

DeKalb County Board of Commissioners
Sharon Barnes Sutton
Interim 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
SEPTEMBER 24, 2013**

A. INSPIRATIONAL

Pastor Dalton Rushing
North Decatur United Methodist Church

PLEDGE OF ALLEGIANCE

Commissioner Larry Johnson
District 3

B. PRESENTATIONSDeKalb County Youth Commissioners
Interim CEO Lee May & Interim Presiding Officer Sharon Barnes Sutton

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.

Finance

D1. 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 & 2/19/13 Employee Relations & Community Services Committee Meetings – no recommendation; Deferred from the 2/12/13 Regular BOC Meeting – for public hearing; Deferred from the 3/12/13 Regular BOC Meeting; Discussed during the 3/19/13 Employee Relations & Community Services Committee – no recommendation; Discussed during the 4/2/13 Employee Relations & Community Services Committee meeting – recommended deferring for 3 months; Deferred from the 4/9/13 Regular BOC Meeting; Substitute deferred from the 7/9/13 Regular BOC Meeting; Discussed during the 8/6/13 Employee Relations & Community Services Committee meeting – recommended that an update be provided to all Commissioners; Deferred from the 8/27/13 Regular BOC Meeting – for public hearing*)

GIS: Commission Districts 2 & 6

D2. 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 & 6/25/13 Regular BOC Meetings*)

Planning & Sustainability: Commission Districts: 2 & 6

D3. Special Land Use Permit – SLUP-13-18618 – MillCreek Residential Trust (*Deferred from the 7/16/13 BOC Rezoning Meeting – for public hearing; Deferred from the 8/27/13 Regular BOC Meeting – for decision only; Deferred from the 9/10/13 Regular BOC Meeting*)

Planning & Sustainability: Commission Districts: 5 & 7

D4. 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 from the 6/25/13 & 7/16/13 Regular BOC Meeting – for decision only; Substitute deferred from the 8/13/13 Regular BOC Meeting – for decision only; Deferred from the 8/27/13 Regular BOC Meeting – for decision only; Deferred from the 9/10/13 Regular BOC Meeting*)

Watershed: Commission Districts: 5 & 7

D5. Resolution, Order and Declaration of Taking – Stonecrest Sanitary Sewer Project, 7551 Hayden Quarry Road, 55,455 sq. ft. of Permanent Sanitary Sewer Easement and 93,222 sq. ft. of Temporary Construction Easement Owner: CFN (I-20), Inc., 11601 Wilshire Blvd., Suite 500, Los Angeles, CA 90025 *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 9/10/13 Regular BOC Meeting)*

Watershed: Commission Districts: 5 & 7

D6. Resolution, Order and Declaration of Taking – Stonecrest Sanitary Sewer Project, 8323/8357 Mall Parkway, 36,616 sq. ft. of Permanent Sanitary Sewer Easement and 78,979 sq. ft. of Temporary Construction Easement, Owner: CFN (I-20), Inc., 11601 Wilshire Blvd., Suite 500, Los Angeles, CA 90025 *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 9/10/13 Regular BOC Meeting)*

E. APPEALS

E1. NONE

F. APPOINTMENTS

F1. Appointment to the DeKalb Community Service Board – Ms. Alecea Quintyne *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 9/10/13 Regular BOC Meeting; Discussed during the 9/17/13 Employee Relations & Community Services Committee meeting – recommended approval)*

F2. Appointment to DeKalb Board of Ethics – Ms. La Tisha G. Dear, Esq. *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 9/10/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no recommendation)*

F3. Ethics Board Nominee *(Deferred from the 9/10/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no recommendation)*

G. CONSENT AGENDA

County Clerk

G1. Approval of Minutes of the Regular Meeting of August 27, 2013 *(Accepted to the Regular BOC Meeting Agenda)*

Human and Community Development

G2. Grant Acceptance from the U.S. Department of Justice / Office of Justice Programs - Bureau of Justice Assistance: Justice and Mental Health Collaboration Program: Expansion *(Accepted to the Regular BOC Meeting Agenda)*

H. PRELIMINARY ITEMS

Police

H1. Adopt an Ordinance to Expand the Hours of Inspections of Adult Entertainment Establishments *(Accepted to the Regular BOC Meeting Agenda; Assigned to the County Operations & Public Safety Committee)*

Purchasing & Contracting

H2. Purchases (Low Bidder)

- LB1. Motorcycles, Harley-Davidson: Invitation No. 3002998 for Public Works. Total Amount: \$288,600.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- LB2. Meter Boxes and Lids (Annual Contract): Invitation No. 3002787 to be used by the Department of Watershed Management. Amount Not to Exceed: \$175,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral)*
- LB3. Runway 2L-20R Rehabilitation and Runway 2L-20R and 2R-20L Renumbering: Invitation No. 13-100342 for use by the DeKalb Peachtree Airport. Amount Not to Exceed: \$ 2,555,523.70 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- LB4. Road Resurfacing for Public Works under the 2013 Local Maintenance and Improvement Grant (LMIG): Invitation No. 13-100353 for use by the Department of Public Works. Amount Not to Exceed: \$6,473,600.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral)*
- LB5. T-Hangar Roofs and Exterior Wall Painting at DeKalb Peachtree Airport: Invitation No. 13-100358 for use by DeKalb Peachtree Airport. Amount Not to Exceed: \$440,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Extensions)

- EXT1. Low Sulfur Gasoline Ethanol (10%) Gasoline and Ultra Low Sulfur Diesel Fuel: Bid BL055-09 / 20090775: CPA#762846 used by Public Works. Amount Not to Exceed: \$20,000,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- EXT2. Tire Recapping and/or Repair Services (Annual Contract): Invitation No. 3002222 for use by Public Works. Total Amount Not to Exceed: \$500,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Sole Source)

- SS1. Oracle Technical Support and Software Licensing: (Contract No. 10-902074) for use by Information Technology and the Department of Watershed Management. Amount Not to Exceed: \$131,067.16 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Amendments)

- A1. Amendment No. 1 to Contract No. 10-902053: Maintenance for DeKalb County Wide Area Network: Request for Proposals No. 09-500112 for use by Information Technology (IT). Amendment Amount Not to Exceed: \$631,185.16 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- A2. Amendment No. 1 to Contract No. 11-800741: Management, Operation, and Maintenance of the DeKalb County Tennis Center and Blackburn Tennis Center: Request for Proposals No. 09-500145 for use by Recreation, Parks & Cultural Affairs. *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval upon receipt of additional information requested)*

- A3. Amendment No. 3 to Contract Nos. 10-902024, 10-902025, 10-902026, 10-902028, 10-902029, 10-902030, 10-902031 and 12-902556: Professional Engineering Services for Watershed Management: Request for Proposals No. 10-500141 for use by the Department of Watershed Management. Total Amount Not to Exceed: \$2,400,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Request for Proposals)

- RFP1. Uniformed Security Guard Services: Request for Proposals No. 12-500221 for use by Police Services, Department of Watershed Management, Public Works and Tax Commissioners Office. Amount Not to Exceed: \$3,950,877.24 00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval of All(n)I Security Services*)

Purchases (Emergency Request)

- EM1. Emergency Request: 2 SSP III Cart Tippers: for use by Public Works. Total Amount: \$331,032.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- EM2. Panasonic Cf53 Toughbooks (Emergency): for use by Police Services. Amount Not to Exceed: \$238,243.60 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Statewide Contract)

- SWC. Functional Family Therapy Services for use by DeKalb Juvenile Court. Amount Not to Exceed: \$296,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners – District 2

- 11.** Resolution Calling for the Expedited Employment of an Internal Auditor for DeKalb County, Georgia (*Deferred from the 8/27/13 Regular BOC Meeting; Assigned to the Finance, Audit & Budget Committee – no recommendation*)

Board of Commissioners – District 3 & Police

- 12.** Adopt a Juvenile Curfew Ordinance (*Deferred from the 8/13/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no recommendation; Deferred from the 8/27/13 Regular BOC Meeting; Discussed during the 9/10/13 County Operations & Public Safety Committee meeting – recommended approval with amendments*)

Board of Commissioners – District 7

- 13.** Employee Organizations Ordinance, to Amend Chapter 20 of the DeKalb County Code (*Deferred from the 8/13/13 & 9/10/13 Regular BOC Meetings; Discussed during the 9/17/13 Employee Relations & Community Services Committee meeting – recommended 2-week deferral*)

CEO

- 14.** Amendment to 1984 Contract between DeKalb County, Fulton County and the Fulton-DeKalb Hospital Authority (*Normal Coursed from the 8/13/13 Regular BOC Meeting; Assigned to the Employee Relations & Community Services Committee – recommended a 2-week deferral; Deferred from the 8/27/13 Regular BOC Meeting; Discussed during the 9/17/13 Employee Relations & Community Services Committee – recommended 2-week deferral*)

15. Intergovernmental Agreements with the City of Brookhaven for Elections, Tax Collection, GIS, and 911 Services (*Accepted to the Regular BOC Meeting Agenda; Assigned to the County Operations & Public Safety Committee; Deferred from the 8/27/13 Regular BOC Meeting; Discussed during the 9/10/13 County Operations & Public Safety Committee meeting – recommended deferral for continued discussion in the next Committee meeting*)

County Clerk

16. Approval of Minutes of the Regular Meeting of August 13, 2013 (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 9/10/13 Regular BOC Meeting*)

Economic Development

17. Development Authority of DeKalb County Per Diem Allowance (*Deferred from the 8/13/13 Regular BOC Meeting; Assigned to Planning & Economic Development Committee – no recommendation; Deferred from the 8/27/13 Regular BOC Meeting; Discussed during the 9/10/13 Planning & Economic Development Committee meeting – no recommendation*)

GIS: Commission Districts 5 & 7

18. 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, 4/23/13, 6/11/13, 7/16/13 & 8/27/13 Regular BOC Meetings*)

Purchasing & Contracting

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

RFP1. Economic Development Strategic Plan: Request for Proposals No. 13-500262 for use by Planning & Sustainability. AMOUNT NOT TO EXCEED: \$210,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to Finance, Audit & Budget Committee – recommended 30-day deferral; Deferred from the 8/27/13 Regular BOC Meeting; Discussed during the 9/17/13 Finance, Audit & Budget committee – recommended approval*)

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

RFP2. Construction Management Services for Construction of Stonecrest Sanitary Sewer Improvement Projects: Request for Proposals No. 12-500237 for use by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$1,589,233.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to Finance, Audit & Budget Committee – recommended 2-week deferral; Deferred from the 8/27/13 & 9/10/13 Regular BOC Meetings*)

Recreation, Parks and Cultural Affairs

111. To Enter into an Intergovernmental Agreement with and between the DeKalb County Board of Health and to Receive up to \$50,000 to Implement PREP at the Recreation Center for Youth 10-19 Years Old (*Deferred from the 9/10/13 Regular BOC Meeting; Deferral Rescinded during the 9/17/13 Special Called Meeting; Item then Approved and therefore removed from the 9/24/13 Regular BOC Agenda*)

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.