

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

January 20, 2015

A G E N D A

1. Call to order.
2. Invocation and Pledge of Allegiance to the flag.
3. Adoption of the agenda.
4. Approval of the January 6, 2015 Regular Business Meeting minutes.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
6. Consider requests of Debra Brewer, Director of Central Services. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) **Request for 90 Day Contract Extension, Second Amendment: RFB PKG: #11-22 Ethanol & Ultra Low Sulfur Diesel, Annual Contract.** (A.R. Brooks Enterprises, Inc., located in Smyrna, Georgia; Mansfield Oil Company, located in Gainesville, Georgia and Petroleum Traders Corporation, located in Fort Wayne, Indiana. As requested by the Transportation and Development/Fleet Maintenance Department). Per Section 2-136 (1) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods; Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

2) **Recommendation to Amend and Renew: RFB PKG: #12-34 Clayton County Police Vehicle Equipment Annual Contract, Fifth Amendment, Final Annual Renewal.** (Trans Comm Services, Inc., located in Griffin, Georgia. As requested by the Police

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Department). Per Section 2-136 (1) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods; Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

3) **Recommendation for Award: RFB PKG: #14-62 Panhandle Road Construction of a Left Turn Lane at Eddie White Academy, Clayton County, Georgia.** (\$488,316.90 / Baldwin Paving Co., Inc., located in Marietta, Georgia. Funding is available through the 2009 SPLOST Funds. As requested by Transportation and Development Department). Per Section 2-136 (1) of the Clayton County Code of Ordinances, General Purchasing Methods; Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval.

4) **Recommendation for Award: RFB PKG: #14-68 Clayton County Information Technology Products & Services for Cisco, Tandberg, Webex & Smartnet, Annual Contract.** (Disys Solutions, Inc., located in Chantilly, Virginia. Funding is available through the Information Technology's General Fund FYE 2015. As requested by the Information Technology Department). Per Section 2-136 (1) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods; Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These

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contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

5) **Recommendation to Amend Sole Source: CAD Dispatch Software Upgrade Contract, Fourth Amendment.** (SunGard Public Sector, Inc., located in High Point, North Carolina. No cost to the County). Per Section 2-136 (7) of the Clayton County Code of Ordinances, General Purchasing Methods; Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The Purchasing Agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners.

7. Consider requests of Ramona Thurman Bivins, Chief Financial Officer.

1) Budget Amendment #4-89/2009 Reimposition SPLOST/FYE 6-30-15 – To amend the budget to provide funding for materials and construction of a new traffic signal located at State Route 42 and the Project Atlantic Driveway, in the amount of \$130,000.

2) Budget Amendment #2-16/Circuit Public Defenders/FYE 6-30-15 – To amend the budget to recognize a refund check from Georgia Public Defenders Standard Council to reinvest in the Clayton County Public Defender’s Office to continue to hire the services of local lawyers, in the amount of \$80,143.

8. Resolution 2015-25 - A Resolution authorizing Clayton County to accept three forfeited vehicles from a Clayton County Police Department Drug Investigation.

Synopsis: This Resolution will allow for the sale of three seized vehicles to be used as directed by the Superior Court Orders (2014CV03040-5, 2014CV02467-9, and 2014CV02373-5).

9. Resolution 2015-26 - A Resolution authorizing Clayton County to continue its participation in the Federal Bureau of Investigation’s Organized Crimes Drug Enforcement Task Force known as the David G. Wilhelm Strike Force.

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***Synopsis:** A Resolution that will allow Clayton County Police Department to continue participation in Strike Force activities which provides valuable intelligence for crime and illegal drug control efforts.*

10. Resolution 2015-27 - A Resolution authorizing Clayton County to allow Emory University's Project Giving ACTS to host Informational Sessions regarding organ and tissue sharing at the South Clayton Recreation Center.
***Synopsis:** This Resolution will allow Project Giving ACTS to host 90-minute health/educational information sessions to individuals regarding organ and tissue sharing on January 27, February 11, and February 19, 2015 from 5:00 pm - 8:00 pm and March 18, 2015 from 2:00 pm to 5:00 pm.*

11. Resolution 2015-28 - A Resolution authorizing Clayton County to dispose of 20 abandoned firearms in the manner required by law and pursuant to an order from Clayton County Superior Court.
***Synopsis:** This Resolution will allow the Clayton County Police Department to comply with State law which requires the county to dispose of abandoned firearms through a public action and proceeds will be paid into the General Fund.*

12. Appointment to the MARTA Board of Directors for a new member to serve a four (4) year term expiring on December 31, 2018. (Full-Board Appointment) (*Removed from the January 6, 2015 Agenda*)

13. Appointment to the MARTA Board of Directors for a new member to serve a four (4) year term expiring on December 31, 2018. (Full-Board Appointment) (*Removed from the January 6, 2015 Agenda*)

14. Appointment to the Library Board to fill the unexpired term of Jeanell Bridges (resigned). This term expires on June 30, 2016. (Full-Board Appointment)

15. Appointment to the Parks & Recreation Advisory Board to fill the vacant seat of the District Two representative. The term runs concurrent with the appointing Commissioner expiring December 31, 2016. (Commissioner Hambrick)

16. Appointment to the Water Authority Board to fill the expiring term of Oscar Blalock. The term is for five years, expiring on February 28, 2020. (Full-Board Appointment)

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17. Appointment to the Water Authority Board to fill the expiring term of Rodney Givens. The term is for five years, expiring on February 28, 2020. (Full-Board Appointment)
18. **ZONING PETITION: ANTONIO TAYLOR/GROUP HOME USE/CUP-14/10-11**

The Applicant, Antonio Taylor, is requesting a conditional use permit (CUP) from Article 6.12 Personal Care Homes, Boarding Homes and Group Home Standards to allow for a group home use. The subject property is located at 3783 Charlotte Drive, Rex, Georgia 30273 and otherwise known as parcel number 12-136B-B004. The subject property contains approximately 11,250 square feet in area or 0.26 +/- acres of land and it is currently zoned Residential District (RS-110).

Commission District # 1 – Commissioner Sonna Gregory

ZAG recommended APPROVAL

19. **ZONING PETITION: FEAGIN WOODS SUBDIVISION PUD/PUD-14/07-2**

The Applicant, Stephen D. Moore on behalf of Scarbrough & Rolader, is requesting a rezoning from Article 3.5 Residential District (RS-180) and Article 3.7 Residential District (RS-110) to Article 7.2 Planned Unit Development District (PUD) for a subdivision upon property located at 0 Feagin Road (06-062-063-002), 0 Feagin Road (06-062-063-010), and 9795 Dixon Industrial Boulevard (06-062C-A004). The subject properties are approximately a combined 36.26 acres of land. **(Included: Updated site plan to go along with PUD request. Applicant removed 12 lots from original request.)**

Commission District # 4 – Commissioner Michael Edmondson

ZAG recommended DENIAL

EXECUTIVE SESSION –

20. Consider any action(s) necessary based on decision(s) made in the Executive Session.

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FINANCE DEPARTMENT SUPPORTING DOCUMENTATION
BEGINS NEXT PAGE

**CLAYTON COUNTY
INTER - OFFICE MEMO**

2-16

DATE: January 9, 2015

TO: Board of Commissioners

FROM: Ramona Thurman Bivins, Chief Financial Officer

SUBJECT: Request for Budget Amendment - Circuit Public Defenders

I do hereby request and submit the following budget amendment to be approved for FYE 6-30-15:

INCREASE REVENUE:

Miscellaneous Revenue	101-2016-3720	\$	80,143
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INCREASE EXPENSE:

Other Contract Service Fees	101-2016-4140	\$	80,143
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Reason: To amend the budget to recognize a refund check from Georgia Public Defenders Standard Council to reinvest in the Clayton County Public Defender's Office to continue to hire the services of local lawyers.

TO:
Ramona Thurman Bivins, Chief Financial Officer

According to the Statement of Policy, the above listed amendment has been approved.

Date

Sandra Davis, Clerk of Commission

slm



Board of Commissioners Approval Process System

New Request

After completing Request form and attaching supporting documentation, click on the SUBMIT button at the bottom to submit your request for approval. Fields with an (*) are required.

Department: Public Defender's Office

Phone:
(678) 479-5036

Example: (000) 000-0000

E-mail:
cvandross@gapublicdefender.org

Example: john.doe@claytoncountyga.gov

Requests must be submitted a minimum of 12 days prior to Agenda Meeting Date.

FYE: Select Agenda Meeting Date:
FYE15 2015-01-14T14:00:00

Request Type:
Refunds

Purpose:

To continue to provide the County BOC, an economically feasible alternative to having to request the hiring of an additional Appellate attorney, I am requesting that the refund generated for FYI 2014 be used to further fund the Conflict Appellate Attorney Project. The refund in the amount of \$80,143.42 will be reinvested in the Clayton Public Defenders Office to continue to hire the services of our local lawyers, via contracts to handle the ever increasing appellate work. The contracts will be offered on a flat fee basis. Generally, one half at the start of the case, and the balance, after proof of the submission of the brief to the Supreme Court, or the Court of Appeals, for the State of Georgia.

Rationale:

In FYI 2012, the BOC respectfully granted my request to reinvest the refund check of \$ 42,250.00, to start this initiative, and it has proven successful. Since April, 2013, 61 appeals have been out sourced to private attorneys at a nominal cost of approximately \$ 142,500.00, all with the use of refund monies. A single Appeal in the private market typically cost from \$ 15,000.00 to \$ 25,000.00.

Facts:

The Clayton Public Defenders Office, "PD's", Office has one dedicated appellate attorney. This attorney has inherited approximately 27 appeals from "day one" of his date of hire. The American Bar Association (ABA) has determined that no single attorney shall have more than 25 cases pending at any one time. To remain in compliance to this mandate, I have been assigning appeals to my assistant public attorneys. However, the APD's caseloads are already overwhelming. The ability to out-source to the local private bar has provided a life-line to my office. While I understand the financial constriction the government has been operating under in the past few years, the PD's staff has continued to "do more, with less".

Impact:

The cost to the County to hire a single permanent, full-time appellate attorney will cost the County more than \$100,000.00, per year. With the new hire, coupled with the existing hire reaches its caseload limit, it will require a need for additional assistance. This initiative has provided an economically prudent management system, which has served to provide effective legal services, while at the same time provide substantial savings to the County.

*Documents must be submitted in PDF format.
Large PDF files may be compressed and saved to a ZIP file before attaching to Request form.*

Supporting Documentation: Public Defender Refund Check.pdf

Alternate contact should be available to answer questions regarding your request.

Alternate Contact Name: Shawana Fletcher
Alternate Contact Phone: (404) 304-8002
Example: (000) 000-0000

Alternate Contact Email:
sfletcher@gapublicdefender.org
Example: john.doe@claytoncountygva.gov

Comments:

Initiated Date:

12/23/2014

10:47:41 AM

Initiated By:

Christine VanDross

**CLAYTON COUNTY
INTER - OFFICE MEMO**

DATE: January 12, 2015
TO: Board of Commissioners
FROM: Ramona Thurman Bivins, Chief Financial Officer
SUBJECT: Request for Budget Amendment - Fund 307 - 2009 Reimposition SPLOST

I do hereby request and submit the following budget amendment to be approved for FYE 6-30-15:

INCREASE REVENUE:			
Appropriations from SPLOST Fund Balance	307-4001-7000		130,000
INCREASE EXPENSES:			
Other Machinery & Equipment	307-4001-6040-TS268-7Y150	\$	130,000

Reason: To amend the budget to provide funding for materials and construction of a new traffic signal located at State Route 42 and the Project Atlantic Driveway.

The above mentioned item was **APPROVED/ DISAPPROVED** by the Board of Commissioners during their meeting held _____.

Date

Sandra Davis, Clerk of Commission



Clayton County Transportation & Development

DIVISIONS
Administration
County Fleet
Engineering Services
Landfill
Public Works
Traffic Engineering

INTEROFFICE MEMO

Jeff Metarko, Director
Keith Rohling, Asst. Director

DATE: January 12, 2015
TO: Ramona Bivins, Chief Financial Officer, Finance
FROM: *JCM* Jeff Metarko, Director, Transportation & Development
RE: 2009 SPLOST Program – Budget Request

Please set up an account (307-4001-6040-TS268-7Y150) with a budget of \$130,000 for a new traffic signal located at State Route 42 and the Project Atlantic Driveway. This account will be used to purchase the traffic signal materials for the construction of the traffic signal.

If you have any questions or require additional information, please contact me at your convenience.

JCM/kbr

cc: Project File
Sharon Stone; Finance