

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 18, 2021
7:00 PM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, November 18, 2021 at 7:00 p.m. in the second-floor public meeting room at 100 Cherokee Street, Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 7:03 p.m.

PRESENTATIONS

Motion by Cupid, second by Sheffield, to move presentation Item 4 forward in the Agenda.

VOTE: 5-0

1. **To present Certificates of Recognition to the Lassiter High School's softball team for winning back-to-back Class AAAAAA softball state championships.**

Commissioner Birrell presented Certificates of Recognition to the coaches and team members of Lassiter High School's Softball team in recognition of their teamwork and efforts that led them to winning back-to-back state championships.

2. **To present Certificates of Recognition to the Sprayberry High School's Gold Metro Fast Pitch Softball team for winning the championship for the first time in history.**

Commissioner Birrell presented Certificates of Recognition to the coaches and team members of Sprayberry High School's Gold Metro Softball team in recognition of their teamwork and efforts that led them to winning the championship for the first time in Sprayberry High School history.

3. **To present a donation from Still Family Farm, LLC., to SafePath as part of Gambrill's Great Pumpkin Day.**

Commissioner Gambrill presented a donation from Still Family Farm, LLC., to SafePath as part of Gambrill's Great Pumpkin Day.

4. **To present a Certificate of Recognition to Vidhya Jagannathan of North Cobb Regional Library recognizing her as this year's C.S. Hubbard Scholarship winner.**

Commissioner Gambrill presented a Certificate of Recognition to Vidhya Jagannathan, North Cobb Regional Library Senior Library Assistant, for winning the 2021 C.S. Hubbard Scholarship.

5. To present a proclamation designating November as National Caregivers Month.

Commissioner Gambrell presented a proclamation designating November as *National Caregivers Month* in Cobb County.

PUBLIC COMMENT

1. Ron Sifen addressed the Board regarding the unified development code.
2. Hugh Norris addressed the Board regarding the Covid vaccine in Senior Adults.
3. Pamela Reardon addressed the Board regarding county spending.
4. Hill Wright addressed the Board regarding Stormwater issues.
5. Monica Delancy addressed the Board regarding rental assistance.
6. Gibby Thrift addressed the Board regarding the consent agenda.

Clerk's Note: Chairwoman Cupid defined the Rules and Procedures as to the Consent Agenda and announced Consent Item 8 would be heard as a DOT Regular Item following the Consent Vote.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, with the exception to Consent Item 8, which will be heard as a Regular Agenda Item (See item 22 of these minutes); *as revised*.

CONSENT VOTE: 5-0

Clerk's Note: During the DOT Regular Agenda, Chairwoman Cupid requested the Consent Motion be revisited and revised to include the authorization to execute the necessary documents.

REVISED MOTION: Motion by Cupid, second by Birrell, to **approve** the following items on the Consent Agenda, with the exception to Consent Item 8, which will be heard as a Regular Agenda Item (See item 22 of these minutes), *as revised*; and **authorize** execution of the necessary documents by the appropriate County personnel.

CONSENT VOTE: 5-0

District Attorney

6. **To authorize the acceptance of grant funds from the Criminal Justice Coordinating Council's FY21 Victims of Crime Act and the Bureau of Justice Coronavirus Emergency Supplemental Funding grant programs, through the Prosecuting Attorney's Council of Georgia, to support the District Attorney's Victim Witness Unit.**

To **authorize** the acceptance of grant funds from the Criminal Justice Coordinating Council's FY21 Victims of Crime Act and the Bureau of Justice Coronavirus Emergency Supplemental Funding grant programs, through the Prosecuting Attorney's Council of Georgia, to support the District Attorney's Victim Witness Unit in the amount of \$1,101,277.00; **authorize** the corresponding budget and personnel transactions; **authorize** the transfer of all authorized personnel from Unit G332 and Unit G333 to Units G335 and G336 in the Grant Fund; **authorize** the District Attorney's Office and Finance Department to sign programmatic and finance reports for the Cobb District Attorney Victim Witness Unit; **authorize** the District Attorney to continue contracts previously reviewed by the County Attorney with Kennesaw State University; and **further authorize** the Chairman to execute the necessary documents.

This award is funded under two separate award numbers so funding will be distributed in two Accounting Units. Funding will be available in the Grant Fund with the following budget appropriations:

Increase Revenue:	270-170-G335-4467	CJCC	\$954,972.00
Increase Revenue:	270-170-G336-4467	CJCC	\$146,305.00
Increase Expenditure:	270-170-G335-6012, etc.	appropriate pers. serv. pay & fringe	\$895,572.00
	270-170-G335-6326	Professional Services	\$ 59,400.00
	270-170-G336-6012, etc	appropriate pers. serv. pay & fringe	\$146,305.00

Transportation

7. **To authorize the advertisement for and conduct of a public hearing for the proposed closure and abandonment of a portion of Leland Drive, located in Land Lot 875 of the 17th District, 2nd Section, Cobb County, Georgia.**

To **authorize** the advertisement for and conduct of a public hearing for the proposed closure and abandonment of a portion of Leland Drive, located in Land Lot 875 of the 17th District, 2nd Section, Cobb County, Georgia.

8. **To authorize procurement of 12 local fixed route transit buses for CobbLine utilizing the Unified Government of Athens-Clarke County Heavy Duty Transit Bus Consortium Contract with Gillig, LLC.**

This item was heard as a Regular Agenda Item (See Item 22 of these minutes).

Public Services Agency

Senior Services

9. **To approve the Consolidated Appropriations Act contract with the Atlanta Regional Commission (ARC) to provide nutrition services to Cobb County older adults from October 1, 2021 to June 30, 2022.**

To **approve** the Consolidated Appropriations Act contract with the Atlanta Regional Commission to provide nutrition services to Cobb County older adults from October 1, 2021 to June 30, 2022 in the amount of \$119,914.00, **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget appropriation:

Increase Revenue	277-300-F066-4475	HCBS Nutrition	\$119,914.00
Increase Expenditure	277-300-F066-6166	Food & Food Supplies	\$119,914.00

Support Services Agency

Support Services Administration

10. **To approve an amendment to the Agreement for Purchase and Sale of county surplus property located adjacent to 404 Virginia Place, Marietta, GA, in Land Lot 649, 17th District, 2nd Section to Scott Hickman.**

To **approve** an amendment to the Agreement for Purchase and Sale of county surplus property located adjacent to 404 Virginia Place, Marietta, GA, in Land Lot 649, 17th District, 2nd Section to reduce the purchase price to \$7,500.00 and extend the closing date to on or before January 11, 2022, as set forth in the attached Amendment to Agreement for Purchase and Sale, and **authorize** the Chairwoman to execute the necessary documents.

Property Management

11. **To approve a contract with Garland/Design Build Solutions, Inc., for roof replacements at South Cobb Government Center, Juvenile Court, and Sheriff's Judicial Office Buildings.**

To **approve** a contract with Garland/Design Build Solutions, Inc., in the amount of \$1,639,714.00, for roof replacements at the South Cobb Government Center, located at 4700 Austell Rd, Austell; Juvenile Court, located at 32 Waddell St, Marietta; and the Sheriff's Judicial Office Building, located at 185 Roswell St, Marietta; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget transactions:

Decrease Expenditure: 010-014-0140-8005 (Preliminary Estimates)	\$1,639,714.00
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Increase Expenditure: 010-110-3640-8111 (Roofs)	\$1,639,714.00
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Create GAE with Garland/Design Build Solutions, Inc., with three separate lines as follows:

South Cobb Government Center	010-110-3640-8111	\$313,759.00
Juvenile Court Building	010-110-3640-8111	\$813,969.00
Sheriff's Judicial Office Building	010-110-3640-8111	\$511,986.00

Public Safety Agency

Police Department

12. **To approve an agreement with EAP Consultants, LLC, and authorize the acceptance of a cash donation from the Cobb County Public Safety Foundation.**

To **approve** a Master Service Agreement with EAP Consultants, LLC., for the Cobb County Police Department; **authorize** the acceptance of a cash donation from the Cobb County Public Safety Foundation in an amount not to exceed \$16,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase revenue:	010-130-2100-4920	(Gifts & Donations)	\$16,000.00
Increase expenditure:	010-130-2100-6326	(Professional Services)	\$16,000.00

Community Development

13. **To approve an annexation Notice of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of a 25.33-acre tract located at 5640 Westside Road into the City of Austell.**

To **approve** an annexation Notice of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of 19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; a 25.33-acre tract located at 5640 Westside Road into the City of Austell. A copy of the Notice of Intent to Object and Basis of Objection is attached and made a part of these minutes.

14. **To approve an annexation Notice of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of a 46.02 -acre tract located at 5550 Story Road into the City of Powder Springs.**

To **approve** an annexation Notice of Intent to Object and Basis of Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for annexation of 19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; a 46.02 -acre tract located at 5550 Story Road into the City of Powder Springs. A copy of the Notice of Intent to Object and Basis of Objection is attached and made a part of these minutes.

Human Resources

15. To authorize the application for, and acceptance of, the Georgia Public Safety Officials and First Responders Pay Supplement Grant from the State of Georgia.

To **authorize** the application for, and acceptance of, the Georgia Public Safety Officials and First Responders Pay Supplement Grant in an amount not to exceed \$2,145,464.50; **authorize** the Chairwoman to execute the State Fiscal Recovery Fund Terms and Conditions for Public Safety Officials and First Responders Pay Supplement and any other necessary documents; **authorize** payment to eligible employees; and **further authorize** all corresponding budget transactions.

Funding will be available with the following transactions:

Increase Revenue:	270-095-S097-4496	(State Grants)	\$2,145,464.50
Increase Expenditure:	270-095-S097-6594	(Interfund Expense)	\$2,145,464.50

Grant funding will reimburse payments made from the employee's home fund. Transfers will be based on actual payments, not to exceed:

Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$679,271.50
Increase Expenditure:	010-130-2100-6012	Salaries	\$631,000.00
Increase Expenditure:	010-130-2100-6034	FICA	\$ 48,271.50

Increase Revenue:	010-170-8750-4960	Interfund Revenue	\$ 24,759.50
Increase Expenditure:	010-170-8750-6012	Salaries	\$ 23,000.00
Increase Expenditure:	010-170-8750-6034	FICA	\$ 1,759.50

Increase Revenue:	010-210-9240-4960	Interfund Revenue	\$544,709.00
Increase Expenditure:	010-210-9240-6012	Salaries	\$506,000.00
Increase Expenditure:	010-210-9240-6034	FICA	\$ 38,709.00

Increase Revenue:	010-215-9300-4960	Interfund Revenue	\$ 7,535.50
Increase Expenditure:	010-215-9300-6012	Salaries	\$ 7,000.00
Increase Expenditure:	010-215-9300-6034	FICA	\$ 535.50

Increase Revenue:	230-130-1000-4960	Interfund Revenue	\$753,550.00
Increase Expenditure:	230-130-1000-6012	Salaries	\$700,000.00
Increase Expenditure:	230-130-1000-6034	FICA	\$ 53,550.00

Increase Revenue:	260-130-0200-4960	Interfund Revenue	\$135,639.00
Increase Expenditure:	260-130-0200-6012	Salaries	\$126,000.00
Increase Expenditure:	260-130-0200-6034	FICA	\$ 9,639.00

Finance

16. **To adopt a resolution adopting all budget amendments set forth in agenda items on this date.**

To adopt a resolution adopting all budget amendments set forth in agenda items on this date. A copy of said resolution is attached and made a part of these minutes.

17. **To ratify previous Board of Commissioners actions that authorized the collection and appropriation of various County standard reserves for FY 2022 and authorize the carry forward of all unspent FY 2021 standard, state mandated, and designated reserve funds into FY 2022.**

To **ratify** previous actions that authorize the collection and appropriation of various County standard reserves for FY 2022; **authorize** the carry forward of all unspent FY 2021 standard reserve funds into FY 2022; and **further authorize** all corresponding budget transactions. A copy of attachment A is attached and made a part of these minutes.

Designated revenue for current year funds will be appropriated as received. See attachments for details.

Designated and unspent revenue in prior fiscal year budget will be appropriated in the new fiscal year, including any potential subsequent final year-end close-out adjustments.

CobbWorks

18. **To accept a Workforce Innovation and Opportunity Act (WIOA) grant award from the Technical College System of Georgia for CobbWorks, Inc., to provide education, training, and employment services for Dislocated Workers.**

To **accept** a grant award from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, in the amount of \$1,120,720.00 to provide training and employment services for Dislocated Workers; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-WF22-WF22DW-4430	\$1,120,720.00
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Increase Expenditures:

276-120-WF22-WF22DW-A-Various (Admin)	\$ 112,072.00
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276-120-WF22-WF22DW-P-Various (Program)	<u>\$1,008,648.00</u>
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Total Grant:	\$1,120,720.00
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19. **To accept a Workforce Innovation and Opportunity Act (WIOA) grant award from the Technical College System of Georgia for CobbWorks, Inc., to provide education, training, and employment services for Adult Workers.**

To **accept** a grant award from the Technical College System of Georgia for CobbWorks, Inc., the local Workforce Development Board, in the amount of \$545,025.00 to provide training and employment services for Adult Workers; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for this Workforce Innovation and Opportunity Act grant will be appropriated in the WIOA Fund as follows:

Increase Revenue:

276-120-WF22-WF22AD-4430	\$545,025.00
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Increase Expenditures:

276-120-WF22-WF22AD-A-Various (Admin)	\$ 54,503.00
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276-120-WF22-WF22AD-P-Various (Program)	<u>\$490,522.00</u>
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Total Grant: (See Attachment Details)	\$545,025.00
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20. **To declare as surplus and approve a lease agreement with CobbWorks and Cobb County for property located at 5656 Mableton Pkwy SW, Mableton, GA 30126, (Land Lot 37, 17th District, 2nd Section, Cobb County, Georgia).**

To **declare** as surplus and approve the lease agreement with CobbWorks, Inc. for the vacated property located in Land Lot 37, 17th District, 2nd Section (5656 Mableton Pkwy SW, Mableton, GA 30126, Cobb County, Georgia) for a rental amount of \$75,000.00 per year or \$6,250.00 per month and upon the terms and conditions set forth in the attached Lease Agreement; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

County Clerk

21. **To approve minutes.**

To **approve** the minutes from the following meetings:

- November 8, 2021 - Agenda Work Session
- November 9, 2021 - BOC Work Session
- November 9, 2021 - BOC Regular Meeting

By consensus of the Board Transportation Regular Agenda was moved forward in the Agenda

REGULAR AGENDA

Transportation

22. **To authorize procurement of 12 local fixed route transit buses for CobbLinc utilizing the Unified Government of Athens-Clarke County Heavy Duty Transit Bus Consortium Contract with Gillig, LLC.**

Motion by Birrell, second by Richardson, to **authorize** procurement of 12 local fixed route transit buses for CobbLinc, in an amount not to exceed \$8,329,656.00, utilizing the Unified Government of Athens-Clarke County Heavy Duty Transit Bus Consortium Contract with Gillig, LLC; **authorize** the corresponding budget transactions; and **further authorize** the Purchasing Director to sign the necessary documents

Funding is available in the Transit Grant Fund, with the following budget transfers:

Transfer from:	203-050-T065-8005	Preliminary Estimate	\$1,388,276.00
	203-050-T071-8005	Preliminary Estimate	\$2,776,552.00
	203-050-T072-8005	Preliminary Estimate	\$3,470,690.00
	203-050-T083-8005	Preliminary Estimate	\$ 694,138.00
Transfer to:	203-050-T065-8612	Transit Buses	\$1,388,276.00
	203-050-T071-8612	Transit Buses	\$2,776,552.00
	203-050-T072-8612	Transit Buses	\$3,470,690.00
	203-050-T083-8612	Transit Buses	\$ 694,138.00

VOTE: **ADOPTED 4-1**, Commissioner Gambrill opposed

23. To approve Project No. X2314-TO#1 to the 2020 Master Task Order Contract with Wood Environment & Infrastructure Solutions, Inc., for preliminary engineering design of intersection improvements on Shiloh Road at Royal Drive/Apartment Drive, CCDOT Contract No. 001554.

Motion by Gambrell, second by Richardson, to **approve** Project No. X2314-TO#1 to the 2020 Master Task Order Contract with Wood Environment & Infrastructure Solutions, Inc., in an amount not to exceed \$59,960.00, for preliminary engineering design of intersection improvements on Shiloh Road at Royal Drive/Apartment Drive, CCDOT Contract No. 001554; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

Transfer from:	347-050-X230-X230-8721-X2314-E Preliminary Estimate	\$48,000.00
	347-050-X230-X230-8005-X2314-C RAP Allocation – Preliminary Estimate	\$11,960.00
Transfer to:	347-050-X230-X230-8722-X2314-E Engineering	\$59,960.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Shiloh Road at Royal Drive/Apartment Drive is an eligible project/program under the Safety and Operational Improvements – Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 17). Shiloh Road at Royal Drive/Apartment Drive improvements include signalization of the intersection and reassignment of lanes.

SPLOST Project Summary as of November 3, 2021: Shiloh Road at Royal Drive/Apartment Drive

Budget:	\$2,500,000.00	Expended:	\$42.50
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VOTE: **ADOPTED 5-0**

24. **To approve a contract with Summit Construction & Development, LLC for safety and operational improvements on Circle 75 Parkway at Windy Hill Road, Project No. X2328, CCDOT Contract No. 001659.**

Motion by Richardson, second by Gambrill, to **approve** a contract with Summit Construction & Development, LLC, in an amount not to exceed \$1,060,117.82, for safety and operational improvements on Circle 75 Parkway at Windy Hill Road, Project No. X2328, CCDOT Contract No. 001659; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X230-X230-8005-X2328-A	RAP Allocation – Preliminary Estimate	\$761,917.82
Transfer to:	347-050-X230-X230-8762-X2328-C	Turnkey Construction	\$761,917.82

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Circle 75 Parkway at Windy Hill Road is an eligible project/program under the Safety and Operational Improvements - Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 17). Safety and Operational Intersection Improvements include typical safety and operational intersection improvements or roundabout construction. Specific locations have been determined by analysis.

SPLOST Project Summary as of November 3, 2021: Circle 75 Parkway at Windy Hill Road

Budget:	\$1,300,000.00	Expended:	\$1,334.00
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Available in the Water System DOT Projects - Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects – Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$311,700.00
Transfer to:	Circle 75 Parkway at Windy Hill Road		
	510-500-5756-8260-W4444-C	Construction	\$298,200.00
	510-500-5756-8265-W4444-M	Material and Supplies	\$ 7,500.00
	510-500-5756-8810-W4444-T	Contingency	<u>\$ 6,000.00</u>
		Total:	\$311,700.00

VOTE: ADOPTED 5-0

25. **To approve a Utility Relocation Agreement with Georgia Power Company for preliminary engineering and relocation of facilities on Circle 75 Parkway at Windy Hill Road, Project No. X2328, CCDOT Contract No. 001763.**

Motion by Richardson, second by Gambrell, to **approve** a Utility Relocation Agreement with Georgia Power Company, in an amount not to exceed \$90,223.00, for preliminary engineering and relocation of facilities on Circle 75 Parkway at Windy Hill Road, Project No. X2328, CCDOT Contract No. 001763; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents..

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from: 347-050-X230-X230-8005-X2328-A	RAP Allocation – Preliminary Estimate	\$90,233.00
Transfer to: 347-050-X230-X230-8786-X2328-U	Utility Relocation	\$90,233.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Circle 75 Parkway at Windy Hill Road is an eligible project/program under the Safety and Operational Improvements - Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 17). Safety and Operational Intersection Improvements include typical safety and operational intersection improvements or roundabout construction. Specific locations have been determined by analysis.

SPLOST Project Summary as of November 3, 2021: Circle 75 Parkway at Windy Hill Road

Budget:	\$1,300,000.00	Expended:	\$1,334.00
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VOTE: **ADOPTED 5-0**

26. **To approve Amendment No. 1 to the Cobb Framework Agreement with the City of Kennesaw for roadway improvements on Mack Dobbs Road, Project No. X2606.**

Motion by Gambrell, second by Richardson, to approve Amendment No. 1 to the Cobb Framework Agreement with the City of Kennesaw for roadway improvements on Mack Dobbs Road, Project No. X2606; and **authorize** the Chairwoman to execute the necessary documents.

VOTE: **ADOPTED 5-0**

27. **To approve Change Order No. 1 (final) to the Consultant Services Agreement with Kimley-Horn and Associates, Inc., for engineering design of Dallas Highway at Lost Mountain Road/Mars Hill Road, Project No. X2305, CCDOT Contract No. 000961.**

Motion by Gambrell, second by Richardson, to **approve** Change Order No. 1 (final) to the Consultant Services Agreement with Kimley-Horn and Associates, Inc., a savings to the project in the amount of \$95,490.84, Project No. X2305, CCDOT Contract No. 000961; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease GAE 347042616702:

	347-050-X230-X230-8722-X2305-E	Engineering	\$95,490.84
Transfer from:	347-050-X230-X230-8722-X2305-E	Engineering	\$95,490.84
Transfer to:	347-050-X230-X230-8721-X2305-E	Preliminary Estimate	\$95,490.84

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Dallas Highway at Lost Mountain Road/Mars Hill Road is an eligible project/program under the Safety and Operational Improvements – Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 16). Dallas Highway at Lost Mountain Road/Mars Hill Road improvements include lengthening of the east bound and west bound left turn lanes, reassignment of lanes on the north leg, and widening/reassignment of lanes on the south leg.

SPLOST Project Summary as of November 3, 2021: Dallas Highway at Lost Mountain Road/Mars Hill Road

Budget:	\$2,100,119.28	Expended:	\$285,443.66
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VOTE: **ADOPTED 5-0**

28. **To approve a Consultant Services Agreement with Kimley-Horn and Associates, Inc., for engineering design of Dallas Highway at Lost Mountain Road/Mars Hill Road, Project No. X2305, CCDOT Contract No. 001761.**

Motion by Gambrell, second by Richardson, to **approve** a Consultant Services Agreement with Kimley-Horn and Associates, Inc., in an amount not to exceed \$991,129.45, for engineering design of Dallas Highway at Lost Mountain Road/Mars Hill Road; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	347-050-X230-X230-8761-X2305-C	Preliminary Estimate	\$991,129.45
Transfer to:	347-050-X230-X230-8722-X2305-C	Engineering	\$991,129.45

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Intersection Improvements.

Dallas Highway at Lost Mountain Road/Mars Hill Road is an eligible project/program under the Safety and Operational Improvements – Intersection Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 16). Dallas Highway at Lost Mountain Road/Mars Hill Road improvements include lengthening of the east bound and west bound left turn lanes, reassignment of lanes on the north leg, and widening/reassignment of lanes on the south leg.

SPLOST Project Summary as of November 3, 2021: Dallas Highway at Lost Mountain Road/Mars Hill Road

Budget:	\$2,100,119.28	Expended:	\$285,443.66
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VOTE: **ADOPTED 5-0**

29. To approve a Program Management Agreement with Atkins North America, Inc., for program management services for the 2022 SPLOST Transportation Improvements Program and for continuation of the 2005, 2011, and 2016 SPLOST Transportation Improvements Programs, to include limited general engineering services, individual major infrastructure projects, transit programs, and airport programs, CCDOT Contract No. 001762.

Motion by Cupid, second by Birrell, to **approve** a Program Management Agreement with Atkins North America, Inc., for program management services for the 2022 SPLOST Transportation Improvements Program and for continuation of the 2005, 2011, and 2016 SPLOST Transportation Improvements Programs, to include limited general engineering services, individual major infrastructure projects, transit programs, and airport programs; **approve** Work Authorization I, in an amount not to exceed \$23,383,412.60, for the period of January 1, 2022, through December 31, 2023; and **authorize** the Chairwoman to execute the necessary documents.

Available in the respective SPLOST Transportation Improvements Program Fund approved budgets, as follows:

340-050-Various Units/Subunits/Projects	2005 SPLOST TIP	\$ 1,100,000.00
345-050-Various Units/Subunits/Projects	2011 SPLOST TIP	\$ 2,400,000.00
347-050-Various Units/Subunits/Projects	2016 SPLOST TIP	\$ 8,200,000.00
348-050-Various Units/Subunits/Projects	2022 SPLOST TIP	\$11,683,412.60

VOTE: **ADOPTED 5-0**

30. To approve the recommended ranking of the three most qualified firms to perform scoping study services for Noonday Creek Trail Extension, State P.I. No. 0017781, ARC No. AR-038-2123, Cobb County Project No. X2544.

Motion by Birrell, second by Sheffield, to **approve** the recommended ranking of the three most qualified firms to perform scoping study services for Noonday Creek Trail Extension, State P.I. No. 0017781, ARC No. AR-038-2123, Cobb County Project No. X2544; and **authorize** negotiations for final scope of services and fees beginning with the top-ranked firm, Gresham Smith and Partners, utilizing Selection Process 1 (Competitive Negotiations).

SPLOST Project Summary as of November 3, 2021: Noonday Creek Trail Extension

Budget:	\$301,000.00	Expended:	\$355.00
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VOTE: **ADOPTED 5-0**

31. **To adopt a resolution in support of the Town Center Community Improvement District's submission of a Transportation Improvement Program grant application to the Atlanta Regional Commission for Big Shanty Widening.**

Motion by Birrell, second by Cupid, to **adopt** a resolution in support of the Town Center Community Improvement District's submission of Transportation Improvement Program grant applications to the Atlanta Regional Commission for Big Shanty Widening project. A copy of said resolutions is attached and made a part of these minutes.

VOTE: ADOPTED 5-0

32. **To adopt a resolution in support of the Cumberland Community Improvement District's submission of Transportation Improvement Program grant applications to the Atlanta Regional Commission for Paces Mill/Palisades Unit Rehabilitation, Cumberland Core Loop - Segments D and E, and Cobb Parkway (US 41) Pedestrian Bridge – North.**

Motion by Richardson, second by Gambrill, to **adopt** a resolution in support of the Cumberland Community Improvement District's submission of Transportation Improvement Program grant applications to the Atlanta Regional Commission for Paces Mill/Palisades Unit Rehabilitation, Cumberland Core Loop Segments D and E, and Cobb Parkway (US 41) Pedestrian Bridge - North and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolutions is attached and made a part of these minutes.

VOTE: ADOPTED 5-0

33. **To adopt a resolution in support of the City of Smyrna's submission of a Transportation Improvement Program grant application to the Atlanta Regional Commission for SR 280/South Cobb Drive - Windy Hill Road to Concord Road Improvements.**

Motion by Sheffield, second by Richardson, to **adopt** a resolution in support of the City of Smyrna's submission of a Transportation Improvement Program grant application to the Atlanta Regional Commission for SR 280/South Cobb Drive - Windy Hill Road to Concord Road Improvements; and **authorize** the Chairwoman to execute the necessary documents. A copy of said resolutions is attached and made a part of these minutes.

VOTE: ADOPTED 5-0

County Manager

34. To approve the 2022 Legislative Agenda.

Jimmy Gisi, Deputy County Manager, presented the proposed 2022 Legislative Brief to the Board and the following motion was made:

Motion by Cupid, second by Birrell, to **approve** the 2022 Legislative Brief.

Chairwoman Cupid requested the Boards' support to add an additional focus area to the Legislative Brief. After discussion, the following revised motion was made:

Revised Motion by Cupid, second by Richardson, to **approve** the addition of the following language to the 2022 Legislative Brief Major Policy Focus Areas:

- Support policies that strengthen financial and environmental sustainability.

VOTE: ADOPTED 5-0

Motion by Cupid, second by Sheffield, to **approve** the 2022 Legislative Agenda as revised

VOTE: ADOPTED 5-0; *Commissioner Gambrill opposes legislation that promotes Diversity, Equity and Inclusion.*

A copy of the approved 2022 Legislative Brief is attached and made a part of these minutes.

Public Services Agency

PARKS

35. **To approve Final Change Order No. 1 to the contract with Pond & Company, Inc. for Professional Design and Construction Administration Services for Park Signage and Wayfinding Design Standards, under the 2016 PARKS SPLOST Program.**

Motion by Cupid, second by Sheffield, to **approve** Final Change Order No. 1 to the contract with Pond and Company, Inc. for professional design and construction administration services for Parks Signage and Wayfinding Design Standards, under the 2016 PARKS SPLOST Program, representing a total credit in the amount of \$9,298.80; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

This reflects savings to the 2016 PARKS SPLOST Funds as follows:

Decrease Encumbrance:

GAE 347082818103 347-105-X064-X0643-E-8722 (General Park Improvements) \$9,298.00

The 2016 SPLOST, adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, PARKS Improvements.

General Park Improvements are included as an eligible project under the 2016 SPLOST (Cobb County 2016 SPLOST, Page 31). A consistent and coordinated park signage and wayfinding system will provide a safer and more enjoyable experience for all park visitors.

SPLOST Project Summary as of November 3, 2021 (General Park Improvements)

Budget:	\$3,769,078.75	Expended to Date:	\$3,577,156.61
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VOTE: **ADOPTED 5-0**

36. **To approve three purchase agreements for acquisition of properties located at 675 Smyrna-Powder Springs Road, 3155 Village Lane Place and 3156 Village Lane Place as the proposed site for the new Osborne Community/Recreation Center under the 2016 PARKS SPLOST Program.**

Motion by Sheffield, second by Birrell, to **approve** three purchase agreements for the purchases of certain real properties, located at 675 Smyrna-Powder Springs Road, 3155 Village Lane Place and 3156 Village Lane Place in the amounts and upon the terms and conditions set forth in the agreements attached, as the proposed site for the Osborne Community/Recreation Center; **authorize** the inspection and evaluation of the properties, in an amount not to exceed \$50,000.00; **authorize** the corresponding budget transactions and transfers; and **further authorize** the Chairwoman to execute the necessary documents. A copy of the purchase agreements is attached and made a part of these minutes.

Funding is available in the 2016 PARKS SPLOST Program 347-X0630C

VOTE: **ADOPTED 5-0**

Support Services Agency

Property Management

37. **To approve a two-part design/build contract with Batson-Cook Company, with initial phase to include only the design, project fee, and general conditions costs, for the rebuilding and expansion of Gritters Library, 2016 SPLOST Program, X0530.**

Motion by Birrell, second by Sheffield, to **approve** a two-part design/build contract with Batson-Cook Company, with the initial phase contract amount of \$692,050.00 to include only the design, project fee, and general conditions costs, for the rebuilding and expansion of Gritters Library, located at 880 Shaw Park Road, Marietta, 2016 SPLOST Program, X0530; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2016 SPLOST as follows:

347-080-X053-8125-0530-C	(Construction Expenditures)	\$692,050.00
--------------------------	-----------------------------	--------------

Create GAE in the amount of \$692,050.00

The 2016 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 22, 2014, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Public Services – Libraries.

The Gritters Library renovation is an eligible capital improvement project/program under the 2016 SPLOST. The Gritters Library renovation is an approved project of the Public Services – Libraries (Cobb County 2016 SPLOST, p33) which provides for renovation and expansion with more advanced technology to meet growing demographic needs; enhanced programs and services and community meeting room.

SPLOST Project summary as of November 3, 2021:

Budget: \$6,850,000.00	Expended:	\$ 69,480.00
	This agenda item:	<u>\$692,050.00</u>
		\$761,530.00

VOTE: **ADOPTED 5-0**

NON AGENDA

Motion by Cupid, second by Richardson, to approve the addition of the following non-agenda item.

VOTE: **ADOPTED 5-0**

COUNTY ATTORNEY

38. **To adopt a Resolution authorizing Cobb County to settle the below litigation case as to Defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., to agree to the terms of State of Georgia and Local Governments: Memorandum of Understanding (MOU) Concerning National Distributor and Johnson & Johnson Opioid Settlements, and to enter into that MOU with the State of Georgia; authorizing Finance to create a segregated bank account and fund for receipt of settlement proceeds; and authorizing County Attorney H. William Rowling, Jr., to execute all necessary settlement documents.**

Motion by Cupid, second by Sheffield, to **adopt** a Resolution authorizing Cobb County to settle the below litigation case as to Defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., to agree to the terms of State of Georgia and Local Governments: Memorandum of Understanding (MOU) Concerning National Distributor and Johnson & Johnson Opioid Settlements, and to enter into that MOU with the State of Georgia; **authorize** Finance to create a segregated bank account and fund for receipt of settlement proceeds; and **further authorize** County Attorney H. William Rowling, Jr., to execute all necessary settlement documents.

Settlement funds will be received and placed in a segregated bank account and designated fund to be used exclusively for funding opioid abatement measures, as memorialized in the Resolution attached hereto.

VOTE: **ADOPTED 4-1**, Commissioner Gambrell opposed

PUBLIC COMMENT

1. John McLean addressed the Board regarding Zoning
2. Christine Rozman addressed the Board regarding the Consent Agenda.
3. Todd Rudy addressed the Board regarding Austell/Powder Springs Rd, traffic signal.
4. Lana Green addressed the Board regarding Austell/Powder Springs Rd, traffic signal..
5. Carol Brown addressed the Board regarding Zoning Code Amendments.

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 18, 2021
7:00 PM**

Page | 22

ADJOURNMENT

The meeting was adjourned at 9:32 p.m.

A handwritten signature in black ink, appearing to read 'Angela Cunningham', written over a horizontal line.

Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners



**COBB COUNTY
BOARD OF COMMISSIONERS**

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0090 0000 6545 2864

November 2, 2021

The Honorable Ollie Clemons, Jr.
Mayor
City of Austell
5000 Austell-Powder Springs Road Suite 137
Austell, Georgia 30106

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Clemons:

We are in receipt of the above-referenced annexation and rezoning request. Please accept this response to the annexation proposal for 5640 Westside Road. The City of Austell has petitioned to annex 25.33 acres by the 100% method; however, the county records indicate that the parcel has a different size and shape. The applicant submitted a survey that indicates the configuration of the property is different than what is in the county records. Additionally, the legal description submitted does not match the deed in Cobb County Deed Book 11779, page 204. The applicant needs to reconcile the discrepancies between:

- a. The legal description provided in the application not matching the recorded deed (Cobb County Deed Book 11779, pages 204-205); and
- b. The size of the property: survey by John Huffman dated 8-11-2021 shows 25.33 acres. The county Tax Assessor parcel data indicates the property is 28.17 acres; and
- c. The different geometry of property lines that do not match the recorded deed or Tax Assessor map.

The subject property is currently zoned R-30 and is within an area identified as Low Density Residential (LDR) according to the Cobb County Future Land Use Map. Upon annexation, the applicant proposes to rezone the site to Planned Unit Development (PUD) for 62 residential lots. This property has been zoned R-30 since 1972. No application for rezoning of the property was previously submitted to Cobb County.

The proposed City of Austell zoning of PUD with a density that is over 2.5 units/ acre does not comply with the HB 489 Agreement. Appendix A indicates that a County LDR designation can have up to 2.5 units/acre in a City PUD zoning. The 5.21 units/ per acre proposed does not comply with the allowed density by the HB 489 agreement. It is also noted that the proposed

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

density of 5.21 units/ acre exceeds the City of Austell's Zoning Ordinance density allowance of 3.5 units/ acre for a PUD (Austell Code section 48-145(9)) when the floodplain is deducted.

The petition also does not comply with Section 4 of the HB 489 Intergovernmental Agreement as two new unincorporated islands would be created. O.C.G.A § 36-36-4(a)(2) prohibits the creation of unincorporated islands by way of "annexation or deannexation which would result in the creation of an unincorporated area with its aggregate external boundaries abutting any combination of the annexing municipality and one or more other municipalities."

The parcels that would be in the first potential unincorporated island to the south of the subject property are:

Parcel ID	Address	Owner
19131500060	Westside Rd (unaddressed)	James Sheehy
19131400080	3721 Goodwin Rd.	Cobb County
19131400070	3700 Goodwin Rd	Jackson, Susan S.

The parcels that would be in the second potential unincorporated island to the east of the subject property are:

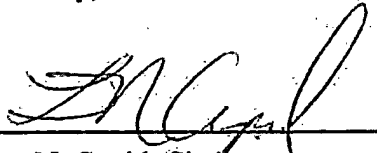
Parcel ID	Address	Owner
19131400060	5602 Westside Rd.	Butler, Erika and James
19131400040	5604 Westside Rd.	Davis, Erika

Due to the inconsistency with official records, creation of unincorporated islands, and the application not meeting the HB 489 Intergovernmental Agreement, this letter serves as the County's **intent to object** to the proposed annexation.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

Sincerely,



Lisa N. Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

Keli A. Gambrell

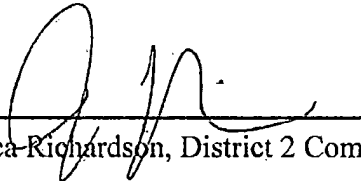
Keli Gambrell, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,



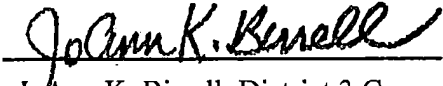
Jerica Richardson, District 2 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

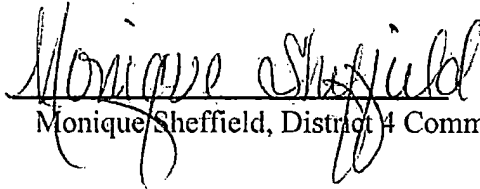

JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
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Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,


Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

County Staff Comments- Austell Annexation- 5640 Westside Rd.- October 2021

Water service for this parcel is currently provided and will continue to be provided by the City of Austell.

Wastewater flow from the site will continue to be treated at the South Cobb WRF where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements.

Because Austell will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure gain or loss.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott
Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

The Fire Department has no rebuttal against the annexation of the referenced property.

Rock Toler
Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal's Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

Cemetery Preservation

The McKinney Family Cemetery is in Land Lot 820, 18th District but does not appear to be affected by this proposal.

Helga Hong
Cobb County Cemetery Preservation Commission

Stormwater Management

A very large portion of this property is covered with Floodway, Floodplain and undisturbed stream buffers. The stream buffer along the main channel is 100'.

This property would be very difficult to develop into a 60 lot subdivision.
We would need to make sure the City enforces FEMA regulations and County stream buffer ordinances.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

No objections from a GIS/Addressing perspective.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

See attached comments

APPLICANT: AUSTELL

LAND LOT: 1314/19 and 19/18

PRESENT ZONING: R-30

PETITION FOR: PUD

TRANSPORTATION COMMENTS & RECOMMENDATIONS

The following comments and recommendations are based on office review of the subject annexation/rezoning case:

Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Westside Road is classified as a local residential roadway. Right-of-way does appear to meet the minimum requirements.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend curb, gutter and sidewalk along entire property frontage.

A Georgia Department of Transportation (GDOT) Permit will be required for any encroachments within or adjacent to GDOT right-of-way, 770-216-3893 or 3891. ADD NOTE.



COBB COUNTY
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0009 0000 6545 2871

November 4, 2021

The Honorable Al Thurman
Mayor
City of Powder Springs
P.O. Box 46
Powder Springs, Georgia 30127

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Thurman:

We are in receipt of the above-referenced annexation request. Please accept this response to the annexation proposal for 5550 Story Road. The City of Powder Springs has petitioned to annex 46.02 acres by the 100% method. The proposal is to annex a portion of the property (PIN 19088300010), leaving part of the property as unincorporated. The total current area of the property is 49.77 acres according to the submitted survey. The property is split by Story Road, with both the northern section and southern section having the same parcel number.

The applicant submitted a survey map showing two “cut-out areas” that are 2.5 acres on “Tract 1” and 1.25 acres on “Tract 2.” However, because the Tract 1 Cut-Out area includes another parcel addressed as 5556 Story Road (19088300150) that is not in the application, it is incomplete. The submitted survey map showing the areas for annexation are not showing the property lines for 5556 Story Road. Based upon mapping by the Cobb County Community Development Agency (“Community Development”), the proposed annexation line runs through a portion of this parcel when compared to the Tax Assessor’s parcel map.

The proposed subdivision map titled “Story Road” also does not show the existing parcel lines that separate 5550 Story Road from 5556 Story Road. The proposed new property lines would leave two dwellings on the same property, which violates the Cobb County Zoning Ordinance Section 134-1: Definition of a Single-Family Dwelling. The applicant also did not submit any information to show that 5556 Story Road is a legal lot of record as required by Cobb County Development Standards. It appears the deed for the property (D.B. 14262, Pg. 2049) violates the Standards Section 200.1 that requires any lot to be created by plat, rather than just a deed. The remedy for this situation is to first file a plat for review by Community Development for the 5556 Story Road lot before the annexation process. The County would also need to review the

Equal Opportunity Employer

Cobb County...Expect the Best!
www.cobbcounty.org

Reference No. 14

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

subdivision, for the property lines would be changed in the areas that are proposed to remain unincorporated.

The subject property is currently zoned R-30 and is within an area identified as Very Low Density Residential (VLDR) according to the Cobb County Future Land Use Map. Upon annexation, the applicant proposes to rezone the site to PUD-R for 152 residential lots. This property has been zoned R-30 since 1972. No application for rezoning of the property was previously submitted to Cobb County. It still has the original zoning classification.

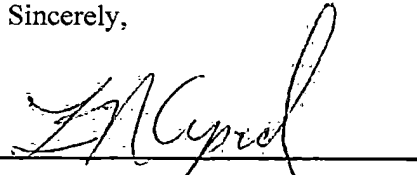
The Cobb County Future Land Use Plan indicates this parcel as Very Low Density Residential (VLDR). This category has a recommended density of 0 to 2 units/acre in the Cobb County Comprehensive Plan. The HB 489 agreement limits the City upon annexation to 2 units/ acre for VLDR. The agreement also indicates that PUD-R is not allowed in VLDR. The proposed density of 3.33 units/ acre exceeds the allowed density cap of 2 units/ acre in the HB 489 agreement for this area.

Due to the inconsistency with official records, potential violation of the Cobb County Zoning Ordinance and Development Standards and the application not meeting the HB 489 Intergovernmental Agreement, this letter serves as the County's **intent to object** to the proposed annexation.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

Sincerely,



Lisa Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

Keli A. Gambrell

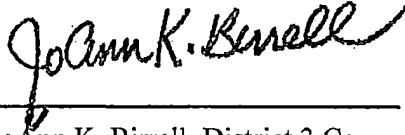
Keli Gambrell, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,



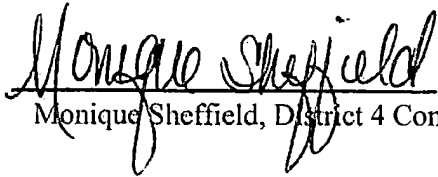
JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

A handwritten signature in black ink that reads "Monique Sheffield". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

County Staff Comments- Powder Springs Annexation- 5550 Story Rd., November 2021

Water service for 5550 Story Road is provided by the existing CCWS water main in Story Road.

Wastewater for the parcel can be treated at the South Cobb WRF where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements.

Because CCWS will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure loss.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott
Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

The Fire Department has no rebuttal against the annexation of the referenced property.

Rock Toler
Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal's Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

Cemetery Preservation

The Coker/ Elliot Family Cemetery is in Land Lot 883, parcel 11, 19th District but does not appear to be affected by this proposal.

Helga Hong
Cobb County Cemetery Preservation Commission

Stormwater Management

This property contains stream and floodplain. The stream has a 50' undisturbed buffer with a 25' impervious setback.

There is some floodplain at the northern property line. The topography is steep in some areas.

The City of Powder Springs will need to enforce the stream buffers and the FEMA floodplain requirements.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

I **object** to this annexation, based on the mapping, platting, and surveying inconsistencies for these pieces of property. Official records need to be provided that clearly define the property lines. The survey and associated site plan should align with those records.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

See attached comments

APPLICANT: Powder Springs

LAND LOT: 820, 821, 882, 883/19

PRESENT ZONING: R-30

PETITION FOR: PUD

TRANSPORTATION COMMENTS & RECOMMENDATIONS

The following comments and recommendations are based on office review of the subject annexation/rezoning case:

Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Story Road is classified as a local residential roadway. Right-of-way does appear to meet the minimum requirements, 50' from centerline of the roadway.

Recommend curb and gutter along Story Road frontage for each property.

Recommend sidewalk along Story Road frontage for the northern property.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.



**COBB COUNTY
BOARD OF COMMISSIONERS**

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0090 0000 6545 2864

November 2, 2021

The Honorable Ollie Clemons, Jr.
Mayor
City of Austell
5000 Austell-Powder Springs Road Suite 137
Austell, Georgia 30106

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Clemons:

We are in receipt of the above-referenced annexation and rezoning request. Please accept this response to the annexation proposal for 5640 Westside Road. The City of Austell has petitioned to annex 25.33 acres by the 100% method; however, the county records indicate that the parcel has a different size and shape. The applicant submitted a survey that indicates the configuration of the property is different than what is in the county records. Additionally, the legal description submitted does not match the deed in Cobb County Deed Book 11779, page 204. The applicant needs to reconcile the discrepancies between:

- a. The legal description provided in the application not matching the recorded deed (Cobb County Deed Book 11779, pages 204-205); and
- b. The size of the property: survey by John Huffman dated 8-11-2021 shows 25.33 acres. The county Tax Assessor parcel data indicates the property is 28.17 acres; and
- c. The different geometry of property lines that do not match the recorded deed or Tax Assessor map.

The subject property is currently zoned R-30 and is within an area identified as Low Density Residential (LDR) according to the Cobb County Future Land Use Map. Upon annexation, the applicant proposes to rezone the site to Planned Unit Development (PUD) for 62 residential lots. This property has been zoned R-30 since 1972. No application for rezoning of the property was previously submitted to Cobb County.

The proposed City of Austell zoning of PUD with a density that is over 2.5 units/ acre does not comply with the HB 489 Agreement. Appendix A indicates that a County LDR designation can have up to 2.5 units/acre in a City PUD zoning. The 5.21 units/ per acre proposed does not comply with the allowed density by the HB 489 agreement. It is also noted that the proposed

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

density of 5.21 units/ acre exceeds the City of Austell's Zoning Ordinance density allowance of 3.5 units/ acre for a PUD (Austell Code section 48-145(9)) when the floodplain is deducted.

The petition also does not comply with Section 4 of the HB 489 Intergovernmental Agreement as two new unincorporated islands would be created. O.C.G.A § 36-36-4(a)(2) prohibits the creation of unincorporated islands by way of "annexation or deannexation which would result in the creation of an unincorporated area with its aggregate external boundaries abutting any combination of the annexing municipality and one or more other municipalities."

The parcels that would be in the first potential unincorporated island to the south of the subject property are:

Parcel ID	Address	Owner
19131500060	Westside Rd (unaddressed)	James Sheehy
19131400080	3721 Goodwin Rd.	Cobb County
19131400070	3700 Goodwin Rd	Jackson, Susan S.

The parcels that would be in the second potential unincorporated island to the east of the subject property are:

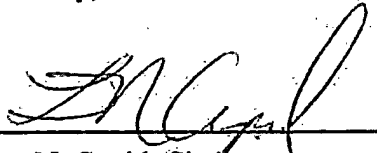
Parcel ID	Address	Owner
19131400060	5602 Westside Rd.	Butler, Erika and James
19131400040	5604 Westside Rd.	Davis, Erika

Due to the inconsistency with official records, creation of unincorporated islands, and the application not meeting the HB 489 Intergovernmental Agreement, this letter serves as the County's **intent to object** to the proposed annexation.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

Sincerely,



Lisa N. Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

Keli A. Gambrell

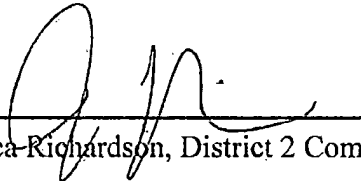
Keli Gambrell, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation—19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,



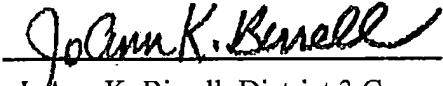
Jerica Richardson, District 2 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

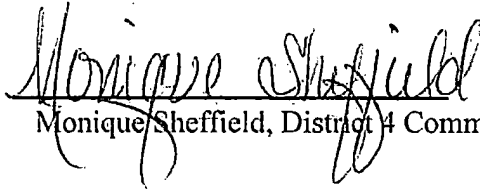

JoAnn K. Birrell, District 3 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

Re: Petition for Annexation–19th District, Land Lot 1314, Parcel 2; 19th District, Land Lots 1315, 1276, 1277; and 18th District, Land Lot 19; 5640 Westside Road, Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,


Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Darrell Weaver, Director, City of Austell Community Affairs– Via Email
Christine Dobbs, Assistant Director, City of Austell Community Affairs– Via Email

County Staff Comments- Austell Annexation- 5640 Westside Rd.- October 2021

Water service for this parcel is currently provided and will continue to be provided by the City of Austell.

Wastewater flow from the site will continue to be treated at the South Cobb WRF where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements.

Because Austell will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure gain or loss.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott
Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

The Fire Department has no rebuttal against the annexation of the referenced property.

Rock Toler
Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal's Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

Cemetery Preservation

The McKinney Family Cemetery is in Land Lot 820, 18th District but does not appear to be affected by this proposal.

Helga Hong
Cobb County Cemetery Preservation Commission

Stormwater Management

A very large portion of this property is covered with Floodway, Floodplain and undisturbed stream buffers. The stream buffer along the main channel is 100'.

This property would be very difficult to develop into a 60 lot subdivision.
We would need to make sure the City enforces FEMA regulations and County stream buffer ordinances.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

No objections from a GIS/Addressing perspective.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

See attached comments

APPLICANT: AUSTELL

LAND LOT: 1314/19 and 19/18

PRESENT ZONING: R-30

PETITION FOR: PUD

TRANSPORTATION COMMENTS & RECOMMENDATIONS

The following comments and recommendations are based on office review of the subject annexation/rezoning case:

Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Westside Road is classified as a local residential roadway. Right-of-way does appear to meet the minimum requirements.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend curb, gutter and sidewalk along entire property frontage.

A Georgia Department of Transportation (GDOT) Permit will be required for any encroachments within or adjacent to GDOT right-of-way, 770-216-3893 or 3891. ADD NOTE.



**COBB COUNTY
BOARD OF COMMISSIONERS**

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0009 0000 6545 2871

November 4, 2021

The Honorable Al Thurman
Mayor
City of Powder Springs
P.O. Box 46
Powder Springs, Georgia 30127

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Thurman:

We are in receipt of the above-referenced annexation request. Please accept this response to the annexation proposal for 5550 Story Road. The City of Powder Springs has petitioned to annex 46.02 acres by the 100% method. The proposal is to annex a portion of the property (PIN 19088300010), leaving part of the property as unincorporated. The total current area of the property is 49.77 acres according to the submitted survey. The property is split by Story Road, with both the northern section and southern section having the same parcel number.

The applicant submitted a survey map showing two “cut-out areas” that are 2.5 acres on “Tract 1” and 1.25 acres on “Tract 2.” However, because the Tract 1 Cut-Out area includes another parcel addressed as 5556 Story Road (19088300150) that is not in the application, it is incomplete. The submitted survey map showing the areas for annexation are not showing the property lines for 5556 Story Road. Based upon mapping by the Cobb County Community Development Agency (“Community Development”), the proposed annexation line runs through a portion of this parcel when compared to the Tax Assessor’s parcel map.

The proposed subdivision map titled “Story Road” also does not show the existing parcel lines that separate 5550 Story Road from 5556 Story Road. The proposed new property lines would leave two dwellings on the same property, which violates the Cobb County Zoning Ordinance Section 134-1: Definition of a Single-Family Dwelling. The applicant also did not submit any information to show that 5556 Story Road is a legal lot of record as required by Cobb County Development Standards. It appears the deed for the property (D.B. 14262, Pg. 2049) violates the Standards Section 200.1 that requires any lot to be created by plat, rather than just a deed. The remedy for this situation is to first file a plat for review by Community Development for the 5556 Story Road lot before the annexation process. The County would also need to review the

Equal Opportunity Employer

Cobb County...Expect the Best!
www.cobbcounty.org

Reference No. 14

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

subdivision, for the property lines would be changed in the areas that are proposed to remain unincorporated.

The subject property is currently zoned R-30 and is within an area identified as Very Low Density Residential (VLDR) according to the Cobb County Future Land Use Map. Upon annexation, the applicant proposes to rezone the site to PUD-R for 152 residential lots. This property has been zoned R-30 since 1972. No application for rezoning of the property was previously submitted to Cobb County. It still has the original zoning classification.

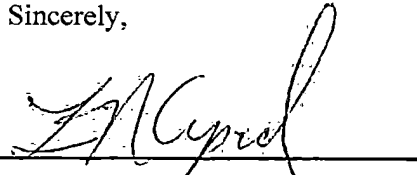
The Cobb County Future Land Use Plan indicates this parcel as Very Low Density Residential (VLDR). This category has a recommended density of 0 to 2 units/acre in the Cobb County Comprehensive Plan. The HB 489 agreement limits the City upon annexation to 2 units/ acre for VLDR. The agreement also indicates that PUD-R is not allowed in VLDR. The proposed density of 3.33 units/ acre exceeds the allowed density cap of 2 units/ acre in the HB 489 agreement for this area.

Due to the inconsistency with official records, potential violation of the Cobb County Zoning Ordinance and Development Standards and the application not meeting the HB 489 Intergovernmental Agreement, this letter serves as the County's **intent to object** to the proposed annexation.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

Sincerely,



Lisa Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

Keli A. Gambrell

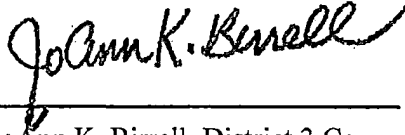
Keli Gambrell, District 1 Commissioner

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Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
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Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

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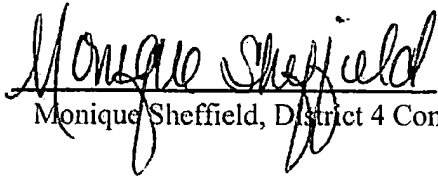
JoAnn K. Birrell, District 3 Commissioner

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Re: Petition for Annexation –19th District, Land Lot 883, Parcel 001; 19th District, Land Lots 882, 820 and 821; 5550 Story Road Cobb County, Georgia; Notice of Intent to Object.

[signature page continued]

Sincerely,

A handwritten signature in black ink that reads "Monique Sheffield". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, Community Development Director – Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

County Staff Comments- Powder Springs Annexation- 5550 Story Rd., November 2021

Water service for 5550 Story Road is provided by the existing CCWS water main in Story Road.

Wastewater for the parcel can be treated at the South Cobb WRF where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements.

Because CCWS will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure loss.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott
Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

The Fire Department has no rebuttal against the annexation of the referenced property.

Rock Toler
Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal's Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

Cemetery Preservation

The Coker/ Elliot Family Cemetery is in Land Lot 883, parcel 11, 19th District but does not appear to be affected by this proposal.

Helga Hong
Cobb County Cemetery Preservation Commission

Stormwater Management

This property contains stream and floodplain. The stream has a 50' undisturbed buffer with a 25' impervious setback.

There is some floodplain at the northern property line. The topography is steep in some areas.

The City of Powder Springs will need to enforce the stream buffers and the FEMA floodplain requirements.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

I **object** to this annexation, based on the mapping, platting, and surveying inconsistencies for these pieces of property. Official records need to be provided that clearly define the property lines. The survey and associated site plan should align with those records.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

See attached comments

APPLICANT: Powder Springs

LAND LOT: 820, 821, 882, 883/19

PRESENT ZONING: R-30

PETITION FOR: PUD

TRANSPORTATION COMMENTS & RECOMMENDATIONS

The following comments and recommendations are based on office review of the subject annexation/rezoning case:

Reviewed plans do not show detailed plans and/or specific uses. Additional concerns/comments will be provided after plans have been submitted to Cobb County via the formal Plan Review Process.

Story Road is classified as a local residential roadway. Right-of-way does appear to meet the minimum requirements, 50' from centerline of the roadway.

Recommend curb and gutter along Story Road frontage for each property.

Recommend sidewalk along Story Road frontage for the northern property.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Resolution

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTING ALL BUDGET AMENDMENTS
SET FORTH IN AGENDA ITEMS ON THIS DATE

WHEREAS, Georgia Law, O.C.G.A. § 36-81-3 (b), requires each unit of government to operate under an annual balanced budget adopted by ordinance or resolution; and

WHEREAS, Cobb County Code 2-49 provides for revisions to the adopted budget during the year only by formal action of the commission in a regular meeting; and

WHEREAS, in official opinion date February 24, 1999, the Attorney General of the State of Georgia concluded that all amendments to the budgets of local government must be adopted by ordinance or resolution;

NOW, THEREFORE, BE IT RESOLVED the Cobb County Board of Commissioners does hereby adopt all such budget amendments as are set forth in agenda items which are adopted by the Board of Commissioners without change this date, as well as other such budget amendments as shall be specifically detailed in motions adopted by the Board of Commissioners this date.

This 18th of November 2021

FUND	DEPARTMENT NAME	DEPT	UNIT	REV	OBJ-CD	OBJ-DESC	CARRY FORWARD
010	GENERAL FUND ADMIN-CCGA (Cobb 101)	014	0143	4980	8852	Fund Bal Res	\$779.96
010	GENERAL FUND ADMIN-CCYC (Youth Council)	014	0146	4980	8852	Fund Bal Res	\$0.00
010	COMMUNICATIONS	021	0258	4980	8852	Fund Bal Res	\$1,766,988.35
010	COMM DEV	030	0310	4980	8852	Fund Bal Res	\$72,552.22
010	COMM DEV-INSPECTIONS	030	0320	4980	6339	Judicial in Rem	\$207,742.93
010	COMM DEV-ZONING	030	0340	4980	6197	Signage Supplies	\$41,823.61
010	COMM DEV-PLANNING	030	0345	4980	8852	Fund Bal Res	\$44,291.25
010	COMM DEV-CODE ENF	030	0350	4980	8852	Fund Bal Res	\$241,125.19
010	COMM DEV-RESERVES	030	0390	4980	8852	Fund Bal Res	\$132,359.83
010	COMM DEV-NPDES (EROSION)	030	0395	4980	8852	Fund Bal Res	\$53,295.15
010	DATE FUND	040	0500	4980	8852	Fund Bal Res	\$661,234.87
010	ADAPT	040	0513	4980	8852	Fund Bal Res	\$1,380.00
010	DOT-AIRPORT	050	0720	4980	8852	Fund Bal Res	\$1,355,046.14
010	DOT-UTILITIES PERMIT	050	0730	4980	8852	Fund Bal Res	\$413,860.63
010	FLEET-MISC COUNTY SERVICES	060	0920	4980	8852	Fund Bal Res	\$32,168.47
010	LIBRARY	080	1800	4980	8852	Fund Bal Res	\$117,902.50
010	PARKS-ADMIN	105	3050	4980	8852	Fund Bal Res	\$15,324.19
010	PARKS-PROGRAMMING	105	3100	4980	8852	Fund Bal Res	\$100.00
010	PARKS-PROGRAMMING	105	3100	4980	8852	Fund Bal Res	\$4,154.69
010	PARKS-ARTS/CULTURAL AFFAIRS	105	3130	4980	8852	Fund Bal Res	\$12,799.00
010	PARKS-OPERATIONS	105	3200	4980	8852	Fund Bal Res	\$471,929.51
010	PARKS-STOUT TRUST FUND	105	3304	4980	8852	Fund Bal Res	\$411,138.18
010	PARKS-AQUATICS	105	3340	4980	8852	Fund Bal Res	\$2,460.32
010	PARKS-TENNIS	105	3360	4980	8852	Fund Bal Res	\$30,616.84
010	PARKS-NATURAL RESOURCES	105	3380	4980	8852	Fund Bal Res	\$44,412.80
010	PARKS-MABLE HOUSE	105	MHBA	4980	8852	Fund Bal Res	\$21,450.00
010	DPS-800 MHZ	130	1900	4980	8852	Fund Bal Res	\$231,705.73
010	DPS-POLICE	130	2100	4980	8852	Fund Bal Res	\$842,998.26
010	DPS-ANIMAL SERVICES	130	3800	4980	8852	Fund Bal Res	\$83,038.40
010	DPS-TRAINING CENTER	130	3900	4980	8852	Fund Bal Res	\$6,223.36
010	MEDICAL EXAMINER	150	8390	4980	8852	Fund Bal Res	\$19,342.00
010	CLERK OF STATE COURT	160	8500	4980	8852	Fund Bal Res	\$242,029.61
010	CLERK OF SUPERIOR COURT	165	8600	4980	8852	Fund Bal Res	\$937,113.15
010	DISTRICT ATTORNEY-VIC. WIT. 5%	170	8775	4980	8852	Fund Bal Res	\$381.03
010	JUVENILE COURT	190	8900	4980	8852	Fund Bal Res	\$31.00
010	JUVENILE SERVICES	190	8950	4980	8852	Fund Bal Res	\$396,566.47
010	SHERIFF-ADMIN	210	9220	4980	8852	Fund Bal Res	\$80,347.00
010	SHERIFF-DETENTION	210	9240	4980	8852	Fund Bal Res	\$404,403.56
010	SOLICITOR-VIC. WIT. 5%	215	9350	4980	8852	Fund Bal Res	\$465.69
010	STATE COURT-DUI	220	9405	4980	8852	Fund Bal Res	\$264,843.60
010	SUPERIOR COURT-ADMIN	225	9510	4980	8852	Fund Bal Res	\$52,888.89
010	SUPERIOR COURT-ADR	225	9540	4980	8852	Fund Bal Res	\$37,665.26
010	ACCOUNTABILITY-DRUG COURT	225	9551	4980	8852	Fund Bal Res	\$88,761.15
010	ACCOUNTABILITY-MENTAL HEALTH COURT	225	9552	4980	8852	Fund Bal Res	\$7,335.74
010	ACCOUNTABILITY-VETERANS COURT	225	9560	4980	8852	Fund Bal Res	\$147,265.47
010	TAX COMMISSIONER	230	9600	4980	6339	Judicial in Rem	\$8,151.50
010	SENIOR SERVICES-ADMIN	300	0060	4980	8852	Fund Bal Res	\$393,532.16
010	SENIOR SERVICES-SOCIAL SERVICES	300	0070	4980	8852	Fund Bal Res	\$404.00
010	SENIOR SERVICES-MULTIPURPOSE	300	0075	4980	8852	Fund Bal Res	\$80,544.08
600	SW&B-KEEP COBB BEAUTIFUL	700	4950	4980	8852	Fund Bal Res	\$575,872.51
700	CLAIMS-WELLNESS FUND	095	WELL	4980	8852	Fund Bal Res	\$240,405.74

*Interfund transactions needed:

Keep Cobb Beautiful Program Reserves

Decrease Expenditure: (General Fund - Cobb Tree Reserves) 010-030-0390-8852 \$132,359.83

Increase Expenditure: (Fund 600 - KCB - Cobb Tree Reserves) 600-700-4950-8852 \$132,359.83

General Fund \$10,482,973.74

SW&B Fund \$575,872.51

Claims Fund \$240,405.74

\$11,299,251.99

Reference No.

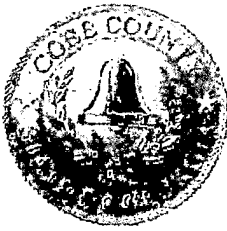
17

FY 2022 Ongoing Monthly Standard Reserves

Standard Reserve Revenue	Standard Reserve Expenditure	Description
010-1BD-1BD-4920	010-1BD-1BD-8818	Gift & Donations - Allocated to depts where received
010-1BD-1BD-4924	010-1BD-1BD-8818	Juror Donations - Allocated to depts where received
010-014-0143-4920	010-014-0143-8810	Cobb Government Citizens Academy - Cobb 101
010-014-0146-4920	010-014-0146-8818	Cobb County Government Youth Council
010-021-0258-4888	010-021-0258-8818	Communications - Public Education Government (PEG) Fees
010-030-0310-4888	010-030-0310-8818	Community Development - Subdivision Bond-Road Top Coat
010-030-0310-4818	010-030-0320-8818	Community Development - Developer Contributions - Road Topping Fee
010-030-0320-4534	010-030-0320-6339	Community Development - Judicial In Rem Fees (Court Ordered Demolition)
010-030-0340-4564	010-030-0340-6197	Community Development - Zoning Signs Bond
010-030-0350-4804	010-030-0350-8818	Community Development - Code Enforcement - Fines - Weed Ordinance Violations
010-030-0350-4920	010-030-0390-8818**	Community Development - Reserves Tree Fund donations
010-030-0395-4337	010-030-0395-8818	Community Development - NPDES Permits
010-040-0500-4803	010-040-0500-8818	Drug Treatment and Education - Drug Sanction Fees (DATE Funds)
010-040-0513-4955	010-040-0513-8818	ADAPT fund
010-060-0920-4566	010-060-0920-8818	Miss. County Services
010-080-1800-4852	010-080-1800-8818	Library - Better World Books
010-080-1800-4940	010-080-1800-8818	Library - Book Sales
010-105-3050-4852	010-105-3050-8818	Parks - Better World Books
010-105-3200-4870	010-105-3200-8818	Parks - Cell Tower Funds
010-130-1900-4870	010-130-1900-8818	800 MHz Radio Site - Lost Min Rental
010-130-2100-4810	010-130-2100-6363	School Bus Camera Program - American Traffic Solutions
010-130-2100-4810	010-130-2100-6574	School Bus Camera Program - Cobb Board of Education
010-130-2100-4810	010-130-2100-8818	School Bus Camera Program - Cobb Police
010-130-2100-4506	010-130-2100-8818	Police - False Alarm Fees
010-130-2100-4546	010-130-2100-8818	Police - LexisNexis Data Processing Fees (Beginning in FY2022)
010-130-2100-4948	010-130-2100-8818	Police - Forfeited Weapons
010-130-3900-4576	010-130-3900-8818	DPS Training Center - GA DDS Rental Agreement
010-150-8390-4494	010-150-8390-6326	Medical Examiner - Toxicology Testing Fees
010-160-8500-4546	010-160-8500-8818	Clerk of State Court - E-filing
010-165-8600-4546	010-165-8600-8818	Clerk of Superior Court - E-filing
010-165-8600-4858	010-165-8600-8818	Clerk of Superior Court - Technology Improvements
010-055-0800-4811	010-170-8775-8818	5% Crime - Victim Witness (District Attorney)
010-160-8500-4811	010-170-8775-8818	5% Crime - Victim Witness (District Attorney)
010-165-8600-4811	010-170-8775-8818	5% Crime - Victim Witness (District Attorney)
010-185-8861-4811	010-170-8775-8818	5% Crime - Victim Witness (District Attorney)
010-190-8900-4811	010-170-8775-8818	5% Crime - Victim Witness (District Attorney)
010-190-8900-4955	010-190-8900-8818	Juvenile Court - Family Dependency Treatment Court Sanctions & Men's Group Fee
010-190-8950-4365	010-190-8950-8818	Juvenile Court - Probation Fees
010-210-9220-4808	010-210-9220-8818	Sheriff - Forfeited Funds
010-165-8600-4811	010-215-9350-8818	5% Crime - Victim Witness (Solicitor)
010-165-8600-4811	010-215-9350-8818	5% Crime - Victim Witness (Solicitor)
010-185-8861-4811	010-215-9350-8818	5% Crime - Victim Witness (Solicitor)
010-190-8900-4811	010-215-9350-8818	5% Crime - Victim Witness (Solicitor)
010-220-9405-4858	010-220-9405-8818	State Court - DUI Court - Treatment and Testing Participation Fees
010-225-9510-4858	010-225-9510-8818	Superior Court - Family Law Workshop
010-165-8600-4579	010-225-9540-8818	Clerk of Superior Court - ADR Filing Fees
010-185-8861-4579	010-225-9540-8818	Magistrate Court - ADR Filing Fees
010-225-9540-4877	010-225-9540-8818	Superior Court - Alternative Dispute Resolution (ADR) - Mediation Program Fee
010-225-9540-4864	010-225-9540-8818	Superior Court - ADR - Interest Earnings
010-225-9551-4590	010-225-9551-8818	Superior Court - Adult Drug Court Participant Fees
010-225-9552-4590	010-225-9552-8818	Superior Court - Mental Health Court Participant Fees
010-225-9560-4590	010-225-9560-8818	Superior Court - Veterans Treatment Court Participant Fees
010-230-9600-4534	010-230-9600-6339	Tax Commissioner Judicial In Rem Fees (legal/titlle expenses collected upon sale)
010-300-0060-4566	010-300-0060-8818	Senior Community Education & Outreach
010-300-0060-4965	010-300-0060-8818	Senior Resource Campaign
010-300-0070-4541	010-300-0070-8818	Senior Citizen Council
010-300-0070-4965	010-300-0070-8818	State Fair Senior Day Award
010-300-0075-4941	010-300-0075-8818	Senior Services Trips
010-300-0075-4958	010-300-0075-8818	Senior Services The Bulletin
010-300-1000-4858	230-130-1000-6014	Fire Dept - KSU Revenue
235-050-SLD1-4342	235-050-SLD1-6376	DOT Street Light District Right of Way Fee
010-210-6865-4506	010-210-6865-8818	Sheriff - NGLSEA Agency Contributions
010-210-6865-4576	270-210-6865-8818	Sheriff - NGLSEA Tuition Reserves
288-130-PD00-4429	288-130-PD00-8820	Equitable Sharing Police Justice
288-130-PD00-4655	288-130-PD00-8820	Equitable Sharing Police Justice Interest
288-130-PD00-4430	288-130-PD00-8820	Equitable Sharing Police Treasury
288-130-PD00-4855	288-130-PD00-8820	Equitable Sharing Police Treasury Interest
288-170-DA00-4429	288-170-DA00-8820	Equitable Sharing D.A. Justice
288-170-DA00-4955	288-170-DA00-8820	Equitable Sharing D.A. Justice Interest
288-170-DA00-4430	288-170-DA00-8820	Equitable Sharing D.A. Treasury
288-170-DA00-4855	288-170-DA00-8820	Equitable Sharing D.A. Treasury Interest
288-210-SO00-4429	288-210-SO00-8820	Equitable Sharing Sheriff Justice
288-210-SO00-4855	288-210-SO00-8820	Equitable Sharing Sheriff Justice Interest
288-210-SO00-4430	288-210-SO00-8820	Equitable Sharing Sheriff Treasury
288-210-SO00-4855	288-210-SO00-8820	Equitable Sharing Sheriff Treasury Interest
380-035-4639-4514	380-035-4639-8005	Information Services - GIS Capital Project
380-035-4639-4941	380-035-4639-8005	Information Services - GIS Capital Project
380-035-4639-4943	380-035-4639-8005	Information Services - GIS Capital Project
380-130-4483-4858	380-130-4483-6258	Police Patrol Rifle Purchase Program
380-210-4484-4858	380-210-4484-6258	Sheriff Patrol Rifle Purchase Program
600-700-4950-4852	600-700-4950-8818	Keep Cobb Beautiful - Better World Books
600-700-4950-4920	600-700-4950-8818	Keep Cobb Beautiful - Gift & Donations
700-095-WELL-4858	700-095-WELL-8818	Human Resources - Wellness Fund

The above listed Standard Reserve items are appropriated, as needed, on a monthly basis into the applicable revenue and expenditure budgets for departmental use as deemed appropriate.

••Tree Fund donations are collected in Community Development's Reserves unit and transferred to Sustainability, Waste, and Beautification Fund for Keep Cobb Beautiful use.



COBB COUNTY
DEPARTMENT OF TRANSPORTATION
AMENDMENT TO
COBB FRAMEWORK AGREEMENT

Reference No. 20129

Project No. X2606
AMENDMENT NO. 1

WHEREAS, the City of Kennesaw (CITY) and Cobb County, Georgia (COUNTY), hereinafter collectively referred to as the parties, entered into a Cobb Framework Agreement (the "Agreement") on April 28, 2016, for services associated with Mack Dobbs Road Project, Project No. X2606 (PROJECT); and

WHEREAS, the parties originally anticipated the total PROJECT costs to be \$3,284,393 and agreed upon a funding split with the COUNTY contributing 30% (\$1,000,000) and the CITY contributing 70% (\$2,284,393); and

WHEREAS, the PROJECT design and ROW acquisition has been on-hold pending mutual resolution of project scope and funding; and

WHEREAS, the COUNTY and the CITY have mutually agreed to transfer a portion of the funds originally budgeted for the PROJECT to the McCollum Parkway and Ben King Road project, Project No. X2309, which is also a 2016 SPLOST COUNTY/CITY Joint Project; and

WHEREAS, the total PROJECT costs are now anticipated to be \$3,100,000; and

WHEREAS the parties agree that the financial contributions for the PROJECT shall be specifically set forth by this amendment to the Agreement; and

NOW THEREFORE, for and in consideration of the mutual benefits and obligations flowing each to the other, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to amend the Agreement as follows:

1. Section 14 is hereby amended by revising the maximum financial contributions of each party as follows:

CITY - \$2,046,697

COUNTY - \$1,053,303

2. Exhibit A, attached hereto, is hereby added to the Agreement, to reflect the revised financial contributions for the PROJECT and to show that the combined maximum financial contribution from the CITY for all three (3) 2016 SPLOST COUNTY/CITY Joint projects is increased by \$278,304 which is to be paid by the CITY to the COUNTY.

3. Exhibit B of the Agreement is hereby amended by revising the distribution amounts to reflect the 34% contribution from the COUNTY and 66% contribution from the CITY for the PROJECT.

4. All other terms and conditions of the Agreement not changed by this Amendment shall remain in full force and effect.

5. This First Amendment shall become effective upon the date this Amendment is signed by both parties ("Effective Date").

Reference No.

26

IN WITNESS WHEREOF, the parties have caused this First Amendment to the Agreement to be executed by their duly authorized representatives.

This 30th day of Nov., 2021

RECOMMEND FOR APPROVAL:

CITY OF KENNESAW

By: [Signature]

Printed Name: Derek Easterling

Title: Mayor, City of Kennesaw

Date 10/30/21

Attest: [Signature]
City Clerk

[ATTACH CITY SEAL]



APPROVED AS TO FORM BY:

[Signature]
County Attorney's Office

COBB COUNTY, GEORGIA

By: [Signature]

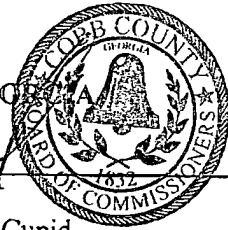
Printed Name: Lisa N. Cupid

Title: Chairwoman, Board of Commission

Date 11/30/21

Attest: [Signature]
County Clerk

[ATTACH COUNTY SEAL]



APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

11/18/21

EXHIBIT A

Exhibit A

2016 SPLOST - Cobb County
Joint projects with City of Kennesaw

	Original CFA Budget	Original CFA Kennesaw	Original CFA County	Revised CFA Budget	Revised CFA Kennesaw	Revised CFA County	Current Status
X2309 McCollum Parkway at Ben King Road	2,000,000	600,000	1,400,000	3,720,000	1,116,000	2,604,000	Under construction; Completion Nov 2021
		30%	70%		30%	70%	
X2603 Cherokee Street	4,802,127	2,402,127	2,400,000	4,802,127	2,402,127	2,400,000	Substantially Complete; ROW Condemn.
		50%	50%		50%	50%	
X2606 Mack Dobbs Road	3,284,393	2,284,393	1,000,000	3,100,000	2,046,697	1,053,303	Design and ROW on-hold pending Amend.
		70%	30%		66%	34%	
Joint Project Totals	10,086,520	5,286,520	4,800,000	11,622,127	5,564,824	6,057,303	
		52.41%	47.59%		47.88%	52.12%	
				278,304			Kennesaw Increase Amount
						1,257,303	County Increase Amount

Notes: CFA Amendment No. 1 for X2309 McCollum Pkwy at Ben King approved by the BOC on 5/26/20

Resolution

Resolution supporting Town Center Community Improvement District's submission of a Transportation Improvement Program grant application to the Atlanta Regional Commission for Big Shanty Widening project.

WHEREAS, on October 1, 2021, the Atlanta Regional Commission announced a Fiscal Year 2023 through 2025 call for Transportation Improvement Program (TIP) project funding proposals; and

WHEREAS, applications are due by December 2, 2021, and will be competitively selected for award based on predetermined evaluation criteria; and

WHEREAS, the Town Center Community Improvement District (TCCID) desires to submit an application for funding assistance with preliminary engineering, right-of-way, utilities and construction of Big Shanty Widening project; and

WHEREAS, the grant agreement for TIP funding assistance, if awarded, will impose certain oversight obligations upon Cobb County; and

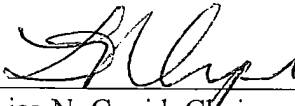
WHEREAS, the County's support for the submission of this TIP application does not commit the County to contribute financially towards any project costs or required oversight fees.

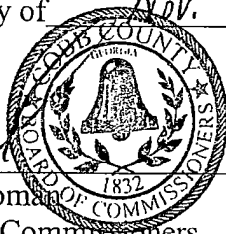
NOW, THEREFORE, BE IT RESOLVED, that the Cobb County Board of Commissioners support the TCCID's submission of a TIP grant application to the ARC for the aforementioned project.

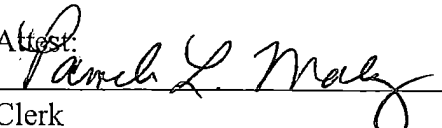
CERTIFICATION

The undersigned duly qualified Chairwoman of the Cobb County Board of Commissioners, acting on behalf of the Cobb County Board of Commissioners, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Cobb County Board of Commissioners held on November 18, 2021.

This 30th day of Nov., 2021


Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



Attest:

Clerk
Cobb County Board of Commissioners

Resolution

Resolution supporting Cumberland Community Improvement District's submission of Transportation Improvement Program grant applications to the Atlanta Regional Commission for Paces Mill/Palisades Unit Rehabilitation, Cumberland Core Loop - Segments D and E, and Cobb Parkway (US 41) Pedestrian Bridge - North.

WHEREAS, on October 1, 2021, the Atlanta Regional Commission announced a Fiscal Year 2023 through 2025 call for Transportation Improvement Program (TIP) project funding proposals; and

WHEREAS, applications are due by December 2, 2021, and will be competitively selected for award based on predetermined evaluation criteria; and

WHEREAS, the Cumberland Community Improvement District (CCID) desires to submit applications for funding assistance with preliminary engineering, right-of-way and construction of Paces Mill/Palisades Unit Rehabilitation, Cumberland Core Loop - Segments D and E, and Cobb Parkway (US 41) Pedestrian Bridge - North; and

WHEREAS, the grant agreement for TIP funding assistance, if awarded, will impose certain oversight obligations upon Cobb County; and

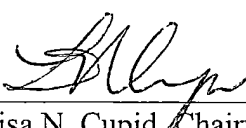
WHEREAS, the County's support for the submission of these TIP applications does not commit the County to contribute financially towards any project costs or required oversight fees.

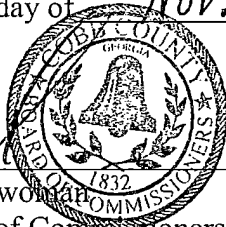
NOW, THEREFORE, BE IT RESOLVED, that the Cobb County Board of Commissioners support the CCID's submission of TIP grant applications to the ARC for the aforementioned projects.

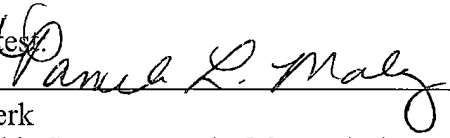
CERTIFICATION

The undersigned duly qualified Chairwoman of the Cobb County Board of Commissioners, acting on behalf of the Cobb County Board of Commissioners, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Cobb County Board of Commissioners held on November 18, 2021.

This 30th day of Nov., 2021


Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



Attest: 
Clerk
Cobb County Board of Commissioners

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

Resolution

Resolution supporting the City of Smyrna's submission of a Transportation Improvement Program grant application to the Atlanta Regional Commission for SR 280/South Cobb Drive - Windy Hill Road to Concord Road Improvements project.

WHEREAS, on October 1, 2021, the Atlanta Regional Commission (ARC) announced a Fiscal Year 2023 through 2025 call for Transportation Improvement Program (TIP) project funding proposals; and

WHEREAS, applications are due by December 2, 2021, and will be competitively selected for award based on predetermined evaluation criteria; and

WHEREAS, the City of Smyrna desires to submit an application for funding assistance with preliminary engineering, right-of-way, utilities and construction of the SR 280/South Cobb Drive - Windy Hill Road to Concord Road Improvements project; and

WHEREAS, the grant agreement for TIP funding assistance, if awarded, will impose certain oversight obligations upon Cobb County; and

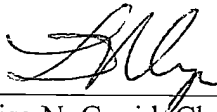
WHEREAS, the County's support for the submission of a TIP application does not commit the County to contribute financially towards any project costs or required oversight fees.

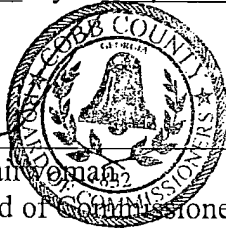
NOW, THEREFORE, BE IT RESOLVED, that the Cobb County Board of Commissioners support the City of Smyrna's submission of a TIP grant application to the ARC for the aforementioned project.

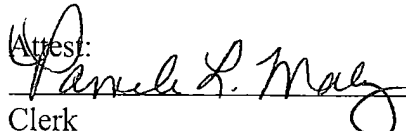
CERTIFICATION

The undersigned duly qualified Chairwoman of the Cobb County Board of Commissioners, acting on behalf of the Cobb County Board of Commissioners, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Cobb County Board of Commissioners held on November 18, 2021.

This 30th day of Nov., 2021


Lisa N. Cupid, Chairwoman,
Cobb County Board of Commissioners




Attest:
Pamela S. May
Clerk
Cobb County Board of Commissioners

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

Reference No.

33

11/18/21



Cobb County 2022 Legislative Brief

Cobb Principles

- **SUPPORT** transparency through open and honest communication to the public
- **SUPPORT** legislation that improves the lives of our residents
- **SUPPORT** equal access to government services, opportunities and resources
- **SUPPORT** legislation that promotes Diversity, Equity and Inclusion
- **OPPOSE** legislative proposals that require capital investment without state funding

Major Policy Focus Areas

- **TRANSPORTATION/TRANSIT** - **SUPPORT** policies that strengthen our transportation network
- **HOUSING** - **SUPPORT** access to healthy, safe, quality housing for all citizens
- **PUBLIC HEALTH** - **SUPPORT** policies enabling Cobb to continue to address the COVID-19 pandemic and improve overall health of Cobb citizens
- **WORKFORCE DEVELOPMENT** - **SUPPORT** policies and legislation that increase access to workforce development opportunities.
- **PUBLIC SAFETY** - **SUPPORT** policies that provide safe communities and safety for public safety personnel
- **SUPPORT** policies that strengthen financial and environmental sustainability

Policy Areas to Address

- Include the Board of Commissioners on matters of redistricting and cityhood proposals
- Update SPLOST eligible expenditures to include cloud-based software
- HB449 Proposed revisions to the Georgia Utility Facility Protection Act (GUFPA) would be an unfunded mandate and Cobb DOT's fiber is currently located under 811. Cobb DOT would be forced to join 811, manage tickets, locate additional sites due to false locate requests. These additional costs would be approximately \$385,000 in the initial year and \$310,000 recurring annually thereafter
- Proffer any assistance possible to secure state funding to mitigate flood damage from recent flooding.
- Proffer any assistance possible to secure state grant funding for the Cobb Veterans Memorial Park



COBB COUNTY

2022 LEGISLATIVE AGENDA

COBB PRINCIPLES

Support

- Transparency through open and honest communication to the public
- Legislation that improves the lives of our residents
- Equal access to government services, opportunities, and resources
- Legislation that promotes Diversity, Equity, and Inclusion
- Policies that strengthen financial and environmental sustainability

Oppose

- Legislative proposals that require capital investment without state funding

2022 POLICY AREAS TO ADDRESS

- Include the Board of Commissioners on matters of **redistricting** and **cityhood** proposals.
- Update **SPLOST** eligible expenditures to include cloud-based software.
- Proposed revisions to the **Georgia Utility Facility Protection Act (GUFPA)** in HB449 would be an unfunded mandate and costly to Cobb. Cobb DOT would be forced to join 811, manage tickets, locate additional sites due to false locate requests. These additional costs would be approximately \$385,000 in the initial year and \$310,000 recurring annually thereafter.
- Proffer any assistance possible to secure state funding to mitigate **flood damage** from a recent severe weather event.
- Proffer any assistance possible to secure state grant funding for the **Cobb Veterans Memorial Park**.

2022 MAJOR POLICY FOCUS AREAS

Transportation & Transit

Supports policies that strengthen our transportation network

Housing

Supports access to healthy, safe, quality housing for all citizens

Public Health

Supports policies enabling Cobb to continue addressing the COVID pandemic and improve the overall health of citizens

Workforce Development

Supports policies and legislation that increase access to workforce development opportunities

Public Safety

Supports policies that provide safe communities and safety for public safety personnel

Environmental & Financial Sustainability

Supports policies that strengthen financial and environmental sustainability in our county

Cobb County • Distributed \$25M in federal rental assistance into the community • Passed SPLOST 2022 to continue investment in Cobb • Partnered with Public Health to promote and host COVID vaccinations • Opened a "Second Chance Desk" to help residents clear criminal records • Instituted virtual meetings that allowed public participation during pandemic • Opened COVID Call Center to help link residents to testing, vaccinations, and assistance • Coordinated a successful public safety effort surrounding the Braves 2021 World Series celebration & parade

Cobb County Board of Commissioners

Lisa Cupid, Chairwoman
Keli A. Gambrill, District 1
Jerica Richardson, District 2
JoAnn K. Birrell, District 3
Monique Sheffield, District 4
Dr. Jackie McMorris, County Manager