

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 13, 2024
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held on Tuesday, August 13, 2024 at 9:00 a.m. in the second-floor public meeting room at 100 Cherokee Street, David Hankerson 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 present a proclamation designating August as *Child Support Awareness Month* in Cobb County**

Commissioner Sheffield presented a proclamation designating August as *Child Support Awareness Month* in Cobb County.

2. **To recognize Information Technology Services (ITS) for being ranked fifth among the top ten digital counties nationwide with a population between 500,000 – 999,999.**

Dr. Jackie McMorris, County Manager, and Chairwoman Cupid recognized the Information Technology Services Department for being ranked fifth among the top ten counties nationwide in the 2024 Digital Counties Survey conducted by CDG and NACo for the 500,000-999,999 Population Category.

3. **To present a proclamation designating August 8, 2024 as *Whataburger Day* in Cobb County.**

Chairwoman Cupid presented a proclamation designating August 8, 2024, as *Whataburger Day* in Cobb County.

PUBLIC HEARING

4. **Withdrawal of request to conduct a public hearing for the proposed closure and abandonment of Bentley Lake Road, located in Land Lots 1063 and 1064 of the 16th District, 2nd Section, Cobb County, Georgia.**

This item was withdrawn from the agenda.

5. To conduct the first public hearing to solicit comments and input on the proposed amendment to Chapter 78 (Licenses, Permits and Businesses).

Jessica Guinn, Community Development Agency Director, presented information regarding the proposed amendment to Chapter 78 (Licenses, Permits and Businesses) of the Official Code of Cobb County.

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward. Following four speakers, the public hearing was closed.

No official action was taken by the Board.

PUBLIC COMMENT

1. Hill Wright addressed the Board regarding various concerns.
2. Virginia Choate addressed the Board regarding taxes and Home Rule.
3. Susan Strevens addressed the Board regarding grievances.
4. Donald Barth addressed the Board regarding Home Rule.
5. Christine Rozman addressed the Board regarding Home Rule.
6. Tracy Stevenson addressed the Board regarding Home Rule.
7. Jeff Jones addressed the Board regarding MSPLOST.
8. Salleigh Grubbs addressed the Board regarding Elections.
9. Derick Blassigame addressed the Board regarding MUST Ministries.

Clerk's Note: Commissioner Birrell and Commissioner Gambrill read revised statements that are on file in the County Clerk's office to be attached to each vote and made a part of these minutes.

NON AGENDA ITEM

Motion by Cupid, second by Richardson, to **approve** the addition of the following agenda item to the Consent Agenda: (See item 31 of these minutes)

- *To approve an exception to the Parental Leave Policy.*

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

CONSENT AGENDA

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

District Attorney

6. **To authorize a time extension for the grant period of the District Attorney's Opioid Project.**

To **authorize** a time extension for the grant period of the District Attorney's Opioid Project, federal grant number 1 5PBJA-2 1-GG-04547-COAP, to September 30, 2025; **authorize** continued budget and personnel transactions for Unit F069; and **further authorize** the Chairwoman to execute the necessary documents.

There is no change to the approved funding for this program.

Superior Court Administration

7. **To approve the appropriation of revenue collected from Co-Parenting Seminars as a restricted reserve.**

To **approve** the appropriation of revenue collected from Co-Parenting Seminars as a restricted reserve; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue:	010-225-9520-4539	Co-Parenting Seminar Fee
Increase Expenditures:	010-225-9520-8818	Standard Reserve

Juvenile Court

8. **To authorize the acceptance and appropriation of grant funds from Georgia Court Appointed Special Advocates, Inc. for the Juvenile Court's Court Appointed Special Advocates (CASA) Program.**

To **authorize** the acceptance and appropriation of grant funds from the Georgia Court Appointed Special Advocates, Inc. for the Cobb County Juvenile Court CASA Program, in the amount of \$213,214.74, for the period of July 1, 2024 through June 30, 2025; **authorize** transfer of all personnel from Unit G481 and F080 to G484; **authorize** the corresponding budget transactions; **authorize** Court Administrator, Adolphus Graves to sign quarterly reimbursements on behalf of the County; and **further authorize** the Chairwoman to execute all necessary documents.

Increase revenue	270-190-G484-4508	(Local Grants)	\$213,214.74
	270-190-G484-4960	(Interfund from GF)	\$129,625.00
		TOTAL REVENUE	\$342,839.74
Increase expenditure	270-190-G484-6012	(Salaries)	\$331,252.00
	270-190-G484-6116	(Gen. office supplies)	\$ 1000.00
	270-190-G484-6166	(Food supplies)	\$ 487.74
	270-190-G484-6204	(Other supplies)	\$ 1,500.00
	270-190-G484-6258	(Accountable equipment)	\$ 5,000.00
	270-190-G484-6326	(Professional services)	\$ 0.00
	270-190-G484-6394	(Registration fees)	\$ 250.00
	270-190-G484-6400	(Travel-training)	\$ 1,500.00
	270-190-G484-6416	(Training-business)	\$ 1,500.00
	270-190-G484-6584	(Memberships)	\$ 350.00
		TOTAL EXPENDITURE	\$342,839.74

State Court Clerk

9. **To authorize the appropriation of funds received from the Clerk of State Court's unclaimed cash bond into the General Fund.**

To **authorize** the appropriation of funds received from the Clerk of State Court from unclaimed cash bond monies into the General Fund in the amount of \$204,644.20.

Funding will be appropriated as follows:

Increase Revenue:	010-160-8500-4802	(Bond Forfeiture)	\$204,644.20
Increase Expenditure:	010-015-0145-8820	(Undesignated Contingency)	\$204,644.20

Water System

10. To approve a work order under the FY24 Stormwater Management Unit Price Contract with D&H Construction Company for 4710 Covenant Way, Program No. SW2280.

To **approve** a work order under the FY24 Stormwater Management Unit Price Contract with D&H Construction Company, in the amount of \$133,632.30, for 4710 Covenant Way, Program No. SW2280; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

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

Transfer from:

Stormwater Multi-Year
Budget

Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$133,632.30
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Transfer to:

4710 Covenant Way

Drainage Contract R&M Service	510-500-5758-6496	SW2280-C	\$133,632.30
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11. To approve an easement agreement with KL LB BUY 1 LLC granting Cobb County an easement for access to County-owned property, located in Land Lots 715, 716, 725, and 788 of the 16th District, in exchange for Cobb County granting an easement for stormwater drainage and retention in Laura Lake for the proposed Greenhouse residential development.

To **approve** an easement agreement with KL LB BUY 1 LLC granting Cobb County an easement for access to Cobb County property, located in Land Lots 715, 716, 725, and 788 of the 16th District, in exchange for Cobb County granting an easement for stormwater drainage and retention in Laura Lake for the proposed Greenhouse residential development; an **authorize** the Chairwoman to execute the necessary documents.

12. **To approve Supplemental Agreement No. 3 to extend the current unit price contracts for FY21-FY22 Fire Hydrant Maintenance and Repair, Program No. C0159, through FY25.**

To **approve** Supplemental Agreement No. 3 to extend current unit price contracts for FY21-FY22 Fire Hydrant Maintenance and Repair, Program No. C0159, through FY25; 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 Adopted FY25 Operating Budget, Fund 500, Department 500, Unit 5400, Object 6498.

13. **To approve Supplemental Agreement No. 2 with NaturChem, Inc., dba Opterra Solutions, Inc. to extend the current unit price contract for FY22-FY23 Easement Maintenance Services, Program No. C0164, through FY25.**

To **approve** Supplemental Agreement No. 2 with NaturChem, Inc., dba Opterra Solutions, Inc. to extend the current unit price contract for FY22-FY23 Easement Maintenance Services, Program No. C0164, through FY25; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's System Maintenance Sewer Line - R&M Service Adopted FY25 Operating Budget, Fund 500, Department 500, Unit 5400, Object 6516.

14. **To approve Supplemental Agreement No. 1 with RWRS-EAST, LLC to extend the current unit price contract for FY23-FY24 Large Water Meter Testing and Calibration Services, Program No. MZA2023, through FY25.**

To **approve** Supplemental Agreement No. 1 to extend the current unit price contract with RWRS-EAST, LLC for FY23-FY24 Large Water Meter Testing and Calibration Services, Program No. MZA2023, through FY25; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Large Water Meter Testing and Calibration Adopted FY25 CIP Budget, Fund 510, Department 500, Unit 5751, Object 6502, Program No. MZA2023.

15. **To approve Supplemental Agreement No. 1 with K. M. Davis Contracting Co., Inc. to extend the current unit price contract for FY23-FY24 New Water Meter Installations, Program No. MAPPR, through FY25.**

To **approve** Supplemental Agreement No. 1 with K. M. Davis Contracting Co., Inc. to extend the current unit price contract for FY23-FY24 New Water Meter Installations, Program No. MAPPR, through FY25; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's Water RE&I-Meter Installations Adopted FY25 CIP Budget, Fund 510, Department 500, Unit 5751, Object 8005, Program No. MAPPR.

16. **To approve a List of Prequalified Contractors for Stormwater Construction and Rehabilitation.**

To **approve** the Water System's List of Prequalified Contractors for Stormwater Construction and Rehabilitation.

17. **To approve a List of Prequalified Contractors for Manhole and Valve Box Adjustments.**

To **approve** the Water System's List of Prequalified Contractors for Manhole and Valve Box Adjustments.

18. **To approve Supplemental Agreement No. 1 with Pure Technologies U.S., Inc. dba Wachs Water Services to extend the current unit price contract for FY23 UPC for Inspection and Exercising of Water Valves, Program No. FY23WValves-2, through FY25.**

To **approve** Supplemental Agreement No. 1 with Pure Technologies U.S., Inc. dba Wachs Water Services to extend the current unit price contract for FY23 UPC for Inspection and Exercising of Water Valves, Program No. FY23WValves-2, through FY25; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's System Maintenance Water Line-R&M Service FY25 Adopted Operating Budget, Fund 500, Department 500, Unit 5400, Object 6520.

19. **To approve Supplemental Agreement No. 1 with Duke's Root Control, Inc. to extend the current unit price contract for FY23-FY24 Sewer Root Control, Program No. C0169, through FY25.**

To **approve** Supplemental Agreement No. 1 with Duke's Root Control, Inc. to extend the current unit price contract for FY23-FY24 Sewer Root Control, Program No. C0169, through FY25; and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Water System's System Maintenance Sewer Line - R&M Service Adopted FY25 Operating Budget, Fund 500, Department 500, Unit 5400, Object 6516.

Transportation

20. **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 2022-2024 prequalification period.**

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 2022-2024 prequalification period expiring on May 11, 2025.

21. **To authorize the creation of two new Street Light Districts.**

To **authorize** the creation of two new Street Light Districts for Green Zone Court and Summit Chase.

Available in the Street Light District Fund approved FY24 Operating Budget, as follows:

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

22. **To approve the Sixteenth Amendment to Agreement with Cubic Transportation Systems, Inc., for repair, maintenance, and support services of the Breeze Fare Collection System, Cobb DOT Contract No. 002375.**

To **approve** the Sixteenth Amendment to Agreement with Cubic Transportation Systems, Inc., in an amount not to exceed \$105,876.00, for repair, maintenance, and support services of the Breeze Fare Collection System, effective October 1, 2024 through September 30, 2025, Cobb DOT Contract No. 002375; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Federal and local match funding is available in the Transit Grant Fund, with the following budget transfer:

Transfer from:	203-050-T086-8005	Preliminary Estimate	\$105,876.00
Transfer to:	203-050-T086-6491	Annual Maintenance & Support Contracts	\$105,876.00

23. **To approve a First Amendment to the Contract for Professional Services with Avail Technologies, Inc., for a Computer Aided Dispatch/Automated Vehicle Location System for CobbLinc, Cobb DOT Contract No. 002275.**

To **approve** a First Amendment to the Contract for Professional Services with Avail Technologies, Inc., in an amount not to exceed \$321,563.00, for a Computer Aided Dispatch/Automated Vehicle Location System for CobbLinc, Cobb DOT Contract No. 002275; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Federal and local match funding is available in the Transit Grant Fund for procurement of modem hardware, with the following budget transfer:

Transfer from:	203-050-T087-8005	Preliminary Estimate	\$279,163.00
Transfer to:	203-050-T087-8410	Communications Equipment	\$279,163.00

Federal and local match funding is available in the Transit Grant Fund for additional modem annual hosting and maintenance support services, with the following budget transfer:

Transfer from:	203-050-T083-8005	Preliminary Estimate	\$42,400.00
Transfer to:	203-050-T083-6491	Annual Maintenance and Support Contracts	\$42,400.00

Increase

Encumbrance

GAE 203021324171:	203-050-T083-6491	Annual Maintenance and Support Contracts	\$42,400.00
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Public Services Agency

Senior Services

24. **To authorize the allocation of District 1 FY2024 Capital Contingency funds, in support of door and window replacements at the West Cobb Senior Center.**

To **approve** the allocation of FY2024 District 1 Undesignated Contingency funds, in the amount of \$370,801.00, for the replacement of doors and windows at the West Cobb Senior Center; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget transaction:

Decrease Expenditure:	010-001-0121-8820	District 1 Capital Contingency	\$370,801.00
Increase Expenditure:	010-300-0060-8135	Other Capital Expenditures	\$370,801.00

Public Safety Agency

Police Department

25. To approve a Second Amendment Government Agency Customer Agreement with Flock Group, Inc.

To **approve** a Second Amendment Government Agency Customer Agreement with Flock Group, Inc, and **authorize** the Chairwoman to execute all necessary documents.

010-130-2100-6258 (Accountable Equipment) \$15,600.00

26. To approve an increase in the fee for criminal history records checked through GCIC/NCIC via the Central Records Unit of the Cobb County Police Department.

To **approve** an increase in the fee for criminal history records ran through GCIC/NCIC via the Central Records Unit of the Cobb County Police Department.

Animal Services

27. To authorize the acceptance of the Dog and Cat Sterilization Program Grant award administered by the Georgia Department of Agriculture.

To **authorize** the acceptance of the Dog and Cat Sterilization Program Grant award, administered by the Georgia Department of Agriculture; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be appropriated in the Grant Fund as follows:

Increase Revenue:	270-130-G093-4508	Local Grants	\$3,500.00
Increase Expenditure:	270-130-G093-6324	Veterinary Services	\$3,500.00

28. To authorize the acceptance of a donation of 100 infrared thermometers and additional batteries from Pawsitive Supporters, a 501(c3).

To **authorize** the acceptance of a donation of 100 infrared thermometers and additional batteries from Pawsitive Supporters, a 501(c3).

29. **To authorize the allocation of District One FY2024 Contingency funds, in support of the spay and neutering services within Cobb County.**

To **approve** the allocation of District One FY2024 Contingency funds in support of the spay and neutering services within Cobb County in the amount of \$25,000.00; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents.

Funding will be available with the following budget transaction:

Decrease Expenditure:	010-001-0121-8820	District 1 Commissioner Contingency	\$25,000.00
Increase Expenditure:	010-130-3800-6325	Spay & Neuter Services	\$25,000.00

Human Resources

30. **To approve a Memorandum of Agreement with the University of Georgia and the Carl Vinson Institute of Government for continued instruction of the EXCEL Management Development Program for 2025.**

To **approve** a Memorandum of Agreement with the University of Georgia in an amount not to exceed \$57,600.00, for the Carl Vinson Institute of Government to provide continued instruction of the EXCEL Management Development Program for 2025, and **authorize** the Chairwoman to execute the necessary documents.

Funding is available in the FY25 Human Resources Department budget.		
010-095-2600-6392	Training	\$57,600.00

31. **To approve an exception to the Parental Leave Policy.**

To **approve** an exception to the Parental Leave Policy.

Risk and Safety

32. **To approve all interfund transfers and payments for claims and safety equipment purchases to allow the Risk and Safety Department to reimburse the appropriate departments.**

To **approve** all interfund transfers for claims and safety equipment purchases; and **authorize** the Risk and Safety Department to reimburse the appropriate departments as presented in Attachment A. A copy of Attachment A is attached and made a part of these minutes.

Finance

33. To authorize an interfund transfer from the Transit Capital Project Fund 202 to the Public Transit System Fund 200.

To **authorize** an interfund transfer from the Transit Capital Project Fund 202 to the Public Transit System Fund 200, in the amount of \$3,246,301.58; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Decrease Expenditure:	202-050-4899-8005	Preliminary Estimates	\$3,246,301.58
Increase Expenditure:	202-050-4899-6594	Interfund Expense	\$3,246,301.58
Increase Revenue:	200-050-4802-4960	Interfund Revenue	\$3,246,301.58
Increase Expenditure:	200-050-4802-6327	Operator Service Fees	\$3,246,301.58

34. To approve the allocation of capital funding, and authorize the appropriation of fund balance, within the General Fund for FY2024.

To **approve** the allocation of capital funding, and authorize the appropriation of fund balance, within the General Fund for FY2024, in the amount of \$10,000,000.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

35. 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

36. To approve minutes.

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

- July 22, 2024 - Agenda Work Session
- July 23, 2024 - BOC Regular Meeting
- August 1, 2024 - Special Called Meeting

CONSENT VOTE: **ADOPTED 5-0**, Commissioner Birrell and Commissioner Gambrill in opposition to Finance Item 33 (See Item 34 of these minutes.) (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

REGULAR AGENDA

County Manager

37. **To approve an intergovernmental agreement and to adopt a resolution for an updated Service Delivery Strategy to commence on November 1, 2024, between the County and the six Cobb cities required to participate in the requirements of O.C.G.A. § 36-70-20 et seq.**

Motion by Cupid, second by Richardson, to **approve** an intergovernmental agreement in a substantially similar form to that presented; **adopt** a resolution for an updated Service Delivery Strategy to commence on November 1, 2024, between the County and the six Cobb cities required to participate in the requirements of O.C.G.A. § 36-70-20 *et seq.*; and **authorize** the Chairwoman to execute any and all necessary documents to effectuate the intent of this item. A copy of the intergovernmental agreement and said resolution is attached and made a part of these minutes.

Funding totaling \$5,450,000.00 is included in the FY2025 Adopted Budget to offset potential increases in unincorporated Cobb County, resulting from Service Delivery Strategy amendments. An additional appropriation of \$1,050,000.00 is being considered on this agenda. Approval of that item will bring the Service Delivery Strategy contingency funding up to \$6,500,000.00 for FY2025.

VOTE: **ADOPTED 3-2**, Commissioner Birrell and Commissioner Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

ARPA

38. To approve an appropriation of funds received pursuant to the American Rescue Plan Act of 2021, in an amount not to exceed \$864,607.13, for economic development projects designed to aid economic recovery through business sector support and workforce opportunities.

Motion by Sheffield, second by Birrell, to **approve** an appropriation of funds from funding received pursuant to the American Rescue Plan Act of 2021, in an amount not to exceed \$864,607.13, to support economic development and to assist those negatively affected by the economic impacts of COVID- 19; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the agreement and any other necessary documents for said purpose.

Funding is available in the ARPA Fund as follows:

Decrease	279-055-ARAD-8820	Deobligated Undesignated Contingency (ARPA)	\$864,607.13
Expenditure:			
Increase	279-030-ED03-6574	Contributions (CobbWorks)	\$864,607.13
Expenditure:			

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

39. To approve a contract with Deloitte Consulting LLP for 2021 American Rescue Plan Act Consulting Services.

Motion by Cupid, second by Richardson, to **approve** a one-year contract with Deloitte Consulting LLP, in an amount not to exceed \$2,749,992.00, for 2021 American Rescue Plan Act Consulting Services; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Decrease	279-265-AR21-6574	Contributions (Non-Profit Allocations)	\$2,480,000.00
Expenditure:			
Increase	279-055-ARAD-8820	Deobligated Undesignated Contingency (ARPA)	\$2,480,000.00
Expenditure:			
Decrease	279-055-ARAD-8820	Deobligated Undesignated Contingency (ARPA)	\$2,749,992.00
Expenditure:			
Increase	279-020-AR13-6312	Consulting Services	\$2,749,992.00
Expenditure:			

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

Transportation

40. To approve Change Orders (final) to contracts for various completed projects in the 2011 SPLOST Transportation Improvements Program Fund and the 2016 SPLOST Transportation Improvements Program Fund.

Motion by Cupid, second by Richardson, to **approve** Change Orders (final) to contracts for various completed projects in the 2011 SPLOST Transportation Improvements Program Fund and the 2016 SPLOST Transportation Improvements Program Fund, a total savings to the projects in the amount of \$364,156.22; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents. A copy of the detailed list of budget and accounting transactions is attached and made a part of these minutes.

A savings to the 2011 SPLOST Transportation Improvements Program (TIP) Fund and the 2016 SPLOST TIP Fund, as follows, and as detailed in the presented list of budget and accounting transactions required:

Decrease	345-050-E007-E756-8722-E7560-E	2011 SPLOST TIP Fund	\$ 43,031.03
Expenditures:			
	347-050-Various Units/Subunits/Projects	2016 SPLOST TIP Fund	<u>\$321,125.19</u>
		Total:	\$364,156.22

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

41. To approve Supplemental Agreement No. 1 to the Consultant Services Agreement with Southeastern Engineering, Inc., for engineering design of Holly Springs Road Corridor Improvements, Project No. B2303, Cobb DOT Contract No. 002049.

Motion by Richardson, second by Birrell, to **approve** Supplemental Agreement No. 1 to the Consultant Services Agreement with Southeastern Engineering, Inc., in an amount not to exceed \$187,900.00, for engineering design of Holly Springs Road Corridor Improvements, Project No. B2303, Cobb DOT Contract No. 002049; **authorize** the corresponding budget transaction; 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-B230-B230-8005-B2303-A	Preliminary Estimate	\$187,900.00
Transfer to:	348-050-B230-B230-8722-B2303-E	Engineering	\$187,900.00
Increase Encumbrance			
GAE 34802142357:	348-050-B230-B230-8722-B2303-E	Engineering	\$187,900.00

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, Operational and Safety Improvements.

Holly Springs Road Corridor Improvements is an eligible project/program under the Operational and Safety Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 15). SPLOST funds will be used to make operational and safety improvements at intersections and corridors throughout the county.

SPLOST Project Summary as of August 1, 2024: Holly Springs Road Corridor Improvements

Budget:	\$3,323,500.00	Expended:	\$92,676.00
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VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

42. To approve a Construction Agreement with Norfolk Southern Railway Company for the construction phase of Old Floyd Road at Veterans Memorial Highway, Project No. X2329, Cobb DOT Contract No. 001929.

Motion by Sheffield, second by Birrell, to **approve** a Construction Agreement with Norfolk Southern Railway Company, in the estimated amount of \$153,112.00, for the construction phase of Old Floyd Road at Veterans Memorial Highway, Project No. X2329, Cobb DOT Contract No. 001929; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

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

Transfer from:	347-050-X200-X200-8005-X2000-A	Preliminary Estimate	\$153,112.00
Transfer to:	347-050-X230-X230-6326-X2329-E	Professional Services	\$153,112.00

Increase Encumbrance

GAE 34705242220:	347-050-X230-X230-6326-X2329-E	Professional Services	\$153,112.00
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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, Intersection Improvements.

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

SPLOST Project Summary as of August 1, 2024: Old Floyd Road at Veterans Memorial Highway

Budget:	\$5,677,811.26	Expended:	\$995,148.76
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$5,830,923.26
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VOTE: ADOPTED 5-0 (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

43. To approve Supplemental Agreement No. 1 to the contract with Glosson Enterprises, LLC for Sewell Mill Road Sidewalk, Project X2731, to include Sewell Mill Road School Zone Improvements, Project No. B2805, Cobb DOT Contract No. 001928.

Motion by Richardson, second by Cupid, to **approve** Supplemental Agreement No. 1 to the contract with Glosson Enterprises, LLC for Sewell Mill Road Sidewalk, Project No. X2731, to include Sewell Mill Road School Zone Improvements, in an amount not to exceed \$235,769.66, Project No. B2805, Cobb DOT Contract No. 001928; **approve** a contract time extension through June 30, 2025; **authorize** the corresponding budget transaction; 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-B280-B280-8005-B2801-A	Preliminary Estimate	\$235,769.66
Transfer to:	348-050-B280-B280-8762-B2805-C	Turnkey Construction	\$235,769.66

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, School Zone Improvements.

Sewell Mill Road School Zone Improvements is an eligible project/program under the School Zone Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 19). SPLOST funding for School Zone Improvements will be used for off-campus projects to improve the safety and operational movements of vehicular and pedestrian traffic in and near school zones.

SPLOST Project Summary as of August 1, 2024: Sewell Mill Road School Zone Improvements (new project as of 08/13/24)

Budget:	\$0.00	Expended:	\$0.00
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Adjusted SPLOST Project Summary, following requested budget transfer:

Adjusted Budget:	\$235,769.66
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VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

44. To approve Project No. AR18-TO#4 to the 2022 Master Task Order Contract with Kimley-Horn and Associates, Inc., for Town Center Busbee Park-and-Ride Transit Oriented Development Study, Cobb DOT Contract No. 002376.

Motion by Birrell, second by Cupid, to **approve** Project No. AR18-TO#4 to the 2022 Master Task Order Contract with Kimley-Horn and Associates, Inc., in an amount not to exceed \$470,511.00, for Town Center Busbee Park-and-Ride Transit Oriented Development Study, Cobb DOT Contract No. 002376; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the American Rescue Plan Act Fund, with the following budget transfer:

Transfer from:	279-050-AR18-8721	Preliminary Estimate	\$470,511.00
Transfer to:	279-050-AR18-6322	Planning Services	\$470,511.00

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

45. To approve a contract with Glosson Enterprises, LLC for West Sandtown Road Sidewalk (Mud Creek), Project No. B2741, Cobb DOT Contract No. 002292.

Motion by Sheffield, second by Birrell, to **approve** a contract with Glosson Enterprises, LLC, in an amount not to exceed \$446,477.00, for West Sandtown Road Sidewalk (Mud Creek), Project No. B2741, Cobb DOT Contract No. 002292; **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-B270-B270-8005-B2741-C	Preliminary Estimate	\$311,587.00
Transfer to:	348-050-B270-B270-8762-B2741-C	Turnkey Construction	\$311,587.00

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, Sidewalk Improvements.

West Sandtown Road Sidewalk (Mud Creek) is an eligible project/program under the Sidewalk Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 14). SPLOST funding for sidewalk improvements will provide construction of sidewalks and other pedestrian improvements, including pedestrian bridges, along roadways in the vicinity of schools, activity centers, multimodal facilities, and other congested areas.

SPLOST Project Summary as of August 1, 2024: West Sandtown Road Sidewalk (Mud Creek)

Budget:	\$430,000.00	Expended:	\$0.00
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Available in the Water System DOT Projects – Relocate Lines Adopted CIP Budget, with the following budget transfers:

Transfer from:	DOT Projects - Relocate Lines		
	510-500-5756-8005-W4069-Z	Preliminary Estimate	\$147,590.00
Transfer to:	CC West Sandtown Road Sidewalk (Mud Creek)		
	510-500-5756-8260-W4488-C	Construction	\$134,890.00
	510-500-5756-8265-W4488-M	Materials and Supplies	\$ 10,000.00
	510-500-5756-8810-W4488-T	Contingency	\$ 2,700.00
		Total:	\$147,590.00

VOTE: **ADOPTED 5-0** (Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes).

46. To ratify previous action by the County Manager authorizing emergency drainage repairs on Coopers Creek Drive, and approve a contract with C. W. Matthews Contracting Company, Inc., for said repairs, Project No. B22140, Cobb DOT Contract No. 002377.

Motion by Richardson, second by Cupid, to **ratify** previous action by the County Manager authorizing emergency drainage repairs on Coopers Creek Drive, in response to a sinkhole; **approve** a contract with C.W. Matthews Contracting, Inc., in an amount not to exceed \$1,000,000.00, for said repairs, Project No. B22140, Cobb DOT Contract No. 002377; **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	\$950,000.00
Transfer to:	348-050-B220-B220-8762-B22140-C	Turnkey Construction	\$950,000.00

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, Drainage System.

Coopers Creek 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 August 1, 2024: Drainage System

Budget:	\$22,753,789.35	Encumbered/Expended:	\$12,243,423.52
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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	\$56,000.00
Transfer to:	CC Coopers Creek Drive Drainage		
	510-500-5756-6496-W5105-C	Drainage Contract R&M Svc.	\$50,000.00
	510-500-5756-8265-W5105-M	Materials & Supplies	\$ 5,000.00
	510-500-5756-8810-W5105-T	Contingency	<u>\$ 1,000.00</u>
		Total:	\$56,000.00

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

47. **To authorize submission of a Request for Traffic Signal application to the Georgia Department of Transportation for the installation of a traffic signal on Veterans Memorial Highway at Buckner Road, Project No. B2575, and authorize the operation and maintenance responsibilities upon completion of the installation.**

Motion by Sheffield, second by Birrell, to **authorize** submission of a Request for Traffic Signal application to the Georgia Department of Transportation for the installation of a traffic signal on Veterans Memorial Highway at Buckner Road, Project No. B2575; **authorize** the operation and maintenance responsibilities upon completion of installation; and **further authorize** the Chairwoman to execute the necessary documents.

Available in the Department's approved FY25 Operating Budget as follows:

Available: 010-050-0781-6198/6476 Traffic Control Supplies/Electricity \$5,000.00

VOTE: **ADOPTED 5-0**, (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

Public Services Agency

PARKS

48. **To ratify previous action taken by the County Manager authorizing emergency replacement of the bulkhead at Mountain View Aquatic Center.**

Motion by Birrell, second by Cupid, to **ratify** emergency action by the County Manager for the replacement of the bulkhead at the Mountain View Aquatic Center in an amount not to exceed \$299,731.00; **authorize** a Purchase Order with Paddock Aquatics in a form as approved by the County Attorney's Office; and **further authorize** the Procurement Services Director or the Chairwoman to execute the necessary documents.

Funding will be available with the approval of the Financial Services Management item on today's consent agenda.

010-105-3200-8110	(Renovation of Buildings & Structures)	\$246,310.00
010-105-3200-6328	(Installation, Relocation, Removal)	\$ 45,921.00
010-105-3200-6577	(Freight/Shipping)	\$ 7,500.00
		\$299,731.00

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

Elections

49. To approve a fund balance appropriation in support of the acquisition of technology and equipment needed for the 2024 Presidential election cycle.

Motion by Cupid, second by Richardson, to **approve** a fund balance appropriation in support of the acquisition of technology and equipment needed for the 2024 Presidential election cycle *as presented in the revised funding spreadsheet*, in the amount of \$2,431,725.88; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents. A copy of the revised funding spreadsheet is attached and made a part of these minutes.

Elections & Registration - Admin

Increase Revenue	010-235-9701-4980	Fund Balance Appropriation	\$861,132.92
Increase Expenditure:	010-235-9701-8810	Designated Contingency	\$861,132.92

Elections Preparation Center

Increase Revenue:	010-235-9716-4980	Fund Balance Appropriation	\$343,667.92
Increase Expenditure:	010-235-9716-8810	Designated Contingency	\$343,667.92

Administration

Increase Revenue:	010-235-9720-4980	Fund Balance Appropriation	\$332,688.12
Increase Expenditure:	010-235-9720-8810	Designated Contingency	\$332,688.12

Registration

Increase Revenue:	010-235-9750-4980	Fund Balance Appropriation	\$894,236.92
Increase Expenditure:	010-235-9750-8810	Designated Contingency	\$894,236.92

Total All Units: **\$2,431,725.88**

VOTE: **ADOPTED 4-1**, Commissioner Gambrill opposed (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

Support Services Agency

Information Technology Services

50. **To approve Phase I of a two-part design/construction contract with CML Security, LLC (CML) to include pre-construction and security electronics technology design at the Cobb County Adult Detention Center (CCADC) and Judicial Complex Facilities. This is a 2016 SPLOST project, Facilities Improvements Program X0920.**

Motion by Cupid, second by Richardson, to **approve** Phase I of a two-part design/construction contract with CML Security, LLC to include pre-construction and security electronics technology design at the Cobb County Adult Detention Center and Judicial Complex Facilities, in an amount not to exceed \$991,666.66, 2016 SPLOST Project X0920; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2016 SPLOST Facilities Improvements Program Fund with the following budget transfer:

Decrease Expenditure:	347-110-X092-8005-X0920-T	(Preliminary Estimates)	\$991,666.66
Increase Expenditure:	347-110-X092-8676-X0920-T	(Professional Services)	\$770,000.00
Increase Expenditure:	347-110-X092-8005-X0920-T	(Contingency)	\$221,666.66

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, Facilities Improvements.

Building Security, Emergency/Life Upgrades is an eligible project/program under the 2016 SPLOST and is an approved project of the Support Services Facilities Improvements Work Program (Cobb County 2016 SPLOST, p.37) which provides for improvements to modernize life safety systems in County facilities including detention security systems.

2016 SPLOST Project Summary as of August 1, 2024:

Building Security, Emergency/Life Safety Upgrades X0920 (includes Revenue Above Projections approved on March 9, 2021)

Current Budget:	\$11,860,101.00
Encumbrances:	\$1,097,286.63
Actual Expenditures:	\$5,036,050.08
Remaining in Program:	\$5,726,755.29

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

APPOINTMENTS

51. Withdrawal of request to approve the appointment of Erick Allen to the Board of Trustees of the Witness Fee Fund.

This item was withdrawn from the agenda.

52. To approve the appointment of Kennall Mond to the Recreation Board.

Motion by Cupid, second by Richardson, to **approve** the appointment of Kennell Mond to the Recreation Board for a term balance to expire on March 31, 2026. This appointment will replace Tina Clark.

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

Chairwoman Cupid called for a brief recess at 10:45 a.m. – 11:02 a.m.

COMMUNITY DEVELOPMENT HEARINGS

Clerk's Note: Items 53 and 54 were moved forward for discussion due to attorney conflicts.

53. To request a hearing be conducted to determine if “due cause” exists to suspend or revoke the Cobb County Health Spa License for Top Massage GA, LLC d/b/a Top Massage, 2200 Roswell Rd. Suite 150, Marietta, GA 30062, Zhe Han, owner.

Sam Hensley, Jr., attorney for the Business License Division advised the Board that Michael Familetti, attorney for the owner, requested a continuance due to court conflict, noting the applicant agreed to keep the business closed until the new hearing date.

Motion by Cupid, second by Richardson, to **continue** the hearing to the next convenient time to determine if “due cause” exists to suspend or revoke the Cobb County Health Spa License for Top Massage GA, LLC doing business as Top Massage, 2200 Roswell Rd. Suite 150, Marietta, GA 30062, Zhe Han, owner.

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

54. To request that an Appeal Hearing be conducted to determine if “due cause” exists to deny the 2024 Cobb County Health Spa License renewal for Ruyi Healing Spa, doing business as, V Massage, located at 2800 Canton Rd., Ste. 1200, Marietta, GA 300664, Juan Xu, owner/licensee.

Sam Hensley, Jr., attorney for the Business License Division advised the Board that Lim Meng, attorney for the owner, requested a continuance due to court conflict.

Motion by Birrell, second by Cupid, to **continue** the Cobb County Health Spa License renewal hearing for Ruyi Healing Spa, doing business as, V Massage, located at 2800 Canton Rd., Ste. 1200, Marietta, GA 30064, Juan Xu owner/licensee until September 10, 2024, conditioned upon all parties availability.

VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

55. To request a hearing be conducted regarding the application for alcoholic beverage licenses for Cobb Kwik Mart, LLC doing business as, Cobb Kwik Mart, 455 Pat Mell Rd., Suite 112, Marietta, GA 30060, Bhavesh Shah, licensee.

Bill Rowling, County Attorney, opened the appeal hearing regarding the application for alcoholic beverages for Cobb Kwik Mart, LLC d/b/a Cobb Kwik Mart.

Mr. Hensley, provided opening remarks, background information, and introduced counsel Parks Huff, attorney for the licensee.

Mr. Huff provided opening remarks.

Mr. Hensley swore in those wishing to testify and called Ms. Ellisia Webb, Business License Division Manager, to testify. Mr. Hensley tendered a certified copy of Chapter 6-124 of the Official County Code of Cobb County (Business License Exhibit A).

Mr. Huff and the Board questioned Ms. Webb.

Mr. Huff presented background information and called Bhavesh Shah to testify.

Mr. Hensley and the Board questioned Mr. Shah.

Mr. Huff tendered letters of support (Licensee Exhibit A).

Mr. Hensley and Mr. Huff provided closing remarks.

Motion by Sheffield, second by Birrell, to **deny** the application for alcoholic beverage license for Cobb Kwik Mart, LLC d/b/a Cobb Kwik Mart.

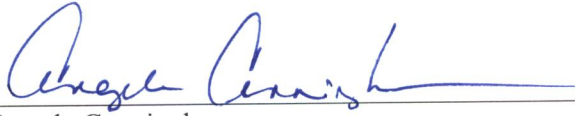
VOTE: **ADOPTED 4-1**, Commissioner Gambrill opposed

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 13, 2024
9:00 AM**

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ADJOURNMENT

The meeting was adjourned at 12:05 p.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

Commissioner Birrell's Statement - Revised 8/13/24

Considering the Supreme Court's ruling in January regarding Standing on the Home Rule issue, my position regarding the home rule challenge still stands.

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, signed into law by Governor Kemp on March 2, 2022, and certified by the Cobb Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgement (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.

Although the Supreme Court of Georgia only ruled on standing and did not rule on the merits of the case, I concur with Justice Bethel's remarks regarding Home Rule authority. With respect to Judge Hill's order dated 7/25/24, I also support her order and do not support the county's request to intervene or request for reconsideration of her decision regarding the Alicia Adams v. Cobb Board of Elections case. I did not support the majority of this Board regarding the Home Rule challenge from the very beginning. It has gone on for the past 2 years at taxpayers' expense, and should never have been done to begin with. We all took an oath to uphold the Constitution of the United States, the State of Georgia, and Cobb County.

Follow the Law.

A handwritten signature in cursive script that reads "Jo Ann K. Birrell".

Jo Ann K. Birrell

District 3 Commissioner

Commissioner Gambrell Statement
as of August 13, 2024

Since March of 2022 the Board Chair, with support of her identifying party, have requested the County Legal Department not to follow the law but rather to circumvent it. The majority initially claimed we had the legal authority under Home Rule to draw our own district maps rather than adhere to the statutory state legislative map.

This Board has had many opportunities to accept the rulings of several judges and other legal authorities and accept that the actions taken by the majority were unconstitutional. But to date have preferred to follow the path to anarchy and ignore those rulings and opinions. Numerous cases have been cited where the Georgia Supreme Court and Federal Courts in Georgia have ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the county.

Prior to the resolution being passed on October 25, 2022, the county received a letter from Stuart Morelli, Deputy Legislative Counsel for the General Assembly of Georgia to Representative Setzler who requested an opinion from their office as to the ability of the Cobb County Board of Commissioners to use either its constitutional home rule powers or statutory authority to approve a new district plan for the board. As explained in this letter, it appears that county governing authorities do not have constitutional or statutory home rule redistricting powers.

Again on December 22, 2022 a letter from Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing an amendment with our office or the publishing of 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 Commission that does not comply to Georgia Law or the State Constitution.

Several legal challenges were put forth, and instead of accepting Judge Harris' ruling of January 8, 2024 the county appealed her ruling within hours. Interestingly enough, the Board of Elections never challenged standing, as they wanted clarity and were willing to accept the judge's opinion.

While the Supreme Court was not able to rule on the merits of the case due to declaratory judgement, their ruling on May 9, 2024 Justice Peterson wrote, "The

entire dispute in this case is about that public duty. In enacting Act 562, the General Assembly set the electoral district lines for Cobb County. Although the parties dispute whether Cobb County had the authority to revise those district lines, it could only do so if the Home Rule Paragraph allowed. Whether this case is framed as a duty to follow Act 562 or a requirement to follow the Home Rule Paragraph, in either case, the heart of the case concerns Cobb County's duty to follow the law. This is sufficient to confer standing for the Floam's challenge to the BOC Amendment. The very last sentence then reads, We express no view about the correct resolution of the very serious constitutional issues with the BOC amendment.

Justice Bethel concurred with the following statement: "But litigation takes time, and it is easily within the realm of possibility that several months could pass before such litigation is concluded, particularly if Cobb continues to pursue what could be interpreted as a deliberately leisurely litigation strategy. He then warned of citizens without duly elected representation, and to avoid these possibilities, it seems to him that Cobb has an interest in reaching a merits-based resolution as quickly as possible and urged Cobb to act with all due haste in securing finality."

Yet the Legal Department continues to advise the Board to take measures to circumvent finality – and the boards majority continues to follow a legally questionable path.

As an elected official of Cobb County, I took an oath of office to uphold the Constitution of the United States and Georgia, uphold the laws of the state and our local enabling legislation. I clearly understand our enabling legislation Sec. 2-23 (b) and OCGA 45-5-1 a. 5 and b and in my opinion the majority of the Board has demonstrated a willingness to ignore the law and in doing so has pivoted from making administrative decisions to practicing malfeasance.

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

Parks - Property Loss - 24 00028

Decrease Expenditure:	710-055-8011-6605	Property Loss	\$72,130.31
Increase Expenditure:	710-055-8011-6594	Interfund Expense	\$72,130.31
Increase Revenue:	010-105-3200-4960	Interfund Revenue	\$72,130.31
Increase Expenditure:	010-105-3200-8110	Property Loss	\$72,130.31

Sustainability - Total Loss - 24 00659 - Vehicle # 4860

Decrease Expenditure:	710-055-8018-8605	Property Loss	\$9,500.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$9,500.00
Increase Revenue:	600-700-4960-4960	Interfund Revenue	\$9,500.00
Increase Expenditure:	600-700-4960-8605	Auto, Van, Truck	\$9,500.00

Police - Total Loss - 23 01547 - Vehicle # 7604

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$12,689.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$12,689.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$12,689.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$12,689.00

Police - Total Loss - 24 00245 - Vehicle # 9871

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$18,554.68
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$18,554.68
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$18,554.68
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$18,554.68

Police - Total Loss - 24 00523 - Vehicle # 7944

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$12,275.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$12,275.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$12,275.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$12,275.00

Police - Total Loss - 24 01028 - Vehicle # 7547

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$10,725.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$10,725.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$10,725.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$10,725.00

Property Management - Property Damage - 24 00427

Decrease Expenditure:	710-055-8011-6605	Property Loss	\$3,200.00
Increase Expenditure:	710-055-8011-6594	Interfund Expense	\$3,200.00
Increase Revenue:	010-110-3640-4960	Interfund Revenue	\$3,200.00
Increase Expenditure:	010-110-3640-6605	Property Loss	\$3,200.00

Police - Total Loss - 24 00415 - Vehicle # 10596

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$50,300.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$50,300.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$50,300.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$50,300.00

Police - Total Loss - 24 00889 - Vehicle # 9998

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$24,875.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$24,875.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$24,875.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$24,875.00

Police - Total Loss - 24 00889 - Vehicle # 9985

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$27,423.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$27,423.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$27,423.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$27,423.00

Police - Total Loss - 24 00801 - Vehicle # 9820

Decrease Expenditure:	710-055-8018-8605	Auto, Van, Truck	\$24,875.00
Increase Expenditure:	710-055-8018-6594	Interfund Expense	\$24,875.00
Increase Revenue:	010-130-2100-4960	Interfund Revenue	\$24,875.00
Increase Expenditure:	010-130-2100-8605	Auto, Van, Truck	\$24,875.00

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 13th of August 2024

**RESOLUTION APPROVING SERVICE DELIVERY STRATEGY
BY COBB COUNTY, GEORGIA**

WHEREAS, Cobb County, Georgia (the "County"), and the City of Acworth, the City of Austell, the City of Kennesaw, the City of Marietta, the City of Powder Springs, the City of Smyrna (collectively, the "Cities") have engaged in discussions and negotiations to reach an agreement on a Service Delivery Strategy; and

WHEREAS, the Cities and County have reviewed the requirements of O.C.G.A. § 36-70-20 *et seq.* for the Cities and County to develop an efficient and responsive local government service delivery system and provide for funding equity; and

WHEREAS, the Cities and the County have undertaken studies to identify all local government services presently provided or primarily funded by each and identified the source of funding for each identified service; and

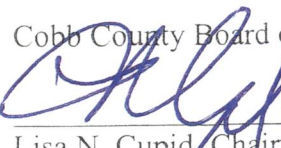
WHEREAS, the Cities and County have devised an agreement in fulfillment of the requirements of O.C.G.A. § 36-70-20 *et seq.*; and

WHEREAS, the agreement is an intergovernmental agreement by and between the Cities and the County to commence on November 1, 2024 and pursuant to the provision of the State Constitution at Ga. Const. Art. IX, Sec. III, Par. I for the provision of services, facilities and equipment; and

WHEREAS, the agreement shall constitute the implementation of the service delivery strategy of the Cities and County.

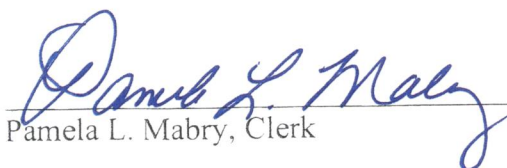
NOW, THEREFORE, BE IT RESOLVED by the Cobb County Board of Commissioners that the agreement set forth in the intergovernmental agreement attached hereto as Exhibit A is approved in fulfillment of the requirements of O.C.G.A. § 36-70-20 *et seq.*

This 15th day of August, 2024.

Cobb County Board of Commissioners

Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



Attest:


Pamela L. Mabry, Clerk

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

8/13/24

Final Change Orders/Contract Close-Out

2011 SPLOST TIP Fund Projects

Project No.	Comm. District	Cobb DOT Contract No.	Project Name	Company	Date	BOC Approvals	Amount
EJ560	4	000910	Mableton Parkway Pedestrian Improvements	American Engineers, Inc.	12/08/15	Contract Award	\$ 507,275.48
					08/13/24	Change Order No. 1 (Final)	\$ (43,031.03)
						Final Revised Contract	\$ 524,244.45

2016 SPLOST TIP Fund Projects

Project No.	Comm. District	Cobb DOT Contract No.	Project Name	Company	Date	BOC Approvals	Amount
X2752	3	001545	Darvis Road Sidewalk	BAE/3rd Technical Services, Inc.	01/26/21	Task Order #1	\$ 107,370.00
					08/13/24	Change Order No. 1 (Final)	\$ (10,000.00)
						Final Revised Contract	\$ 97,370.00
X2751	3	001546	Shaw Road Sidewalk	CLM Smith, Inc.	06/23/20	Contract Award	\$ 96,752.00
					08/13/24	Change Order No. 1 (Final)	\$ (2,955.00)
						Final Revised Contract	\$ 93,797.00
X2703	1	001550	Bellevue Road Sidewalk	Booth Engineering Group, Inc.	01/25/22	Contract Award	\$ 141,626.00
					08/13/24	Change Order No. 1 (Final)	\$ (17,640.14)
						Final Revised Contract	\$ 123,985.86
X2313	4	001365	Railroad Overpass Improvements	North Southern Railway Company	10/08/19	Contract Award	\$ 30,000.00
					08/13/24	Change Order No. 1 (Final)	\$ (32,770.30)
						Final Revised Contract	\$ 37,229.70
X2401	2	000955	Windy Hill Road/Terrill Mill Road Connector	HINTS Corporation	04/12/16	Contract Award	\$ 1,262,210.27
					08/28/18	Supplemental Agreement No. 1	\$ 97,057.35
					12/16/19	Supplemental Agreement No. 2	\$ 50,000.00
					10/13/20	Supplemental Agreement No. 3	\$ 30,000.00
					01/11/22	Supplemental Agreement No. 4	\$ 20,000.00
					06/28/23	Supplemental Agreement No. 5	\$ 50,000.00
					08/13/24	Change Order No. 1 (Final)	\$ (42,365.00)
						Final Revised Contract	\$ 1,467,002.62
X2412	3	001357	West Atlanta Street Trail	Kimley-Horn and Associates, Inc.	01/08/19	Contract Award	\$ 454,289.00
					08/13/24	Change Order No. 1 (Final)	\$ (41,891.40)
						Final Revised Contract	\$ 412,347.60
X2776	4	001305	Farrow Road at Windy Hill Road Anderson Mill Road Sidewalk	NP'S Engineers and Consultants, Inc. NP'S Engineers and Consultants, Inc.	07/10/18	Task Order #1	\$ 92,830.00
					05/13/20	Task Order #2	\$ 184,570.00
					08/13/24	Change Order No. 1 (Final)	\$ (9,315.00)
						Final Revised Contract	\$ 268,085.00
X2314	1	001554	Shiloh Road at Royal Drive/Department Drive	Wood Environmental and Infrastructure Solutions, Inc.	11/18/21	Contract Award	\$ 59,960.00
					07/26/22	Supplemental Agreement No. 1	\$ 134,980.00
					08/13/24	Change Order No. 1 (Final)	\$ (131,980.00)
						Final Revised Contract	\$ 102,960.00
X2606	1	001215	Edick Dicks Road	American Engineers, Inc.	12/12/17	Contract Award	\$ 357,489.53
					11/08/22	Supplemental Agreement No. 1	\$ 30,000.00
					08/13/24	Change Order No. 1 (Final)	\$ (31,908.35)
						Final Revised Contract	\$ 355,581.18

TOTAL Final Change Orders/Contract Savings \$ 364,156.22

Contingency Budget Summary by Unit FISCAL YEAR 2024

Qty	Unit	Object Description	Justification	Amount	Total by Unit
2024	9701	County wide voter information mailer	Properly inform all voters of details for the Presidential election	\$ 500,000.00	
2024	9701	ADA improvements	Bring polling places up to compliance per DOJ	\$ 50,000.00	
2024	9701	Poll worker pins	Commemorative pins for the Presidential Election	\$ 5,000.00	
2024	9701	Personnel for RLA (100 day workers for 4 days)	Additional day workers to complete RLA post-Election Day	\$ 150,000.00	
2024	9701	Special elections		\$ 156,132.92	\$ 861,132.92
2024	9716	ICP 320C (20 total)	Additional equipment to support extra AIP sites	\$ 78,000.00	
2024	9716	ATI (20 total)	Additional equipment to support extra AIP sites	\$ 7,500.00	
2024	9716	26' truck rental (3 total for 7 weeks)	Needed for additional polling places and AIP site deliveries	\$ 25,200.00	
2024	9716	16' truck rental (2 total for 7 weeks)	Needed for additional polling places and AIP site deliveries	\$ 13,160.00	
2024	9716	Tech packages (3)		\$ 7,500.00	
2024	9716	Single hubs (20)		\$ 24,500.00	
2024	9716	Duplex hubs (10)		\$ 23,500.00	
2024	9716	A-frames		\$ 8,175.00	
2024	9716	Special elections		\$ 156,132.92	\$ 343,667.92
2024	9720	Election day food	Lunch for workers working 16+ hours on Election Day	\$ 2,500.00	
2024	9720	Tech packages (9)	Converted and new positions	\$ 23,174.00	
2024	9720	Background checks	Increase in seasonal workers requiring additional background checks	\$ 3,900.00	
2024	9720	State training	Required state training classes	\$ 5,300.00	
2024	9720	Security Guard		\$ 14,431.20	
2024	9720	Poll worker safety badges		\$ 47,250.00	
2024	9720	Increase in Sheriff costs		\$ 80,000.00	
2024	9720	Special elections		\$ 156,132.92	\$ 332,688.12
2024	9750	GIS Tech package	New FT GIS Analyst	\$ 3,550.00	
2024	9750	AnyDoc Licenses	Additional licenses for seasonal workers to process absentee and voter registration applications	\$ 20,000.00	
2024	9750	Additional day workers (30 total 8 weeks 8 hours/day)	Support the drastic increase of mail ballots for the Presidential election	\$ 157,459.00	
2024	9750	AIP Additional personnel costs	Extra AIP sites exclusively for Presidential	\$ 164,000.00	
2024	9750	AIP additional supply costs	Extra AIP sites exclusively for Presidential	\$ 1,500.00	
2024	9750	Registration additional personnel costs (5 seasonals)	Increase in voter registration applications requires increase in personnel	\$ 100,000.00	
2024	9750	Registration additional monitors	Increase in voter registration applications requires increase in personnel	\$ 1,500.00	
2024	9750	Registration additional Microsoft packages	Increase in voter registration applications requires increase in personnel	\$ 2,000.00	
2024	9750	AIP poll pads (13)	Needed for additional AIP site	\$ 24,375.00	
2024	9750	Encoders (100)		\$ 9,900.00	
2024	9750	Poll Pad printers (543)		\$ 230,625.00	
2024	9750	Scanners (50)		\$ 20,150.00	
2024	9750	Monitors (ABM - 5)		\$ 595.00	
2024	9750	Printers (5)		\$ 2,450.00	
2024	9750	Special elections		\$ 156,132.92	\$ 894,236.92
TOTAL				\$ 2,431,725.88	\$ 2,431,725.88

