

CITY OF SANDY SPRINGS, GA

CITY COUNCIL

Eva Galambos, Mayor

Dave Greenspan – District 1

Dianne Fries – District 2

Rusty Paul – District 3

Ashley Jenkins – District 4

Tibby DeJulio – District 5

Karen Meinzen McEnerny – District 6

Tuesday, December 5, 2006

Regular Council Meeting Agenda

7:00 PM

A) INVOCATION - Dr. Carol Strickland, Mt. Vernon Presbyterian, Associate Minister

B) CALL TO ORDER

C) ROLL CALL AND GENERAL ANNOUNCEMENTS

D) PLEDGE OF ALLEGIANCE

(Agenda Item No. 06-373)

E) APPROVAL OF MEETING AGENDA *(add or remove items from agenda)*

F) CONSENT AGENDA

(Agenda Item No. 06-374)

1. Approval of Minutes:
 - a. November 16, 2006 Work Session Minutes.
 - b. November 21, 2006 Regular Meeting Minutes
(Christina Rowland, Interim City Clerk)

(Agenda Item No. 06-375)

2. City Acceptance of bids for the purchase of vehicles for the Fire Department.
(Steve Rapson, Director of Finance)

G) PRESENTATIONS *(None at this time)*

H) PUBLIC HEARINGS

BUDGET

(Agenda Item No. 06-376)

1. Public Hearing to receive input regarding the Amended General and Emergency 911 Fund Budgets for Fiscal Year 2007 (July 1, 2006 through June 30, 2007)
(Presented by Director of Finance Steve Rapson)

(Invitation for Public Comment)

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS**(Agenda Item No. 06-377)**

1. SSGAL06-0216 - Approval of Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License.
(Presented by Assistant City Manager Al Crace)

(Invitation for Public Comment)

(Agenda Item No. 06-378)

2. SSGAL06-0217- Approval of Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits.
(Presented by Assistant City Manager Al Crace)

(Invitation for Public Comment)

(Agenda Item No. 06-379)

3. SSGAL06-0218 - Approval of Alcoholic Beverage License Application for Yong He Inc. d/b/a North Peking Chinese Restaurant located at 8540 Roswell Road Ste 400, Sandy Springs, GA 30350. Applicant is Shan He Zhang for Consumption on the Premises for the Sale of Wine and Malt Beverages.
(Presented by Assistant City Manager Al Crace)

(Invitation for Public Comment)

(Agenda Item No. 06-380)

4. SSGAL06-0220 – Approval of Alcoholic Beverage License Application for Big B Drugs, Inc., d/b/a CVS #4729 located at 6300 Powers Ferry Rd, Sandy Springs, GA 30339. Applicant is CVS Pharmacy #4729 for Retail/Package Sale of Wine and Malt Beverage License.
(Presented by Assistant City Manager Al Crace)

(Invitation for Public Comment)

ZONING AGENDA**Rezoning****(Agenda Item No. 06-381)**

1. RZ06-046/CV06-032-4579 Roswell Road (SR 9), 261 Hedden Street, and Windsor Parkway (17 00940001020) Applicant: Slavic Evangelic Christian Church, from R-4 to C-1 to maintain the existing church structure and to convert the existing accessory building into an art/auction gallery, with six (6) concurrent variances. **(First Reading)**
(Presented by Michael Zehner, Assistant Director of Planning and Zoning)

AN ORDINANCE TO REZONE PROPERTY FROM THE R-4 (SINGLE FAMILY DWELLING) DISTRICT TO C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 4579 ROSWELL ROAD (SR 9), 261 HEDDEN STREET, AND WINDSOR PARKWAY (17 00940001020)

(Invitation for Public Comment)

(Agenda Item No. 06-382)

2. RZ06-047/CV06-033-161 Mount Paran Road, Applicant: AJC International, from R-3 to O-I to allow the existing residence to be converted into an office, with four (4) concurrent variances.

(First Reading)

(Presented by Michael Zehner, Assistant Director of Planning and Zoning)

AN ORDINANCE TO REZONE PROPERTY FROM THE R-3 (SINGLE FAMILY DWELLING) DISTRICT TO O-I (OFFICE AND INSTITUTIONAL) DISTRICT, PROPERTY LOCATED AT 161 MOUNT PARAN ROAD

(Invitation for Public Comment)

I) UNFINISHED BUSINESS: *(none at this time)*

J) NEW BUSINESS:

(Agenda Item No. 06-383)

1. Approval of a Resolution to authorize the Mayor to sign a Local Government Project Agreement with the Georgia Department of Transportation and Cobb County for Priority Land Acquisition for Abernathy Greenspace Project from Johnson Ferry Road to Roswell Road.
(Presented by Public Works Director Angelia Parham)

(Agenda Item No. 06-384)

2. Approval of a Resolution to authorize and direct the execution and delivery of certain lease financing and related documents; to provide a statement by legislative findings and intent; to provide an effective date; and for other purposes.
(Presented by Director of Finance Steve Rapson)

(Agenda Item No. 06-385)

3. Approval of a Resolution authorizing the execution of an Agreement of Mutual Aid for Fire and Emergency Medical Services between Cobb County and the City of Sandy Springs.
(Presented by Fire Chief Jack McElfish)

K) REPORTS AND PRESENTATIONS:

- a) Mayor and Council Reports
- b) Staff Reports

L) PUBLIC COMMENT

(Agenda Item No. 06-386)

M) ADJOURN



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: Award of Purchase Order for Vehicles for Fire Dept.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *qjm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☐ YES ☒ NO

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: Public Hearing to receive input regarding the Amended General and Emergency 911 Fund Budgets for Fiscal Year 2007.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gjm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☒ YES *[Signature]* ☐ NO

PLACED ON AGENDA FOR: 12.5.2006

REMARKS:

STATE OF GEORGIA

COUNTY OF FULTON

AN ORDINANCE AMENDING BUDGETS FOR THE FISCAL YEAR 2007 FOR GENERAL AND E-911 FUND OF THE CITY OF SANDY SPRINGS, GEORGIA, PURSUANT TO ARTICLE VI, CHAPTER 6 OF THE CHARTER OF THE CITY, BEGINNING JULY 1, 2006, AND ENDING JUNE 30, 2007, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES, ADOPTING THE ITEM OF ANTICIPATED FUNDING SOURCES, PROHIBITING EXPENDITURES TO EXCEED APPROPRIATIONS, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES

Whereas, amended budgets of the City has been presented to the Mayor and City Council; and

Whereas, appropriate advertised public hearings have been held on the amended budgets, as required by law and regulations; and

Whereas, the Mayor and City Council have reviewed the amended budgets and have made certain amendments to both funding sources and appropriations; and

Whereas, each of the funds has a balanced budget, such that anticipated funding sources equal or exceed proposed expenditures; and

Whereas, the Mayor and City Council intend to adopt the amended budgets for the Fiscal Year 2007:

Now, therefore, be it ordained by the Mayor and Council of the City of Sandy Springs, pursuant to their authority, as follows:

Section 1. That the City of Sandy Springs, Georgia hereby adopts the amended budgets for the Fiscal Year 2007, said budget being described below and shown on Attachment "A" for each fund of the City of Sandy Springs, Georgia;

General Fund	\$72,904,019
E-911 Fund	\$0

Section 2. That any increase or decrease in appropriations or revenue of any fund or for any department; or the establishment of new grant projects other than those exceptions provided for herein, shall require approval of the City Manager; and

Section 3. That the City Manager and his/her designee may promulgate all necessary internal rules, regulations, and policies to ensure that this Budget Ordinance is followed.

The above Ordinance was read and approved by the Mayor and Council of the City of Sandy Springs, Georgia on the 19th day of December 2006.

Attest:

Eva Galambos, Mayor

Jeanette Marchiafava, City Clerk
(Seal)



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: SSGAL06-0216 - Approval of Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gjm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☐ YES ☒ NO

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



To: John F. McDonough, City Manager

From: Al Crace, Assistant City Manager

Date: November 20, 2006 For Submission onto the December 5, 2006 City Council Meeting

Agenda Item: SSGAL06-0216 - Approval of Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License.

CMO (City Manager's Office) Recommendation:

Receive input during Public Hearing and defer consideration of the application for Consumption on the Premises, Distilled Spirits, Wine and Malt Beverage License for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328

Background:

Applicant submitted a completed application on October 24, 2006. Required advertising for the application will be accomplished in the legal organ of the City on November 23 and November 30. The applicant has passed the background investigation.

Discussion:

Upon further review, there are some components that are unclear or incomplete. Staff is requesting more time to review this application. However, in order to respect an individual's right to speak during public hearing, staff recommends that the Public Hearing be opened.

Alternatives:

None

Financial Impact:

Revenue - \$5830.00

Concurrent Review:

Steve Rapson, Finance Director

Gene Wilson, Police Chief

Operations



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: SSGAL06-0217- Approval of Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits. .

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: (☒ APPROVED *gjm*) (☐ NOT APPROVED)

CITY ATTORNEY APPROVAL REQUIRED: (☐ YES) (☒ NO)

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



To: John F. McDonough, City Manager

From: Al Crace, Assistant City Manager

Date: November 20, 2006 For Submission onto the December 5, 2006 City Council Meeting

Agenda Item: SSGAL06-0217- Approval of Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits.

CMO (City Manager's Office) Recommendation:

Receive input during Public Hearing and defer consideration of the application for Retail/Package Sale of, Wine, Malt Beverage and Distilled Spirits License for Atlantic Wine & Package, d/b/a Atlantic Wine and Spirits located at 6010 Sandy Springs Circle Ste 2B Sandy Springs, GA 30328

Background:

Applicant submitted a completed application on October 24, 2006. Required advertising for the application will be accomplished in the legal organ of the City on November 23 and November 30. The applicant has passed the background investigation.

Discussion:

Upon further review, there are some components that are unclear or incomplete. Staff is requesting more time to review this application. However, in order to respect an individual's right to speak during public hearing, staff recommends that the Public Hearing be opened.

Alternatives:

None

Financial Impact:

Revenue - \$4330.00

Concurrent Review:

Steve Rapson, Finance Director
Gene Wilson, Police Chief

Operations



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: SSGAL06-0218 - Approval of Alcoholic Beverage License Application for Yong He Inc. d/b/a North Peking Chinese Restaurant located at 8540 Roswell Road Ste 400 Sandy Springs, GA 30350. Applicant is Shan He Zhang for Consumption on the Premises for the Sale of Wine and Malt Beverages.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *qjm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☐ YES ☒ NO

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



To: John F. McDonough, City Manager

From: Al Crace, Assistant City Manager

Date: November 20, 2006 for Submission onto the December 5, 2006 City Council Meeting

Agenda Item: SSGAL06-0218 - Approval of Alcoholic Beverage License Application for Yong He Inc. d/b/a North Peking Chinese Restaurant located at 8540 Roswell Road Ste 400 Sandy Springs, GA 30350. Applicant is Shan He Zhang for Consumption on the Premises for the Sale of Wine and Malt Beverages.

CMO (City Manager's Office) Recommendation:

Receive input during Public Hearing and defer consideration of the application for Consumption on the Premises, Wine and Malt Beverage License for Yong He Inc., d/b/a North Peking Chinese Restaurant located at 8540 Roswell Rd, Sandy Springs, GA 30350

Background:

Applicant submitted a completed application on October 17, 2006. Required advertising for the application will be accomplished in the legal organ of the City on November 28 and December 04. The applicant has passed the background investigation.

Discussion:

Upon further review, there are some components that are unclear or incomplete. Staff is requesting more time to review this application. However, in order to respect an individual's right to speak during public hearing, staff recommends that the Public Hearing be opened.

Alternatives:

None

Financial Impact:

Revenue - \$2630.00

Concurrent Review:

Steve Rapson, Finance Director
Gene Wilson, Police Chief

Operations



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: SSGAL06-0220 - Approval of Alcoholic Beverage License Application for Big B Drugs, Inc., d/b/a CVS #4729 located at 6300 Powers Ferry Rd, Sandy Springs, GA 30339. Applicant is CVS Pharmacy #4729 for Retail/Package Sale of Wine and Malt Beverage License.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gmm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☐ YES ☒ NO

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



To: John F. McDonough, City Manager

From: Al Crace, Assistant City Manager

Date: November 21, 2006 For Submission onto the December 5, 2006 City Council Meeting

Agenda Item: SSGAL06-0220 - Approval of Alcoholic Beverage License Application for Big B Drugs, Inc., d/b/a CVS #4729 located at 6300 Powers Ferry Rd, Sandy Springs, GA 30339. Applicant is CVS Pharmacy #4729 for Retail/Package Sale of Wine and Malt Beverage License.

CMO (City Manager's Office) Recommendation:

Receive input during Public Hearing and defer consideration of the application for Retail/Package, Wine and Malt Beverage License for Big B Drugs, Inc, d/b/a CVS Pharmacy #4729 located at 6300 Powers Ferry Rd., Sandy Springs, GA 30339.

Background:

Applicant submitted a completed application on November 13, 2006. Required advertising for the application will be accomplished in the legal organ of the City on November 28 and December 04. The applicant has passed the background investigation.

Discussion:

Upon further review, there are some components that are unclear or incomplete. Staff is requesting more time to review this application. However, in order to respect an individual's right to speak during public hearing, staff recommends that the Public Hearing be opened.

Alternatives:

None

Financial Impact:

Revenue - \$2130.00

Concurrent Review:

Steve Rapson, Finance Director
Gene Wilson, Police Chief

Operations



Zoning Agenda 12/05/06					
Agenda Item		Council District	Meeting Dates**	Staff Recommendation	Planning Commission Recommendation
I.	REZONINGS (First Reading)				
A.	RZ06-046/CV06-032 4579 Roswell Road (SR 9), 216 Hedden Street, and Windsor Parkway (17 00940001020) <i>Applicant: Slavic Evangelic Christian Church</i> <ul style="list-style-type: none"> From R-4 to C-1 to maintain the existing church structure and to convert the existing accessory building into an art/auction gallery, with six (6) concurrent variances. 	5	DRB - 09/26/06 CZIM - 09/26/06 CDRM - 10/25/06 PC - 11/16/06 MCC1 - 12/05/06 MCC2 - 12/19/06	RZ06-046 – Approval Conditional CV06-032 – Approval Conditional	RZ06-046 – Denial CV06-032 – Denial
B.	RZ06-047/CV06-033 161 Mount Paran Road <i>Applicant: AJC International</i> <ul style="list-style-type: none"> From R-3 to O-I to allow the existing residence to be converted into an office, with four (4) concurrent variances. 	5	DRB - N/A CZIM - 09/26/06 CDRM - 10/31/06 PC - 11/16/06 MCC1 - 12/05/06 MCC2 - 12/19/06	RZ06-047 – Approval Conditional CV06-033 – Approval Conditional	RZ06-047 – Approval Conditional CV06-033 – Approval Conditional

** Meeting Codes: CZIM - Community Zoning Information Meeting; DRB - Design Review Board; CDRM - Community/Developer Resolution Meeting; PC - Planning Commission; MCC1 - Mayor and City Council 1st Reading; MCC2 - Mayor and City Council 2nd Reading



To: John McDonough, City Manager

From: Michael D. Zehner, Assistant Director of Planning and Zoning

Date: November 28, 2006 For Submission onto the onto the December 5, 2006 City Council meeting

Agenda Item: **FIRST READING RZ06-046/CV06-032 4579 Roswell Road (SR 9), 261 Hedden Street, and Windsor Parkway (17 00940001020), Request to rezone from R-4 (Single Family Dwelling District) to C-1 (Community Business District)**

CMO (City Manager's Office) Recommendation:

First reading of the request to rezone the property from R-4 (Single Family Dwelling District) to C-1 (Community Business District) to maintain the existing church structure and to convert the existing accessory building on the site into an art/auction gallery.

Background:

The site is located on the east side of Roswell Road (SR 9), the south side of Hedden Street, and the north side of Windsor Parkway. The property is zoned R-4 (Single Family Dwelling District) and is currently developed with a church and an accessory building. The subject property is located within the Village District of the Sandy Springs Overlay District.

Discussion:

The site plan depicts a 10,500 square foot church and a 12,000 square foot fabricated metal accessory building on the 2.05 acre property. The applicant/owner proposes to maintain both existing buildings, but to convert the accessory building into an art/auction gallery.

Concurrent Review:

The staff held a Focus Meeting on October 4, 2006 at which the following city departments provided comments:

- Building Division
- Development Division
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management (*comments received*)

Rezoning Petition No. RZ06-046/CV06-032

HEARING & MEETING DATES

Community Zoning Information Meeting	Design Review Board Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
September 26, 2006	September 26, 2006	On or before October 31, 2006	November 16, 2006	December 5, 2006 - 1 st Reading December 19, 2006 - 2 nd Reading

APPLICANT/PETITIONER INFORMATION

Property Owners	Petitioner	Representative
Slavic Evangelic Christian Church	Slavic Evangelic Christian Church	Nathan V. Hendricks, III

PROPERTY INFORMATION

Address, Land Lot, and District	4579 Roswell Road (SR 9), 261 Hedden Street, Windsor Parkway (17 00940001020) Land Lot 94, District 17
Council District	5
Frontage and Area	205.26 feet of frontage along the east side of Roswell Road (SR 9), 124.56 feet of frontage along the south side of Hedden Street, and 161.34 feet of frontage along the north side of Windsor Parkway. The subject property has a total area of 2.07 acres.
Existing Zoning and Use	R-4 (Single Family Dwelling District), currently developed with a church and an accessory building.
Overlay District	Village District
Interim 2025 Comprehensive Future Land Use Map Designation	Community Facilities (CF)
Proposed Zoning	C-1 (Community Business District)

INTENT

The applicant is requesting to rezone from R-4 (Single Family Dwelling District) to **C-1 (Community Business District)** to maintain the existing church structure and to convert the existing accessory building on the site into an art/auction gallery. The applicant/owner is not proposing any new development on the site. The applicant/owner is six (6) concurrent variances as follows:

1. To delete the required twenty-five (25) foot buffer and ten (10) foot improvement setback along the east property line to allow the existing paving and parking to remain abutting property zoned R-4 (Single Family Dwelling District) and TR (Townhouse Residential District) (Section 4.23.1, *Minimum Landscape Strips and Buffers*).
2. To delete the required five (5) foot landscape strip along the south property line to allow the existing paving and parking to remain abutting property zoned C-1 (Community Business District) (Section 4.23.1, *Minimum Landscape Strips and Buffers*).
3. To allow the existing monument sign to encroach in to the required ten (10) landscape strip along the Roswell Road (SR 9) frontage (Section 33.6.8, *Sign Specifications, Setback*).
4. To delete the required five (5) foot landscape strip along the west property line to allow the existing driveway, paving, and parking to remain abutting property zoned C-1 (Community Business District) (Section 4.23.1, *Minimum*

Landscape Strips and Buffers).

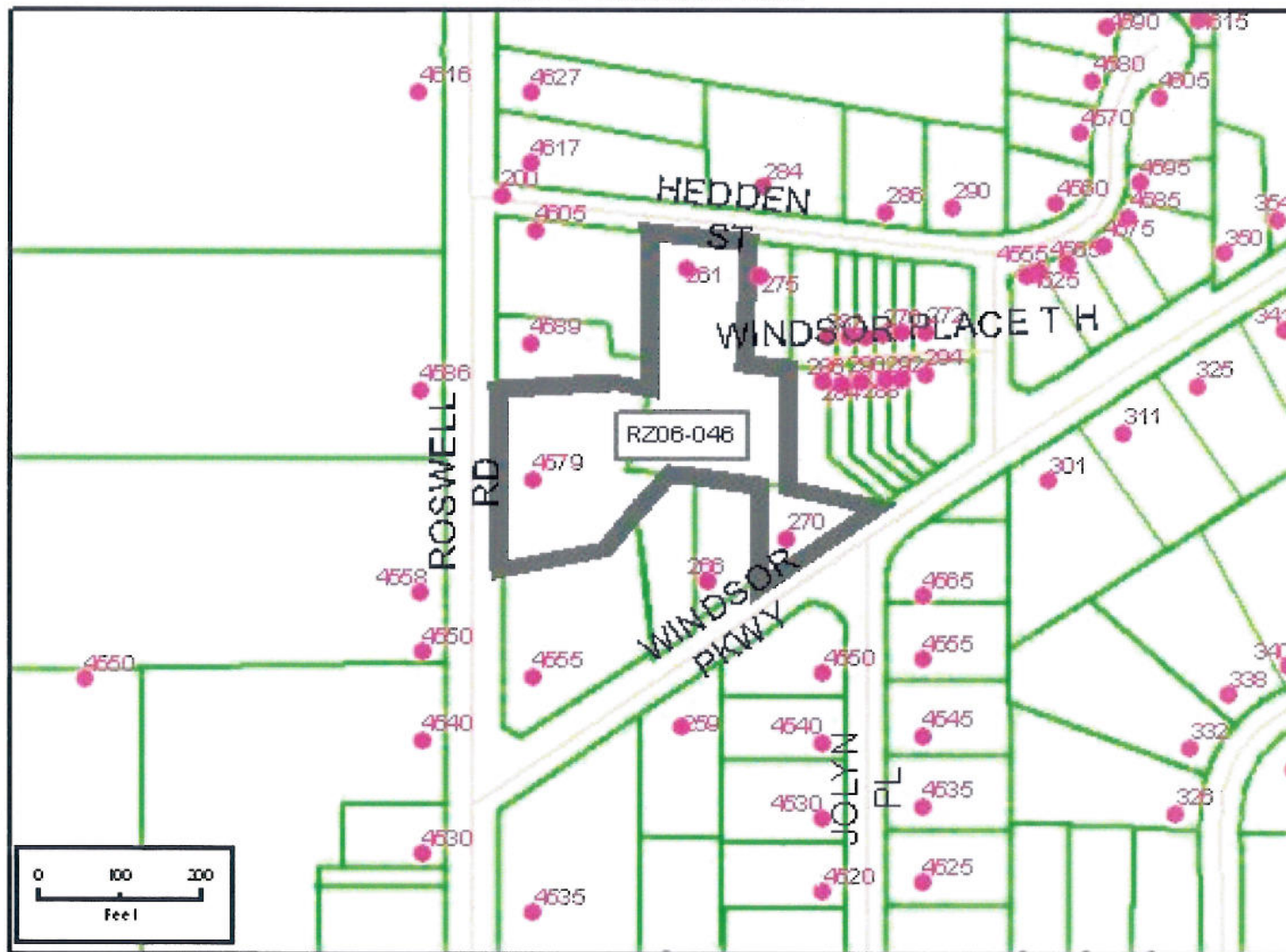
5. To reduce the required forty (40) foot front yard setback to thirty-four (34) feet along the north property line along the Hedden Street frontage to allow the existing structure to remain (Section 9.1.3.A, *Minimum Front Yard*).
6. To allow a reduction in the required number of parking spaces from 140 to the existing 107 (Section 18.2.1, *Basic Off-street Parking Requirements*).

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ06-046 - TBD

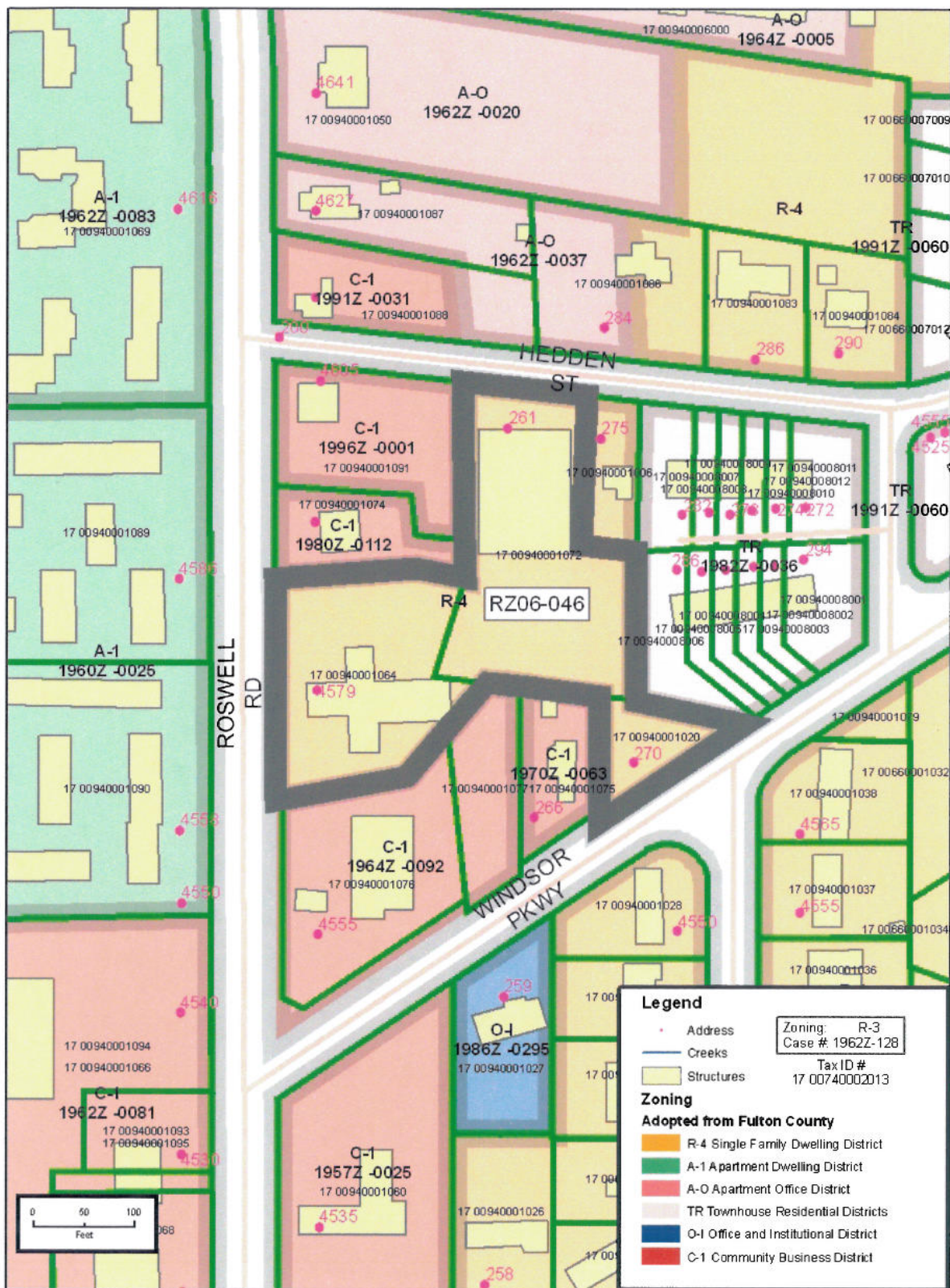
CV06-032 - TBD

Parcel Map
4579 Roswell Rd.



Location Map

4579 Roswell Rd.



OWNER/DEVELOPER:
PAUL BROWN
P.O. BOX 421159
ATLANTA, GEORGIA 30342
404-863-6851

404-863-6851

NORTH:



MAGNETIC

SCALE:



SCALE 1"=30'

280 HERITAGE WALK
WOODSTOCK, GEORGIA 30188
PHONE: (678) 445-8489
FAX: (678) 445-4326

REVISIONS

SHEET: 1/1
REZONIN
PLAN



VICINITY MAP

[illegible]

SITE CONDITIONS

CURRENT ZONING: R-4
PROPOSED ZONING: C-1

AREA:
EXISTING = 80,339 Sq. Ft. OR 2.07 Ac.
R/W ADDED = 1,098 Sq. Ft. OR 0.02 Ac.
REMAINING = 81,437 Sq. Ft. OR 2.00 Ac.

SETBACKS: FRONT = SEE PLAN
REAR = SEE PLAN
SIDE (ADJACENT TO ROAD) = SEE PLAN

REAR = SEE PLAN 35' ADJOURNING STREET
MINIMUM LOT FRONTAGE: 35' ADJOURNING STREET
STRUCTURE SHALL NOT EXCEED = 5 STORIES OR 60' IN HEIGHT

ADJOURNING PROPERTIES:
- PROPERTY SHOWN BY FULTON COUNTY SANITARY SEWER
- ADJOURNING PROPERTY TO THE EAST IS THE FULTON COUNTY
- PORTION OF THE PROPERTY IS LOCATED WITHIN THE VILLAGE
DISTRICT BOUNDARIES

PAVING ANALYSIS
RETAIL PAVING FOR 1,000 SQ. FT.
12,000 SQ. SPACES = 12,000/1000 = 12
12 SPACES/SF X 5 = 60 SPACES REQUIRED

CHAIR: 1
1 SPACES PER 15 SEATS
SEATS = 260 / 15 = 80 SPACES REQUIRED
107 SPACES PROVIDED

DEPT

SEP 01 2006

City of Sandy Springs
Community Development

CONTACT: PAUL BROWN 404-883-6851

RZU6046



To: John McDonough, City Manager

From: Michael D. Zehner, Assistant Director of Planning and Zoning

Date: November 28, 2006 For Submission onto the onto the December 5, 2006 City Council meeting

Agenda Item: **FIRST READING RZ06-047/CV06-033 161 Mount Paran Road**, Request to rezone from R-3 (Single Family Dwelling District) to O-I (Office and Institutional District) to convert the existing structure from a single family residence to an office.

CMO (City Manager's Office) Recommendation:

First reading of the request to rezone the property from R-3 (Single Family Dwelling District) to O-I (Office and Institutional District) to convert the existing structure from a single family residence to an office.

Background:

The site is located on the south side of Mount Paran Road, approximately 100 feet west of the intersection with Roswell Road (SR 9). The property is zoned R-3 (Single Family Dwelling District) and is currently developed with one (1) single family residence.

Discussion:

The applicant is proposing to rezone the subject property to O-I (Office and Institutional District) to allow for the existing 1,728 square foot residence to be converted into an office. The existing site has a density of 5,357 square feet per acre. The site plan shows the existing residence on the 0.2186 acre property with a driveway along the east property line leading to parking at the rear of the site.

Concurrent Review:

The staff held a Focus Meeting on October 4, 2006 at which the following city departments provided comments:

- Building Division
- Development Division
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management (*comments received*)

SANDY SPRINGS

G E O R G I A

Rezoning Petition No. RZ06-047/CV06-033

HEARING & MEETING DATES

Community Zoning Information Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
September 26, 2006	On or before October 31, 2006	November 16, 2006	December 5, 2006 - 1 st Reading December 19, 2006 - 2 nd Reading

APPLICANT/PETITIONER INFORMATION

Property Owners	Petitioner	Representative
International Building Associates	AJC International	Sandra Raeder

PROPERTY INFORMATION

Address, Land Lot, and District	161 Mount Paran Road Land Lot 92, District 17
Council District	5
Frontage and Area	99.63 feet of frontage along the south side of Mount Paran Road. The subject property has a total area of 0.2816 acres.
Existing Zoning and Use	R-3 (Single Family Dwelling District), currently developed with a single family residence at a density of 3.55 units per acre
Interim 2025 Comprehensive Future Land Use Map Designation	Office (O)
Proposed Zoning	O-I (Office and Institutional)

INTENT

The applicant is requesting to rezone the property from R-3 (Single Family Dwelling District) to **O-I (Office and Institutional District)** to convert the existing structure from a single family residence to an office. The applicant is also requesting three (3) concurrent variances as follows:

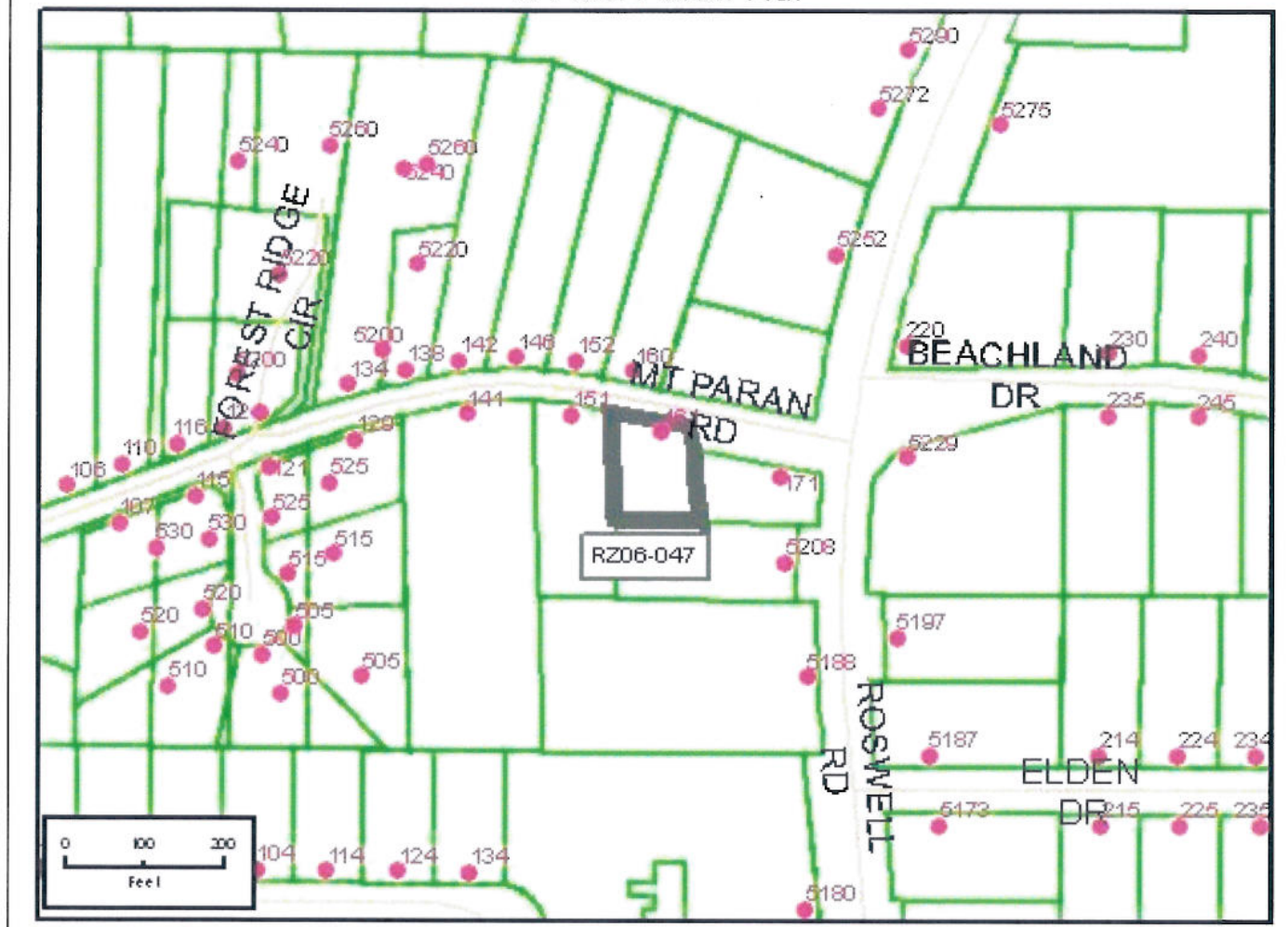
1. To reduce the required twenty (20) foot side yard setback to ten (10) feet along the west property line to allow the existing structure to remain (Section 8.1.3.C, *Minimum Side Yard*).
2. To reduce the required twenty-five (25) foot buffer and ten (10) foot improvement setback to a ten (10) foot landscape strip along the west property line adjacent to property zoned R-3 (Single Family Dwelling District) to allow the existing structure to remain (Section 4.23.1, *Minimum Landscape Strips and Buffers*).
3. To reduce the required ten (10) foot landscape strip to zero (0) feet along portions of the south property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (Section 4.23.1, *Minimum Landscape Strips and Buffers*).
4. To reduce the required ten (10) foot landscape strip to zero (0) feet along the east property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (Section 4.23.1, *Minimum Landscape Strips and Buffers*).

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ06-047 - TBD
CV06-033 - TBD

Parcel Map

161 Mt. Paran Rd.



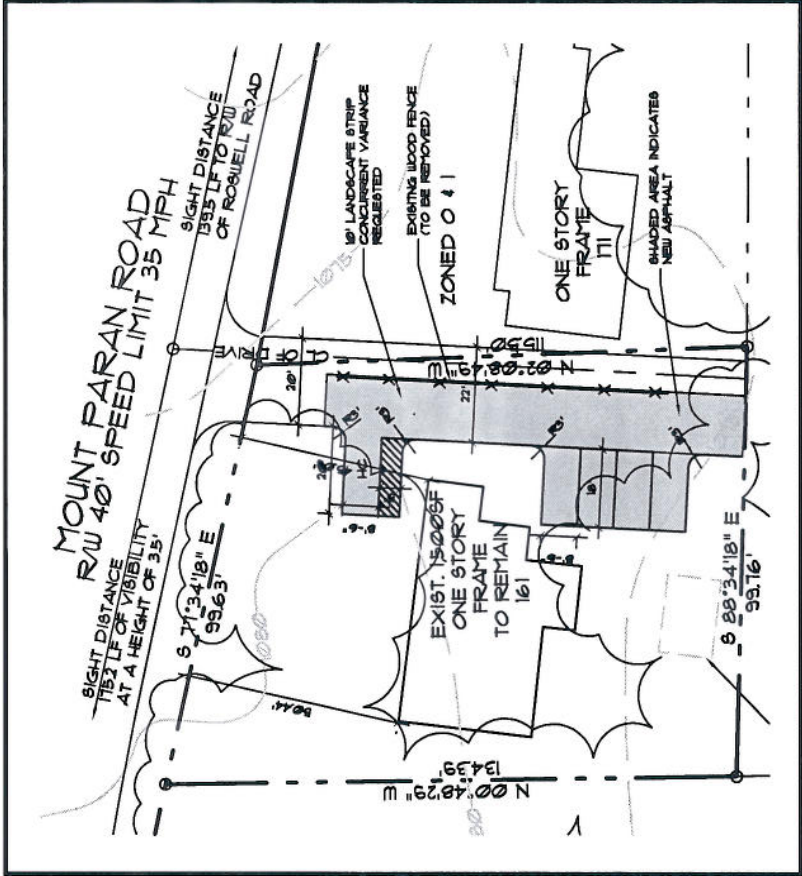
Location Map

161 Mt. Paran Road

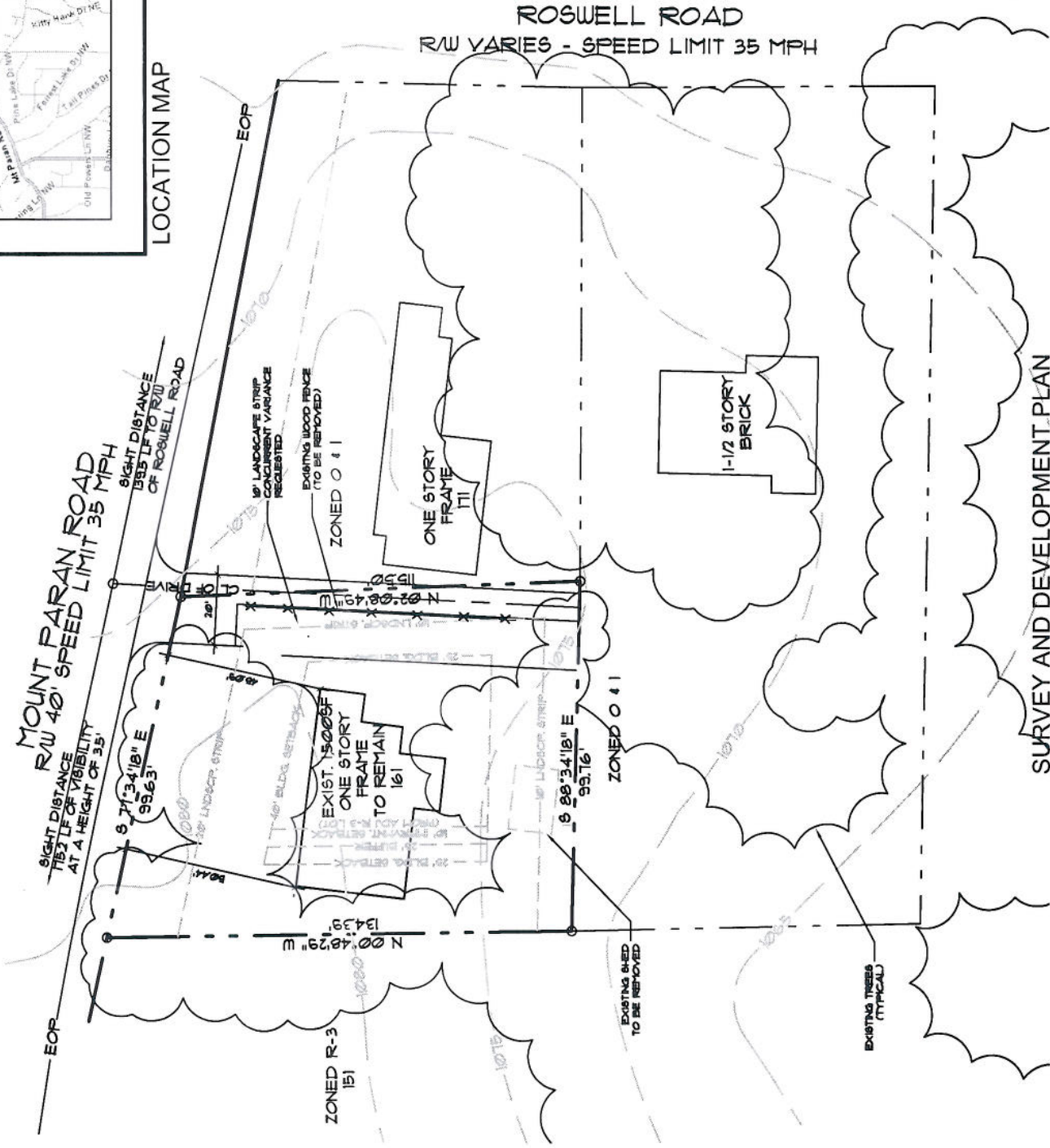


PROPERTY OWNER	INTERNATIONAL BUILDING ASSOCIATES
PROPERTY ADDRESS	161 MOUNT PARAN ROAD
BOUNDARY SURVEY	TAKEN FROM SURVEY BY CHARLES D. MCCANN & ASSOCIATES, INC. FOR INTERNATIONAL BUILDING ASSOCIATES DATED 11-29-1953
ACREAGE OF PROPERTY	0.2194 ACRES (12,264.50 FT ²)
CURRENT ZONING	RESIDENTIAL - R-3
PROPOSED ZONING	OFFICE AND INSTITUTIONAL (O 4 I)
PROPOSED DEVELOPMENT	FULTON COUNTY TOPOGRAPHY (5 FOOT CONTOUR INTERVAL)
REQUIRED PROPOSED BUILDING SETBACKS	FRONT YARD - 40 FEET SIDE YARD - 25 FEET - ADJACENT TO INTERIOR LOT LINES NONE FOR ALL OTHER BUILDINGS
	REAR YARD - 25 FEET - ADJACENT TO INTERIOR LOT LINES
FLOOD INFORMATION	THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD ZONE PER FEMA MAP NUMBER 1810244 E DATED JUNE 22, 1999
REQUIRED/PROPOSED PARKING	3 PER 1000 SF. + 5 REQUIRED (1 HANDICAP)
PROPOSED STORMWATER MANAGEMENT FACILITIES	STORMWATER TO BE COLLECTED IN AN EXISTING DETENTION POND LOCATED ON THE SAME OWNER'S PROPERTY DIRECTLY TO THE SOUTH
AVAILABILITY OF WATER	EXISTING WATER LINE RUNS ALONG MOUNT PARAN ROAD.
AVAILABILITY OF SANITARY SEWERS	EXISTING SANITARY SEWER BENEATH MOUNT PARAN ROAD.

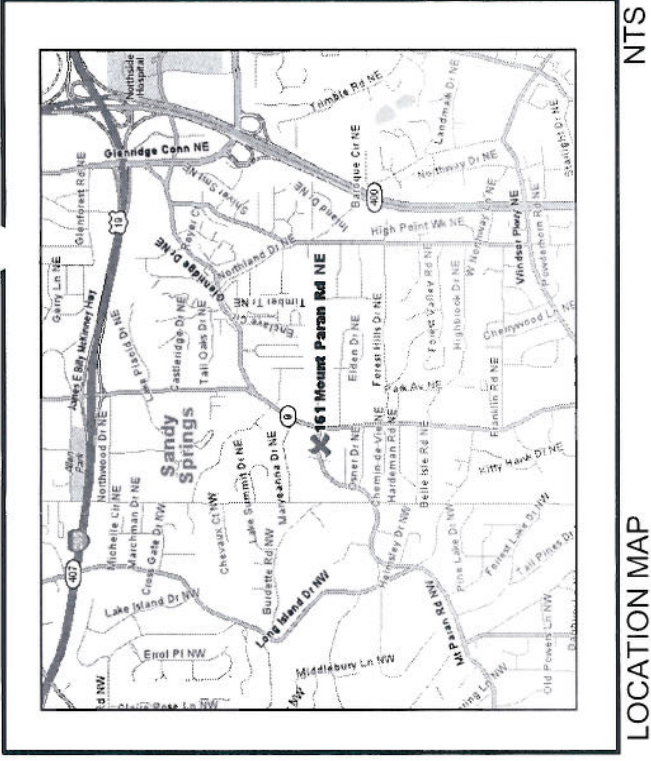
DEVELOPMENT INFORMATION



PROPOSED IMPROVEMENTS



SURVEY AND DEVELOPMENT PLAN



LOCATION MAP

NTS

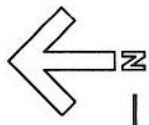
08206047

RECEIVED

SEP 05 2006

City of Sandy Springs
Community Development

8/29/06



ATLANTA, GEORGIA



REZONING SITE PLAN - 161 MOUNT PARAN ROAD



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: Motion to Authorize the Mayor to Sign the GDOT Local Government Project Agreement (LGPA) for Priority Land Acquisition for the Greenway, Abernathy Road Section

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☒ YES *[Signature]* ☐ NO

PLACED ON AGENDA FOR: 12.5.2006

REMARKS:



TO: John McDonough, City Manager

FROM: Angelia Parham, P.E., Public Works Director

DATE: November 20, 2006, for Submission onto the Agenda of the December 5th, 2006, City Council Meeting

AGENDA
ITEM: Motion to Authorize the Mayor to Sign the GDOT Local Government Project Agreement (LGPA) for Priority Land Acquisition for the Greenway, Abernathy Road Section

Public Works Department Recommendation:

Staff recommends that the Mayor and City Council approve the Local Government Project Agreement (LGPA) between the City of Sandy Springs, Cobb County and the Georgia Department of Transportation to acquire land for the Greenway, Abernathy Road Section.

Background:

This project is funded by Cobb County and the City of Sandy Springs and includes land acquisition for the future greenway to be constructed along Abernathy Road, between Johnson Ferry Road and Roswell Road. The City of Sandy Springs needs to approve the attached LGPA to document the agreement for the land acquisition actions.

Discussion:

This project is included in the City's Transportation Capital Improvement Program (CIP-T).

Alternatives:

If this Agreement is not approved by the Mayor and the City Council, it is possible that federal and state funds may be forfeited and this project cannot move forward.

Financial Impact:

1. FUNDING:

- A. COBB COUNTY shall fund all costs for the GREENSPACE PROJECT's land acquisition up to \$4,000,000.00. To fulfill its commitment, COBB COUNTY may utilize COBB COUNTY funds, the funds identified in the Intergovernmental Agreement, or seek additional funding through, and in accordance with the existing regional transportation TIP or STIP programming process.
- B. The Federal Earmark of an additional \$992,000.00 has been provided for this GREENSPACE PROJECT through a Congressional appropriation.



- C. COBB COUNTY and the CITY OF SANDY SPRINGS hereby agree that during the greenspace acquisition if funds are needed in excess of \$4,992,000.00, then COBB COUNTY and the CITY OF SANDY SPRINGS will use their best efforts to identify the additional funds needed. Any additional acquisition funds will be split 50/50 between COBB COUNTY and the CITY OF SANDY SPRINGS, up to a total of additional funds of \$3,508,000.00. In the event that all greenspace land acquisition funds are expended and no additional funds can be identified, all greenspace land acquisition will cease on the GREENSPACE PROJECT until such time as future funding may be secured.

Attachments:

- I. Resolution
- II. LGPA Priority Land Acquisition Project, Abernathy Road From Johnson Ferry Road to Roswell Road

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A LOCAL GOVERNMENT
PROJECT AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND
COBB COUNTY FOR PRIORITY LAND ACQUISITION FOR ABERNATHY GREENSPACE
PROJECT FROM JOHNSON FERRY ROAD TO ROSWELL ROAD**

WHEREAS, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and recommends that the City enter in to a Local Government Project Agreement with the Georgia Department of Transportation AND Cobb County for the following project:

1. Greenway – Abernathy Road Section

Limits: Abernathy Road, Johnson Ferry Road to Roswell Road, and

WHEREAS the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF SANDY SPRINGS, GEORGIA,**

That the City of Sandy Springs Mayor and City Council affirm the authorization for the Mayor to sign this Local Government Project Agreement with the Georgia Department of Transportation and Cobb County.

IT IS FURTHER RESOLVED that the Mayor and City Council acknowledge that the City Manager, in order to assure the effectiveness of authorizing and signing the Project Management Agreement, will periodically refine policies, procedures, and guidelines and keep the Mayor and Council informed of any changes as they occur.

APPROVED AND ADOPTED on this the 5th day of December 2006.

Approved:

Eva Galambos, Mayor

Attest:

Christina Rowland, Acting City Clerk

(Seal)



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: Approval of a Resolution to authorize and direct the execution and delivery of certain lease financing and related documents; to provide a statement by legislative findings and intent; to provide an effective date; and for other purposes.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☒ YES *[Signature]* ☐ NO

PLACED ON AGENDA FOR: *12.5.2006*

REMARKS:



To: Honorable Mayor and City Council Members

From: John McDonough, City Manager
Steven Rapson, Director of Finance

Date: November 20, 2006

Agenda Item: Establish financing for public safety equipment approved at the mid-year review

CMO (City Manager's Office) Recommendation:

Approve the City Manager to execute Banc of America Public Capital Corp leasing documents for the lease/purchase of public safety equipment.

Background:

City Council previously approved a \$5M lease with Banc of America for the Fire Department equipment through a formal bid solicitation. This will increase that lease amount to \$7.5M for the purpose of providing the means and mechanism whereby the Police and Fire Department can finance additional equipment.

Discussion:

This \$2.5M will be used to finance the public safety related equipment approved during the mid-year budget review.

Fire Department - 3 Year Lease

Description	Quantity	Budget	Extended	Lease Pymt
Quick Response Vehicle	3	\$29,300	\$87,900	\$31,176
QRV Equipment	3	\$15,400	\$46,200	\$16,380
AED	1	\$116,735	\$116,735	\$41,400
Jump Kits	1	\$25,350	\$25,350	\$8,988

Police Department - 3 Year Lease

Description	Quantity	Budget	Extended	Lease Pymt
Patrol Vehicles	34	\$51,330	\$1,745,220	\$618,888
Radios, Laptops & Radars	34	\$13,800	\$469,200	\$166,380

Basis for selection:

Banc of America Public Capital Corp will extend the previously approved financing terms and conditions for the incremental \$2.5M expediting the financing and enabling this equipment order being placed expeditiously.

Alternatives:

Purchase equipment from a variety of vendors through separate bid solicitations.

Financial Impact:

This lease/purchase would be for over a three (3) year period with an interest rate of 4.0615%.

Concurrent Review:

Al Crace, Assistance City Manager, CH2MHill
Jack McElfish, Fire Chief
Gene Wilson, Police Chief

Finance



CITY COUNCIL AGENDA ITEM

TO: City Council

DATE: November 27, 2006

FROM: City Manager

AGENDA ITEM: Agreement of Mutual Aid for Fire and Emergency Medical Services between the Cobb County and the City of Sandy Springs.

MEETING DATE: Tuesday, December 5, 2006 Regular Meeting

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached memorandum

APPROVAL BY CITY MANAGER: ☒ APPROVED *gm* ☐ NOT APPROVED

CITY ATTORNEY APPROVAL REQUIRED: ☒ YES *SM* ☐ NO

PLACED ON AGENDA FOR: 12-5-2006

REMARKS:



To: John F. McDonough, City Manager

From: Jack K. McElfish, Fire Chief

Date: November 21, 2006 For Submission onto the December 5, 2006 Regular City Council Meeting

Agenda Item: Agreement of Mutual Aid for Fire and Emergency Medical Services between the Cobb County and the City of Sandy Springs

CMO (City Manager's Office) Recommendation:

Approve the attached Mutual Aid agreement between the City of Sandy Springs and Cobb County to render supplemental assistance in providing fire suppression, protection, prevention and emergency medical services to the other party in the event of a fire. This Mutual Aid agreement shall commence on the date of December 13, 2006 and shall continue for a period of one year.

Background:

The Mutual Aid Agreement will go before the Cobb County Board of Commissioners in December for final approval, as it reads.

Discussion:

The attached Mutual Aid agreement shall automatically be renewed by the parties each year thereafter unless and until such time as written notice of intention not to renew or notice of modification is received by either party within (90) day prior to the expiration of the term of this agreement.

Fiscal Impact

No party under this agreement will be required to pay any compensation to the other party under this agreement for services rendered pursuant to this agreement

Alternative

Do not approve agreement

Concurrent Review:

Cecil McLendon, City Attorney_____

*Fire
Department*



To: John F. McDonough, City Manager

From: Jack K. McElfish, Fire Chief

Date: November 21, 2006 For Submission onto the December 5, 2006 Regular City Council Meeting

Agenda Item: Agreement of Mutual Aid for Fire and Emergency Medical Services between the Cobb County and the City of Sandy Springs

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Fiscal Impact

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Alternative

Do not approve agreement

Concurrent Review:

Cecil McLendon, City Attorney_____

*Fire
Department*

STATE OF GEORGIA

RESOLUTION NO. 2006-11-93

COUNTY OF FULTON

RESOLUTION AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SANDY SPRINGS AND COBB COUNTY GOVERNMENT FOR MUTUAL AID FOR FIRE AND EMERGENCY MEDICAL SERVICES.

Whereas, the City of Sandy Springs desires to provide the best possible protection to its citizens, businesses, and visitors; and

Whereas, disastrous incidents and immediate response emergencies occur, during which conditions of extreme peril exist which threaten the safety of person and property; and

Whereas, by combining the resources of the City of Sandy Springs Fire Department with the resources of the Cobb County Fire Department during disastrous incidents and immediate response emergencies, the life and property of all citizens may be better protected; and

Whereas, the City of Sandy Springs desires to prevent disastrous incidents from occurring; and

Whereas, the City of Sandy Springs desires to maximize the protection of life and property when disastrous incidents and immediate response emergencies occur; and

Whereas, the State of Georgia has provided for Mutual Aid Resources Pacts through O.C.G.A. 524-6-1 et seq. and O.C.G.A. 36-69-1 et seq.

Now, therefore, the Mayor and Council of the City of Sandy Springs, pursuant to their authority, do hereby adopt and approve a Resolution authorizing an Intergovernmental Agreement between the City of Sandy Springs and Cobb County for Mutual Aid for Fire and Emergency Medical Services.

The above Resolution was read and approved by the Mayor and Council of the City of Sandy Springs, Georgia on the 5th day of December 2006.

Attest:

Eva Galambos, Mayor

Christina V. Rowland, Interim City Clerk
(Seal)

STATE OF GEORGIA

COUNTY OF COBB

**AGREEMENT OF MUTUAL AID
FOR FIRE AND EMERGENCY MEDICAL SERVICES**

This Agreement is made and entered into this **13th day of December, 2006** by and between Cobb County, a political subdivision of the State of Georgia, acting by and through its Fire Chief with the authority of the duly elected Board of Commissioners, and the City of Sandy Springs, acting by and through its Fire Chief with the authority of the duly elected City Council.

WITNESSETH:

WHEREAS, Cobb County and the City of Sandy Springs, Georgia are contiguous;

WHEREAS, Cobb County and the City of Sandy Springs each maintain and staff a fire department for the purpose of providing fire suppression, protection, prevention, and emergency medical services;

WHEREAS, Cobb County and the City of Sandy Springs have determined that it is to the mutual advantage and benefit of each of the parties hereto that they render supplemental assistance in providing local emergency, fire suppression, protection, prevention and emergency medical services to the other party in the event of a fire or other local emergency, and to take part in joint training exercise; and

WHEREAS, it is the desire of the signatories hereto to enter into this agreement for mutual aid and first response pursuant to the 1983 Constitution of the State of

Georgia Article IX, Section II, Paragraph 3 and Article IX, Section III, Paragraph 1.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties hereto agree to follow:

ARTICLE 1 - TERM OF AGREEMENT

This agreement shall commence on the date of **December 13, 2006** and shall continue until **December 13, 2009**. This agreement shall automatically be renewed by the parties each year thereafter unless and until such time as written notice of intention not to renew or notice of modification is received by either party within ninety (90) days prior to the expiration of the term of this agreement.

ARTICLE 2 - TERMINATION

Either party to this agreement may terminate the agreement by giving not less than one hundred and eighty (180) days written notice to the other party. Upon the running of one hundred eighty (180) days from such written notice, this agreement shall be terminated. Notice to Cobb County should be mailed to:

Fire Chief
Cobb County Fire & Emergency Services
1595 County Services Parkway
Marietta, GA 30080

Notice to the City of Sandy Springs should be mailed to:

Sandy Springs Fire Department
7849 Roswell Road, Suite 500
Sandy Springs, GA. 30350
Attn: Fire Chief

ARTICLE 3 - LIABILITY

There shall be no liability imposed on any party or its personnel for failure to

respond to requests for aid. Every employee shall be deemed to be the employee and agent of his/her regular employer, and under no circumstance shall any employee be deemed to be an employee or agent of any entity other than his/her regular employer. All damages or repairs to any equipment or apparatus that occur in the normal operation shall be the responsibility of the owner jurisdiction.

ARTICLE 4 - COMPENSATION

No party under this agreement will be required to pay any compensation to the other party under this agreement for services rendered pursuant to this agreement. The mutual advantage and protection afforded by this agreement is considered adequate compensation to both parties. Each party to this agreement shall comply with workers' compensation laws of the State of Georgia without any cost to the other party. Each party shall pay its own personnel without cost to the other party.

ARTICLE 5 - RELEASE OF CLAIMS

Each of the parties agrees to release the other party from any and all liabilities, claims, judgments, costs or demands for damage to that party's property whether arising directly or indirectly out of the use of any vehicle, equipment or apparatus by the other party during the provision of service pursuant to this agreement.

ARTICLE 6 - INJURIES TO PERSONNEL

Any damage or other compensation which is required to be paid to any employee by reason of an injury occurring while their services are being utilized pursuant to this agreement shall be the sole liability and responsibility of the party regularly employing such person.

ARTICLE 7 – REQUEST FOR ASSISTANCE

Each party agrees that the timing of the request for mutual aid is critical to the effectiveness of the assistance being requested. Each party agrees that in order to expedite the response to the request for mutual aid, field officers or dispatch center personnel may make the request for mutual aid as soon as possible and in the most direct manner and that the requesting party's designee may be the incident commander or the officer (or acting officer) on apparatus responding to the incident.

When either party determines that it is necessary to request mutual aid, the requesting party or its designee is authorized to make the request in these ways:

- Via radio directly from the requesting jurisdiction's unit to the requested jurisdiction's dispatch center, or
- Via telephone or radio between dispatch centers.

Both of these methods ensure that unit assignment and status is heard and understood by the providing jurisdiction's dispatch center and that the request is captured in audio documentation.

ARTICLE 8 - ASSISTANCE

Each party agrees that it is to the mutual advantage of both parties to provide supplemental fire suppression, protection, and prevention equipment and/or personnel to each other in the event of a fire or other emergency when primary resources are insufficient to contain the situation on a timely basis. The party requesting mutual aid is responsible for identifying specific needs regarding equipment and/or personnel. The party furnishing mutual aid will determine the actual amount of aid extended in each instance based on the availability of personnel and/or equipment in light of the specific

needs identified. The equipment and/or personnel provided for mutual aid may be recalled at the sole discretion of the furnishing jurisdiction if circumstances warrant.

ARTICLE 9 - ADMINISTRATION

It is agreed that for the purpose of liaison and administration, the Cobb County Fire Chief and the City of Sandy Springs Fire Chief shall be jointly responsible.

ARTICLE 10 - MISCELLANEOUS

This agreement shall not be construed as, or deemed to be, an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.

This agreement shall constitute the entire agreement between the parties, and no modification shall be binding upon the parties unless evidenced in writing and signed by both parties.

In the event any part or provision of this agreement is held to be invalid, the remainder of this agreement shall not be affected thereby and shall continue in full force and effect.

This agreement shall govern in all respects as to the validity, construction, capacity, performance, or otherwise by the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties set their hands and seals this 13th day of December, 2006.

FOR COBB COUNTY, GEORGIA:

Rebecca Denlinger, Fire Chief

Date

FOR CITY OF SANDY SPRINGS, GEORGIA:

Jack McElfish, Fire Chief

Date