

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

1. Call to order.
2. Invocation and pledge of allegiance to the flag.
3. **PUBLIC HEARING:** To invite public comment regarding the Edward Byrne Memorial Local Law Enforcement Assistance Grant Program. The Clayton County Police Department will apply for a grant through the Department of Justice, Edward Byrne Justice Assistance Grant program (Grant number 2013-BJA-3031), in the amount of \$93,871.00. This grant will be used to purchase computers, monitors, and computer equipment for the Police Department.
4. Adoption of agenda.
5. Approval of the July 16, 2013 Regular Business Meeting and July 25, 2013 Special Called Meeting minutes.
6. **PUBLIC COMMENT:** Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
7. Consider requests of Theodis Locke, Director of Central Services/Risk Management. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) **Clayton County Police Department Public Engines Subscription Sole Source Purchase**, POR #00003258, as requested by the Police Department (Public Engines, located in Draper, UT, in the amount of \$3,500.00. Funding is available through Drug Funds). Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, before making a determination of sole source procurement, Central Services must determine if other products or service providers can satisfy the procurement requirements. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners.

2) **Clayton County Police Department, Explosion Ordinance Disposal Equipment Sole**

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

Source Purchase, POR #00010052, as requested by the Police Department (Ideal Products, Inc., located in Nicholasville, KY, in the amount of \$38,685.00. Funding is available through the Georgia Emergency Management Agency Grant [GEMA]). Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, before making a determination of sole source procurement, Central Services must determine if other products or service providers can satisfy the procurement requirements. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners.

3) **RFP Pkg. #09-41 (2/9/10) Wrecker Services for Clayton County, Annual Contract, Request for Contract Extension, First Amendment.** This request is to amend the four (4) current wrecker service contracts: Sosebee's Garage & Wrecker Services, located in Hapeville, Georgia; New Image Towing & Recovery, located in Forest Park, Georgia; Mac's Wrecker Services, located in Riverdale, Georgia; and Tara Wrecker, located in Jonesboro, Georgia. The amendment is for a 90-day extension for the rebid process for wrecker services. The extension period will be from August 12, 2013 to December 1, 2013, as requested by the Chief of Police. All wrecker services have agreed to accept the amendment. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

4) **RFB Pkg. #10-21 (6/11/2010) Alarm & Sprinkler System Inspections & Services Request for Final Annual Renewal, First Amendment,** as requested by the Building & Maintenance Department (Alliance Fire Protection Services, Inc., located in Loganville, Georgia. The final renewal period for this contract will be from August 1, 2013 to July 31, 2014). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

5) **RFB PKG #10-52 (2/9/11) Athletic Uniforms and Equipment, Annual Contract Request for Final Annual Renewal, First Amendment,** as requested by the Parks and

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

Recreation Department (Four Seasons Sporting Goods, Inc., located in College Park, Georgia. A final renewal period for this contract will be from June 1, 2013 to May 31, 2014). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

6) **RFP PKG #12-19 (6/26/12) Fiber Optic Cabling and Splicing Services for the Clayton County Information and Technology Department, Annual Contract, Request for First Annual Renewal, First Amendment**, as requested by the Information Technology Department (ComTran Group, Inc., located in Buford, Georgia. A renewal period will be from September 1, 2013 to August 21, 2014. The remaining renewal on this contract is for two (2) additional one (1) year periods). Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

7) **RFB Pkg. #12-20 (6/12/12) SPLOST Milling and Resurfacing of Various Streets in Clayton County Commission Districts I & II, First Contract Amendment**, as requested by the Transportation and Development Department. This request is to amend the current contract with C.W. Matthews Contracting Company, located in Marietta, Georgia, for a one (1)-year extension due to pending utility work for the Morrow Road. Funding is available through 2009 SPLOST funds. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners' approval.

8) **RFB Pkg. #12-22 (6/20/12) Clayton County Transportation and Development Thermoplastic Pavement Marking, Annual Contract, Request for First Annual Renewal, First Amendment**, as requested by the Transportation and Development Department (Mid State Striping, Inc., located in Eatonton, Georgia. A renewal period will be from August 1, 2013 to August 1, 2014. The remaining renewal on this contract is for one (1) additional one (1)-year period). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

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9) **RFB Pkg. #13-27 (5/1/13) Annual Contract for Security Mattresses at Detention and Prison Facilities in Clayton County**, as requested by the Sheriff and Warden of Clayton County to establish an annual contract for an indefinite quantity of Security Mattresses for the aforementioned facilities (Bob Barker Company, Inc., located in Fuquay Varine, North Carolina. An initial contract term shall be one (1) year from the date of execution, with the option for renewal for two (2) additional one (1)-year periods after the initial year). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

10) **RFP Pkg. #13-28 (5/14/13) SPLOST Architectural/Engineering Services for the Construction of the Clayton County Multipurpose Fire Building**, as requested by the Fire and EMS Department (Wiley & Wilson, Inc., located in Atlanta, Georgia, with the highest score of 358.50 and a fee cost of 6.8%. Funding is available through the 2009 SPLOST funds). Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

11) **RFP Pkg. #13-31 (5/22/13) SPLOST Construction Management-At-Risk Services for the Construction of the Clayton County Police Precinct, N.E.** (Hogan Construction Group, LLC, located in Norcross, Georgia, with the highest score of 374.00 and a fee cost of 2.5%. Funding is available through the 2009 SPLOST funds). Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

12) **RFP Pkg. #13-32 (6/5/13) Deferred Prosecution Program for the Solicitor's Office**

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

Annual Contract – Gun Safety Course, as requested by the Solicitor General’s Office (Operations 21, LLC, located in Cumming, Georgia; with the highest score of 383.00 and a fee cost of \$195.00). Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

13) **RFB Pkg. #13-33 (6/26/13) Full Depth Reclamation and Resurfacing of Davidson Parkway South Clayton County Commission District #1**, as requested by the Transportation and Development Department (Stewart Brothers, Inc., located in Doraville, Georgia, in the amount of \$247,303.55. Funding is available through the 2009 SPLOST funds). Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners’ approval.

14) **RFB Pkg. #13-36 (6/20/13) Severe Weather Mass Notification and Early Warning System for Clayton County Lovejoy Regional Park**, as requested by the Fire and EMS Department (Federal Signal Corporation, located in University Park, IL, in the amount of \$35,206.00. Funding is available through the Georgia Emergency Management Agency [GEMA] 2012 Emergency Management Performance Grant). Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners’ approval.

15) **RFB Pkg. #13-38 (6/19/13) Clayton County Pet Food, Annual Contract**, as requested by the Police Department (Swint’s Feed and Garden Supply, located in Jonesboro, Georgia. An initial contract term shall be one (1) year from the date of execution, with the option for renewal for two (2) additional one (1)-year periods after the initial year). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

16) **RFB Pkg. #13-42 (7/16/13) Woolsey Road Widening and Reconstruction, Clayton County, Georgia/Clayton County Commission District #3**, as requested by the Transportation and Development Department (Southeastern Site Development, Inc., located in Newnan, Georgia, in the amount of \$2,582,493.65. Funding is available through the 2009 SPLOST funds). Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners' approval.

8. Consider requests of Ramona Thurman, Chief Financial Officer.

1) Budget Amendment #2-1 – Other General Government/FYE 6-30-14, in the amount of \$13,000.00, to provide funds to remediate asbestos contamination on a property due to be demolished by the County.

2) Budget Amendment #2-2 – State Narcotics Fund/FYE 6-30-14, in the amount of \$33,400.00, to provide funds to purchase a new bomb dog and two drug dogs.

3) Budget Amendment #2-3 – Juvenile Court/FYE 6-30-14, in the amount of \$2,500.00, to provide funds to purchase artwork for the Juvenile Justice Center per Resolution 2013-51.

4) Budget Amendment #2-4 – Other General Government/FYE 6-30-14, in the amount of \$26,269.00, to carry forward funds appropriated in Budget Amendment 2-68 but were not spent as a result of the cut-off for purchasing.

5) Budget Amendment #2-5 – Other General Government/FYE 6-30-14, in the amount of \$31,500.00, to replace vehicle 792 (2003 Crown Victoria) that was totaled in an accident.

6) Budget Amendment #2-6 – Other General Government/FYE 6-30-14, in the amount of \$83,500.00, to provide funds to remove mold contamination on a property owned by the County.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

- 7) Request for Refund for a Business License that was issued in error (T&R Vending, LLC), in the amount of \$125.00, for Rosalilia Barbee of Rex, Georgia.
9. Consider requests of Renee Bright, Director of Human Resources.
10. Resolution 2013-193 – A Resolution authorizing Clayton County to enter into Articles of Agreements with certain community charitable organizations, governmental agencies, and professional service providers located and conducting business in Clayton County; to authorize the Chairman to execute the agreements, and otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
11. Resolution 2013-194 – A Resolution of the Board of Commissioners of Clayton County, Georgia authorizing the County to execute Amendment No. 1 to Performance Contracting Agreement with Siemens Industry, Inc. dated October 21, 2009 for purposes of modifying the scope of work and decreasing the contract price, among other provisions identified herein; authorizing the execution, delivery and performance of related documents; and for other purposes.
12. Resolution 2013-195 – A Resolution authorizing Clayton County to enter into a Memorandum of Agreement with the State Properties Commission providing for the lease of office space located at 1117 Battle Creek Road, Jonesboro, Georgia, for use by the Georgia Department of Public Health; to authorize the Chairman to execute the agreement and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
13. Resolution 2013-196 – A Resolution to approve a Special Facility Use Request to allow Commissioner Gail Hambrick to host a "Back to School Bash" for Clayton County students at Flat Shoals Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

14. Resolution 2013-197 – A Resolution authorizing Clayton County to enter into a Master Agreement with Path Foundation, Inc. providing for the terms and conditions under which services related to planning, designing, building, and maintaining greenway trails in Clayton County will be administered; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes.
15. Resolution 2013-198 – A Resolution to recognize the years of service of Police Canine Nero, to provide for his retirement from active service, and to grant a conditional gift for his remaining years.
16. Resolution 2013-199 – A Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Anvil Block Road Widening Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.
17. Resolution 2013-200 – A Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Flint River Road Widening Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.
18. Resolution 2013-201 – A Resolution consenting to the use of expiring Federal Transit Administration grant funds by the Metropolitan Atlanta Rapid Transit Authority (MARTA) for various transit improvements; to authorize the Chairman to execute any necessary documents and to otherwise perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
19. Resolution 2013-202 – A Resolution authorizing Clayton County to enter into an Athletic Facility contract with Clayton County Public Schools for use of Tara Stadium for the Clayton County Youth Football League; to authorize the Chairman to execute the Athletic Facility

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 6, 2013

A G E N D A

contract and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes.

20. Resolution 2013-203 – A Resolution to approve a Special Facility Use Request to allow Greater Solid Rock Baptist Church to host a Fish Fry Fundraiser at Flat Shoals Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
21. Appointments to the Board of Appeals. The term of Dr. Don McMillian, Jr. expires on August 19, 2013. New term is for three (3) years, expiring on August 19, 2016. (NOTE: The term of Whayne Clarke expired on February 11, 2011 with no Board action.)
22. Appointments to the Zoning Advisory Group (ZAG). The terms of Frenda Norwood and Michelle Mayorga expire on August 19, 2013. New terms are for three (3) years, expiring on August 19, 2016. (NOTE: The term of Jacqueline Peoples expired on August 19, 2013 with no Board action.)

EXECUTIVE SESSION

23. Consider any action(s) necessary based on decision(s) made in the Executive Session.