

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
APRIL 22, 2014**

A. INSPIRATIONAL

Pastor Timothy McDonald, III
First Iconium Baptist Church

PLEDGE OF ALLEGIANCE

Commissioner Sharon Barnes Sutton
District 4

B. PRESENTATIONSEarth Day

Commissioner Kathie Gannon

High School Basketball Champions
Commissioner Stan Watson

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-14-19077 Matthew Clark (*Deferred from the 3/25/14 BOC Rezoning Meeting – public hearing*)

D2. Major Modification-Change of Condition -- CZ-14-19031 -- Milton Pate for Bennett-Johnson Properties, LLP (*Deferred from the 3/25/14 BOC Rezoning Meeting – public hearing*)

D3. Special Land Use Permit – SLUP-14-19049 -- Milton Pate for Bennett-Johnson Properties, LLP (*Deferred from the 3/25/14 BOC Rezoning Meeting – public hearing*)

Planning & Sustainability: Commission Districts: 2 & 7

D4. Rezoning, Z-14-19052 Sid Tejpaal (*Deferred from the 3/25/14 BOC Rezoning Meeting – public hearing*)

Public Works – Transportation: Commission Districts: 4 & 6

D5. Resolution, Order and Declaration of Taking – Right of Way for Stone Mountain Trail, Glendale Rd. to Mauck St.—Phase VI; 79,888.06 sq. ft. of temporary construction easement; 6,753.48 sq. ft. of easement for construction and Maintenance of Sidewalks, Slopes and Drainage; and 136,245.02 sq. ft. of Easement for Construction and Maintenance; Owner(s): CSX Transportation, Inc. (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 10/8/13, 11/12/13, 12/3/13, 1/14/14, 3/11/14 & 4/8/14 Regular BOC Meetings*)

Watershed Management: Commission Districts: 1 & 7

D6. Resolution, Order and Declaration of Taking – Oakcliff Sanitary Sewer Project, 3660 Oakcliff Industrial Court 3,140 sq. ft. of Temporary Construction Easement, Owner: Selig Enterprises, Inc. (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 4/8/14 Regular BOC Meeting*)

D7. Resolution, Order and Declaration of Taking – Oakcliff Sanitary Sewer Project, 3880 Oakcliff Industrial Court 6,690 sq. ft. of Permanent Sanitary Sewer Easement and 8,119 sq. ft. of Temporary Construction Easement, Owner: Selig Enterprises, Inc. (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 4/8/14 Regular BOC Meeting*)

D8. Resolution, Order and Declaration of Taking – Oakcliff Sanitary Sewer Project, 4422 Northeast Expressway 2,661 sq. ft. of Temporary Construction Easement, Owner: Travel Concepts, LLLP (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 4/8/14 Regular BOC Meeting*)

E. APPEALS

- E1. Appeal of Decision of Historic Preservation Commission Relating to Property at 1221 Spring Valley Lane, Atlanta, GA 30306 – Druid Hills Historic District, by Brad & Rachel Sheehan *(Accepted to the Regular BOC Meeting Agenda)*
- E2. Appeal of Decision of Historic Preservation Commission Relating to Property at 1297 Briardale Lane, Atlanta, GA 30306 – Druid Hills Historic District, by Jeff Darby *(Accepted to the Regular BOC Meeting Agenda)*

F. APPOINTMENTS

CEO

- F1. Appointment to the DeKalb County Hospital Authority – Ms. Rosalind Rubens Newell *(Accepted to the Regular BOC Meeting Agenda; Assigned to County Operations & Public Safety Committee)*

G. CONSENT AGENDA

Airport

- G1. Standardized T-Hangar Lease Agreement (A-3) with Karl L. Gerling *(Accepted to the Regular BOC Meeting Agenda)*
- G2. Standardized T-Hangar Lease Agreement (A-5) with Charles M. Patterson *(Accepted to the Regular BOC Meeting Agenda)*
- G3. Standardized T-Hangar Lease Agreement (A-19) with Robert T. Ellett *(Accepted to the Regular BOC Meeting Agenda)*
- G4. Standardized T-Hangar Lease Agreement (A-25) with Scott E. Will *(Accepted to the Regular BOC Meeting Agenda)*
- G5. Standardized T-Hangar Lease Agreement (C-24) with Evanthe F. Papastathis *(Accepted to the Regular BOC Meeting Agenda)*
- G6. Standardized T-Hangar Lease Agreement (D-10) with Michael McMahan *(Accepted to the Regular BOC Meeting Agenda)*
- G7. Standardized T-Hangar Lease Agreement (D-28) with Malvern Hill *(Accepted to the Regular BOC Meeting Agenda)*
- G8. Standardized T-Hangar Lease Agreement (D-29) with Paul Earley *(Accepted to the Regular BOC Meeting Agenda)*
- G9. Standardized T-Hangar Lease Agreement (D-35) with Thomas Michaud *(Accepted to the Regular BOC Meeting Agenda)*
- G10. Standardized T-Hangar Lease Agreement (D-38) with Stuart J. Marsden *(Accepted to the Regular BOC Meeting Agenda)*
- G11. Standardized T-Hangar Lease Agreement (D-40) with Tim Lowe *(Accepted to the Regular BOC Meeting Agenda)*
- G12. Standardized T-Hangar Lease Agreement (D-42) with Frank B. Lieppe *(Accepted to the Regular BOC Meeting Agenda)*
- G13. Standardized T-Hangar Lease Agreement (D-45) with David E. Lyon *(Accepted to the Regular BOC Meeting Agenda)*

G14. Standardized T-Hangar Lease Agreement (D-53) with Philip S. Reid (*Accepted to the Regular BOC Meeting Agenda*)

Chief Executive Officer

G15. Capital Project Budgets (*Accepted to the Regular BOC Meeting Agenda*)

County Clerk

G16. Approval of Minutes of the Special Called Meeting of February 20, 2014 (*Accepted to the Regular BOC Meeting Agenda*)

G17. Approval of Minutes of the Special Called Meeting of February 27, 2014 (*Accepted to the Regular BOC Meeting Agenda*)

G18. Approval of Minutes of the Regular Meeting of March 11, 2014 (*Accepted to the Regular BOC Meeting Agenda*)

Human and Community Development

G19. Approval of the Acceptance of \$92,200 from the U.S. Department of Veterans Affairs for the Enumeration and Survey of the Homeless Population in DeKalb County, City of Atlanta, and Fulton County (*Accepted to the Regular BOC Meeting Agenda*)

G20. 2014 CDBG Youth Set-Aside Fund for Summer Voucher Program (*Accepted to the Regular BOC Meeting Agenda*)

Planning & Sustainability – Code Compliance Division

G21. Rescind Authorization to Issue Court Summons (*Accepted to the Regular BOC Meeting Agenda*)

G22. Swearing in of Code Compliance Officers (*Accepted to the Regular BOC Meeting Agenda*)

Police

G23. Amendment Number 1 to Contract 12-902427 with Stone Mountain Industrial Park, Inc. (*Accepted to the Regular BOC Meeting Agenda*)

G24. Acceptance of Federal Seized Funds – Police Services (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Information Technology

H1. AT&T Master Agreement (Dial-Tone) (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee*)

Purchasing & Contracting

H2. **Purchases (Low Bidder)**

LB1. Repair Parts for Water Lines (Annual Contract): Invitation No. 3003161 for use by the Department of Watershed Management. Total Amount Not To Exceed: \$500,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee*)

LB2. High Visibility Reflective Safety Apparel (Annual Contract): Invitation No. 3003100 to be used by Public Works, the Department of Watershed Management, Police Services and Fire Rescue Services. Total Amount Not To Exceed: \$186,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee*)

LB3. Service for the Clean and Passivate Ozone Generator (Annual Contract): Invitation No. 3003145 for use by the Department of Watershed Management. Amount Not To Exceed: \$150,798.50 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee*)

- LB4. Sanitary Sewer Television-Sonar Inspections (Annual Contract): Invitation No. 3002956 for use by the Department of Watershed Management. Total Amount Not To Exceed: \$6,500,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

Purchases (Sole Source)

- SS1. Purchase of a New Electrical Substation for Snapfinger Plant: (Sole Source) for use by the Department of Watershed Management. Amount Not To Exceed: \$4,214,602.21 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- SS2. Zebra RW420 Printers (Sole Source): PR 552255 for use by Police Services to purchase and install 300 printers in police vehicles for the Take Home Program. Amount Not To Exceed: \$268,831.24 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

Purchases (Amendments)

- A1. Amendment No. 1 to Contract No. 13-902587: SR 155/Candler Road Waterline Replacement, Landscape and Resurfacing – PI No. 0009567: Invitation to Bid No. 12-100322 for use by the Department of Watershed Management. Amount Not To Exceed: \$940,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- A2. Amendment No. 2 to Contract No. 12-902463, Water and Sewer Main Installation: Invitation No. 11-100244 for use by the Department of Watershed Management. Amount Not To Exceed: \$3,000,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- A3. Amendment No. 3 to Contract No. 09-901752: Architectural and Engineering Design Services for Improvement of Library Infrastructure. Request for Proposals No. 06-500020 for use by the Library. Amount Not To Exceed: \$74,491.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- A4. Amendment No. 4 to Contract No. 10-902075: Agreement to Provide Software Licenses, Implementation Services, Integration Services and Training for Comprehensive Property Tax Billing and Collections System Upgrade (ias World): For use by the Department of Information Technology. Amount Not To Exceed: \$106,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

Purchases (Statewide Contract)

- SWC1. Maintenance for Leased IBM Equipment: for use by Information Technology. Amount Not To Exceed: \$316,120.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

Purchases (Extensions)

- EXT1. Diving Services (Annual Contract): Invitation NO. 3001644 for use by the Department of Watershed Management. Amount Not To Exceed: \$50,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- EXT2. Paving Repairs, (Asphaltic Concrete) (Annual Contract): Invitation No. 3001845 for use by the Department of Watershed Management. Amount Not To Exceed: \$1,500,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

- EXT3. Concrete Forming, Placing, Finishing and Retainer Walls (Annual Contract): Invitation No. 3002609 for use by the Department of Watershed Management, Public Works and Recreation, Parks and Cultural Affairs. Total Amount Not To Exceed: \$2,000,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- EXT4. Herbicide and Kudzu Control Services (Annual Contract): Invitation No. 3002117 for use by Public Works. Amount Not To Exceed: \$206,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*
- EXT5. Fence and Gate Repair and Installation (Annual Contract): Invitation No. 3002611 for use by the Department of Watershed Management, Public Works and Recreation, Parks and Cultural Affairs. Amount Not To Exceed: \$500,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee)*

I. ITEMS FOR DECISION BY THE BOARD

CEO

11. Approve Master Agreement Among DeKalb County, Georgia, Development Authority of DeKalb County, Georgia, and YMCA of Metropolitan Atlanta, Inc. for a Public-Private Partnership *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Employee Relations & Community Services Committee – recommended approval; Normal Coursed from the 3/25/14 Regular BOC Meeting; Discussed during the 4/1/14 Employee Relations & Community Services Committee meeting – recommended 2-week deferral; Deferred from the 4/8/14 Regular BOC Meeting)*

Board of Commissioners – District 2

12. 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 four votes during the 11/12/13 Regular BOC Meeting; Deferred from the 1/28/14, 3/11/14 & 4/8/14 Regular BOC Meetings)*

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; Deferred from the 2/14/14 & 2/25/14 Regular BOC Meetings; Substitute deferred from the 3/11/14 Regular BOC Meeting; Discussed during the 3/14/14 Planning & Economic Development Committee meeting – recommended approval; Deferred from the 4/8/14 Regular BOC Meeting)*

14. The Development Authority of DeKalb County Charter School Revenue Bonds (Ivy Preparatory Academy, Incorporated Project) (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Planning & Economic Development Committee; Deferred from the 3/25/14 Regular BOC Meeting; Discussed during the 3/25/14 Planning & Economic Development Committee meeting – recommend 1-month deferral; Deferred from the 4/8/14 Regular BOC Meeting*)

Planning & Sustainability

15. Amend Chapter 7 and Appendix B, Section 1130 of the Code of DeKalb County, as Revised 1988 (*Deferred from the 1/28/14, 2/25/14 & 3/25/14 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.