

CITY COUNCIL
ATLANTA, GEORGIA

04-O-0156

**AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK
AS SUBSTITUTED BY COMMUNITY DEVELOPMENT HUMAN RESOURCES
COMMITTEE ON 01-27-04 AND AS FURTHER SUBSTITUTED BY THE FULL
COUNCIL ON 02-02-04**

**AN ORDINANCE AMENDING THE 2004 GENERAL GOVERNMENT CAPITAL
OUTLAY FUND BUDGETS IN THE DEPARTMENTS OF PUBLIC WORKS,
POLICE, FIRE SERVICES, PARKS AND RECREATION AND PLANNING AND
COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN
ACCOUNTS THE SUM OF \$ 2,934,199 FOR THE PURPOSE OF FUNDING A
COMPREHENSIVE CONSULTANT RE-STUDY OF THE CITY'S
DEVELOPMENT IMPACT FEE ORDINANCE AND ADMINISTRATIVE
PROGRAM, FUNDS FOR THE HIGHLAND AVENUE N.E. CORRIDOR, AND
THE MORNINGSIDE/LENOX PARK CORRIDOR TRAFFIC CALMING
PROJECTS, ROADWAY IMPROVEMENTS FOR LINDBERGH DRIVE N.E.,
CITY-WIDE SIDEWALK IMPROVEMENTS SUPPLEMENTARY FUNDING,
LIVABLE COMMUNITIES TRANSPORTATION IMPROVEMENTS LOCATED
IN THE GREENBRIAR, BOLTON ROAD AND WEST END COMMUNITIES,
THE EXTENSION OF LANDRUM DRIVE S.W., AND THE COMPLETION OF
BIKEWAY TRAILS LOCATED AT THE OLMSTED LINEAR PARK FACILITY
AND FOR OTHER PURPOSES**

WHEREAS, resolution 94-R-0907 adopted by the Council of the City of Atlanta and approved by the Mayor in June, 1994 established policies for the use of transportation impact fees and those associated with the provision of parks, police, and emergency services; and

WHEREAS, those policies emphasize the City's use of impact fees for capital improvements servicing the expanding transportation capacity demands associated with new development; and

WHEREAS, those policies also emphasize the expenditure of transportation impact fees on capital development projects leveraging, federal, state, or local funds greater or equal to their project appropriations; and

WHEREAS, the cost of completing six City sidewalk projects are in need of supplemental funding in the amount of \$658,065 for their completion; and

WHEREAS, these projects are leveraging Federal Transportation funding participation of eighty-percent of construction costs against twenty percent provided per City investments; and

WHEREAS, the sidewalk projects as reflected on exhibit "A" to this ordinance are located at West Paces Ferry Rd. N.W., Bolton Rd. Phases I and II, Morosgo Drive N.E., Bakers Ferry Rd. SW., and Benjamin E. Mays Dr. S.W.; an

WHEREAS, funds are needed for roadway re-design improvements to accommodate planned traffic calming improvements and new development located at the Lindbergh City Center Site on Lindbergh Dr. N.E.; and

WHEREAS, the Ansley Park Civic Association approached the City of Atlanta with funding contributions in the amount of \$125,000 respectively for the Morningside/Lenox Park Corridor, and the Highland Avenue Corridor Traffic Calming Projects, and requested the City provide an identical match that will be leveraged with additional funds from the Atlanta Regional Commission (ARC) through the Transportation Improvement Program (TIP).

WHEREAS, planned streetscapes, and intersection improvements, are needed for Livable Community Initiatives projects (LCIs) already receiving funding from the City's Quality of Life Bond Program; and

WHEREAS, the authorized LCIs receiving Federal Grants for reinvestment efforts include the Greenbriar Pkwy S.W., Bolton Rd N.W., Lee St. S.W., and Abernathy Blvd. S.W., Headland Dr. S.W., and Barge Rd. S.W.; and

WHEREAS, funding in an amount not to exceed \$350,000 is needed for the extension of Landrum Dr. S.W.; and

WHEREAS, the Council of the City of Atlanta Georgia deems it in the best interests of the development community to conduct a re-study of the Development Impact Fee Ordinance adopted in 1993, to determine adequacy of fees generated and service districts applied to the ordinance; and

WHEREAS, the re-study is also needed to evaluate the City's performance in the use of the fees over a ten year period, as well as to review and account for changing zoning patterns, transportation needs, balanced against revitalized development throughout the City; and

WHEREAS, the series of trails traversing the Olmsted Linear Park facility in Northeast Atlanta will complete the implementation of a valued City asset and transportation alternative, with the addition of a final project phase not exceeding \$200,000; and

WHEREAS, three percent of 2002 transportation impact fee collection is reserved for the administration of the City's Development Impact Fee Ordinance as required by the same, and

WHEREAS, funds are available from the reserve for impact fee refunds and can be applied to operating cost centers to allow these important projects to move forward.

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

Section 1: That the 2004 General Government Capital Outlay Fund Budgets Departments of Public Works, Parks And Recreation, Police, Fire Services, and Planning And Community Development are hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

1C28 729010 M11X04519985	Refunds- Development Impact Fees Admin.	\$916,971
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TRANSFER TO APPROPRIATIONS

1C28 792001 M11X04519985	Reserve For Appropriation Development Impact Fees-Transportation	\$916,971
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TRANSFER FROM APPROPRIATIONS

1C28 792001 M11X04519985	Reserve For Appropriation Development Impact Fees- Transportation	<u>\$2,490,199</u>
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TRANSFER TO APPROPRIATIONS

1C28 774001 M23F03789985	West Paces Ferry Sidewalks	\$160,000
1C28 774001 M23F03629985	Bolton Rd. Phase I	\$158,516
1C28 774001 M23F03639985	Bolton Rd. Phase II	\$116,904
1C28 774001 M23F03759985	Morosgo Dr. Sidewalks	\$30,200
1C28 774001 M23F03239985	Baker's Ferry Rd. Sidewalks	\$70,906

4.

1C28 774001 M23F03679985	Benjamin E. Mays Sidewalks	\$155,060
1C28 774001 M23F01799985	Lee Street LCI Grant Transportation Improvements	\$85,200
1C28 774001 M23F01809985	Ralph David Abernathy LCI Grant Transportation Improvements	\$66,625
1C28 774001 M23F01309985	Greenbriar Pkwy. LCI Grant Transportation Improvements	\$52,000
1C28 774001 M23F01819985	Barge Rd./Campbellton LCI Grant Transportation Improvements	\$72,000
1C28 774001 M23F01829985	Greenbriar Pkwy-Langford LCI Transportation Improvements	\$30,000
1C28 774001 M23F01839985	Headland Dr, Streetscape LCI Transportation Improvements	\$60,000
1C28 774001 M23F01849985	Bolton Rd. Intersection LCI Transportation Improvements	\$181,300
1C28 724001 M23F01859985	Morningside /Lenox Park Traffic Calming Project	\$125,000
1C28 724001 M23F01869985	Highland Corridor Traffic Calming Project	\$125,000
1C28 724001 Y61001	Comprehensive Study Development Impact Fees-Trans.	\$192,000
1C28 774001 M23F01879985	Landrum Dr. Ext.	\$350,000
1C28 774001 Q24F01719985	Lindbergh Dr. Roadway Improvements	\$200,000
1C28 774001 N12D11429985	Olmsted Linear Park Trails Development	\$200,000

5.

1C28 721106 Y11001	Media Published & Electronic Office of the Commissioner	\$20,000
1C28 711011 Y11001	Salaries, Permanent Office of the Commissioner	\$30,000
1C28 775001 Y11001	Capital Expenses Office of the Commissioner	\$9,488
Total		<u>\$2,490,199</u>

TRANSFER FROM APPROPRIATIONS

1C28 792001 T31X04109991	Reserve For Appropriation Development Impact Fee Recoupments	<u>\$444,000</u>
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TRANSFER TO APPROPRIATIONS

1C28 724001 N12D16B69991	Comprehensive Study City-Wide Recoupment Fees Parks	\$264,000
1C28 724001 X11Q06239991	Comprehensive Study Recoupment Fees Police Department	\$42,000
1C28 724001 W11Q06239991	Comprehensive Study Recoupment Fees-Fire Services	\$138,000
Total		<u>\$444,000</u>

Section 2: That all charges and expenses related to the re-study of the City's Development Impact Fee Ordinance be charged to and paid from FACs 1C28 724001 Y61001, 1C28 724001 W11Q06239991, 1C28 724001 X11Q06239991, and 1C28 724001 N12D16B69991.

Section 3: That the Mayor or her designee is authorized to enter into an appropriate agreement with the Olmsted Linear Park Alliance Inc. for Final Phase Development and construction of Linear Park Trails at the Olmsted Linear Park facility in an amount not to exceed to \$200,000 to be charged to and paid from FAC 1C28 774001 N12D11429985.

Section 4: That the Mayor or her designee is authorized to enter into appropriate agreements with the Atlanta Regional Commission for the completion of all the Livable Cities Initiative Projects, sidewalks, streetscapes, intersection improvements, and traffic studies listed in Section 1 of this ordinance.

Section 5: The following projects shall be included for priority funding as impact fees become available during calendar year 2004, provided they meet the minimum criteria that they are ready to go and that they are partnered with leveraged funds.

Sidewalks on Macon Drive (from Lakewood Avenue to Bromack)
Sidewalks on Maynard Terrace, SE
Sidewalks on Spencer Street (near Bethune-Cooke School)

Section 6: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

OMC Amendment Incorporated by WHG 2/4/04

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

FEB 02, 2004
FEB 10, 2004

2004 CITY-WIDE SIDEWALK PROJECTS

Sidewalk Project	Cost Estimate	Federal Share (80%)	Local Share (20%)	Allocated to Project	Deficit
West Paces Ferry Sidewalks	798,479	470,000	117,500	202,000	-126,479
Bolton Road Phase I	752,312	547,136	136,784	46,660	-158,516
Bolton Road Phase II	554,781	403,477	100,869	34,400	-116,904
Morosgo Drive Sidewalks	90,200	60,000	15,000	0	- 30,200
Bakers Ferry Road	267,873	194,816	48,704	2,150	- 70,906
Ben E. Mays	689,626	501,546	125,387	33,000	-155,080

Exhibit B

LCI / Impact Fees

12/24/03

LCI Area	Title	P/E	CONSTRUCTION	LOCAL MATCH	IMPACT FEES
WEST END LCI	Lee St. Streetscape				
	Local Required (20%)	8,525	76,675	Not available	
	LCI - FY04 Const	34,100	306,700	Not available	
	Total	42,625	383,375		85,150
	Ralph David Abernathy Blvd. Streetscape				
	Local Required (20%)	29,700	136,925	QOL 100,000 include D & C	
	LCI - FY05 Const	118,800	547,700		
	Total	148,500	684,625		66,625
GREENBRIAR LCI	Greenbriar Pkwy				
	Local Required (20%)	95,400	381,600	QOL \$425,000 include D & C	
	LCI - FY06 Const	381,600	1,526,400		
	Total	477,000	1,908,000		52,000
	Barge Road at Campbelltn Rd Intersection				
	Local Required (20%)	16,000	56,000	Not available	
	LCI - FY04	64,000	224,000	Not available	
	Total	80,000	280,000		\$72,000

LCI Area	Title	P/E	CONSTRUCTION	LOCAL MATCH	IMPACT FEES
GREENBRIAR LCI	Greenbriar Pkwy Langford Pkwy - SR 154/166 at Campbellton Rd Intersection				
	Local Required (20%)	30,000	Not planned	Not available	
	LCI - Const	Not planned	Not planned	Not planned	
	Total	150,000	\$0		
					\$30,000
	Headland Street Streetscape				
	Local Required (20%)	10,000	50,000	Not available	
	LCI - Const	40,000	200,000	Not available	
	Total	50,000	250,000		\$60,000
ATLANTA - BOLTON ROAD LCI	Bolton Rd Intersection				
	Local Required (20%)	25,000	200,000	QOL \$53,700 include D & C	
	LCI - FY05 Const	100,000	800,000	Not available	
	Total	125,000	1,000,000		\$181,300

RCS# 5414
2/02/04
4:55 PM

Atlanta City Council

Regular Session

04-O-0156 AMEND 2004 BUDGET \$2,934,199.00 RESTUDY
DEV IMPACT FEE ORD VARIOUS PRJCT/IMPRV
ADOPT AS AMEND

YEAS: 13
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
N Starnes	Y Fauver	N Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

04-0156

(Do Not Write Above This Line)

AN ORDINANCE BY: Howard Shook
COUNCILMEMBER HOWARD SHOOK

A RESOLUTION AMENDING THE 2004 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGETS IN THE DEPARTMENTS OF PUBLIC WORKS, POLICE, FIRE SERVICES, PARKS AND RECREATION AND PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF \$2,900,628 FOR THE PURPOSE OF FUNDING A COMPREHENSIVE CONSULTANT RE-STUDY OF THE CITY'S DEVELOPMENT IMPACT FEE ORDINANCE AND ADMINISTRATIVE PROGRAM, TRAFFIC STUDIES FOR THE HIGHLAND AVENUE N.E. CORRIDOR, AND THE MORNINGSIDE COMMUNITY, RODWAY IMPROVEMENTS FOR LINDBERGH DRIVE N.E., CITY-WIDE SIDEWALK IMPROVEMENTS SUPPLEMENTARY FUNDING, LIVABLE COMMUNITIES TRANSPORTATION IMPROVEMENTS LOCATED IN THE GREENBRIAR, BOLTON ROAD AND WEST END COMMUNITIES, THE EXTENSION OF LANDRUM DRIVE S.W., AND THE COMPLETION OF BIKEWAY TRAILS LOCATED AT THE OLMSTED LINEAR PARK FACILITY AND FOR OTHER PURPOSES.

As Amended

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

Date Referred: 1/27/04

Referred To: CD/HR

Date Referred:

Referred To:

Date Referred:

Referred To:

Committee: _____

Date: _____

Chair: _____

Referred to: _____

First Reading

Committee: CD/HR

Date: 1/27/04

Chair: [Signature]

Action: Fav. Adv. Hold (see rev. side)
Other: No Subst. Re-com

Members: [List of names]

Refer To:

Committee: _____

Date: _____

Chair: _____

Action: Fav. Adv. Hold (see rev. side)
Other: _____

Members: _____

Refer To: _____

Committee: _____

Date: _____

Chair: _____

Action: Fav. Adv. Hold (see rev. side)
Other: _____

Members: _____

Refer To: _____

Committee: _____

Date: _____

Chair: _____

Action: Fav. Adv. Hold (see rev. side)
Other: _____

Members: _____

Refer To: _____

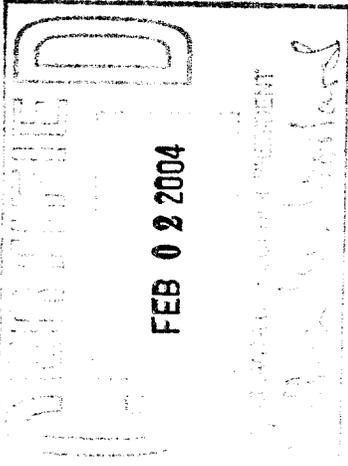
FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED



CERTIFIED

FEB 02 2004

Randy Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

[Signature]

MAYOR