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

Present: Councilmember Howard Shook, Chair
Councilmember Felicia A. Moore
Councilmember Kwana Hall
Councilmember H. Lamar Willis
Councilmember Clair Muller
Councilmember Jim Maddox
Councilmember Cleta Winslow
Janice D. Davis, CFO
Departmental Staff

Chairperson Shook 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, Kwana Hall, H. Lamar Willis, Clair Muller, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with two new Resolutions and three new First Read Ordinances. Minutes of the October 11, 2006 Regular Finance/Executive Committee meeting were also adopted.

Councilmember Moore stated that she has an issue with papers coming in the day of the meeting. She will be voting no. Chairperson Shook stated that this is unusual to have five walk-in papers.

Ms. Diane Harnell-Cohen: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that one of the papers is for a donation check of \$250,000. That is why it is a rush paper. We did not anticipate the check to come in that fast. The next paper is the walk in paper for the Beltline Real Estate transaction. Chairperson Shook stated that walk-ins are not encouraged, but this is an emergency situation. He then offered a motion to Amend the Agenda by accepting the walk-in papers, **5 Yeas, 1 Nay.**

DISCUSSION ITEM:

Chairperson Shook asked Commissioner Hunter to address the Billing Issues in the Department of Watershed Management regarding the new Billing Center.

Mr. Rob Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that the issues have been cleared. After six weeks of hard work we are caught up with billings. All of October was completed on yesterday. We have five files that have not been read properly or posted to the account. The funds have been received by the City, but it was not posted to the customer's account. We have changed the IDR phone system so people don't have to wait. They can now pay online.

CONSENT AGENDA

TO AMEND THE PENSION ACTS APPLICABLE TO THE CITY OF ATLANTA

06-O-2362 (1) An Ordinance by Finance/Executive Committee to Amend the Pension Acts applicable to the City of Atlanta, Georgia, so that Recruits of the City of Atlanta Department of Fire and Rescue and Department of Police are ineligible to participate in the General Employees Pension Plan; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS

- 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

Commissioner Harnell-Cohen stated that this paper is to finish the acquisition. It allows us to purchase the furnishings. This will complete the purchase. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

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.

HELD FOR WORK SESSION

Chairperson Shook stated that this paper will create the new law for the EBO Program. We have all received the Disparity Study. There is a lot of information and we believe that a Work Session is required for discussions and questions. We have scheduled one for 11/8/06 from 9:30 a.m. to noon.

Mr. Greg Pridgeon: Chief of Staff addressed the Committee by stating that the Mayor wanted to thank the Committee for their hard work. If there are questions, Mr. Hebert Owens (Director of the Office of Contract Compliance) and the Law Department is available. Our previous EBO Ordinance is scheduled to sunset in December. It was for a five year period so we hope that we will be able to provide them with some rationale why we are Holding. We are available to answer additional questions. Councilmember Moore asked whether or not our EBO policy is there because of the people we do business with or who we would like to do business with. Have the Departments reached out to the vendors. We need to consider them when we have the Work Session. Has anyone been contacted? Mr. Pridgeon responded that he is not sure. The

Consultants that did the recommendations and analysis did a lot of documents. We are not sure if the stakeholders have that information. Councilmember Moore stated that now that the recommendations are back, she request that the Departments send something out electronically or through the mail. Chairperson Shook stated that he has discussed this with Mr. Owens about notifying the Chamber of Commerce. Councilmember Moore stated that some businesses do not have affiliation with Contract Compliance. Councilmember Maddox stated that the Work Session should go out with a public notice. The businesses will then have the responsibility to attend. This will give us accountability. Mr. Pridgeon agreed that we could run a notice. Chairperson Shook stated that we could have a Work Session and a Public Hearing. Councilmember Moore stated that it depends on the format of the Work Session. She wants the vendors to know that on a certain date this would take place. Councilmember Maddox suggested doing it through public announcements. If they want to see the content, it could be placed on the internet. Councilmember Moore stated that most of the vendors do have internet access. The Office of Council Communication can air it on Channel 26. She is not suggesting a separate Public Hearing. Mr. Pridgeon stated that we do not have the document on the internet electronically because it is about 1500 pages. Chairperson Shook stated that he is talking about the Legislation being online. Mr. Pridgeon responded that the whole document is available in the Clerk's Office. Chairperson Shook asked that the Councilmembers review the materials before the Work Session. There are a lot of charts and graphs attached.

TO ENACT A NEW SECTION TO PART TWO, ARTICLE X DIVISION 12

- 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.

HELD FOR WORK SESSION

TO REPEAL PART TWO, ARTICLE X, DIVISION 9

- 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.

HELD FOR WORK SESSION

TO AMEND CHAPTER 114, ARTICLE V, SECTION 114-477 OF THE CITY OF ATLANTA CODE OF ORDINANCES

- 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

Ms. Sherry Dickerson: of the Department of Human Resources addressed the Committee by stating that we are asking to extend the date for the positions from March to July 2007. Councilmember Moore asked if they are full time or part time. Ms. Dickerson responded that there are currently around 21 filled positions. Some of the employees are working part time on the ERP projects and some are working full time on the ERP. Councilmember Moore asked who monitors it. Ms. Dickerson responded that the Department Head signs off on the time sheets. Councilmember Muller asked about the timeline. Ms. Dickerson responded that we are looking at July 2007. Councilmember Maddox asked why are you using July 31st. The Budget fiscal year begins July 1st. Ms. Dickerson responded that we wanted coverage before we go live on July 1st. Councilmember Maddox asked what is wrong with June 30th. Ms. Dickerson responded that this is the implementation of the new software program and it won't begin until July 1st. Councilmember Willis asked about the cost. Ms. Dickerson responded that it is around \$470,000.00 and it includes benefits. Councilmember Willis asked how much has been spent thus far.

Mr. Chuck Meadows: Budget and Fiscal Policy Chief addressed the Committee by responding that the total expenses are between \$10 and \$11 million dollars. The period began in early 2005. The Personnel cost is around 10%. The individuals have to be involved in the development of the system. Councilmember Willis asked if we knew what the specifications were for Oracle. He stated that he knows that changes will occur that have costs associated with it. CFO Davis responded that there is an EBO Work Session scheduled on next Thursday from 9:30 a.m. to 12:00 p.m. and ERP is from 1:00 p.m. to 4:00 p.m. Mr. Meadows added that the proposed papers will be scope changes. Councilmember Willis asked why extend these positions? CFO Davis responded that it was a decision to keep internal costs from external costs. Councilmember Willis stated that it is not uncommon to go over costs with the Department of Information Technology. If we don't budget, we will always be faced with this problem. We are continuing to try to automate. The bigger issue is the long haul. We are spending more money on Consultants than we intended to.

Continuing, Chairperson Shook stated that on November 9th at 8:30 a.m. to 12:30 p.m. is Budget discussions. There is also a joint Finance and Public Safety Committee meeting on November 9th from 1:00 to 3:00. He then stated that he is not aware that we have not looked at the whole project with the Bond proceeds. Councilmember Moore stated that if we are paying people to work full time and in addition to that we are saying that you can also work a part time job makes them the highest paid people. Ms. Dickerson responded that the duties and responsibilities are ones the Department needs to carry out. We can Reclassify or Adjust their base salaries. We decided not to add it on to their base salaries. An additional percentage from a different position that is temporary has been added on to it. Councilmember Moore asked for an example.

Ms. Benita Ransom: Commissioner of Department of Human Resources addressed the Committee by stating that they are doing dual roles. For example, Ms. Dickerson does the Human Resources Policies. It makes sense for her to split the HR job instead of hiring someone full time. Councilmember Moore reiterated that she needs an example. When do they have time to do their job? Commissioner Ransom responded that Ms. Dickerson puts in more than 12 hours a day. The City saves money because hiring someone new means you will have to pay them benefits. Councilmember Moore stated that she thought that these were people to work on the Oracle Program. She is not sure to what extent they are putting in over 8 hours. We should have picked other people to devote their time to Oracle. Commissioner Ransom responded that the expense is still there, but not as great. Councilmember Moore stated that some Departments have identified people to work on Oracle. She then asked why is there four different position numbers? Commissioner Ransom responded that the HR Administrator has dual roles.

There are two positions and four people. It is a matter of compensation. Councilmember Moore asked if it is the same scenario with the Department of Procurement.

Mr. Dave Chapman: Deputy Chief Procurement Officer addressed the Committee by stating that we have three persons working on the ERP that are doing dual jobs. Councilmember Moore asked what portion are they working on? Mr. Chapman responded that he would verify the information. We have one position that is compensated for 10 hours per week, who is a full time Department of Procurement employee. The second position is a Grade 30, who is a full-time Procurement and 10 hours ERP employee and the third position is a Grade 32, who is a full-time Procurement and 10 hours ERP employee and the two Grade 15's are full time Procurement employees. Councilmember Willis asked how often do we evaluate the dual positions? Ms. Dickerson responded that the Commissioners sign off on the time sheets and the positions will go away in its entirety in July. Councilmember Maddox offered a motion to **Approve, 6 Yeas, 1 Nay.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$50,000,000.00

06-O-2277 (6) An Ordinance by Councilmember Cleta Winslow Anticipating and Appropriating Bond Proceeds in the amount of \$50,000,000.00 from the Atlanta Public Safety and Judicial Facilities Authority Revenue Bonds (Public Safety Facility Project), Series 2006 to fund the construction of the Public Safety Headquarters Facility; and for other purposes.

HELD FOR WORK SESSION

Held for Work Session on November 9th, from 1:00 p.m. to 3:00 p.m.

TO AUTHROIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

06-O-2284 (7) An Ordinance by Councilmembers H. Lamar Willis and Ceasar C. Mitchell Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, Authorizing the Mayor to execute Renewal Agreement No. 2 with Ginarc Construction, Inc. for FC-7573-03D, Annual contract for sidewalks, driveways and curbs, on behalf of the Department of Public Works, with no additional funding required; and for other purposes.

FAVORABLE

Ms. Michele Winn: of the Department of Public Works addressed the Committee by stating that this is a second renewal for this contract. The contract expired October 7th. The Contractor was working on pricing to put in with the renewal. Councilmember Moore stated that she does not want to hold up the Quality of Life projects. Mr. Pridgeon responded that the project would have concluded the time frame. We were attempting to negotiate with the contractor. Ms. Winn added that it is not in the renewal. The negotiation was for unit price changes. It does not have any additional cost and this is the final renewal. It has not been put together yet. Councilmember Muller stated that she heard that the Department did not have time to get it to the Legislative Council. Ms. Winn responded that the process increases the time. Mr. Pridgeon added that we are working on a transitional period. It is not as smooth as we would like it to be and sometimes Legislation comes in late. Around 95% of the Legislation does come in appropriately. We are working with each Department. We will see if we can modify it and make the process smoother. Councilmember Muller stated

that because the process takes so long, it ends up harming the Departments. Councilmember Maddox asked for a status report regarding the Quality of Life sidewalk projects. Mr. Pridgeon responded that he would provide the information. Councilmember Maddox offered a motion to **Approve, 7 Yeas.**

TO AMEND THE 2006 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS

06-O-2286 (8) An Ordinance by Councilmembers Cleta Winslow, Jim Maddox and Ceasar C. Mitchell Amending the 2006 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation, and Cultural Affairs ("Department"), by Adding To Anticipations and Appropriations in the amount of five hundred eighty five thousand dollars (\$585,000.00) for Grant Funds from the Arthur M. Blank Family Foundation for the purpose of making restorations and improvements at the Adair I Park; and for other purposes.

FAVORABLE

Commissioner Harnell-Cohen stated that Council has oversight of the Grants. The Blank Family Foundation has shown interest in parks. Councilmember Winslow stated that there was a portion of property on Allene Avenue. Commissioner Harnell-Cohen responded that is an easement property for the Beltline. Councilmember Maddox offered a motion to **Approve, 7 Yeas.**

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 FOR WORK SESSION

Mayor Shirley Franklin: addressed the Committee by stating that she wanted to first thank Councilmember Maddox for joining her on the international trip to China. We went to four Cities in six days. She then stated that she appreciates the work that Council has done. The Administration and Council has worked together on various projects. We are moving in the right direction with the new Charter. The primary responsibility of the Mayor is for City government to get better and better. We were ranked five years ago by the FBI as #1 for violent crimes, but we dropped this year to #17. She does not suggest we take all of the credit. The community has stepped up with the Police Officers. Some months ago, we presented the next phase of the improvements to the Equal Business Opportunity Codes. We are asking that they not be Held in the Breast of Council. She is asking that they be voted up or down. There have been reviews and Work Sessions. Secondly, she is asking the same thing for the Capital Improvement Plan Budget. If it is not a good plan, vote it down. In her opinion if we don't move forward with CIP Budget, we would have to start from scratch. Council has made their position known. Councilmember Willis stated that the issues are important to address. Mayor Franklin responded that Council can make Amendments

to anything that they are opposed to. We are glad to make any clarifications. Councilmember Maddox stated that this City has a great deal to be proud of from the China trip. The Mayor stood shoulder to shoulder with the China leadership. She has displayed friendship regarding our mission and it was an honor to be in the midst of it. We would love to have a consulate with China here. He then stated that he is pretty much on board with the EBO, but the State does not have much participation with females in their Program. We want to make sure that females and minorities have an opportunity to get in the program. Councilmember Moore stated that this Committee has not been reluctant to vote on the papers. We Held the CIP paper so the Department could provide us with additional information. No one said that we needed to move on it as soon as possible. She is concerned with the funding for Brand Atlanta. The Procurement Code process has been an on and off process. She remembers having Work Sessions early in the year. We went through the whole document twice. There were questions and concerns regarding those responses. She will be offering Amendments to the authorizations. The questions asked were procedural questions. It is a matter of deciding when we want to deal with it. We need an adequate amount of time. Mayor Franklin stated that she will not respond to the procedural issues. Whichever process you use, it is not in the City's interest to hold it. We can't just sit around and not vote on it. It sends a message of not moving the City into best of class. Councilmember Moore stated that it is not the Council wanting to Hold it, it has been the Administration. Mayor Franklin stated that the \$1 million dollars has been a huge issue for Council. She asked the Department of Procurement to go to Ms. Leslie Ward and verify the relevance of the numbers to procurement codes nationally. Ms. Ward said that our Procurement Department is in the range of other major Cities around America. The staff came back and asked what to do now. She wants Council to decide. The Council can pick whatever language it likes that would make us best in class. There is no one that sits on Council that could say we are where we would like to be, but we are not there yet. We need to make the Code changes and procedural changes that are necessary. Councilmember Moore stated that she had received the impression that the Administration was not ready to go. Mayor Franklin responded that people were nervous that Council would not vote it up. Councilmember Moore stated that she wants to decide today on a process of how to do it. She is not prepared to do it today. Procedurally we need to deal with the Charter Amendment. Councilmember Winslow stated that the advertising from earlier this year is off the table because we have 60 days to run the ad. It has to have three Reads. When she sat on the Charter Commission, there was a threshold of \$200,000 and the Department of Procurement complained for several years about contracts over \$200,000. She does not know how it was lowered to \$100,000. She is not happy with \$1 million dollars, but she would be comfortable with \$500,000. She understands that a great deal of our contracts is over \$1 million dollars. The future Councils may also need some oversight. Councilmember Muller stated that she did not attend the Briefing and Mr. Adam Smith was not aware of the Council addressing it today. She wanted to introduce Legislation that dealt with Change Orders. Mayor Franklin stated that this is an important time in the City. Councilmember Moore stated that since it takes three Reads, we could have our Work Sessions. This is a major public policy decision that should not be rushed into. Mayor Franklin thanked the Committee for allowing her to address them. Chairperson Shook stated that we need to deal with the Charter paper first. Once the votes are taken, subsequent changes would require re-advertising. It may require the Committee to have a separate Committee meeting. He then asked the Finance/Executive Committee if they are interested in a Special Called Finance/Executive Committee meeting? Councilmember Willis stated that when we do it, lets not be here hours discussing it. Chairperson Shook wants to have a Special Called Committee meeting with only the three Charter items.

Ms. Angela Hinton: Senior City Attorney of the Law Department addressed the Committee by stating that the Home Rule Act says that items taken place at the Regular Finance/Executive Committee meetings have to be voted on then. Councilmember Moore stated that a Special Called meeting is where we could invite all other Councilmembers. We need to start with the Charter Amendment first to make Amendments and then re-advertise it. We want to make sure to let people know who

we do business with know about it. Chairperson Shook asked about November 7th at 10:00 a.m. Councilmember Moore asked if we are going to discuss all three. Chairperson Shook responded yes. Councilmember Moore asked if someone would go to the major organizations or send e-mails to their members. Councilmember Hall offered an Amendment to Amend the amount from \$100,000 to \$250,000, then after 6 months it could be increased. Councilmember Moore stated that she is not comfortable with the numbers we have. Councilmember Maddox stated that we need to decide where we are going. We should try the amount Councilmember Winslow mentioned. The second choice could then be the amount that Councilmember Hall mentioned. Councilmember Willis stated if we are not prepared, we can't go forward just because the Mayor has asked us to. Councilmember Moore offered a motion to discuss the paper on **Tuesday, November 7th at 10:00 at a Special Called Committee meeting, 6 Yeas, 1 Nay.** Councilmember Winslow stated that we put numbers on the table to discuss at the Special Called meeting. Perhaps the questions could be answered at the meeting.

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 FOR WORK SESSION

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 FOR WORK SESSION

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE AGREEMENT

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.

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); (Finance/Executive Committee Substitute is a change in the TAD Bond Funds and puts the Debt Service payments service in place that were issued at the end of 2005, 11/1/06)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that there is a Substitute. Councilmember Moore asked what is different from this Substitute than the previous one.

Mr. Chuck Meadows: Chief of Budget and Fiscal Policy addressed the Committee by stating that the Substitute is a change in the TAD Bond Funds and puts the Debt Service Payment services in place that were issued at the end of 2005.

Mr. Shah Al-Min: of the Department of Finance addressed the Committee by stating that this is for the Atlantic Station TADs. We are Anticipating and Appropriating the Tax Increments. CFO Davis added that it is for the Debt Service. In Mr. Al-Min's research he noticed that we did not include the Debt Service for Capital Improvement for Westside, Eastside, Atlantic Station, etc. We need to appropriate Tax Increments that we have received. It does not change the bottom line, just moves the funds around. Councilmember Moore asked if there are other changes to the Legislation. Mr. Meadows responded yes, in the Capital Budget. In the General Fund, the structure changes, but it does not change the source of funding. The source of funding is still Car Rental Taxes. We originally proposed an Interfund transfer. It was to transfer the Car Rental funds out of the Trust Fund into the General Fund and make the payments to Brand Atlanta. It is located on page #371. Councilmember Moore asked what are in the funds. Mr. Meadows responded that they would provide the Council with a list of the Non-Departmental Accounts. It is in different groupings. The current balance is \$5.8 million dollars. CFO Davis added that it is the caption starting with FY-07. Councilmember Moore asked if the Trust Fund is separate. Is it all of the excess funds? Mr. Meadows responded yes, it lists the \$8.1 million dollars. Councilmember Moore asked what is the balance it is referring to? Mr. Meadows responded the Car Rental. CFO Davis added the \$5.8 million dollars. We expect to see the \$2.1 million dollars. Councilmember Moore asked when was the policy decision made? CFO Davis responded that this is the Budget that will be adopted in May. Councilmember Moore stated that she is okay with using the Car Rental Tax, but she is concerned about the Hotel/Motel receipts. Mr. Meadows responded that it details how much. It excludes the appropriation of \$3 million dollars in the Trust Fund in the FY-2008 to ADA. It includes the Hotel/Motel tax receipts. We get \$10 million that goes into the General Fund. We expect \$8 of the \$11 million dollars will stay in the General Fund and \$3 million goes into Brand Atlanta. Councilmember Moore stated that most of this is related to telephones, etc. She offered a motion to **Approve on Substitute, 5 Yeas.**

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

06-R-2238 (9)

A 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 Charge To and Paid From Fund, Account and Center Number 1C51 (Capital Finance Fund) 524001 (Consultant/Professional Services) T33401 (ERP Project); and for other purposes. **(Held and Substituted, 10/11/06)**

HELD

TO AMEND STATE OF GEORGIA CONTRACT #GTA-000009

06-R-2239 (10)

A 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. **(Held and Substituted, 10/11/06)**

HELD

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

06-R-2240 (11) A 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 Substituted, 10/11/06)**

HELD

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

06-O-2250 (12) 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, 10/11/06)**

HELD

ITEMS NOT ON AGENDA

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

06-O-2375 (1) An Ordinance by Finance/Executive Committee Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinance, authorizing the Mayor to execute Renewal Agreement No. 2 with Precision 2000, Inc. for FC-7573-03C, Annual Contract for sidewalks, driveways and curbs, on behalf of the Department of Public Works, with no additional funding required; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE APPROXIMATELY 9.789 ACRES

06-O-2376 (2) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase approximately 9.789 acres property located at 1090 North West Lois Street ("The Property"), from the Trust For Public Land ("TPL"), in an amount not to exceed five million seven

hundred fifty thousand dollars (\$5,750,000.00), for the purpose of expanding the proposed Westside Park adjacent to the proposed Beltline, the City's purchase price, due diligence and purchase services shall be Paid From Fund, Account, and Center Number: 1C53 (2005A Park Improvement Bond), 571001 (Land) N12D11B69999 (City Wide Ground and Site Improvements); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE TWO PARCELS OF PROPERTY

06-O-2377 (3) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and purchase two parcels of property, one located at 526 Lynnhaven Drive, from Roderick L. Whittaker and the other adjacent vacant lot, located at Lynnhaven Drive, from Bennie E. Goodwin II ("The Properties"), for the purpose of constructing a new entrance to the Emma Millican Park ("Park"), in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00). The City's purchase price, closing costs, due diligence, demolition and development, and signage for the new entry way to the Park shall be Paid From Quality of Life District 12 Fund, Account, and Center Number: 1C50 574001 Y63F063492BH; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION, AND CULTURAL AFFAIRS, BUREAU OF RECREATION ("DEPARTMENT"), TO ENTER INTO A CONTRACT AMENDMENT WITH BARTON PROTECTIVE SERVICES, LLC.

06-R-2373 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Parks, Recreation, and Cultural Affairs, Bureau of Recreation ("Department"), to enter into a Contract Amendment with Barton Protective Services, LLC. For FC-6004007817-04 Armed Security Guard Services, for the purpose of increasing the dollar amount of the original Contract in an amount not to exceed five hundred eighty eight thousand six hundred sixty four dollars (\$588,664.00) so as to pay for additional Armed Security Guard Services at the City of Atlanta's ("City") Various Recreational Facilities. All contracted work shall be Charged To and Paid From Fund, Account and Center Numbers: 1A01 (General Fund) 523001 (Service Repair/Maintenance) N32201 (Aquatics); and for other purposes.

FAVORABLE

Commissioner Harnell-Cohen stated that this is a Contract and it meets the security needs at various recreational facilities. Councilmember Willis asked what are the needs? Commissioner Harnell-Cohen responded that we need to fill our pools before the opening day. If there is a problem, it takes longer to open them. When we fill them we had to hire security for them. We can't test the pools until we open them. We have 500 kids at the Ben Hill facility and we need security. We had a rash of break-ins of cars at the Adamsville facility. We need to also beef up security at our athletic games. Councilmember Maddox asked if the security guards are armed. Commissioner Harnell-Cohen responded yes, but we still call the Police Department if there are problems. Chairperson Shook stated that he had discussed this in the

Finance/Executive Briefing and he supports this paper. Commissioner Harnell-Cohen responded that our security will call the Police if there is a fight. We will stop the activities and won't resume them until it is safe. Councilmember Willis asked about off-duty Police Officers. Commissioner Harnell-Cohen responded that we do hire them sometimes, but there is not enough to hire them because we need at least two security guards at each facility. Councilmember Maddox offered a motion to **Approve, 7 Yeas**. Councilmember Moore commented that Mr. Pridgeon should take Commissioner Harnell-Cohen and have her train other Commissioners how to write Legislation and how to present it to the Committee.

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH DOTHAN SECURITY INC., FOR FC-600500788B, CITYWIDE SECURITY GUARD SERVICES

06-R-2374 (2)

A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into Amendment Agreement No. 1 with Dothan Security Inc., for FC-600500788B, Citywide Security Guard Services, on behalf of the Office of General Services, in an amount not to exceed one million four hundred forty four thousand nine hundred forty two dollars and no cents (\$1,444,942.00); all contracted work shall be Charged To and Paid From Fund Account and Center Numbers: 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q63001 (Operations) (\$678,160.00); 2J01 (Revenue Fund) 523001 (Service/Repair Maintenance) Q33001 (Utoy Creek W.P.C.) (\$93,718.00); 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q33001 (Utoy Creek W.P.C.) (\$30,430.00); 2J01 (Revenue Fund) 523001 (Service/Repair/ Maintenance) Q36001 (Intrenchment Creek W.P.C.) (\$93,718.00); 2J01 (Revenue Fund) 523001 (Service/Repair/ Maintenance) Q35001 (South River W.P.C.) (\$93,718.00); 2J01 (Revenue fund) 523001 (Service/Repair/Maintenance) Q32001 (R.M. Clayton W.P.C.) (\$187,435.00); 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q32001 (R.M. Clayton W.P.C.) (\$33,197.00); 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q38001 (Office of Director, Collections) (\$187,435.00); 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q38001 (Office of Director, Collections) (\$22,131.00); 2J01 (Revenue Fund) 523001 (Service/Repair/Maintenance) Q12001 (Security) (\$25,000.00); and for other purposes.

HELD

Chairperson Shook stated that this is \$1.4 million for additional security at Watershed Management. No one was at the Finance/Executive Committee Briefing to discuss it.

Ms. Sheila Pierce: of the Department of Watershed Management addressed the Committee by stating that this is for Englewood, R.M. Clayton, Hemphill, Chattahoochee and the Utoy facilities for security. Councilmember Moore asked why we only received one bid and reviewed one solicitation. Mr. Chapman responded that we sent out 100 invitations, received 5 and reviewed three or five. Councilmember Winslow stated that there would have to be more than one bid. Councilmember Moore asked what is the need for the additional services? Ms. Pierce responded that this is adding our Department as a user to the Citywide contract. Previously we used the Citywide contract on a month-to-month basis. We were not added to the list until now. There were other locations on the list, but not for these in this Legislation. This is the total amount needed. Councilmember Moore asked what is the not to exceed amount? Mr. Chapman responded \$1,618,848.00. Ms. Pierce stated that we are adding \$1,444,942.00. Councilmember Moore stated that we are doubling the annual

contract. Mr. Chapman responded that we had 5 proposals and three of them were non responsive. The white paper that went with the original contract is the one that he signed. The Department of Watershed Management is part of the Citywide contract and they want to add these additional locations. Councilmember Moore asked how many contracts are there for security. Mr. Chapman responded that there are two Citywide contracts for security. The other one is about \$.5 million dollars. Councilmember Moore stated that the amount of locations and the contract is enough for another contract. Mr. Chapman responded that the difference is for armed security guards and unarmed security guards. He would find out how much is spent on the other one. Mr. Pridgeon added that money is expended for security purposes. We want to solidify the month-to-month contract with an annual contract. Councilmember Moore asked if the month-to-month authorization under the annual contract. Mr. Pridgeon asked the Committee if we could come back with the answers. Councilmember Willis asked if the Administration could answer questions regarding the non-responsive bidder. Councilmember Moore stated that she wants to know how much we have spent. Councilmember Maddox stated that since this is security, wouldn't some of it qualify for Homeland Security funding. Chairperson Shook asked what is the time sensitive nature of this paper? Councilmember Willis stated that since we are not paying a premium, we should be okay.

Continuing, Mr. Pridgeon stated that the contracts are listed in the attachment. Ms. Pierce stated that when the Legislation went through in April. Since our list was already executed, certain sites were not funded. We submitted requisitions, but they were not funded. It did not include those items listed in this Legislation, but it included other Department's items. We should have authorized the \$1.6 million dollars plus the \$1.4 million dollars. As soon as we realized it, we corrected it. There was a contract that the City was already using and all of the Departments were using that contract as well. All of the agencies were moved from the Barton contract to the DIS contract. Councilmember Willis stated that he does not understand how someone could have missed this. This is double the amount. Ms. Pierce responded that we assumed that the \$1.4 was from our money and not other user Departments. Councilmember Willis stated that he has not had a chance to analyze or review this Legislation. His job is to provide oversight. Ms. Pierce responded that we contacted the Department that manages the project. Councilmember Willis stated that because it is so significant, all of the ducks should be lined up. There are some prudent questions that need to be answered. Ms. Pierce responded that the paper was walked in by another Department. Since it affects our Department, we have to address it. We submitted the information, but it was not included. Councilmember Willis offered a motion to Hold. Councilmember Moore agreed. You have stated that the process of the Council is slow, but it is not the Council that holds up Legislation. It is the process that comes from the user Departments. Councilmember Winslow asked if the original submission include the original amount of \$2.7 million dollars. Ms. Pierce responded that the Department was required to commit the funding for security services. We named the different facilities in the original Legislation and submitted requisitions. We were just one of the Departments that required security services. Councilmember Maddox asked what problems would be created if we did not move on the paper.

Ms. Marie Shed: of the Department of Watershed Management addressed the Committee by stating that the personnel cost for security is covered under this contract. Ms. Pierce added that the Department of Watershed Management does not have a contract for security for these facilities until Council passes the Legislation. The contract was executed in April 2006. There lies the possibility of them walking away if we don't pay them. Councilmember Willis asked when did we find the problem. Ms. Shed responded that they have been paid for three months. Councilmember Willis stated that when a departmental representative try to persuade Council that a company is not getting paid, that is not true. Ms. Pierce responded that there is a possibility that they might walk off the job. Councilmember Willis stated that it is unreasonable not to ask for good information. Councilmember Winslow stated that no one was at the Finance/Executive Committee Briefing. The motion is to **Hold, 6 Yeas**.

Mr. Robert Schuler: addressed the Committee by stating that he wanted to speak on the Charter Amendment Legislation. Please consider creating an Independent Audit Department to analyze this Legislation. This Department would provide oversight for large pieces of Legislation. Ms. Ward cannot do this by herself. This Department can help in a variety of forms. They would take this responsibility very seriously.

Mr. Dave Walker: addressed the Committee by stating that the Mayor is creative. A million dollars is a lot of money, but not really when you think about the amount of money the City spends. Today with inflation and the cost of living being expensive, \$1 million dollar is not a lot of money. Let's not put a milestone around the Mayor's neck. Please allow the Mayor to be creative. Let's think big.

Mr. Eric Degrut: addressed the Committee by stating that he would like for Council to review their contract for Underground Atlanta. He wants to share his plans for the revitalization of Downtown Atlanta. He would like to see an opportunity for his organization to be involved. Councilmember Hall stated that Mr. Degrut has presented his project to him and Councilmember Maddox a couple of months ago. Mr. Degrut stated that they have a density that will generate revenue. He went to Fulton County Development Authority with his presentation and they offered him \$94 million dollars for the whole project, but he needs control of the site. He wants a new road to make Atlanta a designation. Chairperson Shook asked when is the contract with Underground up for bid? Are there other materials that could provide more insight? Is there a website? Mr. Degrut responded that this is about vision and money. Councilmember Winslow stated that a few years ago there were local developers that came before ADA with similar plans. You may want to go to ADA. Councilmember Hall stated that he could apply for TAD funding as well. Mr. Degrut stated that he is trying to bring everyone's plans together. Councilmember Maddox asked if the plans have been discussed with Underground Atlanta. Mr. Degrut responded that he spoke with Mr. Alderhold and Mr. O'Leary, who does not have the same vision that he has. He is trying to embrace vision and leadership. Councilmember Moore stated that the Underground Atlanta contract is a multi year contract for a lengthy time. If we go back and rebid the Agreement, it would end up costing the City a lot of money. Mr. Degrut stated that it is a good suggestion to find out what they are doing.

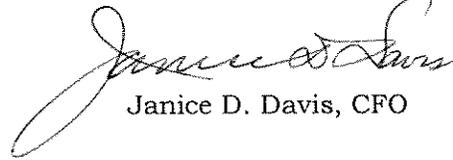
Mr. Jim Synder: addressed the Committee by stating that he is President of the Advisory Board and NPU Chair. We have just adopted the CIP. He stated that Mr. Degrut plan wipes out Castleberry Hills. When will he talk to the citizens of that community? He resents this type of attitude when people think they can come in and tell us what our neighborhoods are supposed to be. We are already losing the World of Coca Cola. There needs to be a process to get everyone involved. There are a lot of residents in the Downtown Area that will be affected.

Mr. Carey Duncan: addressed the Committee by stating that Mr. Degrut has pushed his buttons. The visionaries are causing problems. He is proud of Mayor Franklin. She has great plans for this City. Too many times we rush papers in. The citizens who have built this City are being pushed out. Underground Atlanta makes it money from parking. He is going to continue speaking his peace. Put the people first.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Janice D. Davis". The signature is fluid and cursive, with a large loop at the end.

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

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