fire	---	---	---	\$53,136	\$960,474	\$1,013,610	\$818,746
Police	---	---	---	\$65,700	\$437,700	\$503,400	\$216,462
Parks (total acreage)	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$6,000,000	\$6,000,000
(developed acreage)	---	\$500,000	\$500,000	\$200,000		\$1,200,000	\$1,200,000
Total	\$1,200,000	\$1,700,000	\$1,700,000	\$1,518,836	\$2,598,174	\$8,717,010	\$8,235,208

Calculated Impact Fee Rates Per ERU

(ERU = Dwelling Unit or 2,200 sq ft)

Public Safety	
• Fire Services	
- Buildings	= \$334,689 / 1,381 = \$242.35
- Heavy Vehicles	= \$89,761 / 1,381 = \$65.02
• Police Services	= \$215,717 / 1,381 = \$156.25
• Total Public Safety	\$463.62
Parks & Recreation	
• Developed Parks	= \$1,380,000 / 922 = \$1,497.30
• Right of Way*	= \$6,000,000 / 922 = \$6,507.59
• Total Parks and Recreation	\$8,004.89

*Includes National Parkland

Office Building Impact Fee Calculation

Office Building	369,416	SF
Equivalent Residential Units (ERUs)	167.92	ERUs
Public Service	Impact Fee (\$/ERU)	Impact Fee
1. Fire (Office and Fire Station)	\$242	\$40,707
2. Fire (Vehicle)	\$65	\$10,971

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3. Police	\$156	\$26,237
Total	---	\$77,915

Townhome Impact Fee Calculation

Townhome	7 units	---
Equivalent Residential Units (ERUs)	7	ERUs

Public Service	Impact Fee (\$/ERU)	Impact Fee
1. Fire (Office and Fire Station)	\$242	\$1,697
2. Fire (Vehicle)	\$65	\$455
3. Police	\$156	\$1,094
4. Rec. & Parks (developed acres)	\$1,497	\$10,481
5. Rec. & Parks (R.O.W.)	\$6,510	\$45,570
Total for 7 units	---	\$59,297
Total per unit	---	\$8,471

Single-family Detached Impact Fee Calculation

Public Service	Impact Fee (\$/ERU)	Impact Fee
1. Fire (Office and Fire Station)	\$242	\$242
2. Fire (Vehicle)	\$65	\$65
3. Police	\$156	\$156
4. Rec. & Parks (developed acres)	\$1,497	\$1,497
5. Recreation & Parks (R.O.W.)	\$6,510	\$6,510
Total per unit	---	\$8,470

Councilmember Meinzen McEnery stated that in the CIP, maintenance and other items that were not eligible were taken out. She questioned what method was used to get the amount down from \$141,000 to \$56,000.

Mr. Wilburn stated that there are some system improvement projects in the CIP where funds could come from other sources such as Federal or State Agencies to help support them. For example, if a project is part of the Regional Transportation Improvements Program, then the developer would not be charged a fee in which the City is already getting funds. Most of the items had to do with the issue of not including in the fee, correcting deficiency that exists now. Should the City not receive any Federal or State funds then the City may want to increase the impact fee amount.

Councilmember Fries expressed concerns about Sandy Springs impact fee rates being higher than the nearby jurisdictions.

Director of Community Development Leathers stated that this will be a decision City Council will have to make. Mr. Wilburn explained that a lot of it has to do with the way the City of Alpharetta and City of Atlanta allocated their impact fees, to different kinds of uses.

Councilmember Meinzen McEnery requested that staff provide Council with a comparison with what Dekalb County does.

Director of Community Development Leathers stated that Dekalb County has not adopted their fees yet and therefore staff cannot provide this information. She explained that staff used Dekalb County's ordinances and looked at the credits they are dealing with due to the PCID area.

Councilmember Fries requested that information regarding the breakdown of transportation, public safety, parks be provided from the other cities. She expressed concerns regarding the proposed fees.

Councilmember Jenkins expressed concerns regarding what Dekalb County and the City of Atlanta are going to do in the CID areas. She does want to lose development to those jurisdictions. Community Development Director Leathers stated that there are a variety of ways to approach credits for these areas.

Councilmember Paul questioned if the overlay district and the impact fees would provide disincentives for redevelopment. He questioned how the streetscape credits would assist with this. Community Development Director Leathers explained how staff would apply the credits.

Mayor Galambos stated that the greatest transportation needs are going to be in the perimeter area. She expressed concerns regarding charging the Roswell Road development the same amount as the perimeter area. She questioned if this had to be adopted in 2007. Ms. Leathers stated that it did not. Mayor Galambos stated that she feels the Council should be thinking about separate service areas. She stated that the PCID is more concerned about keeping money generated in the PCID inside the PCID.

Councilmember DeJulio questioned how these numbers compared to the Fulton County numbers. Staff will provide that information.

Mr. Wilburn stated that the calculation is based on the number of trips. Mayor Galambos stated that Council is much more concerned about reducing the fees along Roswell Road.

Councilmember Meinzen McEnery questioned if there is a way to impose some fees and then true it up when decided. City Attorney Willard stated that could not be done.

Mayor Galambos expressed concerns regarding the calculations for parks and recreation.

Councilmember Paul questioned if the ordinance could be approved with the trip data applied to generate a new fee schedule. Community Development Director Leathers stated that could not be done because the City's Capital Improvement Element has been done which is the basis for the ordinance.

Councilmember Fries questioned if the square footage of a redeveloped house matters. Mr. Wilburn explained that the square footage is not an issue. He explained that it is based on the land use type. Ms. Leathers explained that there is no basis for distinguishing between a large house and small house in terms of trip generation.

Mayor Galambos asked if the members of the Committee had anything to add.

Mr. Dave Nichols thanked the Mayor and Council for the opportunity to serve on this committee. He stated that the initial span was much less than \$2000 to \$2300 total for single family. He explained this was developed through compromise. He stated that with the exception of retail, this is fairly close to the other new cities. He stated that he feels the Council should talk with the constituents about the commercial. He stated that if the committee can provide further service, they would like to do that. He commended the staff and the consultants for their dedication. He stated that he was very impressed.

Mr. Bill Gannon stated that he pushed one service area for the entire city because he felt it would be an accounting nightmare to have more than one service area. He understands the logic relating to the perimeter area. He stated that it is his opinion that any commercial development is putting a burden on the City. He stated that the Council has some negotiating room if a large developer comes in.

Discussion of RZ07-036, an Ordinance to Amend Article 34, Development Regulations, of the City of Sandy Springs Zoning Ordinance.

Director of Community Development Leathers stated that this is an Ordinance to amend Article 34, Development Regulations of the Sandy Springs Zoning Ordinance. This amendment would delete the section that requires a traffic impact study at time of land disturbance permit which would be too late in the process to be helpful. This type of study needs to be done at the time of rezoning. Community Development and the Public Works Departments have been working together to clear up some of the issues that are in the City's Zoning Ordinance.

Transportation Planner Moore stated that the Ordinance calls for a Traffic Impact Mitigation Plan at time of land disturbance. There is also a Traffic Impact Study that is done at the time of zoning. Staff is proposing to remove the Traffic Impact Mitigation Plan. The Traffic Mitigation Plan is a poorly defined plan designed by Fulton County to find a way to get developers to minimize the impact of vehicular trips. Staff can advise Council on the important information for land use decisions that comes from the Traffic Impact Studies at the time of zoning and the City's Development Regulations at the time of building design and permit revision are in place.

Councilmember Meinzen McEnery stated that what she likes to see in a study is how many trips are generated by the proposed use and, setting an appropriate area of impact. Mr. Moore explained that is already required in the Impact Study at time of zoning. Ms. Leathers stated a zoning application would not be accepted unless that information is provided by the applicant.

Councilmember Meinzen McEnery questioned what the minimum project size is. Mr. Moore explained that would depend on the use, the original zoning requires a Traffic Impact Study at 500 single family, 700 multi-family residential units, 300,000 square feet of office and 175,000 square feet for commercial or above. Staff is in the process of making changes and would only need the City Managers approval.

Councilmember Meinzen McEnery stated that the thresholds in a completely built out community are too high. She would like to see those lower. Ms. Leathers stated that staff is in the process of evaluating this now and should have it ready by the end of January or February.

Discussion of an Ordinance to amend Chapter 12, Article 6, Noise Control Ordinance of the City of Sandy Springs Code of Ordinances.

Director of Community Development Leathers stated that this is an amendment to Chapter 12, Article 6: Noise Control Ordinance. The current Noise Ordinance for indoor and outdoor related construction and repair noise is prohibited on legal holidays. The Holidays are not defined in the Ordinance. Staff would like to revise the Ordinance to include a defined list of legal holidays that the construction noise would be prohibited. Staff has been using the City's Holidays as a guide and there have been issues raised with some of them because they are not commonly observed by everyone.

Councilmember Jenkins questioned if homeowners would still be exempt from this. Ms. Leathers stated that this requirement would only be for the builders and landscapers.

Councilmember Fries questioned if there would be a conflict with the trash companies since they observe the holidays at their own discretion. Ms. Leathers stated these are two separate ordinances and they are handled differently. The ordinance before Council tonight is for builders and landscaping firms only.

Councilmember Fries question if the City should be consistent in the ordinances and put the same holidays in for the garbage collection companies. Ms. Leathers stated that would be Council's decision. Mayor Galambos suggested that the garbage collection firm's holiday schedule remain as it is now.

Councilmember Meinzen McEnery stated that the City observes twelve (12) holidays. The Noise Ordinance is designed to protect the adjacent neighbors. She does not see any reason to exempt half of the holidays because it

is not typical in the construction business. She would like to have all of the holidays that the City observes to be put back in the ordinance. Council did not reach a consensus on this matter.

Councilmember DeJulio stated that behind his house is a four story parking garage and at night they are making noise as they vacuum the area. Councilmember DeJulio requested staff to look at this section of the Ordinance and see what could be done. Ms. Leathers explained that the Noise Ordinance would need to be modified and that she would look at it and bring it back before City Council.

Discussion of RC07-05SS-537/540 Cutwater Trail

Assistant Director of Community Development Dettwiler stated that agenda item RC07-05SS-537/540 is a river corridor review for 537 Cutwater Trail. The owner of the property, Michael Rosenblat, proposed the construction of one (1) single family residential home on lot 42, block "A", unit 3 of the Breakwater subdivision. The site is 0.60 acres, located in vulnerability categories "D" and "E", with a proposed area of disturbance at 12,184 square feet and a proposed area of impervious surface at 6,826 square feet.

The subject application was submitted to the Atlanta Regional Commission on November 5, 2007, and was found to be consistent by the ARC on November 23, 2007.

As per the adoption of the Metropolitan River Protection Act, the City is required to hold public hearing for all new river corridor reviews.

Discussion of Intergovernmental Agreement between the City of Sandy Springs and the Sandy Springs Development Authority.

City Attorney Willard stated that this item is for the proposed Intergovernmental Agreement between the City of Sandy Springs and the Sandy Springs Development Authority. This is in conjunction with the program for the issuance of revenue bonds by the Development Authority for the benefit of the community improvement districts (CID). The City will be the sponsoring agent in conjunction with the Department of Transportation. This is to assist in financing the construction of a new bridge over GA 400 on Hammond Drive known as, the Hammond Half Diamond Project.

Discussion of Morgan Falls Lease Assignment.

City Attorney Willard stated that a lease agreement for City Hall was entered into in November 2005, between Morgan Falls and CH2MHILL. The Lease anticipated that the City of Sandy Springs would eventually accept an assignment of the Lease and that Sandy Springs would assume the obligations of CH2MHILL under the lease. CH2MHILL has now requested that Sandy Springs accept this assignment and assume the obligations under the Lease so that CH2MHILL is relieved of this liability.

Discussion of Appropriation of the Properties Located at 70 Abernathy Road and 205 Abernathy Road through the Use of Eminent Domain.

Deputy Director of Public Works Drysdale presented the Mayor and City Council with a map on the Abernathy Road Greenspace Land Acquisition Project status. There are 41 properties that staff has been working on this past year and a half in acquiring acquisition. Thirty (30) of these properties have been closed, eleven (11) have not closed yet for purposes of negotiations. Offers have been made on most of them, there are two (2) staff is working on offers, and two staff is proposing to move forward in the condemnation process. Staff has completed the appraisals, fair market value negotiations and has had conversations. The property owners want too much money for their property and in order to keep moving forward, staff is recommending approval to proceed with condemnation efforts on the properties located at 70 Abernathy Road and 205 Abernathy Road. Both of these items will need to have a public hearing at the next City Council meeting.

Discussion of the Acceptance of the Permanent Construction Easement and Right-of-Way at 790 Mount Vernon Highway, Land Lot 165 of the 17th District and for as Part of the Mt. Vernon Parkway Sidewalk and Traffic Calming Project (T-0007) and

Transportation Manager Moore stated that agenda items 3 through 6 relate to the Mount Vernon Parkway Sidewalk Projects. Item 3 and 4 are acceptance of right-of-way and of a slope easement on Holy Innocents at the corner of Mount Vernon Highway and the southwest corner of Mount Vernon Highway and Mount Vernon Parkway. This easement is necessary to complete right-of-way improvements and is necessary for the construction and maintenance of a slope. Discussions with the property owners are complete.

Discussion of the Acceptance of the Driveway and Drainage Easements Located at 5245 Mount Vernon Parkway and 750 Crest Valley Drive, City of Sandy Springs, Fulton County, Georgia, as Part of the Mt. Vernon Parkway Sidewalk and Traffic Calming Project (T-0007).

Transportation Manager Moore stated that agenda items 5 and 6 are both related to the Mount Vernon Parkway Sidewalk and Traffic Calming Project. One is a drainage easement and the other is a driveway easement which was acquired by two property owners.

Councilmember Meinzen McEnery requested the definition of a driveway easement. Mr. Moore stated that driveway easements are typically to allow the City to tie the driveway back into the improved roadway, and to be able to do it at a proper angle.

Discussion of the Authorization for the City Manager to Sign a Construction Agreement with the Georgia Department of Transportation for a Perimeter Center Fiber Optic Interconnect Project.

Deputy Director of Public Works Drysdale stated that this is a construction contract with the Department of Transportation. The Perimeter Community Improvement District (PCID) is funding this project. The project involves constructing fiber optic interconnection at several sites inside the PCID boundary. The current GDOT policy requires local governments to serve as sponsors for projects for PCID's and to enter into construction contracts with the GDOT.

Councilmember Jenkins questioned once this happens and the lights are synergized along Abernathy, could the police officers be removed from the streets because, they are interfering with the timing. Chief of Police Wilson stated that once the timing is done on the signals, the only officers allowed out on the street would be the officers helping with the school and hospital traffic and, officers that are employed by a government agency like PCID. The main reason the officers work the PCID intersection is to keep people from blocking the intersection. Staff is looking at a "parking in the block" ordinance.

Mayor Galambos stated that she has received many complaints about the officers at the intersection of Peachtree Dunwoody and Hammond. Chief Wilson stated that the officers in question are employed by PCID.

Councilmember Paul stated that the Resource Officer at Riverwood High School told him that he could not keep off duty officers, because of fear of being run over by people driving through the school zone talking on their cell phones. He questioned if the City could enact an ordinance that would prohibit the use of cell phones in a school zone. Councilmember Paul stated that he would like Chief Wilson to work with the City Attorney in drafting the two ordinances that were just discussed.

Discussion of Intergovernmental Agreement with the Cities of Roswell, Alpharetta, and Milton for the ATMS Project along Roswell Road (T-0013).

Deputy Director of Public Works Drysdale stated that last month City Council approved an agreement with Georgia Department of Transportation (GDOT) for the ATMS Project which has received federal funds on making this project go from Abernathy Road all the way to the Forsyth County line. Sandy Springs is taking the

lead as the local sponsor. The second part of this would be to enter into an Intergovernmental Agreement with the City of Roswell, Alpharetta and Milton. Each City would pay their share.

Councilmember MacGinnitie questioned if there was an estimate. Mr. Drysdale stated that the study is less than \$200,000 for all cities combined. Once the study is complete and the concept is decided, it would depend on how many devices are put in each city's section of the road. The funding for this project has been allocated out of the Capital Funds budget.

Quarterly Transportation Capital Improvement Plan Update.

Deputy Director of Public Works Drysdale gave an update on the Quarterly Transportation Capital Improvements Plan.

Capital Improvement Program Update Summary – Under or Near Construction - 9

- T-0001 – Johnson Ferry/Abernathy Widening (May)
- T-0002 – Abernathy Greenway
- T-0003 – Roswell Road at Dunwoody Place
- T-0004 – Roswell Road at Northridge
- T-0005 – River Valley Road Sidewalks
- T-0006 – Sandy Springs Circle Ped Imp – Phase 1
- T-0007 – Mt. Vernon Parkway Sidewalk
- T-0008 – Roswell Rd Streetscape(Cliffwood-Hammond)
- T-0029 – Island Ford Trail

Capital Improvement Program Update Summary – Designs - 13

- T-0010 – Johnson Ferry/Sandy Springs Circle Intersection
- T-0011 – Johnson Ferry/Glenridge Corridor Improvements
- T-0012 – Roswell Road Streetscape (Johnson Ferry north to Abernathy)
- T-0013 – Roswell Road ATMS
- T-0016 – Dunwoody Club at Spalding
- T-0021 – Peachtree Dunwoody at Lake Hearn
- T-0023 – I-285 Tunnel – Sandy Springs Circle Extension
- T-0024 – Hammond Widening
- T-0025 – Dunwoody Place Improvements
- T-0026 – Peachtree Dunwoody Improvements
- T-0027 – Jett Road Bridge
- T-0028 – Hammond Interchange
- T-0030 – LCI – Roswell Road Corridor – south of I-285

Capital Improvement Program Update Summary – On Hold - 2

- T-0014/15 – Sandy Springs Circle Phase 2/3 Design
- T-0024 – Hammond Widening Concept

CAPITAL IMPROVEMENT PROGRAM- TRANSPORTATION (CIP-T)INDIVIDUAL PROJECT SHEETS

T-0001 JOHNSON FERRY - ABERNATHY WIDENING

- Scope: Widen Johnson Ferry from Chattahoochee River to Abernathy and Abernathy Road to Roswell Road
- Status:
 - Letting Delayed – March 2008

- **Schedule:**
 - Final Field Plan Review – December 2007
 - R/W certification - December 2007
 - Utility certification - December 2007
 - Construction completion – 2010-2011
- **Recommendation:**
 - Continue to support GDOT
 - Evaluate streetscape and signal equipment upgrades

T-0002 GREENWAY - ABERNATHY ROAD SECTION

- **Scope:** Linear greenway along Abernathy Road
- **Status:**
 - Concept Design - Adopted in September 2007
 - Demolition of existing houses nearly complete
 - Transportation Enhancement funding request to GDOT - June 2007
- **Schedule:**
 - Construction plans – FY 2009
 - Award construction contract – FY 2010
- **Recommendation:**
 - Continue as planned
 - Consider early Phase 1 Project – Security Fencing

T-0003 ROSWELL ROAD AT DUNWOODY PLACE-INTERSECTION IMPROVEMENT

- **Status:**
 - Contractor completing final work items
- **Schedule:**
 - Construction complete pending final inspections
- **Recommendation:**
 - Continue to monitor GDOT

T-0004 ROSWELL RD AT NORTHRIDGE-INTERSECTION IMPROVEMENT

- **Status:**
 - Currently under construction
 - Primary focus Dunwoody Place (basically complete)
- **Schedule:**
 - Construction completion – Spring 2008
- **Recommendation:**
 - Continue to monitor GDOT

T-0005 RIVER VALLEY ROAD SIDEWALKS

- **Status:**
 - Public information meeting held in July 2007
 - Utility certification and soil erosion plan approval underway
 - Preparing for bidding in February 2008
- **Schedule:**
 - Bid and Award Construction Contract February – March 2008
 - Notice to Proceed in April 2008
- **Recommendation:**
 - Continue with February 2008 bid for the sidewalks
 - Plan to resurface the road using the resurfacing program after the sidewalk project is complete

T-0006 SANDY SPRINGS CIR AND HAMMOND DR-PEDESTRIAN ENHANCEMENTS (PHASE I)

- Status:
 - Right-of-way actions underway
 - Preparing for bid in April 2008 and award in May 2008
 - Bidding with T-0008 (Roswell Road)
- Schedule:
 - Bid and Award Construction Contract – Spring 2008
- Recommendation:
 - Continue as planned

T-0007 MT. VERNON PKWY SIDEWALK AND TRAFFIC CALMING

- Status:
 - Notice to proceed issued for construction
 - Awaiting contractor schedule
- Schedule:
 - Construction – December 2007 – Spring 2008
- Recommendation:
 - Execute construction

T-0008 ROSWELL RD STREETScape (CLIFTWOOD TO HAMMOND)

- Status:
 - Right-of-way activities underway
 - Preparing for bid in April 2008 and award in May 2008
 - Bidding with T-0006 (Sandy Springs Circle – Phase 1)
- Schedule:
 - Bid and Award Construction Contract – Spring 2008
- Recommendation:
 - Continue as planned

T-0010 JOHNSON FERRY RD AT SANDY SPRINGS CIRCLE INTERSECTION IMPROVEMENT

- Status:
 - Funding programmed for FY 2009 – moving to FY 2010
 - Concept design underway by JJG as part of Earmark project
- Schedule:
 - Concept designs to be reviewed in 2008
- Recommendation:
 - Continue design consultant activities as part of the Earmark
 - After concept, finalize funding estimates and sources

T-0011 JOHNSON FERRY–GLENRIDGE – EARMARK

- Status:
 - Earmark funds partially available now
 - ARC to finalize TIP recommendation - December 2007
 - Concept design underway by JJG
- Schedule:
 - Concept designs to be reviewed in 2008
- Recommendation:
 - Continue design consultant activities
 - After concept, finalize funding estimates and sources

T-0012 ROSWELL ROAD STREETScape (JOHNSON FERRY TO ABERNATHY)

- Status:
 - TE funding request to GDOT - June 2007
 - Design underway by QK4
- Schedule:
 - Concept design and cost estimate available in 2008
- Recommendation:
 - Continue with design
 - Continue funding sourcing

T-0013 ROSWELL ROAD ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS)

- Status:
 - URS is selected consultant
 - PFA executed and back to GDOT
 - IGA pending signature by Mayor
 - Construction funds programmed in FY 2009
- Schedule:
 - Consultant notice to proceed – December 2007
- Recommendation:
 - Continue project execution with GDOT
 - Proceed with design consultant activities
 - After concept design, finalize funding estimates and sources

T-0014/15 SANDY SPRINGS CIRCLE PEDESTRIAN ENHANCEMENTS (PHASE II/III)

- Status:
 - Phase 1 consultant, QK4, completed survey database
 - Project approved by ARC as qualified for LCI funding
 - Project not selected for concept funding this year
- Schedule:
 - Design consultant process – FY 2008
- Recommendation:
 - Hold on design
 - Resubmit for concept funding – next project call

T-0016 DUNWOODY CLUB AT SPALDING DRIVE INTERSECTION IMPROVEMENT

- Status:
 - Concept design underway by LPA
- Schedule:
 - First public meeting December 17, 2007
 - Concepts ready in spring of 2008
- Recommendation:
 - Prepare concepts for funding
 - After concept, finalize funding estimates and sources

T-0017 RIVERSIDE DRIVE SIDEWALKS (OLD RIVERSIDE TO HEARDS FERRY)

- Status:
 - Project in “watch care”
 - Potential for ARC pulling funds due to lack of progress
 - Reclassified from “Active” to “Future Need”
- Recommendation:
 - Continue to evaluate funding or drop from program

T-0019 ROSWELL ROAD STREETScape (I-285 TO ATLANTA CITY LIMITS)

- Status:
 - Project in “watch care”
 - LCI study area – study underway
 - Potential LCI funding in the future
- Schedule:
 - Hold for potential LCI foundation project
- Recommendation:
 - Continue push for funding and hold existing funds

T-0020 WINDSOR PARKWAY SIDEWALKS (ROSWELL TO HIGH POINT)

- Status:
 - Project in “watch care”
 - Potential for ARC pulling funds due to lack of progress
 - Reclassified from “Active” to “Future Need”
- Recommendation:
 - Continue to evaluate funding or drop from program

T-0021 PEACHTREE DUNWOODY RD AT LAKE HEARN INTERSECTION IMPROVEMENT

- Status:
 - Project in “watch care”
 - Continue with PCID funded concept
 - Flyover bridge and Revive 285 project will impact this intersection
 - Construction programmed in draft TIP for FY 2010
- Schedule:
 - Concept recommendations in early 2008
- Recommendation:
 - Continue coordination as needed with PCID and GDOT

T-0023 I-285 TUNNEL – SANDY SPRINGS CIRCLE UNDERPASS

- Status:
 - Concept design underway by ARCADIS
 - First public meeting in January 2008
 - Pursuing earmark funding
- Schedule:
 - Concept designs available in 2008 for evaluation
- Recommendation:
 - Prepare concepts for funding
 - After concept, finalize funding estimates and sources

T-0024 HAMMOND WIDENING (ROSWELL TO GLENRIDGE)

- Status:
 - Design consultant process underway
 - Working with PCID and Dekalb on section to the east
 - PCID funded intersection study underway (just east of P’tree Dunwoody)
- Schedule:
 - Once finalized initiate concept design
- Recommendation:
 - Continue design consultant selection
 - Prepare concepts for funding
 - After concept, finalize funding estimates and sources

T-0025 DUNWOODY PLACE IMPROVEMENTS

- Status:
 - Concept design underway by Mulkey
 - First public meeting held in November 2007
- Schedule:
 - Concepts available in 2008
- Recommendation:
 - Prepare concepts for funding
 - After concept, finalize funding estimates and sources

**T-0026 PEACHTREE-DUNWOODY RD IMPROVEMENTS
(ABERNATHY TO SPALDING)**

- Status:
 - Concept design underway by Kimley Horn
 - First public meeting held in November 2007
- Schedule:
 - Concepts ready for evaluation in 2008
- Recommendation:
 - Prepare concepts for funding
 - After concept, finalize funding estimates and sources

T-0027 JETT ROAD BRIDGE UPGRADE AT LONG ISLAND CREEK

- Status:
 - GDOT design activities underway
 - Hydrology under way to determine flood elevation and new bridge elevation
 - Preliminary bridge replacement design
- Schedule:
 - ROW and CST Long Range
- Recommendation:
 - Pursue additional bridge funds from GDOT for CST

T-0028 HAMMOND INTERCHANGE

- Status:
 - PFA from GDOT executed by City and delivered to GDOT
 - ROW underway by GDOT
 - 30% Design underway by PCID
- Schedule:
 - Award design/build construction - Summer 2008
 - Two year construction period
- Recommendation:
 - Continue to support GDOT and PCID

T-0029 ISLAND FORD TRAIL EXTENSION

- Status:
 - NTP received from DNR
- Recommendation:
 - Evaluating proposals for environmental, design and construction activities
- Schedule:
 - Issue NTP for environmental in January
 - Award design and construction
 - Completion date is December 31, 2009

T-0030 LCI STUDY SOUTH

- Status:
 - Project underway by Sizemore Group
 - Next Public Information Meeting – December 10, 2007
- Schedule:
 - Study complete by March 2008
- Recommendation:
 - Continue with study Implementation

Deputy Director Drysdale explained that these nine projects will be under construction very soon. River Valley, Sandy Springs Circle and Roswell Road Streetscape will start in the spring. The contractor has been given a notice to proceed on Mt. Vernon Parkway and should start work on January 2, 2008, and completed within 120 days.

Mayor Galambos stated that she understands that problems arise when dealing with individual lots but she can not understand how long it is going to take on the Island Ford Trail. Mr. Drysdale explained that it is because of the federal park land that is involved. Federal park land requires a special environmental document. Staff has been dealing with FHWA and Federal Parks to get an agreement in place to allow the City to move forward. Mr. Drysdale stated that this project has to be complete by December 31, 2009. Staff plans on having this project complete sometime in the spring of 2008.

Councilmember DeJulio questioned why the Windsor Sidewalks have been dropped from this program. Mr. Drysdale explained that this is one of the five projects that were put under watch care by Council in the prioritization of the budget year. ARC may try to pull the funds because the City has not moved forward on the project. Mayor Galambos explained that the City needs to get more federal dollars from the Atlanta Regional Commission. Mr. Drysdale stated that the City has some money in the federal funds, but it is not enough. This is why Council voted it low in the prioritization.

Councilmember Paul explained that it is currently the policy of the City that communities could not accelerate a project by making contributions. He thinks Council should revisit this policy and see if the communities might want to help fund some of the projects in order to save them.

Mayor Galambos stated that the Council needs to go back to the provision that the City wants sidewalks added in front of new construction on arterial roads. Director of Community Development stated that staff is working on the Development Regulations now.

City Manager McDonough stated that staff has been working on a sidewalk master plan and will present to City Council at the February Work Session.

Mayor Galambos questioned if the City was able to regain the ARC projects that they took off. Mr. Drysdale stated that the Mt. Vernon Highway Sidewalk project the City could not get back. Staff has attended every monthly meeting to ensure we keep them in there. Councilmember Paul requested staff to let ARC know that the City is trying to address their concerns.

City Manager McDonough stated that when staff comes before Council on the sidewalk master plan, Council needs to give guidance to staff on the percentage of what the policies should be.

Councilmember Jenkins and Councilmember Fries expressed concerns with the connectivity of the sidewalks.

Mayor Galambos stated that staff would be able to work out some kind of structure that includes connectivity, schools, and contributions from neighborhoods.

City Manager McDonough stated that there is approximately \$2,200,000 million in Federal and State match for three sidewalk projects. The total estimated project cost of those three is almost \$7,000,000, for a total of over \$9,000,000 for the projects.

Mayor and Council Discussion items

Discussion relating to jaywalking on Roswell Road.

Mayor Galambos expressed her concerns about the jaywalking on Roswell Road. Councilmember Meizen McEnerny stated that it has a lot to do with the distance between the crosswalks. It is a safety issue.

Mayor Galambos stated that there was an article in the newspaper about Buford Highway, which is a State DOT road receiving state funds. Before the City ask the State DOT for help, we need to know what the MARTA stops are going to be before making any plans. Mr. Drysdale stated staff is working with them right now and can influence it significantly.

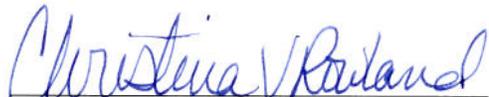
Mayor Galambos requested staff to put in a request to the Georgia DOT to look at Roswell Road to help the City in dealing with this issue of jaywalking. Transportation Planner Moore stated that he would contact GA DOT regarding this issue.

Chief of Police Wilson stated that the Police Department can write tickets to those who jaywalk.

Date Approved: January 15, 2008



Eva Galambos, Mayor



Christina V. Rowland, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

December 11, 2007

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 11th day of December, 2007, 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).

Future acquisition of real estate pursuant to O.C.G.A, 50-14-3(4);

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 11 day of December, 2007.

Christina K. ...

Notary public

