

DeKalb County Board of Commissioner
Lee May
 Presiding Officer



Board of Commissioners

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

ATTENDANCE:

DISTRICT 1 - ELAINE BOYER	<input checked="" type="checkbox"/>	CEO BURRELL ELLIS	<input checked="" type="checkbox"/>
DISTRICT 2- JEFF RADER	<input checked="" type="checkbox"/>	Zachary Williams,	
DISTRICT 3-LARRY JOHNSON	<input checked="" type="checkbox"/>	Executive Assistant	<input checked="" type="checkbox"/>
DISTRICT 4- SHARON BARNES SUTTON	<input checked="" type="checkbox"/>	HAKIM HILLIARD, CHIEF OF	
DISTRICT 5 – LEE MAY	<input checked="" type="checkbox"/>	STAFF	<input checked="" type="checkbox"/>
DISTRICT 6 – KATHIE GANNON	<input checked="" type="checkbox"/>		
DISTRICT 7 – STAN WATSON	<input checked="" type="checkbox"/>	BURKE BRENNAN, CHIEF	
		COMMUNICATIONS OFFICER	<input checked="" type="checkbox"/>
		O V Brantley, County Atty.	<input checked="" type="checkbox"/>
		VIVIANE ERNSTES, CHIEF ASST. C.A.	<input checked="" type="checkbox"/>
		MORRIS WILLIAMS, BOC CHF OF STAFF	<input checked="" type="checkbox"/>
		BARBARA H. SANDERS, CLERK	<input checked="" type="checkbox"/>

ACTION KEY:

- | | |
|--------------------------------|--|
| WWP | WITHDRAWN WITHOUT PREJUDICE |
| NC OR NORMAL COURSED | A PRELIMINARY ITEM WHICH THE BOARD HAS SENT TO THE NEXT AGENDA AS AN ACTION ITEM |
| NORMAL COURSED TO WORK SESSION | WORK SESSION FOR DISCUSSION AND TO THE NEXT AGENDA AS AN ACTION ITEM |

MARCH 26, 2013

A. INSPIRATIONAL

Rev. David Lewicki
 North Decatur Presbyterian Church

PLEDGE OF ALLEGIANCE

Commissioner Larry Johnson
 District 3

B. PROCLAMATION-----Gwendolyn Jones West

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.

GIS: Commission Districts 2 & 6

D1. Resolution to Abandon a 0.067 Acre Section of Oxford Road (A.K.A. South Oxford Road) Right of Way Located Near Parcels 18 003 08 001 and 18 003 08 002 (*Deferred from the 2/26/13 Regular BOC Meeting*) – DEFERRED UNTIL APRIL 23, 2013

Planning & Sustainability: Commission Districts 1 & 7

D2. Special Land Use Permit, SLUP-13-18320, Cordoba Property Group, III, LLC (Deferred from the 1/22/13 BOC Rezoning Meeting – **for public hearing**; Deferred from the 2/26/13 Regular BOC Meeting – **for decision on\ly**) – APPROVED
SUBSTITUTE WITH 11 CONDITIONS; TEN FROM PLANNING STAFF AND

ONE FROM COMMISSIONER RADER: “THAT THE APPLICANT AGREES TO RESTRICT TRACTOR TRAILER FOOD DELIVERY TO THE RESTAURANT FROM ACCESSING THE SITE FROM HAROBI DRIVE AND EVELYN STREET AND DIRECT IT TO LAVISTA.”

Public Works: Commissions Districts: 2 & 6

D3. Traffic Calming Petition - Oxford Road (South Oxford Road) (between North Decatur Road and The By Way) (*Accepted to the Regular BOC Meeting Agenda* – APPROVED WITH FRIENDLY AMENDMENT TO COMBINE THE SPEEDING SIGNS THAT ARE LABELED “A” AND “B” TO MAKE SURE THEY ARE ON ONE POST ON BOTH ENDS OF THE STREET.

Watershed Management: Commission Districts 1 & 6

D4. 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 (*Deferred from the 2/12/13 & 2/26/13 Regular BOC Meetings*) - APPROVED

E. APPEALS

Commissions Districts: 2 & 6

E1. Appeal of Decision of Historic Preservation Commission Relating to Property at 508 Princeton Way, Atlanta, GA 30307, Druid Hills Historic District, by Gilda Pedraza (*Accepted to the Regular BOC Meeting Agenda*) – REMAND TO THE HISTORIC PRESERVATION COMMISSION WITH THE DIRECTION THAT THE COMMISSION RECONSIDER THE APPLICATION AND ISSUE A WRITTEN DECISION THAT REFERENCES THE GUIDELINE OR GUIDELINES UPON WHICH IT BASES ITS DECISION.

F. APPOINTMENTS

F1. NONE

G. CONSENT AGENDA

County Clerk

G1. Approval of Minutes of the Special Called Meeting of February 19, 2013 (*Accepted to the Regular BOC Meeting Agenda*) -APPROVED

G2. Approval of Minutes of the Regular Meeting of February 26, 2013 (*Accepted to the Regular BOC Meeting Agenda*) -APPROVED

G3. Approval of Minutes of the Regular Meeting of March 12, 2013 (*Accepted to the Regular BOC Meeting Agenda*) -APPROVED

Fire Rescue

G4. Grant Acceptance – Hazardous Materials Emergency Preparedness (HMEP) Grant Program, FY2013 Local Emergency Planning Committee (LEPC) Award (*Accepted to the Regular BOC Meeting Agenda*) –APPROVED SUBSTITUTE

Human & Community Development

- G5. Acceptance of Funds from the City of Decatur to Provide Shuttle Service for Seniors
(*Accepted to the Regular BOC Meeting Agenda*) -**APPROVED**

H. PRELIMINARY ITEMS

Human & Community Development

- H1. Acceptance of Supplemental Grant Funds from the State of Georgia - Governor's Office for Children and Families (*Accepted to the Regular BOC Meeting Agenda*) -**APPROVED**

Police

- H2. Grant Acceptance – Office of National Drug Control Policy for FY12 High Intensity Drug Trafficking Area (H.I.D.T.A.) Grant (*Accepted to the Regular BOC Meeting Agenda*) –**DEFERRED TO THE COUNTY OPERATIONS AND PUBLIC SAFETY COMMITTEE AND RETURN TO THE BOARD ON APRIL 9, 2013**

Public Works

- H3. Acquisition of Property at 5525 Smoke Rise Drive - Commission Districts 1 and 7
(*Accepted to the Regular BOC Meeting Agenda*) -**APPROVED**

Recreation, Parks, and Cultural Affairs

- H4. 2013 Georgia Department of Early Care and Learning Summer Food Service Program
(*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

Purchasing & Contracting

H5. Purchases (Low Bidder)

- LB1. Truck Driven, Self Propelled Compost Window Turner: Invitation No. 3002748 for Public Works for use by Sanitation TOTAL AMOUNT: \$599,000.00
(*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**
- LB2. Chevrolet Suburban 1500-2wd: Invitation No. 3002715 for Public Works to be used by Police Services. TOTAL AMOUNT: \$119,025.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – will be pulled from agenda*) -**WITHDRAWN**
- LB3. Truck Crew Cab and Chassis with Line Body and Air Compressor: Invitation No. 3002697 for Public Works to be used by the Department of Watershed Management. TOTAL AMOUNT: \$250,454.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**
- LB4. Tandem Drive Dump Truck: Invitation No. 3002683 for Public Works to be used by the Department of Watershed Management. TOTAL AMOUNT: \$792,435.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

Purchases (SWC)

- SWC1. Dodge Charger Police Pursuit Vehicle (PPV): Invitation No. 3002821 for Public Works to be used by Police Services. TOTAL AMOUNT: \$145,183.00
(*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**
- SWC2. Chevrolet Impala Sedan: Invitation No. 3002820 for Public Works to be used by Police Services, Sheriff's Office, Solicitor's Office, Medical Examiner, and District Attorney's Office. TOTAL AMOUNT NOT TO EXCEED:

\$697,794.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**
SWC3. Chevrolet Tahoe Police Pursuit Vehicle (PPV): Invitation No. 3002814 for Public Works to be used by Police Services and Fire Rescue. TOTAL AMOUNT: \$138,520.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

Purchases (Extensions)

EXT1. Water Meters and Parts (Annual Contract): Invitation No. 3001822 for use by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$1,000,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

EXT2. Disaster Recovery and Sewage Cleaning Services (Annual Contract): Invitation No. 3002094 for use by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$100,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

EXT3. Paving Repairs (Asphaltic Concrete) (Annual Contract): Invitation No. 3001845 for use by the Department of Watershed Management, Public Works, and Recreation, Parks and Cultural Affairs. AMOUNT NOT TO EXCEED: \$3,400,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval with condition; contract will come before Board on an as needed basis*) –**APPROVED WITH STAFF’S CONDITION; CONTRACT WILL COME BEFORE BOARD ON AN AS NEEDED BASIS**

EXT4. Pump Repair Services for Watershed Management Handling Models: (Annual Contract) Invitation No. 3002078 for use by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$500,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

EXT5. Keyscan Access Systems Installation, Maintenance and Repair (Annual Contract): Invitation No. 3002218 for use by Public Works. AMOUNT NOT TO EXCEED: \$90,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -**APPROVED**

ADDENDA

H6. Add an Item to the Agenda – **APPROVED**

H7. Initiate Text Amendment - Scottdale Overlay District/North Decatur Road – **DEFERRED FULL CYCLE**

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners - District 2

11. Recovery Zone Economic Development Bonds – Use of 2.8 Million Dollars of Bond Proceeds to Construct an Animal Services Facility - (*Deferred from the 3/12/13 Regular BOC Meeting; Assigned to the Finance, Audit & Budget Committee – recommended approval with condition; location of facility must be brought before the Board*) –

DEFERRED SUBSTITUTE TO THE COUNTY OPERATIONS AND PUBLIC SAFETY COMMITTEE AND RETURN TO THE BOARD ON APRIL 23, 2013

CEO

12. 911 Intergovernmental Agreement with the City of Dunwoody (*Deferred from the 10/9/12 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no action taken; Deferred from the 10/23/12, 11/13/12, 12/11/12, 1/22/13 & 2/26/13 Regular BOC Meeting*) – **DEFERRED UNTIL APRIL 23, 2013**
13. 800MHz Radio System Access Intergovernmental Agreement with the City of Dunwoody (*Deferred from the 10/9/12 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no action taken; Deferred from the 10/23/12, 11/13/12, 12/11/12, 1/22/13 & 2/26/13 Regular BOC Meetings*) –**DEFERRED UNTIL APRIL 23, 2013**

Development Group

14. Authorize the DeKalb County Urban Redevelopment Plan Amendment and Opportunity Zone Legislation (*Normal Coursed from the 2/12/13 Regular BOC Meeting; Deferred from the 2/26/13 Regular BOC Meeting; Assigned to the Planning & Economic Development Committee – no action taken*) -**APPROVED**

GIS: Commission Districts 5 & 7

15. Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Hilda Burns Pl. (*Deferred from the 2/12/13, 2/26/13 & 3/12/13 Regular BOC Meetings*) –**DEFERRED UNTIL APRIL 9, 2013**

Public Works & GIS

16. Sale of Property to Avondale Estates – Lanier Gardens Park; 15- 248-07-001; 15-248-07-002 Valued at \$22,500.00 (*Deferred from the 2/12/13 & 3/12/13 Regular BOC Meetings; Discussed during the 3/19/13 Employee Relations & Community Services Committee – recommended holding until next meeting while awaiting information from Law Dept*) –**DEFERRED UNTIL APRIL 9, 2013**

Purchasing & Contracting

17. **Purchases (Request for Proposal)**

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; Deferred from the 2/12/13 Regular BOC Meeting; Discussed during the 3/19/13 Finance, Audit & Budget Committee meeting*) –**DEFERRED UNTIL APRIL 23, 2013**

18. **Purchases (Low Bidder)**

LB1. Concrete Forming, Placing, Finishing and Retainer Walls (Annual Contract): Invitation No. 3002609 for use by the Department of Watershed Management, Public Works - Roads & Drainage and Sanitation Divisions, Recreation, Parks and Cultural Affairs Department. TOTAL AMOUNT NOT TO EXCEED: \$3,800,000.00 (*Deferred from the 3/12/13 Regular BOC Meeting; Assigned to the Finance, Audit & Budget Committee – recommended approval*) -
APPROVED

19. **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; Deferred from the 2/12/13, 2/26/13 & 3/12/13 Regular BOC Meetings*) - **APPROVED**

I10. Purchases (Low Bidder)

LB3. Southriver Trail Phase 2: Invitation No. 12-100336 for use by Public Works – Transportation Division - TOTAL AMOUNT NOT TO EXCEED: \$564,393.49 (*Assigned to the Finance, Audit & Budget Committee –recommended deferral to next meeting; Deferred from the 2/26/13 & 3/12/13 Regular BOC Meetings*) - **APPROVED**

Watershed Management

I11. Ordinances to Amend Chapter 2 for the Creation of Special Tax Districts for Water and Sewer Projects (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works Committee – no official recommendation; Deferred from the 6/12/12, 7/10/12, 8/14/12, 8/28/12 & 9/11/12 Regular BOC Meetings; Discussed in the 9/11/12 Public Works Committee – recommended 2-week deferral; Deferred from the 9/25/12, 10/9/12 & 10/23/12 Regular BOC Meetings; Re-assigned to the Public Works Committee – recommended approval; Deferred from the 11/6/12, 11/13/12, 12/11/12 & 1/22/13 Regular BOC Meetings; Re-assigned to the Public Works Committee; Deferred from the 3/12/13 Regular BOC Meeting*) –**DEFERRED UNTIL APRIL 9, 2013**

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.