

DeKalb County Government

*Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030*



Summary

Tuesday, May 26, 2020

9:00 AM

Manuel J. Maloof Auditorium

Board of Commissioners

*Commissioner Steve Bradshaw, Presiding Officer, District 4
Comm. Lorraine Cochran-Johnson, Deputy Presiding Officer, District 7*

Commissioner Nancy Jester, District 1

Commissioner Jeff Rader, District 2

Commissioner Larry Johnson, District 3

Commissioner Steve Bradshaw, District 4

Commissioner Mereda Davis Johnson, District 5

Commissioner Kathie Gannon, Super District 6

Commissioner Lorraine Cochran-Johnson, Super District 7

Staff Present: Michael Thurmond, Chief Executive Officer, Zachary Williams, Executive Assistant/
Chief Operating Officer, Barbara Sanders- Norwood, County Clerk, Viviane Ernstes, County Attorney

A. INSPIRATIONAL

Rev. Dr. William E. Flippin, Sr.
Greater Piney Grove Baptist Church

PLEDGE OF ALLEGIANCE

Commissioner Lorraine Cochran-Johnson
District 7

B. PRESENTATIONS

Mental Health Awareness Month
COVID-19 Response- Chief Executive Officer Michael Thurmond

C. COMMENTS FROM THE PUBLIC

Public Comment may be submitted by sending an email no longer than one page to PublicComment@dekalbcountyga.gov which must be received between 9:00 a.m. and 10:00 a.m. on the day of the meeting. Only those emails received during the allotted time may be read aloud and broadcast. Emails received outside of the allotted time will be included in the Public Comments record for the next meeting after the receipt of those emails. The body of your email must include your first and last name, followed by your address. By submitting an email at any time for public comment, you agree to have your name, address, and email broadcast on the teleconference (Zoom) and entered in the record/minutes.

Abusive, profane or derogatory language will not be permitted. The Public Comment segment will not exceed 30 minutes and individual emails will be read by the Clerk for no more than 3 minutes each. The County reserves the right, at the County's sole discretion, to (1) add your email to the record/minutes without reading any of it into the broadcast or (2) add your email to the record/minutes and read all or a portion of your email into the broadcast.

1. James Goldberg, (no address), GA - Dear Commissioners: We need a local ordinance that requires the wearing of masks inside supermarkets, large "box stores" and other enclosed shopping areas. I recently contacted Publix Corporate Office and they reported that they looked to local rules regarding requiring customers wearing masks. At this time Publix and Kroger do not require shoppers to wear masks and they do not distribute masks to customers. Costco does require masks. Please take action regarding this important public health issue. Thank you very much

2. Ed Williams, P.O. Box 361626 Decatur, GA 30036 - My name is Ed Williams. I would like to make the following announcement. The Supreme Court of Georgia on March 13, 2020 in the case of WILLIAMS v. DEKALB COUNTY overturned the ruling of the DeKalb County trial court Judge Gregory Adams. In summary, the Supreme Court of Georgia found the following. It partially ruled in favor of Dr. Ed Williams who sued the DeKalb County Board of Commissioners for raising members' salaries by 60 percent. In the lawsuit, Dr. Williams claimed in part that the board violated the Georgia Open Meetings Act by not giving proper notice of its intent to pass the pay increase. In August 2018, Dr. Williams sued the county and the others, claiming the board violated the Open Meetings Act, subjecting the board members to civil and criminal penalties. Dr. Williams also claimed that the Georgia Constitution and the DeKalb County Organizational Act prohibited them from having that power to increase their salaries. Dr. Williams, alleged despite the commissioners having knowledge that there would be a vote to increase their pay, the item did not appear on the board's pre-published agenda for the Feb. 27 meeting. At the meeting, the board then voted 6-1 to pass the increase, raising commissioners' salaries from \$40,530.55 to \$65,000. In January 2019, the DeKalb Superior Court Judge Gregory Adams dismissed the case with prejudice and Dr. Williams appealed the case directly to the Georgia Supreme Court. In the 7-1 decision, the Supreme Court found that "the trial court erred in dismissing Williams' claim for civil penalties against the commissioners individually for violating the Open Meetings Act," and it reversed that portion of the trial court's order. In the majority opinion, the high court vacated the portion of the trial court's order dismissing Williams' claim for injunctive relief against Thurmond, the Supreme Court of Georgia also stated, "We reverse that portion of the court's order dismissing Williams' claim against the commissioners for civil penalties under the Open Meetings Act, and we remand the case to the trial court." The Court also stated, "[W]e conclude that Williams had standing to request that a civil penalty be imposed against the commissioners under [Georgia Code] § 50-14-6 and to receive any penalty paid," the opinion says. Therefore, "the trial court erred in dismissing Williams' claim for civil penalties against the commissioners individually for violating the Open Meetings Act, we conclude that Williams' complaint sufficiently alleges that the commissioners acted with actual malice in intentionally violating the agenda requirements of the Act – a criminal act..." I believe you all should do the right thing and pay the taxpayers' money back. Thank You

3. Stephen Binney, 1083 Seville Dr. Clarkston, GA (no zipcode) - Good Morning Commissioners, Pam Stephenson's reappointment to the Grady Authority is on today's agenda again. I hope this means her legal problems have been resolved. I want to thank both, Commissioners Davis-Johnson and Gannon for their statements about restoring Marta route #125 at last weeks COW meeting. Hopefully this will happen but in Friday's AJC a MARTA office stated that "Though MARTA has no timetable for restoring additional bus lines, when conditions allow, several routes – 180 and 181 in the Fairburn area and 165 on the west side of Atlanta – are top priorities because they serve many low-income residents". What about the low-income residents in Dekalb County who can't get to DFACS? MARTA continues to ignore Dekalb County's needs, just like the have been doing for decades. I encourage the rest of our commissioners to join in their efforts to restore Route

#125. Over the last two commission meetings I have been chided for questioning the process involved with a 61 million dollar Watershed contract. During the last month, Tucker-based Granite Inliner sent a pair of letters to the DeKalb County purchasing office saying that the county failed to verify basic information about subcontractors participating in the bidding process. The allegations focus on DeKalb's LSBE program, which has a very bad history over the last 10 plus years. Under this program, large contractors can earn extra preference when their bids include smaller businesses as subcontractors. Contractors get the most points when listed LSBE subcontractors are based in DeKalb, and a smaller bump when small businesses from elsewhere in metro Atlanta are included. This matter was handled as an "invitation to bid," Differing preference levels for DeKalb and metro-area LSBEs only come into play when contracts are bid out as "requests for proposals," officials said. If this contract had been handled as a RFP instead of a Low Bid the county might have had a different and preferred outcome. Commission Gannon, I am very disappointed to see that you are spending \$500,000 of your 1 million discretionary SPLOST funds on the South River Trail. The last two months SPLOST fund collections have been down over 10%. Due to this pandemic the county could end up over 20 million dollars short of its projected revenue and many promised roads will not be paved. If each commissioner gets to spend their 1 million dollar discretionary SPLOST funds all is right with the world. Promises are only words. Actions speak truth.

D. 10:00 A.M. PUBLIC HEARING

Public hearings will not occur at this meeting, but will be rescheduled as soon as the technology issues for public participation are resolved such that the legal requirements for such hearings can be met.

E. APPEALS

NONE

F. APPOINTMENTS

Chief Executive Office

[2019-4554](#)

Commission District(s): All

Reappointment to the Fulton - DeKalb Hospital Authority (Grady) - Pamela S.

Stephenson

Approved

G. CONSENT AGENDA

Airport

[2020-0465](#)

Commission District(s): 1 and 6

Lease Amendment No. 4 to Contract No. 06-800202 with Mercury Air Center-Peachtree-DeKalb, LLC d/b/a Atlantic Aviation. There is no cost to the County.

Approved

Board of Commissioners

[2020-0541](#)

Commission District(s): All

Approval of Minutes for the May 19, 2020 Committee of the Whole Meeting

Approved

Clerk to the Board of Commissioners and CEO

[2020-0535](#)

Commission District(s): All

Approval of the Minutes of the Regular Meeting of May 12, 2020

Approved

H. PRELIMINARY ITEMS

Board of Commissioners

[2020-0548](#)

Commission District(s): All Districts

A Resolution of the Governing Authority of DeKalb County, Georgia, to Request the General Assembly to Establish Online State-Wide Voting

Deferred to the next meeting, until June 9, 2020

GIS Department

[2020-0486](#)**Commission District(s):** 4 & 6

A Resolution to Declare County Real Property as Surplus and Authorize its Sale - 503 Warren Avenue, Scottdale, GA, 30079, Parcel Identification Number 18-046-04-092.

Approved[2020-0511](#)**Commission District(s):** 2 & 6

A Resolution to Declare County Real Property as Surplus and Authorize its Sale - 338 Ponce de Leon Place, Decatur, GA, 30030, Parcel Identification Number 15-245-01-109.

Deferred and assigned to the Planning, Economic Development & Community Services Committee (PECS), and return to the Board on June 23, 2020**Human Services**[2020-0491](#)**Commission District(s):** All

Acceptance of a Grant from the Atlanta Regional Commission for DeKalb Senior Services for SFY 2021- At a Cost to the County of \$133,510.72

Approved**Purchasing & Contracting**

Purchasing & Contracting - to OPS Committee

[2020-0447](#)**Commission District(s): All**

REN - Inspection and Maintenance of Fire Suppression System (Annual Contract - 1st Renewal of 2 Options to Renew): Contract No. 1167719 for use by the Department of Facilities Management (FM). This contract consists of providing equipment inspection and repair services for the County's existing fire suppression systems. Awarded to Alliance Fire Protection Services. Amount Not To Exceed: \$85,000.00

Deferred to the next meeting, until June 9, 2020

[2020-0455](#)**Commission District(s): ALL**

CA - 5.5 Cubic Yard Wheel Loader for use by Public Works-Fleet Management to be used by Public Works-Sanitation. Consists of piggybacking off the competitively let Sourcewell Cooperative Contract #032119-KOM to purchase one (1) 5.5 cubic yard wheel loader for the purpose of loading yard waste, logs and stumps into the woodchipper at the landfill. Awarded to Tractor and Equipment Co. Amount Not To Exceed: \$340,500.00.

Deferred to the next meeting, until June 9, 2020

[2020-0456](#)**Commission District(s): ALL**

CA - 8 Cubic Yard Wheel Loader for use by Public Works-Fleet Management to be used by Public Works-Sanitation. Consists of piggybacking off the competitively let Sourcewell Cooperative Contract #032119-KOM to purchase five (5) 8 cubic yard wheel loaders used to load refuse and recyclables into trailers at the transfer stations. Awarded to Tractor and Equipment Co. Amount Not To Exceed: \$1,998,500.00.

Deferred to the next meeting, until June 9, 2020

[2020-0457](#)**Commission District(s): ALL**

REN - Filters (Annual Contract - 1st of 2 Options to Renew): Contract Nos.: 1163648, 1163649, 1163650, 1163653, 1163655, 1163663, 1163666, 1163670 and 1163680 for use by Public Works - Fleet Management. These contracts consist of providing various filters for vehicles and equipment. Awarded to: Interstate Truck Equip., Inc., Napa Auto Parts, Truck Pro, IEH Auto Parts LLC. dba Auto Plus Auto Parts, Cummins, Inc., Fleetpride, Inc., Yancey Brothers Co., Rush Truck Centers of GA, Inc. dba Rush Truck Center of Atlanta and Ag Pro LLC. Total Amount Not To Exceed: \$170,000.00.

Deferred to the next meeting, until June 9, 2020

[2020-0464](#)**Commission District(s): ALL**

REN - Decals for County Vehicles (Annual Contract - 1st Renewal of 2 Options to Renew): Contract Nos. 1167962 and 1167964 for use by the Departments of Police Services (PS) and Fleet Management (Fleet). These contracts consist of providing the production and installation of vinyl decals for County vehicles. Awarded to AKO Signs, Inc. and Fru-Art Company, Inc. Total Amount Not To Exceed: \$42,000.00.

Deferred to the next meeting, until June 9, 2020

Purchasing & Contracting - to PECS Committee

[2020-0448](#)**Commission District(s): All**

REN - Feed, Hay and Shavings for Little Creek Horse Farm and Park (Annual Contract - 1st Renewal of 2 Options to Renew): Contract No. 1167347 for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of the purchase and delivery of Feed, Hay and Shavings to Little Creek Horse Farm and Park. Awarded to: The Stock Market. Amount Not To Exceed: \$240,000.00.

Approved

[2020-0467](#)**Commission District(s): District 4**

LB - Invitation No. 20-101233 Bunker Renovation Services at Mystery Valley Golf Club (120 days): for use by Recreation, Parks and Cultural Affairs (RPCA).

Consists of renovating the existing golf course bunkers. Recommend award to the lowest, responsive and responsible bidder: Duininck, Inc. Amount Not To Exceed: \$190,000.00.

Approved

Purchasing & Contracting - to PWI Committee

[2020-0468](#)**Commission District(s): ALL**

REN- Sanitary Sewer Chemical Root Control (Annual Contract - 2nd Renewal of 2 Options to Renew): Contract No. 1102179 for use by the Department of Watershed Management (DWM). This contract consists of providing sanitary sewer chemical root control for the sewer system. Awarded to Duke's Root Control, Inc. Amount Not To Exceed: \$1,800,000.00

Approved[2020-0482](#)**Commission District(s): All**

CO - Change Order No. 1 to Contract No. 1048307 for Adjustment and Replacement of Manhole Rings, Covers and Valve Boxes (Annual Contract with 2 Options to Renew): for use by the Department of Watershed Management (DWM). Awarded to Metals and Materials Engineers, LLC. CONTRACT EXTENSION ONLY.

Approved**Recreation, Parks and Cultural Affairs**[2020-0547](#)**Commission District(s): All Districts**

2020 Summer Food Service Program

Approved

Watershed Management[2020-0509](#)**Commission District(s):** 2 & 6

Georgia Department of Transportation Contract Item Agreement - Water Facilities
Project PI0009400 Buford Hwy/SR13 from Afton Ln/CS8 to Shallowford
Terrace/CS750 - Water Improvements

Approved**WorkSource DeKalb**[2020-0490](#)**Commission District(s):** ALL DISTRICTS

Acceptance of multiple federal Workforce Innovation and Opportunity (WIOA)
grants for Adult, Dislocated Workers, and Youth for Program Year (PY) 2020
and Fiscal Year (FY) 2021 not to exceed \$4,296,378.

Approved**2020-0565****Commission District(s):** All Districts

To add an item to the agenda

Approved**2020-0566****Commission District(s):** All Districts

A Committee Transparency Resolution

**Deferred to the next meeting and assigned to the County Operations
Committee (OPS), and return to the Board on June 9, 2020****2020-0567****Commission District(s):** All Districts

To add an item to the agenda

Approved

2020-0568**Commission District(s):** All Districts

A RESOLUTION TO APPROPRIATE FEDERAL CORONA VIRUS RELIEF FUND PROCEEDS ASSIGNED TO GRANT FUND #258, TO A GRANT PROGRAM FOR THE PURPOSE OF MAINTAINING FOOD SECURITY, A VOIDING RESIDENTIAL DISPLACEMENT, AND MAINTAINING UTILITY SERVICE TO HOUSEHOLDS OF DEKALB RESIDENTS AFFECTED BY THE COVID-19 PANDEMIC AND FOR OTHER PURPOSES

Approved with the following friendly amendments to the Resolution:

Last paragraph of the first page: “NOW BE IT THEREFORE RESOLVED, the 2020 DeKalb County Budget is amended to appropriate an initial \$1 million from Grant Fund...”

First paragraph of the second page: “...and accept applications from non-governmental CBOs to accomplish the above referenced objectives as soon as possible...”

Second paragraph on the last page: “...that includes representatives of municipalities, up to (2) representatives of municipalities in DeKalb County...”

2020-0569**Commission District(s):** All Districts

To add an item to the agenda

Approved

2020-0570**Commission District(s):** 1, 2, 3, 4, 5, 6 & 7

Authorize the temporary suspension of the start time of the Night Committee of the Whole Meetings for the June 16, 2020 Committee of the Whole Meeting and modify timing for public comment at such meeting.

Approved

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners

[2019-3360](#)

Commission District(s): All Districts DeKalb County Financial Disclosure Policy

Deferred to the next meeting and assigned to the Finance, Audit & Budget Committee (FAB), and return to the Board on June 9, 2020

[2020-0400](#)

Commission District(s): All Districts

Resolution Amending the 2020 DeKalb County Budget

Deferred for 30 days, until June 23, 2020

Clerk to the Board of Commissioners and CEO

[2020-0510](#)

Commission District(s): All

Approve the Minutes of the Special Called Meeting of May 05, 2020

Approved

GIS Department

[2020-0303](#)

Commission District(s): 5 & 7

A Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property at 7142 South Goddard Road, Lithonia, GA 30038.

Deferred for 30 days, until June 23, 2020

[2020-0463](#)

Commission District(s): 4 & 7

A Resolution to Declare County Real Property as Surplus and Authorize its Sale - 5932 East Ponce de Leon Avenue, Stone Mountain, GA, 30083, Parcel Identification Number 18-125-01-022.

Approved

Purchasing & Contracting

Purchasing & Contracting - to OPS Committee

[2020-0052](#)**Commission District(s): 3 and 7**

LB - Invitation No. 19-101173 Porter Sanford Modernization Upgrade: for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). Consists of the provision and installation of audiovisual equipment, lighting and upgrades at the Porter Sanford Performing Arts Center. Recommend award to the lowest, responsive and responsible bidder: Guitar Center Stores, Inc. dba Guitar Center. Amount Not To Exceed: \$147,201.49.

Approved

[2020-0424](#)**Commission District(s): All**

LB - Invitation No. 19-101202 - Installation of Data, Voice and Multimedia Cabling (Annual Contract with 2 Options to Renew): for use by the Department of Innovation and Technology (IT). Consists of providing low-voltage installations, moves, adds and changes of data; voice and multimedia cabling at various locations within the County facilities. Recommend award to the bidders who were responsive and responsible: GC&E Systems Group, Inc. and R. B. Communications, Inc. Total Amount Not To Exceed: \$200,000.00.

Approved

[2020-0425](#)**Commission District(s): ALL**

CO - Change Order No. 1 to Contract No. 1149336 for On-Call Painting Services: for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). Consists of providing painting services at various County Parks, Recreation Centers and Porter Sanford Auditorium. This request is to increase the funding. Awarded to: A&D Painting, Inc. Amount Not To Exceed: \$640,000.00.

Approved

[2020-0426](#)**Commission District(s): ALL**

RFP - Request for Proposals No. 19-500529 Commercial Janitorial Services

(Multiyear Contract): for use by the Department of Facilities Management: Consists of the development, management and monitoring of high quality commercial janitorial/cleaning/ custodial services and Day Porters at various County facilities.

Recommend award to the highest scoring proposers: Building Maintenance Services (BMS), Cleanstar National, Inc. and A-Action Janitorial Services. Total Annual Amount Not To Exceed: \$4,136,779.92.

Approved with the amended amount of \$3,970,647.92

[2020-0435](#)**Commission District(s): ALL**

CA - Sutphen Heavy Duty 100' Mid-Mount Tractor Drawn Aerial Ladder (Tiller): for use by Public Works - Fleet Management to be used by Fire Rescue Services.

Consists of piggybacking off the competitively let NPPGOV Cooperative Contract RFP#1420 to purchase one (1) Sutphen Heavy Duty 100' Mid-Mount Tractor Drawn Aerial Ladder (Tiller) for aerial fire suppression, aerial ladder and ground ladder deployment on the ground, and rescue operations. Awarded to: Sutphen Corporation. Amount Not To Exceed: \$1,392,100.15.

Approved

[2020-0442](#)**Commission District(s): ALL**

CA - Cooperative Agreement for Design and Implement Voice and Data Network for 178 Sam's Street: for Department of Innovation and Technology to be used by Facilities Management (FM). Consists of designing the voice and data network to support staff that will be located at 178 Sam's Street. Awarded to Layer 3 Communications. Amount Not To Exceed: \$116,740.40.

Approved

Purchasing & Contracting - to PWI Committee

[2020-0159](#)**Commission District(s): All**

LB - Invitation No. 19-101067 Consent Decree - Gravity Sewer Rehabilitation and Replacement (CD-GSRR) (Multiyear Contract with 1 Option to Renew): for use by the Department of Watershed Management (DWM). Consists of primarily providing gravity sewer rehabilitation and replacement via cured in place pipe (CIPP) with internal and external point repairs, as well as open cut and pipe bursting. Recommend multi-award to the three (3) overall lowest, responsive and responsible bidders: The Renee Group, Inc., Inland Pipe Rehabilitation (IPR) dba IPR Southeast, LLC, and Kemi Construction Company, Inc. Total Amount Not To Exceed: \$61,303,359.45

Deferred to the next meeting and assigned to the Public Works & Infrastructure Committee (PWI), and return to the Board on June 9, 2020

2020-0572**Commission District(s): All Districts**

To Convene an Executive Session Meeting

Approved

2020-0573**Commission District(s): All**

To Adjourn an Executive Session

Approved

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. Janet Essix, 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. Janet Essix may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, 404.371.2309, 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.