Regular Meeting of the Sandy Springs City Council was held on Tuesday, April 5, 2011, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Rabbi Scott Colbert, Temple Emanuel, offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:03 p.m.

Mayor Eva Galambos welcomed Fulton County Superior Court Judge Kelly A. Lee.

Fulton County Superior Court Judge Kelly A. Lee administered the Oath of Office for new District 4 Councilmember Gabriel Sterling.

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 comment during either a public hearing or the Public Comment section 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 City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Eva Galambos present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny present.

PLEDGE OF ALLEGIANCE

Mayor Eva Galambos led the Pledge of Allegiance.

(Agenda Item No. 11-056)

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember DeJulio moved to approve the Meeting Agenda for April 5, 2011. Councilmember Paulson seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 11-057)

1. Meeting Minutes:
   a) March 15, 2011 Regular Meeting
   b) March 15, 2011 Work Session
   (Michael Casey, City Clerk)

(Agenda Item No. 11-058)

2. Acceptance of a Permanent Construction Maintenance and Utility Easement as part of the Glenridge Drive Sidewalk Improvement Project - T-6010-7, located on Glenridge Drive, Land Lot 69 of the 17th District
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-19

(Agenda Item No. 11-059)

3. Acceptance of a Temporary Construction Easement and a Temporary Driveway Easement for the FY 11 Sidewalk Program- High Point Road from Windsor Parkway to Glenridge Parkway – T-6011-1- Parcel 3
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-20

(Agenda Item No. 11-060)

4. Acceptance of an Agreement to Purchase Right-of-Way and Temporary Driveway Easement for the City of Sandy Springs FY 10 Sidewalk Program T-6010 – 7 of the Glenridge Drive Sidewalk Project – Parcel 2
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-21

(Agenda Item No. 11-061)

5. Acceptance of a 489.05 Square Foot Temporary Construction Easement for the City of Sandy Springs FY 10 Sidewalk Program T-6010–10 & 11–Mount Paran Road and Long Island Drive Sidewalk Project - Parcel 6 – 4953 Long Island Drive
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-22

(Agenda Item No. 11-062)

6. Acceptance of a Temporary Construction Easement for the FY 11 Sidewalk Program- High Point Road from Windsor Parkway to Glenridge Parkway – T-6011-1- Parcel 7
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-23

(Agenda Item No. 11-063)

7. Consideration of Approval of the Acceptance of the Permanent Drainage Easements for Storm water Detention Pond Project
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-24

(Agenda Item No. 11-064)

8. Acceptance of Right-of-Way Donation and a Temporary Driveway Easement for the City of Sandy Springs-FY 10-6010–10 & 11–Mount Paran Road - Long Island Drive to Powers Ferry Road and Mount Paran Road to Roswell Road Sidewalk Project, Land Lot 120 of the 17th District
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-25

(Agenda Item No. 11-065)

9. Acceptance of Warranty Deed for property located at 6670 Wright Road as an addition to the Abernathy Road Linear Park
   (Tom Black, Director of Public Works)
   Resolution No. 2011-04-26

(Agenda Item No. 11-066)

10. Consideration of Approval of the Acceptance of the Donation of the Right-of-Way as part of zoning requirements
(Tom Black, Director of Public Works)
Resolution No. 2011-04-27

(Agenda Item No. 11-067)

11. Approve 2009 CDBG Action Plan Substantial Amendment to Purchase Pedestrian Lights
(Vann McNeill, Community Development Block Grant Manager)

(Agenda Item No. 11-068)

12. A Resolution in Support of House Bill 180, a Proposed Amendment of the Official Code of Georgia Annotated, to Provide for Greater Automobile, Pedestrian, and Bicycle Safety
(Dianne Fries, City Councilmember)
Resolution No. 2011-04-28

Motion and Vote: Councilmember Sterling moved to approve the Consent Agenda for April 5, 2011. Councilmember Fries seconded the motion. The motion carried unanimously.

PRESENTATIONS

1. Proclamation for Mount Vernon Presbyterian Varsity Boys Basketball Team

Mayor Eva Galambos called the Mount Vernon Presbyterian Varsity Boys Basketball Team to the front and read the proclamation. The Mount Vernon Presbyterian Varsity Boys Basketball Team has won two basketball state championships in three years. Under head coach Curtis Berry and assistant coach Jeff Kasher the team has achieved a 35-2 record. Coach Berry was awarded GISA AAA Region Coach and GISA AAA Coach of the Year. These young men have represented themselves, their families, and their school with great class, honor, dignity and sportsmanship, both on and off the court. This is an outstanding accomplishment furthering a tradition of sending quality young men and women into our community to carry on the life lessons they have learned at Mount Vernon.

Mount Vernon Presbyterian Basketball Coach Curtis Berry presented Mayor Galambos with a t-shirt and declared her an honorary member of the basketball team.

Mayor Galambos thanked the basketball team.

2. Presentation of 2010 AVA Gold Award for "Not in My Family" Video – Chief Sult

Police Chief Terry Sult recognized two police officers who combat gangs within the City of Sandy Springs. The officers not only combat gangs by enforcement, but they also emphasize gang prevention. The officers created a gang prevention video called "Not in My Family", which won the 2010 AVA Gold Award. Chief Sult thanked the two police officers and the rest of the team for their dedication. The officers work diligently with the community and the local schools. All the work the officers have done is greatly appreciated.

3. Presentation of ARC CREATE Award for the VPEP Program – Blake Dettwiler

Mayor Eva Galambos called Director of Community Development Blake Dettwiler to the front.

Director of Community Development Blake Dettwiler stated the Atlanta Regional Commission gave the City of Sandy Springs an award from the Create Award 2010 Program. The award is for the City's Vacant Property Enforcement Program. He thanked the Mayor, Council, and the City Manager for the

support Code Enforcement has received in establishing this program. He also thanked the Code Enforcement Officers and Assistant Director Code Enforcement Marcus Kellum.

Mayor Eva Galambos thanked the Code Enforcement division for the innovative program they started in Sandy Springs that has helped keep vacant properties presentable.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings section of the meeting.

(Agenda Item No. 11-069)

1. Approval of Alcoholic Beverage License Application for B's Bistro on the Circle at 6010B Sandy Springs Cir, Sandy Springs, GA 30328. Applicant is Francis Psathas for Consumption on The Premises of Wine, Malt Beverage & Distilled Spirits

Revenue Supervisor Brandon Branham stated the City has received an application for a full pouring license for beer, wine, and liquor. Staff has reviewed the application and recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to this application. There were no comments from the public. Mayor Galambos closed the public hearing.

Councilmember Tibby DeJulio stated in the interest of full disclosure, the owners of B's Bistro are his close friends. There is no conflict of interest.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 11-069, Alcoholic Beverage License Application for B's Bistro on the Circle at 6010B Sandy Springs Cir, Sandy Springs, GA 30328. Applicant is Francis Psathas for Consumption on The Premises of Wine, Malt Beverage & Distilled Spirits. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 11-070)

2. Approval of Alcoholic Beverage License Application for Martin's Pub at 7285 Roswell Rd, Sandy Springs, GA 30328. Applicant is William Martin for Consumption on The Premises of Wine, Malt Beverage & Distilled Spirits

Revenue Supervisor Brandon Branham stated the City has received an application for a full pouring license for beer, wine, and liquor. Staff has reviewed the application and recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to this application. There were no comments from the public. Mayor Galambos closed the public hearing.

Councilmember Dianne Fries asked about the name of the business before it was Martin's Pub.

Revenue Supervisor Branham responded that previously it was John's Sports Bar and Grill.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-070, Alcoholic Beverage License Application for Martin's Pub at 7285 Roswell Rd, Sandy Springs, GA 30328. Councilmember Sterling seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

(Agenda Item No. 11-071)

1. Approval for Mayor to Execute Agreement with the Atlanta Regional Commission for LCI Supplemental Funding to Complete a 10-Year Plan Update of the Downtown Sandy Springs Study

Transportation Planning Division Manager Garrin Coleman stated this is a continuation of the discussion at the Work Session Meeting two weeks ago regarding the LCI 10-Year update. There has been one change to the plan. The Atlanta Regional Commission contacted staff and stated they would like a minimum of two public meetings included in the project scope.

Mayor Eva Galambos asked how much money is going to be involved in the study.

Transportation Planning Division Manager Coleman stated the total amount the City would be responsible for is fifty percent of the total cost of the study. If the study is $100,000, the amount the City would be responsible for is up to a maximum of $50,000.

Mayor Galambos stated she formally asked the Main Street Alliance if they would participate in the funding of the LCI study. Mr. Mimms stated he could not give the Mayor an answer either way, since only two people showed up at the last Main Street Alliance meeting. She suggested the Alliance consider funding the market analysis. The Mayor will confer with Cheri Morris, one of the members of the Main Street Alliance, regarding the market analysis. She suggested to Council to approve the LCI expenditures, but she will keep promoting to Mr. Mimms and the Main Street Alliance that they contribute money to the market analysis. She would like the Alliance to be totally engaged with the study. If they are truly partners, everyone will bring something to the table.

Councilmember John Paulson stated a grant has been given to the City for $50,000. The City will contribute $50,000. Is there an assumption the total cost of the study will be $100,000 or less?

Transportation Planning Division Manager Coleman responded yes.

Councilmember Paulson asked if the study cost can exceed $100,000.

Transportation Planning Division Manager Coleman stated the cost can exceed $100,000, but staff can then choose to use the next most qualified vendor. The City is responsible for up to $50,000.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-071, Approval for Mayor to Execute Agreement with the Atlanta Regional Commission for LCI Supplemental Funding to complete a 10-Year Plan Update of the Downtown Sandy Springs Study. Councilmember DeJulio seconded the motion. The motion carried unanimously.
Resolution No. 2011-04-29

(Agenda Item No. 11-072)

2. Authorization to Acquire Property under Grant HMGP 1858-0006
   a) 505 Pine Forest Road, NE
   b) 6285 River Shore Parkway, NW

Grants Administrator Eden Freeman stated this item is the request to authorize staff, on behalf of the City, to purchase two properties under the approved and accepted FEMA Grant. The first property is 505 Pine Forest Road, NE, at an appraised value of $378,000. The second property is 6285 River Shore

Parkway, NW, at an appraised value of $428,000. Both of the homeowners have agreed to voluntarily participate. Each homeowner will provide fifteen percent of the total cost towards the City's match portion that is required under the Federal program. There have been questions about how the property will be maintained after the homes are demolished. Per guidance from GEMA and FEMA, the proprieties should be maintained in a natural environment. This means the City will cut the grass. When the program has been completed and all the properties have been purchased and demolished, the City can request approval to turn the property into some other type of use. This use could possibly be a park or whatever Council chooses.

Mayor Eva Galambos asked if there were originally six houses in the program.

Grants Administrator Freeman responded yes, there are six houses in the program. These are the first two property owners that accepted the offer. Two other property owners have accepted the offer from the City based on the fair market appraisal. Those properties will be on the agenda for the next City Council Meeting. The last two owners are still considering the offer from the City.

Councilmember Chip Collins asked if the cost of demolition is part of the grant.

Grants Administrator Freeman responded yes.

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 11-072, Authorization to Acquire Property at 505 Pine Forest Road, NE and 6285 River Shore Parkway, NW under Grant HMGP 1858-0006. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.

NEW BUSINESS

(Agenda Item No. 11-073)

1. Resolution Authorizing the City Manager to Procure the Hardware, Software and Licenses Necessary to Migrate City Information Technology Systems

Assistant City Manager Noah Reiter stated this item includes a partially revised recommendation to what was originally provided to Council regarding the procurement of the necessary IT hardware systems to migrate the City's current infrastructure from a remote hosted managed solution to an onsite, locally hosted and managed solution. The items that were briefed at the City Council Retreat have remained the same. Staff did receive information from Cisco that the financing rate of zero percent is only for Cisco related equipment. The other items would be financed at an annual percentage rate of 2.8%. The overall blended finance rate is 1.9%, which is comparable to what staff would be able to secure if they obtained an outside loan. It was highly recommended to include maintenance costs for years four and five at both City Hall and the secondary site, which is proposed to be at ChatComm; and the software licenses for all five years. The annual financial impact beginning in FY2012 should not change significantly. Originally, the annual amount was approximately $356,000. The proposed price will still be under $360,000, even under the new arrangement, if Council approves the funding of the IT hardware buyout of the current system, as well as the forty-seven devices that have been identified for replacement out of the FY2011 contingency fund.

Councilmember Dianne Fries asked what the lump sum of the additional two percent would be.

Assistant City Manager Reiter stated he does not know, but staff has requested an amortization schedule from Cisco.

Councilmember Fries asked what percentage of the equipment is from Cisco.

Assistant City Manager Reiter stated it is less than fifty percent, which is under $500,000. The remaining balance amount is for non-Cisco equipment and services.

Councilmember John Paulson stated there is a total net amount not to exceed $1.78 million. Is this still an accurate number or will this number increase?

Assistant City Manager Reiter stated the amount is less when the legacy IT equipment is removed. The new amount is $1.656 million.

Councilmember Gabriel Sterling asked if the Microsoft software updates are included in the cost.

Assistant City Manager Reiter stated yes. This is to secure current pricing.

Councilmember Karen Meinzen McEnerny stated Council was told that the IT equipment would be financed at zero percent by Cisco. The blended average of the finance rate is now 1.9% on all the equipment.

Assistant City Manager Reiter stated the Cisco amount is approximately $477,000 of the total $1.6 million.

Councilmember Meinzen McEnerny stated then the Cisco amount is about one third. Council made a decision about one year ago that the City would purchase the police vehicles instead of leasing them. That decision was made because the cost of funds was found to be less than the lease rate. What is the interest rate the City will be paying for the non-Cisco IT equipment and has research been done on whether that is a market interest rate?

Assistant City Manager Reiter stated the non-Cisco items will be financed at a rate of 2.8%. The blended rate of 1.9% is comparable to what the City can secure through Wells Fargo or another financial lending institution.

Finance Director Amy Davis stated that is correct. The last quote she received for interest rates for a leasing agreement was 1.9%.

Councilmember DeJulio asked why the City is leasing this equipment, rather than purchasing it, when the funds the City has in the reserve account are not yielding 1.9% and the City would pay 1.9% to purchase the equipment. Why doesn't the City borrow the money from the City's reserve accounts and save the interest cost?

City Manager John McDonough stated with the decline the City has had in the last several years in the fund balance reserve, the City is now barely at the twenty-five percent level. The amount in the reserve fund is slightly under $20 million. From a conservative fiscal standpoint, financing the equipment is a minimal impact on the annual operating budget and he is not comfortable with taking another $1 million or $1.5 million out of the reserves right now. He would be more comfortable paying the $360,000 a year for five years, rather than continuing to use the City's reserve funds. At this point it appears there will be no money added to the reserve this year.

Councilmember Dianne Fries stated there are times when capital projects might be under budget and there may be money left over. Would it be better to take money left over from these projects that has not been allocated, and just pay cash for the IT equipment?

City Manager McDonough stated Council can certainly do that. There is money in the CIP fund, but there are more wants than there are finances to pay for everything. The City can budget $360,000 a year for the next five years or use some reserve funds to purchase the IT equipment. He does not recommend using the fund balance. The capital reserve funds can be used, but there are a significant number of

capital projects that need to be funded, including the City Hall project. He recommends that Council finance the amount for the next five years.

Councilmember DeJulio asked if the City can use reserve funds to purchase the equipment that would be financed at 2.8% and still get the Cisco equipment financed at zero percent.

City Manager McDonough responded absolutely.

Councilmember DeJulio stated that is what he would recommend.

City Manager McDonough stated $300,000 has been taken from this year's contingency fund to use towards the purchase.

Councilmember DeJulio asked if the City can pay back the $300,000 by putting the money back into the reserve funds each year.

City Manager McDonough stated the City could do that, but we have become our own bank on another venture. We are $2 million over budget on ChatComm right now.

Councilmember DeJulio stated for the purchase of the IT equipment, the City has no partners we are depending on.

Councilmember Fries stated the interest amount would be an additional $60,000 for the $2.8 million.

Councilmember Meinzen McEnerny stated paying $360,000 a year to another entity does not make sense when the City could be saving that money. The City has capital funds that have balances in them. The Abernathy Park fund has over $3.8 million allocated and once the roadway is finished, the City will begin spending that money. Is there a way to use some of the assets that have been set aside from prior years to purchase the IT equipment until the assets are needed?

Mayor Eva Galambos asked what the amount was per year the City would be paying in interest.

Councilmember Fries stated the interest that would be paid over the five years is $60,000.

Mayor Galambos stated then the amount in question is about $12,000 per year.

Finance Director Davis stated the payment will depend on if it is a monthly amortization or whether it is an annual payment. Staff has not created an amortization schedule, yet.

Councilmember DeJulio stated a rate of 2.8% on $1 million is $28,000.

City Manager McDonough stated the other option is the City can borrow the money from a bank at a rate of 1.9%

Councilmember Fries stated she is not interested in removing money from unfinished capital projects. There are projects that have been constructed that came in under budget. She would rather see the money from projects completed under budget used to pay for the IT equipment. The City should not pay the interest rate or add more projects until we go through the next budget cycle.

Councilmember Meinzen McEnerny stated that is a good suggestion.

Councilmember DeJulio stated he would like the City to repay the reserve funds for that money, rather than pay it to someone else. This would exclude the equipment the City can get at zero percent interest.

Mayor Galambos asked if there is an estimate of the money in the various capital improvement project funds.

City Manager McDonough stated t he amount in capital fund for road paving is approximately $1 million. The sidewalk fund has close to $1 million and there is about $400,000 in intersection improvements. The total amount from projects that came in under budget is approximately $2.3 million.

Motion and Second: Councilmember Fries moved to approve Agenda Item No. 11-073, A Resolution Authorizing the City Manager to Procure the Hardware, Software and Licenses Necessary to Migrate City Information Technology Systems with the Cisco Equipment financed at 0% and the remainder of the costs paid out of the surplus funds from CIP projects completed under budget. Councilmember Paulson and Councilmember Meinzen McEnerny seconded the motion.

City Manager McDonough stated this project will move forward and a budget amendment will be brought before Council for consideration at a future City Council Meeting.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2011-04-30

(Agenda Item No. 11-074)

2. Source Selection Recommendation for 12-035IS2, Information Services for the City of Sandy Springs

City Manager John McDonough stated the procurement was conducted using performance price tradeoff procedures that were prescribed in section M of the RPF. The solicitation set forth the following areas for evaluation: technical acceptability, performance confidence, and cost/price. The Capabilities and Approaches Proposals from the responders were evaluated for technical acceptability against both general and task specific requirements. They were assigned ratings of acceptable, reasonably susceptible of being made acceptable, and unacceptable. The offerors performance confidence proposals were evaluated based on the description of past and present performance provided by the offeror, questionnaire responses provided by the offeror's references, and data independently obtained from other sources. The offeror's ability to perform the effort described in the RFP was assessed and the proposal was assigned an overall confidence rating of "substantial", "satisfactory", "limited" or "no confidence". The offerors' cost/price proposals were evaluated for reasonableness and realism and ranked based on the original submission cost/price and final proposal revision (FPR) cost/price, as applicable. The City received proposals on February 4, 2011, from four offerors: Elsym Consulting, Inc., Virtual Management Technologies, Sophicity, and InterDev, LLC. The proposals were examined for compliance with the solicitation submittal instructions and compliance issues were documented. A random selection procedure was used to determine the order in which the proposals were then evaluated for technical acceptability. The proposals were evaluated in the following order: Elsym Consulting, Inc., Virtual Management Technologies, Sophicity, and InterDev, LLC. Of the four companies, the evaluation results revealed two acceptable proposals: one from InterDev, LLC, and the other from Elsym Consulting, Inc. Both had technical acceptability of acceptable. Performance confidence in the case of InterDev was substantial and for Elsym Consulting, Inc. was satisfactory. For the best value award criteria under the performance/ price tradeoff procedure, if the lowest priced evaluated technically acceptable proposal is judged to have substantial confidence, that offer represents the best value for the City and receives the Evaluation Team's award recommendation. Based on the assessment of proposals described within the memorandum, the Source Selection Evaluation Team's conclusion is the proposal submitted by InterDev, LLC represents the best value to the City of Sandy Springs. The Team recommends the City award InterDev the contract to provide information technology services for the City and execute the base year task order authorizing InterDev, LLC to perform these services. In addition, it is the Team's conclusion that Elsym Consulting, Inc. represents a valuable resource for the City. It is also recommended that

Elsym Consulting, Inc. be awarded the contract to provide information services for the City and be eligible to compete for future task order awards under the terms of that contract. In addition to the year one task order price referenced above, the Team recommends a contract be awarded to InterDev for the phase in period beginning April 15, 2011, and ending June 30, 2011, in the amount of $299,037. Regarding the first year task order for InterDev, the recommendation is an amount of $1,040,853.

Councilmember Karen Meinzen McEnerny stated she applauds the Committee on their efforts. She supports the recommendations. She asked for an explanation why the City would award the contract to both vendors.

City Manager McDonough stated these are five year contracts. The purpose of awarding contracts to both parties is to ensure there is a competitive process going forward. There were a total of four offers, two of which were found to be acceptable. After a thorough assessment, the Team found that one offeror was slightly above the other. There is no compensation associated with the contract. The compensation for services comes from the award of the task order. Two contracts are recommended to be awarded, but only one task order for year one. At the end of year one, the City will evaluate the services that have been provided. If Council is satisfied, they have the ability to extend the task order for years two, three, four, and five, if so desired. In the event there are issues that arise, there would be another company available to compete for that work without having to go through the lengthy process of a request for proposals.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 11-074, Source Selection Recommendation for 12-035IS2, Information Services for the City of Sandy Springs. Councilmember Fries seconded the motion. The motion carried unanimously.
Resolution No. 2011-04-31

(Agenda Item No. 11-075)

3. Source Selection Recommendation for 12-035FIN1, Financial Services for the City of Sandy Springs

City Manager John McDonough stated this procurement was conducted using the performance/ price tradeoff procedures. The evaluation process was the same as described under the Information Services selection. Two proposals were received, one on February 3, 2011, and one on February 4, 2011. One of the proposals was from CGA/JAT Joint Venture, LLC, and the second from Severn Trent Services. The proposals were examined for compliance with the solicitation submittal instructions and compliance issues were documented. Based on the Team's evaluation results, it was found that Severn Trent had a technically acceptable proposal and had satisfactory performance confidence at a price of $1,593,181. The second offer from CGA/JAT Joint Venture was found to be non-responsive for the reasons that are highlighted in the Source Selection Memorandum. Their performance confidence was evaluated at satisfactory and their proposed cost was $2,946,529. Based on the assessment of proposals, it is the recommendation that the proposal submitted by Severn Trent Services represents the best value to the City of Sandy Springs. In addition to the year one task order price of $1,593,181, a contract is recommended for the phase in period April 15, 2011, through June 30, 2011, in the amount of $77,864.

City Attorney Wendell Willard stated during the discussions with Severn Trent an agreement was reached to allow them to set up a wholly owned subsidiary of Severn Trent's Environmental Services, which is called ST Services of Georgia, LLC. Severn Trent set the company up as a way to manage this account and this contract. The contract will state they cannot move the ownership of ST Services of Georgia, LLC to another party during the term of the contract. This is acceptable to the City.

Councilmember John Paulson asked if the subsidiary will be staffed by Severn Trent.

City Attorney Willard responded correct. Severn Trent will continue with the staffing obligations they have under the proposal submitted to the City.

Councilmember Chip Collins asked why the subsidiary of Severn Trent was created.

City Attorney Willard stated the subsidiary is a means of managing the contract. There is a $2 million insurance policy for liability and the contract is in place as a protective mechanism to limit the parent company's exposure of liability.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 11-075, Source Selection Recommendation for 12-035FIN1, Financial Services for the City of Sandy Springs to be awarded to ST Services of GA, LLC. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.
Resolution No. 2011-04-32

(Agenda Item No. 11-076)

4. Resolution Requesting the Governor Veto HB 179 as Passed by the House and Senate

Councilmember Gabriel Sterling stated HB 179 was passed by the State House and the Senate. It allows the clearing of trees within 250 feet of a State right-of-way fence or boundary or within 350 feet of the pavement edge. All but two of the delegation members from Sandy Springs voted against this proposal in the House and the Senate. This is a gratuity to the billboard companies giving away air rights.

City Attorney Wendell Willard stated it gives them an unpaid visual easement.

Councilmember Sterling stated that GDOT has collected about $155,000 in fees and it cost GDOT almost $1 million.

City Attorney Willard stated with the increase in fees in HB 179, it is not known what will be the amount received, but it is anticipated this will be less than the cost of processing the permit applications and the policing of it.

Councilmember Sterling stated the State has been subsidizing $1 million along those lines. Council should go on record asking the Governor to veto this bill as other northern Atlanta cities have done.

Mayor Eva Galambos stated she thinks all of Council is in support of this. She asked if the Governor has already signed the bill.

Councilmember Sterling responded no.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 11-076, Resolution Requesting the Governor Veto HB 179 as Passed by the House and Senate. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.
Resolution No. 2011-04-33

REPORTS AND PRESENTATIONS

1. Mayor and Council Reports

Mayor Eva Galambos stated Kirk Childs is moving outside of Sandy Springs, so there will be a vacancy on the Sandy Springs Board of Ethics. One of the alternate members will move up to be a regular

member. An additional alternate member will be needed. She nominated Lorrie Mell to serve as an alternate member on the Sandy Springs Board of Ethics.

Motion and Vote: Councilmember Fries moved to approve the nomination of Lorrie Mell as an alternate member on the Board of Ethics. Councilmember Sterling seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Bill Cleveland, 6441 Wright Road, stated he is the chair of the Sandy Springs Stormwater Coalition. It is a collection of neighborhoods and civic organizations concerned about the direction of the stormwater program that the City administers. The rain in 2009 exposed stormwater infrastructure that is nearing the end of its life cycle. Unmet community needs were also exposed in terms of stream protection, stabilization and restoration; flood control issues; and the need to improve the quality of City streams and creeks. The Coalition feels a full scale review of the City's stormwater program is warranted. The purpose of the review would be to determine the long term stormwater infrastructure cost, as well as determine the feasibility of expanding the scope of the existing stormwater program. For a stormwater policy review to succeed, the Council would have to set forth parameters of how the review would work and fund additional studies to document the environmental impact of stormwater drainage. The Coalition suggests the following process: fund the stormwater RFP that merges stormwater data from the existing Nancy Creek and Long Island Creek water basin studies with data from new studies on the remainder of the water basins within the City's boundaries. For the study to be effective, it would have to include project costs, defined projects, and quantifiable cost benefit measurements. The Coalition encourages Council to charter a stormwater study group comprised of businesses, civic and neighborhood leaders, elected officials, and City administrators. First, the group would review the data from the stormwater RPF to determine the feasibility of expanding the scope of the existing stormwater program. Secondly, the group would document the long term capital requirements for properly maintaining and replacing the stormwater infrastructure. The final part of the process would be to utilize the data collected in the RFP to determine a financial strategy for funding stormwater projects. The process should start now by funding a stormwater RPF during the FY2011 funding cycle. He thanked Mayor and Council for their time and consideration.

Jim Langlais, Attorney for CGA/JAT Joint Venture, LLC., stated a letter was sent earlier today asking the Councilmembers to table a decision on awarding the financial services contract. Since the Council has already awarded the contract, he will reserve any statements until they are able to inspect any documents associated with the award. An Open Records Request was submitted to the City Clerk's office.

(Agenda Item No. 11-077)
EXECUTIVE SESSION – Real Estate

Motion and Vote: Councilmember Fries moved to enter into Executive Session to discuss potential acquisition of real estate. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnerny voting in favor of the motion. Executive Session began at 7:05 p.m.

Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and

Councilmember Meinzen McEnerny voting in favor of the motion. Executive session adjourned at 7:30 p.m.

(Agenda Item No. 11-078)

ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Sterling seconded the motion. The motion carried unanimously. The meeting adjourned at 7:30 p.m.

Date Approved: April 19, 2011

Eva Galambos, Mayor

Michael Casey, City Clerk