

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
OCTOBER 22, 2013**

A. INSPIRATIONAL

Pastor John Donaldson
Avondale Patillo United Methodist Church

PLEDGE OF ALLEGIANCE

Commissioner Stan Watson
District 7

B. PRESENTATIONSDomestic Violence Awareness Month Proclamation****
DeKalb Solicitor-General, Interim CEO Lee May & DeKalb Board of Commissioners

Red Ribbon Week Proclamation
Interim CEO Lee May & DeKalb Board of Commissioners

Breast Cancer Prevention and Awareness
DeKalb Board of Health, Interim CEO Lee May & DeKalb Board of Commissioners

Head Start Awareness Month Proclamation
Commissioner Larry Johnson

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; Deferred from the 9/24/13 Regular BOC Meeting*)

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 & 9/24/13 Regular BOC Meetings*)

Planning & Sustainability: Commission Districts 2 & 6

D3. Rezoning – Z-13-18718 – Arrowhead R.E. Partners LLC & Acadia Homes & Neighborhoods, LLC (*Deferred from the 9/24/13 BOC Rezoning Meeting – for public hearing*)

Planning & Sustainability: Commission Districts 3 & 7

D4. Special Land Use Permit, SLUP-13-18719, Kroger Company (*Deferred from the 9/24/13 BOC Rezoning Meeting*)

Planning and Sustainability: Commission Districts 4, 5, 6 & 7

D5. Kensington Supplemental Livable Centers Initiative Transit-Oriented Development Plan (*Deferred from the 9/24/13 BOC Rezoning Meeting*)

Planning and Sustainability: Commission Districts 5 & 7

D6. Text Amendment to approve the Stonecrest Livable Centers Initiative (LCI) Regional Center Study (*Deferred from the 9/24/13 BOC Rezoning Meeting*)

Watershed: Commission Districts: 5 & 7

D7. 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, 9/24/13 & 10/8/13 Regular BOC Meetings*)

Watershed: Commission Districts: 5 & 7

D8. 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, 9/24/13 & 10/8/13 Regular BOC Meetings*)

E. APPEALS

E1. NONE

F. APPOINTMENTS

F1. Ethics Board Nominee - J. Alan McNabb (*Deferred from the 9/10/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – no recommendation; Deferred from the 9/24/13 Regular BOC Meeting*)

G. CONSENT AGENDA

County Clerk

G1. Approval of Minutes of the Regular Meeting of September 24, 2013 (*Accepted to the Regular BOC Meeting Agenda*)

G2. Approval of Minutes of the Zoning Meeting of September 24, 2013 (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Human and Community Development

- H1. Grant Acceptance from United Way of Metro Atlanta for the Continuation of the DeKalb County Opportunity Zone Program Initiative (*Accepted to the Regular BOC Meeting Agenda*)
- H2. Grant Acceptance from State of Georgia - Governor's Office of Children and Families for the Continuation of the DeKalb County Maternal, Infant and Early Childhood Home Visiting (MIECHV) Program (*Accepted to the Regular BOC Meeting Agenda*)

Purchasing & Contracting

H3. Purchases (Low Bidder)

- LB1. Cargo Van, Ford Transit Connect: Invitation No. 3002989 for Public Works. Total Amount: \$209,770.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- LB2. Chevrolet Tahoe-Police Pursuit Vehicle Package-SUV: Invitation No. 3003023 for Public Works. Total Amount: \$246,627.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- LB3. Chevrolet Tahoe-Police Pursuit Vehicle-Marshall's Package-SUV: Invitation No. 3003007 for Public Works. Total Amount: \$164,424.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- LB4. Chevrolet Tahoe-Police Pursuit Vehicle-Sheriff Patrol Package-SUV: Invitation No. 3003008 for Public Works. Total Amount: \$115,672.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- LB5. Steel Plates (Annual Contract): Invitation No. 3002943 for use by Public Works. Amount Not To Exceed: \$149,923.98 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Extensions)

- EXT1. Inspection and Maintenance of FM 200 Fire Suppression Systems (Annual Contract): Invitation No. 3002220 for use by Facilities Management. Amount Not To Exceed: \$90,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- EXT2. Keyscan Access Systems Installation, Maintenance and Repair (Annual Contract): Invitation No. 3002218 for use by Facilities Management. Amount Not to Exceed: \$180,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- EXT3. Common Brick (Annual Contract): Invitation No. 3002401 for use by the Department of Watershed Management. Total Amount Not To Exceed: \$60,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)
- EXT4. Painting and Wallpapering Maintenance Service (Annual Contract): Invitation No. 3001840 for use by the Department of Watershed Management and Facilities Management. Total Amount Not To Exceed: \$80,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Request for Qualifications)

RFQ1. Application for Pre-qualification of Instrumentation & Control (I&C) Systems Integrator for Snapfinger Wastewater Treatment Facilities Phase 2 Expansion: Request for Qualification No. 13-700026 for use by the Department of Watershed Management. Amount Not To Exceed: \$90,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Amendment)

A1. Amendment No. 1 to Contract No. 12-902371: Shotcrete Restorative Services: Invitation to Bid No. 11-100244 for use by Public Works, Roads and Drainage Division. Amendment Amount Not to Exceed: \$428,030.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Sheriff

H4. State Criminal Alien Assistance Program (SCAAP) Grant *(Accepted to the Regular BOC Meeting Agenda)*

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners – District 2

I1. Transfer Funding from the DeKalb County Commission to the DeKalb County Board of Ethics *(Deferred from the 9/24/13 & 10/8/13 Regular BOC Meetings; Discussed during the 10/15/13 Finance, Audit & Budget Committee meeting – recommended approval to continue the \$12,000 budget for Board Legal Counsel Services and to add \$6000 to the budget for Ethics Board Training)*

Planning & Sustainability

I2. Authorize Three (3) Positions to Assist in the Implementation of the DeKalb County Foreclosure Registry Ordinance *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 10/8/13 Regular BOC Meeting; Assigned to the Planning & Economic Development Committee – recommended approval)*

I3. Adopt a Vacant Property Registry Ordinance *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 10/8/13 Regular BOC Meeting; Assigned to the Planning & Economic Development Committee)*

Police

I4. Addition to Authorized Vehicle Fleet Using Federal Seized Funds - Police Department *(Accepted to the Regular BOC Meeting Agenda; Deferred from the 10/8/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – recommended approval)*

I5. 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; Deferred from the 9/24/13 & 10/8/13 Regular BOC Meetings; Discussed during the 10/8/13 County Operations & Public Safety Committee – recommended approval)*

Public Works

I6. Renewal of Agreement with PATH Foundation, Inc. *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee – recommended tabling until return to the 10/15/13 Committee meeting; Deferred from the 10/8/13 Regular BOC Meeting; Discussed during the 10/15/13 Public Works & Infrastructure Committee meeting – recommended approval)*

17. Acceptance of GDOT Funds for Tucker Pedestrian Facilities Phase 2 Project (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee; Deferred from the 10/8/13 Regular BOC Meeting; Discussed during the 10/15/13 Public Works & Infrastructure Committee meeting – recommended approval*)
18. Relocation of AT&T Fiber Cable for the Lithonia Industrial Boulevard Extension (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee – recommended tabling until return to the 10/15/13 Committee meeting; Deferred from the 10/8/13 Regular BOC Meeting; Discussed during the 10/15/13 Public Works & Infrastructure Committee meeting – recommended approval*)
19. Relocation of Georgia Power Overhead Lines for Improvements to the Lavista Road at Frazier Road/Fairoaks Road Intersection (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee – recommended tabling until return to the 10/15/13 Committee meeting; Deferred from the 10/8/13 Regular BOC Meeting; Discussed during the 10/15/13 Public Works & Infrastructure Committee meeting – recommended approval*)

Purchasing & Contracting

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, 9/24/13 & 10/8/13 Regular BOC Meetings; Discussed during the 10/15/13 Finance, Audit & Budget Committee meeting – recommended approval*)

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.