



**SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

04-0-1572

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A CONTRACTOR FOR THE MAINTENANCE OF A HEALTHY TREE CANOPY IN AN AMOUNT NOT TO EXCEED \$600,000.00 FOR A THREE (3) YEAR PERIOD TO BE CHARGED TO AND PAID FROM THE CONSULTANT PROFESSIONAL SERVICES 'TREE RECOMPENSE' ACCOUNT NUMBER 3P02 524001 N12P0613QNAO; TO TRANSFER FROM APPROPRIATIONS TO APPROPRIATIONS \$600,000.00 SO AS TO FUND THE SERVICES OF A CONTRACTOR FOR THE MAINTENANCE OF A HEALTHY TREE CANOPY PROGRAM ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUREAU OF PARKS; AND FOR OTHER PURPOSES.

Whereas, healthy trees require regular maintenance under ideal conditions and due to the effect of environmental conditions such as pollution, pests, pathogens, motorized vehicles, other falling trees and improper pruning; and

Whereas, trees in the right-of-ways may obscure traffic regulatory devices and the flow of traffic, and the removal of the obstructions may prevent injury to the public and also damage property; and

Whereas, in some instances the tree limbs from City owned trees may encroach on private property, and property owners may express a legitimate wish to remove a dead, diseased or damaged tree limb over their property; and

Whereas, timely maintenance promotes the overall health of the tree, prevents the trees from dying and prevents problems that may be viewed as merely unsightly from becoming hazards to the public and property; and

Whereas, the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks has the responsibility of maintaining all trees on City property and right-of-ways and is inundated with emergency calls regarding hazard trees and has a backlog of work orders for non-hazard trees that date back to the year 2001, with this backlog partly being due to a reduction of its workforce within the Forestry Division and the Bureau cannot perform timely maintenance of non-hazard trees; and

Whereas, the backlog of non-hazard trees work orders is also due to the increase in the quantity of hazard trees, caused by the drought and following abundance of rain, and by stormy weather patterns. During times when the City of Atlanta experiences stormy weather patterns, including June 2004 and part of July 2004, the Bureau of Parks must spend all resources responding to hazard tree work orders, and is completely unable to perform any work on non-hazard trees; and



CORRECTED COPY

Whereas, it is in the best interest of the City of Atlanta to hire a Contractor who would undertake the maintaining, trimming and pruning of trees within the City of Atlanta Parks and right-of-ways in order to maintain a Healthy Tree Canopy Program within the City of Atlanta; and

Whereas, in the year 2001, in what is codified as Atlanta Code of Ordinances, Section 158-66, the Tree Conservation Commission was tasked with establishing a Tree Trust Fund to be utilized for the protection, planting, maintenance and regeneration of City of Atlanta trees and other forest resources, and for other related educational programs and materials; and

Whereas, to date the Tree Recompense Program has accumulated a total of \$1,997,141.00; and

Whereas, the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks desires to spend approximately \$600,000.00 within the next three (3) years of these Tree Removal Protection funds to hire a Contractor for the maintenance of trees within the City of Atlanta Parks and right-of-ways, and this Ordinance is required to transfer monies from appropriations to appropriations, so as to enable the Bureau of Parks to fund the services of a Contractor to undertake the maintaining, trimming and pruning of trees within the City of Atlanta Parks and right-of-ways.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks and the Department of Procurement are directed to select a Contractor to provide the services necessary to create a Healthy Tree Canopy throughout the City of Atlanta, including but not limited to maintaining, trimming and pruning trees within City of Atlanta Parks and right-of-ways, with the actual trees to be maintained, to be designated by the Commissioner of the Department of Parks, Recreation and Cultural Affairs or her designee, insuring the maintenance of the trees will be performed in accordance with the American National Standards Institute (ANSI) A300 standards.

Section 2: That the agreement with the selected Contractor shall be in an amount not to exceed \$600,000.00 within a three (3) year period, and shall be charged to and paid from the Tree Recompense Account Number 3P02 524001 N12P0613QNAO.

Section 3: That the Chief Procurement Officer of the Department of Procurement shall prepare an appropriate Resolution to be approved by the Atlanta City Council, selecting the Contractor to perform the services set forth within this Ordinance.



CORRECTED COPY

Section 4: That the 2004 Trust Fund Budget, Department of Planning and Community Development and the Department of Parks, Recreation and Cultural Affairs, be and is hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

3P02 729002 Y12P0613QNAO	Service Grant	
	Tree Recompense	<u>\$600,000.00</u>

TRANSFER TO APPROPRIATIONS

3P02 724001 N12P0613QNAO	Consultant Professional Services	
	Tree Recompense	<u>\$600,000.00</u>

Section 5: That all Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed for the purposes of this Ordinance only, and only to the extent of said conflict.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

October 4, 2004
October 8, 2004

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		

ADMINISTRATIVE CORRECTIONS TO LEGISLATION
REQUEST FORM

Rhonda Dauphin Johnson
Municipal Clerk

Re: 04-0-1572
Legislative ID Number (Ordinance/Resolution)

10/4/04
Adoption Date

10/8/04
Approval Date

Councilmember

Councilmember

Department Head

Name: _____

Dept/Bureau: _____

E-Mail Address: _____

Telephone No: _____ Fax No: _____

Signature(s) of Councilmember and/or Department Head _____

1.) What is the requested change/correction? (Give detailed description; Use additional page(s) if necessary; Provide supporting attachments as needed.)

On the last page of the ordinance, change the center description for the TRUST account from Tree Removal Protection to "Tree Recompense" throughout the paper.

TRANSFER FROM APPROPRIATIONS

3P02 729002 Y12P0613QNAO

Service Grant

Tree Removal Protection

\$600,000.00

TRANSFER TO APPROPRIATIONS

3P02 724001 N12P0613QNAO

Consultant Professional Services

~~Tree Removal Protection~~

Tree Recompense

\$600,000.00

04-0-1572

(Do Not Write Above This Line)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A CONTRACTOR FOR THE MAINTENANCE OF A HEALTHY TREE CANOPY IN AN AMOUNT NOT TO EXCEED \$200,000 TO BE PAID FOR FROM THE TREE TRUST FUND; AND FOR OTHER PURPOSES.

ADOPTED BY

OCT 0 4 2004

COUNCIL

substitute

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & DEFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 9/20/04

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

CD/HR
9/20/04
CD/HR

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

OCT 0 4 2004

ATLANTA CITY COUNCIL PRESIDENT

Jan M. Jordan

CERTIFIED

OCT 0 4 2004

Ronald Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

Amilcar 10/8/04

MAYOR