

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
FEBRUARY 27, 2024
7:00 PM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, February 27, 2024 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 Gambrell
Commissioner Jerica Richardson
Commissioner Monique Sheffield – via Webex

CALL TO ORDER

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

PRESENTATIONS

1. **To present a check in recognition of Refreshment Xpress Vending, LLC; a recipient of the Entrepreneurship and Innovation Grant.**

Commissioner Richardson and Jessica Guinn, Community Development Agency Director, presented a check in recognition of Refreshment Xpress Vending, LLC; a recipient of the Entrepreneurship and Innovation Grant.

2. **To present a check in recognition of Hardcore Storage Solutions, LLC; a recipient of the Entrepreneurship and Innovation Grant.**

Commissioner Richardson and Jessica Guinn, Community Development Agency Director, presented a check in recognition of Hardcore Storage Solutions, LLC; a recipient of the Entrepreneurship and Innovation Grant.

3. **To present a check in recognition of The Party Cart, LLC; a recipient of the Entrepreneurship and Innovation Grant.**

Commissioner Richardson and Jessica Guinn, Community Development Agency Director, recognized The Party Cart, LLC, a recipient of the Entrepreneurship and Innovation Grant.

4. **To present a check in recognition of Empire Ink, LLC; a recipient of the Entrepreneurship and Innovation Grant.**

Commissioner Gambrell and Jessica Guinn, Community Development Agency Director, recognized Empire Ink, LLC; a recipient of the Entrepreneurship and Innovation Grant.

5. **To present a proclamation to Lockheed Martin in recognition of the 70th anniversary of the C-130 aircraft.**

Commissioner Birrell presented a proclamation to Lockheed Martin in recognition of the 70th anniversary of the C-130 aircraft.

6. **To present a Certificate of Achievement to Cadet Alexis Holmes in recognition of her outstanding accomplishment of being accepted into the Naval Flight Academy.**

Commissioner Gambrill presented a Certificate of Achievement to Cadet Alexis Holmes for being accepted into the Naval Flight Academy.

7. **To present a proclamation honoring the work of Cobb County Government's communications professionals providing crucial information to the public by declaring Feb. 24, 2024, as Government Communicators Day.**

Chairwoman Birrell presented a proclamation honoring the work of Cobb County Government's communications professionals providing crucial information to the public by declaring Feb. 24, 2024, as Government Communicators Day.

8. **To present a proclamation to Michael Green, a Cobb County School Bus Driver, for his courageous and quick-thinking actions in saving a student's life.**

Chairwoman Cupid presented a proclamation to Michael Green honoring his courageous and quick-thinking actions in saving a student's life.

9. **To present a proclamation to Deane Bonner for being recognized as the MDJ Cobb Citizen of the Year.**

Chairwoman Cupid presented a proclamation to Deane Bonner for being recognized as the MDJ Cobb Citizen of the Year.

10. **To present a proclamation honoring March 2, 2024 as Blake Mahoney Day.**

Commissioner Richardson presented a proclamation honoring March 2, 2024 as Blake Mahoney Day.

PUBLIC COMMENT

1. Bob Maynard addressed the Board regarding MSPLOST.
2. Donald Barth addressed the Board regarding Home Rule.
3. Jeriene Bonner Willis addressed the Board regarding Black History Month.
4. Euriel Hemmery addressed the Board regarding working peacefully together.
5. Gary Henderson addressed the Board regarding MSPLOST.
6. Alan Owens addressed the Board regarding sustainability.

Chairwoman Cupid called for a brief recess from 8:11 p.m. to 8:18 p.m.

Commissioner Birrell's statement

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.

Commissioner Gambrell's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

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Page | 4

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002).

In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.

Motion to Add a Non-Agenda Item

Motion by Cupid, second by Birrell, to **approve** the addition of the following agenda item to be added to the end of the Consent agenda. (See item 40 of these minutes)

- *To approve a Purchase and Sale Agreement for the acquisition of an undivided 22.5% interest in real property located at 3830 South Cobb Drive, Smyrna, Georgia from Vision Rehabilitation Services of Georgia, Inc. ("VRS") including any associated land acquisition costs and approve necessary repurposing renovation costs.*

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

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, *as revised*; with the exception to Item 25, *which will be heard as a Regular Item following the consent vote (See Item 41 of these minutes)*; and **authorize** execution of the necessary documents by the appropriate County personnel.

Tax Commissioner

11. To approve the carry forward of previously approved and appropriated funding from prior year budgets into the FY2024 budget for capital and other expenses.

To **approve** the carry forward of previously approved and appropriated funding from the FY2023 budget into the FY2024 budget; and **authorize** the corresponding budget transactions.

Increase Revenue:	010-230-9600-4980	Fund Balance Appropriation	\$616, 073.07
Increase Expenditure:	010-230-9600-6326	Professional Services	\$ 50,000.00
Increase Expenditure:	010-230-9600-6258	Accountable Items	\$ 25,000.00
Increase Expenditure:	010-230-9600-8110	Building Renovations	\$215,163.27
Increase Expenditure:	010-230-9600-8481	Security Equipment	\$ 75,000.00
Increase Expenditure:	010-230-9600-8605	Vehicles	\$ 75,000.00
Increase Expenditure:	010-230-9600-8465	Office Machines	\$120,000.00
Increase Expenditure:	010-230-9600-8420	Computer Equipment	\$ 55,909.80

Juvenile Court

12. To authorize the appropriation of prior year budget savings into the FY2024 budget.

To **authorize** appropriation of prior year Juvenile Court budget savings, in the amount of \$40,034.70, into the FY2024 budget; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue	010-190-8900-4980	Fund Balance Appropriation	\$40,034.70
Increase Expenditure	010-190-8900-6258	Accountable Items	\$40,034.70

13. To approve an agreement offered by Multi Health Systems, Inc. for a risk and needs assessment instrument, the Youth Level of Service/Case Management Inventory 2.0, funded by Cobb Juvenile Court restricted revenue.

To **authorize** the acceptance and appropriation of an agreement offered by Multi Health Systems, Inc. funded by Cobb County Juvenile Court restricted revenue; **authorize** corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Solicitor General

14. To authorize the appropriation of prior year budget savings into the FY2024 budget.

To **authorize** the appropriation of prior-year Solicitor General's budget savings, in the amount of \$296,790.00, into the FY2024 budget; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Rev.	010-215-9300-4980	Fund Balance Appropriation	\$296,790.00
Increase Exp.	010-215-9300-8110	Renovation of Buildings & Structures	\$296,790.00

Water System

15. To ratify previous action by the County Manager authorizing emergency work and payment to Wade Coots Company, Inc. for Roswell Road at East Cobb Drive Sewer Repair, Program No. S1145, and to approve Change Order No. 1 with Wade Coots Company, Inc. for Roswell Road at East Cobb Drive Sewer Repair, Program No. S1145.

To **ratify** previous action by the County Manager authorizing emergency work and payment to Wade Coots Company, Inc., in an amount of \$130,958.45, for the Roswell Road at East Cobb Drive Sewer Repair, Program No. S1145; **approve** Change Order No. 1 with Wade Coots Company, Inc., in an amount not to exceed \$162,437.50, for Roswell Road at East Cobb Drive Sewer Repair, Program No. S1145; **ratify** and **authorize** the corresponding budget transactions; and **further authorize** the Clerk to record evidence of such ratification in the Official Minutes.

Funding is available in the Water System's CIP Budget as follows:

Transfer from:

UPC Water, Sewer, and Miscellaneous Services

Construction	510-500-5752-8260	C0171-C	\$293,395.95
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Transfer to:

Roswell Road at East Cobb Drive Sewer Repair

Construction (Emergency Work)	510-500-5755-8260	S1145-C	\$130,958.45
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Construction (Change Order No. 1)	510-500-5755-8260	S1145-C	<u>\$162,437.50</u>
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Total			\$293,395.95
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16. **To approve Change Order No. 1 (final) to the construction contract with W.E. Contracting Company, Inc. for the stormwater system replacement project known as 13 Old Mountain Drive, Program No. SW1006.**

To **approve** Change Order No. 1 (final) to the construction contract with W.E. Contracting Company, Inc., a savings to the project in the amount of \$14,973.00, for 13 Old Mountain Drive, Program No. SW1006; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 13 Old Mountain Drive, Program No. SW1006.

Decreased Encumbrance:

GAE 510101408306	510-500-5758-6496	SW1006-C	\$14,973.00
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Transfer from:

13 Old Mountain Drive

Drainage Contract R&M Service	510-500-5758-6496	SW1006-C	\$14,973.00
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Transfer to:

FY09 Stormwater Adopted Budget

Drainage Contract R&M Service	510-500-5758-6496	SW0900-Z	\$14,973.00
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17. **To approve Change Order No. 1 (final) to the construction contract with W.E. Contracting Company, Inc. for the stormwater system replacement project known as 3088 Greenfield Drive, Program No. SW1099.**

To **approve** Change Order No. 1 (final) to the construction contract with W.E. Contracting Company, Inc., a savings to the project in the amount of \$9,362.00, for 3088 Greenfield Dr, Program No. SW1099; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 3088 Greenfield Drive, Program No. SW1099.

Decrease Encumbrance:

GAE 510090809408	510-500-5758-6496	SW1099-C	\$9,362.00
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Transfer From:

3088 Greenfield Drive

Drainage Contract R&M Service	510-500-5758-6496	SW1099-C	\$9,362.00
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Transfer to:

FY08 Stormwater Adopted Budget

Drainage Contract R&M Service	510-500-5758-6496	SW0900-Z	\$9,362.00
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18. **To approve Change Order No. 1 (final) to the construction contract with Chatfield Contracting, Inc. for the stormwater system replacement project known as 3500 Dry Creek Road, Program No. SW1732.**

To **approve** Change Order No. 1 (final) to the construction contract with Chatfield Contracting, Inc, a savings to the project in the amount of \$19,444.13, for 3500 Dry Creek Road, Program No. SW1732; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

No additional funding is required for the Water System's 3500 Dry Creek Road, Program No. SW1732.

Decrease Encumbrance:

GAE 510091316713	510-500-5758-6496	SW1732-C	\$19,444.13
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Transfer from:

3500 Dry Creek Road

Drainage Contract R&M Service	510-500-5758-6496	SW1732-C	\$19,444.13
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Transfer to:

Stormwater Multi-Year Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$19,444.13
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Transportation

19. **To authorize installation of signage to convert the intersection of Yancy Drive and Hazelwood Drive to an all-way stop-controlled intersection.**

To **authorize** installation of signage to convert the intersection of Yancy Drive and Hazelwood Drive to an all-way stop-controlled intersection.

Available in the Department's approved FY24 General Fund Operating Budget, as follows:

Available:	010-050-0781-6197	Signage Supplies	\$750.00
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20. **To authorize installation of signage to convert the intersection of Major Loring Way and Gentry Lane to an all-way stop-controlled intersection.**

To **authorize** installation of signage to convert the intersection of Major Loring Way and Gentry Lane to an all-way stop-controlled intersection.

Available in the Department's approved FY24 General Fund Operating Budget, as follows:

Available:	010-050-0781-6197	Signage Supplies	\$750.00
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21. **To authorize installation of signage to convert the intersection of Heritage Trace Drive and Bishop Creek Drive to an all-way stop-controlled intersection.**

To **authorize** installation of signage to convert the intersection of Heritage Trace Drive and Bishop Creek Drive to an all-way stop-controlled intersection.

Available in the Department's approved FY24 General Fund Operating Budget, as follows:

Available:	010-050-0781-6197	Signage Supplies	\$750.00
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22. **To adopt a resolution authorizing the submission of a FY24 Section 5307 Grant Program request to the Federal Transit Administration for transit capital projects and authorize acceptance of allocated Section 5307 Grant Program funding.**

To **adopt** a resolution authorizing the submission of a FY24 Section 5307 Grant Program request to the Federal Transit Administration, in an amount not to exceed \$1,725,000.00, for transit capital projects; **authorize** acceptance of allocated Section 5307 Grant Program funding; and **further authorize** the Chairwoman, or her designee, to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

Available in the Transit Grant Fund, as follows:

Available:	203-050-T088-8005	Preliminary Estimate	\$1,725,000.00
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23. **To authorize advertisement to hold a public hearing for the proposed closure and abandonment of a portion of the unimproved section of Woodhill Drive, located in Land Lot 376 of the 16th District, 2nd Section, Cobb County, Georgia.**

To **authorize** advertisement to hold a public hearing for the proposed closure and abandonment of a portion of the unimproved section of Woodhill Drive, located in Land Lot 376 of the 16th District, 2nd Section, Cobb County, Georgia.

Public Services Agency

Senior Services

24. **To approve the 2024 First Amendment Contract AG2414.1 with the Atlanta Regional Commission (ARC) for Title III-B, Title IIIC-1, Title III-C-2, Title III-E, CBS-HCBS State (Home and Community Based Services), CBS-Respite, CBS Case Management, SSBG-HCBS (Social Services Block Grant), NSIP Federal (Nutrition Services Incentive Program), NSIP State, NSIP SSBG, Alzheimer's Program State and CBS Alzheimer's State funding, for July 1, 2023 through June 30, 2024.**

To **approve** the 2024 First Amendment Contract AG2414.1 with the Atlanta Regional Commission (ARC) for Title III-B, Title IIIC-1, Title III-C-2, Title III-E, CBS-HCBS State (Home and Community Based Services), CBS-Respite, CBS Case Management, SSBG-HCBS (Social Services Block Grant), NSIP Federal (Nutrition Services Incentive Program), NSIP State, NSIP SSBG, Alzheimer's Program State and CBS Alzheimer's State funding, for July 1, 2023 through June 30, 2024; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following increase in budget appropriations:

Increase Revenue:

277-300-F078-4495	CBS-HCBS State	\$110,619.66
Total Revenue		\$110,619.66

Increase Expenditures:

277-300-F078-6012	Salaries	\$69,248.50
277-300-F078-6168	Gas & Diesel Fuel	\$25,000.00
277-300-F078-6207	Safety Supplies	\$ 2,000.00
277-300-F078-6500	Equipment Outside R&M	\$13,371.16
277-300-F078-6504	Vehicle R&M	\$ 1,000.00
Total Expenditures		\$110,619.66

Sustainability Waste and Beautification

25. **To approve a Recycling Facility Operating Agreement with WestRock CP, LLC for operation of the County's Recycling Facility.**

This item was heard as a Regular Item. (See item 41 of these minutes)

Support Services Agency

Support Services Administration

26. To approve a lease agreement between Northchase Partners, LLC, as Landlord, and Cobb County, as Tenant, for office space located at 1165 Northchase Parkway, Suite 300, Marietta, Georgia 30067, through the brokerage firm of McWhirter Realty Partners.

To **approve** the lease with Northchase Partners LLC, for office space located at 1165 Northchase Parkway, Suite 300, Marietta, Georgia 30067, for one three (3) year term, at a year one rental amount of \$260,712.00, payable in monthly installments of \$21,726.00 for year one, which shall escalate two and 1/2 percent (2.5%) per year until the expiration of the lease term, and the option to renewed/extended the lease for one additional three (3) year term by written notice to Northchase Partners LLC at a rental rate equal to 102.5% of the rental rate in effect at the expiration of the initial term and shall escalate two and 1/2 percent (2.5%) on each anniversary date of the renewal, through the brokerage firm of McWhirter Realty Partners; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding for the first seven months of this rental agreement, installation of surveillance and access control equipment, connectivity costs, and the required security deposit, is available in the FY2024 (March 2024 – September 2024) adopted budget as follows:

Police Department FY2024:	010-130-2100-6534	Rental - Real Estate	\$87,453.19
Police Department FY2024:	010-130-2100-6259	Security Equipment	\$30,196.30
Police Department FY2024:	010-130-2100-6532	Other Fees	\$ 2,012.50
Fire Department FY2024:	230-130-1000-6534	Rental - Real Estate	\$87,453.19
Fire Department FY2024:	230-130-1000-6259	Security Equipment	\$30,196.30
Fire Department FY2024:	230-130-1000-6532	Other Fees	\$ 2,012.50

Information Technology Services

27. **To authorize the Procurement Director to purchase technology greater than \$100,000.00, under provisions of a Georgia Department of Administrative Services contract with Prosys Information Systems, for a Cisco Data Center Networking (DCN) Enterprise Agreement (EA).**

To **authorize** the Procurement Director to purchase a 3-year Cisco Data Center Networking Enterprise Agreement, in the amount of \$416,838.08, under provisions of Georgia Department of Administrative Services Contract #99999-SPD-T20120501-0006 GA Networking Equipment and IT Infrastructure Products with Prosys Information Systems; **authorize** the corresponding budget transactions; and **further authorize** the Procurement Director to execute the necessary documents as approved by the County Attorney's Office.

Available in the Capital Projects Fund 380, Cyber Security Project, Unit 4538 as follows:

380-035-4538-6491	(Cyber Security Project Maintenance)	\$138,946.03
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28. **To authorize the Procurement Director to purchase technology greater than \$100,000.00, under provisions of a Georgia Department of Administrative Services contract with Prosys Information Systems, for the Cisco Security Enterprise Agreement (EA) renewal.**

To **authorize** the Procurement Director to purchase a 3-year Cisco Security Enterprise Agreement, in the amount of \$1,611,421.80, under provisions of Georgia Department of Administrative Services Contract #99999-SPD-T20120501-0006 GA Networking Equipment and IT Infrastructure Products with Prosys Information Systems; **authorize** the corresponding budget transactions; and **further authorize** the Procurement Director to execute the necessary documents as approved by the County Attorney's Office.

Available in the Capital Projects Fund 380, Cyber Security Project, Unit 4538 as follows:

380-035-4538-6491	(Cyber Security Project Maintenance)	\$537,140.60
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29. **To authorize the Procurement Director to purchase technical support services greater than \$100,000.00, under provisions of a Georgia Department of Administrative Services (DOAS) contract with Prosys Information Systems for Cisco SmartNet Support for Cobb County's data communication network.**

To **authorize** the Procurement Director to purchase technical support services in an amount not to exceed \$186,943.84, under provisions of Georgia Department of Administrative Services Contract #99999-SPD-T20120501-0006 GA Networking Equipment and IT Infrastructure Products with Prosys Information Systems for Cisco SmartNet Support for Cobb County's data communication network; **authorize** the corresponding budget transactions; and **further authorize** the Procurement Director to execute the necessary documents as approved by the County Attorney's Office.

Funding is available in the FY 2024 operating budgets as follows:

General Fund	010-035-0400-6497	\$153,293.95
Water Fund	500-500-5100-6491	\$18,694.38
Fire Fund	230-130-1000-6491	<u>\$14,955.51</u>
Total		\$186,943.84

Property Management

30. **To approve a contract with Five Star Food Service, Inc. for vending services within various County facilities.**

To **approve** a contract with Five Star Food Service, Inc., to provide vending services within various County facilities for a three-year term commencing on March 1, 2024, with two one-year extension options; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

As commissions are received, the revenue will be posted to 010-014-0140-4851 (General Fund Admin - Concessions/Vending).

Public Safety Agency

Police Department

31. To approve a First Amendment to the Restated and Amended Purchase and Service Agreement with Utility Associates, Inc.

To **approve** a First Amendment to the Restated and Amended Purchase and Service Agreement with Utility Associates, Inc. for a three-year contract not to exceed \$503,200.00, and **further authorize** the Chairwoman to execute all necessary documents.

Funding is available in the Police Department FY24 Operating Budget for the increased expense of the contract of \$286,850.00 in 010-130-2100-6491 (Annual Maintenance and Support Contracts).

Fire and Emergency Services

32. To authorize the renewal of Telestaff (UKG Kronos) software.

To **approve** the renewal of Telestaff (UKG Kronos) software for an amount not to exceed \$54,180.00, and **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute any necessary documents

Funding is available within the FY24 Fire Budget:

230-130-1000-6491	Annual Maintenance & Support	\$54,180.00
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911 Emergency Communications

33. To approve an extension of the current Emergency Communications System agreement with RAVE Mobile Safety, a Motorola Solutions Company.

To **approve** the agreement with RAVE Mobile Safety, a Motorola Solutions Company; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the FY2024 E911 Fund as follows:

E-911 Fund	260-130-0200-6491	Annual Maintenance Contracts	\$114,500.00
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Community Development

34. **To review a summary of the appeal hearing conducted by the License Review Board on February 8, 2024, for GFY Hospitality V, LLC d/b/a Sidelines Grille.**

To **affirm** the decision of the License Review Board, following the review of the summary of the appeal hearing of February 8, 2024, to approve the application for a liquor, beer, wine and Sunday sales pouring license for GFY Hospitality V, LLC d/b/a Sidelines Grille, 4719 Lower Roswell, Ste. 210, Marietta, GA 30068, Victor Robert Katzenstein, licensee.

35. **To approve an annexation notice of Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of a tract of land that totals 16.57 acres located at the east side of Ernest Barrett Parkway north of Powder Springs Road into the City of Powder Springs.**

To **approve** an Annexation Notice of Non-Objection with Stipulations per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 16.57 acres located in Land Lots 765 and 790, 19th District, 2nd Section, at the east side of Ernest Barrett Parkway north of Powder Springs Road. A copy of the Annexation Notice of Non-Objection with Stipulations is attached and made a part of these minutes.

36. **To approve an annexation notice of Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of a tract of land that totals 13.64 acres located at the southside of Macedonia Road, west of Ernest Barrett Parkway into the City of Powder Springs.**

To **approve** an Annexation Notice of Non-Objection per HB 489 Intergovernmental Agreement and HB 2 regarding a petition for the annexation of 13.64 acres located in Land Lots 765 and 790, 19th District, 2nd Section, at the south side of Macedonia Road, west of Ernest Barrett Parkway. A copy of the Annexation Notice of Non-Objection is attached and made a part of these minutes.

Human Resources

37. To authorize acceptance and appropriation of grant funds from the Association of County Commissioners of Georgia's (ACCG) Internship Program to fund the 2024 summer internship program.

To **authorize** the acceptance and appropriation of grant funds from the Association of County Commissioners of Georgia's (ACCG) Internship Program; **approve** the 2024 Summer Internship Agreement, in the amount of \$10,430.40; **authorize** reimbursement to ACCG of all unspent grant funds at program end; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue:	270-095-G480-4508	(Local Grants)	\$9,778.50
Increase Expenditure:	270-095-G480-6018	(Part-Time Salaries)	\$9,000.00
Increase Expenditure:	270-095-G480-6034	(FICA)	\$ 688.50
Increase Expenditure:	270-095-G480-6052	(Workers' Comp)	\$ 90.00
Decrease Expenditure:	500-500-5100-6018	(Part-Time Salaries)	\$ 400.00
Decrease Expenditure:	500-500-5100-6034	(FICA)	\$ 30.60
Decrease Expenditure:	500-500-5100-6052	(Workers' Comp)	\$ 14.54
Increase Expenditure:	500-500-5100-6594	(Interfund Expense)	\$ 445.14
Decrease Expenditure:	010-075-1700-6018	(Part-Time Salaries)	\$ 400.00
Decrease Expenditure:	010-075-1700-6034	(FICA)	\$ 30.60
Decrease Expenditure:	010-075-1700-6052	(Workers' Comp)	\$ 14.54
Increase Expenditure:	010-075-1700-6594	(Interfund Expense)	\$ 445.14
Decrease Expenditure:	600-700-4950-6018	(Part-Time Salaries)	\$ 400.00
Decrease Expenditure:	600-700-4950-6034	(FICA)	\$ 30.60
Decrease Expenditure:	600-700-4950-6052	(Workers' Comp)	\$ 14.54
Increase Expenditure:	600-700-4950-6594	(Interfund Expense)	\$ 445.14
Increase Revenue:	270-095-G480-4960	(Interfund Revenue)	\$1,335.42
Increase Expenditure:	270-095-G480-6018	(Part-Time Salaries)	\$1,200.00
Increase Expenditure:	270-095-G480-6034	(FICA)	\$ 91.80
Increase Expenditure:	270-095-G480-6052	(Workers' Comp)	\$ 43.62

Finance

38. **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

39. **To approve minutes.**

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

- February 12, 2024 - Agenda Work Session
- February 13, 2024 - BOC Regular Meeting
- February 20, 2024 - Zoning Hearing

Support Services Agency

40. **To approve a Purchase and Sale Agreement for the acquisition of an undivided 22.5% interest in real property located at 3830 South Cobb Drive, Smyrna, Georgia from Vision Rehabilitation Services of Georgia, Inc. ("VRS") including any associated land acquisition costs and approve necessary repurposing renovation costs.**

To **approve** a Purchase and Sale Agreement for the acquisition of an undivided 22.5% interest in real property located at 3830 South Cobb Drive, Smyrna, Georgia from Vision Rehabilitation Services of Georgia, Inc. ("VRS"); **approve** the payment of associated land acquisition costs; **approve** repurposing renovation costs; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the Purchase and Sale Agreement and all other necessary documents.

Funding will be available with the following transactions:

Increase Revenue:	380-055-CPCT-8820	Undesignated Contingency	\$4,182,709.00
Increase Expenditure:	380-055-CPCT-6594	Interfund Expense	\$4,182,709.00
Increase Revenue	010-125-0655-4960	Interfund Revenue	\$1,025,000.00
Increase Expenditure:	010-125-0655-8015	Site Acquisition	\$1,025,000.00
Increase Revenue:	348-110-B091-4960-B0910-C	Interfund Revenue	\$3,157,709.00
Increase Expenditure:	348-110-B091-8110-B0910-C	Renovation of Buildings	\$3,157,709.00

To approve a Purchase and Sale Agreement for the acquisition of an undivided 22.5% interest in real property located at 3830 South Cobb Drive, Smyrna, Georgia from Vision Rehabilitation Services of Georgia, Inc. (“VRS”) including any associated land acquisition costs and approve necessary repurposing renovation costs. (CONT.)

The exact amount of related acquisition costs, which include title search, title insurance premium, appraisal, tax proration, closing costs and any other necessary expenses, will not be known until the settlement statement is available. The necessary budget transfers will not be processed until the total amount is disclosed within the settlement statement and all funds will be transferred accordingly at that time. A contingency of 2.5% of the purchase price of the property is included.

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, Support Services improvements. The renovation of county-owned facilities is an eligible capital improvement project/program under the 2022 SPLOST and is an approved project of Property Management (Cobb County 2022 SPLOST, p. 42) which provides for improvements to facilities and equipment.

SPLOST Project Summary as of February 1, 2024: Property Management Projects, Program #B0910

Current Budget:	\$9,925,000.00
Actual Expenditures:	\$1,206,441.57
Encumbrances:	\$ 352,469.32
Pre-Encumbrances:	\$ 91,226.00
Amount Remaining in the Project:	\$8,274,863.11

If the 2022 SPLOST program should collect revenue above projections, the Board may opt to appropriate additional funding into this 2022 SPLOST program (B0910), and subsequently return any or all of the \$3,157,709.00 contribution to the Public Facilities Project Fund's Capital Contingency Unit.

CONSENT VOTE: ADOPTED 5-0, *Commissioners Birrell and Gambrill in opposition to Item 22 and non-agenda Item 50 (See Item 40 of these minutes).*

REGULAR AGENDA

Sustainability Waste and Beautification

41. **To approve a Recycling Facility Operating Agreement with WestRock CP, LLC for operation of the County's Recycling Facility.**

Motion by Cupid, second by Richardson, to **approve** a Recycling Facility Operating Agreement with WestRock CP, LLC for operation of the County's Recycling Facility in a form substantially similar to that presented and as approved by the County Attorney's Office and **further authorize** the Chairwoman to sign any necessary documents.

Revenue from this agreement will be posted to 600-700-4900-4967 Host Fees

VOTE: **ADOPTED 3-1**, Commissioner Gambrell opposed and Commissioner Birrell abstained

Sheriff's Office

42. **To approve Supplemental Agreement No. 1 to the contract with Carroll Daniel Construction, to establish the GMP (Guaranteed Maximum Price) for renovation of the Public Safety Building, 1st through 4th floors, and the addition of an elevator, under the 2016 SPLOST Program X1071, and 2022 SPLOST Program B1071.**

Motion by Cupid, second by Richardson, to **approve** Supplemental Agreement No. 1, in the amount of \$23,999,297.00, to the contract with Carroll Daniel Construction, to establish the GMP, in the amount of \$25,744,350.00, for the renovation of the Public Safety Building, located at 185 Roswell Street, Marietta, including the 1st through 4th floors, and the addition of an elevator; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available with the following transfers:

Decrease Exp.	347-210-X107-8005-X10701-C	Preliminary Estimates	\$ 1,703,062.54
Decrease Exp.	347-210-X107-8005-X1070-C	Preliminary Estimates	\$ 3,296,234.46
Increase Exp.	347-210-X107-8110-X1071-C	Reno of Bldgs. & Structure	\$ 4,999,297.00
Decrease Exp.	380-055-CPCT-8820	Undesignated Contingency	\$19,000,000.00
Increase Exp.	380-055-CPCT-6594	Interfund Expense	\$19,000,000.00
Increase Rev.	348-210-B107-4960-B1071-C	Interfund Revenue	\$19,000,000.00
Increase Exp.	348-210-B107-8110-B1071-C	Reno of Bldgs. & Structure	\$19,000,000.00

New GAEs will be created as follows:

2016 SPLOST (347-210-X107-8110-X1071-C) in the amount of \$4,999,297.00

2022 SPLOST (348-210-B107-8110-B1071-C0) in the amount of \$19,000,000.00

To approve Supplemental Agreement No. 1 to the contract with Carroll Daniel Construction, to establish the GMP (Guaranteed Maximum Price) for renovation of the Public Safety Building, (CONT)

The 2016 SPLOST Program, adopted by the Board of Commissioners on July 22, 2014, provides for countywide improvements, including capital equipment replacement and facility renovations/modifications related to the Sheriff's Office (Cobb County 2016 SPLOST, p. 6).

Interior renovations of 185 Roswell Street, Marietta, and elevator addition are part of the ongoing renovation efforts and an approved use for 2016 SPLOST dollars.

SPLOST Project Summary as of February 1, 2024: Sheriff's Office X1070

Current Budget	\$24,567,000.00
Actual Expenditures	\$16,281,851.45
Encumbrances	\$4,382,390.15
Pre-Encumbrances	\$ 4,360.50
Amount Remaining in the Project	\$3,898,397.90

SPLOST Project Summary as of February 1, 2024: Sheriff's Office X10701

Current Budget	\$3,458,000.00
Actual Expenditures	\$ 240,021.46
Encumbrances	\$1,514,916.00
Pre-Encumbrances	\$ 0.00
Amount Remaining in the Project	\$1,703,062.54

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, Countywide Improvements. The Sheriff's Office building renovation is an eligible capital improvement project/program under the 2022 SPLOST and is an approved project for restoration to existing Sheriff's Office facilities (Cobb County 2022 SPLOST, p. 6) which provides for improvements to facilities and equipment.

SPLOST Project Summary as of February 1, 2024; Sheriff's Office B1070

Current Budget	\$4,000,000.00
Actual Expenditures	\$4,000,000.00
Encumbrances	\$0.00
Pre-Encumbrances	\$0.00
Amount Remaining in the Project	\$0.00

If the 2022 SPLOST program should collect revenue above projections, the Board may opt to appropriate additional funding into this 2022 SPLOST program (B1071), and subsequently return any or all of the \$19,000,000.00 contribution to the Public Facilities Project Fund's Capital Contingency Unit.

VOTE: **ADOPTED 3-2**, Commissioner Birrell and Commissioner Gambrill opposed

ARPA

43. To approve ARPA beneficiary grants to qualified Hospitality & Tourism organizations for employee retention support.

Motion by Cupid, second by Richardson, to **approve** round-one ARPA beneficiary grants to qualified Travel & Tourism organizations in Cobb County, Georgia, for employee retention support; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute any necessary documents for said purpose.

Funding is available in the ARPA Program Fund as follows:

279-030-ED06-6574 Contributions

VOTE: **ADOPTED 5-0**

Transportation

44. To approve Change Order No. 2 (final) to Project No. X2525-TO#1 to the 2022 Master Task Order Contract with WSP USA, Inc., for Traffic Signals – Traffic Signal Specifications, CCDOT Contract No. 002056.

Motion by Cupid, second by Richardson, to **approve** Change Order No. 2 (final) to Project X2525-TO#1 to the 2022 Master Task Order Contract with WSP USA, Inc., a savings to the project in the amount of \$4,380.00, for Traffic Signals – Traffic Signal Specifications, CCDOT Contract No. 002056; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease Encumbrance

GAE 34701102325:	347-050-X250-X250-8722-X2525-E	Engineering	\$4,380.00
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Transfer from:	347-050-X250-X250-8722-X2525-E	Engineering	\$4,380.00
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Transfer to:	347-050-X250-X250-8721-X2525-E	Preliminary Estimate	\$4,380.00
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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, Traffic Management, Traffic Signals, and Planning.

Traffic Signals – Traffic Signal Specifications is an approved project/program in the Congestion Relief and Mobility Improvements - Traffic Management, Traffic Signals, and Planning Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 23).

SPLOST Project Summary as of February 1, 2024: Traffic Signals – Traffic Signal Specifications

Budget:	\$59,705.00	Expended:	\$55,325.00
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VOTE: **ADOPTED 5-0**

45. To approve a contract with D & H Construction Company, Inc., for drainage system repairs on Summit Drive, Project No. B2298, CCDOT Contract No. 002218.

Motion by Gambrell, second by Richardson, to **approve** a contract with D & H Construction Company, Inc., in an amount not to exceed \$129,550.75, for drainage system repairs on Summit Drive, Project No. B2298, CCDOT Contract No. 002218; **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 transfer:

Transfer from:	348-050-B220-B220-8005-B2201-A	Preliminary Estimate	\$109,550.75
Transfer to:	348-050-B220-B220-8762-B2298-C	Turnkey Construction	\$109,550.75

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.

Summit 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 February 1, 2024: Drainage System

Budget:	\$22,753,789.35	Encumbered/Expended:	\$9,457,852.14
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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	\$22,400.00
Transfer to:	Summit Drive Drainage - Utility Allow.		
	510-500-5756-6496-W5092-C	Drainage Contract R&M Svc.	\$20,000.00
	510-500-5756-8265-W5092-M	Materials and Supplies	\$ 2,000.00
	510-500-5756-8810-W5092-T	Contingency	<u>\$ 400.00</u>
		Total:	\$22,400.00

VOTE: ADOPTED 5-0

46. **To approve Change Order No. 2 to Resurfacing Contract 2023-2 Local Roads (Northeast) with Bartow Paving Company, Inc., for resurfacing of County-maintained streets, Project No. B2907, CCDOT Contract No. 001918.**

Motion by Richardson, second by Gambrill, to **approve** Change Order No. 2 to Resurfacing Contract 2023-2 Local Roads (Northeast) with Bartow Paving Company, Inc., in an amount not to exceed \$493,940.00, for additional Water System costs associated with the resurfacing of County-maintained streets, Project No. B2907, CCDOT Contract No. 001918; and **authorize** the Chairwoman to execute the necessary documents.

Available in the Water System's FY24 Adopted Operating Budget, as follows:

Available: 500-500-5400-5416-6516-W4467-C Sewer Line R&M Serv. \$493,940.00

IncreaseEncumbrance

GAE 500021423531: 500-500-5400-5416-6516-W4467-C Sewer Line R&M Serv. \$493,940.00

VOTE: **ADOPTED 5-0**

47. **To approve Change Order No. 1 (final) to the contract with E.R. Snell Contractor, Inc., for Windy Hill Road/Terrell Mill Road Connector, State P.I. No. 0013967, Project No. X2401, CCDOT Contract No. 001429.**

Motion by Richardson, second by Gambrill, to **approve** Change Order No. 1 (final) to the contract with E.R. Snell Contractor, Inc., a savings to the project in the amount of \$117,459.10, for Windy Hill Road/Terrell Mill Road Connector, State P.I. No. 0013967, Project No. X2401, CCDOT Contract No. 001429; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2016 SPLOST Transportation Improvements Program Fund, with the following budget transfer:

Decrease Encumbrance

GAE 34712161944: 347-050-X240-X240-8762-X2401-C Turnkey Construction \$117,459.10

Transfer from: 347-050-X240-X240-8762-X2401-C Turnkey Construction \$117,459.10

Transfer to: 347-050-X240-X240-8761-X2401-C Preliminary Estimate \$117,459.10

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, Thoroughfare and Mobility Improvements.

Windy Hill Road/Terrell Mill Road Connector is an eligible project/program under the Congestion Relief and Mobility Improvements - Thoroughfare and Mobility Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 21).

SPLOST Summary as of February 1, 2024: Windy Hill Road/Terrell Mill Road Connector

Budget:	\$46,298,819.04	Expended:	\$45,569,734.42
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VOTE: **ADOPTED 5-0**

48. To approve a contract with Tri Scapes, Inc., for Windy Hill Road/Terrell Mill Road Connector Landscape, Project No. X2401, CCDOT Contract No. 002067.

Motion by Richardson, second by Gambrill, to **approve** a contract with Tri Scapes, Inc., in an amount not to exceed \$599,906.72, for Windy Hill Road/Terrell Mill Road Connector Landscape, Project No. X2401, CCDOT Contract No. 002067; **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-X240-X240-8761-X2401-C	Preliminary Estimate	\$534,778.96
	347-050-X240-X240-8761-X2404-C	Preliminary Estimate	\$ 65,127.76
Transfer to:	347-050-X240-X240-8762-X2401-C	Turnkey Construction	\$599,906.72

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, Thoroughfare and Mobility Improvements.

Windy Hill Road/Terrell Mill Road Connector is an eligible project/program under the Congestion Relief and Mobility Improvements - Thoroughfare and Mobility Improvements Component of the 2016 SPLOST Transportation Improvements (Cobb County 2016 SPLOST, pp. 7, 21). Windy Hill Road/Terrell Mill Road Connector improvements include a new four lane roadway.

SPLOST Summary as of February 1, 2024: Windy Hill Rd/Terrell Mill Rd Connector

Budget:	\$46,298,819.04	Expended:	\$45,569,734.42
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VOTE: **ADOPTED 5-0**

Public Services Agency

Senior Services

49. To authorize the purchase of a 2024 Starcraft Allstar XL 28 passenger shuttle bus for Cobb County Senior Services, under the provisions of State Contract 99999-SPD-SPD0000212-0005, with Model 1 Commercial Vehicles, formerly known as Creative Bus Sales, under the ARPA-funded Project S.A.F.E.T.Y.

Motion by Cupid, second by Gambrill, to **approve** the purchase of a 2024 Starcraft Allstar XL 28 passenger shuttle bus for Cobb County Senior Services, under the provisions of State Contract 99999-SPD-SPD0000212-0005, with Model 1 Commercial Vehicles, formerly known as Creative Bus Sales, under the ARPA-funded Project S.A.F.E.T.Y.; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the County ARPA budget project CI01.

VOTE: **ADOPTED 5-0**

Support Services Agency

Property Management

50. **To approve Supplemental Agreement No. 1 with Catamount Constructors Inc., to establish the GMP (Guaranteed Maximum Price) for phase one parking area and firing range equipment for the Public Safety Firing Range.**

Motion by Sheffield, second by Cupid, to **approve** Supplemental Agreement No. 1, in the amount of \$8,055,462.00, to the contract with Catamount Constructors, Inc, to establish the GMP, in the amount of \$10,496,026.00, for phase one parking area and Firing Range equipment for the Public Safety Firing Range, located at 2435 East-West Connector, Austell; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2022 SPLOST Program as follows:

Decrease Expenditure: 348-130-B105-8005-B1050-A Preliminary Estimate	\$8,055,462.00
Increase Expenditure: 348-130-B105-8125-B10500-C Construction - New Bldg.	\$8,055,462.00

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, Public Safety Improvements.

Police Headquarters & Training Center, Indoor Firing Range, is an eligible project under the 2022 SPLOST (Cobb County 2022 SPLOST, Page 9).

SPLOST Summary 348-130-B105, as of January 2, 2024:

Police HQ/Training Center Budget:	\$18,000,000.00	Expended to Date:	\$0.00
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A new GAE will be created in Fund 348 upon approval.

VOTE: **ADOPTED 5-0**

51. **To approve Supplemental Agreement No.1 with Johnson Controls, Inc., for implementation of Phase II of performance contracting services for the ARPA-funded Healthy County Building Initiative to implement COVID-19 mitigation and prevention in various County facilities.**

Motion by Cupid, second by Richardson, to **approve** Supplemental Agreement No. 1 with Johnson Controls, Inc., in the amount of \$6,585,141.00, for implementation services of Phase II for the ARPA-funded Healthy County Building Initiative in various County facilities; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is as follows:

ARPA Fund:

Decrease Expenditure:

279-499-CI02-8005	Preliminary Estimates	\$5,270,000.00
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Increase Expenditure:

279-499-CI02-8435	HVAC	\$5,270,000.00
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Property Management Capital Projects Fund

Decrease Expenditure:

381-110-PM01-8005-PM2312-A	Preliminary Estimates	\$130,688.11
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Decrease Expenditure:

381-110-PM01-8005-P2201-A	Preliminary Estimates	\$ 2,721.89
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Decrease Expenditure:

381-110-PM01-8005-P2203-A	Preliminary Estimates	\$154,045.00
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Increase Expenditure:

381-110-PM01-8435-PM2401-C	HVAC	\$287,455.00
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General Fund/Property Management FY2024

Decrease Expenditure:	010-110-3640-8005	Preliminary Estimates	\$232,636.00
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Increase Expenditure:	010-110-3640-8435	HVAC	\$232,636.00
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2022 SPLOST Fund

Decrease Expenditure:

348-110-B091-8435-B0910-A	Preliminary Estimates	\$795,050.00
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Increase Expenditure:

348-110-B091-8435-B0910-C	HVAC	\$795,050.00
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To approve Supplemental Agreement No.1 with Johnson Controls, Inc., for implementation of Phase II of performance contracting services for the ARPA-funded Healthy County Building Initiative to implement COVID-19 mitigation and prevention in various County facilities. (CONT.)

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, Support Services improvements. The replacement of HVAC systems is an eligible capital improvement project/program under the 2022 SPLOST and is an approved project of Property Management (Cobb County 2022 SPLOST, p. 42) which provides for improvements to facilities and equipment.

SPLOST Project Summary as of February 1, 2024: Property Management Projects, Program #B0910

Current Budget:	\$9,925,000.00
Actual Expenditures:	\$1,206,441.57
Encumbrances:	\$ 352,469.32
Pre-Encumbrances:	\$ 91,226.00
Amount Remaining in the Project:	\$8,274,863.11

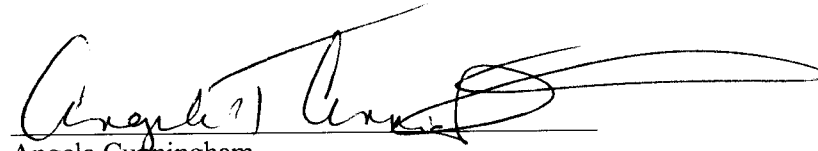
VOTE: **ADOPTED 5-0**

PUBLIC COMMENT

1. Craig Harfoot addressed the Board regarding various matters.
2. Mindy Seger addressed the Board regarding Home Rule.
3. Monica Delancy addressed the Board regarding Riverside community events and housing.

ADJOURNMENT

The meeting was adjourned at 9:26 p.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

RESOLUTION

Resolution authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by Chapter 53 of Title 49 of the U.S. Code, Urbanized Area Formula Grants (49 U.S.C. § 5307) and other federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administration has been delegated authority to award federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon Cobb County, and may require Cobb County to provide the local share of the project cost; and

WHEREAS, Cobb County has provided or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

NOW, THEREFORE, BE IT RESOLVED that the Cobb County Board of Commissioners authorize the filing of a Section 5307 funding grant application with the Federal Transit Administration, Department of Transportation, United States of America, in an amount not to exceed **\$1,725,000.00 for a Microtransit Pilot Project in South Cobb County**; and

1. That the Chairwoman of the Cobb County Board of Commissioners, or her designee, is authorized to execute and file an application on behalf of Cobb County with the Federal Transit Administration for federal assistance authorized by 49 U.S.C. § 5307, or other federal statutes authorizing a project administered by the Federal Transit Administration.
2. That the Chairwoman of the Cobb County Board of Commissioners, or her designee, is authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the Chairwoman of the Cobb County Board of Commissioners, or her designee, is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of Cobb County.

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 February 27, 2024.

This 12 day of February, 2024

Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



Attest:

Paul L. Maly
Clerk
Cobb County Board of Commissioners

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

4/27/24





**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 0640 0002 0800 0920

February 12, 2024

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

Re: Petition for Annexation –19th District, Land Lots 765 and 790, Parcel 010; 19th District, Eastside of Ernest Barrett Pkwy, North of Powder Springs Rd, Cobb County, Georgia; Notice of Non-Objection with Stipulations

Dear Mayor Thurman:

We are in receipt of the above-referenced annexation request. Please accept this response to the annexation proposal for the tract of land located on the east side of Ernest Barrett Parkway, north of Powder Springs Road. The City of Powder Springs has petitioned to annex 16.57 acres by the 100% method.

The Cobb County Future Land Use Plan designates this parcel as mostly a Neighborhood Activity Center with a smaller area designated as a Community Activity Center. According to Appendix A of the HB 489 Intergovernmental Agreement MXU is acceptable within the area designated as a Neighborhood Activity Center and Community Activity Center subject to the maximum density does not exceed 8 units per acre and 12 units per acre respectively.

The annexation of the subject property would conform to the provisions of O.C.G.A. § 36-36-4 as it relates to annexing land while avoiding the creation of new unincorporated islands. Although the MXU zoning district is acceptable according to Appendix A of the HB 489 Intergovernmental Agreement, the applicant's proposed density of 20.76 units per acre exceeds the recommended maximum residential density according to Appendix A of the HB 489 Intergovernmental Agreement. Based on this information, Cobb County does not object to the pending request with the following stipulations in accordance with the Intergovernmental Agreement and O.C.G.A. § 36-36-112:

1. Architectural design and aesthetics should be compatible with the developing character of the neighboring area to compliment specifically the character design located near Ernest Barrett Parkway and North Cobb Parkway, also known as Ridenour which would be the practical and mirrored "bookend" to the Barret Parkway corridor in west

Equal Opportunity Employer

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www.cobbcounty.org

Reference No.

35

Re: Petition for Annexation –19th District, Land Lots 765 and 790, Parcel 010; 19th District, Eastside of Ernest Barrett Pkwy, North of Powder Springs Rd, Cobb County, Georgia; Notice of Non-Objection with Stipulations

- Cobb. With this annexation and rezoning, the City of Powder Springs will enjoy the opportunity to fulfill this vision for the Barrett Parkway corridor, and to truly create an enhanced gateway for the City into its downtown; and,
2. The project will not exceed the density of 16.57 units per acre (344 units) as indicated on the applicant's site plan.

In summary, please accept this letter as the County's formal **notice of non-objection with stipulations** to the proposed annexation. Please see the attached comments from Cobb County departments. If you have questions or need any additional information, please contact Donald Wells, Intergovernmental Coordinator at 770-528-2199.

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, AICP 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

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[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, AICP Community Development Director – Via Email
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Eastside of Ernest Barrett Pkwy, North of Powder Springs Rd, Cobb County, Georgia;
Notice of Non-Objection with Stipulations**

[signature page continued]

Sincerely,

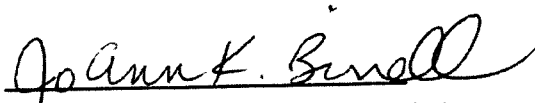
Jerica Richardson, District 2 Commissioner

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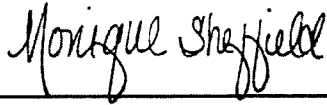
JoAnn K. Birrell, District 3 Commissioner

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[signature page continued]

Sincerely,



Monique Sheffield, District 4 Commissioner

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Brian Johnson, Senior Associate County Attorney, Via Email
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Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

County Staff Comments and Recommendations

**Eastside of Ernest Barrett Pkwy, North of Powder Springs Road
City of Powder Springs**

Water System- Tim Davidson

Water service for the proposed annexed property is provided by the existing CCWS water main in Ernest Barrett Parkway.

Wastewater for the parcel is 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.

Applicant should be aware that the developer will be responsible for improvements of a portion of the existing downstream sanitary sewer to accommodate the wastewater generation of the proposed development.

Planning- Historic Preservation-Mandy Elliott

No comments.

Cobb County Fire Marshal's Office-Rock Toler

The Fire Department has no objection to the annexation.

GIS- Brad Gordon

No objections from a GIS or addressing perspective.

Cobb DOT-Click or tap here to enter text.

Click or tap here to enter text.

Stormwater Management- Click or tap here to enter text.

County Staff Comments and Recommendations

**Eastside of Ernest Barrett Pkwy, North of Powder Springs Road
City of Powder Springs**

Click or tap here to enter text.

Cemetery Preservation Committee- Helga Hong

No comments.

De/Annexation Location Map

January 2024

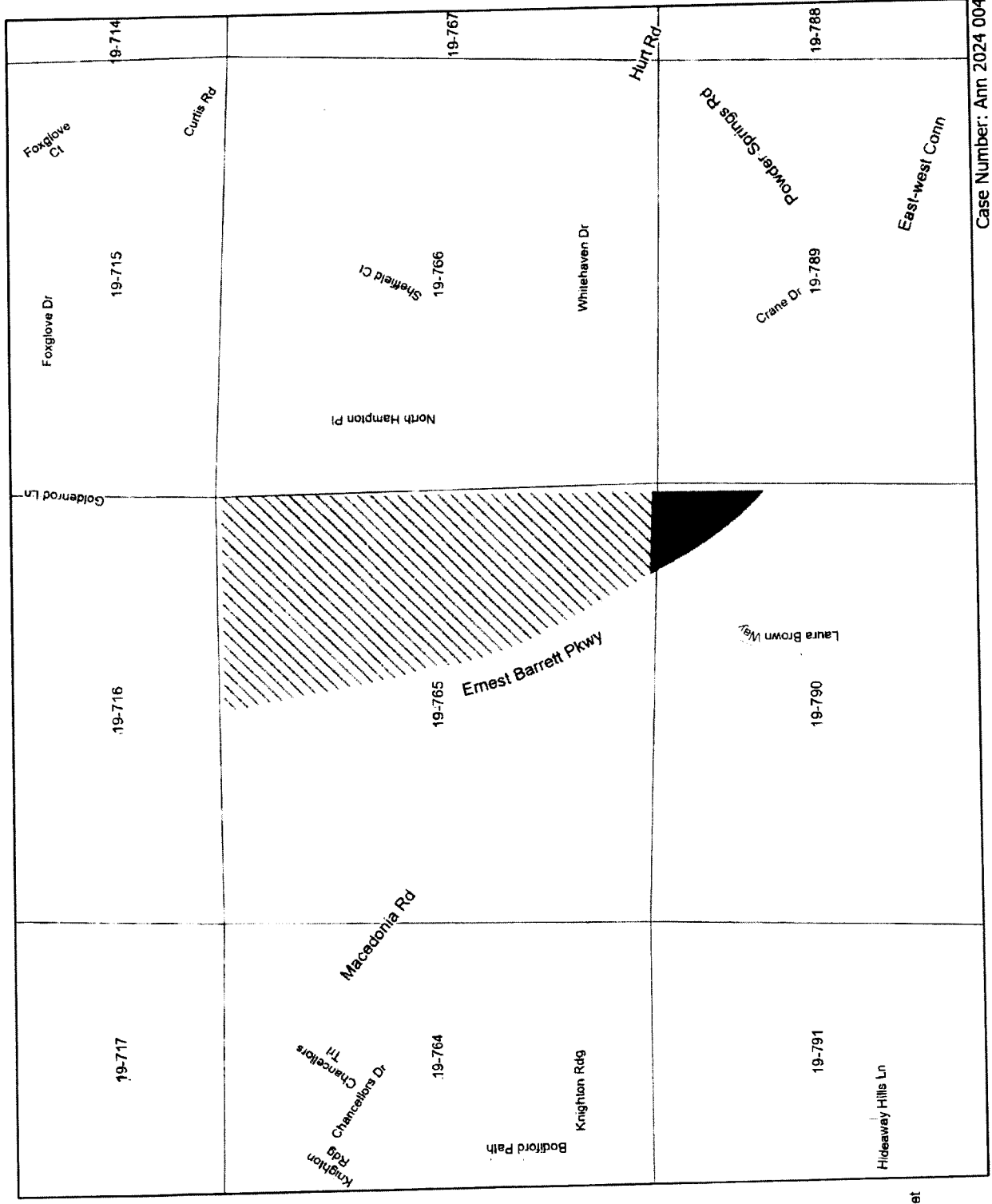
19th District
Landlot: 0765, 0790
Parcel: 010

Legend

- Annexations
- Acworth
- Austell
- Kennesaw
- Marietta
- Powder Springs
- Smyrna
- Landlots

Future Land Use

- Medium Density Residential
- Neighborhood Activity Center
- Community Activity Center
- (Future Land Use only shown for annexation areas.)





**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 6040 0002 0800 0937

February 12, 2024

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

Re: Petition for Annexation— Land Lot 765 and 790, 19th District, Parcel 19079000010 2nd Section, Southside of Macedonia Rd, West of Barrett Pkwy, Cobb County, Georgia; Notice of Non-Objection.

Dear Mayor Thurman:

We are in receipt of the above-referenced rezoning and annexation request. Please accept this response to the annexation proposal for the tract of land located on the south side of Macedonia Rd, west of Barrett Pkwy. The subject property is currently zoned CRC (Community Retail Commercial) and R-20 (Single Family Residential) and is within an area identified as NAC (Neighborhood Activity Center) and CAC (Community Activity Center) according to the Cobb County Future Land Use Map. The subject property has the required contiguity with the existing Powder Springs boundary for annexation. No unincorporated islands would be created or extended with the proposed annexation. There are no county buildings or facilities on the property. This property is undeveloped and wooded. The applicant did not provide a site plan and is proposing CRC uses typically found as out parcels of a Walmart shopping center. Based on our HB 489 Intergovernmental Agreement, this is a non-objectable request.

In summary, please accept this letter as the County's formal **notice of non-objection** to the proposed annexation. Please see the attached comments from the Cobb County departments below. 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.

Equal Opportunity Employer

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Reference No.

36

Re: Petition for Annexation– Land Lot 765 and 790, 19th District, Parcel 19079000010 2nd Section, Southside of Macedonia Rd, West of Barrett Pkwy, Cobb County, Georgia; Notice of Non-Objection.

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Lisa Cupid, Chair

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[signature page continued]

Sincerely,

Keli A. Gambrell

Keli Gambrell, District 1 Commissioner

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[signature page continued]

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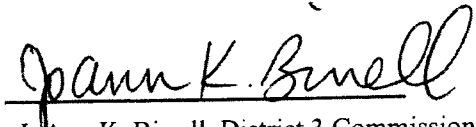
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[signature page continued]

Sincerely,

A handwritten signature in black ink, reading "JoAnn K. Birrell". The signature is written in a cursive style with a horizontal line underneath the name.

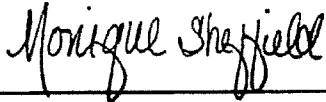
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County Staff Comments and Recommendations

**South side of the Macedonia Rd, west of Ernest Barrett Pkwy
City of Powder Springs**

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No comments.

Cobb County Fire Marshal's Office-Rock Toler

The Fire Department has no objection to the annexation.

GIS- Brad Gordon

No objections from a GIS or addressing

Stormwater Management- Click or tap here to enter text.

Click or tap here to enter text.

Cemetery Preservation Committee- Helga Hong

No comments.

De/Annexation Location Map

January 2024

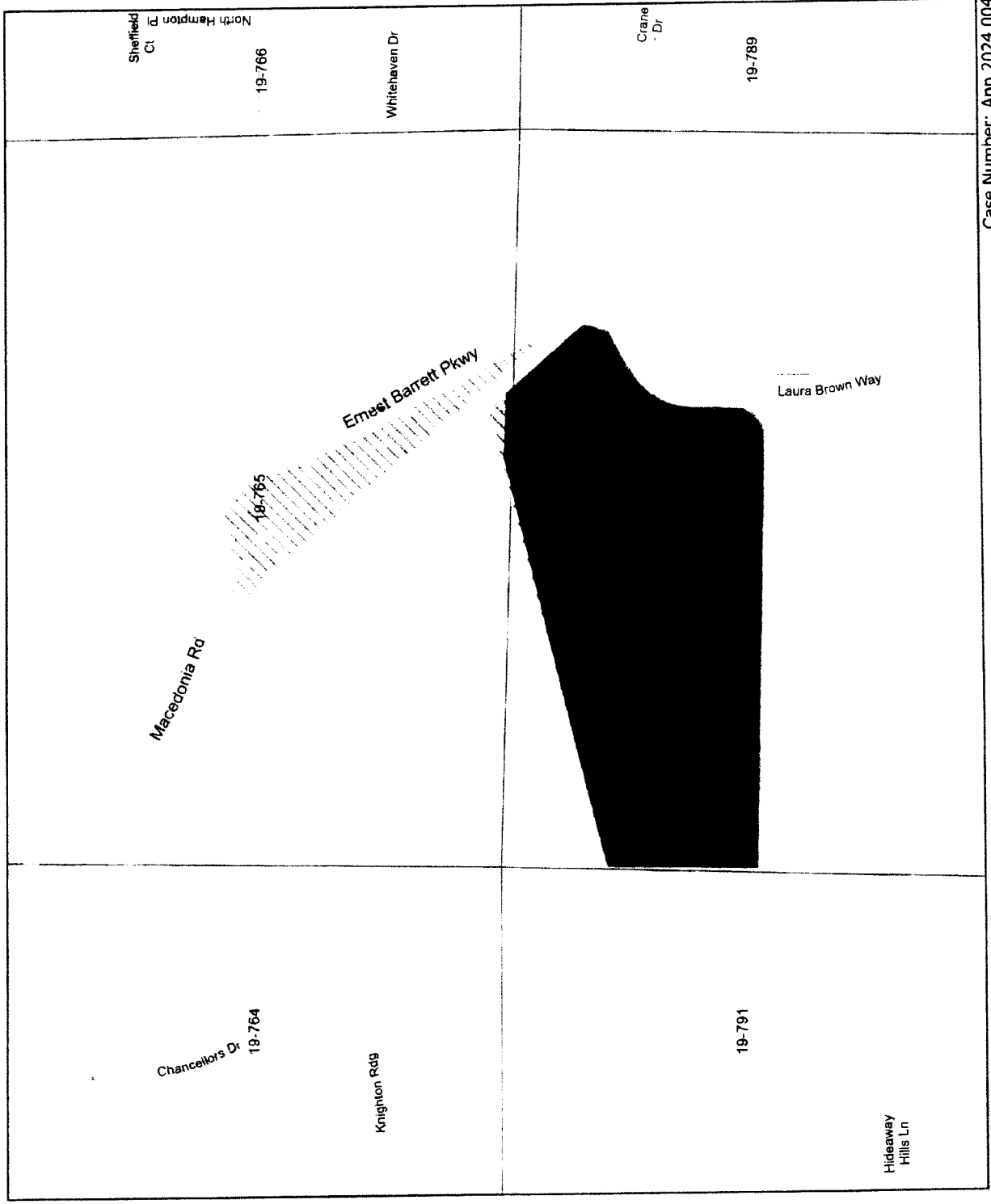
19th District
Landlot: 0765, 0790
Parcel: 010

Legend

-  Annexations
-  Acworth
-  Austell
-  Kennesaw
-  Mableton
-  Marietta
-  Powder Springs
-  Smyrna
-  Landlots

Future Land Use

-  Neighborhood Activity Center
 -  Community Activity Center
- (Future Land Use only shown for annexation areas.)



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 27th of February 2024

