

DeKalb County Board of Commissioners
Larry Johnson, MPH
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
FEBRUARY 11, 2014**

A. INSPIRATIONAL

Rev. Joshua Roberts, Associate Pastor
Chamblee First United Methodist Church

PLEDGE OF ALLEGIANCE

Commissioner Sharon Barnes Sutton
District 4

B. PRESENTATIONS Lupus Awareness

Commissioner Larry Johnson

American Heart Association

Commissioner Sharon Barnes Sutton

GFOA's 2013 Budget Award

Finance Department

Atlanta Regional Commission Green Communities 2013 Bronze Recertification

Commissioner Kathie Gannon

ACCG Resolution

Commissioner Jeff Rader

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.

Chief Executive Office

D1. 2014 Budget (*Accepted to the Regular BOC Meeting Agenda with additional of amendments*)

Finance

D2. 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, 10/22/13 & 12/3/13 Regular BOC Meetings; Re-assigned to the Employee Relations & Community Services Committee; Deferred from the 1/14/14 Regular BOC Meeting; Discussed during the 2/4/14*)

Employee Relations & Community Services Committee – Committee recommended this item be withdrawn and staff created a replacement item that followed with recommended approval of the new pension plan, with a friendly amendment to increase the age of retirement to 67 for new hires only; did not recommend that employee contribution rates change

Planning & Sustainability: Commission Districts: 4 & 6

D3. Rezoning, Z-13-18720, Georgia General Facilities (*Deferred from the 11/19/13 BOC Rezoning Meeting; Deferred from the 1/14/14 Regular BOC Meeting – **for public hearing***)

Planning & Sustainability: Commission Districts: 4 & 7

D4. Rezoning, Z-13-18631, Joan English (*Deferred from the 11/19/13 BOC Rezoning Meeting; Deferred from the 1/14/14 & 1/28/14 Regular BOC Meetings – **for decision only***)

D5. Special Land Use Permit, SLUP-13-18630, Joan English (*Deferred from the 11/19/13 BOC Rezoning Meeting; Deferred from the 1/14/14 & 1/28/14 Regular BOC Meetings – **for decision only***)

Public Works: Commission Districts 1 & 7

D6. Traffic Calming Petition – Stoneleigh Drive (between Hugh Howell Road & Chastleton Drive) (*Accepted to the Regular BOC Meeting Agenda*)

Public Works: Commission Districts 3 & 7

D7. Traffic Calming Petition – Belvedere Lane (*Accepted to the Regular BOC Meeting Agenda*)

E. APPEALS

E1. NONE

F. APPOINTMENTS

F1. NONE

G. CONSENT AGENDA

Airport

G1. Standardized T-Hanger Lease Agreement (A-22) with Gordy Germany (*Accepted to the Regular BOC Meeting Agenda*)

G2. Standardized T-Hangar Lease Agreement (A-23) with Gordy Germany (*Accepted to the Regular BOC Meeting Agenda*)

G3. Standardized T-Hangar Lease Agreement (D-1) with Max Cohen (*Accepted to the Regular BOC Meeting Agenda*)

G4. Standardized T-Hangar Lease Agreement (D-2) with Ralph S. Cohen (*Accepted to the Regular BOC Meeting Agenda*)

G5. Standardized T-Hangar Lease Agreement (D-20) with Jonathan R. Sweatman (*Accepted to the Regular BOC Meeting Agenda*)

Board of Commissioners

G6. Board of Commissioners Meeting Date Change (*Accepted to the Regular BOC Meeting Agenda*)

County Clerk

G7. Approval of Minutes of the Regular Meeting of January 14, 2014 (*Accepted to the Regular BOC Meeting Agenda*)

Fire Rescue

G8. Acceptance of a Donation in the Amount of \$2,500.00 to DeKalb County Fire Rescue from Dunwoody Rotary Charitable Fund (*Accepted to the Regular BOC Meeting Agenda*)

GIS – Commission Districts 3 & 6

G9. A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Tax Parcel 15 207 03 034 (1638 Alder Court) (*Accepted to the Regular BOC Meeting Agenda*)

G10. A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Tax Parcel 15 182 01 058 (2785 Memorial Drive) (*Accepted to the Regular BOC Meeting Agenda*)

G11. A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Tax Parcel 15 039 01 381 (3327 River Run Trail) (*Accepted to the Regular BOC Meeting Agenda*)

GIS – Commission Districts 3 & 7

G12. A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Tax Parcel 15 220 09 015 (1162 Porter Road) (*Accepted to the Regular BOC Meeting Agenda*)

Public Works – Transportation

G13. Agreement with the Perimeter Community Improvement District (*Accepted to the Regular BOC Meeting Agenda*)

Recreation, Parks, and Cultural Affairs

G14. 2014 Georgia Department of Early Care and Learning Summer Food Service Program (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Purchasing and Contracting

H1. **Purchases (Low Bidder)**

LB1. Chevrolet Malibu: Invitation No. 3003106 for Public Works. Total Amount: \$138,156.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral*)

LB2. Truck, Cab and Chassis with 6 Cubic Yard Dump Body and Hoist: Invitation No. 3003126 for Public Works. Total Amount: \$617,898.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Extension)

EXT1. Plexiglass, Mirrors and Repair Service for Glass (Annual Contract): Invitation No. 3001992 for use by Public Works. Amount Not To Exceed: \$31,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral*)

EXT2. Tires for Police Cars (Annual Contract): Invitation No. 3002210 for Public Works. Total Amount Not To Exceed: \$110,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended 2-week deferral*)

Purchases (Sole Source)

- SS1. Purchase of Software Licenses for Police Vehicles and American Medical Response (AMR) Ambulances (Sole Source): Amount Not To Exceed: \$151,164.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval with expected additional information regarding AMR)*
- SS2. Education, Licensing, and Support Services for Hewlett Packard (HP) Software and Hardware Products: (Sole Source) for use by Information Technology. Amount Not To Exceed: \$108,097.01 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- SS3. Annual License Fees and Support for Computer Associates Software: (Sole Source) for use by the Information Technology Department. Amount Not To Exceed: \$54,885.11 *(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. 10-902104: Architectural and Engineering Design Services for the North DeKalb Senior Center. Amendment Amount Not To Exceed: \$14,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Ratification)

- R1. Emergency Erosion, Sediment and Pollution Control Services (RFQ #3003128): for use by Watershed Management. Amount Not To Exceed: \$194,141.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval of \$94,141.00)*

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners – District 7

- 11.** 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; Deferred from the 1/28/14 Regular BOC Meeting)*

CEO

- 12.** 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; Elections and Tax Collection were approved 1/28/14; GIS and 911 Services were deferred from the 1/28/14 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee)*

Economic Development

- 13.** 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; no action for lack of four votes during the 1/28/14 Regular BOC Meeting*)
- 14.** Intergovernmental Agreement (*Deferred from the 1/14/14 Regular BOC Meeting; Assigned to the 1/21/14 Committee of the Whole; Deferred from the 1/28/14 Regular BOC Meeting*)

GIS - Commission Districts: 3, 4, 5, 6, 7

- 15.** Transfer of Interests in 14 Parcels of Residential Real Property from the County to the DeKalb Regional Land Bank Authority (*Substitute deferred from the 12/3/13 Regular BOC Meeting; Deferred from the 1/14/14 Regular BOC Meeting*)

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.