

DeKalb County Board of Commissioners

**Lee May**  
Presiding Officer



**Board of Commissioners**

- District 1 - Elaine Boyer
- District 2 - Jeff Rader
- District 3 - Larry Johnson
- District 4 - Sharon Barnes Sutton
- District 5 - Lee May
- District 6 - Kathie Gannon
- District 7 - Stan Watson

**DEKALB COUNTY GEORGIA  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
FEBRUARY 12, 2013**

**A.      INSPIRATIONAL** **State Representative Dee Dawkins-Haigler**  
First Saint Paul A.M.E. Church

**PLEDGE OF ALLEGIANCE** **Commissioner Stan Watson**  
District 7

**B.      PRESENTATIONS** ..... **Teen Violence Month**  
Commissioner Larry Johnson & Solicitor General Sherry Boston

**The American Heart Association – “Go Red for Women”**  
Commissioner Sharon Barnes Sutton

**Delta Sigma Theta Sorority, Inc.**  
Decatur Alumnae Chapter and Stone-Mountain Lithonia (SM-LAC) Chapter

**C.      COMMENTS FROM THE PUBLIC**

*The Public Comments portion of this meeting is reserved exclusively for comments from the public, and not for immediate reply. Statements made during the Public Comments portion do not necessarily reflect the Opinions of the Board or the Administration of DeKalb County Government.*

*The purpose of public comment is to allow the public to voice county-related requests, concerns or opinions during the public comment portion of the Commission meeting. Individual speakers will only have the opportunity for one public comment per meeting. Prior to speaking, each speaker must please complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting. The clerk will accept cards on a first come first served basis. Speakers who are residents of DeKalb County shall be allowed to speak before residents of other counties are allowed to speak. Once the public comment portion of the meeting begins, speaker cards will no longer be accepted. Speakers will be allowed to speak for three minutes each and public comment shall not exceed 30 minutes in length. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to yield the podium. Those who submitted speaker cards but did not speak because of the time allotment, will be allowed to speak first at the next regularly scheduled commission meeting without regard to residence. For more information about scheduling this opportunity, please speak with a member of the Clerk’s staff. If you would like to fill out a written comment concerning county-related service complaints, this will help the governing authority to forward the complaints to the appropriate department for follow up. When speaking, always talk directly into the microphone and begin by stating your name, full address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker’s position.*

## D. 10:00 A.M. PUBLIC HEARING

*Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to presents its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five-minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please provide 10 copies when approaching the podium. Seven copies are for the Commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.*

### CEO

D1. 2013 Budget (*Accepted to the Regular BOC Meeting Agenda*)

### Finance

D2. Home Rule Ordinance to Amend the Pension Code of DeKalb County, Georgia, 1962 Ga. Laws 3088, as Amended, to Change Employee Pension Contribution Rates Effective April 1, 2013; Set the Pension Benefit Level for Future Employees Hired on or after April 1, 2013; and Make other Clarifying Changes (*Normal Coursed from the 1/8/13 Regular BOC Meeting; Assigned to the 1/15/13 Employee Relations & Community Services Committee – no recommendation; Deferred from the 1/22/13 Regular BOC Meeting; Discussed during the 2/5/13 Employee Relations & Community Services Committee Meeting – no recommendation*)

### Planning & Sustainability: Commission Districts 2 & 6

D3. Rezoning, Z-12-17785, Tung Lin Wang (*Deferred from the 7/24/12 Rezoning Meeting – for public hearing; Deferred from the 8/28/12 Regular BOC Meeting; Deferred from the 1/8/13 Regular BOC Meeting – for decision only; Deferred from the 1/22/13 Regular BOC Meeting – for decision only*)

D4. Special Land Use Permit, SLUP-13-18324, Chick Fil A (*Deferred from the 1/22/13 Rezoning Meeting – for decision only*)

### Planning & Sustainability: Commission Districts 4 & 7

D5. Text Amendment - "Mountain Industrial Overlay District". TA-12-18354 (*Deferred from the 1/22/13 Rezoning Meeting – for decision only*)

### Watershed Management: Commission Districts 1 & 6

D6. Resolution, Order and Declaration of Taking – 6,600.58 Square Feet of Permanent Easement (including new and residual prescriptive rights) and 2,754.53 Square Feet of Temporary Easements, 2050 Will Ross Court, W. R. Court, LLC., Owner, Tax Parcel ID # 18-308-02-022 (*Accepted to the Regular BOC Meeting Agenda*)

## E. APPEALS

E1. NONE

## F. APPOINTMENTS

- [F1.](#) Appointment of John F. McMullan to the DeKalb County Pension Board *(Accepted to the Regular BOC Meeting Agenda; Discussed during the 1/15/13 Employee Relations & Community Services Committee meeting – recommended approval)*
- [F2.](#) Appointment to the DeKalb County CATV Citizens' Advisory Board Clinton Raines, Jr. *(Accepted to the Regular BOC Meeting Agenda)*
- [F3.](#) Appointment to the DeKalb County Airport Advisory Board-Jennifer McKillop *(Accepted to the Regular BOC Meeting Agenda)*
- [F4.](#) Appointment to the DeKalb County Partnership for Community Action Board-Lois Keith *(Accepted to the Regular BOC Meeting Agenda)*
- [F5.](#) Appointment to the DeKalb County Zoning Board of Appeals-Polly Meriwether-Lewis *(Accepted to the Regular BOC Meeting Agenda)*
- [F6.](#) Appointment to the Parks in Bond Advisory Committee-Kenneth Saunders, III *(Accepted to the Regular BOC Meeting Agenda)*
- [F7.](#) Appointment to Board of Zoning Appeals – Brenda Pace *(Accepted to the Regular BOC Meeting Agenda)*
- [F8.](#) Appointment to the DeKalb County Zoning Board of Appeals – Margot Teed *(Accepted to the Regular BOC Meeting Agenda)*
- [F9.](#) Appointment to the DeKalb County Planning Commission – Anne Lerner *(Accepted to the Regular BOC Meeting Agenda)*

## G. CONSENT AGENDA

### Airport

- [G1.](#) Standardized Office Space Lease Agreement with Thay J. Humes *(Accepted to the Regular BOC Meeting Agenda)*

### County Clerk

- [G2.](#) Approval of Minutes of the Regular Meeting of December 11, 2012 *(Accepted to the Regular BOC Meeting Agenda)*

### Fire Rescue

- [G3.](#) Acceptance of a Donation of a Trench Box and Accessories Valued at Approximately \$4,740.00 from Trench Shoring Services for DeKalb County Fire Rescue *(Accepted to the Regular BOC Meeting Agenda)*

## H. PRELIMINARY ITEMS

### Development Group

- [H1.](#) Authorize the DeKalb County Urban Redevelopment Plan Amendment and Opportunity Zone Legislation *(Accepted to the Regular BOC Meeting Agenda)*
- GIS: Commission Districts 3 & 6**
- [H2.](#) Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Alder Ct. *(Accepted to the Regular BOC Meeting Agenda)*
  - [H3.](#) Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Tilson Rd. *(Accepted to the Regular BOC Meeting Agenda)*
- GIS: Commission Districts 5 & 7**
- [H4.](#) Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Hilda Burns Pl. *(Accepted to the Regular BOC Meeting Agenda)*

### **Information Technology**

- H5.** Annual Maintenance and Service Agreements with Oracle America, Inc. for the Departments of Information Technology and Watershed to Increase the Not-to-Exceed Amount by \$147,360.77 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

### **Public Works & GIS**

- H6.** Sale of Property to Avondale Estates – Lanier Gardens Park; 15- 248-07-001; 15-248-07-002 Valued at \$22,500.00 *(Accepted to the Regular BOC Meeting Agenda)*

### **Purchasing & Contracting**

#### **H7. Purchases (Low Bidder)**

- LB1. Manhole Castings and Accessories (Annual Contract): Invitation No. 3002547 for use by the Department of Watershed Management and by Public Works-Roads and Drainage Division TOTAL AMOUNT NOT TO EXCEED: \$428,036.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- LB2. Kittredge Park Development Project: Invitation No. 12-100326 for use by Engineering Services - Facilities Operations and Maintenance Division AMOUNT NOT TO EXCEED: \$402,500.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- LB3. Cold Patch Asphalt, (Annual Contract): Invitation No. 3002399 for use by the Public Works – Roads and Drainage Division TOTAL AMOUNT NOT TO EXCEED: \$170,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

#### **Purchases (Request for Proposal)**

- RFP1. Workers' Compensation Bill Review/Telephonic Case Management Organization: Request for Proposals No. 12-500229 for use by Finance AMOUNT NOT TO EXCEED: \$900,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval of setting annual amount not to exceed \$185K)*
- RFP2. Consent Decree (CD) Program Management Services: Request for Proposals No. 12-500230 for use by the Department of Watershed Management (DWM). Consists of professional services to achieve full compliance with the Consent Decree entered into with the United States Environmental Protection Agency (EPA) and the Georgia Environmental Protection Division (EPD) on December 20, 2011 TOTAL AMOUNT NOT TO EXCEED: \$15,086,708.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended deferral to March 26, 2013 Regular BOC Meeting)*

#### **Purchases (Extension)**

- EXT1. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System, RFP No. 3000385, for use by the Department of Watershed Management for land application of biosolids and obtaining operating permits for the Polebridge Wastewater Treatment Plant, as required by the Environmental Protection Division AMOUNT NOT TO EXCEED: \$83,124.34 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- EXT2. Copper Tubing and Fittings (Annual Contract): Invitation No. 3001976 for use by the Department of Watershed Management AMOUNT NOT TO EXCEED: \$300,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

EXT3. Dog and Cat Food (Annual Contract) Invitation No. 3002202 for use by Police Services and Fire Rescue Services AMOUNT NOT TO EXCEED: \$60,000.00  
*(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval on a month to month basis)*

## **I. ITEMS FOR DECISION BY THE BOARD**

### **BOC & CEO**

- 11.** Joint Legislative Agenda – Referendum for Animal Services *(Normal Coursed 1/22/13; Substitute accepted during the 2/5/13 Committee of the Whole)*
- 12.** Joint Legislative Agenda – Hotel/Motel Tax *(Normal Coursed 1/22/13; Substitute accepted during the 2/5/13 Committee of the Whole)*

### **CEO**

- 13.** Authorize Sale and Lease-Back of Callaway Building to the Urban Redevelopment Agency of the City of Decatur *(Deferred from the 1/22/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee; Substitute accepted during the 2/5/13 Committee of the Whole)*

### **GIS**

- 14.** Enterprise License Agreement (ELA) with Environmental Systems Research Institute, Inc. *(Deferred from the 1/8/13 Regular BOC Meeting; Discussed during the 1/15/13 County Operations & Public Safety Committee meeting – recommended approval)*

### **Purchasing & Contracting**

#### **15. Purchases (Low Bidder)**

LB3. Waterline Replacement Group One, Briarlake Road and Henderson Road: Invitation No. 12-100316 for use by the Department of Watershed Management for Construction of water distribution mains and appurtenances to replace existing facilities in two roadways in DeKalb County TOTAL AMOUNT NOT TO EXCEED: \$4,695,621.61 *(Deferred from the 1/8/13 Regular BOC Meeting; Assigned to the Finance, Audit & Budget Committee – recommended approval; Deferred from the 1/22/13 Regular BOC Meeting; Discussed during the 2/5/13 Finance, Audit & Budget Committee meeting – no recommendation)*

### **Purchasing & Contracting**

#### **16. Purchases (Best and Final Offer)**

BAFO1. Environmental Monitoring and Gas Collection and Control System Operations and Maintenance Services: Request for Proposals No. 11-500201 for use by the Department of Public Works – Sanitation Division *(Discussed during the 12/4/12 Finance, Audit & Budget Committee – recommended approval; Deferred from the 12/11/12, 1/8/13 & 1/22/13 Regular BOC Meetings; Assigned to the Public Works Committee – recommended deferral; no action taken)*

## **J. COMMENTS FROM THE BOARD**

### **POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

The DeKalb County Government does not discriminate on the basis of disability in the admission or access to, or treatment of employment in its programs or activities. The Office of Contract Compliance and EEO, 1300 Commerce Drive, Decatur, GA 30030, 404-371-4795 & TDD 404-371-7064, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act and the rights provided there under are available from the ADA Coordinator. A ten-day notice is requested for special accommodations.