



Official City Council Meeting Minutes

May 4, 2020

Office of the City Clerk

CITY HALL 2 PARK PLAZA

6:30 PM

Official Minutes

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours.

Please note that, due to ongoing efforts to encourage "social distancing" in response to the COVID-19 pandemic, this meeting was conducted virtually using Zoom Meetings. This platform will allow for the public and media to attend the meeting just as they could any other regular City Council Meeting but do so from a computer or telephone.

I. CALL TO ORDER

- *Mayor Gilvin called the meeting to order at 6:30 p.m.*

II. ROLL CALL

• Council Members

- o Mayor Jim Gilvin
- o Mayor Pro Tem Donald F. Mitchell
- o Jason Binder
- o Ben Burnett
- o John Hipes
- o Dan Merkel
- o Karen Richard

• Staff

- o Bob Regus, City Administrator
- o Sam Thomas, City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Peter Sewczwicz, Director of Public Works
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Tom Harris, Director of Finance
- o Kathi Cook, Director of Community Development
- o John Robison, Director of Public Safety
- o Randy Bundy, Director of Information Technology
- o Matthew Thomas, Economic Development Manager
- o Cris Randall, Director of Human Resources
- o Michael Woodman, Senior Planner

- **Staff Cont.**
 - o Shawn Mitchell, Budget & Procurement Manager
 - o Ben Kern, GIS Specialist/Planner
 - o Elle Taylor, Planning & Zoning Coordinator
 - o Eric Graves, Senior Transportation Engineer/Planner

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

- A. Envision the Alpha Loop, a Partnership with GA Tech and the CDC - Presented by Kelly Cornett, CDC**

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 4/27/2020 & 4/30/2020)**

- ❖ Council Member Binder offered a motion to approve the consent agenda
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

VI. OLD BUSINESS

- A. Ordinance Amendment: Chapter 46, Article II of The City Code (2nd Reading)**

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is recommending that Mayor and Council approve the second reading of an ordinance amending Chapter 46, Article II of the Code of the City of Alpharetta, Georgia to provide for regulation and enforcement of temporary no parking zones; to provide that the amendment shall become part of the Code of the City of Alpharetta; to provide for an effective date; and for other purposes.
- The proposed ordinance would amend Chapter 46, Article II of the Code of the City of Alpharetta, Georgia as it regulates temporary no parking zones. The effect of the amendment would be to provide authority for Alpharetta Police Officers to order the involuntary removal (towing) of automobiles that have been parked in temporary no parking zones that are established for special events and/or to meet other City needs.
- While the need for such involuntary removal is infrequent, there are several reasons why granting the authority to our Police Officers is important. These include:
- For events such as the farmers market, Taste of Alpharetta, and other street events the presence of a vehicle on the street prevents elements of the event to be setup in accordance with the planned layout. This can be especially problematic if the vehicle is located in a manner that prevents the setup of an event element that is reliant on electrical service
- Once the event site is opened to the public, the vehicle cannot be moved, and the driver is stuck. This creates a conflict in the midst of the event with which our police officers have to deal.
- If the vehicle is damaged during the event, the owner would likely seek compensation from the City. While our legal liability would likely be questionable due to the vehicle being left in a posted area, we would still incur unnecessary

expense if the owner files legal action.

- There are also potential safety concerns.
- City Attorney, Sam Thomas, read the ordinance aloud.
- ❖ Council Member Hipes offered a motion to approve the second reading of an ordinance amending Chapter 46, Article II of the Code of the City of Alpharetta, Georgia to provide for regulation and enforcement of temporary no parking zones; to provide that the amendment shall become part of the Code of the City of Alpharetta; to provide for an effective date; and for other purposes
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

VII. NEW BUSINESS

A. ITB 20-015, SR 9 at Marietta Street Midblock Crossing

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award ITB 20-015 to Chattahoochee Group, Inc. in the amount of \$191,983.87 for construction of the SR 9 at Marietta Street Midblock Crossing and authorize the Mayor to execute all necessary documents.
- The award of this bid is for the construction of the SR 9 at Marietta Street Midblock Crossing. The project consists of the addition of a midblock crossing of SR 9 (South Main Street) at Marietta Street, and will include the construction of brick medians to offer a refuge area to pedestrians and installation of a mast arm with a HAWK beacon system. Additional work will include upgrading the existing handicap ramps and additional concrete medians and striping.
- The Department of Public Works prepared plans and specifications for the project and advertised for competitive bids on Thursday, March 12, 2020. A total of five bids were received on Thursday, April 9, 2020. The bids were as follows:

<u>Bidder</u>	<u>Total</u>
Chattahoochee Group, Inc.	\$191,983.87
TRISCAPES, Inc.	\$218,998.01
Summit Construction & Development, LLC	\$249,272.05
CMEC, LLC.	\$285,511.75
Surfaces Group	\$299,894.10

- The apparent low bidder, Chattahoochee Group, Inc., is an experienced contractor which has worked on several projects with similar elements in Georgia for multiple governmental agencies including Georgia DNR, City of Arcadia, and City of Marietta. The contacted references stated that Chattahoochee Group, Inc. provided reliable work on time and within budget and would use their services again.
- Once a contract with Chattahoochee Group, Inc. has been finalized and executed, construction may begin immediately. The anticipated completion date is no more than 60 calendar days from notice to proceed.

- Council Member Hipes proposed the installation of safety bollards at this crossing. Director Sewczwicz stated that our in-house crews can installed those at the end of the project.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award ITB 20-015 to Chattahoochee Group, Inc. in an amount not to exceed \$191,983.87 for construction of the SR 9 at Marietta Street Midblock Crossing and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Richard
 - The motion was approved (6-1); Council Member Burnett voting in opposition

B. Award of Auditing Services Contract

- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council award the Auditing Services contract (RFP#20-116) to Mauldin & Jenkins for a term of 5 years and authorize the Mayor to execute all necessary documents at an amount not to exceed \$49,500 for FY 2020, \$50,000 for FY 2021, \$50,500 for FY 2022, \$51,500 for FY 2023 and \$52,500 for 2024.
- On January 30, 2020, the City of Alpharetta issued RFP#20-116 for Auditing Services. Specifically, the City was seeking a qualified Certified Public Accountant to perform financial and compliance audits in accordance with generally accepted auditing standards (GAAS) as set forth by the American Institute of Certified Public Accountants, and in accordance with generally accepted auditing standards (GAGAS) issued by the Comptroller General of the United States.
- Evaluation criteria included the following:

Cover letter, company profile, experience of firm,	
quality control and peer review	25%
Qualifications of staff assigned to audit	22%
Professional references	20%
Approach to audit	20%
Total Fees	10%
Alpharetta local vendor preference	<u>3%</u>
	100%

- A total of 150 firms were notified regarding the RFP, using the City's Bonfire Bid posting system. In addition, the RFP was posted on the State of Georgia bid posting site. Six firms downloaded the RFP documents to review and Mauldin & Jenkins was the only firm to submit a response.
- The other five firms (CHK CPA's & Advisors, Rushton & Company, SYTM Accounting & Consulting, SME CPA's and ML Cameron & Associates) did not reply when contacted to find out why they did not submit a response to RFP.
- Mauldin & Jenkins is the City's current auditor and is one of the largest CPA firms in the country and has been providing governmental audit services for over 95 years. Mauldin & Jenkins audits more cities, more counties, more school systems and

more agencies or departments in the state of Georgia than any other firm. Mauldin & Jenkins continues to be the long-standing auditor for many comparable cities in the immediate area and throughout the state.

- For the City's most recent audit (FY 2019), audit fees were \$52,000. Proposed fees for the next four years are slightly lower, even including years in which Single Audit is required. In the fifth year of the contract, the fees only slightly exceed the amount of FY 2019.
- The Evaluation Committee included Brent Burdette, CPA, Accounting & Operations Manager and Mark Bennett, Chief Accountant.
- Some additional factors considered were:
- Mauldin & Jenkins
 - o Provides over 100,00 hours of services to 450 governments in the Southeast annually.
 - o Provided audit services to 335 local government entities in Georgia during the past 3 years.
 - o Performed 160 Single Audits for fiscal year 2017 which rated 21st highest number of Single Audits conducted amount public firms in the nation.
 - o Assisted 128 governments in preparation of CAFR's to receive GFOA certificates and has never failed to receive a certificate for any entity submitting a CAFR.
 - o Audited 80 cities in Georgia in past three years including Decatur, Duluth, Dunwoody, Johns Creek, Milton, Kennesaw, Roswell and Sandy Springs.
 - o Audited 42 counties in Georgia in the past three years including Athens-Clarke, Cherokee, Dekalb, Gwinnett, Henry and Forsyth.
 - o Audited 47 school systems, and 191 other authorities and commissions in Georgia in the past three years.
 - o Partner-in-charge has over 16 years of governmental experience and quality control partner has over 20 years of governmental experience.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to award the Auditing Services contract (RFP#20-116) to Mauldin & Jenkins for a term of 5 years and authorize the Mayor to execute all necessary documents at an amount not to exceed \$49,500 for FY 2020, \$50,000 for FY 2021, \$50,500 for FY 2022, \$51,500 for FY 2023 and \$52,500 for 2024
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

C. Resolution amending the Retirement Savings Plan and 457 Plan for certain CARES ACT changes approved by the Pension Board (Plan Committee).

- The Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Resolution amending the Retirement Savings Plan and 457 Plan for certain CARES ACT changes approved by the Pension Board (Plan Committee).
- The Retirement Savings Plan and 457 Plan Committee (Pension Board) approved certain changes to the Plans in accordance with the Coronavirus Aid, Relief and Economic Security Act (the "CARES Act"). These changes permit qualifying participants who have been impacted by the virus to take coronavirus-related distributions of up to \$100,000 in calendar year 2020.
- The Coronavirus-Related Distributions shall be limited to participants who self-certify that they meet at least one of the following qualifications: (1) the participant (or his or her spouse or dependents) has been diagnosed with the virus SARS-CoV-2 or with the coronavirus disease 2019 ("COVID-19") by a test approved by the Centers for Disease Control and Prevention, or (2) the participants has experienced adverse financial consequences stemming from COVID-19 as a result of (A) being quarantined, furloughed, or laid off, (B) reduced work hours, (C) being unable to work due to lack of child care, (D), the closing or reduction of hours of a business owned or operated by the participants, or (E) other factors determined by the Department of Treasury (such individuals, "Qualified Individuals").
- In accordance with the CARES Act, any individual who receives a Coronavirus-Related Distribution from the Savings Plan and or/457 Plan may, at any time during the 3-year period beginning on the day after such distribution was received, repay in one or more contributions an aggregate amount not to exceed the amount of such distributions to an eligible retirement plan (including the Savings Plan or 457 Plan) or an IRA and the treated as having received the Coronavirus Related Distribution in a valid eligible rollover distribution.
- Additionally, the Resolution waives the required minimum distribution ("RMD") requirements pursuant to the CARES Act for participants or beneficiaries who otherwise would have been required to take RMDs during the 2020 calendar year, as well as participants who turned 70 1/2 during 2019 but who have not already taken their first RMDs, unless the participant or beneficiary specially request that such RMDs be paid in the 2020 calendar year (such RMD changes, along with the changes permitting Coronavirus-Related Distributions under the Savings Plan and the 457 Plan, the "Plan Changes").
- City Attorney, Sam Thomas, read the resolution aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to adopt Resolution amending the Retirement Savings Plan and 457 Plan for certain CARES ACT changes approved by the Pension Board (Plan Committee)
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

D. IGA Fulton BOE: Alpharetta Elementary School Inclusive and Adaptive Playground Installation

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- As outlined in the City's IGA with the Fulton County BOE, Staff is recommending that Mayor and Council award Playsouth Playground Creators a contract not to exceed \$107,992.00 to produce and install an adaptive playground located at Alpharetta Elementary School and authorize the Mayor to execute all necessary documents.
- On March 2, 2020, City Council approved an IGA with the Fulton County Board of Education which included the commitment by the City to provide an adaptive playground at Alpharetta Elementary School.
- Working in partnership with Northside Hospital Wellness and Resurgens Orthopedics, which provided additional funding of \$75,000.00 was provided, with the contingency that we use the playground concept offered by PlaySouth Playground Creators for this project. The total cost of the playground including installation is \$107,992.00.
- Working with Alpharetta Elementary School a timeline has been developed to complete the playground installation this summer before the new school year begins.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to award Playsouth Playground Creators a contract not to exceed \$107,992.00 to produce and install an adaptive playground located at Alpharetta Elementary School and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

VIII. WORKSHOP

A. North Point Area Alpha Loop and Big Creek Greenway Trail Connectivity Feasibility Study

- Representatives from MKSK, Donnie Zellefrow and Darren Meyer, came forward to present a kick-off presentation of the North Point area Alpha Loop and Big Creek Greenway Trail Connectivity Feasibility Study.
- This item was presented for informational purposes only. No action is being requested at this time.

B. Development Authority Revenue Bond Application Additions (Sponsored by Council Member Burnett)

- Economic Development Manager, Matthew Thomas, came forward to present this item.
- The Alpharetta Development Authority's current Bond Application requests information about the applicant, applicant project, and financing.
- To further extend a project or investment's impact in the city, we are seeking to place additional questions on the Bond Application that seek to understand a

bond applicant's desire for community participation.

- The added questions will request information on whether or not the applicant would like to partner with the City in recreational programs or with Fulton County Schools in supporting athletics, academics, or other educational initiatives.
- This opportunity will help facilitate corporate social responsibility by assisting the City and school system with greater resources to serve the community.
- This item is presented for discussion and information purposes only. No formal action is requested at this time.

C. Presentation and Discussion: Recommended Fiscal Year 2021 Budget (Operations/Capital)

- Director of Finance, Tom Harris, came forward to present this item.
- The purpose of this presentation is to provide an overview of the Recommended Annual Operating and Capital Budget (the "FY 2021 Budget") and allow for a question and answer dialogue.
- The Fiscal Year 2021 Budget excerpt was distributed electronically to the City Council the week of April 27, 2020. This excerpt includes the transmittal letter (budget overview), operating and capital initiatives, citywide fund summary and narrative, and general fund summary/narrative.
- The full budget is available on the City's website as a downloadable pdf and available for filtering/analysis through the City's financial transparency site powered by OpenGov.
- This item is presented for discussion and information purposes only. No formal action is requested at this time.

IX. PUBLIC COMMENT

- No Public Comment

X. REPORTS

- Council Member Richard thanked Community Development and Director Kathi Cook for the work they have done with temporary permits for restaurants regarding their outdoor space.
- Council Member Merkel reported that the Alpharetta Rotary Club raised approximately \$105,000 for local charities and community organizations.

XI. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 9:10 P.M.

Respectfully submitted,


Erin Cobb, City Clerk