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The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, October 11, 2006 at 1:00 p.m. in **Committee Room #2, City Hall South, 2nd Floor.**

Present: Councilmember Kwanza Hall, Vice Chair Janice D. Davis, CFO
Councilmember Felicia A. Moore Departmental Staff
Councilmember Jim Maddox
Councilmember Clela Winslow
Councilmember Clair Muller
Councilmember H. Lamar Willis

Vice Chairperson Hall called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Jim Maddox, Clela Winslow, Clair Muller and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new Resolution. Minutes of the September 13, 2006 Regular Finance/Executive Committee meeting and the second Work Session of the 2007/2008 Council Budget Priorities/Requests were also adopted.

CONSENT AGENDA

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, TO NEGOTIATE FOR AND PURCHASE THE REMAINING PARCEL OF PROPERTY

06-O-2215 (1) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Parks, Recreation, and Cultural Affairs, to negotiate for and purchase the remaining parcel of property, approximately 0.55 acres located on Wildwood Road, adjacent to the City of Atlanta's ("City") existing Morningside Nature Preserve (formerly known as Wildwood Urban Forest), as originally authorized by Ordinance 04-O-2243, for the purpose of expanding the existing Morningside Nature Preserve; and to negotiate for and purchase a Permanent Easement on the property located at 924 Wildwood Road, Atlanta, Georgia, in an amount not to exceed one hundred fifty thousand twenty five dollars and no cents (\$150,025.00); to be paid by the Atlanta Development Authority using the remaining Grant Funds from the Arthur M. Blank Family Foundation (\$50,025.00) and Fund, Account, and Center Number 1C28 (General Gov't Capital Outlay Fund) 571001 (Land) N12P06129989 (Green Space PGM., Parks North) (\$100,000); and for other purposes.

FAVORABLE ON FIRST READ

TO REPEAL PART TWO, ARTICLE X, DIVISION 12 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

06-O-2216 (2) An Ordinance by Finance/Executive Committee to repeal Part Two, Article X, Division 12 of the Code of Ordinances of the City of Atlanta so as to enact a new Part Two, Article X, Division 12, known as the "the Equal Business Opportunity Program" for a five-year period; consistent with certain findings based on the Equal Business Opportunity Disparity Study and Legal Analysis Report and other data relative to the Business Opportunities available to Minority-and-Female-Owned Businesses in the Atlanta Region; to repeal conflicting Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

TO ENACT A NEW SECTION TO PART TWO, ARTICLE X DIVISION 12, KNOWN AS "THE VENDOR RELATIONS ORDINANCE"

- 06-O-2217 (3) An Ordinance by Finance/Executive Committee to enact a new Section to Part Two, Article X Division 12, known as "the Vendor Relations Ordinance"; to allow the City of Atlanta to maintain data on the performance of contractors and vendors in order to ensure that purchases are made from and contracts are awarded to, responsible contractors only; to require vendors and contractors to file a Vendor Information Questionnaire; to repeal conflicting Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

TO REPEAL PART TWO, ARTICLE X, DIVISION 9 KNOWN AS "THE ASSISTANCE TO SMALL AND DISADVANTAGED BUSINESS; EQUAL EMPLOYMENT OPPORTUNITY IN PURCHASING AND CONTRACTING"

- 06-O-2218 (4) An Ordinance by Finance/Executive Committee to repeal Part Two, Article X, Division 9 known as "the Assistance to Small and Disadvantaged Business; Equal Employment Opportunity in Purchasing and Contracting" of the Code of Ordinances of the City of Atlanta so as to enact a new Part Two, Article X, Division 9, known as "the Small Business Enterprise Opportunity Program"; to promote the Economic Welfare of the People of the City of Atlanta; to promote Full and Equal Business Opportunity for all persons doing business with the City of Atlanta; to promote commerce by assisting Small Business Enterprises (SBEs) to actively participate in the City of Atlanta's Procurement process; to repeal conflicting Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND CHAPTER 114, ARTICLE V, SECTION 114-477 OF THE CITY OF ATLANTA CODE OF ORDINANCES AND ORDINANCE 05-O-0504

- 06-O-2237 (5) An Ordinance by Finance/Executive Committee to Amend Chapter 114, Article V, Section 114-477 of the City of Atlanta Code of Ordinances and Ordinance 05-O-0504 to extend the date for the positions created in the Unclassified Service in support of the Enterprise Resource Planning Initiative until July 31, 2007; and for other purposes.

FAVORABLE ON FIRST READ

Councilmember Moore asked why we don't read the First Read Ordinances anymore. She then stated that at the Council meeting they go into a bunch on the Consent Agenda. Councilmember Muller asked if they are in our computerized Agenda. Councilmember Moore stated that her concern is that if it is not verbalized, things can go to a Second Read and no one gets to hear it. Councilmember Winslow stated that we have a lot of Claims in the Public Safety Committee and she does not want to have to read all of them. Councilmember Moore stated that we may need to come up with some rules. Councilmember Maddox stated that in the Community Development Committee we accept First Read Ordinances without reading them. They will be read and discussed when they come back as Second Reads.

REGULAR AGENDA

A COMMUNICATION SUBMITTING THE APPOINTMENT OF MS. LESLIE WARD TO SERVE AS THE CITY INTERNAL AUDITOR

06-C-2150 (1) A Communication to Council President Lisa Borders and Members of Council from Wayne Woody, Chair, Audit Committee: submitting the appointment of Ms. Leslie Ward to serve as the City Internal Auditor. This appointment is for a term of five (5) years, scheduled to begin on the date of Council confirmation.

FAVORABLE

Mr. Fred Williams: of the Audit Committee addressed the Committee by stating that he is standing in for Mr. Woody. He is asking for the reappointment of Ms. Ward. All of the reports the Audit staff does is reviewed by the Audit Committee. The Audit Committee met in August of this year and we arrived at a decision to reappoint Ms. Ward. We are asking for a five-year term. Councilmember Maddox stated that Ms. Ward has done a tremendous job and has great leadership. She has done a good job for the City. Councilmember Muller dittoed Councilmember Maddox's comments. She seconded the motion to Approve. Councilmember Moore stated that she also agreed. We have worked through a lot of issues. She wants to abstain because of a recent issue she had that needed to be resolved. She would like to have a meeting with some of the members of the Audit Committee. Councilmember Maddox offered a motion to **Approve, 5 Yeas, 1 Abstention.**

Ms. Leslie Ward: Internal Auditor addressed the Committee by stating that she looks forward to serving the next five years. She stated that she will work hard to resolve Councilmember Moore's issues. Councilmember Maddox stated that he understands that her Office needs space. We want to get the Municipal Court built out.

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$22,550,037.85

06-O-2119 (1) A **Substitute** Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$22,550,037.85, from the Atlanta/Fulton County Recreational Authority Opportunity Project, Series 2005 Bond Issue, to fund various projects; and for other purposes. **(Finance/Executive Committee Substitute changes the Center Number and changes the name from Atlanta Development Authority to the Atlanta/Fulton County Recreational Authority, Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Vice Chairperson Hall stated that we have a Substitute.

Ms. Dana Boone: Debt and Investment Chief of the Department of Finance addressed the Committee by stating that the Substitute changes the Center Number. The Center Number is the way we appropriate funds through the Fund, Account and the Center Number. It identifies the project and gives a categorization. Councilmember Moore stated that this is the Opportunity Bonds through the Fulton/Atlanta Recreation Authority. She then offered a motion to Substitute the Caption to **say the Atlanta/Fulton County Recreation Authority on behalf of the City, 6 Yeas.** Councilmember Moore asked if these were funds we already have or are they additional funds. Ms. Boone responded that these are for 2005 Bond Issuance and this was not a typical transaction for City staff. The Bond came before Council for an amount not to

exceed \$125 million dollars. We have a \$550,000 premium and a Bond Issuance of \$22 million dollars. We are now appropriating those funds that we received. We are now going to put it in four different accounts. CFO Davis added that it is in Land because we will be appropriating the funds from Land to cover different projects. She wants to make sure that this is correct first. This is identifying land for City Hall East. Ms. Boone stated that as we were preparing this we received information that it would be for acquisition of property. Councilmember Willis stated that there was supposed to be a park with a lake, etc. CFO Davis responded that the initial funds were \$5 million dollars toward the Quarry purchase and additional improvements for the parks. Councilmember Moore stated that the money could sit in the account and be spent on other things. Ms. Boone responded that we take the sources and census document to develop our Anticipation for the funds. We will definitely clarify it. This reflects the information we received from our financial resources. Councilmember Moore stated that if we authorize it, it needs to not be sitting there. We need to know what the \$21 million dollars is for. When we do the Bonds, we have to put in specifics. Councilmember Muller stated that we authorized \$125 million dollars in Opportunity Bonds last year, but we did not Bond for that much. CFO Davis responded that we will have multiple issues. Councilmember Muller stated that we are not sure if City Hall East or the Quarry is in here. CFO Davis responded that we made an expenditure on land for the Quarry. Councilmember Muller offered a motion to Approve on Substitute on Condition of receiving information from the Department of Finance. Councilmember Willis stated that we run the risk of interest rates going up. In the past, it has worked against us to have too much money. CFO Davis responded that we are exploring the possibility to hedge our interest rates having a lower interest rate. We are looking at proposals from the Underwriters. Councilmember Muller offered a motion to move **Forward With No Recommendation on Substitute on Condition, 5 Yeas, 1 Nay.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$27,060,000.00

06-O-2120 (2) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$27,060,000.00, from the Atlanta Fulton County Recreation Authority Refunding Revenue Bond, Series 2005A Issue to fund various projects; and for other purposes. **(Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FAVORABLE

CFO Davis stated that this is refunding outstanding Recreation Authority Bonds. This paper is appropriating the funds in the Bond proceeds to the escrow account. This is also allowing us to use this along with contributions from the Recreation Authority to buy investments to put in escrow accounts. We get it off of our books by buying investments. We put this with the Trustee and we are done with it. Councilmember Willis stated that we need to get a status report or Work Session from the Recreation Authority. Councilmember Moore asked if this is similar. Are we the Trustee for the Recreation Authority? CFO Davis responded that we share a responsibility on the Debt Service. This represents the entire amount. The Recreation Authority is acting on it in favor of our direction. The Authority acted on our instructions and it is the total amount of the transaction. Councilmember Winslow offered a motion to **Approve, 6 Yeas.**

TO ANTICIPATE BOND PROCEEDS IN THE AMOUNT OF \$82,565,000

06-O-2121 (3) An Ordinance by Finance/Executive Committee Anticipating Bond Proceeds in the amount of \$82,565,000, and Transferring the Excess Tax Increment in the amount of \$2,280,614.40 from the Westside Tax Allocation Distribution (TAD) Bond Series 2005 A & B to fund various projects; and for other purposes.

(Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)

FORWARD WITH NO RECOMMENDATION ON CONDITION

Ms. Serena Sparks: Deputy City Attorney addressed the Committee by stating that there is a reference in the Westside TAD for excess increments. It is not accurate because it is current increments. We may need to amend the language. CFO Davis asked if it is okay to use this increment toward projects. Deputy City Attorney Sparks stated that there was a question regarding a line of credit from the banks. CFO Davis added that we were looking for clarification of having not to come before Council. We wanted to know if we could use it toward projects or Debt Service. Deputy City Attorney Sparks added that it is fine to use it as it is in this paper. Councilmember Willis stated that he needs it in writing. CFO Davis asked for similar language for **06-O-2121, 06-O-2122, 06-O-2124** and **06-O-2126**. Vice Chairperson Hall stated that the word excess should say current. CFO Davis stated that this is the increment supporting the TAD Bonds. There are CDBG dollars involved, but not with the TAD. Land is not an item that is capitalized or depreciated. Once you get a description of what they are, it can be recorded without destroying the books. She has a list of the items identified. Councilmember Moore stated that when we do the TAD there is a generic language that specifies what we are doing. We know what the projects are. If we put all of this money in a land account, she wants to understand that this money will be spent on the project associated with it. It is in a generic account instead of the project account. We are appropriating \$74 million dollars and the projects are worth \$72 million dollars. CFO Davis responded that these funds are not expended by the City. It is reimbursed to the developer. We used to have a generic account called Projects. It was something that would have been capitalized. Councilmember Moore asked if the money is ready to be spent on the projects. CFO Davis responded that we are awaiting a list with the cost. Until we find out from the developers, we don't know. It is supposed to be in special revenue funds, but that fund doesn't have Bond Funds. Councilmember Moore stated that she is trying to get a connection of what the money will be spent on. CFO Davis responded that we got the list from ADA. We put it in an account for accounting purposes. Councilmember Moore asked if it is possible to attach it to the Appropriations. If there are changes, we will have an idea of what they are. We are saying that ADA can do whatever they want. CFO Davis responded that we would be double accounting. Give us an opportunity to identify how it is happening with our books first. Councilmember Moore suggested that if it does not exist to tie the Bond Proceeds, we need a separate piece of policy from ADA. CFO Davis responded that she bets that there is an invoicing mechanism that does that. She then asked for an opportunity for her to work with ADA. Vice Chairperson Hall stated that they have an Intergovernmental Agreement with a list of all of the projects. Councilmember Moore stated that we need to get language that does that because it may not be tied to this Bond. How do you know what is excess or what is not. CFO Davis responded that it is required in the Bond documents. Current increment is dedicated to Debt Service first. We could not use current increments unless it was defined. She is confused by the Law Department's explanation. Councilmember Willis stated that there has to be some kind of Audit mechanism. Do the developers do their project and then drawdown. The drawdown is supposed to be in compliance. All they are doing is taking the infrastructure cost. The developers may ignore a portion of the project if we don't find a way to give them an incentive. We want to make sure that there is an invoicing mechanism in place. CFO Davis responded that she is certain that we are entitled to audit all of the disbursements. Councilmember Moore stated that she wants to be clear that somewhere there is a connection. Vice Chairperson Hall asked if we need an Amendment to change excess to current. CFO Davis responded that you may be creating more problems with it. None of the Caption reflects that they are appropriating or implementing increments. Councilmember Willis offered a motion to **rescind the Amendment to change excess to current**. Councilmember Winslow offered a motion to move **Forward With No Recommendation on Condition of receiving the information from the Finance Department, 5 Yeas, 1 Nay**. Councilmember Moore

stated that she voted no because we need answers before we move on this. CFO Davis responded that we will do it for **06-O-2121, 06-O-2122, 06-O-2124 and 06-O-2126** because only the excess can be used. Ms. Boone added that the Tax Increments being appropriated were the ones we had before the Debt was issued. Councilmember Muller asked since there is confusion, do we need to move forward on these papers today. CFO Davis responded that we need to pass the papers to do the proceeds. Ms. Boone added that the increments were on our books and appropriated to the Reserves for projects.

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$166,515,000.00

06-O-2122 (4) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$166,515,000.00, from the Atlantic Station Tax Allocation Distribution Bond Series 2006, and Transferring the Excess Tax Increment in the amount of \$261,758.38 to fund various projects; and for other purposes. **(Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Ms. Boone stated that we have addressed the issue with the land account. This is for the 2006 Atlantic Station. We will Amend the paper and attach the project list provided by ADA. Councilmember Moore stated that we have previously appropriated \$149 million dollars for land projects, but the only project outstanding is for \$144 million dollars. Ms. Boone responded that the detail list from ADA ended up being \$166,515,000.00. Councilmember Moore stated that previously when we did Bond Issues, we were more general as to what the money for projects are spent for. Councilmember Winslow stated that she remembered that Legislation. She then offered a motion to move **Forward With No Recommendation on Condition of receiving Legislation from last year, 5 Yeas, 1 Nay.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$23,480,000.00

06-O-2123 (5) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$23,480,000.00, between the City of Atlanta and the Downtown Development Authority (Downtown Parking Deck Project) Series 2006 A & B to fund various projects; and for other purposes.

FAVORABLE

Ms. Boone stated that this is for the Downtown Development Authority on behalf of the City for the parking deck. This is not a TAD. The \$126,000 is set aside for City Hall parking. Ms. Boone responded that this is separate from the TADs. This is to acquire the property for the parking deck. CFO Davis added that this is the total amount for the project. We will move it as we get different expenditures. Until you get an asset, you can't begin your depreciation. We put it in land when projects are completed and moved into assets. We are dealing with an old accounting system. Ms. Boone stated that the \$23 million dollars is for the build out. Councilmember Winslow offered a motion to **Approve, 5 Yeas.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$21,000,000.00

06-O-2124 (6) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$21,000,000.00,

from the 2006 Princeton Lakes Tax Allocation Distribution (TAD) Bond Series 2006, and Transferring the Excess Tax Increment in the amount of \$75,589.69 to fund various projects; and for other purposes. **(Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Ms. Boone stated that we moved funds from the Reserves to the cost of the projects. CFO Davis added that the details are in the package. The project was \$16.9 million dollars and that is why the \$75,589.69 is needed. Ms. Boone added that we will Amend it and attach the list. Councilmember Muller offered a motion to move **Forward With No Recommendation on Condition, 5 Yeas, 1 Nay.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$15,301,776.20

06-O-2125 (7) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$15,301,776.20, from the Atlanta Fulton County Recreation Authority Bond Series 2005B Issue to fund various projects; and for other purposes. **Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Ms. Boone stated that this will appropriate \$15.3 million dollars for various projects for park improvement. Councilmember Moore asked what this defines. CFO Davis responded that the Commissioner of Parks showed the list of projects to Council. This is part of the Opportunity Bonds. Councilmember Moore stated that she has a long list of projects. This goes back to the same issue of not knowing what it contains. Councilmember Winslow offered a motion to move **Forward With No Recommendation on Condition, 5 Yeas, 1 Nay.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$47,630,000.00

06-O-2126 (8) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$47,630,000.00, from the Eastside Tax Allocation District (TAD) Bond Series 2005, and Transferring the Excess Tax Increment in the amount of \$1,348,051.00 to fund various projects; and for other purposes. **(Finance/Executive Committee Conditional passage is receiving information from the Department of Finance, 10/11/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Ms. Boone stated that we will Amend this paper to add the appropriations list from ADA. Councilmember Moore asked if it is Reserves that is being added because it is \$47.6 million dollars for a total of \$48 million dollars. Ms. Boone responded that \$1.3 million dollars is the Excess Tax Increment. Councilmember Moore asked when adding the appropriations, this one has several accounts. What is the difference? Ms. Boone responded that it is still the land account and the difference is the Center Number. When we refer to the details of the appropriations, we have discount and Bond sales. CFO Davis added that there are two items for land. Ms. Boone added that the Financial Advisor included it as a rounding number. Councilmember Moore stated that when we add to appropriations, the first account was land/etc. and that was the bulk of the

money. Other accounts were various accounts. She then realized that she had the wrong Legislation. Councilmember Muller asked for Substitutes on all of the papers on Monday. Councilmember Winslow offered a motion to move **Forward with No Recommendation on Condition of receiving a list of all of the projects, 5 Yeas, 1 Nay.**

TO PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA

06-O-2250 (9) An Ordinance by Councilmembers Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes.

HELD

Ms. Melanie Wallace: Associate City Attorney of the Law Department asked that the paper be Held.

TO TRANSFER APPROPRIATIONS IN THE AMOUNT OF \$500.00

06-O-2252 (10) An Ordinance by Councilmember Anne Fauver to Transfer Appropriations in the amount of \$500.00 from Council District 6 Expense Account for the purpose of providing Service Grants to NPUs E, F, and N; and for other purposes.

FILE

CFO Davis stated that she spoke with Councilmember Fauver and the intent is to cut checks to the NPUs that do not have bank accounts. By the time we cut the checks they will have bank accounts. Councilmember Moore stated that she doesn't have a problem with this, but with the mechanism especially when we give money to organizations. We should do it through the Planning Department. She has a discomfort with people setting up City accounts. CFO Davis responded that we can set them up as vendors. Councilmember Moore stated that we need to think about it because it is not a proper use. Right now, there is no accountability. CFO Davis responded that we would cut them a check when they give us an invoice because it is a Grant. Councilmember Moore stated that this is a huge policy issue. If we want to give to NPUs, we will need to look at it on a Citywide basis. She is not sure if we should just cut a check. We should give it to a Department and they could disburse it. Councilmember Maddox stated that he concurs with Councilmember Moore. He cannot support the paper as it is written. It is not the proper way of doing it. Councilmember Winslow stated that we are not familiar with this kind of procedure. She has a problem with giving money to the NPUs because they are a creature of government. Councilmember Fauver stated that she understands that some of the Councilmembers don't want to do this with your NPUs for various reasons. In her District there are a number of expenses that they have to bare. It will cost the City a lot of money to follow the procedure of giving it to a Department. Maybe the CFO has another solution. It is important that she offers reimbursements to her NPUs. She is asking the CFO to pay to three different entities. CFO Davis responded that we would receive a request from the NPUs to generate three checks. We could not create new accounts. We would do vendor numbers in order to cut the checks. We would go against an existing account. Councilmember Maddox stated that this paper sets precedence for real problems. Some NPUs collect money at their meetings. In his District, if NPUs are meeting at a church they will pass the collection tray. They will take half and give the other half to the church. This is all volunteer work, it is not a paid position. We all support the NPU system because it gives the community an opportunity to have a say so in the running of the government. Councilmember Fauver stated that she resents the fact that this was not discussed before. Councilmembers have had this paper for two weeks.

Councilmember Winslow stated that there is a way to work this out. Councilmember Moore stated that she talked about her concerns. She knows that the NPUs have expenses, but this is not the way to handle it. It needs to be Citywide and should be through the Department of Planning. Councilmember Fauver stated that one of her NPUs have at least 100 people that they give handouts to. Councilmember Muller stated that many of the NPUs have made comments about this. Could we put money in the Planning Department's budget to address this? Are there desperate expenses needed?

Mr. Carey Duncan: addressed the Committee by stating that he has been involved with NPUs in the past. He suggests approving the paper and giving the money to the Planning Department to set up the accounts. He would like to see all of the NPUs put in the Legislation. Councilmember Moore asked if there is anything urgent. Councilmember Maddox stated that there are other Boards and Commissions that have expenses as well. We should be involved in the process. He has had to shift money to other Departments money that was left over at the end of a term. It is done through a Department. The NPU comes under the Commissioner of Planning purview. Councilmember Fauver asked that the paper be **Filed, 6 Yeas**. Councilmember Muller asked about the next Budget meeting to ask the Department of Planning about it. Vice Chairperson Hall responded that the Department of Planning is on November 9th.

TO EXTEND THE SERVICE DELIVERY STRATEGY BETWEEN THE CITY OF ATLANTA AND DEKALB COUNTY

06-R-2219 (1) A Resolution by Finance/Executive Committee to extend the Service Delivery Strategy between the City of Atlanta and DeKalb County for a period of one year ending on October 31, 2007; and for other purposes.

FAVORABLE

Mr. Garnett Brown: of the Bureau of Planning addressed the Committee by stating that each Government is required to have a Service Delivery Strategy. In the last couple of years the City has not completed their Strategy with DeKalb County. We are waiting for their process to be completed. We all have agreed to ask for an extension. This is the second year extension. Councilmember Moore asked when it will happen. Mr. Brown responded that he is not sure. We are not waiting on the City of Atlanta. The local government of DeKalb County cannot come to an Agreement with its Cities. Councilmember Muller stated that **HB 489** requires that Cities and Counties get together to come up with a Service Delivery Strategy. She is not sure if Fulton County is up to date. She then offered a motion to **Approve, 5 Yeas**. Mr. Brown responded that Fulton County is up to date.

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS

06-R-2220 (2) A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into a Contract, on behalf of the Department of Parks, Recreation and Cultural Affairs, with Pro Grass, LLC., for FC-3006007950 for the purpose of constructing an artificial turf practice field at the Adamsville Recreation Center, in an amount not to exceed four hundred thirty five thousand three hundred fifty nine dollars and no cents (\$435,359.00). All contracted work shall be Charged To and Paid From Fund, Account and Center Numbers: 1C43 (2000 Park Improvement Bond Fund) 573001 (Facility Buildings) N12D09D39999 (Adamsville Recreation Center) \$278,424.62; 1C22 (Park Improvement Fund) 574001 (FAC. Other Than Buildings) N12D11B69999 (Ground and Site Improvement City Wide) \$156,934.38; and for other purposes.

FAVORABLE

Mr. Dave Chapman: Deputy Chief Procurement Officer addressed the Committee by stating that the lowest bidder was a non-responsive bidder. The amount is \$15,000 more than the lowest bidder. The lowest bidder did not have Minority Participation. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS

06-R-2221 (3)

A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into a Contract, on behalf of the Department of Parks, Recreation and Cultural Affairs, with Astra Group, Inc., for FC-3006007951 for the purpose of ballfield turf renovations at the City's various parks, in an amount not to exceed five million nine hundred ninety seven thousand nine hundred ninety eight dollars and no cents (\$5,997,998.00). All contracted work shall be Charged To and Paid From Fund, Account and Center Number: 1C53 (2005A Park Improvement Bond Fund) 574001 (FAC. Other Than Buildings) N1211B69999 (Ground and Site Improvement City Wide); and for other purposes. **(Finance/Executive Committee Conditional passage of providing the ball field list and dollar amount, 10/11/06)**

FAVORABLE ON SUBSTITUTE

Mr. Chapman stated that this is for renovation of various ball fields at various parks. The low bidder was not able to obtain necessary insurance. Councilmember Moore stated that the lowest bidder amount was \$2.8 million dollars and the low responsive bidder is almost \$6 million dollars. Mr. Chapman responded that they withdrew for insurance reasons, but there were issues with the dollar amount. This is regular ball field maintenance all over the City. Councilmember Moore stated that the first one is for Adamsville and the next one for various parks.

Ms. Carol Clayton: Project Manager of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that it is for about 36 ball fields. There should be a list included with the Legislation. The ball fields are all over the City. Councilmember Moore offered a motion to **Approve on Condition of providing the field list and dollar amount, 6 Yeas.**

Mr. Glenn Wrightson: addressed the Committee by stating that the citizens need to know that the City is spending \$6 million dollars on 36 softball fields. That is around \$200,000 per ball field. Councilmember Moore stated that she wants to make sure that all of the ball fields get the right amount of work. Ms. Clayton responded that we are restarting the fields and preparing the fences. Some of the fields are dangerous to use. We are putting sod out there as well. Councilmember Maddox stated that it should also cover the bleaches and score boards. It is important and should not be taken lightly. We have a responsibility to make sure our ball fields are safe.

TO AMEND THE CONTRACT BETWEEN THE CITY OF ATLANTA AND ORACLE USA, INC. ("ORACLE")

06-R-2238 (4)

A **Substitute** Resolution by Finance/Executive Committee to Amend the Contract between the City of Atlanta and Oracle USA, Inc. ("Oracle") for State of Georgia Contract #GTA 980-020-110165, by Authorizing the Mayor or Designee to execute Change Order No. 1 with Oracle, on behalf of the Department of Information Technology, in an amount not to exceed four million five hundred ninety four thousand four hundred sixty four

hundred dollars and no cents (\$4,594,464.00); all contracted services shall be Charged To and Paid From Fund, Account and Center Number 1C51 (Capital Finance Fund) 524001 (Consultant/Professional Services) T33401 (ERP Project); and for other purposes. **(Finance/Executive Committee Substitute inserts Whereas Clauses 3 and 5, 10/11/06)**

HELD AND SUBSTITUED

Councilmember Moore asked why are we Holding this paper. Vice Chairperson Hall responded that we are having a Work Session on the ERP.

Ms. Simone Brathwaite: Senior City Attorney of the Law Department addressed the Committee by stating that the Substitute inserts Whereas Clause 3 and 5. Vice Chairperson Hall asked who comprises the members of the Steering Committee. CFO Davis responded the Chief Operating Officer, Chief Information Officer, City Attorney, the Commissioner of the Department of Human Resources, Deputy Chief Operating Officer and the Chief Financial Officer. Vice Chairperson Hall offered a motion to **Hold and Substitute, 6 Yeas.**

TO AMEND STATE OF GEORGIA CONTRACT #GTA-000009

06-R-2239 (5) A **Substitute** Resolution by Finance/Executive Committee to Amend State of Georgia Contract #GTA-000009 between the City of Atlanta and Comsys Information Technology Services, Inc. ("COMSYS"), by Authorizing the Mayor or Designee to execute Change Order No. 1 with Comsys for State of Georgia Contract GTA-000009, on behalf of the Department of Information Technology, in an amount not to exceed one million two hundred thousand dollars and no cents (\$1,200,000.00); all contracted services shall be Charged To and Paid From Fund, Account and Center Number 1C51 (Capital Finance Fund) 524001 (Consultant/Prof. Services) T33401 (ERP Project); and for other purposes. **(Finance/Executive Committee Substitute inserts Whereas Clauses 3 and 5, 10/11/06)**

HELD AND SUBSTITUED

CFO Davis stated that the Substitute inserts Whereas Clauses 3 and 5. Councilmember Moore asked if we make the Change Order, will it be done in March or April of 2007. CFO Davis responded July 2007. Vice Chairperson Hall reiterated that we have a Work Session on these items. The paper will be **Held and Substituted, 5 Yeas.**

TO AMEND THE CONTRACT BETWEEN THE CITY OF ATLANTA AND TESCOM SOFTWARE SYSTEMS TESTING ("TESCOM")

06-R-2240 (6) A **Substitute** Resolution by Finance/Executive Committee to Amend the Contract between the City of Atlanta and Tescom Software Systems Testing ("TESCOM") for State of Georgia Contract #GTA-000-C-58, by Authorizing the Mayor or Designee to execute Change Order No. 1 with Tescom, on behalf of the Department of Information Technology, in an amount not to exceed three hundred twenty six thousand two hundred fifty dollars and no cents (\$326,250.00); all contracted services shall be Charged To and Paid From Fund, Account and Center Number 1C51 (Capital Finance Fund) 524001 (Consultant/Prof. Services) T33401 (ERP Project); and for other purposes.

HELD AND SUBSTITUED

Vice Chairperson Hall stated that we have a Substitute. Councilmember Moore stated that we need another Substitute the Whereas Clauses 3 and 5. The Resolution was Held and Substituted.

AN AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTA

06-O-0380 (1) An Ordinance by Finance/Executive Committee an Amendment to the Charter of the City of Atlanta proposed under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., by amending Article 3, Chapter 1, Section 3-104 (14) so as to adjust the limitations upon the Mayor's Procurement authority from \$100,000.00 to \$1,000,000.00; to amend Article 6, Chapter 4, Section 6-402, so as to adjust the limitations on the Mayor's small purchase authority from \$420,000.00 to \$500,000.00 and to adjust the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta from \$100,000.00 to \$1,000,000.00; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND CHAPTER 2, ARTICLE III, SEC. 2-176, CHAPTER 2, ARTICLE V, SECTION 2-252 AND CHAPTER 2 ARTICLE X OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

06-O-0381 (2) An Ordinance by Finance/Executive Committee to amend Chapter 2, Article III, Sec. 2-176, Chapter 2, Article V, Section 2-252 and Chapter 2 Article X of the Code of Ordinances of the City of Atlanta, to provide more efficient, effective standards and procedures to better manage the procurement process in the City of Atlanta; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA

06-O-0787 (3) An Ordinance by Councilmember Caesar C. Mitchell to Amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads under supervision and direction of the Mayor; exception responsibilities; and for other purposes. **(Held, 3/29/06); (Held and Substituted, 7/12/06)**

HELD

TO AMEND CHAPTER 2, ARTICLE X, DIVISION 4, SECTION 2-1188 (C) OF THE CITY OF ATLANTA CODE OF ORDINANCES

06-O-1338 (4) An Ordinance by Finance/Executive Committee to Amend Chapter 2, Article X, Division 4, Section 2-1188 (C) of the City of Atlanta Code of Ordinances, to change the means by which public notice of contract opportunities is given, by providing for online solicitations for Procurement Services which are not governed by State Law, and repealing the requirement that solicitations be advertised in a newspaper of general circulation; and for other purposes. **(Held, 6/28/06); (Held and Substituted, 8/16/06)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION

06-R-1450 (5) A Resolution by Councilmembers Mary Norwood and Ceasar C. Mitchell Authorizing the Mayor or her Designee to enter into an Appropriate Agreement with the State of Georgia Department of Transportation to accept funding in the amount of \$86,000.00 for the maintenance of State Highways within the City Limits in furtherance of the City's partnership with the Department of Transportation to provide employment opportunities to homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

HELD

TO AMEND THE 2006 (SOLID WASTE SERVICES REVENUE FUND) BUDGET

06-O-1451 (6) An Ordinance by Councilmembers Mary Norwood and Ceasar C. Mitchell Amending the 2006 (Solid Waste Services Revenue Fund) Budget by Adding To Anticipations and Appropriations the amount of \$86,000.00 from the State of Georgia Department of Transportation for the purpose of funding litter removal and other services related to road maintenance within the City Limits in furtherance of the City's Partnership with the Department of Transportation to provide employment opportunities for homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881

06-R-1667 (7) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Held and Amended, 8/16/06)**

HELD

TO AMEND THE FISCAL YEAR 2007 BUDGET TO INCLUDE ALL FUNDS

06-O-1675 (8) An Ordinance by Finance/Executive Committee amending the Fiscal Year 2007 Budget to include all funds; and for other purposes. **(Held, 8/30/06); (Held and Substituted, 9/27/06)**

HELD

ITEMS NOT ON AGENDA

TO PROVIDE FOR THE CALL OF A PUBLIC MEETING OF THE COUNCIL

06-R-2267 (1) A Resolution by Finance/Executive Committee providing for the call of a Public Meeting of the Council of the City of Atlanta, Georgia, for consideration of certain Ordinances which, if Adopted and Approved, will Authorize the City of Atlanta to issue \$8,000,000.00 in Aggregate Principal amounts of various purpose General Obligation Bonds; the Publication of Notice to the Public of the Call and Holding of such Meeting; and for other purposes.

FAVORABLE

CFO Davis stated that this is the Annual Bond paper. We are anticipating that this is the last time the City will issue this Bond. We did not have discussions with the School Board in time not to issue it this year. Councilmember Moore offered a motion to **Approve, 6 Yeas**. Councilmember Winslow asked if the School Board will be able to issue \$8 million dollars in Bonds. CFO Davis responded that they could issue \$4 million dollars. We can come back in the future and issue more. We are bonding and paying it back in 20 years in order to get \$3.7 million dollars. We are paying much more back and we need to work it down. We need to fund from our operations.

Vice Chairperson Hall then gave the public an opportunity to speak:

Mr. Glenn Wrightson: stated that he was a little confused today when Ms. Davis stated that the City would borrow some money to put in a bank account and the City would take the interest to pay Debt Service to take the loan off the books. CFO Davis responded that the government is entitled to issue Bonds and put the funds in an Escrow Account that the City cannot touch. Instead of paying interest, we reap the value of the savings. Mr. Wrightson stated that he saw an article in the Atlanta Journal and Constitution about the City changing the Charter. It references to **06-O-0380**. He commends the Committee by Holding this paper. He questions the limitations as to spending taxpayer's money. It needs more oversight. Mr. Wrightson stated that Ms. Davis was quoted in the Atlanta Journal and Constitution as saying that there is no way to prevent corruption at the top level. CFO Davis responded by saying that she said that the person with ultimate authority have the ability to do just about anything. Mr. Wrightson stated that the Mayor's duty is to make sure we have the maximum oversight. He then stated that there was an article in the same newspaper regarding credit card interest penalties. He has concerns with the City paying former employees cell phone bills. This Administration had borrowed an extra \$40 million dollars to pay Debt Service for Water/Sewer. The City has misled the rate payers. The Beltline will cause the existing taxpayers to pay more. Councilmember Maddox stated that we have not seen the final draft on the paper. Most of us do not agree with the increase. Councilmember Winslow stated that the cell phone issue took place in 2001 and the Mayor was aggressive with her actions. The Office of General Services had everyone to turn in all of the cell phones and they reissued them. In regards to the increases in the water bills, we changed out the sewer and water lines. CFO Davis added that the fiscal year was changed to better identify our revenues. There was no year that the rates were the same from year to year. Councilmember Moore stated that the media is not always quoted correctly. She is not interested in moving **06-O-0380** at all.

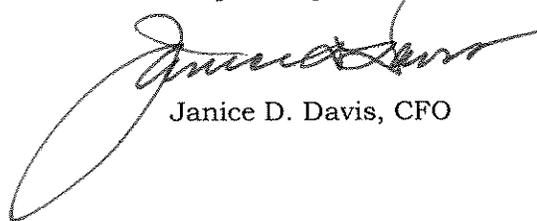
Mr. Carey Duncan: stated that government should be operated as a business. His concern is regarding the paper **06-R-2144**. What is the status of this paper? CFO Davis responded that it is being Held in the Breast of Council. Mr. Duncan asked what has been the detailed discussion of this paper. The City is hiring part time employees and paying them \$30,000. People are struggling to pay their property taxes and water bills. He questions if the money is appropriately spent. The public needs to know why you are doing it. CFO Davis responded that it was discussed in detail two weeks ago in

this Committee. It is a policy decision by Council. Vice Chairperson Hall announced that on November 2nd and 9th at 8:30 a.m. and November 16th at 9:00 a.m. we will have Pre-Budget Conferences in Committee Room #2. We will also have a Public Hearing on November 14th at 6:00 p.m. at the Civic Center. We will have an Equal Business Opportunity (EBO) Work Session on Wednesday, November 8th at 9:30 a.m. in Committee Room #2.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Janice D. Davis", written in a cursive style.

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."