

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
APRIL 23, 2013**

A. INSPIRATIONAL

Reginald Carter
DeKalb County Chaplain, South Precinct

PLEDGE OF ALLEGIANCE

Commissioner Kathie Gannon
District 6

B. PRESENTATIONS DeKalb County Chaplains Services Unit Day

Child Abuse Prevention Month
Commissioner Gannon

State Champions Day
Columbia H.S. Girls/Miller Grove H.S. Boys/Southwest DeKalb H.S. Boys Basketball Teams
Commissioner Watson

DeKalb Delegation Recap
Representative Howard Mosby & Senator Ronald Ramsey

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 & 3/26/13 Regular BOC Meetings*)

Public Works: Commission Districts: 2 & 6

D2. Resolution, Order and Declaration of Taking – SR236/Lavista Road and Oak Grove Road, 2741 and 2747 Lavista Road; 0.100 Acres of Right of Way, 0.049 Acres of Temporary Construction Easement; Owner(s): Kantoes & Sons, LLC (*Deferred from the 4/9/13 Regular BOC Meeting – for decision only*)

E. APPEALS

E1. NONE

F. APPOINTMENTS

F1. Appointment to the DeKalb County Zoning Board of Appeals-Lois Keith (*Accepted to the Regular BOC Meeting Agenda*)

G. CONSENT AGENDA

County Clerk

G1. Approval of Minutes of the Regular Meeting of March 26, 2013 (*Accepted to the Regular BOC Meeting Agenda*)

G2. Approval of Minutes of the Zoning Meeting of March 26, 2013 (*Accepted to the Regular BOC Meeting Agenda*)

Human & Community Development

G3. Acceptance of Supplemental Grant Funds from the United Way of Metro Atlanta (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Finance

H1. Authorizing the Issuance and Sale of Tax Anticipation Notes for 2013 (*Accepted to the Regular BOC Meeting Agenda*)

GIS: Commission Districts 2 & 6

H2. A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property (*Accepted to the Regular BOC Meeting Agenda*)

Human & Community Development

H3. Long Term Objectives for the 2014-2018 Consolidated Plan for HUD Programs (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Planning & Economic Development Committee*)

Information Systems

H4. Annual Sole Source Support and Maintenance for Hewlett Packard Hardware and Software (*Accepted to the Regular BOC Meeting Agenda*)

Recreation, Parks & Cultural Affairs

H5. Amendment to USA Pools Contract No.12-902407 for Lifeguard Services at Browns Mill Aquatics Facility (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval with amount not to exceed \$245,000; the department can return before the Board as needed to provide justification for increase*)

Purchasing & Contracting

H6. Purchases (Low Bidder)

LB1. On-Call Heating, Ventilation and Air Conditioning (HVAC) Contractor Services: Invitation No. 12-100331 for use by Facilities Management. ESTIMATED AMOUNT NOT TO EXCEED: \$750,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – no recommendation; Administration will gather clarifying information for combining & reconciling with the other contracts*)

LB2. On-Call Plumber Contractor Services: Invitation No. 12-100332 for use by Facilities Management. TOTAL AMOUNT NOT TO EXCEED: \$400,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – no recommendation; Administration will gather clarifying information for combining & reconciling with the other contracts*)

Purchases (Extension)

EXT1. Diving Services (Annual Contract): Invitation No. 3001644 for use by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$200,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

EXT2. On Call Heating, Ventilation and Air Conditioning (HVAC) Contractor Services: Invitation No. 10-100206 (Contract No. 11-902203) for use by Facilities Management. AMOUNT NOT TO EXCEED: \$350,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – no recommendation; Administration will gather clarifying information for combining & reconciling with the other contracts*)

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; Substitute deferred from the 3/26/13 Regular BOC Meeting; Discussed during the 4/9/13 County Operations & Public Safety Committee – requested that additional information be presented back to Committee in 2 weeks*)

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 & 3/26/13 Regular BOC Meeting*)

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 & 3/26/13 Regular BOC Meetings*)

GIS: Commission Districts 5 & 7

14. 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, 3/26/13 & 4/9/13 Regular BOC Meetings*)

Public Works

15. Increase in Storm Water Utility Fee (*Deferred from the 12/4/12, 1/22/13, 3/12/13 Regular BOC Meetings; Assigned to the Public Works & Infrastructure Committee & Committee of the Whole; Deferred from the 4/9/13 Regular BOC Meeting*)

Purchasing & Contracting

16. 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 April 9, 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 from the 3/26/13 Regular BOC Meeting; Discussed during the 4/16/13 Finance, Audit & Budget Committee meeting – recommended denial*)

Watershed Management

- 17.** 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 & 3/26/13 Regular BOC Meetings; Discussed during the 4/2/13 Public Works Committee meeting – recommended approval; Deferred from the 4/9/13 Regular BOC Meeting; Discussed during the 4/16/13 Public Works & Infrastructure Committee – no recommendation; hold in committee)*

J. COMMENTS FROM THE BOARD

POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY IN COUNTY SERVICES.

DeKalb County Government does not discriminate against qualified individuals with disabilities or exclude them from participating in or receiving benefits of its services, programs, or activities, based on disability. Alfred Elder, DeKalb County Government's Employee Relations Manager and ADA Coordinator, is designated to coordinate the County's compliance with Part 35 of the Department of Justice regulations regarding the Americans with Disabilities Act. Alfred Elder may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, (404) 687-4007, to request information about access for persons with disabilities to County services, programs and activities, or to discuss a grievance regarding an impediment to such access. Ten days notice is requested for special accommodations.