

**FULTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

October 4, 2023
10:00 AM



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



A G E N D A

CALL TO ORDER: Chairman Robert L. Pitts

ROLL CALL: Tonya R. Grier, Clerk to the Commission

Robert L. Pitts, Chairman (At-Large)
Bridget Thorne, Commissioner (District 1)
Bob Ellis, Vice-Chairman (District 2)
Dana Barrett, Commissioner (District 3)
Natalie Hall, Commissioner (District 4)
Marvin S. Arrington, Jr., Commissioner (District 5)
Khadijah Abdur-Rahman, Commissioner (District 6)

INVOCATION: Reverend Clifton Dawkins, 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.

IF YOU NEED REASONABLE MODIFICATIONS DUE TO A DISABILITY, INCLUDING COMMUNICATIONS IN AN ALTERNATE FORMAT PLEASE CONTACT THE OFFICE OF THE CLERK TO THE COMMISSION. FOR TDD/TTY OR GEORGIA RELAY SERVICE ACCESS DIAL 711.

CONSENT AGENDA**23-0650 Board of Commissioners**

Adoption of the 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.

23-0651 Board of Commissioners

Proclamations for Spreading on the Minutes.

Proclamation recognizing "Anthony Edwards Appreciation Day." **(Abdur-Rahman)**
September 23, 2023

Proclamation recognizing "Jardine Spears Autism Foundation Appreciation Day."
(Abdur-Rahman)
September 25, 2023

Proclamation recognizing "Tracy R. Cole Remembrance Day." **(Arrington/Hall)**
September 25, 2023

Proclamation recognizing "Lottie Watkins Remembrance Day." **(Hall)**
September 26, 2023

Proclamation recognizing "Alicia Guyton Appreciation Day." **(Pitts)**
September 30, 2023

Proclamation recognizing "Bonecrusher Appreciation Day." **(Hall)**
September 30, 2023

Proclamation recognizing "Mamma Dee Appreciation Day." **(Hall)**
September 30, 2023

Commissioners' District Board Appointments

**23-0652 Board of Commissioners
FULTON COUNTY REPARATIONS TASK FORCE**

The Reparations Task Force shall have the following members: Each Commissioner shall appoint two (2) members, for a total of 14 members. Each member shall be a resident of Fulton County at the time of the appointment. A member shall serve for a two-year term and subject to removal by the appointing Commissioner for cause. No member's term shall exceed that of the appointing Commissioner but shall remain as a voting member until replaced or reappointed by the successive Commissioner.

Term = 2 Years

Terms below expire: 12/31/2023

Marcus Coleman (**Arrington**)

Vacant (**Arrington**)

Commissioner Arrington has nominated Greg Fann for a District appointment to a term ending December 31, 2023.

**23-0653 Board of Commissioners
HOUSING AUTHORITY OF FULTON COUNTY**

Nine (9) members serve on this authority. Seven (7) regular members (each Commissioner appoints one person to serve) and two (2) housing resident members are appointed by the Board of Commissioners. The enabling statute calls the Housing Authority Board members "Commissioners."

Term = 5 Years for BOC Appointees
1 Year for Resident Members

Term below expires: 7/13/2025

Pastor Earl Calloway (**Arrington**)

Commissioner Arrington has nominated Lamar White to replace Earl Calloway for a District appointment to an unexpired term ending July 13, 2025.

23-0654 Board of Commissioners
COMMISSION ON ELDER AFFAIRS

Seven (7) appointees by the Board of Commissioners (one for each District); three (3) appointees from each of the non-profit umbrella agencies, which the County contracts with for aging services; and three (3) senior citizens elected by seniors in the three geographical areas of the County. The terms of such members appointed by the Board of Commissioners shall end at the end of the term of the appointing District Commissioner. Such members may continue to serve beyond his/her term until a successor is appointed.

Term = Shall end at the end of the term of the appointing District Commissioner

Term below expired: 12/31/2022
Mary Blake (**Pitts**)

Chairman Pitts has nominated Mary Blake for a District reappointment to a term ending December 31, 2026.

Development Authority of Fulton County
TEFRA (Tax Equity Fiscal Responsibility Act)

23-0655 Board of Commissioners

Execution by Chairman Robert L. Pitts of a TEFRA (Tax Equity Fiscal Responsibility Act) for documentation pertaining to the proposed issuance of its Development Authority of Fulton County Revenue Bonds, in an amount not to exceed \$9,000,000.00 (the "Bonds"). The Bonds will be issued for the benefit of Young Men's Christian Association of Metropolitan Atlanta, Inc., a Georgia nonprofit corporation, or an affiliate thereof (the "Borrower").

23-0656 Board of Commissioners

Execution by Chairman Robert L. Pitts of a TEFRA (Tax Equity Fiscal Responsibility Act) for documentation pertaining to the proposed issuance of its Development Authority of Fulton County Revenue Bonds, in an amount not to exceed \$11,950,000.00 (the "Bonds"). The Bonds will be issued for the benefit of Atlanta International School, Inc., a Georgia nonprofit corporation, or an affiliate thereof (the "Borrower").

23-0657 Board of Commissioners

Execution by Chairman Robert L. Pitts of a TEFRA (Tax Equity Fiscal Responsibility Act) for documentation pertaining to the proposed issuance of its Development Authority of Fulton County Revenue Bonds, in an amount not to exceed \$40,000,000.00 (the "Bonds"). The Bonds will be issued for the benefit of Georgia Tech Athletic Association, a Georgia non-profit corporation (the "Borrower") and an affiliated organization of the Georgia Institute of Technology, a unit of the University System of Georgia ("Georgia Tech").

Open & Responsible Government**23-0658 Real Estate and Asset Management**

Request approval to increase the spending authority - Department of Real Estate and Asset Management, 20ITB125868C-CG (B), Glass and Plexiglas Repair and Replacement in the total amount of \$10,000.00 with P & E Mirror and Glass, LLC (Fayetteville, GA), to cover the costs for replacement of glass/plexiglass at four (4) Fulton County facilities (Evelyn G. Lowrey Library at Cascade, Quality Living Services, 4700 North Point Parkway and the Neighborhood Union Health Center), and to cover costs for any unforeseen glass replacement needs for the remainder of fiscal year 2023. Effective upon BOC approval.

23-0659 Real Estate and Asset Management

Request approval to renew an existing contract - Department of Real Estate and Asset Management, 22ITB135025C-MH, Generator System Maintenance and Repair Services in the amount of \$135,000.00 with Power & Energy Services, Inc. (Powder Springs, GA), to provide on-site preventive generator system maintenance and repair services for Fulton County. This action exercises first of two renewal options. One renewal option remains. Effective dates: January 1, 2024, through December 31, 2024.

23-0660 Real Estate and Asset Management

Request approval to renew existing contracts - Department of Real Estate and Asset Management, 22ITB134894C-MH, Maintenance and Testing of Fire Intrusion Alarm Systems in a total amount not to exceed \$105,000.00 with (A) VSC Fire & Security, Inc. (Norcross, GA) in an amount not to exceed \$70,000.00; and (B) Entec Systems, Inc. (Suwanee, GA) in an amount not to exceed \$35,000.00, to provide on-site maintenance and testing of fire-intrusion alarm systems on an annual or as needed basis for County facilities. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024 through December 31, 2024.

23-0661 Real Estate and Asset Management

Request approval to renew existing contracts - Department of Real Estate and Asset Management, 22ITB134833C-MH, Fire Extinguisher Testing and Maintenance Services in the total amount of \$75,000.00 with (A) Cintas Fire Protection, Inc. (Norcross, GA) in the amount of \$45,000.00 and (B) Summit Fire & Security (Loganville, GA) in the amount of \$30,000.00, to provide fire extinguisher testing and maintenance services on an "as-needed" basis Fulton County facilities. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024 through December 31, 2024.

Arts and Libraries**23-0662 Arts and Culture**

Request approval of a public art contract to commission Rory Hawkins to create a site-specific mural at the newly constructed Animal Services Facility in the amount of \$25,000.00 and authorization of the County Attorney to approve the public art contract as to form and to make necessary changes to the contract to protect the County prior to execution. The term is upon BOC approval through February 29, 2024.

Health and Human Services**23-0663 Community Development**

Request approval to enter into a Memorandum of Agreement ("MOA") between Fulton County, as the GA 502 Fulton County Continuum of Care ("CoC") Collaborative Applicant, and the Georgia Department of Community Affairs (DCA), on behalf of the Georgia Housing and Finance Authority ("GHFA"), regarding the cost sharing of the U.S. Department of Housing and Urban Development (HUD) grant award and management of the CoC's Homeless Management Information System ("HMIS"). The term is from December 1, 2023, through November 30, 2024. This item is 100% grant funded in the amount of \$76,484.00 (HMIS grant through the DCA).

23-0664 Public Works

Request approval to renew an existing contract - Department of Public Works, 22ITBC077A-KM, Landscaping Restoration Services in an amount not to exceed \$131,923.00 with Ed Castro Landscaping, Inc. (Roswell, GA), to provide landscaping restoration services. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024, through December 31, 2024.

Infrastructure and Economic Development**23-0665 Real Estate and Asset Management**

Request approval of a Sewer Easement Dedication of 197,501 square feet to Fulton County, a political subdivision of the State of Georgia, from Windward Park Master Association, Inc., for the purpose of constructing the Windward Park Commercial District Project at 0 Northpoint Pkwy, Alpharetta, Georgia 30005.

23-0666 Real Estate and Asset Management

Request approval of a Sewer Easement Dedication of 82,670 square feet to Fulton County, a political subdivision of the State of Georgia, from Milton Land Invest, Inc., for the purpose of constructing the Heatherton Project at 1240 Mayfield Road, Milton, Georgia 30009.

23-0667 Real Estate and Asset Management

Request approval of a Water Line Easement Dedication of 63,374 square feet to Fulton County, a political subdivision of the State of Georgia, from Milton Land Invest, Inc., for the purpose of constructing the Heatherton Project at 1240 Mayfield Road, Milton, Georgia 30009.

23-0668 Real Estate and Asset Management

Request approval of a Water Line Easement Dedication of 10,221 square feet to Fulton County, a political subdivision of the State of Georgia, from Branyan Trail, LLC for the purpose of constructing the Crabapple Market Residential Project at 0 Crabapple Circle, Milton, Georgia 30004.

Justice and Safety**23-0669 District Attorney**

Request approval of an award without competition - District Attorney, 2022 OJJDP FY 2022 Family-Based Alternative Sentencing Program, Award Number 13624564 with Up Therapy and Solutions named as a sub-awardee in the Grant in an amount not to exceed \$120,000.00 to help build resilient families through trauma-informed therapy groups and supportive services for youth, parents or guardians, and Credible Messengers along with other service providers. Effective upon BOC approval through the term of the Grant, October 1, 2022 through September 30, 2025. 100% grant funded.

23-0670 Marshal

Request approval to renew existing contracts - Marshal Department, 22ITBC0412B-EF, Duty Gear & Uniforms in the total amount not to exceed \$58,648.00 with (A) Lawmen's Shooters Supply, Inc., (Titusville, FL) in the amount not to exceed \$6,648.00, (B) T&T Uniforms, Inc., (Smyrna, GA) in the amount not to exceed \$21,000.00 and (C) Smyrna Police Distributors (Smyrna, GA) in the amount not to exceed \$31,000.00 to provide duty gear, uniforms and other related items. This action exercises the second of two renewal options. No renewal option remains. Effective dates: January 1, 2024 - December 31, 2024.

REGULAR MEETING AGENDA**23-0671 Board of Commissioners**

Adoption of the Regular Meeting Agenda.

23-0672 Clerk to the Commission

Ratification of Minutes.

Regular Meeting Minutes, September 6, 2023

Recess Meeting Post Agenda Minutes, September 20, 2023

23-0673 Board of Commissioners

Presentation of Proclamations and Certificates.

Proclamation recognizing “White Cane Awareness Day.” **(BOC)**

Proclamation recognizing “WSB-TV Appreciation Day.” **(BOC)**

Proclamation recognizing “Digital Inclusion Week.” **(BOC)**

Proclamation recognizing “National Hispanic Heritage Month.” **(Thorne/BOC)**

Proclamation recognizing “Down Syndrome Awareness Day.” **(Ellis)**

Proclamation recognizing “Sergeant Tucker Byrne Appreciation Day.” **(Thorne)**

Proclamation recognizing “Shannon Balenciaga Appreciation Day.” **(Arrington)**

Proclamation recognizing “Miguel Wilson Appreciation Day.” **(Arrington)**

Proclamation recognizing “Tracy Nicole Appreciation Day.” **(Arrington)**

Proclamation recognizing “Lisa Nicole Appreciation Day.” **(Arrington)**

Proclamation recognizing “London Couture Appreciation Day.” **(Arrington)**

Proclamation recognizing “Timeekah Murphy Appreciation Day.” **(Arrington)**

Proclamation recognizing “National Plus Size Appreciation Day.” **(Abdur-Rahman)**

Proclamation recognizing “Atlanta DREAM WNBA Team Appreciation Day.”
(Abdur-Rahman)

PUBLIC HEARINGS**23-0674 Board of Commissioners**

Public Comment - Citizens are allowed to voice County related opinions, concerns, requests, etc. during the Public Comment portion of the Commission meeting. **Priority for public comment will be given to Fulton County citizens and those individuals representing businesses or organizations located within Fulton County, including their employees, whether such persons are commenting in-person, via emails or via Zoom or other electronic media (i.e., phone call). Non-Fulton County citizens will only be heard after all in-person Fulton County citizens, representatives of business and organizations located within Fulton County, including their employees, have been heard and the time allotted for public comment has not expired, except as otherwise provided in this code section. County staff shall verify the residency of each public speaker prior to such person being heard by the board. Speakers will be granted up to two minutes each. Members of the public will not be allowed to yield or donate time to other speakers. The Public Comment portion of the meeting will not exceed 30 minutes at the Regular Meeting, nor will this portion exceed thirty minutes at the Recess Meeting.** In the event the 30-minute time limit is reached prior to public comments being completed, public comment will be suspended and the business portion of the BOC meeting will commence. Public comment will resume at the end of the meeting. Similarly, written comments (that were timely submitted) not previously read, may be read at the end of the meeting. For more information or to arrange a speaking date, contact the Clerk's Office.

COUNTY MANAGER'S RENEWAL ITEMS**Open & Responsible Government****23-0675 Real Estate and Asset Management**

Request approval to renew existing contracts - Department of Real Estate and Asset Management, 22ITB134621K-JAJ, Roof Maintenance, Repair and Replacement Services Countywide in the total amount not to exceed \$1,500,000.00 with (A) RYCARS Construction, LLC (Atlanta, GA) in the amount not to exceed \$700,000.00, (B) Ideal Building Solutions, LLC. (Norcross, GA) in the amount not to exceed \$500,000.00, and (C) Ben Hill Roofing and Siding Co, Inc (Douglasville, GA) in the amount not to exceed \$300,000.00, to provide standby roof maintenance, repair, and replacement services on an "as-needed" basis for Countywide facilities. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024, through December 31, 2024.

23-0676 Real Estate and Asset Management

Request approval to renew existing contracts - Department of Real Estate and Asset Management, 21ITB130146C-GS, Preventive and Predictive Maintenance Services for Chillers in the total amount not to exceed \$1,200,000.00 with (A) Mechanical Services, Inc. (Hapeville, GA) in the amount not to exceed \$400,000.00; (B) Johnson Controls, Inc. (Roswell, GA) in the amount not to exceed \$400,000.00; and (C) Daikin Applied Americas, Inc. (Marietta, GA) in the amount not to exceed \$400,000.00, to provide on-site preventive and predictive maintenance services for chillers on an "as needed" basis for all Fulton County facilities. This action exercises the second of two renewal options. No renewal options remain. Effective dates: January 1, 2024, through December 31, 2024.

23-0677 Real Estate and Asset Management

Request approval to renew an existing contract - Department of Real Estate and Asset Management, 21RFP130049C-CG, Landfill Post Closure Services in the amount of \$746,700.00 with Atlantic Coast Consulting, Inc. (Roswell, GA), to provide landfill post closure services at Merk/Miles and Morgan Falls Landfills for Fulton County. This action exercises the second of two renewal options. No renewal options remain. Effective dates: January 1, 2024, through December 31, 2024.

23-0678 Real Estate and Asset Management

Request approval to renew an existing contract - Department of Real Estate and Asset Management, 22ITB135136C-MH, Testing and Repair of Backflow Devices in the amount of \$270,000.00 with B & W Mechanical Contractors, Inc. (Lawrenceville, GA), to provide on-site testing and repair of approximately 183 backflow preventive (BFP) devices for required maintenance on an "as-needed" basis for the Fulton County facilities. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024, through December 31, 2024.

Health and Human Services**23-0679 Public Works**

Request approval to renew an existing contract - Department of Public Works, 22ITBC073A-KM, Fire Hydrants and Parts in the amount not to exceed \$386,728.00 with Core & Main, LP (Athens, GA), to provide fire hydrants and parts. This action exercises the first of two renewal options. One renewal option remains. Effective January 1, 2024, through December 31, 2024.

23-0680 Public Works

Request approval to renew an existing contract - Department of Public Works, 23ITB137357A-JWT, Soft Dig Services in an amount not to exceed \$175,000.00 with A&K Services, LLC (Dawsonville, GA), to provide soft dig services. This action exercises the first of two renewal options. One renewal option remains. Effective dates: January 1, 2024, through December 31, 2024.

COUNTY MANAGER'S ITEMS**Open & Responsible Government****23-0681 Finance**

Presentation, review and approval of October 4, 2023, Budget Soundings.

23-0682 Real Estate and Asset Management

Request approval to increase spending authority - Department of Real Estate and Asset Management, ITB#ITB121622K-DJ, Industrial Racking for the Fulton County Central Warehouse in the total amount of \$208,896.69 with McGee Storage & Handling (Norcross, GA), requesting additional funding to cover the costs to purchase and deliver two (2) Electric Stock Pickers, one (1) Electric Forklift Truck and other related equipment components for the Fulton County Central Warehouse located at 5600 Campbellton-Fairburn Road, Atlanta, GA 30213. Effective upon BOC approval.

Arts and Libraries**23-0683 Arts and Culture**

Requesting approval of a Resolution approving a sponsorship agreement template for use by the Department of Arts and Culture; authorizing the County Manager or his designee to sign such agreements where funding is in the approved budget of the Department of Arts and Culture; and for other purposes. Effective upon adoption.

COMMISSIONERS' ACTION ITEMS**23-0595 Board of Commissioners**

Request approval of an Ordinance to amend Chapter 101 (General Provisions and County Governing Authority), Article II (County Governing Authority), Division 1 (Generally) of the Fulton County Code of Ordinances relating to budgetary controls for members of the Board of Commissioners by reducing the travel/conferences budget for members of the Board of Commissioners; and for other purposes. **(Ellis) (HELD ON 9/6/23) (MOTION TO APPROVE FAILED ON 9/20/23)**

23-0642 Board of Commissioners

Request approval of a Resolution by the Fulton County Board of Commissioners directing the County Manager to not include or consider any budget enhancements or budgetary increases for any Justice Department or agency in 2024 General Fund Budget; and for other purposes. **(Ellis) (MOTION TO APPROVE FAILED ON 9/20/23)**

23-0684 Board of Commissioners

Request approval of a Resolution by the Fulton County Board of Commissioners to provide financial assistance and logistical support for reproductive health care through the appropriation and donation of \$300,000.00 to Access Reproductive Care Southeast Inc., matching a contribution made by the City of Atlanta. **(Barrett)**

Commissioners' Full Board Appointments**23-0685 Board of Commissioners****FULTON COUNTY ARTS COUNCIL**

The Arts Council shall be composed of fifteen (15) residents of the county. Initially, each member of the board of commissioners shall appoint two persons to serve on the council, one person to serve for a one-year term and one person to serve a two-year term. No term of any member shall extend beyond the term of the District Commissioner who appointed the member to serve on the Arts Council Board; thereafter, each year, each member of the board of commissioners shall appoint one member for a two-year term. Each member may continue to serve beyond his/her term until replaced. The chairman of the Arts Council shall be appointed to a two-year term by a majority vote of the board of commissioners. The council shall elect a vice-chairman and a secretary from its membership.

Term = 2 years

Terms below expired: 12/31/2020

Marc Boyd **(Hall)**

Joseph Bankoff **(Resigned) (BOC-Chairperson position)**

Chairman Pitts has nominated Jennifer Pino for a Full Board appointment to a term ending December 31, 2024.

23-0686 Board of Commissioners**BELTLINE AFFORDABLE HOUSING ADVISORY BOARD**

Fulton County Board of Commissioners shall be responsible for the appointment of five (5) members.

Term = 2 years, with such term commencing upon Council approval.

Term below expired: 1/3/2018

Zach Nikonovich-Kahn **(Resigned) (BOC #3)**

Chairman Pitts has nominated Bobbie Spiller for Full Board appointment to a two-year term that will commence upon approval of the Atlanta City Council.

23-0687 Board of Commissioners**BOARD OF ETHICS**

Each member selected after the initial terms of office have expired shall serve a term of three (3) years or until the termination of his or her membership in the organization from which he or she was selected. The chair shall serve as chair for the remainder of the calendar year and until a successor is chosen. (See Fulton County Code of Laws, Section 2-80).

Term = 3 years

Term below expired: 2/12/2022

Vacant (**South Fulton Chamber of Commerce/BOC**)

The South Fulton Chamber of Commerce has recommended Walter Vinson for a Full Board appointment to a term ending February 12, 2025.

Term below expires: 2/12/2023

Daraka Satcher (**Gate City Bar Association/BOC**)

The Gate City Bar Association has recommended Daraka Satcher for a Full Board reappointment to a term ending February 12, 2026.

Term below expires: 2/12/2024

Jamie Bendall (**Resigned/Vacant**) (**Greater North Fulton Chamber of Commerce**)

The Greater North Fulton Chamber of Commerce has recommended Chris Miller to fill the unexpired term of Jamie Bendall for a Full Board appointment to a term ending February 12, 2024.

23-0688 Board of Commissioners
FULTON-ATLANTA LAND BANK AUTHORITY

The Authority is governed by a board of directors comprised of an odd number of individual representatives- with no fewer than five (5) or more than eleven (11), hereinafter the "Board". Initially, the Board shall consist of seven (7) representatives comprised of: (A) four (4) appointed by the Mayor of the City of Atlanta and (B) three (3) appointed by the Fulton County Board of Commissioners.

Term = 4 years

Terms below expired: 8/7/2023
Kyle Lamont **(BOC/Hall)**
Calvin Brock **(BOC/Abdur-Rahman)**

Commissioner Barrett has nominated Joan Arkins for a Full Board appointment to a term ending August 7, 2027.

COMMISSIONERS' PRESENTATION AND DISCUSSION ITEMS

23-0689 Board of Commissioners
Discussion: Whether the designation of personal staff for elected officials requires approval from the BOC **(Pitts)**

23-0690 Board of Commissioners
Discussion: \$5.3 Million Emergency Funding approved for Sheriff's Department at April 19, 2023 BOC Meeting **(Ellis)**

EXECUTIVE SESSION

23-0691 Board of Commissioners
Executive **(CLOSED)** Sessions regarding litigation **(County Attorney)**, real estate **(County Manager)**, and personnel **(Pitts)**.

ADJOURNMENT