

FULTON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

August 4, 2010

10 a.m.

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

A G E N D A

CALL TO ORDER: Chairman John H. Eaves

ROLL CALL: Mark Massey, Clerk to the Commission

John H. Eaves, Chairman (District 1, At-Large)
William "Bill" Edwards, Vice Chairman (District 7)
Robert L. "Robb" Pitts, Commissioner (District 2, At-Large)
Lynne Riley, Commissioner (District 3)
Tom Lowe, Commissioner (District 4)
Emma I. Darnell, Commissioner (District 5)
Nancy A. Boxill, Commissioner (District 6)

INVOCATION: Reverend Howard Creecy Jr., County Chaplain

PLEDGE OF ALLEGIANCE: Recite in unison

ANNOUNCEMENTS

PLEASE SWITCH ALL ELECTRONIC DEVICES (CELL PHONES, PAGERS, PDAs, ETC.) TO THE SILENT POSITION DURING THIS MEETING TO AVOID INTERRUPTIONS.

EVERY LOBBYIST, AS DEFINED IN SECTION 2-67 OF THE FULTON COUNTY CODE OF LAWS, AND WHO IS REQUIRED BY THE LAWS OF THE STATE OF GEORGIA TO BE REGISTERED WITH THE STATE ETHICS COMMISSION, MUST ALSO REGISTER WITH FULTON COUNTY. FOR REGISTRATION INFORMATION, PLEASE CONTACT THE OFFICE OF THE FULTON COUNTY CLERK TO THE COMMISSION AT (404) 730-8200 OR LOG ON TO THIS WEB ADDRESS: www.fultoncountyga.gov/index.php/lobbyist

10-0756 Adoption of the August 4, 2010 Consent Agenda

All matters listed on the Consent Agenda are considered routine by the County Commission and will be enacted by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the Regular Meeting Agenda for separate consideration.

The Consent Agenda consists of the following items:

COUNTY MANAGER

Environment and Community Development

- 10-0757** Request approval of staff's request to amend condition 4.1f to properly reflect the intent of a motion that the applicant be granted a permanent Certificate of Occupancy (CO) at the time of the installation of the sidewalk along the Fairburn Road frontage of the subject site.

Finance

- 10-0758** Request approval of an Intergovernmental Agreement Contract between Fulton County, Georgia, and the Fulton County Urban Redevelopment Agency to issue Economic Development Bonds in an amount up to \$26,441,000. Pursuant to this Intergovernmental Contract, the Agency will agree to issue the bonds to provide funds to finance an undertaking of urban redevelopment projects, and the County will agree to pay to the Agency amounts sufficient to pay the debt service on such bonds and to levy an ad valorem property tax on all property in the County subject to such tax in order to permit the Agency to pay debt service.

Housing and Community Development

- 10-0759** Request approval of the proposed amendments of the Fulton County Fiscal Years 1995, 1996, 1998, 2002, and 2009 Community Development Block Grant (CDBG) Reprogrammed Budget of the 2010 Consolidated Plan Annual Action Plan.

General Services – Land Division

- 10-0760** Request approval of the Neighborhood Service Center Lease Agreement between the City of Atlanta and Fulton County for 4,415 square feet of office space on the 1st floor, Suite #101, at 250 Georgia Avenue, Atlanta, Georgia 30303. This office space is for the Georgia Hill Branch Library. The lease term will commence on August 1, 2010, to December 31, 2010, with two (2) consecutive twelve (12) month renewal terms contingent upon the availability and appropriation of funds by the Fulton County Board of Commissioners. The monthly rental payment is \$3,679.17; annual payment, \$44,150.04. This lease agreement may be terminated with or without cause at any time by either the tenant or landlord by giving thirty (30) days written notice.
- 10-0761** Request approval of Retail Lease Agreement between Fulton County and Bolton Village II, LLC for 3,000 square feet of office space (suites 101-103) at 2011 Bolton Road, Atlanta, Georgia 30318 for the purpose of relocating the Perry Homes Branch Library. The initial lease term will commence on October 1, 2010, and end on December 31, 2010. Thereafter, the lease shall automatically renew for five (5) consecutive one (1) year terms contingent upon the availability and appropriation of funds by the Fulton County Board of Commissioners. The lease agreement has an escalation factor of 3% per annum, the monthly rental rate is \$5,500, and the total annual payment is \$66,000. This agreement may be terminated by either the tenant or landlord by providing written notice at least ninety (90) days prior to the scheduled expiration of the then existing term.

Public Works

- 10-0762** Request to temporarily close the following rail crossings for maintenance: Mallory Road at the CSX rail crossing from August 16 to August 17, 2010, and Feldwood Road at the CSX rail crossing from August 17 to August 18, 2010.

Sheriff

- 10-0763** Request approval of a Memorandum of Understanding between the Fulton County Sheriff's Office and the United States Department of Justice for participation in the High Intensity Drug Trafficking Area (HIDTA) providing up to \$16,903.25 for overtime compensation and benefits as part of a joint law enforcement operation, retroactive to November 25, 2009, to September 30, 2010. (No County match required)

Solicitor General

- 10-0764** Request approval of a contract between Fulton County and the Georgia Department of Human Services in the amount of \$54,602.32 to fund the salary of an attorney to handle child support cases, effective October 1, 2010, through September 30, 2011. Requires a County match of \$18,564.79.
- 10-0765** Request approval of a professional services contract between Fulton County and Clark Atlanta University, Inc. in the amount of \$100,000 to provide counseling services to defendants referred to Project Redirection, a diversion/intervention program for persons accused of misdemeanor crimes. Effective dates: January 1, 2011, through December 31, 2011.

Health and Wellness

- 10-0766** Request approval of the FY2011 Georgia Department of Behavioral Health and Developmental Disabilities (GA DBHDD) Regional Board contract in the amount of \$1,143,169 to provide behavioral health, addictive disease, and services for those with developmental disabilities to children, adolescents, and adults who are residents of Fulton County. The contract encompasses five service lines -- Child and Adolescent Clubhouse Services, Adult Developmental Disabilities, Adult Behavioral Health, Adult Addictive Disease, and Medicaid/Fee for Service. The contract period is July 1, 2010, through June 30, 2011.

Purchasing and Contract Compliance

- 10-0767** Request ratification of emergency purchase order, **General Services Department**, Emergency Purchase Order #10SC74178, in the amount of \$59,676 with Carrier Corporation (Marietta, GA) for installation of a 100-ton chiller at the Medical Examiner's Building.
- 10-0768** Request ratification of emergency purchase order, **General Services Department**, Emergency Purchase Order #1074260C, in the amount of \$81,900 with Mechanical Services, Inc. (Hapeville, GA) for the major repair of the 600-ton chiller at the Government Center.

- 10-0769** Request ratification of emergency purchase order, **Human Services Department**, Purchase Order #10SC74379EMERGENCY, in the amount of \$350,000 with Sysco Food Services of Atlanta (College Park, GA) to provide perishable and non-perishable food items for the senior multipurpose centers and Jefferson Place Shelter.

CLERK TO THE COMMISSION

10-0770 Proclamations and Certificates for Spreading on the Minutes:

“Willie Frank Griggs Week”

July 24 – August 1, 2010 (**Darnell**)

“Eagle Scout Jonathan Christian Atz Day”

July 25, 2010 (**Eaves**)

“Reverend Dr. Lloyd Green, Jr. Day”

July 25, 2010 (**Eaves**)

“Eagle Scout Byron James Coneys Appreciation Day”

July 30, 2010 (**Riley**)

“Eagle Scout Brett Griffith Day”

August 1, 2010 (**Riley**)

ENVIRONMENT AND COMMUNITY DEVELOPMENT

10-0771 Subdivision Confirmations

The following Final Plated Subdivisions have been certified by the Director of Environment and Community Development. These documents have been recorded in the Fulton County Courthouse and are forwarded herewith for confirmation at this Board of Commissioners meeting.

1. Renaissance at South Park Ph II

Public Sanitary Sewer, Camp Creek WWTP (Final Plat Revision #1)

Vicinity of Spence Road, Dist 9F, LLs 26, 27, 32, 33 & 34

Owner/Developer: The Knight Group

2. Wynn's Way
Public Sanitary Sewer, Camp Creek WWTP (Final Plat Revision #2)
Vicinity of New Hope Road, Dist 14, LLS 62 & 79
Owner/Developer: Wynn Works

* * * **End of Consent Agenda Items** * * *

10-0772 Adoption of the August 4, 2010 Regular Meeting Agenda

10-0773 Ratification of Minutes

Regular Meeting Minutes, July 7, 2010

Recess Meeting Post Agenda, July 21, 2010

10-0774 Presentation of Proclamations and Certificates

Proclamations recognizing the Fulton County departments that received awards from the National Association of Counties (NACo). **(Eaves)**

PUBLIC HEARINGS

10-0775 Public Comment - Citizens are allowed to voice County-related opinions, concerns, requests, 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 15 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.

Environment and Community Development

10-0776 Public Hearing and presentation of Fulton County's City of Atlanta Urban Redevelopment Area.

ZONING, USE PERMIT, AND ZONING MODIFICATION APPLICATIONS

Zoning Public Hearing - Citizens may speak for or against a zoning issue, and each side will have up to 10 minutes to present its case. Prior to speaking, please complete a speaker card and present it when approaching the podium. If you are representing an organization, you must also complete an affidavit and have it notarized by the Clerk's staff seated at the table in front of Assembly Hall. If you have any documents for the Commissioners, please provide 10 copies and present them when approaching the podium. When speaking, always talk directly into the microphone and begin by stating your name, address, and the name of any organization you represent.

**Zoning, Use Permit, River Corridor,
and Zoning Modification Applications**

New Business

10-0777 Case #2010ZM-0005 FC Fairburn Road

E & CD Dept.: Recommendation: Approval
CZB: N/A

Application by Bill Dyer for Ben Kim Properties, LLC seeks a modification of zoning condition 1.a. to amend the condition to allow fast food restaurants but to exclude free-standing fast food restaurants pursuant to 1993Z-0098 SFC.

This 3.02 acre Cascade Promenade Shopping Center Commercial Development has approximately 278.52 feet of road frontage along the eastern side of Fairburn Road, located in Land Lot 10, District 14FF, Fulton County, Georgia.

COUNTY MANAGER – NEW BUSINESS

Finance

10-0778 Request approval of 2010 Tax Resolution, which sets the millage rates for 2010.

10-0779 Presentation of August 2010 Budget Soundings requests.

Purchasing and Contract Compliance

- 10-0780** Request approval to rescind previous Board action, **General Services Department**, Bid #09ITB69838C-AP, Closed Captioned Television System (CCTV) Replacement/Upgrade & Consolidation, in the amount of \$274,183.88 with Mastech (Atlanta, GA) to provide, install, and upgrade the CCTV System at the Fulton County Jail.
- 10-0781** Request approval of the lowest responsible bidder, **General Service Department**, Bid #09ITB69838C-AP, Closed Circuit Television System (CCTV) Replacement/Upgrade & Consolidation for Fulton County Jail, in the amount of \$297,200 with Diversified Integrated Systems, Inc. (Montgomery, AL) to provide, install, and upgrade the CCTV System at the Fulton County Jail, upon execution of contract for twelve (12) consecutive months.
- 10-0782** Request approval of lowest responsible bidder, **General Services Department**, Bid #10ITB73517YC-AP, Bus and Shuttle Services, in the amount of \$84,000 with Boswell's (Smyrna, GA) to provide bus and shuttle services, upon execution of contract through December 31, 2010, with two renewal options.
- 10-0783** Request approval of lowest responsible bidders, **General Services Department**, Bid #10ITB09727YC-BL, Paper of All Kinds, in the total amount of \$550,000 with (A) Unisource Worldwide, Inc. (Norcross, GA) in the amount of \$250,000; (B) XPEDX (Atlanta, GA) in the amount of \$200,000; (C) Mac Papers, Inc. (Lithia Springs, GA) in the amount of \$50,000; and (D) Athens Paper Company (Atlanta, GA) in the amount of \$50,000 to provide paper of all kinds, upon BOC approval through December 31, 2010, with two renewal options.
- 10-0784** Request approval of lowest responsible bidder, **Medical Examiner's Office**, Bid #10ITB73281YC-MT, Removal and Pickup of Dead Bodies, in the amount of \$90,000 with First Call Removal Services (Mableton, GA) to provide removal and pickup of dead bodies, upon execution of contract through December 31, 2010, with two renewal options.

- 10-0785** Request approval of lowest responsible bidders, **Public Works Department**, Bid #10ITB7097A-DR, Traffic Sheeting and Materials, in the total amount of \$120,000 with (A) 3M Company (St. Paul, MN) in the amount of \$70,000; (B) Rocal Inc. (Frankfort, OH) in the amount of \$10,000; and (C) Allied Tube and Conduit Corporation (Harvey, IL) in the amount of \$40,000 to provide traffic sheeting and materials through December 31, 2010, with two renewal options.
- 10-0786** Request approval to renew existing contract, **Department of Information Technology**, #09ITB67937B-BR, EMC Storage Components, in the amount of \$412,000 with Dell Marketing, LP (Round Rock, TX) to provide EMC data storage components. This action exercises the first of two renewal options. One renewal option remains. Effective dates: September 1, 2010, through August 31, 2011.
- 10-0787** Request approval of recommended proposal, **Intergovernmental Affairs**, RFP#10RFP42304K-DJ, Legislative Liaison for State Issues for Fulton County Government, in the amount of \$80,000 with Bryan Cave (Atlanta, GA) to provide legislative representation of the County's Legislative Package and to advise the County on State of Georgia legislative issues that may impact County policies. Effective dates: September 1, 2010, through December 31, 2010, with two renewal options.
- 10-0788** Request approval to award contract without competition, **Atlanta-Fulton Public Library System**, #10SS74155YB, Reference Databases, in the amount of \$19,680.84 with Facts on File, Inc. (New York, NY) to provide electronic databases on science, history, and African American studies, effective upon BOC approval.
- 10-0789** Request approval to award contract without competition, **Atlanta-Fulton Public Library System**, #10SS74176B, Oxford African American Studies Database, in the amount of \$2,950 with Oxford University Press (Cary, NC) to provide African American studies database, effective upon BOC approval.
- 10-0790** Request approval to award contract without competition, **Atlanta-Fulton Public Library System**, #10SS74179B, Learning Express Library.com, in the amount of \$12,811 with Learning Express, LLC (New York, NY) to provide a test preparation database, effective upon BOC approval.

- 10-0791** Request approval to award contract without competition, **Board of Tax Assessors**, #10SS74243B, Aerial Imagery Services, in the amount of \$520,630 with Pictometry International (Rochester, NY) to provide aerial still photography of parcels located within Fulton County, effective upon BOC approval.

TAX COMMISSIONER

- 10-0792** Request approval to write off uncollectible delinquent personal property taxes.

COMMISSIONERS' ITEMS – UNFINISHED BUSINESS

- 10-0694** Request approval of a Resolution to amend Section 102-358 of the Fulton County Code of Laws and Ordinances relating to local preference in contracting, so as to include businesses where at least 51 percent of the owners of the business are residents of Fulton County but the business is located outside of Fulton County, and so as to include businesses where at least 51 percent of the employees of the business are residents of Fulton County but the business is located outside of Fulton County; to provide for an effective date; and for other purposes. **(Pitts) (HELD 7/7/10 per Commissioner Pitts, HELD 7/21/10 for a lack of four affirmative votes)**
- 10-0748** Request approval of a Resolution to require the County Manager, in conjunction with the Purchasing Agent and the Chief Information Officer, to develop a plan within 60 days for the establishment of a centralized data repository for documents relating to grantees, contractors, and other entities doing business with Fulton County. **(Riley) (HELD 7/21/10 for a lack of four affirmative votes)**
- 10-0755** Request approval of a Resolution expressing the concern of the Board of Commissioners regarding the compensation paid to the Chief Executive Officer of Grady Memorial Hospital Corporation. **(Darnell) (HELD 7/21/10 for a lack of four affirmative votes)**

COMMISSIONERS' ITEMS – NEW BUSINESS

10-0793 Discussion: East Point HUD and federal stimulus monies. **(Riley)**

BOARD APPOINTMENTS

10-0794 **Public Facility Naming Advisory Board**

This Board shall consist of seven (7) members:

County Manager (Chair)
Director, General Services Department
Director, Public Works Department
Two members of the public on a rotation basis, who reside in the community.

Two open member slots appointed by the County Manager.

Ms. Sandra Hardy **(Edwards)**
Pastor Warren Henry **(Edwards)**
Mr. Ronald Galvin **(Boxill)**
Ms. Courtney Newman **(Boxill)**

Commissioner Lowe has nominated Ms. Debra Ewing and Ms. Lynn McIntyre as District 4 appointees.

10-0795 **Commission on Disability Affairs**

Term = Two (2) years

Term below expired July 31, 2001:

VACANT (Darnell)

Term below expired July 31, 2007:

Ms. Lenee Windom **(Handel)**

Terms below expired July 31, 2008:

Ms. Arleen Kolko (**Lowe**)
Ms. Sue Burgess (**Riley**)

Term below expired July 31, 2009:

Mr. Robert Smith (**Edwards**)

Terms below expire July 31, 2010:

Mr. Rudy Jones (**Edwards**)
Dr. Rometta Powell (**Pitts**)
Mr. Irvin Cox (**Boxill**)
Ms. Melissa Firestone (**Eaves**)
Ms. Vernitia Shannon (**Darnell**)

Chairman Eaves has nominated Ms. Melissa Firestone for a District reappointment to a term ending July 31, 2012.

EXECUTIVE (CLOSED) SESSION

10-0796 Executive (CLOSED) Session regarding litigation (**County Attorney**) and real estate (**County Manager**).

ADJOURNMENT