

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 9, 2022
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, August 9, 2022 at 9:00 a.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 9:02 a.m.

PRESENTATIONS

1. **To recognize Information Services for being ranked fourth among the top ten counties nationwide, rising from tenth place in 2021 to fourth place in 2022.**

Chairwoman Cupid recognized the Information Services Department for being ranked fourth among the top ten counties nationwide, jumping from tenth place in 2021 to fourth place in 2022 in the 2022 Digital Counties Survey conducted by CDG and NACo for the 500,000-999,999 Population Category.

PUBLIC HEARING

2. **To conduct a public hearing prior to expending \$100,000.00 or more for engineering design services for various projects in the 2022 SPLOST Transportation Improvements Program.**

Drew Raessler, Transportation Agency Director, presented information regarding engineering design services for various projects in the 2022 SPLOST Transportation Improvements Program.

Chairwoman Cupid opened the Public Hearing and asked those wishing to speak on this issue come forward. Following one speaker, the Public Hearing was closed.

No official action was taken by the Board.

NON- AGENDA

Motion by Cupid, second by Birrell, to **approve** the addition of the following non-agenda item to be added to the end of the Consent Agenda (See item 22 of these minutes):

- *To approve the settlement of Sharon DeArmond v. Officer Robles, Lt. Danz and Lt. Ramirez, Civil Action File No. 1:19-CV-4598-VMC, in the United States District Court for the Northern District of Georgia*

VOTE: ADOPTED 5-0

PUBLIC COMMENT

1. Christine Rozman addressed the Board regarding various concerns.
2. Austin Childs addressed the Board regarding county ordinance pertaining to the number of cars in a driveway.
3. Monica Delancy addressed the Board regarding the Riverside Community update.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, *as revised*; and **authorize** execution of the necessary documents by the appropriate County personnel.

Sheriff

3. **To ratify emergency action by the County Manager and approve a contract for roof replacement at the Cobb County Adult Detention Center.**

To **ratify** emergency action by the County Manager and **approve** a contract for roof replacement at the Cobb County Adult Detention Center with C. L. Burks Construction, in an amount not to exceed \$200,215.00; **authorize** the corresponding budget transactions and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available with the following transaction:

Decrease Expenditure:	010-210-9240-8005	Preliminary Estimates	\$200,215.00
Increase Expenditure:	010-210-9240-8111	Roofing Installations	\$200,215.00

4. **To ratify emergency action by the County Manager authorizing the repair of the electrical system at the Cobb County Adult Detention Center.**

To **ratify** emergency action by the County Manager authorizing the repair of the electrical system at the Cobb County Adult Detention Center; **authorize** contractor, 1Electric, to make emergency repairs; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Sheriff's Office FY2022 budget. Budget transfers may be made between operating and capital appropriation units, as needed, for these repairs.

Juvenile Court

5. **To authorize the application for grant funds from the Office of Juvenile and Delinquency Prevention (OJJDP) for the 2022 Youth Violence Prevention Program grant.**

To **authorize** the grant application to the Office of Juvenile Justice and Delinquency Prevention for the 2022 Youth Violence Prevention Program grant.

6. **To authorize the application for grant funds from the Criminal Justice Coordinating Council for the FY2023 Delinquency Prevention Grant Continuation.**

To **authorize** the application for grant funds from the Criminal Justice Coordinating Council for the FY2023 Delinquency Prevention Grant.

Water System

7. **To approve Supplemental Agreement No. 1 to extend the current unit price contract for FY21-FY22 Fire Hydrant Maintenance and Repair through FY23.**

To **approve** Supplemental Agreement No. 1 to extend current unit price contracts for FY21-FY22 Fire Hydrant Maintenance and Repair through FY23; and **authorize** the Chairwoman to execute the necessary documents.

Funding for Fire Hydrant - Maintenance and Repair is available in the Water System's System Maintenance Operating Budget, Fund 500, Department 500, Unit 5400, Object 6498.

8. **To approve a unit price contract with Bartow Precast, Inc. for FY23-FY24 Large Water Meter Vaults and Associated Delivery Services, Program No. MAPPR.**

To **approve** a unit price contract with Bartow Precast, Inc., for FY23-FY24 Large Water Meter Vaults and Associated Delivery Services, Program MAPPR; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Water RE&I-Meter Installations adopted FY23 CIP Budget, Fund 510, Department 500, Unit 5751, Object 8005, Program No. MAPPR.

9. **To approve Supplemental Agreement No. 2 with UWS, Inc. to extend the current unit price contract for FY20-FY21 Water Meter Changeout Services (Residential/Light Commercial), Program No. MC2020, through FY23.**

To **approve** Supplemental Agreement No. 2 to extend the current unit price contract with UWS, Inc. for FY20-FY21 Water Meter Changeout Services (Residential/Light Commercial), Program No. MC2020, through FY23; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Water RE&I-Meter Installations adopted FY23 CIP Budget, Fund 510, Department 500, Unit 5751, Object 8456, Program No. MC2020.

10. **To approve expansion of the Cobb County Toilet Rebate Program to include a leak detection device rebate, approve changing the name of the program to Water Efficiency Incentive Program, and approve a Water Monitoring Program Participation Agreement with Fume, Inc.**

To **approve** the expansion of the Cobb County Toilet Rebate Program to include a leak detection device rebate, changing the name of the program to Water Efficiency Incentive Program, and the Flume Water Monitoring Program Participation Agreement; and **authorize** the Chairwoman to execute the necessary documents.

No additional funding will be needed.

Transportation

11. **To authorize the creation of one new Street Light District.**

To **authorize** the creation of one new residential Street Light District on Robinson Road.

Available in the Street Light District Fund approved FY22 Operating Budget, as follows:

Available: 235-050-SLD1-4712/6472 Street Light Energy Revenue/Electricity

12. **To approve a request from Hawthorne Global Aviation Services, LLC for construction of office space improvements inside Hangar 430 located at Cobb County International Airport – McCollum Field.**

To **approve** a request from Hawthorne Global Aviation Services, LLC for construction of office space improvements inside Hangar 430 located at Cobb County International Airport – McCollum Field.

Public Services Agency

Senior Services

13. **To authorize the submission of a grant proposal to the Network of the National Library of Medicine All of Us Program Center (NAPC) for the Community Awards to provide digital learning to older adults in Cobb County for the period of November 1, 2022 to April 30, 2023.**

To **authorize** the submission of a grant proposal to the National Library of Medicine *All of Us* Program Center (NAPC) for the Community Awards to support digital and health literacy classes to older adults in Cobb County for the period of November 1, 2022 to April 30, 2022; and **further authorize** the Chairwoman to execute the necessary documents.

14. **To authorize the application and acceptance of a grant award from the National Association of Nutrition and Aging Services Programs (NANASP).**

To **authorize** the application for and acceptance of the National Association of Nutrition and Aging Services Programs (NANASP) grant in the amount of \$3,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available in the Grant Fund with the following budget appropriation:

Increase Revenue:	270-300-G719-4508	(Local Grants)	\$3,000.00
Increase Expenditures	270-300-G719-6326	(Professional Services)	\$3,000.00

Support Services Agency

Property Management

15. **To authorize purchase of HVAC equipment for the Cobb County Building, 100 Cherokee Street, Marietta, a capital improvement project.**

To **authorize** purchase of HVAC equipment, in the amount of \$139,823.00, from Trane U.S. Inc. for the Cobb County Building, located at 100 Cherokee Street, Marietta, a capital improvement project; **establish** a contingency in the amount of \$13,982.00; **approve** a purchase order with Trane U.S. Inc.; and **authorize** the corresponding budget transactions.

Funding is available with the following transfers:

Transfer from:	381-110-PM01-8005-P2201-A	(Prelim Budget)	\$153,805.00
Transfer to:	381-110-PM01-8435-P2201-A	(HVAC Equip)	\$139,823.00
	381-110-PM01-8135-P2201-E	(Other Capital-Bldg & Struct)	\$ 13,982.00

Community Development

16. **To approve rezoning notice of Non-Objection with stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the rezoning of a tract of land that totals 28.35 acres located at 5640 Westside Road, 3700 Goodwin Road, and unaddressed parcel known as parcel number 19131500060.**

To **approve** a rezoning Notice of Non-Objection with stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the rezoning of multiple parcels located in Land Lot 131, 19th District that totals 28.35 acres of land known as 5640 Westside Road, 3700 Goodwin Road, and parcel number 19131500060. A copy of the Notice of Non-Objection with stipulations is attached and made a part of these minutes.

17. **To authorize submittal of the final draft of the 2040 Cobb County Comprehensive Plan 5-Year Update to the Atlanta Regional Commission (ARC) for Regional Review.**

To **authorize** the submittal of the Cobb 2040 Comprehensive Plan 5 Year Update to the Atlanta Regional Commission for Regional Review; and **authorize** the Chairwomen to execute the necessary documents.

Human Resources

18. **To approve a delay in the yearly reduction of annual and compensatory leave hours until the last payroll of December 2022.**

To **authorize** the Human Resources Director to delay purge of excess accrued annual and compensatory leave hours until the last payroll of December 2022, meaning leave must be used by December 24, 2022.

No additional funding is necessary.

Risk Management

19. **To approve all interfund transfers for claims and safety equipment purchases to allow Risk Management to reimburse the appropriate departments.**

To **approve** all interfund transfers for claims and safety equipment purchases; and **authorize** Risk Management to reimburse the appropriate department.

Property Management - Property Damage 22-00175

Decrease Expenditure:	710-055-8011-6605	Property Loss	\$20,739.97
Increase Expenditure:	710-055-8011-6594	Interfund Transfer Expense	\$20,739.97
Increase Revenue:	010-110-3640-4960	Interfund Transfer Revenue	\$20,739.97
Increase Expenditure:	010-110-3640-6494	Property Loss	\$20,739.97

Finance

20. **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.

County Clerk

21. **To approve minutes.**

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

- July 25, 2022 - Agenda Work Session
- July 26, 2022 - BOC Regular Meeting

County Attorney

22. **To approve the settlement of *Sharon DeArmond v. Officer Robles, Lt. Danz and Lt. Ramirez*, Civil Action File No. 1:19-CV-4598-VMC, in the United States District Court for the Northern District of Georgia, and its related appeal in the Eleventh Circuit Court of Appeals, Case: 22-11142, which was previously authorized by the Board in Executive Session.**

To **approve** the settlement of *Sharon DeArmond v. Officer Robles, Lt. Danz and Lt. Ramirez*, Civil Action File No. 1:19-CV-4598-VMC, in the United States District Court for the Northern District of Georgia, and its related appeal in the Eleventh Circuit Court of Appeals, Case: 22-11142, which was previously authorized by the Board in Executive Session; and **authorize** counsel to finalize and execute any necessary documents for the purposes of settling the ongoing dispute.

Funding is available in account: 71005580116608

CONSENT VOTE: **ADOPTED 5-0**

REGULAR AGENDA

BOC Chair

23. To recommend the appointment of the Senior Services Director.

Motion by Cupid, second by Birrell, to **approve** the appointment of Ms. Ioana Bovo-Nicolescu as Senior Services Director effective August 9, 2022.

VOTE: **ADOPTED 5-0**

Sheriff

24. To authorize the purchase of a 2023 Mobility Trans T350 High-Roof, wheelchair-accessible, ADA compliant, prisoner transport van for the Sheriff's Office under the 2016 SPLOST program.

Motion by Cupid, second by Richardson, to **authorize** the purchase of a wheelchair-accessible, ADA compliant, prison transport van for the Sheriff's Office, under the 2016 SPLOST Program, from Creative Bus Sales, Inc., leveraging HGAC BUY Cooperative Purchasing Program, Contract # BT01-21, for an amount not to exceed \$124,640.87; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available in the 2016 SPLOST Program Fund with the following transfer:

Decrease Expenditure:	347-210-X107-8005-X1070-C Preliminary Estimates	\$124,640.87
Increase Expenditure:	347-210-X107-8610-X1070-P Specially Equipped Vehicles	\$124,640.87

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, Countywide Improvements.

Sheriff's Office vehicles are a capital improvement project/program under the 2016 SPLOST and is an approved project of Countywide Improvements - Sheriff's Office (Cobb County 2016 SPLOST, pg. 6) which provides for capital improvements.

SPLOST budget summary as of July 06, 2022:

Current Budget:	\$28,025,000.00
Current Expenditures:	\$ 6,650,504.61

VOTE: **ADOPTED 5-0**

Transportation

25. **To approve an update to the Department of Transportation's Prequalified List of Engineering and Associated Specialty Firms available for the procurement of professional services for the 2022-2023 prequalification period.**

Motion by Cupid, second by Birrell, to **approve** an update to the Department of Transportation's Prequalified List of Engineering and Associated Specialty Firms available for the procurement of professional services for the 2022-2023 prequalification period expiring on May 11, 2024.

VOTE: **ADOPTED 5-0**

26. **To approve a Cost Sharing Agreement with WCV Pointe CH, LLC for drainage repairs on Stonewall Drive, Project No. B2233.**

Motion by Richardson, second by Cupid, to **approve** a Cost Sharing Agreement with WCV Pointe CH, LLC, in an amount not to exceed \$171,579.47, for drainage system repairs on Stonewall Drive, Project No. B2233; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Appropriate receipt of revenue from WCV Pointe CH, LLC to the 2022 SPLOST Transportation Improvements Program Fund, as follows:

Increase Revenue:	348-050-B220-B220-4918-B2233-C	Developer Contribution	\$171,579.47
Increase Expenditure:	348-050-B220-B220-8761-B2233-C	Preliminary Estimate	\$171,579.47

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Stonewall Drive is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of July 6, 2022: Drainage System

Budget:	\$9,915,300.00	Encumbered/Expended:	\$465,652.88
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VOTE: **ADOPTED 5-0**

27. **To approve a contract with Butch Thompson Enterprises, Inc., for drainage system repairs on Stonewall Drive, Project No. B2233, CCDOT Contract No. 001827.**

Motion by Richardson, second by Gambrill, to **approve** a contract with Butch Thompson Enterprises, Inc., in an amount not to exceed \$250,957.25, for drainage system repairs on Stonewall Drive, Project No. B2233, CCDOT Contract No. 001827; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2022 SPLOST Transportation Improvements Program Fund, with the following budget transfers:

Transfer from:	348-050-B220-B220-8005-B2201-A	Preliminary Estimate	\$ 79,377.78
	348-050-B220-B220-8761-B2233-C	Preliminary Estimate	\$171,579.47
Transfer to:	348-050-B220-B220-8762-B2233-C	Turnkey Construction	\$250,957.25

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July 14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Stonewall Drive is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for drainage system improvements will provide for the repair and replacement of existing drainage facilities within the county right-of-way.

SPLOST Component Summary as of July 6, 2022: Drainage System

Budget:	\$9,915,300.00	Encumbered/Expended:	\$465,652.88
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VOTE: **ADOPTED 5-0**

28. To approve a contract with Excellere Construction, LLC for drainage system repairs on Wentworth Drive Drainage, Project No. D2841, CCDOT Contract No. 001743.

Motion by Birrell, second by Cupid, to **approve** a contract with Excellere Construction, LLC, in an amount not to exceed \$259,000.00, for drainage system repairs on Wentworth Drive, Project No. D2841, CCDOT Contract No. 001743; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the 2005 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Transfer from:	340-050-7502-D283-8761-D2831-C	Preliminary Estimate	\$254,000.00
Transfer to:	340-050-7502-D284-8762-D2841-C	Turnkey Construction	\$254,000.00

The 2005 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on June 14, 2005, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System Improvements.

Wentworth Drive is an eligible project/program under the Infrastructure Preservation – Drainage System Improvements Component of the 2005 SPLOST Transportation Improvements (Cobb County 2005 SPLOST, pp. 3, 23). Drainage System Improvements include the maintenance and repair of existing drainage facilities and to construct new improvements within the roadway right-of-way to enhance roadway drainage.

SPLOST Component Summary as of July 6, 2022: Drainage System Improvements

Budget:	\$14,677,591.35	Encumbered/Expended:	\$14,161,155.89
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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	\$5,600.00
Transfer to:	Wentworth Drive - Utility Allowance		
	510-500-5756-6496-W5054-C	Drainage Contract R&M Svc.	\$5,000.00
	510-500-5756-8265-W5054-M	Material and Supplies	\$ 500.00
	510-500-5756-8810-W5054-T	Contingency	\$ 100.00
		Total:	\$5,600.00

VOTE: ADOPTED 5-0

29. **To approve Project No. E10C03-TO#1 to the 2022 Master Task Order Contract with CDM Smith Inc., for CobbLine Transit Centers System Analysis and Needs Assessment Study, CCDOT Contract No. 001957.**

Motion by Cupid, second by Sheffield, to **approve** Project No. E10C03-TO#1 to the 2022 Master Task Order Contract with CDM Smith Inc., in an amount not to exceed \$369,912.00, for CobbLine Transit Centers System Analysis and Needs Assessment Study, CCDOT Contract No. 001957; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2011 SPLOST Transportation Improvements Program Fund with the following budget transfer:

Transfer from:	345-050-E010-E10C-8761-E10C0-C	Preliminary Estimate	\$369,912.00
Transfer to:	345-050-E010-E10C-6322-E10C03-E	Planning Services	\$369,912.00

The 2011 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on December 14, 2010, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Transit.

CobbLine Transit Centers System Analysis and Needs Assessment Study is an eligible project/program under the Transit Component of the 2011 SPLOST Transportation Improvements (Cobb County 2011 SPLOST, pp. 10, 18). Cobb Parkway (US 41) Corridor improvements include park and ride lots for express bus and future corridor transit enhancements.

SPLOST Project Summary as of July 6, 2022: CobbLine Transit Centers System Analysis and Needs Assessment Study (new project as of 08/09/22):

Budget:	\$0.00	Expended:	\$0.00
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VOTE: **ADOPTED 5-0**

Support Services Agency

30. To approve termination of the Purchase and Sale Agreement dated May 31st 2022 between Cobb County and Cumberland Mall, LLC a Delaware Limited Liability Company and approve a revised Agreement for Purchase and Sale for the acquisition of vacant land located at Cumberland Mall, in Cobb County, Georgia, and generally depicted in Exhibit "A", comprised of an area of approximately .92 acres +/- . This is a 2016 SPLOST project, Department of Public Safety/Fire Station 29 Program X1023.

Motion by Richardson, second by Sheffield, to **approve** termination of the Purchase and Sell Agreement dated May 31, 2022 between Cobb County and Cumberland Mall, LLC a Delaware Limited Liability Company; **approve** a revised agreement with Cumberland Mall, LLC, for the acquisition of vacant land located at Cumberland Mall, in Cobb County, Georgia., and generally identified in Exhibit "A" of the Purchase and Sell Agreement, comprised of an area of approximately .92 acres +/-, for consideration in the amount of \$1,282,406.00 for Fire Station 29 location, 2016 SPLOST project X1023; **approve** the terms and conditions set forth in the Agreement for Purchase and Sale in substantially the form as presented; **authorize** payment of associated land acquisition costs; **authorize** closing of the purchase of the property substantially as provided in those agreements; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute all necessary documents and take all other action necessary or appropriate to accomplish the foregoing purposes.

Funding is available in the 2016 SPLOST Public Safety Fire Station 29 Program fund with the following budget transactions:

Decrease Expenditure:	347-130-X102-8005-X102-X1023-A Preliminary Estimates	\$1,282,406.00
Increase Expenditure:	347-130-X102-8015-X102-X1023-A Site Acquisition	\$1,282,406.00

The exact amount of related acquisition costs, which include title search, title insurance premium, surveys, tax proration, closing costs, and any other necessary expenses, will not be known until the settlement statement is available. This budget transfer will not be processed until the total amount is disclosed within the settlement statement and all funds will be transferred accordingly at that time.

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 Safety improvements.

The construction of Fire Station No. 29 is an eligible capital improvement project/program under the 2016 SPLOST and is an approved project of the Public Safety Improvements (Cobb County 2016 SPLOST, p.28) which provides for improvements to facilities and equipment.

SPLOST Program X1023 Summary as of July 6, 2022:

Budget: \$9,400,000.00

Expended: \$66,237.45

VOTE: **ADOPTED 5-0**

Information Services

31. **To rescind an award to Flagship Solutions LLC and authorize the Purchasing Director to purchase hardware, software and implementation services greater than \$100,000.00 from Cambridge Computer Services, Inc. (Cambridge), for IBM Power 9 equipment. This is a 2016 SPLOST project, Support Services Technology Improvements Program X0020.**

Motion by Cupid, second by Birrell, to **rescind** an award to Flagship Solutions LLC; **authorize** the Purchasing Director to purchase hardware, software and implementation services greater than \$100,000.00 from Cambridge Computer Services, Inc., in an amount not to exceed \$222,893.80, for IBM Power 9 equipment, 2016 SPLOST project X0020; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute any necessary documents

Reverse funding from the July 26, 2022 Agenda:

Transfer from:	347-035-X002-8420-X0020-M	(Computer Hardware)	\$ 44,484.00
	347-035-X002-6262-X0020-M	(Computer Software)	\$ 4,232.00
	347-035-X002-6258-X0020-M	(Accountable Equipment)	\$ 18,501.00
	347-035-X002-8676-X0020-M	(Professional Services)	\$113,105.00
Transfer to:	347-035-X002-8005-X0020-A	(Preliminary Estimates)	\$180,322.00

Funding is available in the 2016 SPLOST Technology Improvements Fund with the following budget transfers:

SPLOST Project Summary as of July 6, 2022: Business Technology Transformation

Transfer from:	347-035-X002-8005-X0020-A	(Preliminary Estimates)	\$222,893.80
Transfer to:	347-035-X002-6262-X0020-M	(Computer Software)	\$ 19,958.73
	347-035-X002-6258-X0020-M	(Accountable Equipment)	\$162,935.07
	347-035-X002-8676-X0020-M	(Professional Services)	\$ 40,000.00

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, Technology Improvements.

Business Technology Transformation is an eligible project/program under the 2016 SPLOST and is an approved project of the Support Services Technology Improvements Work Program (Cobb County 2016 SPLOST, p.38) which provides for technical currency and provide systems and solutions that allow employees to focus on mission-critical activities.

Budget: \$23,358,000.00	Expended:	\$12,055,204.78
	This Agenda Item:	\$ 222,893.80
	To Date:	\$12,235,526.78

VOTE: ADOPTED 5-0

Public Safety Agency

Fire Department

32. To approve a Design Build contract with John W. Spratlin and Son LLC, in partnership with Pieper O'Brien Herr Architects, to renovate the existing Fire Training infrastructure and construct new training buildings and props, located at 2109 Valor Drive SW, a 2022 SPLOST project, Program XB104.

Motion by Gambrill, second by Richardson, to **approve** a Design Build contract with John W. Spratlin and Son LLC, in partnership with Pieper O'Brien Herr Architects; **authorize** the expenditure of 2022 SPLOST funding, Program XB104, in the amount of \$1,700,000.00, to renovate the existing Fire Training infrastructure and construct new training buildings and props, located at 2109 Valor Drive SW; **authorize** all corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2022 SPLOST Public Safety Improvement budget as follows:

348-130-B104-XB104-8110	(Renovations of Buildings/Structures)	\$1,700,000.00
Major Program: XB104	Project: B1041	

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on May 26, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Public Safety improvements.

The Fire Training renovation is an eligible capital improvement project/program under the 2022 SPLOST and is an approved project for the Public Safety Improvements (Cobb County 2022 SPLOST, p.11) which provides for improvements to facilities and equipment.

SPLOST Project Summary as of July 06, 2022:

Project B1041 Budget: \$24,000,000.00	Expended: \$0.00	Remaining: \$24,000,000.00
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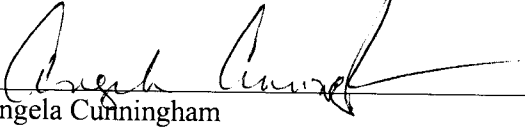
VOTE: **ADOPTED 5-0**

ADJOURNMENT

MOTION: Motion by Cupid, second by Richardson, to **reconvene** Executive Session to continue the original Executive Session meeting agenda from Monday, August 8, 2022, in the 3rd floor BOC meeting room.

VOTE: **ADOPTED 5-0**

The meeting was adjourned at 10:02 a.m.


Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners



COBB COUNTY
COMMUNITY DEVELOPMENT AGENCY

P.O. Box 649
Marietta, GA 30061-0649
Phone (770) 528-2128 Fax: (770) 528-2126
jessica.guinn@cobbcounty.org

Jessica Guinn, AICP
Director

CERTIFIED MAIL
7015 0640 0001 4999 8735

July 26, 2022

The Honorable Ollie Clemons, Jr.
Mayor
City of Austell
5000 Austell-Powder Springs Road Suite 136
Austell, Georgia 30106

Re: Petition for Rezoning— Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia; Notice of Non-Objection with Stipulations.

Dear Mayor Clemons:

We are in receipt of the above-referenced rezoning request. Please accept this response to the rezoning proposal for the above parcels of land. The subject property is currently zoned R-30 and is within an area identified as LDR (Low Density Residential) according to the City of Austell Future Land Use Map. The applicant is proposing to rezone the property to PUD with a density of 4.97 unit per acre. This parcel of land was annexed into the city limits within the past 12 months. Based on our HB 489 Intergovernmental Agreement, this is an objectionable request; however, due to the similar densities of the surrounding residential areas in the area, Cobb County does not object to the pending request with the following stipulations in accordance with the Intergovernmental Agreements and O.C.G.A 36-36-112:

1. Require an amenity area for the use and enjoyment of the residents in the subdivision.

In summary, please accept this letter as the County's formal **notice of non-objection with stipulations** to the proposed rezoning request. Should you have any questions or need any additional information, please contact Donald Wells, Intergovernmental Coordinator, at (770) 528-2199 or donald.wells@cobbcounty.org.

**Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia;
Notice of Non-Objection with Stipulations.**

Sincerely,

Lisa Cupid, Chair

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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

**Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia;
Notice of Non-Objection with Stipulations.**

[signature page continued]

Sincerely,



Keli Gambrill, 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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia; Notice of Non-Objection with Stipulations.

[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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

**Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia;
Notice of Non-Objection with Stipulations.**

[signature page continued]

Sincerely,



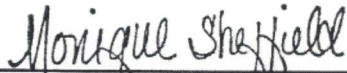
JoAnn K. Birrell, District 3 Commissioner

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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia; Notice of Non-Objection with Stipulations.

[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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

Re: Petition for Rezoning– Land Lot 1314 and 1315, 19th District, Parcels 6, 7 and part of parcel 2 2nd Section, 5640 Westside Road and 3700 Goodwin Road , Cobb County, Georgia; Notice of Non-Objection with Stipulations.

Sincerely,

JoAnn K. Birrell, Vice Chairman

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 Development– Via Email
Christine Dobbs, Assistant Director, City of Austell

Rezoning Location Map

City of Austell

July 2022

19th District
Land Lot 1314
Parcel(s) 002 & 007
&
Land Lot 1315
Parcel 006

Legend

-  Proposed Rezoning
-  Acworth
-  Austell
-  Kennesaw
-  Marietta
-  Powder Springs
-  Smyrna
-  Unincorporated



0 150 300 600
 Feet



**County Staff Comments – Austell Annexation –
5640 Westside Rd and 3700 Goodwin Rd, February 2022**

Water System

Water service for 5640 Westside Road and 3700 Goodwin Road are 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

No Comment

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

Cobb County Fire Marshal's Office

The Fire Department has no objection to the proposed annexation.

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

GIS

No objections from a GIS/addressing perspective

Brad Gordon
GIS Supervisor
Community Development - GIS Section
Cobb County Government
P (770) 528.2002

Stormwater Management

- A significant portion of this parcel contain floodway and floodplain of Sweetwater Creek.
- There are 100' Undisturbed Stream Buffers on both sides Sweetwater Creek with an additional 25' impervious setback. Buffers are not shown on the survey.
- There does not appear to be any existing stormwater infrastructure nor easement connecting to the project site.

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

Cobb DOT

No DOT comments on this annexation.

James M. Washington
Site Plan Review
Cobb County Department of Transportation
1890 County Services Parkway
Marietta, Georgia 30008
(770) 528-1644

Cemetery Preservation

No Comments

Helga Hong
Cobb County Cemetery Preservation Commission

County Staff Comments – Austell Annexation –
5760 Westside Rd. and 3700 Goodwin Rd, February 2022



**Cobb County Community
Development Agency**
Planning and Economic Development Division
Rezoning Analysis

Report Prepared by: Donald Wells
Deadline for Response to City: 7/26/2022

BOC Commissioner Districts: 4 (Sheffield)

BOC Agenda Deadline: July 29, 2022

City of Rezoning: Austell

Applicant: JMC Development, LLC

Owner record from Tax Assessor/ Property Locations/ PIDs:

Parcel Number	Parcel Address	Owner (Cobb Tax)	Parcel Size-GIS	Parcel Size-Application
19131400020	5640 Westside Rd.	Larry Mack Sheehy, Linda J. James & Susan Dale Jackson	27.1	25.11 acres to be annexed, 1.47 acres to remain unincorporated
19131400070	3700 Goodwin Rd.	Susan S. Jackson	0.9 acres	0.92 acres
19131500060	Unaddressed Parcel	James S. Sheehy	2.1 acres	2.32 acres

Land Lots /District: Land Lots 1314 and 1315/19th District

Acreage: 28.35 acres

Road Access: Westside Road and Goodwin Road



**Cobb County Community
Development Agency**
Planning and Economic Development Division
Rezoning Analysis

Current County Zoning/ Future Land Use Designation:

Parcel Number	Current Zoning	FLUP Designation	Parcel Size-GIS	Parcel Size-Application
19131400020	R-30	Low Density Residential (LDR)	27.1	25.11 acres to be annexed, 1.47 acres to remain unincorporated
19131400070	R-30	Low Density Residential (LDR)	0.9 acres	0.92 acres
19131500060	R-30	Low Density Residential (LDR)	2.1 acres	2.32 acres

Proposed City Zoning: PUD

Proposed Use: Single Family Subdivision

Proposed Density: 4.97 units per acre

Future Land Use Designation: See chart above

Consistent with HB 489 LUA: No

Comments:

The City of Austell has received a petition to rezone 28.35 acres from R-30 to PUD. This property was annexed into the City within the past 12 months. HB 489 land use agreement requires the city to notify the County.

The proposed subdivision will consist of 72 lots on a total land area of 28.35 acres. The property has 13.66 acres of floodplain. The overall development will yield 4.97 units per acre (excluding floodplain).

The PUD zoning district is allowable under Exhibit A of the HB489 Agreement up to 2.5 units per acre.

Although the rezoning petition as presented exceeds the allowable units per acre based off "Exhibit A" in the intergovernmental agreement and the City of Austell's Future Land Use Designation of LDR. Staff recommends non-objection, given that the density is consistent with surrounding subdivisions in the City Limits.

Recommendation: Non-objection

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 9th of August 2022