

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,	<input type="checkbox"/>
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	<input type="checkbox"/>
DISTRICT 5 – LEE MAY	<input checked="" type="checkbox"/>	STAFF	<input checked="" type="checkbox"/>
DISTRICT 6 – KATHIE GANNON	<input checked="" type="checkbox"/>	JILL STRICKLAND, CHIEF OF	<input type="checkbox"/>
DISTRICT 7 – STAN WATSON	<input checked="" type="checkbox"/>	PUBLIC AFFAIRS	<input checked="" type="checkbox"/>
		BURKE BRENNAN, CHIEF	<input type="checkbox"/>
		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WWP	WITHDRAWN WITHOUT PREJUDICE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

**JUNE 25, 2013**

**A. INSPIRATIONAL**

**Pastor Ulysses Tuff**  
 The Way, The Truth and The Life Christian Center, Inc.

**PLEDGE OF ALLEGIANCE**

Commissioner Larry Johnson  
 District 3

**B. PRESENTATIONS ..... National Garbage Collector Day**  
 DeKalb County Sanitation Division

**Hamilton High School's 50th Anniversary  
Acknowledgement – Redan High School; Georgia State Championship Baseball**

**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.*

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, 4/23/13 & 5/28/13 Regular BOC Meetings*) – **DEFERRED UNTIL SEPTEMBER 24, 2013**

**Planning & Sustainability: All Districts**

D2. Text Amendment - TA-13-18557 “ Zoning Code Update” (*Deferred from the 5/28/13 BOC Rezoning Meeting – public hearing*) – **DEFERRED UNTIL AUGUST 27, 2013**

**Planning & Sustainability: Commission District: 2 & 6**

D3. Special Land Use Permit, SLUP-13-18502, Ty Lin International (*Deferred from the 5/28/13 BOC Rezoning Meeting – public hearing*) – **DEFERRED UNTIL JULY 9, 2013 WITH REVISED SITE PLAN AND DOCUMENTS**

D4. Special Land Use Permit, SLUP-13-18525, Tamar Telahun (*Deferred from the 5/28/13 BOC Rezoning Meeting – public hearing*) – **APPROVED WITH STAFF’S EIGHT CONDITIONS PLUS AN ADDITIONAL CONDITION WITH TIME LIMIT OF A TWO YEAR PERIOD WITH FRIENDLY AMENDMENT FROM COMMISSIONER GANNON TO CHANGE CONDITION NO. 1 CLOSING TIME TO 2:30 A.M.**

D5. Special Land Use Permit, SLUP-13-18526, Tamar Telahun (*Deferred from the 5/28/13 BOC Rezoning Meeting – public hearing*) – **APPROVED WITH STAFF’S EIGHT CONDITIONS PLUS AN ADDITIONAL CONDITION WITH TIME LIMIT OF A TWO YEAR PERIOD WITH FRIENDLY AMENDMENT FROM COMMISSIONER GANNON TO CHANGE CONDITION NO. 1 CLOSING TIME TO 2:30 A.M.**

**Planning & Sustainability: Commission Districts: 5 & 7**

D6. Special Land Use Permit, SLUP-13-18501, Ty Lin International (*Deferred from the 5/28/13 BOC Rezoning Meeting – for decision only; Deferred from the 6/11/13 Regular BOC Meeting – for decision only*) – **DEFERRED UNTIL JULY 16, 2013**

**Public Works: Commission Districts: 1 & 7**

D7. Resolution, Order and Declaration of Taking – Northlake Area Streetscapes Project, 4820 Briarcliff Road; .08 acres fee simple and .66 acres of permanent and temporary easements; Owner(s): Northlake Mall, LLC; Commissioner District 1 and Commissioner Super District 7 (*Deferred from the 5/28/13 & 6/11/13 Regular BOC Meetings*) – **DEFERRED UNTIL AUGUST 13, 2013**

## **E. APPEALS**

**Commission Districts: 2 & 6**

E1. Appeal of Decision of Historic Preservation Commission relating to property at 433 Burlington Drive, Atlanta, GA 30307, Druid Hills Historic District, by Dell F. MacGregor (*Substitute accepted to the Regular BOC Meeting Agenda*) – **REMAND THIS MATTER TO THE HISTORIC PRESERVATION COMMISSION WITH THE DIRECTION THAT THE COMMISSION: (1) MODIFIES THE PLANTING PLAN ALONG THE SECTION OF FENCE FACING BURLINGTON ROAD IN ORDER TO SOFTEN THE SCREENING FROM HARD-EDGED HEDGES TO A MORE NATURALISTIC DESIGN AND CHOICE OF PLANT MATERIALS AS FOUND IN THE DESIGN GUIDELINES; AND (2) IN REGARD TO THE SIX-FOOT FENCE ON THE WEST SIDE OF THE SUBJECT RESIDENCE, TO RELOCATE THE FENCE IN ORDER TO ACCOMMODATE PLANTING MATERIALS AS FOUND IN THE DESIGN GUIDELINES, IN ORDER TO SCREEN THE SOLID WOOD OF THE FENCE.**

## F. APPOINTMENTS

- F1. Appointment of Members to the Board of Ethics (*Deferred from the 6/11/13 Regular BOC Meeting; Assigned to the Employee Relations & Community Services Committee – recommended approval of appointing Ms. Murphy and Mr. Ernst; Mr. Flint not yet interviewed by Committee*) – **WITHDRAWN**

### ADDENDA

- F2. Add an item to the agenda - – **APPROVED**  
F3. Appointment of Edwinett Fay Perkins Murphy to the Board of Ethics – **APPROVED**  
F4. Add an item to the agenda– **APPROVED**  
F5. Appointment of John A. Ernst Jr. to the Board of Ethics– **APPROVED**

## G. CONSENT AGENDA

### Airport

- G1. Purchase of ExMark Zero Turn Mower in the Amount of \$11,151.20 (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**  
G2. Standardized T-Hangar Lease Agreement with Michael C. McChesney (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**

### County Clerk

- G3. Approval of Minutes of the Special Called Meeting of May 21, 2013 (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**  
G4. Approval of Minutes of the Regular Meeting of May 28, 2013 (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**  
G5. Approval of Minutes of the Zoning Meeting of May 28, 2013 (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**

### Superior Court/Drug Court

- G6. Criminal Justice Coordinating Council Grant to Drug Court (*Accepted to the Regular BOC Meeting Agenda*) – **APPROVED**

## H. PRELIMINARY ITEMS

### Purchasing & Contracting

#### H1. Purchases (**Low Bidder**)

- LB1. Maintenance, Cleaning & Inspection of Fuel Tanks (Annual Contract): Invitation No. 3002729 for use by Public Works. AMOUNT NOT TO EXCEED: \$230,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – not discussed; Special Called meeting planned*) – – **DEFERRED TO THE FINANCE, AUDIT AND BUDGET COMMITTEE AND RETURN TO THE BOARD ON JULY 9, 2013**

LB2. Truck, Crew Cab and Chassis with Line Body: Invitation No. 3002824 for Public Works. TOTAL AMOUNT NOT TO EXCEED: \$253,854.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – not discussed; Special Called meeting planned*) – **DEFERRED TO THE FINANCE, AUDIT AND BUDGET COMMITTEE AND RETURN TO THE BOARD ON JULY 9, 2013**

**Purchases (Extension)**

EXT1. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System: RFP No. 3000385, Contract No. 06-900112 for use by the Department of Watershed Management. MONTHLY AMOUNT NOT TO EXCEED: \$41,562.17 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – not discussed; Special Called meeting planned*) – **APPROVED MONTH-TO-MONTH THRU DECEMBER 31, 2013**

**Voter Registration**

**H2.** Adoption of Election Precinct Boundary Changes due to City of Brookhaven Incorporation and Chamblee Annexation (Commission Districts 1, 2 & 6) - **APPROVED**

**Workforce Development**

**H3.** Workforce Investment Act Grant Funds for Youth April 1, 2013 – Jun 30, 2015 Grant ID# 15-13-11-03-005 CFDA #17.259 – **APPROVED**

**ADDENDA**

**H4.** Add an item to the agenda -**APPROVED**

**H5.** Authorize Amendment to existing Purchase and Sale Agreement for the Callaway Building to the Urban Redevelopment Agency of the City of Decatur. –**APPROVED**

**H6.** Add an item to the agenda – **APPROVED**

**H7.** Encourage the Chief Executive Officer to provide a bonus payment to all sworn public safety – **DEFERRED UNTIL JULY 9, 2013**

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

**Board of Commissioners**

**11.** Board of Commissioners Meeting Date Change (*Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

**Board of Commissioners - District 2**

**12.** Recovery Zone Economic Development Bonds – Use of 2.75 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; Deferred from the 4/23/13, 5/14/13 & 6/11/13 Regular BOC Meetings*) – **APPROVED**

**CEO**

**13.** Declare Intent to Establish Year 2013 Millage Rates (*Deferred from the 6/11/13 Regular BOC Meeting; Presentation scheduled for Committee of the Whole; Discussed during the 6/18/13 Finance, Audit & Budget Committee meeting – no recommendation*)

– **APPROVED**

- 14.** Intergovernmental Agreements with the City of Brookhaven for Fire, Solid Waste, and Water and Sewer Services (*Accepted to the Regular BOC Meeting Agenda; Assigned to County Operations & Public Safety Committee; Assigned to the Public Works & Infrastructure Committee; Deferred from the 5/14/13 & 6/11/13 Regular BOC Meetings*) – **DEFERRED UNTIL JULY 9, 2013**

**Development Group**

- 15.** Resolutions of Necessity and Urban Redevelopment Plan Amendment – Opportunity Zone Application (*Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

**GIS**

- 16.** Natural Gas Pipeline Easement - Atlanta Gas Light Company, Lanier Gardens Park Commission Districts 4 and 6 (*Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

**Human and Community Development**

- 17.** Approval of Contract with Alliance of DeKalb County, Inc. using HUD - HOME CHDO Funds (*Deferred from the 5/28/13 Regular BOC Meeting; Assigned to Planning & Economic Development Committee – recommended approval; Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

- 18.** Approval of Contract with DeKalb Habitat Community Housing Development, LLC using HUD - HOME CHDO Funds (*Deferred from the 5/28/13 Regular BOC Meeting; Assigned to Planning & Economic Development Committee – recommended approval; Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

**Public Works**

- 19.** Buford Highway-MARTA Bus Transit, and Traffic Signal Priority Control CIP Account (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee – no recommendation; Substitute Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

- 110.** 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, 4/23/13 & 5/28/13 Regular BOC Meetings*) – **DEFERRED UNTIL JULY 9, 2013**

**Purchasing & Contracting**

**111. Purchases (Request for Proposals)**

RFP1. Construction Management (CM) Services for Snapfinger Creek Advanced Wastewater Treatment Plant (AWTP) Expansion – Phase II: Request for Proposals No. 12-500240 for use by the Department of Watershed Management (DWM). TOTAL AMOUNT NOT TO EXCEED: \$10,278,218.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended deferral; Deferred from the 5/28/13 Regular BOC Meeting; Re-Assigned to the Finance, Audit & Budget Committee to discuss process and procurement – no recommendation given 6/4/13 & Assigned to the Public Works & Infrastructure Committee to discuss scope – no recommendation*) – **DEFERRED UNTIL JULY 9, 2013**

RFP4. Employee Health and Benefits Consulting Services: Request for Proposals No. 12-500239 for use by Finance, Division of Risk Management and Employee Services. TOTAL AMOUNT NOT TO EXCEED: \$1,146,300.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended holding until further information provided; Deferred from the 5/28/13 Regular BOC Meeting; Discussed during the 6/4/13 Employee*)

*Relations & Community Services Committee meeting – no recommendation) –*  
**DEFERRED UNTIL JULY 9, 2013**

RFP5. Banking and Financial Services for DeKalb County, GA: Request for Proposals No. 12-500238 for use by Finance, Division of Treasury and Accounting Services. AMOUNT NOT TO EXCEED: \$1,000,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended deferral; Deferred from the 5/28/13 Regular BOC Meeting; Discussed during the 6/4/13 Finance, Audit & Budget Committee – recommended approval; will return to committee in one year to discuss the results*) – **APPROVED**

**I12. Purchases (Low Bidder)**

LB4. Ready Mixed Concrete (Wet Delivery, No Pumping) Annual Contract: Invitation No. 3002708 for use by Public Works and the Department of Watershed Management. TOTAL AMOUNT NOT TO EXCEED: \$350,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval; Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

LB6. Wade Walker Park Tennis Court Renovation: Invitation No. 13-100350 for use by the Recreation, Parks and Cultural Affairs Department. AMOUNT NOT TO EXCEED: \$238,700.00 (*Deferred from the 6/11/13 Regular BOC Meeting*) – **APPROVED**

**Purchases (Request for Proposals)**

RFP1. Scott Candler Water Treatment Plant (WTP) Clearwells and Pump Station Improvement Project: Request for Proposals No. 12-500241 for use by the Department of Watershed Management. TOTAL AMOUNT NOT TO EXCEED: \$1,874,526.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended holding until June 25, 2013; Deferred from the 6/11/13 Regular BOC Meeting*) – **DEFERRED UNTIL JULY 9, 2013**

**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, 1<sup>st</sup> 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.

