

**MINUTES OF REGULAR MEETING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 12, 2024
9:00 AM**

The Regular Meeting of the Cobb County Board of Commissioners was held at 9:00 a.m., Tuesday, November 12, 2024, at the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia, in the second-floor public meeting room. 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 9:05 a.m.

PRESENTATIONS

1. **To present a check in the amount of \$40,000.00 to Make-A-Wish Georgia from funds raised by the annual Cobb County Make-A-Wish 5K.**

Chairwoman Cupid and Commissioner Richardson presented a check in the amount of \$40,000.00 to Make-A-Wish Georgia from the Make-A-Wish 5K funds raised by the Cobb County Department of Public Safety.

2. **To present a proclamation designating the week of November 4, 2024 as *Operation Green Light for Veterans* in Cobb County.**

Commissioner Gambrill and Commissioner Birrell presented a proclamation designating the week of November 4, 2024 as *Operation Green Light for Veterans* in Cobb County.

3. **To present a proclamation to the National Society of Daughters of the American Revolution American Indians Committee designating November as *National American Indian Heritage Month*.**

Commissioner Birrell presented a proclamation to the National Society of Daughters of the American Revolution American Indians Committee designating November as *National American Indian Heritage Month* in Cobb County.

PUBLIC HEARING

4. **To conduct a public hearing for employment of consultant services where contract fees will likely exceed \$100,000.00 for FY26 Ultraviolet Disinfection Systems Rehabilitation, Program No. T5009.**

Judy Jones, Water System Agency Director, requested a public hearing regarding the employment of a consultant or consulting firm where contract fees will likely exceed \$100,000.00 for professional services for FY26 Ultraviolet Disinfection Systems Rehabilitation, Program No. T5009.

Chairwoman Cupid opened the public hearing and asked those wishing to speak to come forward to address the Board. Following one speaker, the public hearing was closed.

No official action was taken by the Board.

5. **To conduct the first public hearing on the proposed amendments to Part I, Chapter 2 (Administration), Chapter 6 (Alcoholic Beverages), Chapter 18 (Buildings), Chapter 50 (Environment), Chapter 78 (Licenses, Permits and Businesses), Chapter 110 (Subdivisions), Chapter 122 (Utilities), Chapter 134 (Zoning), and Part II Chapter 2 (Administration).**

Jessica Guinn, Community Development Agency Director, requested the first public hearing to solicit comments on the proposed amendments to Part I, Chapter 2 (Administration), Chapter 6 (Alcoholic Beverages), Chapter 18 (Buildings), Chapter 50 (Environment), Chapter 78 (Licenses, Permits and Businesses), Chapter 110 (Subdivisions), Chapter 122 (Utilities), Chapter 134 (Zoning), and Part II Chapter 2 (Administration). A copy of the presented information is attached and made a part of these minutes.

Chairwoman Cupid opened the Public Hearing and asked those wishing to speak to come forward to address the Board. Following 28 speakers, the public hearing was closed.

Chairwoman Cupid called for a brief recess from 12:07 p.m. - 12:13 p.m.

Clerks note: Prior to the motion, Commissioner Birrell and Commissioner Gambrill requested the following statement that are on file in the County Clerk's Office be attached to each vote and made a part of these minutes.

Commissioner Birrell's statement

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 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.

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.

Commissioner Gambrill's statement

While the County responded on October 3, 2024 to many allegations made in the recent legal challenge filed in Superior Court on September 18, 2024 – no mention was made that these allegations were irrelevant to the action taken by the Board to provide notice that a Commissioner did not meet the qualifications per Sec. 2-23(b) of our local Enabling Legislation.

The Agenda Item #46 for August 25 and September 10, 2024 were only to deem the office vacant and were not included in the County's response. Yet the complaint states the Board voted to fill the vacancy. This is a false statement, as the Agenda's Recommendations clearly stated: "The Board of Commissioners approves notice to the District 2 Commissioner that the office is deemed vacant per Part II, Sec. 2-23(b), Official Code of Cobb County, Georgia; and authorizes the Chairwoman to execute notice pursuant to OCGA 45-5-1 and any other necessary documents for said purpose."

Upon careful review of 45-5-1 it is two pronged. (a) addresses vacated offices and (b) state the decision of the officer or body to fill the vacancy or call an election to fill the vacancy shall be subject to an appeal to the superior court. The Board of Commissioners did not approve to fill the vacancy, nor did we call for an election. Therefore, the complaint should be dismissed.

The county provided no equitable estoppel argument advanced as a result of the actions by the Board of Commissioners in moving forward with an ultra vires passage of the Home Rule Map.

The Home Rule Board action was precipitated by an illegal action through the act of three Commissioners to confect and move forward with a scheme which was illegal in inception and act which Commissioners now claim their term should extend beyond December 31, 2024.

This response coupled with the County Attorney's Office unwillingness to rescind the Home Rule Resolution votes of Oct. 11th and 25th, 2022 raises continued questions as the representation and advice provided to me as your commissioner and representative in matters pertaining to Home Rule.

The County regularly uses outside counsel to represent the interest of the County in matters as simple as motor vehicle accidents. I respectfully request that the Cobb County Attorney's Office be removed from this legal action and outside counsel represent the County in all matters pertaining to Home Rule going forward.

The Board called Ms. Guinn forward for additional discussion and the following motion was made:

Motion by Cupid, second by Richardson, to **withdraw** the following portions of the proposed code amendments for Chapter 134 and **add** an amended definition of *impervious surface* to Sec. 134-1 as stated by Jessica Guinn, Director of Community Development.

- **Chapter 134-1** - *withdraw the definition of Accessory dwelling unit, withdraw the proposed changes to Family and Single-family dwelling unit.*
- **Chapter 134-1** *add an amended definition of impervious surface.*
- **Chapter 134-37 (35)**
- **Chapter 134-193**
- **Chapter 134-194**
- **Chapter 134-195.**
- **Chapter 134-196**
- **Chapter 134-197**
- **Chapter 134-198**
- **Chapter 134-199**

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

The 2nd public hearing regarding the proposed code amendments will be held November 21, 2024, at 6:00 p.m.

PUBLIC COMMENT

1. Leroy Empkin read a statement regarding First Amendment rights.
2. Alicia Adams addressed the Board regarding accessory dwelling units.
3. John McLean addressed the Board regarding accessory dwelling units.
4. Christine Rozman addressed the Board regarding listening to the public.
5. Matt Stigall addressed the Board regarding housing.
6. Craig Harfoot addressed the Board regarding various matters.
7. Liz Marchionni addressed the Board regarding the definition of family.
8. Hill Wright addressed the Board regarding various matters.

Chairwoman Cupid called for a lunch recess from 12:48 p.m. - 1:51 p.m.

CONSENT AGENDA

Clerk's Note: *Commissioner Sheffield made the following motion to add Item 48 to the consent agenda:*

Motion by Sheffield, second by Birrell, to **add** Item 48 to the consent agenda to affirm the decision of the License Review Board for Taco Prado, Inc. d/b/a Taco Prado. (See item 24 of these minutes)

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

MOTION: Motion by Cupid, second by Richardson, to **approve** the following items on the Consent Agenda, *as revised, with the exception to Item 22 which was withdrawn from the agenda*; and **authorize** execution of the necessary documents by the appropriate County personnel.

Superior Court Administration

6. **To approve a contract with Georgia Probation Management, Inc. to provide misdemeanor probation services for the Superior Court.**

To **approve** a contract with Georgia Probation Management, Inc., upon the express written consent of the Superior Court's Chief Judge to provide misdemeanor probation services for the Superior Court, and **further authorize** the Chairwoman to execute the necessary documents.

Water System

7. To approve a work order under the FY23 Unit Price Contract for Water, Sewer, and Miscellaneous Services with HD Excavations & Utilities, LLC for Noonday Creek at Valley Reserve Drive Sewer Replacement, Program No. S3051.

To **approve** a work order under the FY23 Unit Price Contract for Water, Sewer, and Miscellaneous Services with HD Excavations & Utilities, LLC, in the amount of \$88,738.88, for Noonday Creek at Valley Reserve Drive Sewer Replacement, Program No. S3051; **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:		
FY23 Unit Price Contract for Water, Sewer, and Miscellaneous Services		
Construction	510-500-5752-8260 C0171-C	\$88,738.88
Transfer to:		
Noonday Creek at Valley Reserve Drive Sewer Replacement		
Construction	510-500-5755-8260 S-3051-C	\$88,738.88

8. To approve Supplemental Agreement No. 1 to the agreement with Geosyntec Consultants, Inc. for Glenleigh Park Detention Pond Wall Foundation Failure Repair Design, Program No. SW1994

To **approve** Supplemental Agreement No. 1 to the agreement with Geosyntec Consultants, Inc. to extend the existing agreement through December 1, 2025, for Glenleigh Park Detention Pond Wall Foundation Failure Repair Design, Program No. SW1994; and **authorize** the Chairwoman to execute the necessary documents.

9. To approve Supplemental Agreement No. 1 to the agreement with Geosyntec Consultants, Inc. for Pearl of East Cobb Detention Pond Dam/Wall Failure Repair Design, Program No. SW2193.

To **approve** Supplemental Agreement No. 1 to the agreement with Geosyntec Consultants, Inc., in an amount not to exceed \$15,497.00 with a time extension through December 1, 2025, for Pearl of East Cobb Detention Pond Dam/Wall Failure Repair Design, Program No. SW2193; **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:

Increase Encumbrance:			
GAE	510-500-5758-8255	SW2193-E	\$15,497.00
Transfer from:			
Stormwater Multi-Year Budget			
Drainage Contract R&M Service	510-500-5758-6496	SW9999-Z	\$15,497.00
Transfer to:			
Pearl of East Cobb Detention Pond Dam/Wall Failure Repair Design			
Engineering-Basic fees	510-500-5758-8225	SW2193-E	\$15,497.00

Transportation

10. To approve the Airport Capital Improvement Plan annual update for Cobb County International Airport - McCollum Field.

To **approve** the Airport Capital Improvement Plan annual update for Cobb County International Airport - McCollum Field; **authorize** submission of required grant applications to the State of Georgia for FY25/26/27 projects; and **further authorize** the Airport Division Manager to submit the required FY25/26/27 grant applications on behalf of the Chairwoman.

11. 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.

Public Services Agency

Library System

12. To authorize application for the Library Digital Connectivity Grant from the Board of Regents, Georgia Public Library Service.

To **authorize** application for the Library Digital Connectivity Grant funding from the Board of Regents, Georgia Public Library Service, in the amount of \$84,911.61; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue:	270-080-S163-4455	(Department of Education)	\$84,911.61
Increase Expenditure:	270-080-S163-6258	(Accountable Equipment)	\$84,911.61

Senior Services

13. To authorize the acceptance of a grant from Cobb & Douglas Public Health to assist with implementing initiatives that support the 2023 -2027 Community Health Improvement Plan (CHIP) for Cobb and Douglas Counties.

To **authorize** the acceptance of a grant from Cobb & Douglas Public Health to assist with implementing initiatives that support the 2023 -2027 Community Health Improvement Plan (CHIP) for Cobb and Douglas Counties; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Increase Revenue:	270-300-G723-4508	Local Grants	\$11,000.00
Increase Expenditure:	270-300-G723-6204	Other Supplies	\$11,000.00

Support Services Agency

Information Technology Services

14. To approve a sole source Change Order No.1 (CO-1) to Statement of Work No. 1 (SOW-1) with OpenGov, Inc. for the OpenGov Operations Management System (OMS) to reimburse travel for onsite vendor maintenance.

To **approve** Change Order No.1 to Statement of Work No. 1 with OpenGov, Inc. for annual travel reimbursements for the OpenGov Operations Management System, in a total amount estimated to be \$25,200.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Cobb DOT Operating Budgets as follows:

010-050-0710-6491	(Cobb DOT Maintenance)	\$2,600.00
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Procurement Services

15. To approve the award of a contract with HD Supply Facilities Maintenance, Ltd. for maintenance, repair, operating supplies, industrial supplies, and related products and services.

To **approve** the award of a contract with HD Supply Facilities Maintenance, Ltd. for maintenance, repair, operating supplies, industrial supplies, and related products and services; and **authorize** the Chairwoman and the Procurement Director to execute the necessary documents and any subsequent amendments such as renewals, price changes, etc.

Public Safety Agency

16. To approve a three percent adjustment to the salary scale for Fire Grade 4, to address pay discrepancies during promotions, mitigate the impact of stall steps.

To **approve** a three percent salary scale adjustment for Fire Grade 4 to resolve pay disparities, mitigate the effects of stall steps; and **authorize** the corresponding budget transactions.

Funding is available in the FY2025 Fire Fund's Budget with the following budget transaction:

Decrease Expenditure:	230-130-1000-8820	Undesignated Contingency	\$572,656.00
Increase Expenditure:	230-130-1000-6012	Salaries	\$572,656.00

Police Department

17. To approve a Second Restated and Renewed Memorandum of Agreement between the Georgia Department of Driver Services and Cobb County to provide space for motorcycle safety training.

To **approve** a Second Restated and Renewed Memorandum of Agreement between the Georgia Department of Driver Services and Cobb County to provide space for motorcycle safety training; **authorize** the continued appropriation of revenue generated by the rental agreement; **authorize** the Chairwoman to execute the necessary documents; and **further authorize** the Chief of Police to execute any necessary documents including subsequent Memorandums of Understanding in substantially similar form as reviewed by the County Attorney's Office.

Revenues associated with this agreement are appropriated as a standard restricted reserve item within the Training Center's annual budget.

Increase revenue:	010-130-3900-4870	Rental of Real Estate
Increase expenditure:	010-130-3900-8818	Standard Restricted Reserve

18. To authorize the appropriation of FY2025 District 3 Contingency funding for the purchase and installation of a generator, secured parking area, and evidence lockers at Cobb County Police Department Precinct 6.

To **authorize** the appropriation of FY2025 District 3 Contingency funding, for the purchase and installation of a generator, secured parking area, and evidence lockers at Cobb County Police Department Precinct 6; **authorize** the corresponding budget transactions; and **further authorize** the Procurement Director to execute the necessary documents.

Decrease Expenditure: 010-001-0123-8820 District 3 Commissioner Contingency \$500,000.00
Increase Expenditure: 010-130-2100-8135 Other Capital Expenses \$500,000.00

19. To authorize the acceptance of a donation of materials from Home Depot to repair a fence at the Cobb County Police Department Bomb Team location.

To **authorize** the acceptance of a donation of materials from Home Depot to repair a fence at the Cobb County Police Department Bomb Team location.

Fire and Emergency Services

20. To authorize the acceptance of a donation from the Georgia Firefighter’s Burn Foundation, Inc.

To **authorize** the acceptance of a donation from the Georgia Firefighter’s Burn Foundation, Inc., in the amount of \$2,106.53, for Fire and Life Safety Education and Prevention programs and supplies, and **further authorize** the corresponding budget transactions.

Increase Revenue: Other Local Revenue \$2,106.53
Increase Expenditure: Educational Materials & Supplies \$2,106.53

21. To authorize the Procurement Director to purchase through Gwinnett County contract BL066-20, for the procurement of replacement vehicles per the Fire Department's Vehicle Replacement Schedule.

To **authorize** the use of Gwinnett County contract BL066-20, for the procurement of replacement vehicles from Ford Automotive Group in FY2025 per the Vehicle Replacement Schedule, in an amount not to exceed \$503,728.00; to **authorize** the corresponding budget transactions; and **further authorize** the Procurement Services Director to execute any necessary documents.

Funding is available in the FY2025 CCFES Capital and Accountable Equipment Budget and is not related to SPLOST funding.
230-130-1000-8605 Autos, Vans, Trucks, Motorcycles \$503,728.00

Community Development

22. Withdrawal of request to review a summary of the appeal hearing conducted by the License Review Board on October 17, 2024, for Vape Vibes, LLC d/b/a Vape Vibes.

This item was withdrawn from the agenda for a hearing at a later date.

23. To authorize the Chairwoman to execute applications to initiate a rezoning of county owned property (Parcel ID 17049100410), located in Land Lot 491 of the 17th District.

To **authorize** the Chairwoman to execute applications to rezone county-owned property (Parcel ID 17049100410), located in Land Lot 491 of the 17th District.

24. To affirm the decision of the License Review Board for an alcoholic beverage license for Taco Prado, Inc d/b/a, Taco Prado, 6912 Mableton Pkwy., Mableton, GA 30126, Maitza Prado, licensee.

To **affirm** the decision of the License Review Board to **approve** the application for a Cobb County beer and Sunday sales package license for Taco Prado, Inc. d/b/a, Taco Prado, 6912 Mableton Pkwy., Mableton, GA 30126, Maitza Prado, licensee.

Finance

25. To authorize a funding correction in the FY2025 adopted budget.

To **authorize** corrections to the adopted FY2025 Capital Projects Fund and Information Technology Services General Fund budgets and **authorize** the corresponding budget transactions.

Fund 010

Decrease Expenditure:	010-014-0140-6594	Interfund Transfer Expense	\$845,334.00
Increase Expenditure:	010-035-0400-6491	Annual Contracts	\$845,334.00

Fund 380

Decrease Revenue:	380-035-4538-4960	Interfund Transfer Revenue	\$398,822.00
Decrease Expenditure:	380-035-4538-8005	Preliminary Estimates	\$398,822.00

Decrease Revenue:	380-035-4580-4960	Interfund Transfer Revenue	\$306,882.00
Decrease Expenditure:	380-035-4580-8005	Preliminary Estimates	\$306,882.00

Decrease Revenue:	380-035-4639-4960	Interfund Transfer Revenue	\$139,630.00
Decrease Expenditure:	380-035-4639-8005	Preliminary Estimates	\$139,630.00

26. 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.

CDBG

27. To authorize the acceptance and allocation of Fiscal Year 2024 program funds from Edward Byrne Memorial Justice Assistance Grant allocations provided by the Bureau of Justice Assistance.

To **authorize** the acceptance and allocation of Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant funds provided by the Department of Justice; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents. A copy of attachment A is attached and made a part of these minutes.

The budget appropriations shown in attachment A will account for the receipt and expenditure of FY2024 JAG funds.

28. To authorize the submission of the Program Year 2025 Annual Action Plan for Cobb County to the U.S. Department of Housing and Urban Development, and to accept grant funding through the Community Development Block Grant, Home Investment Partnership Act, and Emergency Solutions Grant Program.

To **authorize** the submission of the Program Year 2025 Annual Action Plan for Cobb County to the U.S. Department of Housing and Urban Development, and to accept grant funding through the Community Development Block Grant, Home Investment Partnerships Act, and Emergency Solutions Grant Programs; **authorize** the corresponding budget transactions, and **further authorize** the Chairwoman to execute the necessary documents. A copy of attachments A, B and C are attached and made a part of these minutes.

The estimated funding levels as depicted in attachments A, B, and C, are based on 70 percent of PY2024 final allocations. The proposed funding amounts for the PY2025 CDBG, HOME, and ESG programs are as follows:

CDBG Program	\$2,433,533.20
HOME Program	\$ 844,342.10
ESG Program	\$ 188,457.50
Total	\$3,466,332.80

County Attorney

29. To authorize the settlement of *Alfred Hill v. Cobb County, Georgia*, Civil Action File No. 23-A-4280, in the State Court of Cobb County, Georgia.

To **authorize** the settlement of *Alfred Hill v. Cobb County, Georgia*, Civil Action File No. 23-A-4280, in the State Court of Cobb County, Georgia, as discussed in Executive Session on September 9, 2024; and **further authorize** counsel to prepare and execute any necessary documents for the purposes of settling the ongoing dispute.

Funding is available in account: 710 55 8011 6608

County Clerk

30. To approve minutes.

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

- October 21, 2024 - Agenda Work Session
- October 22, 2024 - BOC Regular Meeting
- October 22, 2024 - BOC Work Session

CONSENT VOTE: **ADOPTED 5-0** Commissioner Birrell in opposition to Item 23 (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

REGULAR AGENDA

ARPA

31. To authorize the re-allocation of American Rescue Plan Act funding previously returned to Contingency, based on Investment Strategy guidance.

Motion by Birrell, second by Sheffield, to **authorize** the re-allocation of \$3,069,406.82 of American Rescue Plan Act funding to the Cobb County Water System to complete Stormwater Management projects; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Decrease Expenditure: 279-055-ARAD-8820	ARPA Undesignated Contingency	\$3,069,406.82
Increase Expenditure: 279-499-CI03-8005	Preliminary Estimates	\$3,069,406.82

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

Water System

32. To approve additional funding for the work order under the FY23 Stormwater Unit Price Contract with Wade Coots Company, Inc. for 64 Olive Circle, Program No. SW2273.

Motion by Richardson, second by Gambrill, to **approve** additional funding for the work order under the FY23 Stormwater Unit Price Contract with Wade Coots Company, Inc., in the amount of \$37,242.00, for 64 Olive Circle, Program No. SW2273; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the Cobb Department of Transportation Fund, with the following budget transfer:

Transfer from:		
Preliminary Estimates	348-050-B220-B220-8005-B2201-A	\$37,242.00
Transfer to:		
Turnkey Construction	348-050-B220-B220-8762-B22158-C	\$37,242.00

The 2022 Special Purpose Local Option Sales Tax (SPLOST), adopted by the Board of Commissioners on July14, 2020, provides for capital improvements and anticipated corresponding budget funding to address, inter alia, Drainage System.

Olive Circle is an eligible project/program under the Drainage System Component of the 2022 SPLOST Transportation Improvements (Cobb County 2022 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 October 1, 2024: Drainage System

Budget: \$22,753,789.35	Encumbered/Expended	\$14,635,008.51
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VOTE: **ADOPTED 5-0** (Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes).

Transportation

33. To approve a First Amended and Restated Term Sheet with the United States Department of Transportation and the Georgia Department of Transportation for Akers Mill Road Managed Lanes Access, Phase 2, Georgia Department of Transportation Project No. 0015051, Cobb County Project No. X2410.

Motion by Richardson, second by Gambrill, to **approve** a First Amended and Restated Term Sheet with the United States Department of Transportation and the Georgia Department of Transportation for Akers Mill Road Managed Lanes Access, Phase 2, Georgia Department of Transportation Project No. 0015051, Cobb County Project No. X2410; and **authorize** the Chairwoman to execute the necessary documents.

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

34. To approve a contract with Advanced Sports Construction, LLC for drainage system repairs on Wandering Vine Lane, Project No. B22124, Cobb DOT Contract No. 002389.

Motion by Sheffield, second by Birrell, to **approve** a contract with Advanced Sports Construction, LLC, in an amount not to exceed \$488,060.00, for drainage system repairs on Wandering Vine Lane, Project No. B22124, Cobb DOT Contract No. 002389; **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	\$463,060.00
Transfer to:	348-050-B220-B220-8762-B22124-C	Turnkey Construction	\$463,060.00

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.

Wandering Vine Lane 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 October 1, 2024: Drainage System

Budget:	\$22,753,789.35	Encumbered/Expended:	\$14,635,008.51
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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	\$28,000.00
Transfer to:	CCDOT Wandering Vine Lane	Drainage	
	510-500-5756-6496-W5113-C	Drainage Contract R&M Svc.	\$25,000.00
	510-500-5756-8265-W5113-M	Materials and Supplies	\$ 2,500.00
	510-500-5756-8810-W5113-T	Contingency	\$ 500.00
		Total:	\$28,000.00

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

35. To approve a contract with Glosson Enterprises, LLC for Barnes Mill Road Sidewalk, Project No. B2731, Cobb DOT Contract No. 001704.

Motion by Richardson, second by Birrell, to **approve** a contract with Glosson Enterprises, LLC, in an amount not to exceed \$395,104.00, for Barnes Mill Road Sidewalk, Project No. B2731, Cobb DOT Contract No. 001704; **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-B2731-C	Preliminary Estimate	\$292,914.00
Transfer to:	348-050-B270-B270-8762-B2731-C	Turnkey Construction	\$292,914.00

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.

Barnes Mill Road Sidewalk is an eligible project/program under the Sidewalk Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 16). 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 October 1, 2024: Barnes Mill Road Sidewalk

Budget:	\$575,530.00	Expended:	\$144,977.00
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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	\$114,190.00
Transfer to:	CCDOT Barnes Mill Road Sidewalk		
	510-500-5756-8260-W4484-C	Construction	\$102,190.00
	510-500-5756-8265-W4484-M	Materials and Supplies	\$ 10,000.00
	510-500-5756-8810-W4484-T	Contingency	\$ 2,000.00
		Total:	\$114,190.00

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

36. To approve Project No. B2565-TO#2 to the 2022 Master Task Order Contract with Metro Traftix for 2025 Traffic Signal Timing, Cobb DOT Contract No. 002392.

Motion by Cupid, second by Richardson, to **approve** Project No. B2565-TO#2 to the 2022 Master Task Order Contract with Metro Traftix, in an amount not to exceed \$292,388.00, for 2025 Traffic Signal Timing, Cobb DOT Contract No. 002392; **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-B250-B250-8005-B2560-A	Preliminary Estimate	\$292,388.00
Transfer to:	348-050-B250-B250-8722-B2565-E	Engineering	\$292,388.00

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, Traffic Management, Transportation Technology, and Planning.

2025 Traffic Signal Timing is an approved project/program under the Traffic Management, Transportation Technology, and Planning Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 18). SPLOST funding for Traffic Management, Transportation Technology, and Planning will be used to replace and upgrade the county’s traffic signal infrastructure, install traffic signals at locations that satisfy traffic signal warrant(s) as established in the current version of the *Manual on Uniform Traffic Control Devices*, optimize the operation of the traffic system, improve the county’s transportation technology systems, and develop long/short-term planning strategies.

SPLOST Project Summary as of October 1, 2024: 2025 Traffic Signal Timing (new project as of 11/12/24)

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

Adjusted Budget:	\$292,388.00
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VOTE: **ADOPTED 5-0** (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

37. To adopt a resolution authorizing the submission of a Local Maintenance and Improvement Grant Program application for FY25 to the Georgia Department of Transportation for the resurfacing of County-maintained roads, Project No. B2919.

Motion by Cupid, second by Richardson, to **adopt** a resolution authorizing the submission of a Local Maintenance and Improvement Grant Program application for FY25 to the Georgia Department of Transportation for the resurfacing of County-maintained roads, Project No. B2919; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents. A copy of said resolution is attached and made a part of these minutes.

Appropriate receipt of revenue to the 2022 SPLOST Transportation Improvements Program Fund from the GDOT LMIG Program, as follows:

Increase Revenue:	348-050-B290-B290-4466-B2919-C GDOT Revenue	\$6,563,712.34
Increase Expenditure:	348-050-B290-B290-8761-B2919-C Preliminary Estimate	\$6,563,712.34

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, Roadway Resurfacing.

Resurfacing Contract 2025-4 Countywide Major Thoroughfares (LMIG) is an eligible project/program under the Transportation – Roadway Resurfacing Component of the 2022 SPLOST Transportation Improvements (Cobb County 2022 SPLOST Renewal, pp. 1, 12). SPLOST funds will be used for resurfacing activities including milling, patching, leveling and resurfacing of various roadways throughout the County.

2022 SPLOST Component Summary as of October 1, 2024: Roadway Resurfacing

Budget:	\$209,914,906.15	Encumbered/Expended:	\$143,951,528.23
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VOTE: ADOPTED 5-0 (*Statements of Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes*).

38. To approve Change Orders (final) to contracts for various completed resurfacing projects in the 2022 SPLOST Transportation Improvements Program Fund and Water System Fund.

Motion by Richardson, second by Cupid, to **approve** Change Orders (final) to contracts for various completed resurfacing projects in the 2022 SPLOST Transportation Improvements Program Fund and Water System Fund, a total net savings to the projects in the amount of \$2,336,941.06; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2022 SPLOST Transportation Improvements Program (TIP) Fund and Water System Fund, as follows, and as detailed in the attached list of budget and accounting transactions required.

Decrease Expenditures:		
348-050-B290-B290-8762-Various Projects	2022 SPLOST TIP Fund	\$2,434,211.33
500-500-5400-5416-6516-Various Projects	Sewer Line R&M Service	\$ 41,464.10
500-500-5400-5416-6520-W4454-C	Water Line R&M Service	\$ <u>2,074.95</u>
	Total:	\$2,477,750.38
Increase Expenditures:		
348-050-B290-B290-8762-B2908-C	2022 SPLOST TIP Fund	\$ 140,809.32

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 Backbone Infrastructure, LLC for Ewing Road Sidewalk, Project No. B2601, Cobb DOT Contract No. 001969.

Motion by Sheffield, second by Birrell, to **approve** a contract with Backbone Infrastructure, LLC, in an amount not to exceed \$1,036,432.00, for Ewing Road Sidewalk, Project No. B2601, Cobb DOT Contract No. 001969; **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-B260-B260-8005-B2601-C	Preliminary Estimate	\$379,904.00
Transfer to:	348-050-B260-B260-8762-B2601-C	Turnkey Construction	\$379,904.00

Appropriate revenue for Commission District 4 Sidewalk Development previously received in the Public Facility Project Fund, and interfund transfer funding to the 2022 SPLOST Transportation Improvements Program Fund, as follows:

Increase Revenue:	380-050-4668-4668-4918-TR384-C	Developer Contribution	\$418,587.00
Increase Exp.:	380-050-4668-4668-6594-TR384-C	Interfund Transfer - Exp.	\$418,587.00

Increase Revenue:	348-050-B260-B260-4960-B2601-C	Interfund Transfer - Rev.	\$418,587.00
Increase Exp.:	348-050-B260-B260-8762-B2601-C	Turnkey Construction	\$418,587.00

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, DOT Community Impact Projects.

Ewing Road Sidewalk is an eligible project/program under the DOT Community Impact Projects Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pp. 1, 25). SPLOST funds will be used for construction of sidewalks along Ewing Road in District 4. This project will begin at Syble Drive and terminate at Flint Hill Road.

SPLOST Project Summary as of October 1, 2024: Ewing Road Sidewalk

Budget:	\$644,655.55	Expended:	\$197,217.46
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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	\$243,941.00
Transfer to:	CCDOT Ewing Road Sidewalk		
	510-500-5756-8260-W4476-C	Construction	\$237,941.00
	510-500-5756-8265-W4476-M	Materials and Supplies	\$ 1,000.00
	510-500-5756-8810-W4476-T	Contingency	\$ 5,000.00
		Total:	\$243,941.00

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

40. To approve Change Orders (final) to contracts for various completed projects in the 2011 SPLOST Transportation Improvements Program Fund, 2016 SPLOST Transportation Improvements Program Fund, 2022 SPLOST Transportation Improvements Program Fund, Public Facility Projects Fund, and Water System 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, 2016 SPLOST Transportation Improvements Program Fund, 2022 SPLOST Transportation Improvements Program Fund, Public Facility Projects Fund and Water System Fund, a total savings to the projects in the amount of \$796,883.30; **authorize** the corresponding budget and accounting transactions; and **further authorize** the Chairwoman to execute the necessary documents.

A savings to the 2011 SPLOST Transportation Improvements Program (TIP) Fund, 2016 SPLOST TIP Fund, 2022 SPLOST TIP Fund, Public Facility Projects Fund, and Water System Fund, as follows, and as detailed in the attached list of budget and accounting transactions required:

Decrease Exp.:			
Encumbered	345-050-E005-E504-8771-Various Projects	2011 SPLOST TIP Fund	\$ 22,500.00
	347-050-Various Units/Subunits/Projects	2016 SPLOST TIP Fund	\$306,989.57
	348-050-Various Units/Subunits/Projects	2022 SPLOST TIP Fund	\$228,742.19
	380-050-4612-4612-8762-TR515A-C	Public Facility Prjs. Fund	\$ 12,113.29
	510-500-5756-Various Projects	Water System Fund	<u>\$226,538.25</u>
		Total:	\$796,883.30
Decrease Exp.:			
Unencumbered	510-500-5756-Various Projects	Water System Fund	\$ 45,125.08

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

41. To ratify previous action by the County Manager authorizing emergency drainage repairs on Liberty Lane, and approve Project No. B22152 to the 2024 Countywide Unit Price Contract with Chatfield Contracting, Inc., for said repairs, Cobb DOT Contract No. 002391.

Motion by Birrell, second by Sheffield, to **ratify** previous action by the County Manager authorizing emergency drainage repairs on Liberty Lane, in response to a sinkhole; approve Project No. B22152 to the 2024 Countywide Unit Price Contract with Chatfield Contracting, Inc., in an amount not to exceed \$555,503.21, for said repairs, Cobb DOT Contract No. 002391; **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	\$515,503.21
Transfer to:	348-050-B220-B220-8762-B22152-C	Turnkey Construction	\$515,503.21

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.

Liberty Lane 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 October 1, 2024: Drainage System

Budget:	\$22,753,789.35	Encumbered/Expended:	\$14,635,008.51
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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	\$41,800.00
Transfer to:	CCDOT Liberty Lane Drainage		
	510-500-5756-6496-W5115-C	Drainage Contract R&M Svc.	\$40,000.00
	510-500-5756-8265-W5115-M	Materials and Supplies	\$ 1,000.00
	510-500-5756-8810-W5115-T	Contingency	\$ 800.00
		Total:	\$41,800.00

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

42. To authorize advertisement to hold a public hearing prior to expending \$100,000.00 or more for engineering design services for King Springs Road Sidewalk, Project No. B2745, and authorize the issuance of a Task Order to secure required services.

Motion by Sheffield, second by Birrell, to **authorize** advertisement to hold a public hearing prior to expending \$100,000.00 or more for engineering design services for King Springs Road Sidewalk, Project No. B2745; and **further authorize** the issuance of a Task Order to secure required services.

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

Public Safety Agency

Emergency Management

43. To approve a contract with Crown Retail Services, Inc. for the construction of a pole barn storage area at the Cobb Department of Transportation (DOT), 1890 County Services Parkway, Marietta, GA 30008.

Motion by Cupid, second by Richardson, to **approve** a contract with Crown Retail Services, Inc. for the construction of a pole barn storage area at the Cobb Department of Transportation (DOT), 1890 County Services Parkway, Marietta, GA 30008; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the ARPA Program Fund 279, for the Construction of the Pole Barn as follows:

279-130-PS02-8125	(Construction Expenditures)	\$12,402.37
279-499-CI07-8125	(Construction Expenditures)	\$20,000.00
279-492-CH31-8125	(Construction Expenditures)	\$74,159.63

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

Support Services Agency

Property Management

44. To approve a contract with CAS Architecture for architectural and engineering services related to facility improvements for Department of Transportation Signal/Sign Shop, Project No. B2421.

Motion by Richardson, second by Sheffield, to **approve** a contract with CAS Architecture, in an amount not to exceed \$250,800.00, for architectural and engineering services related to facilities improvements for Department of Transportation Signal/Sign Shop, Project No. B2421; **authorize** the corresponding budget transaction; and **further authorize** the Chairwoman to execute the necessary documents.

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

Transfer	348-050-B240-8005-B2421-C Preliminary Estimates	\$250,800.00
from:		
Transfer	348-050-B240-8120-B2421-E Professional Services - Bldgs. & Structures	\$250,800.00
to:		

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

Signal/Sign Shop is an eligible project/program under the Cobb DOT Facility Improvements Component of the 2022 SPLOST Transportation Improvements (2022 Cobb SPLOST Renewal, pg. 1, 20). SPLOST funding for Cobb DOT Facility Improvements will provide funding for the construction and equipping of new signal and sign shops to be located on the premises of the Cobb DOT headquarters.

SPLOST Project Summary as of October 1, 2024: Cobb DOT Signal/Sign Shop:

Budget:	\$4,800,000.00	Expended:	\$126,890.85
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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 Caliber Construction, LLC, for roof replacement at East Cobb Government Service Center, a 2022 SPLOST project, Facilities Improvement Program B091.

Motion by Birrell, second by Sheffield, to **approve** a contract with Caliber Construction, LLC, in the amount of \$130,000.00, for roof replacement at East Cobb Government Service Center, located at 4400 Lower Roswell Road, Marietta; **authorize** a contingency, in the amount of \$6,500.00; **authorize** the corresponding budget transactions; and **further authorize** the Chairwoman to execute the necessary documents.

Funding is available in the 2022 SPLOST Project budget as follows:

Decrease Expenditure:	348-110-B091-8005-B0910-A	(Preliminary Estimates)	\$136,500.00
Increase Expenditure:	348-110-B091-8111-B0910-C	(Roofing Installations)	\$136,500.00

Create GAE in the amount of \$130,000.00.

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, Support Services Improvements.

Property Management Projects is an eligible improvement project/program under the 2022 SPLOST and is an approved project of the Support Services Facilities Improvements (Cobb County 2022 SPLOST, p. 42) which provides for roofing upgrades/replacement to facilities.

SPLOST Project Summary as of September 1, 2024, Property Management B091:

Current Budget:	\$34,057,709.00
Actual Encumbrances:	\$ 2,111,474.86
Encumbrances:	\$19,641,979.40
Amount Remaining in the Project:	\$12,304,254.74

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

46. To authorize purchase of roofing material for the East Cobb Government Service Center, a 2022 SPLOST project, Facilities Improvement Program B091, under provision of an OMNIA Partners Contract..

Motion by Birrell, second by Sheffield, to **authorize** the purchase of roofing material from Garland/DBS, Inc, in the amount of \$186,163.59 for the East Cobb Government Service Center, located at 4400 Lower Roswell Road, Marietta, a 2022 SPLOST project B0910; **authorize** the corresponding budget transactions; and **further authorize** execution by Purchase Order through the Procurement Services Department.

Funding is available in the 2022 SPLOST Project budget as follows:

Decrease Expenditure:	348-110-B091-8005-B0910-A	(Preliminary Estimates)	\$186,163.59
Increase Expenditure:	348-110-B091-8111-B0910-C	(Roofing Installations)	\$180,863.59
Increase Expenditure:	348-110-B091-6577-B0910-C	(Freight & Shipping)	\$ 5,300.00

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, Support Services Improvements.

Property Management Projects is an eligible improvement project/program under the 2022 SPLOST and is an approved project of the Support Services Facilities Improvements (Cobb County 2022 SPLOST, p. 42) which provides for roofing upgrades/replacement to facilities.

SPLOST Project Summary as of October 1, 2024, Property Management B091:

Current Budget:	\$34,057,709.00
Actual Expenditures:	\$ 2,111,474.86
Encumbrances:	\$19,641,979.40
Amount Remaining in the Project:	\$12,304,254.74

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

APPOINTMENTS

47. **To approve the appointments of Chinwe Okoronkwo and Michael Register to the Highland Rivers Governing Board.**

Motion by Cupid, second by Richardson, to **approve** the appointments of Chinwe Okoronkwo and Michael Register to the Highland Rivers Governing Board for a three-year term to expire on December 31, 2027.

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

48. **To announce the appointment of Douglas Chandler to the Neighborhood Safety Commission.**

Commissioner Sheffield **announced** the appointment of Douglas Chandler to the Neighborhood Safety Commission for a term balance to expire on September 30, 2025. This appointment will replace Cynthia Edwards.

COMMUNITY DEVELOPMENT HEARINGS

49. **To conduct a hearing regarding the application for alcoholic beverage licenses for Taco Prado, Inc d/b/a, Taco Prado, 6912 Mableton Pkwy., Mableton, GA 30126, Maitza Prado, licensee.**

This item was added to the consent agenda (See item 24 of these minutes).

Chairwoman Cupid called for a brief recess from 2:30 p.m. - 2:39 p.m.

50. To conduct a hearing regarding the application for alcoholic beverage licenses for Jasdaya Enterprise, LLC d/b/a Jasdaya Enterprise, 935 Veterans Memorial Hwy., Mableton, GA 30126, Swapandeep Singh, licensee.

The appeal hearing was opened regarding the administrative denial of the application for alcoholic beverages for Jasdaya Enterprise, LLC doing business as, Jasdaya Enterprise;

Sam Hensley, Jr., attorney for the Business License Division and the License Review Board, provided opening remarks and introduced Dwayne Martin, Attorney for the applicant.

Mr. Martin provided opening remarks.

Mr. Hensley swore in those expected to testify.

Mr. Hensley called Ellisia Webb, Cobb County Business License Division Manager, for questioning and tendered a Certified copy of Chapter 78 of the Official Code of Cobb County (Exhibit BL-1).

Mr. Martin provided information regarding the distance waiver and tendered the full application (Exhibit App -1). Mr. Hensley and the Board questioned Mr. Martin.

Ms. Webb answered additional questions regarding the License Review Board's vote.

Mr. Martin and Mr. Hensley provided closing statements.

Motion by Sheffield, second by Birrell, to **uphold** the administrative denial of the application for alcoholic beverages for Jasdaya Enterprise, LLC doing business as, Jasdaya Enterprise.

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

51. 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. Ste. 150, Marietta, GA 30062, Zhe Han, owner.

The appeal hearing was opened 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. Ste. 150, Marietta, GA 30062, Zhe Han, owner.

Sam Hensley, Jr., attorney for the Business License Division and the License Review Board, provided opening remarks and introduced Mike Familetti, attorney for the applicant.

The applicant waived reading of charges.

Mr. Hensley swore in those expected to testify.

Mr. Hensley called Ellisia Webb, Cobb County Business License Division Manager, for questioning. Mr. Familetti and the Board questioned Ms. Webb.

Mr. Hensley and Mr. Familetti addressed the Board. Mr. Hensley tendered a Certified copy of Chapter 78 of the Official Code of Cobb County (Exhibit BL-1).

Mr. Hensley called Detective Witt, Cobb County Police Department, for questioning. Mr. Familetti questioned Det. Witt.

Mr. Familetti called Zhe Han, owner/applicant, for questioning. Mr. Hensley and the Board questioned Mr. Han.

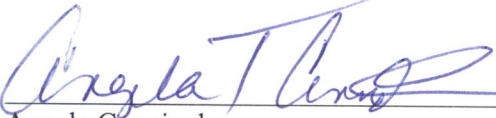
Mr. Familetti provided closing statements.

Motion by Birrell, second by Gambrill, to **revoke** the Cobb County Health Spa License with the ability to reapply in nine months for Top Massage GA, LLC d/b/a Top Massage, 2200 Roswell Rd. Ste. 150, Marietta, GA 30062, Zhe Han, owner, and Shumel Wang, Licensee.

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

ADJOURNMENT

The meeting was adjourned at 4:52 p.m.



Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

Commissioner Birrell's statement

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.

Commissioner Gambrill Statement

While the County responded on October 3, 2024 to many allegations made in the recent legal challenge filed in Superior Court on September 18, 2024 – no mention was made that these allegations were irrelevant to the action taken by the Board to provide notice that a Commissioner did not meet the qualifications per Sec. 2-23(b) of our local Enabling Legislation.

The Agenda Item #46 for August 25 and September 10, 2024 were only to deem the office vacant and were not included in the County's response. Yet the complaint states the Board voted to fill the vacancy. This is a false statement, as the Agenda's Recommendations clearly stated: "The Board of Commissioners approves notice to the District 2 Commissioner that the office is deemed vacant per Part II, Sec. 2-23(b), Official Code of Cobb County, Georgia; and authorizes the Chairwoman to execute notice pursuant to OCGA 45-5-1 and any other necessary documents for said purpose."

Upon careful review of 45-5-1 it is two pronged. (a) addresses vacated offices and (b) state the decision of the officer or body to fill the vacancy or call an election to fill the vacancy shall be subject to an appeal to the superior court. The Board of Commissioners did not approve to fill the vacancy nor did we call for an election. Therefore, the complaint should be dismissed.

The county provided no equitable estoppel argument advanced as a result of the actions by the Board of Commissioners in moving forward with an ultra vires passage of the Home Rule Map.

The Home Rule Board action was precipitated by an illegal action through the act of three Commissioners to confect and move forward with a scheme which was illegal in inception and act which Commissioners now claim their term should extend beyond December 31, 2024.

This response coupled with the County Attorney's Office unwillingness to rescind the Home Rule Resolution votes of Oct. 11th and 25th, 2022 raises continued questions as the representation and advice provided to me as your commissioner and representative in matters pertaining to Home Rule.

The County regularly uses outside counsel to represent the interest of the County in matters as simple as motor vehicle accidents. I respectfully request that the Cobb County Attorney's Office be removed from this legal action and outside counsel represent the County in all matters pertaining to Home Rule going forward.

2024 Code Amendments

BOARD OF COMMISSIONERS
PUBLIC HEARING #1
NOVEMBER 12, 2024

1

Chapter 2

ADMINISTRATION

2

Sec. 2-180. – Film Permit

Purpose: To clarify that all parties interested in filming in Cobb County, for any purpose, must submit a film permit application to the Cobb County Economic Development Department.

Fees may be assessed for various purposes, to include the following:

- Application Fee
- Filming that occurs on county-owned property and/or impedes any county-owned right-of-way
- Expedited permit fees for requests received with 10 or fewer days notice
- Use of County facilities and/or personnel (Police Department, DOT, etc.)
- Other fees specific to the film request and needs

3

Chapter 6

ALCOHOLIC BEVERAGES

4

Section 6-147. -Procedure for fee, suspension and revocation.

6-147(g)(5)(b) – Amending language to be consistent with state law, O.C.G.A. §5-3-1 *et seq*, which changes the criteria of info that must be reviewed when an appeal is filed.

5

Chapter 18

BUILDING REGULATIONS

6

Article IX. Plumbing Code

- o18-257 Amendments to the International Plumbing Code to comply with the Metropolitan North Georgia Water Planning District requirements as follows:
 - Revisions to several definitions
 - More stringent water efficiency requirements for plumbing fixtures in new and portions of renovations or repairs being made, including one- and two-family dwellings.
 - Changes to landscape irrigation system efficiency requirements for new systems.
 - Changes to uses for reclaimed water from a wastewater treatment plant.
 - Changes to rules for sizing water piping systems to allow for design methods that account for the demands of water-conserving plumbing fixtures.

7

Chapter 50

ENVIRONMENT

8

Section 50-71. Definitions.

- Clarifying language to differentiate ComDev Director and EPD Director
- Clarification of "fill"
- Clarification of state code section related to Georgia Water Quality Control Act

9

Section 50-76. Application; plan requirements; permit process.

- Establishes information required for site plan
 - ESC Plan Review Checklist established by Soil and Water Conservation District
- Provides for suspension, revocation or modification of permit for non-compliance
- Provides for permit application to be rejected for applicants with multiple violations on previous permits within three years

10

Section 50-79. Appeal of administrative decision; judicial review.

Provides for appeal within ten days of administrative decision.

11

Chapter 78

LICENSES, PERMITS AND BUSINESSES

12

Subdivision III. - Door-to-Door Salesperson's Permit
Section 78-112 – Application; registration; investigation and report; grounds for denial.

- Transfers the entire process to obtain a Door-to-Door Salesperson Permit **to** the police department Regulatory Services and Permits Unit, including receipt of payment, **from** the Business License Office.
- Creates categories for which a permit will **not** be granted, to conform with the standards of other permits issued by the Permits Unit, including but not limited to alcohol, health spa, pawn, and precious metals dealers. As with the other permits that get denied, the appeal process to the License Review Board (LRB) will be the same.
- Does not change the exemptions listed in 78-81.

13

Section 78-114 – Duration; renewal
Section 78-115 – Solicitation permit

- Verbiage was changed to strike references to the Business License Office and replace it with "Cobb County Police Department Regulatory Services Unit."
- The word "license" was changed to "permit".

14

Division 3 – Licenses Requiring Prior Approval and Regulation
Section 78-131 – Definitions.

- Changes made to conform with state law definitions.
- Removes references to professional healthcare establishments and fitness centers.
- Adds the definition of a massage therapist, massage therapy or massage, taken directly from the definition in state law (OCGA 43-24A-3 (8) and (9)). (The entire definition under (9) was not used, just the part that applied to the county)

15

Division 7 – Health Spas

- **78-272 – Inspections:** gives authority to inspect to “any regulatory unit of the county” of all records “not protected by HIPAA”.
- **78-273 – List of employees to be filed with county:** adds “owners” or “managers” as responsible parties to report the list of current employees; requires the names to be reported “upon hire and prior” to them working. It removes the 72-hour grace period, which conforms to the requirements of the other permits issued by the unit.
- **78-275 – Hours and place of operation:** adds “licensee, or manager” as additional responsible parties for reporting hours of operation. Strikes “licensee” and replaces it with “business operating”.
- **78-276 – Prohibited contact:** Add a requirement that all persons performing any type of massage (including foot massage) to be a State of Georgia licensed massage therapist.

16

Subdivision II – License (Health Spa)

- **78-291 – Application:** Requires listing of all names used, including aliases and American names used; submission of diagram of floorplan.
- **78-291.1 –** Establishments must begin operation promptly
- **78-293 – Location and premises requirements:** Prohibits anyone from living in a health spa, whether temporarily or permanently; prohibits beds, mattresses, any other bedding not used for massage therapy, sleepwear, groceries, cookware (except a microwave &/or a toaster oven), excessive clothing (more than one day’s worth), personal grooming items. These are indicators of human trafficking, which is why the prohibitions have been proposed – to fight against the trafficking. Subsections (e) and (f) were struck because they are address in other ordinances and were redundant. Subsection (k) was added to conform to new state law. Subsection (l) was added to better regulate foot massages and prevent sexual acts from being performed. Subsection (m) was added to ensure the safety of the employees and customers, as well as give employees on-site access to camera footage. A lot of locations are monitored from out of state and other locations not on-site.

17

Subdivision II – License (Continued) (Health Spa)

- **78-294 – Grounds for denial, suspension, or revocation:** Subsection (12) was added as another vehicle to have the business or permit holder to appear before the LRB due to repeated violations.
- **78-299 – Work permits:** Requires work permit applicants to provide accurate addresses. It also requires employees to obtain permits for each business they work – one permit will no longer cover any/all health spas in unincorporated Cobb. Subsection (d) was added to ensure no employee starts working until their name has been reported on the list of employees. It also states that a receipt issued by the county is not a permit and can’t be used to work. Subsection (e) requires an employee whose permit is suspended or revoked to turn the permit in to the Permits Unit, and prohibits alteration, concealment, defacement, or destruction of the permit.

18

Chapter 110

SUBDIVISIONS

19

Section 110-1. Definitions.

(5) Removes language regarding variance for public road frontage to reflect current practice

20

Section 110-25. Procedure for plat approval for subdivisions.

Adds requirement for required conservations easements and/or mandatory covenants protecting open space/conservation areas to be recorded prior to final plat approval.

21

Chapter 122

UTILITIES

22

Article II.
Water and Wastewater Systems

- 122-111 Added requirement to notify Water System Dispatch before operating fire hydrants
 - Issues with private firms conducting fire flow tests
- 122-130 Clarifies the requirement for developments to provide gravity sewer and when septic systems may be used
- 122-152 Clarifies assured water pressure
 - Clarifies that assured water pressure is at the meter rather than to multi-level buildings
 - Removes water tower requirement for developments in high elevation areas
- 122-242 Specifies septic systems to conform to regulations of the Division of Public Health

23

Chapter 134

ZONING

24

Section 134-1. Definitions.

o *Family* means two or more persons related by blood, legal adoption **or guardianship**, or marriage, occupying a dwelling. ~~Related means persons are all related to each other within the fourth degree, as defined in O.C.G.A. §53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters.~~ State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose. A child or children and any parent(s) and/or guardian(s) of that child or children shall also be considered a family.

PC Recommendation: approval to read "...legal adoption of guardianship, or...brothers and sisters, nieces, nephews, and/or fiancés..."

25

Section 134-1. Definitions.

o *Impervious surface* means a permanent improvement affixed to the earth which does not allow water or liquid to pass through it or permeate into the earth. For the purposes of this chapter, impervious surface shall include structures (principal and accessory), parking lots, driveways, walkways, non wooden pool decks and the like. **Calculations for the percentage of impervious surface shall be made on an individual lot by lot basis, not in the aggregate for a community of lots (i.e. subdivision).**

PC recommendation: approval as written

26

Section 134-1. Definitions.

- oSingle-family dwelling unit. A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to ~~one~~ **two** unrelated ~~adult adults~~, or ~~two~~ **three** or fewer unrelated adults and their children and/or grandchildren.
 - 1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities permanently installed. **All rooms in a primary structure shall be accessed through the front or primary door.**
 - 3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of ~~four~~ **five** or less (of the total) parked outside of a garage, carport or the like for properties zoned PRD, OSC, RA-5, R-15, R-20, and R-30...

PC Recommendation: approval

27

Accessory Dwelling Units
Section 134-1. Definitions.

- oSection 134-1
 - Adds definition for Accessory Dwelling Unit (ADU)

"Accessory dwelling unit (ADU) means an ~~independent~~ residential dwelling unit subordinate to the ~~principal single-family dwelling unit primary structure~~ on the same lot. An accessory dwelling unit may be either attached to or detached from the ~~principal single-family dwelling unit primary structure~~.

PC recommendation: Approval

- Additional language to Single-family dwelling unit definition.

"One single-family dwelling unit shall include the primary structure and may include up to one accessory dwelling unit."

PC recommendation: Denial

28

Accessory Dwelling Units
Section 134-37. Special land use permits.

- (35) Accessory dwelling units (ADU)
- a) **ADU accessed from a separate entry from the primary structure shall require a special land use permit.**
 - b) ADU shall not exceed 50% of the gross square footage of the primary ~~single-family dwelling unit structure.~~
 - c) ADU shall be no more than one-story in height, not to exceed the height of the primary ~~single-family dwelling unit structure.~~
 - d) A minimum of one off-street parking spot shall be provided for the ADU.
 - e) ADU shall be connected to the utility meters of the primary structure.
 - f) ADU shall be located only in the rear yard, and shall adhere to the side and rear yard setback of the primary structure.

29

Accessory Dwelling Units
Section 134-37. Special land use permits.

- g) Maximum impervious surface coverage for the lot shall not exceed the zoning district limitation.
- h) ADU must adhere to all other standards for accessory structures in the zoning district.
- i) There shall be no more than one ADU per single-family lot.
- j) **Occupancy and parking for single-family dwelling units, to include the primary structure and the ADU, shall be in accordance with section 134-1.**
- k) ~~ADU shall not be utilized as a short-term rental property. Short-term rental of either the primary structure or the ADU shall be prohibited.~~
- l) The owner(s) of the property shall reside in either the primary ~~single-family dwelling unit structure~~ or the ADU.
- m) Property owner(s) shall sign an affidavit stating that the ADU is not in conflict with any applicable covenants, conditions, deed restrictions, or bylaws.

PC recommendation: denial

30

Accessory Dwelling Units Sections 134-193 through 199.

Removes requirement for accessory building with habitable space to be connected to principal structure by a fully enclosed heated/cooled hallway a maximum of 25 feet from structure to which it is attached.

- R-80
- RR
- R-40
- R-30
- R-20
- R-15
- R-12

PC recommendation: denial

31

Section 134-37. Special land use permits.

Increases required landscape screening buffer for clubs and lodges (noncommercial) abutting residential property line from 35 to 50 feet

PC recommendation: approval

32

Section 134-94. Powers.

Eliminates (4) regarding making recommendations to BOC regarding variances for road frontage or lot size reductions to reflect current practice.

PC recommendation: approval

33

Section 134-123. Action by planning commission.

Adds "deletion to an alternative zoning district" as an option for recommendations of the planning commission

PC recommendation: approval

34

Section 134-266. Supplemental regulations.

oElectric car charging stations

- Applies nonresidential requirements to multifamily zoned properties
- Exempts charging stations within parking decks that have been approved by Fire Marshal and Development and Inspections Division

PC recommendation: approval

35

Section 134-271. Special exceptions.

Increases required landscape screening buffer for places of worship abutting residential property line from 35 to 50 feet

PC recommendation: approval

36

Part II- Chapter 2

ADMINISTRATION

37

DIVISION 2. – South Cobb Redevelopment Authority

Purpose: Remove the South Cobb Redevelopment Authority

House Bill 1330:

- South Cobb Redevelopment Authority becomes Mableton Development Authority
- Five members appointed by City of Mableton
- Two members appointed by Cobb delegation
- Current members continue to serve terms to which they were appointed

38

Next Steps

Public hearing #2: Thursday, November 21, 6:00 p.m.

Board of Commissioners vote following public hearing #2

Resolution

COBB COUNTY BOARD OF COMMISSIONERS

RESOLUTION

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

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

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

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

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

This 12th day of November 2024

Reference No.

26

ATTACHMENT A: FY2024 Justice Assistance Grant (JAG) Recommended Allocations							
Project Description	Recommended Allocations	Fund	Dept	Unit	Revenue	Expense	
Cobb County Police Department - Police Athletic League	\$ 10,000.00	284	390	J24F	4429	6594	
Cobb District Attorney - Domestic Violence Advocacy	\$ 15,000.00	284	390	J24C	4429	6594	
Four Corners Group, Inc. - Equipment Acquisition & Salary	\$ 15,000.00	284	390	J24G	4429	6574	
Georgia Justice Project - Cobb Second Chance Desk	\$ 10,000.00	284	390	J24S	4429	6574	
liveSAFE Resources, Inc. - Outreach & Victim Services	\$ 34,949.50	284	390	J24E	4429	6574	
SafePath Children's Advocacy Center - Personnel Salary & Fringe	\$ 15,000.00	284	390	J24D	4429	6574	
Cobb County CDBG Program Office - Administration	\$ 11,105.50	284	390	J24A	4429	6312	
TOTAL	\$ 111,055.00						

Reference No. 27

PY2025 Community Development Block Grant (CDBG) Funding Recommendations 70% Allocation - \$ 2,433,533.20

Project Description	70% Allocation	Fund	Dept	Major Program	Phase	Program	Revenue	Expense
Public Services								
Catholic Charities of the Archdiocese of Atlanta - Housing Services - Operating Costs	\$ 5,000.00	285	390	CD 25	P	C25CD	4412	6574
Davis Direction Foundation, Inc - Zone 4 Recovery Coaching - Operating Costs	\$ 15,000.00	285	390	CD 25	P	C25DF	4412	6574
Georgia Justice Project - Second Chance Program - Operating Costs	\$ 10,000.00	285	390	CD 25	P	C25JP	4412	6574
Girls Incorporated of Greater Atlanta - After school/Summer Camp - Operating Costs	\$ 20,000.00	285	390	CD 25	P	C25BG	4412	6574
Latin American Association - Latino Homelessness Prevention - Operating Costs	\$ 30,000.00	285	390	CD 25	P	C25AA	4412	6574
LiveSafe Resources, Inc. - Housing Program - Salary Costs	\$ 30,000.00	285	390	CD 25	P	C25LR	4412	6574
MUST Ministries, Inc - TBRA Program - Salary Costs	\$ 40,000.00	285	390	CD 25	P	C25CJ	4412	6574
SafePath Children's Advocacy Center, Inc. - Youth Advocacy - Operating Costs	\$ 60,000.00	285	390	CD 25	P	C25OP	4412	6574
The Center for Family Resources - TBRA Program - Salary Costs	\$ 30,000.00	285	390	CD 25	P	C25OF	4412	6574
The Extension, Inc. - Women Shelter - Operating Costs	\$ 30,000.00	285	390	CD 25	P	C25QE	4412	6574
The Salvation Army, A Georgia Corporation - Emergency Services - Salary Costs	\$ 15,000.00	285	390	CD 25	P	C25SM	4412	6574
Youth Empowerment through Learning, Leading, and Serving, Inc. (YELLS) - Youth Services - Operating Costs	\$ 10,000.00	285	390	CD 25	P	C25YE	4412	6574
Zion Baptist Church - Community Assistance - Operating Costs	\$ 15,000.00	285	390	CD 25	P	C25ZB	4412	6574
Zion Keepers, Inc - TBRA Program - Salary Costs	\$ 30,000.00	285	390	CD 25	P	C25ZK	4412	6574
Subtotal	\$ 340,000.00							
Public Facilities								
Cobb County Property Management - ADA Renovations	\$ 30,000.00	285	390	CD 25	F	C25QG	4412	6574
LiveSafe Resources, Inc. - Facility Renovations	\$ 75,000.00	285	390	CD 25	F	C25LR	4412	6574
MUST Ministries, Inc. - Facility Renovations	\$ 200,000.00	285	390	CD 25	F	C25CJ	4412	6574
Nobis Works, Inc., doing business as Tommy Nobis Center - New Facility Renovations	\$ 100,000.00	285	390	CD 25	F	C25QN	4412	6574
Special Needs Cobb - Housing Rehabilitation	\$ 100,000.00	285	390	CD 25	F	C25SN	4412	6574
The Extension, Inc. - New Shelter Construction	\$ 219,185.88	285	390	CD 25	F	C25QE	4412	6574
WorkSource Cobb - Facility Renovations ¹	\$ 200,000.00	285	390	CD 25	F	C25WS	4412	6574
Subtotal	\$ 924,185.88							
Cooperating Cities								
City of Acworth - Facility Improvements	\$ 78,572.00	285	390	CD 25	F	C25C1	4412	6574
City of Austell - Facility Improvements	\$ 28,548.00	285	390	CD 25	F	C25C2	4412	6574
City of Kennesaw - Infrastructure Improvements	\$ 117,446.00	285	390	CD 25	F	C25C3	4412	6574
City of Powder Springs - Facility Improvements	\$ 59,603.00	285	390	CD 25	F	C25O8	4412	6574
Subtotal	\$ 284,169.00							
City of Smyrna								
City of Smyrna - Administration & Planning	\$ 29,617.92	285	390	CD 25	A	C25SA	4412	6574
City of Smyrna - Administration & Planning Cobb County CDBG Office	\$ 10,000.00	285	390	CD 25	A	C25SA	4412	6312
City of Smyrna - Various Public Facility Projects	\$ 158,471.68	285	390	CD 25	F	C25S8	4412	6574
Subtotal	\$ 198,089.60							
County Programs								
Cobb County Housing Rehabilitation - Administration	\$ 90,000.00	285	390	CD 25	S	C25O6	4412	6312
Cobb County Owner-Occupied Housing Rehabilitation Grants	\$ 150,000.00	285	390	CD 25	W	C25C5	4412	6574
Subtotal	\$ 240,000.00							
Administrative and Planning								
Cobb County CDBG Program Office Administration and Planning - CDBG Program Office	\$ 90,000.00	285	390	CD 25	A	C25CA	4412	6312
Cobb County CDBG Program Office Administration and Planning - Contract	\$ 357,088.72	285	390	CD 25	A	C25CA	4412	6574
Subtotal	\$ 447,088.72							
GRAND TOTAL	\$ 2,433,533.20							

1. Pre-Award Amount - \$200,000.00 - WorkSource Cobb (Year 4 of 4)

Reference No.

29

PY2025 HOME Investment Partnership (HOME) Funding Recommendations

70% Allocation - \$ 844,342.10

Project Description	70% Allocation	Fund	Dept	Major Program	Phase	Program	Revenue	Expense
Tenant Based Rental Assistance								
The Center for Family Resources, Inc.	\$ 40,000.00	287	390	HM25	R	H25CF	4412	6618
LiveSafe Resources, Inc.	\$ 50,000.00	287	390	HM25	R	H25CY	4412	6618
MUST Ministries, Inc.	\$ 50,000.00	287	390	HM25	R	H25CJ	4412	6618
The Salvation Army, A Georgia Community	\$ 40,000.00	287	390	HM25	R	H25SM	4412	6618
Society of St. Vincent De Paul Georgia	\$ 30,000.00	287	390	HM25	R	H25SV	4412	6618
Zion Keepers, Inc.	\$ 60,000.00	287	390	HM25	R	H25ZK	4412	6618
Subtotal	\$ 270,000.00							
Other Affordable Housing Activities								
Cole Street Development Corporation -Acquisition & Rehabilitation - Rental	\$ 160,519.00	287	390	HM25	Q	H25CI	4412	6618
Habitat for Humanity of NW Metro Atlanta, Inc - Acquisition	\$ 160,520.47	287	390	HM25	N	H25CH	4412	6618
Subtotal	\$ 321,039.47							
Planning and Administration/CHDO								
Cobb County HOME Program Administration	\$ 84,434.21	287	390	HM25	A	H25CA	4412	6619
Cole Street Development Corporation - CHDO Activities (15%)	\$ 126,651.32	287	390	HM25	C	H25CI	4412	6617
Cole Street Development Corporation - CHDO Operating (5%)	\$ 42,217.10	287	390	HM25	O	H25BI	4412	6617
Subtotal	\$ 253,302.63							
GRAND TOTAL	\$ 844,342.10							

PY2025 Emergency Solutions Grant (ESG) Funding Recommendations 70% Allocation - \$ 188,457.50

Project Description	70% Allocation	Fund	Dept	Major Program	Phase	Program	Revenue	Expense
Emergency Shelter Activities								
LiveSAFE Resources, Inc. - Shelter Operations - Domestic Violence Shelter	\$ 10,000.00	285	390	ES25	E	E25CY	4412	6574
MUST Ministries, Inc. - Shelter Operations - Emergency Shelter	\$ 20,000.00	285	390	ES25	E	E25CJ	4412	6574
Society of Saint Vincent De Paul - Shelter Operations - House of Dreams for Women	\$ 10,000.00	285	390	ES25	E	E25QH	4412	6574
The Center for Family Resources, Inc. - Shelter Operations - Emergency Shelter	\$ 20,000.00	285	390	ES25	E	E25CB	4412	6574
The Extension, Inc. - Shelter Operations - Shelter Program & Operations for Men's Shelter	\$ 20,000.00	285	390	ES25	E	E25CE	4412	6574
<i>Subtotal</i>	<i>\$ 80,000.00</i>							
Homelessness Prevention Activities								
Lath American Association, Inc.	\$ 26,441.19	285	390	ES25	H	E25LA	4412	6574
Zion Keepers, Inc.	\$ 26,441.00	285	390	ES25	H	E25ZK	4412	6574
The Salvation Army Marietta Corps	\$ 26,441.00	285	390	ES25	H	E25SM	4412	6574
<i>Subtotal</i>	<i>\$ 79,323.19</i>							
Shelter Outreach Activities								
Davis Direction Foundation, Inc.	\$ 15,000.00	285	390	ES25	H	E25DF	4412	6574
<i>Subtotal</i>	<i>\$ 15,000.00</i>							
Administration and Planning								
Cobb County ESG Program Administration	\$ 14,134.31	285	390	ES25	A	E25CA	4412	6574
<i>Subtotal</i>	<i>\$ 14,134.31</i>							
GRAND TOTAL	\$ 188,457.50							

Reference No.

28

RESOLUTION

WHEREAS, it continues to be the desire of Cobb County to support the preservation of County infrastructure; and

WHEREAS, the Georgia Department of Transportation (GDOT) has been delegated authority to award State financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for State 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 GDOT required for the project.

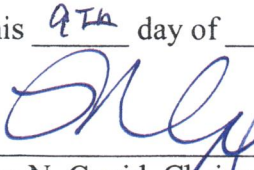
NOW, THEREFORE, BE IT RESOLVED that the Cobb County Board of Commissioners authorize the filing of a grant application with the GDOT, in an amount not to exceed \$6,563,712.34; and

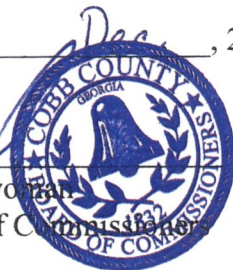
1. That the Chairwoman of the Cobb County Board of Commissioners, or her designee, is authorized to execute and file an application with the GDOT for State assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other State statutes authorizing a project administered by the GDOT, on behalf of Cobb County.
2. That the Chairwoman of the Cobb County Board of Commissioners is authorized to execute and file with its application the annual certifications, assurances, and other documents the GDOT requires before awarding a State assistance grant or cooperative agreement.
3. That the Chairwoman of the Cobb County Board of Commissioners is authorized to execute grant and cooperative agreements with the GDOT, on behalf of Cobb County.

CERTIFICATION

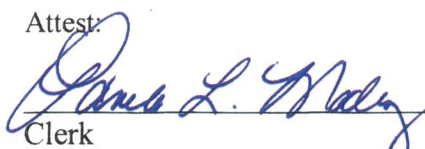
The undersigned duly qualified Chairwoman of the Cobb County Board of Commissioners, acting on behalf of the Cobb County Board of Commissioners, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Cobb County Board of Commissioners held on November 12, 2024.

This 9th day of Dec, 2024


Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



Attest:


Clerk
Cobb County Board of Commissioners

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

11/12/24



COBB COUNTY BOARD OF COMMISSIONERS

100 CHEROKEE STREET, SUITE 300
MARIETTA GEORGIA 30090-7000
Phone: (770) 528-3305 Fax: (770) 528-2606

Lisa N. Cupid
Chairwoman

November 26, 2024

Mr. Chartrae Kent
Department of Transportation State of Georgia
District State Aid Coordinator – District 7
600 West Peachtree Street, NW
Atlanta, Georgia 30308

**Re: Local Maintenance and Improvement Grant (LMIG) Program
Application for FY25 - Resurfacing
Resurfacing Contract 2025-4, Cobb Project No: B2919**

Dear Mr. Kent:

The attached application is being submitted in conjunction with our 2025-4 Resurfacing project. This project includes the milling, patching, and resurfacing of 10 major thoroughfares located throughout the County. The above referenced application for Cobb County Department of Transportation's LMIG Resurfacing Project is being submitted electronically via the Georgia Department of Transportation's LMIG Grant website.

The County has closed, or is in the process of closing, the following LMIG funded projects:

- FY22 LMIG funded – Resurfacing Contract 2022-5, Cobb Project No. B2905, project complete, final change order anticipated early, 2025
- FY23 LMIG funded – Resurfacing Contract 2023-4, Cobb Project No. B2909, project complete, final change order anticipated early, 2025

In addition, the following project is currently under construction:

- FY24 LMIG funded – Resurfacing Contract 2024-4, Cobb Project No. B2913, anticipated to be completed Summer, 2025

And in conjunction with the FY24 Supplemental LMIG funding the following projects are in development:

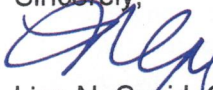
- Barrett Parkway at Burnt Hickory Road, Cobb Project No. B2441
- Lost Mountain Road at Amberton Drive/Hopeton Drive, Cobb Project No. B2442
- Cobb Parkway Pedestrian Bridge, Cobb Project No. B2443
- Little Willeo Road at Johnson Ferry Road, Cobb Project No. B2444
- Chastain Road at Busbee Drive, Cobb Project No. B2445
- Trickum Road at Eula Drive/Rocky Mountain Road, Cobb Project No. B2446

FY25 LMIG Application
Cobb County, GA
November 26, 2024

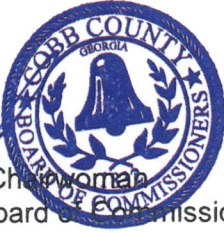
- Veterans Memorial Highway at Burrus Road, Cobb Project No. B2447
- Florence Road at Hiram Road/Gaydon Road, Cobb Project No. B2448

The Georgia Department of Transportation's assistance with this project is greatly appreciated. If you have any questions or need further information, please contact Denise Hatabian at 770-528-3656.

Sincerely,



Lisa N. Cupid, Chairwoman
Cobb County Board of Commissioners



LNC/GCV/WCK/dh

Attachments

cc: Russell R. McMurry, P.E., Commissioner, GDOT
Paul DeNard, P.E. District 7 Engineer
Cobb County Board of Commissioners
Dr. Jackie R. McMorris, County Manager, Cobb County
Andrew Raessler, Director, CCDOT
Michael Francis, Transportation Division Manager, CCDOT
Gabriel Colon Vega, Construction Engineer, CCDOT
Wade Kelly, SPLOST Program Manager, CCDOT
Denise Hatabian, Contract Administrator, CCDOT

Cobb County...Expect the Best!

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2025
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Lisa N. Cupid (Name), the Chairwoman (Title), on behalf of Board of Commissioners, Cobb County, Georgia (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a project shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

35131

E-Verify Number

Sworn to and subscribed before me,

This 9th day of December, 2024.

In the presence of:

NOTARY PUBLIC

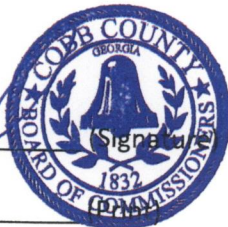
My Commission Expires: 1-4-2026

NOTARY PUBLIC SEAL (required):



APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS

11-12-2024



Lisa N. Cupid

Mayor / Commission Chairperson

12/9/24

(Date)

LOCAL GOVERNMENT SEAL (required):

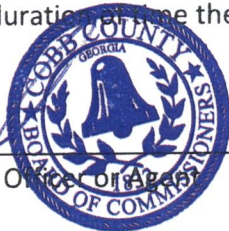
**CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION**

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

- 1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;
- 2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,
- 3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of the subject agreement is in effect.


Signature of Authorized Officer or Agent



Lisa N. Cupid

Printed Name of Authorized Officer or Agent

Chairwoman

Title of Authorized Officer or Agent

12/9/24
Date

FY25 LMIG Application**List of Streets**

Cobb County, GA

No.	ROAD NAME	BEGIN	END	LENGTH (miles)	TYPE OF WORK
1	West Sandtown Road	Villa Rica Road	Dallas Highway	1.74	Mill, Patch, Resurface
2	Burnt Hickory Road	Old Mountain Road	Mars Hill Road	1.70	Mill, Patch, Resurface
3	Old Canton Road	Lower Roswell Road	Roswell Road	2.33	Mill, Patch, Resurface
4	Little Road	Powers Ferry Road	Lower Roswell Road	0.84	Mill, Patch, Resurface
5	Atlanta Road	Pat Mell Road	Austell Road	1.74	Mill, Patch, Resurface
6	East-West Connector	Hicks Road	Fontaine Road	2.33	Mill, Patch, Resurface
7	Terrell Mill Road	Rottenwood Creek Bridge	Woodchase Lane	0.25	Mill, Patch, Resurface
8	Factory Shoals Road	Riverside Parkway	Wade Farm Drive	0.63	Mill, Patch, Resurface
9	Cityview Drive	Riverside Parkway	Six Flags Parkway	0.68	Mill, Patch, Resurface
10	Riverside Parkway	Factory Shoals Road	Cityview Drive	0.81	Mill, Patch, Resurface
ESTIMATED TOTAL:				13.05	

FY25 LMIG Application
List of Streets
Cobb County, GA

No.	ROAD NAME	BEGIN	END	LENGTH (miles)	TYPE OF WORK
1	West Sandtown Road	Villa Rica Road	Dallas Highway	1.74	Mill, Patch, Resurface
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4	Little Road	Powers Ferry Road	Lower Roswell Road	0.84	Mill, Patch, Resurface
5	Atlanta Road	Pat Mell Road	Austell Road	1.74	Mill, Patch, Resurface
6	East-West Connector	Hicks Road	Fontaine Road	2.52	Mill, Patch, Resurface
ESTIMATED TOTAL:				10.87	