

**FULTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

January 10, 2024

10:00 AM



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



POST AGENDA MINUTES

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: January 24, 2024

CALL TO ORDER: Chairman Robert L. Pitts

10:02 a.m.

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

Robert L. Pitts, Chairman (At-Large)

PRESENT

Bridget Thorne, Commissioner (District 1)

PRESENT

Bob Ellis, Commissioner (District 2)

ABSENT

Dana Barrett, Commissioner (District 3)

PRESENT

Natalie Hall, Commissioner (District 4)

PRESENT

Marvin S. Arrington, Jr., Commissioner (District 5)

PRESENT

Khadijah Abdur-Rahman, Vice Chair (District 6)

PRESENT

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**24-0001 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. **(ADOPTED AS AMENDED)**

A motion was made by Commissioner Thorne and seconded by Commissioner Hall, to adopt as amended the Consent Agenda as amended by removing item #24-0003 as requested by Vice Chair Abdur-Rahman. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Arrington

24-0002 Clerk to the Commission

Proclamations for Spreading on the Minutes. **(SPREAD ON THE MINUTES UPON ADOPTION OF THE CONSENT AGENDA)**

Proclamation recognizing "Keona Jones Green Remembrance Day."
(Hall/Arrington)
December 19, 2023

Proclamation recognizing "Vanessa Manley Appreciation Day." **(Hall)**
January 5, 2024

Proclamation recognizing "Lowell F. Dickerson Appreciation Day." **(Arrington)**
January 10, 2024

Commissioners' District Board Appointments**24-0003****Board of Commissioners****HOUSING AUTHORITY OF FULTON COUNTY (REMOVED)**

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: 7/13/2027
Ronnie Shakir (**Abdur-Rahman**)

Commissioner Abdur-Rahman has nominated Ernestine Pittman to replace Ronnie Shakir for a District appointment to an unexpired term ending July 13, 2027.

ITEM REMOVED FROM THE CONSENT AGENDA AS REQUESTED BY VICE CHAIR ABDUR-RAHMAN**24-0004****Board of Commissioners****FULTON-DEKALB HOSPITAL AUTHORITY D/B/A GRADY HEALTH SYSTEM
(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Consists of ten (10) trustees (members). The Board of Commissioners of Fulton County appoints seven (7) trustees (members) and the Board of Commissioners of DeKalb County appoints three (3). (See Fulton County Code § 13-2-11). The Fulton County Code does not prescribe the method of appointment; however, historically, each Commissioner has appointed one person to serve.

Term = 4 years

Term below expired: 12/31/2023
Shannon Georgecink (**Ellis**)

Commissioner Ellis nominated Shannon Georgecink for a District reappointment to a term ending December 31, 2027.

24-0005 Board of Commissioners**FULTON COUNTY ARTS COUNCIL (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

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

Term below expired: 12/31/2023

Pamela Smith (**Pitts**)

Chairman Pitts nominated Pamela Smith for a District reappointment to a term ending December 31, 2025.

Infrastructure and Economic Development**24-0006 Real Estate and Asset Management**

Request approval of an Indemnification, Maintenance, and Land Use Agreement for Private Improvement (Indemnification Agreement) between Fulton County, a political subdivision of the State of Georgia, and AIJ Milton, LLC for the purpose of granting conditional approval to allow stormwater drainage and walkway improvements within the County's existing water line easement area at 13625 Arnold Mill Road, Milton, Georgia 30075. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Justice and Safety**24-0007 Superior Court Administration**

Request approval to enter into a Memorandum of Agreement with CaringWorks, Inc. and Fulton County on behalf of the Superior Court Accountability Court, effective January 1, 2024, through December 31, 2024, with four (1) year renewal options for the provision of services by CaringWorks to the participants of Fulton County Accountability Court via their Oasis of Hope program. No additional funds are required or provided. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

REGULAR MEETING AGENDA**24-0008 Board of Commissioners**

Adoption of the Regular Meeting Agenda. **(ADOPTED AS AMENDED)**

A motion was made by Commissioner Hall and seconded by Commissioner Barrett, to adopt the Regular Meeting Agenda as amended by revising item #24-0011 as requested by Commissioner Hall and removing item #24-0015 as requested by the County Manager. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

24-0009 Board of Commissioners

Appointment of the Vice-Chairman. **(APPROVED)**

Appointment of the Vice-Chairman of the Fulton County Board of Commissioners for a one-year term, in accordance to the current Fulton County Code § 101-36 (b), amended by the Board on October 20, 2021 (Item #21-0839).

a. A motion was made by Commissioner Thorne and seconded by Chairman Pitts, to nominate Commissioner Abdur-Rahman as Vice-Chairman of the Fulton County Board of Commissioners. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, and Abdur-Rahman

Nay: Arrington

Absent: Ellis

Abstain: Hall

b. A motion was made by Commissioner Hall and seconded by Commissioner Arrington, to nominate Commissioner Arrington as Vice-Chairman of the Fulton County Board of Commissioners. The motion failed by the following vote:

Yea: Hall, and Arrington

Absent: Ellis

Abstain: Thorne, Barrett, and Abdur-Rahman

Did Not Vote: Pitts

24-0010 Clerk to the CommissionRatification of Minutes. **(RATIFIED)**

Regular Meeting Minutes, December 6, 2023

Recess Meeting Post Agenda Minutes, December 20, 2023

A motion was made by Commissioner Hall and seconded by Commissioner Thorne, to ratify the meeting minutes. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

24-0011 Board of CommissionersPresentation of Proclamations and Certificates. **(PRESENTED)**

Proclamation recognizing "Michel "Marty" Turpeau, IV Remembrance Day."
(Abdur-Rahman/Arrington/BOC)

Proclamation recognizing "Lt. Col. Mike Russell Appreciation Day."
(Thorne/Pitts/Ellis/Hall/Abdur-Rahman)

Proclamation recognizing "Digital Equity Day."
(Barrett/Ellis/Thorne/Hall/Abdur-Rahman)

~~*Proclamation recognizing "Atlanta Business League Appreciation Day."~~ **(Hall)**

Proclamation recognizing "Marvin Wooley Appreciation Day." **(Hall)**

****** Proclamation recognizing "Randy Marshall Appreciation Day." **(Arrington)**

**removed during the meeting*

***added during the meeting*

PUBLIC HEARINGS**24-0012 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. **(CONDUCTED)**

26 Speakers: Judge Cassandra Kirk (Item #23-0967); Solicitor General Keith Gammage; Jimmy Gough (Arts Funding); Paul Hershey (Elections); Michelle Taylor Willis (Arts Funding); Marysa Sutton (Arts Funding); Brother Anthony Muhammad (Citizens for Human Rights); Shelia Mante (Arts Funding); Ravi Windom (Arts Funding); Donna Watts-Nunn (Arts Funding); Julie Allen (COVID-19 Information); Waverly Lucas (Arts Funding); Mara Gaudio (District Attorney); W. Imara Canady (Arts Funding); Brian Allen (Item #24-0013); Janet Hill (Property Fraud); Ron Shakir (Housing); Margie McCleod (Injustice); Earl Ferguson (Voter Integrity); Jane Zoellizk (Arts Funding); Charmaine Minniefield (Arts Funding); Lisa Adler (Arts Funding); Matt Rowenczak (Elections); Devin Barrington-Ward (Fulton County Jail); Prophet Curtis Martin Hairston (Homelessness) and Alma Lott (Homelessness)

2 Zoom Comments: Ben Howard (Senior Housing) and Kevin Muldowney (District Attorney)

14 Emailed Comments: Jeffrey Mullavey (Item #23-0967); Ayanna Marshall (District Councilmember); Cyne Alexander (Arts Funding); Joni Per-Lee (Arts Funding); Jacquee Minor (Arts Funding); David Dunagan (Arts Funding); Renee Hall-George (Arts Funding); Beth Lenkey (Arts Funding); Virginia Kriho (Arts Funding); Kirk and Michele Sarkisian (Elections); Peter Hardy (Arts Funding); Lindsay Bytof (Arts Funding); Laura Kurlander Nagel (Arts Funding) and Stephanie Galer (Arts Funding)

COUNTY MANAGER'S ITEMS

Open & Responsible Government

24-0013 Finance

Review and approval of the FY2024 Final Adopted Budget and FY2024 Budget Resolution. **(DISCUSSED)**

24-0014 Real Estate and Asset Management

Request approval of the lowest responsible bidders - Department of Real Estate and Asset Management, 23ITB138741K-JAJ, Task Order Contract for Minor Construction in an amount not to exceed \$6,000,000.00 with (A) Brad Construction Company II, LLC (Fayetteville, GA) in an amount not to exceed \$1,200,000.00; (B) Hawk Construction Company, LLC (Ellenwood, GA) in an amount not to exceed \$1,200,000.00; (C) Complete Contracting Partners, LLC (Powder Springs, GA) in an amount not to exceed \$1,200,000.00; (D) Rubio and Sons Interior, Inc. (Hoschton, GA), in an amount not to exceed \$1,200,000.00; and (E) Osprey Management, LLC (Marietta, GA) in an amount not to exceed \$1,200,000.00, to provide standby repair, alteration, modernization, maintenance, and rehabilitation construction services. Effective January 1, 2024, through December 31, 2024, with three renewal options. **(APPROVED)**

A motion was made by Commissioner Hall and seconded by Vice Chair Abdur-Rahman, to approve. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Arrington

Health and Human Services

24-0015 Public Works

Request approval of the lowest responsible bidder - Department of Public Works, 23ITB458876A-KM, Small Water Meter Installation in an amount not to exceed \$620,000.00 with Jewel of the South Inc., (Conyers, GA), to provide small water meter installation services effective January 1, 2024 through December 31, 2024, with two renewal options. **(REMOVED)**

ITEM REMOVED FROM THE REGULAR MEETING AGENDA AS REQUESTED BY THE COUNTY MANAGER

24-0016 Behavioral Health and Developmental Disabilities

Request approval to amend an existing contract - Department of Behavioral Health and Developmental Disabilities, 22RFP038A-CJC (D), Fulton County Behavioral Health Network with Grady Memorial Hospital d/b/a Grady Health System (Grady) (Atlanta, GA), in an amount not to exceed \$11,377,838.00, for the expansion of behavioral health services to provide full-service operation and management of the new Fulton County Regional Behavioral Health Crisis Center (BHCC), located at 2805 Metropolitan Parkway, Atlanta, GA 30315. The County Attorney is authorized to approve the amended contract as to form and to make modifications thereto prior to execution. Effective upon BOC approval. **(APPROVED)**

A motion was made by Commissioner Thorne and seconded by Commissioner Hall, to approve. The motion passed by the following voice vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

Justice and Safety**23-0961 Sheriff**

Request approval to re-program the use of unspent emergency capital funding in the amount of \$1,362,563.00. This funding is in the Fulton County Sheriff's Office capital fund budget. The FCSO proposes to utilize \$595,032.45 of the funds for Brown & Root Industrial Services (\$585,032.45) and Khafra Engineering Consultants Inc (\$10,000.00) for the Staff Toilet Upgrades at the South Annex Jail. The restrooms at the South Annex Jail meet ADA requirements to moving back in. This leaves a total of \$767,530.55 to be re-programmed. **(MOTION TO APPROVE FAILED ON 12/20/23) (APPROVED)**

A motion was made by Commissioner Hall and seconded by Vice Chair Abdur-Rahman, to approve. The motion passed by the following vote:

Yea: Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Pitts

COMMISSIONERS' ACTION ITEMS**23-0915 Board of Commissioners**

Request approval of a Resolution by the Fulton County Board of Commissioners to dissolve the Housing Authority of Fulton County; and for other purposes. **(Arrington) (HELD ON 12/6/23 AND 12/20/23) (REMOVED)**

ITEM REMOVED FROM THE REGULAR AGENDA AS REQUESTED BY COMMISSIONER ARRINGTON

23-0964 Board of Commissioners

Request approval of a Resolution by the Fulton County Board of Commissioners directing an external review of the Board of Ethics; and for other purposes.

(Arrington) (MOTION TO APPROVE FAILED ON 12/20/23 AND 1/10/24)

a. A motion was made by Commissioner Arrington and seconded by Commissioner Hall, to approve. The motion failed by the following vote:

Yea: Hall, and Arrington

Nay: Pitts, Thorne, Barrett, and Abdur-Rahman

Absent: Ellis

b. A motion was made by Vice Chair Abdur-Rahman and seconded by Commissioner Thorne, to call the question. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Hall, and Arrington

23-0965 Board of Commissioners

Request approval of a Resolution by the Fulton County Board of Commissioners to revoke every action taken by the Fulton County Board of Ethics from January 1, 2014, through December 20, 2023; and for other purposes. **(Arrington) (HELD ON 12/20/23) (MOTION TO APPROVE FAILED)**

A motion was made by Commissioner Arrington and seconded by Commissioner Hall, to approve. The motion failed by the following vote:

Yea: Hall, and Arrington

Nay: Pitts, Thorne, Barrett, and Abdur-Rahman

Absent: Ellis

23-0966 Board of Commissioners

Request approval of an Ordinance to amend Chapter 2 (Administration), Article II (Officers and Employees), Division 2 (Code of Ethics) of the Fulton County Code to disband the Board of Ethics and to replace it with a slate of Ethics Hearing Officers; and for other purposes. **(Arrington) (MOTION TO APPROVE FAILED ON 12/20/23 AND 1/10/24)**

a. A motion was made by Commissioner Arrington and seconded by Commissioner Hall, to approve. The motion failed by the following vote:

Yea: Hall, and Arrington

Nay: Pitts, Thorne, Barrett, and Abdur-Rahman

Absent: Ellis

b. A motion was made by Vice Chair Abdur-Rahman and seconded by Commissioner Thorne, to call the question. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Hall, and Arrington

24-0017 Board of Commissioners

Request approval of a Resolution by the Fulton County Board of Commissioners in Observance of the 95th Birthday of the Reverend Dr. Martin Luther King Jr. **(Abdur-Rahman) (APPROVED)**

A motion was made by Vice Chair Abdur-Rahman and seconded by Commissioner Thorne, to approve. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

EXECUTIVE SESSION**24-0018 Board of Commissioners**

Executive (**CLOSED**) Sessions regarding litigation (**County Attorney**), real estate (**County Manager**), and personnel (**Pitts**). (**APPROVED**)

PRESENT IN THE EXECUTIVE SESSION REGARDING LITIGATION, REAL ESTATE AND PERSONNEL: Chairman Pitts, Vice Chair Abdur-Rahman, Commissioners: Thorne, Barrett, Hall, Arrington, and; County Manager Dick Anderson; County Attorney Y. Soo Jo; and Clerk to the Commission Tonya R. Grier. Commissioner Ellis was absent.

a. A motion was made by Commissioner Barrett and seconded by Vice Chair Abdur-Rahman, to enter into Executive Session. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Arrington

b. A motion was made by Vice Chair Abdur-Rahman and seconded by Commissioner Barrett, to approve the requests for representation in items #1, #2 and #3 as discussed in Executive Session. The motion passed by the following vote:

Yea: Pitts, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

Did Not Vote: Thorne

c. A motion was made by Vice Chair Abdur-Rahman and seconded by Commissioner Barrett, to adopt the recommendation and decision from the hearing conducted by the Housing Authority of Fulton County on July 20, 2023 and to remove Commissioner Ronnie Shakir from the Commission. The motion passed by the following vote:

Yea: Barrett, Hall, Arrington, and Abdur-Rahman

Nay: Pitts

Absent: Ellis

Did Not Vote: Thorne

d. A motion was made by Commissioner Thorne and seconded by Vice Chair Abdur-Rahman, to approve the transfer of property located at 2925 Lakewood Drive to Atlanta Public Schools. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

e. A motion was made by Commissioner Barrett and seconded by Commissioner Thorne, to approve the transfer of property to the City Sandy Springs for a roadway/sidewalk improvement project around the Sandy Springs Library consisting of a right of way and temporary construction easement for this project. The motion passed by the following vote:

Yea: Pitts, Thorne, Barrett, Hall, Arrington, and Abdur-Rahman

Absent: Ellis

ADJOURNMENT

There being no further business, the meeting adjourned at 3:21 p.m.