

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
JANUARY 28, 2014**

A. INSPIRATIONAL

Dr. Keith Pisani, Pastor
Pine Lake Baptist Church

PLEDGE OF ALLEGIANCE

Commissioner Elaine Boyer
District 1

B. PRESENTATIONSGeorge W. Burke Safety Program Award
Department of Watershed Management, Dr. James Chansler

Annual Food Drive
Commissioner Kathie Gannon

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.

Planning & Sustainability: Commission Districts: 2 & 6

D1. Rezoning, Z-13-18841 John Weiland Homes (*Deferred from the 11/19/13 BOC Rezoning Meeting – public hearing; Deferred from the 12/10/13 Regular BOC Meeting – public hearing*)

Planning & Sustainability: Commission Districts: 4 & 7

D2. Rezoning, Z-13-18631, Joan English (*Deferred from the 11/19/13 BOC Rezoning Meeting; Deferred from the 1/14/14 Regular BOC Meeting*)

D3. Special Land Use Permit, SLUP-13-18630, Joan English (*Deferred from the 11/19/13 BOC Rezoning Meeting; Deferred from the 1/14/14 Regular BOC Meeting*)

Public Works – Transportation: Commission Districts 3 & 7

D4. Traffic Calming Petition – Derrill Drive (between Glenwood Drive and Rosewood Road) (*Accepted to the Regular BOC Meeting Agenda*)

Public Works – Transportation: Commission Districts 4 & 7

D5. Street Light Petition - Bridgewater Court (*Accepted to the Regular BOC Meeting Agenda*)

Watershed: Commission Districts: 5 & 7

D6. 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, 10/22/13, 11/12/13 & 12/10/13 Regular BOC Meetings*)

Watershed: Commission Districts: 5 & 7

D7. 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, 10/22/13, 11/12/13 & 12/10/13 Regular BOC Meetings*)

E. APPEALS

E1. Appeal of Decision of Historic Preservation Commission Relating to Property at 1303 Oakdale Road, Atlanta, GA 30306, Druid Hills Historic District (*Accepted to the Regular BOC Meeting Agenda*)

F. APPOINTMENTS

- [F1.](#) Appointment to the DeKalb County Board of Ethics - William P. Smith, III (*Deferred from the 10/8/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee; Deferred from the 11/12/13, 12/3/13 & 1/14/14 Regular BOC Meetings; Discussed during the 12/10/13 County Operations & Public Safety Committee meeting – no action taken*)
- [F2.](#) Appointment to the Board of Ethics - 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, 10/22/13, 11/12/13, 12/3/13 & 1/14/14 Regular BOC Meetings*)
- [F3.](#) Appointment to the DeKalb Community Service Board – Ms. Meredith McCoy (*Deferred from the 1/14/14 Regular BOC Meeting; Assigned to the Employee Relations & Community Services Committee – recommended approval*)
- [F4.](#) Appointment to the DeKalb Community Service Board – Mr. Sam Verniero (*Deferred from the 1/14/14 Regular BOC Meeting; Assigned to the Employee Relations & Community Services Committee – recommended approval*)
- [F5.](#) Appointment to DeKalb Board of Ethics – Stanley Baum (*Deferred from the 1/14/14 Regular BOC Meeting; Discussed during the 1/14/14 County Operations & Public Safety Committee – no action taken*)
- [F6.](#) Appointment to DeKalb Board of Ethics – Clara Black DeLay (*Deferred from the 1/14/14 Regular BOC Meeting; Discussed during the 1/14/14 County Operations & Public Safety Committee – no action taken*)
- [F7.](#) Appointment to DeKalb Board of Ethics- David F. Richards, III (*Deferred from the 12/10/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee; Discussed during the 1/14/14 County Operations & Public Safety Committee – no action taken*)
- [F8.](#) Appointment to DeKalb County Recorder’s Court - Angela Brown (*Discussed during the 12/10/13 County Operations & Public Safety Committee meeting – recommended approval; Accepted to the Regular BOC Meeting Agenda*)
- [F9.](#) Appointment to DeKalb County Recorder’s Court - LaTisha Dear (*Discussed during the 12/10/13 County Operations & Public Safety Committee meeting – recommended approval; Accepted to the Regular BOC Meeting Agenda*)
- [F10.](#) Appointment to DeKalb County Recorder’s Court—Ronnie Dixon (*Discussed during the 12/10/13 County Operations & Public Safety Committee meeting – no action taken; Accepted to the Regular BOC Meeting Agenda*)

G. CONSENT AGENDA

Airport

- [G1.](#) Standardized T-Hangar (D-9) Lease Agreement with David W. Boone (*Accepted to the Regular BOC Meeting Agenda*)
- [G2.](#) Standardized T. Hangar (D-3) Lease Agreement with C. Steve Collins (*Accepted to the Regular BOC Meeting Agenda*)
- [G3.](#) Standardized T-Hangar (D-23) Lease Agreement with Hector R. Cora (*Accepted to the Regular BOC Meeting Agenda*)
- [G4.](#) Standardized T-Hangar (D-33) Lease Agreement with Douglas H. Crosby (*Accepted to the Regular BOC Meeting Agenda*)
- [G5.](#) Standardized T-Hangar (D-24) Lease Agreement with Ryan Dwyer (*Accepted to the Regular BOC Meeting Agenda*)
- [G6.](#) Standardized T-Hangar (D-6) Lease Agreement with James H. Frank (*Accepted to the Regular BOC Meeting Agenda*)
- [G7.](#) Standardized T-Hangar (D-7) Lease Agreement with James H. Frank (*Accepted to the Regular BOC Meeting Agenda*)

- [G8.](#) Standardized T-Hangar (D-30) Lease Agreement with Richard B. Gaudet (*Accepted to the Regular BOC Meeting Agenda*)
- [G9.](#) Standardized T-Hangar (D-48) Lease Agreement with Sanford J. Gerber (*Accepted to the Regular BOC Meeting Agenda*)
- [G10.](#) Standardized T-Hangar (D-32) Lease Agreement with Paul G. Gundermann (*Accepted to the Regular BOC Meeting Agenda*)
- [G11.](#) Standardized T-Hangar (B-18) Lease Agreement with Richard Hanley (*Accepted to the Regular BOC Meeting Agenda*)
- [G12.](#) Standardized T-Hangar (D-15) Lease Agreement with Howard L. Joe (*Accepted to the Regular BOC Meeting Agenda*)
- [G13.](#) Standardized T-Hangar (D-16) Lease Agreement with Donald A. Jones (*Accepted to the Regular BOC Meeting Agenda*)
- [G14.](#) Standardized T-Hangar (D-52) Lease Agreement with Jeff G. Kish (*Accepted to the Regular BOC Meeting Agenda*)
- [G15.](#) Standardized T-Hangar (D-22) Lease Agreement with Juan Leon (*Accepted to the Regular BOC Meeting Agenda*)
- [G16.](#) Standardized T-Hangar (D-19) Lease Agreement with Earl (NMI) McMillen, III (*Accepted to the Regular BOC Meeting Agenda*)
- [G17.](#) Standardized T-Hangar (D-17) Lease Agreement with John J. Strickland (*Accepted to the Regular BOC Meeting Agenda*)
- [G18.](#) Standardized T-Hangar (D-18) Lease Agreement with J. Georges Sulmers (*Accepted to the Regular BOC Meeting Agenda*)
- [G19.](#) Standardized T-Hangar (D-26) Lease Agreement with Geri L. Swanson (*Accepted to the Regular BOC Meeting Agenda*)
- [G20.](#) Standardized T-Hangar (B-23) Lease Agreement with Marc Wise (*Accepted to the Regular BOC Meeting Agenda*)
- [G21.](#) Termination of Standardized T-Hangar (A-5, A-12, A-14, A-17, A-19, A-19, A-22, A-23, A-25, A-30, B-2, C-1, C-2, C-3, C-12, C-19, C-24, C-29) Lease Agreement (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Airport

- [H1.](#) Work Authorization No. 13-3 to Contract No. 12-902559 with The LPA Group Inc. for Professional Engineering Services for Multiple Airport Repair and Construction Projects at DeKalb Peachtree Airport (*Accepted to the Regular BOC Meeting Agenda*)

Board of Commissioners – District 7

- [H2.](#) An Ordinance to Amend the Code of DeKalb County as Revised 1988, Chapter 16, to Require Functional and Available Restrooms in Business Establishments and for Other Purposes (*Accepted to the Regular BOC Meeting Agenda*)

Purchasing and Contracting

[H3.](#) **Purchases (Low Bidder)**

- LB1. Repair of Equipment: All Automotive, On-The-Road, Vehicles, Motorcycles, Trucks, Trailers and Equipment (Annual Contract): Invitation No. 3002960 for use by Public Works. Amount Not To Exceed: \$5,000,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval with amendment - not to exceed \$2,000,000.00*)
- LB2. Concrete Repair at Water Channels and Ozone Galleries, Scott Candler Water Treatment Plant: Invitation No. 13-100361 for use by the Department of

Watershed Management. Amount Not To Exceed: \$1,244,556.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- LB3. Aluminum Covers for Gravity Thickeners: Invitation No. 3002890 to be used by the Department of Watershed Management. Amount Not To Exceed: \$442,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Extension)

- EXT1. Saline System Equipment and Maintenance of Swimming Pools (Annual Contract): Invitation No. 3002679 for use by Facilities Management. Amount Not To Exceed: \$83,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- EXT2. Maintenance and Repair of Overhead Doors (Annual Contract): Invitation No. 3002559 for use by the Department of Watershed Management. Amount Not To Exceed \$150,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- EXT3. Sodding, Sprigging & Sod (Annual Contract): Invitation No. 3002622 for use by Public Works, Department of Watershed Management, and Parks, Recreation and Cultural Affairs. Amount Not To Exceed: \$70,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- EXT4. Monitoring, Repair, Maintenance and Installation of Fire, Intrusion, Elevator and Call Box Alarm Systems (Annual Contract): Invitation No. 3002261 for use by Facilities Management and the Department of Watershed Management. Amount Not To Exceed: \$140,000.00(*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- EXT5. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System: Request for Proposals No. 300385 (Contract No. 06-900112) for use by the Department of Watershed Management. Monthly Amount Not To Exceed: \$44,411.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Sole Source)

- SS1. Parts for Filter Drain System (Sole Source): for use by the Department of Watershed Management. Total Amount: \$270,878.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- SS2. Fire Ladder Platform Installation (Sole Source): for use by Public Works to purchase and install platforms on two (2) previously purchased Fire Rescue Ladder Trucks. Amount Not To Exceed: \$168,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- SS3. Oracle Technical Support and Software Licensing for use by Information Technology and the Department of Watershed Management (Sole Source). Amount Not To Exceed: \$1,211,279.53 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- SS4. Electrochemical Ozone Sensors and Monitor Devices (Sole Source): for use by the Department of Watershed Management. Total Amount \$273,734.40
(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. 09-901611: Agreement to Provide Support and Maintenance for Automated Case Management System for DeKalb County State Court Probation Department: GSA Contract No. GS-35F-0518U for use by Information Technology. Amount Not To Exceed: \$72,354.36 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- A2. Amendment No. 1 to Contract No. 12-902570: Revolving Loan Fund for use by Human and Community Development. *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- A3. Amendment No. 1 to Contract No. 13-902610: Neighborhood Stabilization Program (NSP-1) for use by Human and Community Development. *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Emergency)

- EM1. Emergency request for Engineering and Construction Management Services for use by the Department of Watershed Management for the Emergency Modification of High Service Pump Stations at Scott Candler Water Treatment Plant. Amount Not To Exceed: \$168,039.00 *(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

11. Election of a Presiding Officer *(Failed for lack of votes during the 1/14/14 Regular BOC Meeting)*
12. Election of a Deputy Presiding Officer *(Failed for lack of votes during the 1/14/14 Regular BOC Meeting)*

Board of Commissioners – District 2

13. Resolution by the Governing Authority of DeKalb County, Georgia, Agreeing to Shared Supervision of Certain Board of Commissioners Staff Serving in Interim Capacities in the Interim CEO's Administration *(Normal Coursed from the 10/22/13 Regular BOC Meeting; Failed for lack of votes during the 11/12/13 Regular BOC Meeting)*

CEO

14. 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; Deferred from the 9/24/13, 10/8/13 & 11/12/13 Regular BOC Meetings)*

Economic Development

- 15.** 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; Deferred from the 9/24/13, 11/12/13 & 12/3/13 Regular BOC Meetings; Re-assigned to the Planning & Economic Development Committee; Deferred from the 1/14/14 Regular BOC Meeting*)
- 16.** Intergovernmental Agreement (*Deferred from the 1/14/14 Regular BOC Meeting; Assigned to the 1/21/14 Committee of the Whole*)

Purchasing and Contracting

17. Purchases (Low Bidder)

- LB4. DeKalb County Fire Station #3 Construction Project: Invitation No. 13-100363 for use by Fire Rescue. Amount Not To Exceed: \$1,966,863.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral and return to committee; Deferred from the 1/14/14 Regular BOC Meeting*)
- LB9. Solid Waste Collection 65 Gallon Roll Carts: Invitation No. 3003147 for use by Public Works. Total: \$1,432,135.00 (*Deferred from the 1/14/14 Regular BOC Meeting*)

Purchases (Amendment)

- A1. Amendment No. 2 for Contract No. 831510 Manhole Rehabilitation Services: Invitation to Bid No. 3001979 for use by the Department of Watershed Management. Amendment Amount Not To Exceed: \$6,000,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval; Deferred from the 1/14/14 Regular BOC Meeting*)

Purchasing & Contracting

18. Purchases (Request for Proposals)

- RFP1. Consent Decree Program Management Services: Request for Proposals No. 13-500270 (*Deferred from the 12/10/13 & 1/14/14 Regular BOC Meetings*)

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.