Regular Meeting of the Sandy Springs City Council
Tuesday, November 4, 2014
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Regular Meeting of the Sandy Springs City Council was held on Tuesday, November 4, 2014, at 6:00 p.m., Mayor Rusty Paul presiding.

INVOCATION

Rabbi Ron Segal, Temple Sinai, offered the invocation.

CALL TO ORDER

Mayor Paul called the meeting to order at 6:04 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment 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 Paul present

Councilmembers: Councilman John Paulson, Councilman Ken Dishman, Councilman Graham McDonald, Councilman Gabriel Sterling, and Councilman Andy Bauman were present. Councilman Tibby DeJulio was absent.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilman Paulson moved to approve the Regular Meeting Agenda for November 4, 2014. Councilman Dishman seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 14-243)
1. Meeting Minutes:
   a) October 21, 2014 Regular Meeting
   b) October 21, 2014 Work Session
   c) October 21, 2014 Special Called Meeting
   (Michael Casey, City Clerk)

(Agenda Item No. 14-244)
2. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (5025 Lake Forrest Drive)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-96
3. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (180 Allen Road)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-97

4. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (185 Clifftwood Drive)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-98

5. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (Multiple Glenridge Drive)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-99

6. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (6411 & 6421 Wright Rd)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-100

7. Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements in Connection with a Private Development (593 Lorell Terrace)
   (Garrin Coleman, Director of Public Works)
   Resolution No. 2014-11-101

8. Resolution to Support a Livable Centers Initiative (LCI) Supplemental Study Application and Study Funding
   (Angela Parker, Director of Community Development)
   Resolution No. 2014-11-102

Motion and Vote: Councilman Sterling moved to approve the Consent Agenda for November 4, 2014. Councilman Paulson seconded the motion. The motion carried unanimously.

PRESENTATIONS

1. Proclamation for Pancreatic Cancer Awareness Month – Mayor Paul

Mayor Rusty Paul read the proclamation which states, “An estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease nationally and approximately 1,040 deaths will occur in Georgia in 2014. Pancreatic cancer is currently the fourth leading cause of cancer death in the United States and is projected to become the second by the year 2020. At least 73 percent of pancreatic cancer patients die within the first year of their diagnosis, while 94 percent of pancreatic cancer patients die within the first five years. The Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the City of Sandy Springs. Nationwide, through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer. The health and well-being of the residents of Sandy Springs are enhanced as a
result of increased awareness, early detection, and effective treatments.” He proclaimed November 2014 “Pancreatic Cancer Awareness Month” in the City of Sandy Springs.

Beth Barger with the Pancreatic Cancer Action network thanked the Mayor and Council.

2. Proclamation for National Hospice Palliative Care Month – Mayor Paul

**Mayor Rusty Paul** read the proclamation which states, “Hospice and palliative care empower people to live as fully as possible, surrounded and supported by family and loved ones, despite serious and life-limiting illness. Hospice and palliative care bring patients and family caregivers the highest quality care delivered by an interdisciplinary team of skilled professionals that includes physicians, nurses, social workers, therapists, counselors, health aides, spiritual care providers and others who make the wishes of each patient and family a priority. More than 400,000 trained volunteers contribute 19 million hours of service to hospice program annually. Every year more than 1.5 million Americans living with life-limiting illness, and their families, received care from the nation’s hospice programs in communities throughout the United States. In November, added efforts are made to encourage people to learn more about options of care and to share their wishes with family, loved ones and their healthcare professions. In Sandy Springs, hospice and palliative care is available to individuals and their families through a wide range of organizations. He proclaimed November 2014 as National Palliative Care Month in the City of Sandy Springs.

**Lynn Barbee, Interim Healthcare and Hospice,** introduced CFO Matt Giley, Mariam Williams, and Nedra Nuckles. Their organization is in Sandy Springs supporting the community. She thanked the Mayor and Council.

**PUBLIC HEARINGS**

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

**Alcoholic Beverage License**

(Agenda Item No. 14-251)

1. Approval of Alcoholic Beverage License Application for Taboo 3000, 6075 Roswell Rd, Sandy Springs, Georgia 30328. Applicant is Kenneth Durden for Consumption Wine, Liquor, and Malt Beverage

**City Attorney Wendell Willard** stated this item was previously before Council and they granted a sixty day temporary license in order to allow staff to further investigate issues regarding the application. Mr. Wiggins, the attorney for the applicant Mr. Durden, is in attendance and is requesting the case be continued to the next Council meeting as Mr. Durden was not able to attend the meeting this evening.

**Cary Wiggins,** attorney for applicant, stated Mr. Durden had fairly short notice about the meeting this evening. Mr. Durden was in Orlando, FL and was not able to attend. Mr. Wiggins understands that the City Attorney would like Mr. Durden to be present. He can have Mr. Durden present at the November 18th City Council meeting.

City Attorney Willard asked Council to consider a motion to continue the matter to November 18th with the requested conditions. This date would be outside the sixty days for the temporary license, so the license will need to be extended as part of the motion for an additional three days. This extension is with the understanding that this will be waiving any claim as to failure to hold a hearing within the sixty day period for Mr. Durden.
Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilman McDonald moved to continue Agenda Item No. 14-251, Alcoholic Beverage License Application for Taboo 3000, 6075 Roswell Rd, Sandy Springs, Georgia for Consumption Wine, Liquor, and Malt Beverage, to the November 18, 2014 City Council meeting, with the condition that the current temporary license be extended three additional days in order to hold a hearing on November 18th; and the condition that the applicant is waiving any claim that there was a failure to hold a hearing within the appropriate time frame. Councilman Sterling seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 14-252)

1. Approval for the Mayor to Sign the submission of Peachtree Dunwoody Road for submittal to GDOT for Funding under the Local Maintenance and Improvement Grant

Director of Public Works Garrin Coleman stated staff has a road that they would like to submit to GDOT for paving under the LMIG program. The City will receive a little over $625,000 this fiscal year. Staff would like to submit Peachtree Dunwoody Road south of I-285, which is three miles of paving.

Motion and Second: Councilman Paulson moved to approve Agenda Item No. 14-252, Approval for the Mayor to sign the submission of Peachtree Dunwoody Road to GDOT for Funding under the Local Maintenance and Improvement Grant. Councilman Bauman seconded the motion.

Councilman John Paulson asked if Sandy Springs is competing for this money.

Director of Public Works Coleman stated this grant is based on a combination of gas tax collections, lane mileage, and population. Every year the City receives a certain allocation, which is usually around $500,000 to $600,000. Within that amount the City has to designate what street will be improved or what project the money will be put towards. There is also a thirty percent match that goes along with the grant amount that the City is to pay. The process is normally bid with the LMIG with the paving for the year in order to add streets, if it becomes necessary.

Councilman Andy Bauman asked how the roads are chosen.

Director of Public Works Coleman stated the road was chosen based on the PCI scoring. Peachtree Dunwoody Road was scored at 58. Staff looks at the projects that add up to meet the amount plus thirty percent or looks for a single project.

Councilman Gabriel Sterling asked if when the repaving and restriping is done, will there be eleven foot lanes, so a bicycle lane can be on the side of the road.

Director of Public Works Coleman responded yes.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2014-11-103

(Agenda Item No. 14-253)

2. Consideration of Renewal of Agreement for the Gas South Municipal Alliance Program
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Finance Director Karen Ellis stated this item is consideration of the renewal of the agreement of the Gas South Municipal Alliance Program. In 2011, the City entered into an agreement with Gas South to participate in this municipal alliance program. The program allows for a $.02 per therm discount off of the Gas South standard rate plans and a connection fee waiver, which approximates $60 for each new connection. The program requires the City to advertise Gas South on the website as a business partner and allow use of the City’s name and logo to promote this in the local media. Staff recommends renewal of this agreement.

Motion and Second: Councilman Sterling moved to approve Agenda Item No. 14-253, Renewal of Agreement for the Gas South Municipal Alliance Program. Councilman Paulson seconded the motion.

Councilman John Paulson asked what the money will be used for.

City Manager John McDonough responded probably for staff appreciation.

Finance Director Ellis stated to date the City has received about $65,000 of which $10,000 has been spent on items such as the previous Mayor’s departure and for recognition of staff members for their good work during the winter storm.

Vote on the Motion: The motion carried unanimously.

(Agent Item No. 14-254)
3. Consideration of Approval of the Appointment of a Member to the Hospitality Board of Directors (Alex Morales)

Mayor Rusty Paul stated the Hospitality Board acts as an independent governing body over the City’s convention and visitor’s bureau of operations. Their primary responsibility is to provide support for tourism and hospitality within the City. The funds for the program are raised through the hotel/motel tax that the hotels in Sandy Springs collect. Currently, there is not a member of the Hospitality community on the board. At their last meeting, the Board made an amendment to its bylaws, which increased the seats on the Board by one. This created a vacancy on the Board and he asked Alex Morales, who is the general manager for the Sheraton in Sandy Springs, to serve in that capacity.

Motion and Vote: Councilman Paulson moved to approve Agenda Item No. 14-254, the Appointment of a Member to the Hospitality Board of Directors (Alex Morales). Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-11-104

(Agent Item No. 14-255)
4. Approval to Abandon and Quitclaim an Existing Storm Sewer Easement Associated with the Gateway Project

Assistant City Attorney Cecil McLendon stated this structure is part of the Gateway/JLB Project on Roswell Road near Windsor Parkway. As the contractors were moving into the project, a 1961 deed was found from Fulton County in that area for 100 feet of stormwater infrastructure. The pipe is abandoned and part of the development in which the contractor will reconstruct the stormwater infrastructure. The property owner asked if the City will quit claim any interest the City has in the infrastructure to continue the development. Under the City’s criteria, he does not believe the City has an interest in this stormwater infrastructure. He recommended that Council approve this agenda item.

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-255, to Abandon and Quitclaim an Existing Storm Sewer Easement Associated with the Gateway Project. Councilman Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2014-11-105
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(Agenda Item No. 14-256)

5. A Resolution Establishing a Municipal Court Administrative Fee to Offset Expenses Associated with Providing and Running a Municipal Court; and for Other Purposes

City Attorney Wendell Willard stated on occasion the Clerk of the Court makes an evaluation as to what are the expenses and costs to process cases through the court. Those that are convictions, nolo contendere pleas, or a bond abandonment have a cost assigned to them based on the experience of the operation. The clerk recommends the fee be increased from $70 to $75.

Motion and Vote: Councilman Dishman moved to approve Agenda Item No. 14-256, A Resolution Establishing a Municipal Court Administrative Fee to Offset Expenses Associated with Providing and Running a Municipal Court; and for Other Purposes. Councilman McDonald seconded the motion. The motion carried unanimously.

Resolution No. 2014-11-106

(Agenda Item No. 14-257)

6. Consideration of Approval of the Proposed 2015 City Council Meeting Schedule

City Clerk Michael Casey stated before Council this evening is the proposed 2015 City Council meeting schedule. There are no direct conflicts with holidays. The recommendation is for the first and third Tuesday of each month. In past years, Council has taken off the first meeting in July for summer vacation. In this case, the 4th of July is not on the same week as the first meeting date in July, so that meeting is on the proposed schedule. Leaving that meeting on the schedule is up to Council’s discretion.

Motion and Vote: Councilman Paulson moved to approve Agenda Item No. 14-257, the Proposed 2015 City Council Meeting Schedule. Councilman McDonald seconded the motion. The motion carried unanimously.

REPORTS

1. Mayor and Council Reports

Mayor Rusty Paul stated Council held a meeting on October 27th discussing the Perimeter Center and what Council can do to plan ahead for the growth and development that will occur in that area. There has been a good start with the city of Dunwoody and other jurisdictions in that area and staff will continue with that. Today he and the Director of Economic Development Andrea Hall met with the other surrounding communities including Dunwoody, Brookhaven, and the PCID to talk about what the cities can do by marketing the area and leveraging the resources through consolidated planning. Rather than the jurisdictions spending money and doing different things, the opportunity should be looked at for the City to do consolidated planning and leveraging of resources in order to do a better job from an economic development and brand awareness view of that area. The purpose of the meeting on October 27th was to begin the process of exploring whether there is an opportunity to leverage those resources to be more effective. The meeting was successful and a follow up meeting has been scheduled to continue the discussion.

There were no Council reports.

2. Staff Reports

a) September 2014 Financial Report – Finance Director Karen Ellis

Finance Director Karen Ellis stated the City is on target with revenues and expenses for this period of the year.
b) City Center Master Plan Update – City Manager John McDonough

City Manager John McDonough stated there are several procurements that will come to Council within the next month or so. There was a very good response to the advertisement and solicitation for the Construction Manager at Risk. The CM at Risk will be the contractor that will partner with the City to build the City Center project. Several meetings ago Council made the determination to utilize the CM at Risk procurement method. Typically, the City uses a design, place it out for bid, and build it process. In this case, the City identified a contractor that will build the project and sometime in the future provide a guaranteed maximum price for the project. The advantage of this is that the contractor will be at the table with the design team early in the process and will help the decision making process on how to build the project. The City received ten responses that are currently under review. Staff will be establishing a review team and bringing a recommendation to Council at the first meeting in December. There is a program management service agreement where the City is working with John Jokerst and Carter Selig. This agreement will be before Council as an action item in two weeks. The third procurement is the professional services proposal where Rosser International was selected as the architect. There are a number of subconsultants and team members that will work under that contract. Staff has received the Rosser proposal. The next week or ten days will be spent reviewing the proposal and this will more than likely be placed on the Work Session agenda in two weeks. This will probably be the largest single services contract the City has ever issued.

Mayor Rusty Paul stated there is a lot going on with the City Center project and staff has done a phenomenal job of managing a very complex process. There are key decision points that Council will be acting on soon.

George Bushey, Design Director for Rosser International, gave a PowerPoint presentation on the City Center Master Plan update. (See attached)

Councilman Gabriel Sterling asked if the water features will be fountains or flowing water features on the interior.

Mr. Bushey stated the water features will be a mixture of both.

Councilman John Paulson stated this is a concept plan and asked about the next step to start putting forward alternatives for different structures in the City Center and about the photographs of what the consultant will be recommending.

Mr. Bushey stated in terms of landscaping, there is a lot of work that has to be done. The landscaping will develop and evolve. The site plan is a major development of where the buildings and rooms will be located. The 3D model of the site will show what the site will actually look like once it is built. There will be conceptual drawings of what the fountains might look like.

Councilman Sterling stated it looks like the project was moved closer to Roswell Road compared to the earlier plans.

Mr. Bushey stated that is correct. The consultants will study the options to move the project further back, to see how that works out as well. Options have been considered regarding what functions would work with the government component closer to the ground floor and also having functions on the upper floors of the building.

Councilman Sterling asked if the City is looking to service the buildings from underground and not on grade.
Mr. Bushey stated there will be both. Retail wants parking on the street. They want the customers to be able to pull up to the store and go right to the store. There will be about 930 to 950 cars parked underground and another 200 on grade inside the perimeter of the site.

Councilman Sterling asked if the PAC will be accessible from the garden terrace of the roof.

Mr. Bushey stated the garden terrace will be accessible through the meeting floor and not the PAC.

**Councilman Graham McDonald** asked what level the offices will be located on.

Mr. Bushey responded floors three and above will be the government offices.

Councilman Paulson asked if the rental space is required, since there is still more to fit on the site. He asked if office space is required for rent or if it is better to not have it here and use the building just for City offices and performing arts.

Mayor Paul stated that a section of the building is labeled tenant space in order to provide some ability for the City to grow in the future and to have tenant space income in order to help pay for the building in the interim.

Councilman McDonald stated it is his understanding that spec office was something that was being talked about and considered in the City Center Plan.

Mayor Paul stated the spec office space has always been in the plan.

City Manager McDonough stated it is easier to take it out than it is to add it in at a later date.

Mayor Paul stated one reason the space is being built in the building is because we are looking forward in the future forty, fifty, or sixty years from now. We do not know what the City’s needs may be going forward. It will be much easier to construct this way, since you cannot add another level on top. The City should plan the opportunity for expansion in the future. In the meantime, the space can be leased out and paid for.

**Councilman Ken Dishman** asked if the parking will be one level underground.

Mr. Bushey stated the parking will be two levels underground with a total of about 930 spaces.

Councilman Dishman asked if there is a sense of how the parking spaces will be divided between the private sector on the apartment side.

City Manager McDonough stated staff is still working on that. Council may have seen the results of the parking study that discusses various times of the year and times of day. The spaces that are being shared below ground will be subject to negotiation.

Councilman Sterling stated for the parking a fundamental change has been made putting a lot more on grade and on street parking compared to earlier plans. He assumes that on street parking is a lot cheaper.

Mr. Bushey responded that is correct.

**PUBLIC COMMENT**

There was no public comment.
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Motion and Vote: Councilman Sterling moved to recess the Regular meeting to hear the Work Session agenda items. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting recessed at 6:57 p.m.

Motion and Vote: Councilman Sterling moved to end the recess and resume the Regular meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The recess ended at 7:44 p.m.

EXECUTIVE SESSION – Litigation and Real Estate

Motion and Vote: Councilman Sterling moved to enter into Executive Session to discuss litigation and real estate matters with the City Manager and City Attorney included. Councilman Dishman seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman Dishman, Councilman McDonald, Councilman Sterling, and Councilman Bauman voting in favor of the motion. Executive Session began at 7:44 p.m.

Motion and Vote: Councilman Sterling moved to adjourn Executive Session. Councilman Dishman seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman Dishman, Councilman McDonald, Councilman Sterling, and Councilman Bauman voting in favor of the motion. Executive session adjourned at 8:03 p.m.

ADJOURNMENT

Motion and Vote: Councilman Sterling moved to adjourn the meeting. Councilman McDonald seconded the motion. The motion carried unanimously. The meeting adjourned at 8:03 p.m.

Date Approved: November 4, 2014

Russell K. Paul, Mayor

Michael D. Casey, City Clerk
CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

November 4, 2014

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Russell K. Paul, Mayor of the City of Sandy Springs, who on oath says that to the best of his knowledge and belief, on the 4th day of November, 2014, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Discussion or voting on real estate matters pursuant to O.C.G.A, 50-14-3(b)(1);

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.

Russell K. Paul, Mayor

Sworn to and subscribed before me, this 4th day of November, 2014.

Notary public
Framework
Sandy Springs City Center
Park Concept B
SANDY SPRINGS CITY CENTER
SANDY SPRINGS CITY CENTER

Sandy Springs City Center
Park Concept 11.01.2014
# Overall Conceptual Estimate ("B+" PAC Range)

## Sandy Springs City Center Program Summary Version B

<table>
<thead>
<tr>
<th>Project</th>
<th>Function</th>
<th>Square Footage</th>
<th>Hard Cost/sf</th>
<th>Anticipated Budget (30% est soft cost for Office Bldg/Mtg Ctr/Pkg/Park &amp; CC Infra, 35% PAC)</th>
<th>Anticipated Start</th>
<th>Anticipated Completion</th>
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<td>Perf Arts Center (&quot;B+&quot;)</td>
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Based on conceptual cost estimates

Project "T11" TBD