

FULTON COUNTY BOARD OF COMMISSIONERS

RECESS MEETING

March 17, 2010

10 a.m.

Fulton County Government Center
Assembly Hall
141 Pryor Street SW
Atlanta, Georgia 30303

POST AGENDA

This document is tentative, has not been ratified or approved by the Board of Commissioners, and is not binding on the County or any officer.

Scheduled date for ratification: April 7, 2010

CALL TO ORDER: Chairman John H. Eaves

10:09 a.m.

ROLL CALL: Mark Massey, Clerk to the Commission

John H. Eaves, Chairman (District 1, At-Large)

PRESENT

William "Bill" Edwards, Vice Chairman (District 7)

PRESENT

Robert L. "Robb" Pitts, Commissioner (District 2, At-Large)

PRESENT

Lynne Riley, Commissioner (District 3)

PRESENT

Tom Lowe, Commissioner (District 4)

PRESENT

Emma I. Darnell, Commissioner (District 5)

PRESENT

Nancy A. Boxill, Commissioner (District 6)

PRESENT

INVOCATION: Reverend Clifton Dawkins, Jr., Assistant County Chaplain

PLEDGE OF ALLEGIANCE: Recited in unison.

10-0309 Adoption of the March 17, 2010 Consent Agenda

All matters listed on the Consent Agenda (Items #10-0309 through #10-0337, excluding *Items #10-0313, #10-0323, #10-0327, and #10-0328) were considered routine by the County Commission and enacted by one motion.

*These Items were moved to the Recess Meeting Agenda for separate consideration, as requested by members of the Board.

A motion was made by Vice Chairman Edwards and seconded by Chairman Eaves to adopt the Consent Agenda as amended. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Lowe, and Boxill voted yes. Commissioner Darnell did not vote.

The Consent Agenda consisted of the following items:

COUNTY MANAGER

County Manager - Presentation of reports

10-0310 **Purchasing and Contract Compliance**
Minority and Female Business Enterprise Utilization Report - February 2010

10-0311 **Finance**
Refund Report
10-0312 Payment Voucher Report

10-0313 **General Services**
Asset Management Update

THIS ITEM WAS MOVED TO THE RECESS MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY VICE CHAIRMAN EDWARDS.

HEARD AFTER ITEM #10-0327.

A motion was made by Commissioner Darnell and seconded by Vice Chairman Edwards to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Darnell voted yes. Commissioners Lowe and Boxill did not vote.

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Voting Breakdown: 1st number = “yes” votes
2nd number = “no” votes
3rd number = “abstained” votes

10-0314 Senior Multipurpose Facility Update

Intergovernmental Affairs

10-0315 Grants Activity Status Report

Tax Office

10-0316 Tax Report

Emergency Communications E-911

10-0317 Request approval of an Intergovernmental Agreement between Fulton County and the City of Chattahoochee Hills for the provision of 9-1-1 Emergency Communications Services, retroactive from October 1, 2009, through December 31, 2012.

10-0318 Request approval of an Intergovernmental Agreement between Fulton County and the City of Palmetto for the provision of 800 MHz Radio System Access, retroactive from January 1, 2010, through December 31, 2013, in the amount of \$8,456.42.

10-0319 Request approval of an Intergovernmental Agreement between Fulton County and the City of Alpharetta for the provision of 800 MHz Radio System Access, retroactive from January 1, 2010, through December 31, 2013, in the amount of \$71,448.12.

Fire and Rescue

10-0320 Request approval to apply for and accept, if awarded, the FY 09 Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Department of Homeland Security/FEMA for the rehiring of laid-off firefighters for a two-year period with no County match required.

10-0321 Request approval of a Resolution to adopt the 2009 International Fire Code along with its appendices and all amendments thereto; to establish provisions for enforcement thereof; and to comply with applicable laws.

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Voting Breakdown: 1st number = “yes” votes

2nd number = “no” votes

3rd number = “abstained” votes

General Services

10-0322 Request approval of a Quitclaim Deed from Fulton County to the Georgia Department of Transportation to transfer 0.810 acres of land located in Land Lot 207 of the 1st District, 1st Section, of Fulton County in conjunction with Project No. STP-2343(7), P. I. No. 730880, Parcel 68, on State Bridge Road.

10-0323 Request approval of Resolution to support T-Mobile's application for zoning and/or development approval to erect a telecommunications tower on property owned by Fulton County located in the city of Milton in Land Lots 264 of the 2nd District, 2nd Section, of Fulton County, site of the Pritchard Mountain Elevated Water Tower on Freemanville Road. Upon successful completion of zoning and/or development approval, T-Mobil will enter into good-faith negotiations with Fulton County for a lease on said property for the construction and operation of two (2) 150 feet tall monopole cellular communication towers subject to Board of Commissioners approval.

THIS ITEM WAS MOVED TO THE RECESS MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY COMMISSIONER RILEY.

HEARD AFTER ITEM #10-0313.

THIS ITEM WAS HELD SO THAT A PUBLIC HEARING ON THIS ISSUE CAN BE CONDUCTED FIRST.

10-0324 Request approval of a Quitclaim Deed from Fulton County to Sandra M. Bourbon to transfer 0.1147 acres/4,998 square feet ownership interests for a portion of Longs Peak Drive in conjunction with Resolution to Abandon a Portion of Longs Peak (Drive) right-of-way, Item No. 0895, dated July 15, 1998.

10-0325 Request approval of a Quitclaim Deed from Fulton County to Joseph E. Scollard and Christa S. Scollard to transfer 0.1058 acres/4,609 square feet ownership interests for a portion of Longs Peak Drive in conjunction with Resolution to Abandon a Portion of Longs Peak (Drive) right-of-way, Item No. 0895, dated July 15, 1998.

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Health and Wellness

- 10-0326** Request Board of Commissioners approval to approve contract renewal between Fulton County and Morehouse School of Medicine (MSM). The purpose of this contract is to provide primary care services at the Neighborhood Union Health Center. The time period for this contract renewal will be from April 1, 2010, through December 31, 2010.

Health and Wellness

- 10-0327** Request approval to review the proposed set of activities by the Department of Health and Wellness to extend and focus the implementation of the Board of Commissioners' policies on environmental justice. This involves the recruitment and assignment of activities for an environmental planner in the Department of Health and Wellness.

THIS ITEM WAS MOVED TO THE RECESS MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY VICE CHAIRMAN EDWARDS.

HEARD AFTER ITEM #10-0353.

A motion was made by Commissioner Darnell and seconded by Vice Chairman Edwards to approve. The motion carried by a vote of 4-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts and Darnell voted yes. Commissioner Riley was present but did not vote. Commissioners Lowe and Boxill did not vote.

Commissioner Darnell urged the County Manager to make use of the data and the information that already exists with respect to pollution as it impacts any section of the County, and to make that data available. She also requested Staff to provide a work plan that involves more than just the hiring of a planner and the collection of data, and to include the development of performance outcomes for this function consistent with the resources.

Human Services

- 10-0328** Request approval of recommendations related to the FY 2010–2011 Human Services and FRESH grants.

THIS ITEM WAS MOVED TO THE RECESS MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY COMMISSIONER BOXILL.

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AFTER ITEM #10-0350.

A motion was made by Commissioner Darnell and seconded by Vice Chairman Edwards to approve. The motion carried by a vote of 4-1-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts and Darnell voted yes. Commissioner Riley voted no. Commissioners Lowe and Boxill did not vote.

- 10-0329** Request approval of the Housing First contract with Travelers Aid, Inc., in the amount of \$300,000 for the provision of case management services to homeless women and women with children that are recruited directly from emergency shelters and placed into subsidized housing.

Information Technology

- 10-0330** Request approval to award a contract as required by F.C.C. Part II, Subpart B, Chapter 102, Article II 102-46 - Department of Information Technology, for an agreement with the Atlanta Historical Society to provide Archival Storage Services of Fulton County records. This support is provided for one year from date of approval.

Marshal

- 10-0331** Request approval of the 2009 Equitable Sharing Agreement and Certification for the Fulton County Marshal's Department.

Personnel

- 10-0332** Request approval to spread on the minutes a list of FY2010 contracts for employees hired contractually by Fulton County Government.

Purchasing and Contract Compliance

- 10-0333** Request ratification of emergency purchase order, **General Services Department**, PO #10SC72237MAILSVCS, Mail Services with IKON Office Solutions, Inc. (Atlanta, GA), in the amount of \$58,240.50 to provide mail services for an additional 45 business days from March 3, 2010, through May 5, 2010, to ensure continued mail delivery.

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Sheriff

- 10-0334** Request approval of the 2009 Equitable Sharing and Agreement and Certification for the Fulton County Sheriff's Department.

CLERK TO THE COMMISSION

10-0335 Proclamations and Certificates for Spreading on the Minutes:

"Ms. Winnie Mandela Appreciation Day"
March 4, 2010 (**Eaves**)

"Eagle Scout Andrew T. Bedenk Appreciation Day"
March 6, 2010 (**Riley**)

"Eagle Scout Brandon Burton Appreciation Day"
March 6, 2010 (**Riley**)

"Michael Thomas Cleary, Jr., Day"
March 6, 2010 (**Riley**)

"Heroines of Atlanta Appreciation Day"
March 6, 2010 (**Edwards**)

"Heroines of Atlanta Chapter #712 ILL, Jenuryl Fluellen Appreciation Day"
March 6, 2010 (**Edwards**)

"James Zahnow Day"
March 6, 2010 (**Riley**)

"Eagle Scout Timothy Watson Day"
March 7, 2010 (**Riley**)

TEFRA (Tax Equity Fiscal Responsibility Act) for Spreading on the Minutes

- 10-0336** Execution by Chairman John H. Eaves of TEFRA for documentation pertaining to the Development Authority of Fulton County proposed financing in an amount not to exceed \$31 million for the Georgia Tech Facilities, Inc., Project.

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10-0340 Presentation of Proclamations and Certificates

Proclamation recognizing “Fulton County Chief Deputy Clerk to the Commission Lois Shell Retirement Day.” **(Board of Commissioners)**

PROCLAMATION PRESENTED.

Proclamation recognizing “Master Gardener Program Appreciation Day.” **(Eaves)**

PROCLAMATION PRESENTED.

Proclamation recognizing “Scholastic Kids Press Corps N’naserri Carew-Johnson Day.” **(Eaves)**

PROCLAMATION PRESENTED.

Proclamation recognizing “Scholastic Kids Press Corps Andrew Liang Day.” **(Eaves)**

PROCLAMATION PRESENTED.

Surprise presentation to District 4 Commissioner Tom Lowe in recognition and appreciation for 35 years of dedicated public service as a Fulton County Commissioner.

PRESENTATION CONDUCTED.

Proclamation recognizing “Tina Robinson Appreciation Day.” **(Eaves)**

PROCLAMATION NOT PRESENTED.

PUBLIC HEARINGS

10-0341 **Public Comment** - Citizens are allowed to voice County-related requests, concerns, opinions, etc. during the Public Comment portion of the Commission meeting. Before speaking, each participant must fill out a speaker card, located at the entryway, the podium, and the media and court reporter tables. Speaker cards must be submitted to the Clerk's staff, who will accept them on a first-come, first-served basis. Once Public Comment begins, speaker cards will no longer be accepted. **Speakers will be granted up to two minutes each, and Public Comment will not exceed 30 minutes.** Those who could not speak during Public Comment will be allowed to speak first at a subsequent Board meeting. For more information or to arrange a speaking date, contact the Clerk's Office.

ONE SPEAKER. Ms. Anna Avato (employee organizations)

Alcoholic Beverage Public Hearings

Police

10-0342 **Alcoholic Beverage License** – Request a public hearing for an alcoholic beverage license submitted by **Cedar Grove Wine and Spirits, LLC**, for the retail sale of wine, malt beverages, and distilled spirits located at 6015 Lynmark Way, Suite 160, Fairburn, GA 30213.

NINE SPEAKERS: Mr. Lance Grisham (in support), Mr. James C. Mynatt, Jr. (in support), Mr. James C. Mynatt, Sr. (in support), Ms. Alanna Conley-Oyofa (in opposition), Ms. Jacque Thornton (in opposition), Ms. Nacema Gilyard (in opposition [spoke from South Fulton Service Center]), Mr. Raheemah Muhammad (in opposition [spoke from South Fulton Service Center]), Ms. Calla Johnson (in opposition [spoke from South Fulton Service Center]), and Mr. Walli Muhammad (in opposition [spoke from South Fulton Service Center]).

COUNTY MANAGER – UNFINISHED BUSINESS

Purchasing and Contract Compliance

10-0245 Request approval of recommended proposal, **Atlanta-Fulton Public Library System**, #09RFP0508PM-K-DJ, Program Management Services for the Atlanta Fulton County Library Capital Improvement Program, in an amount not to exceed \$3,334,928 with Jacobs with ~~GMG (Gude Management Group)~~ (Atlanta, GA), to provide a full range of program management services necessary to facilitate construction and expansion of various libraries for Phase I, which consists of the new construction of eight (8) new branch libraries and two (2) major expansions of the Auburn Avenue Research Library and South Fulton Library, upon execution of contract for a period of three (3) years with two (2) renewal options. (Cross-reference: Item #10-0161, held 1/20/10) **(HELD 2/17/10, HELD 3/3/10 for a lack of four affirmative votes)**

A. A motion was made by Vice Chairman Edwards and seconded by Commissioner Lowe to accept the recommendation for the proposed vendor for the PM contract. The vote was 3-4-0. Chairman Eaves, Vice Chairman Edwards, and Commissioner Lowe voted yes. Commissioners Pitts, Riley, Darnell, and Boxill voted no. (THE MOTION FAILED TO RECEIVE FOUR AFFIRMATIVE VOTES; THEREFORE, NO ACTION WAS TAKEN)

B. A motion was made by Commissioner Pitts and seconded by Commissioner Darnell to deny the recommendation of the staff evaluating team. The motion carried by a vote of 4-2-0. Commissioners Pitts, Riley, Darnell, and Boxill voted yes. Vice Chairman Edwards and Commissioner Lowe voted no. Chairman Eaves was present but did not vote.

C. A motion was made by Commissioner Riley and seconded by Commissioner Lowe to direct the County Manager to rebid this Item and bring the Board a recommendation in July. The motion carried by a unanimous vote of 7-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Lowe, Darnell, and Boxill voted yes.

10-0246 Request approval of recommended proposals, **Finance Department** RFP #09RFP69484C-MT, Library Bond Referendum-Bond Counsel Services in the amount of \$117,000 with Hunton & Williams (Atlanta, GA) to provide bond counsel services for the Finance Department. Effective dates: eight (8) weeks from date of contract execution. **(HELD 2/17/10, HELD 3/3/10 for a lack of four affirmative votes)**

A motion was made by Commissioner Lowe and seconded by Chairman Eaves to approve. The motion carried by a vote of 5-2-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Lowe, Darnell, and Boxill voted yes. Commissioners Pitts and Riley voted no.

10-0247 Request approval of recommended proposals, **Finance Department**, RFP #09RFP69481C-MT, Library Bond Referendum – Underwriter’s Services in the amount of \$4.08 to \$5.029 per \$1000/bond with A) Citibank (Atlanta, GA), B) Goldman Sachs & Terminus (Atlanta, GA), C) Raymond James (Atlanta, GA), and D) Jackson Securities (Atlanta, GA) to provide underwriter’s services for the library referendum bond. Effective dates: eight (8) to ten (10) weeks from date of contract execution. **(HELD 2/17/10, 3/3/10)**

A motion was made by Commissioner Lowe and seconded by Chairman Eaves to approve. The motion carried by a vote of 5-2-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Lowe, Darnell, and Boxill voted yes. Commissioners Pitts and Riley voted no.

10-0249 Request approval of recommended proposals, **Finance Department**, RFP #09RFP69491C-MT, Library Bond Referendum – Financial Advisory Services, in the amount of \$127,753 with The PMF Group (Atlanta, GA) to provide financial advisory services for the Finance Department. Effective dates: twelve (12) weeks from date of contract execution. **(HELD 2/17/10, 3/3/10)**

A motion was made by Commissioner Boxill and seconded by Vice Chairman Edwards to hold this Item and refer it to the County Manager for a recommendation. The motion carried by a vote of 6-1-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Darnell, and Boxill voted yes. Commissioner Lowe voted no.

Commissioner Boxill requested the County Manager to provide information on all the vendors who are doing work with the County now and who have done business with the County one or more times. She also wants information on The PMF Group with regard to whether it has done work with the County and, if so, to include data on the diversity of its rank.

County Manager

- 10-0267** Request Board approval of the standard operating procedures for the financial and standards of care reviews to verify the Fulton County contributions to the Fulton-Dekalb Hospital Authority as required by the Memorandum of Understanding. **(HELD 3/3/10 for a lack of four affirmative votes)**

THIS ITEM WAS HELD UNTIL THE NEXT BOARD MEETING (4/7/10), AS REQUESTED BY THE COUNTY MANAGER.

Purchasing and Contract Compliance

- 10-0290** Request approval of lowest responsible bidders, **General Services Department**, Bid #09ITB68979YC-AP, in the total amount of \$500,000 with (A) Foster Business Interiors, Inc. (Marietta, GA) in the amount of \$200,000, (B) Ivan Allen Workspace (Atlanta, GA) in the amount of \$200,000, and (C) Graebel Atlanta Movers, Inc. (Norcross, GA) in the amount of \$100,000 to provide modular workstation and free-standing furniture and installation and reconfiguration services ~~for one year upon execution of contract with two one-year renewal option. Effective dates: March 3, 2010, through December 31, 2010.~~ upon execution of contract through December 31, 2010, with two renewal options. **(HELD 3/3/10)**

HEARD AFTER ITEM #10-0353.

A motion was made by Commissioner Boxill and seconded by Vice Chairman Edwards to approve. The motion carried by a vote of 4-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts and Boxill voted yes. Commissioners Riley, Lowe, and Darnell did not vote.

10-0291 Request approval of lowest responsible bidder, **General Services Department**, 10ITB71094K-DB, with United Pump and Control, Inc. (Suwanee, GA) in the amount of \$68,400 to provide fuel dispenser replacement for the Fulton County Facilities for 120 consecutive calendar days ~~Effective dates: March 3, 2010, through December 31, 2010.~~ upon execution of contract. **(HELD 3/3/10)**

A motion was made by Vice Chairman Edwards and seconded by Chairman Eaves to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Boxill voted yes. Commissioners Lowe and Darnell did not vote.

10-0292 Request approval of lowest responsible bidder, **Public Works Department**, 101TB110469A-CJC, in the amount of \$269,220 with Traffic Markings, Inc., (Franklin, MA) to provide roadway striping for one year upon execution of contract ~~with two renewal options. Effective dates: March 3, 2010 through December 31, 2010.~~ through December 31, 2010, with two renewal options. **(HELD 3/3/10)**

A motion was made by Vice Chairman Edwards and seconded by Chairman Eaves to approve. The motion carried by a vote of 5-1-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Darnell, and Boxill voted yes. Commissioner Riley voted no. Commissioner Lowe did not vote.

Commissioner Boxill recommended that Staff consider communicating with local trade and technical schools related to this kind of work to possibly expand the pool of those capable of doing it. She also suggested contacting the company about training persons as apprenticeships to perform this kind of work. Additionally, she requested to have a Plan B by the time of renewal for providing/bidding this work locally.

10-0294 Request approval to renew existing contracts, **General Services Department**, Bid #06ITB50120YA-DR, in the amount of \$60,000 with Johnson Controls, Inc. (Roswell, GA) to provide HVAC maintenance at the Atlanta-Fulton Central, Peachtree, and Auburn Avenue libraries. ~~for one year upon execution of contract. This action exercises the second of two renewal options. No renewal options remain.~~ This action exercises the third of three renewal options. No renewal options remain. Effective dates: March 3, 23, 2010, through December 31, 2010. **(HELD 3/3/10)**

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CURRENT CONTRACT HISTORY	BOC ITEM #	DATE	DOLLAR AMOUNT
Original Award Amount	06-1090	10/18/06	\$60,000
1 st Renewal	08-0147	1/16/08	\$60,000
2 nd Renewal	09-0234	2/18/09	\$60,000
3rd Renewal			\$60,000
Total Revised Amount			\$240,000

A motion was made by Commissioner Boxill and seconded by Chairman Eaves to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Riley, and Boxill voted yes. Vice Chairman Edwards and Commissioner Darnell were present but did not vote. Commissioner Lowe did not vote.

10-0295 Request approval to renew existing contract, **General Services Department**, Bid #08ITB64132C-MT, Moving Services, in the total amount of \$100,000 with (A) Beltman Group (Doraville, GA) \$63,000 and (B) Hilldrup Company (Stone Mountain, GA) \$37,000 to provide moving services for fiscal year 2010 upon execution of contract. ~~This action exercises the last of two renewal options. No renewal options remain. Effective dates: March 3, 2010, through December 31, 2010.~~ This action exercises the first of two renewal options. One renewal option remains. Effective dates: April 14, 2010, through December 31, 2010. **(HELD 3/3/10)**

A) Beltman Group

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	09-0231	2/18/09	\$63,000
1 st Renewal			\$63,000
Total Revised Amount			\$126,000

B) Hilldrup Company

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	09-0231	2/18/09	\$37,000
1 st Renewal			\$37,000
Total Revised Amount			\$74,000

A motion was made by Commissioner Boxill and seconded by Chairman Eaves to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Riley, and Darnell voted yes. Vice Chairman Edwards and Commissioner Boxill were present but did not vote. Commissioner Lowe did not vote.

Commissioner Boxill requested the County Manager to provide within 120 days a plan to move the County in the direction of utilizing additional recruitment resources, including the use of employees and the Workforce Development Office, to provide certain services for the County.

10-0296 Request approval to renew existing contract, **General Services Department**, Bid #08ITB64017C-MT, Scrap Metal Removal, anticipated revenue-generating amount of \$3,605.16 with Star Iron & Metal (Atlanta, GA) to provide scrap metal recycling services. ~~upon execution of contract.~~ This is a revenue generating contract. This action exercises the first of two renewal options. One renewal option remains. Effective dates: ~~March 3, 2010, through December 31, 2010.~~ April 6, 2010, through April 5, 2011. **(HELD 3/3/10)**

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Revenue Generated	09-0127	1/7/09	\$2,703.87
1 st Renewal (<i>Anticipated Revenue</i>)			\$3,605.16
Total Revised Amount			\$6,309.03

A motion was made by Commissioner Boxill and seconded by Chairman Eaves to approve. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Darnell, and Boxill voted yes. Commissioner Lowe did not vote.

Vice Chairman Edwards requested the County Manager to also investigate opportunities to recycle tires (by-products) due to the unsafe health environment they cause.

10-0297 Request approval to amend existing contract, **General Services Department**, ITB #09ITB68181YC-AP, Janitorial Services, in the amount of \$13,270.29 with Rite Way Services, Inc. (Norcross, GA) to provide janitorial services for the 137 Peachtree Street Building. Effective dates: ~~March 3, 2010, through December 31, 2010~~ March 17, 2010, through September 30, 2010. **(HELD 3/3/10)**

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	09-0879	9/16/09	\$1,256,991.46
Amendment # 1			\$13,270.29
Total Revised Amount			\$1,270,261.75

A motion was made by Chairman Eaves to approve. (THE MOTION FAILED FOR A LACK OF A SECOND; THEREFORE, THIS ITEM WAS HELD UNTIL THE NEXT BOARD MEETING [4/7/10]).

COUNTY MANAGER – NEW BUSINESS

Intergovernmental Affairs

10-0343 Presentation of the State Legislative Update.

UPDATE CONDUCTED.

A motion was made by Commissioner Boxill and seconded by Vice Chairman Edwards that the Board oppose House Resolution 1589 (Limit Services Provided to Unincorporated Areas), with a friendly amendment by Commissioner Darnell that the Board “strongly oppose” the Resolution. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Darnell, and Boxill voted yes. Commissioners Riley and Lowe did not vote.

Commissioner Boxill requested the County Manager to write a letter to the deans of Georgia State University and the University of Georgia to invite their officials to meet with the Board so that dialogue can take place regarding the gaps in their research on the Milton County matter and how the County affects the larger metro community and the State, particularly regarding schools and job creation.

Purchasing and Contract Compliance

10-0344 Request approval of lowest responsible bidder, **General Services Department**, Bid #10ITB71242YC-AP, On-Site Door Repair, in the amount of \$120,000 with Overhead Door Company (Atlanta, GA) to provide onsite door repair including overhead doors preventative and predictive maintenance services to Fulton County facilities upon execution of contract through December 31, 2010, with two renewal options.

A motion was made by Commissioner Boxill and seconded by Chairman Eaves to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Darnell, and Boxill voted yes. Vice Chairman Edwards and Commissioners Riley and Lowe did not vote.

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10-0345 Request approval for award of contract without competition, **General Services**, #10SS0434C, HVAC System Parts, in the amount of \$51,000 with Johnson Controls, Inc. (Roswell, GA) to provide HVAC Metasys System parts. Effective dates: March 17, 2010, through March 16, 2011.

A motion was made by Commissioner Boxill and seconded by Chairman Eaves to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Darnell, and Boxill voted yes. Vice Chairman Edwards and Commissioners Riley and Lowe did not vote.

10-0346 Request approval of statewide contract, **Registration and Elections Department**, #SWC70765, Automotive Capitol Hill Motor Pool and Instate Car Rental, in the amount of \$140,000 with Enterprise Car Rental (Atlanta, GA) to provide cargo vans for the 2010 elections. Effective dates: May 1, 2010, through April 30, 2011.

A motion was made by Commissioner Darnell and seconded by Chairman Eaves to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Darnell, and Boxill voted yes. Vice Chairman Edwards and Commissioners Riley and Lowe did not vote.

County Manager

10-0347 Request approval to modify the Fulton County Employee Organizations Ordinance.

A motion was made by Vice Chairman Edwards and seconded by Commissioner Boxill to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Darnell, and Boxill voted yes. Commissioners Riley and Lowe did not vote.

COMMISSIONERS' ITEMS – UNFINISHED BUSINESS

10-0256 Request approval of a Resolution directing the County Manager and Purchasing Director to develop administrative regulations for the disclosure of campaign contributions by entities seeking County contracts. **(Darnell) (HELD 2/17/10, HELD 3/3/10 for a lack of four affirmative votes)**

A motion was made by Commissioner Darnell and seconded (for discussion) by Vice Chairman Edwards to approve. The vote was 2-1-0. Vice Chairman Edwards and Commissioner Darnell voted yes. Commissioner Riley voted no. Chairman Eaves and Commissioners Pitts and Boxill were present but did not vote. Commissioner Lowe did not vote. (THE MOTION FAILED TO RECEIVE FOUR AFFIRMATIVE VOTES; THEREFORE, NO ACTION WAS TAKEN)

10-0258 Request approval of a Resolution in support of the Atlanta Neighborhood Development Partnership's application to the United States Department of Energy's Retrofit Ramp-up Program. **(Eaves) (HELD 2/17/10 for a lack of four affirmative votes, HELD 3/3/10 for a lack of four affirmative votes.)**

THIS ITEM WAS REMOVED UPON THE ADOPTION OF THE AGENDA, AS REQUESTED BY CHAIRMAN EAVES.

10-0300 Request approval of a Resolution supporting the Metropolitan Atlanta Rapid Transit Authority's development and implementation of programs and infrastructure designed to promote safe stops and transit routes for the passengers and citizens of Fulton County. **(Boxill) (HELD 3/3/10)**

A motion was made by Commissioner Boxill and seconded by Commissioner Darnell to approve. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Darnell, and Boxill voted yes. Commissioner Lowe did not vote.

10-0301 Request approval of a Resolution approving the entering into of certain Intergovernmental Agreements with the City of Atlanta for the lease/purchase of the City of Atlanta Detention Center and for other related purposes. (Cross reference - Item 10-0162) **(Eaves) (HELD 3/3/10)**

THIS ITEM WAS HELD UNTIL THE NEXT BOARD MEETING (4/7/10), AS REQUESTED BY CHAIRMAN EAVES.

10-0302 Discussion: Update from Comcast regarding Digital Migration and the Cable Franchise Agreement negotiations. **(Edwards) (HELD 3/3/10)**

THIS ITEM WAS REMOVED UPON THE ADOPTION OF THE AGENDA, AS REQUESTED BY VICE CHAIRMAN EDWARDS.

10-0308 Discussion: Atlanta Regional Commission position on transportation. **(Edwards) (HELD 3/3/10)**

DISCUSSION CONDUCTED.

COMMISSIONERS' ITEMS – NEW BUSINESS
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10-0348 Request approval of a *Resolution authorizing the sale of certain Fulton County parks and greenspace to the City of Chattahoochee Hills. (Cross reference: Item 10-0303) **(Edwards/Riley)**

HEARD AFTER ITEM #10-0249.

***THE CONTENT OF THIS RESOLUTION WAS REVISED FROM ITS ORIGINAL VERSION.**

A motion was made by Commissioner Lowe and seconded by Vice Chairman Edwards to approve the Resolution in its revised form (as substituted). The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Lowe, and Boxill voted yes. Commissioner Darnell did not vote.

10-0349 Report of Board Representative to the Atlanta Development Authority Board of Directors. **(Darnell)**

HEARD AFTER ITEM #10-0308.

REPORT PRESENTED.

10-0350 Discussion: FY 2010 Enhancement Grants Program. **(Darnell)**

A motion was made by Chairman Eaves and seconded by Vice Chairman Edwards that organizations be allowed to apply for only one grant option (either FRESH or Human Services) at a time. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Darnell voted yes. Commissioners Lowe and Boxill did not vote.

BOARD APPOINTMENTS

10-0305 Complete Count Committee

Term: January 2009 through May 2010. Each Commissioner shall appoint two (2) members by December 31, 2008, and each Committee member shall be a resident of Fulton County.

Terms below expire May 30, 2010:

Ms. Barbara Jabuley **(Pitts)**
Mr. Joel Alvarado **(Eaves)**
Mr. Jay Francis Springs **(Boxill)**
Ms. Sharon Collins **(Boxill)**
Mr. Jerry Riley **(Darnell)**
Mr. Lawrence W. Riley **(Edwards)**
Ms. Diane Williamson **(Darnell)**
Mr. Mark Weinstein **(Pitts)**
Ms. Danielle Fernandes **(Eaves)**

Commissioner Lowe nominated Ms. Tamara Carrera and Ms. Martha Meade for District appointments to terms ending May 30, 2010. (HELD 3/3/10 for a lack of four affirmative votes)

HEARD AFTER ITEM #10-0328.

POST AGENDA – RECESS MEETING – March 17, 2010

Voting Breakdown: 1st number = “yes” votes

2nd number = “no” votes

3rd number = “abstained” votes

A motion was made by Chairman Eaves and seconded by Commissioner Riley to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Darnell voted yes. Commissioners Lowe and Boxill did not vote.

10-0351 FULTON COUNTY ARTS COUNCIL

Term = Two (2) years staggered

Terms below expired November 27, 2009:

Ms. Barbara Lyles Anderson (**Lowe**)
Ms. Patrice B. Greer (**Pitts**)
Ms. Malinda Logan (**Edwards**)

Commissioner Pitts nominated Mr. Steven L. Guy to replace Ms. Patrice B. Greer for a District appointment to a term ending November 27, 2011.

A motion was made by Commissioner Pitts and seconded by Chairman Eaves to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Darnell voted yes. Commissioners Lowe and Boxill did not vote.

10-0352 FRESH CITIZENS ADVISORY BOARD (Fulton Roundtable Expanded Service Headquarters)

ONLY DISTRICT COMMISSIONERS TO MAKE NOMINATIONS.

Term = One (1) year

Terms below expired December 31, 2007:

Rev. Frank Lewis (**Lowe**)
Dr. Barbara Reed (**Lowe**)

Terms below expired December 31, 2009:

Ms. Deborah Young (**Riley**)
Ms. Barbara Duffy (**Riley**)

POST AGENDA – RECESS MEETING – March 17, 2010

Voting Breakdown: 1st number = “yes” votes

2nd number = “no” votes

3rd number = “abstained” votes

Mr. Glen Rudh (**Riley**)
Mr. Mose James (**Edwards**)
Ms. Taffi I. Vincent (**Edwards**)
Mr. Benjamin Cummings (**Edwards**)
Ms. Robbyn Ingram (**Boxill**)

Commissioner Riley nominated Ms. Deborah Young, Ms. Barbara Duffy, and Mr. Glen Rudh for District reappointments to terms ending December 31, 2010.

A motion was made by Commissioner Riley and seconded by Vice Chairman Edwards to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Darnell voted yes. Commissioners Lowe and Boxill did not vote.

EXECUTIVE (CLOSED) SESSION

10-0353 Executive (CLOSED) Session regarding litigation (**County Attorney**) and real estate and personnel (**BOC**).

AFTER ITEM #10-0348:

A. A motion was made by Chairman Eaves and seconded by Commissioner Lowe to convene a closed Executive Session regarding litigation, real estate, and personnel. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, and Lowe voted yes. Commissioner Boxill was present but did not vote. Commissioner Darnell did not vote.

PRESENT IN THE EXECUTIVE SESSIONS REGARDING LITIGATION AND REAL ESTATE: Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Lowe, Darnell, and Boxill; County Manager Zachary Williams; County Attorney R. David Ware; and Clerk to the Commission Mark Massey.

PRESENT IN THE EXECUTIVE SESSION REGARDING PERSONNEL: Chairman Eaves, Vice Chairman Edwards, and Commissioners Pitts, Riley, Lowe, Darnell, and Boxill.

B. A motion was made by Chairman Eaves and seconded by Commissioner Pitts to reconvene the Recess Meeting in open session. The motion carried by a vote of 4-0-0. Chairman Eaves,

POST AGENDA – RECESS MEETING – March 17, 2010

Voting Breakdown: 1st number = “yes” votes

2nd number = “no” votes

3rd number = “abstained” votes

Vice Chairman Edwards, and Commissioners Pitts and Boxill voted yes. Commissioners Riley, Lowe, and Darnell did not vote.

LATER IN THE MEETING (AFTER ITEM #10-0352):

C. A motion was made by Chairman Eaves and seconded by Vice Chairman Edwards to authorize the County Attorney to settle the case of Paramount Contracting Company VS. Fulton County by directing the Public Works Department to release the retainage and by the payment of \$65,668.65. The motion carried by a vote of 4-0-0. Chairman Eaves, Vice Chairman Edwards, and Commissioners Riley and Darnell voted yes. Commissioner Pitts was present but did not vote. Commissioners Lowe and Boxill did not vote.

10-0354 (NOTE: This item number represents an Executive Session regarding personnel that was scheduled for 9 a.m.)

ADDED TO THE MEETING UPON THE ADOPTION OF THE AGENDA

10-0355 FRESH CITIZENS ADVISORY BOARD (Fulton Roundtable Expanded Service Headquarters)

Commissioner Boxill nominated Mr. Michael Dulan to replace Ms. Robbyn Ingram for a District appointment to a term ending December 31, 2010.

THIS ITEM WAS NOT SOUNDED/VOTED UPON; THEREFORE, NO ACTION WAS TAKEN AND THIS ITEM WAS HELD UNTIL THE NEXT BOARD MEETING [4/7/10]

ADJOURNMENT

Chairman Eaves adjourned the meeting at 2:40 p.m.

POST AGENDA – RECESS MEETING – March 17, 2010

Voting Breakdown: 1st number = “yes” votes

2nd number = “no” votes

3rd number = “abstained” votes