

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, December 13, 2006 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair  
Councilmember Kwanza Hall  
Councilmember Clair Muller  
Councilmember Felicia A. Moore  
Councilmember Jim Maddox  
Councilmember H. Lamar Willis  
Councilmember Clela Winslow

Janice D. Davis, CFO  
Departmental Staff

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Chairperson Shook called the meeting to order at 1:15 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Kwanza Hall, Clair Muller, Felicia A. Moore, Jim Maddox, H. Lamar Willis and Clela Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed. Minutes of the November 29, 2006 Regular Finance/Executive Committee meeting were also adopted.

**DISCUSSION ITEM - CREDIT CARD ISSUE - LESLIE WARD**

Chairperson Shook stated that he had asked Ms. Ward to report on the Credit Card issue.

**Ms. Leslie Ward:** Internal City Auditor addressed the Committee by stating that the Mayor ordered an Audit in June of this year regarding the Mayor's Office paying late finance charges and other related charges. She wanted to investigate to see if there was any fraud. The Law Department has stated that the report is still pending. We undertook the Audit piece to determine the risk that the City would have of poor management and the general reason the cards were used and if there was fraud. We found out that over 4 ½ years the cards was used for the amount of \$329,000. We find that there were no overall controls or policies in place for the use of the cards. There was no potential fraud. We found that the control of the card was the responsibility of the Executive Offices. The card was primarily used for travel, local business expenses, memberships, office supplies and equipment. The City does not have the details and we could not devote the time to look at each individual charge. We had to work from the bank statements. Based on that, we identified some personal use of the card in the amount over \$5,000.00, which was a lack of people's judgment. We identified about \$4,000.00 of personal charges that were repaid. We have turned that data over to the Law Department. We have also focused on recommendations for good practice. Councilmember Moore asked how do you get a credit card? Ms. Ward responded that it was an individual decision by the Mayor's Office. It was set up in the late 1990's. Councilmember Moore stated that she uses her personal credit card. She didn't even know that there were City credit cards out there. CFO Davis responded that we found out about them by accident when we were asked to get one for Atlanta Workforce Development Authority (AWDA). The bank stated that the City already has one. The Department of Finance was not involved in the process. One card was to cover travel and the other one was used to supplement petty cash. Councilmember Moore asked if there is something in place not to open an account without the Finance Department. If we outlaw it, there should be discipline. Ms. Ward responded that it was established with the City's bank record. This is the only general purpose credit card account identified. There were also accounts like Sam's Club. CFO Davis responded that there are so many ways an employee can encumber the City's credit without the City knowing it. The Department of Finance has no way of knowing it unless the account is in default. Councilmember Moore stated that there needs to be a way to register for things in advance. CFO Davis responded that the credit card capability allows you to do different things. We can establish a travel credit card with the companies. Councilmember Maddox stated that he is alarmed that employees can open up accounts without proper authorization. We need to introduce Legislation that states

that it has to go through the CFO. We need some control mechanism in place. Ms. Ward responded that we could do it the way we do Legislation for bank accounts. CFO Davis added that it is difficult unless you notify all vendors. People don't think of it as a credit relationship. Councilmember Maddox stated that there has to be a way to stop it. It should be our policy to have written approval from the CFO. CFO Davis responded that there are instances where firms outside of the City will hold the employee liable. She has used that tactic in Texas. If you don't have permission, it was your obligation to repay. We can force it internally. Councilmember Hall stated that we could let the company know that they need a written approval from the CFO first. He stated that he would gladly support it. Ms. Ward responded that the first recommendation is to change to a type of account that blocks cash advances. We want to prevent things from happening. The Mayor and the Finance Department has supported and implemented the recommendations. The implementation date is July 1<sup>st</sup>. CFO Davis responded that it will take that long to do the RFP. We are soliciting for a new card. We will start from scratch. Ms. Ward added that we will establish written policies and procedures. The program now is under the eyes of the CFO. We would like to determine the roles of people who have cards, because the bank had granted them authority. We want to make sure that the cards are in compliance with travel and procurement regulations. We found a couple of cases where a computer was purchased. Finally, we want to make sure that the bills are paid on time. Even in the best cases, it was not going to get there until the due date has passed. She thinks that most people were trying to be responsible. Chairperson Shook stated that the risk of fraud is the theme here. He asked about the late fees and penalties. Ms. Ward responded that she is not sure how much has been recovered. You would have to establish the personal purchases first. It is hard to pin down. There was a pattern that shows that the use of the card exceeded the payments on a regular basis. Councilmember Moore asked who made what charges. Ms. Ward responded that it is on page #8, Exhibit A. Councilmember Moore stated that if we knew who made what charges, we could determine if it was legitimate. Ms. Ward responded that she could not speak to the manager of the investigation. We don't have a detailed list. We have the vendor name and the amount. Councilmember Moore stated that there are amounts associated with the individual. Ms. Ward responded that we know what amount they charged, but not what they bought. Chairperson Shook stated that the information will be limited. Councilmember Moore stated that Council can investigate the credit card issue ourselves. She is not sure what the Audit Division is investigating. Councilmember Martin stated that he wrote a letter to the Law Department and asked about the information. The City Attorney responded that they would give him a written response. He then asked who was responsible for making sure the accounts were paid on a timely basis. Ms. Ward responded that there was an Administrative person responsible from each Office. Councilmember Martin stated that this was brought to light when the Mayor was trying to pay her hotel bill from her credit card. He has two concerns. One is that the newspaper selected one individual to speak about and the other concern is that another person was able to leave the Mayor's Office and go to another Department with a raise. We would have never known about this if the press had not gotten a hold of it. Ms. Ward responded that if the charges were not justified, it was turned over for investigation.

**Mr. Jeffrey Norman:** Associate City Attorney of the Law Department addressed the Committee by stating that the Law Department participated with the Internal Audit Office. We reviewed it to see if there was actually any misuse. Because the case is not closed, there are not a lot of details that we can release. The information will be available once the report is released. Chairperson Shook asked if there is a determination if charges are brought forth. Associate City Attorney Norman responded that he can not provide that information. Chairperson Shook stated that there was no policy put in place in the first place. Was there any violations? Associate City Attorney Norman responded that there was lack of a policy. We were looking at misuse for things that were charged personally or for the City of Atlanta. We looked at the guidance of other Cities. Councilmember Moore asked if there was a personal charge, would the recommendation be for the employee to reimburse the City if they could not produce a receipt. What are the results? Associate City Attorney Norman responded

that the report would detail if a person made a personal purchase. Councilmember Moore asked if you would give a detailed report or would it be general. Associate City Attorney Norman responded that could be a recommendation of Council. Councilmember Moore asked what more is there to do with this investigation. Has anybody paid any of the money back? CFO Davis responded that she is not aware of any pay back. Councilmember Moore stated that she wants some Legislation that requires that. CFO Davis responded that because there were balances, some may have made payments toward the balance. We can tell you what payments have been made. Ms. Ward added that we have identified some of those. Associate City Attorney Norman reiterated that they will be quantified in the report and there will be recommendations. Chairperson Shook stated that we are all sensitive to your needs. It sounds like you are in the latter stages of the credit card issue. Councilmember Martin asked if anyone's gone under oath. Associate City Attorney Norman responded that we don't swear people in during an investigation. Councilmember Martin stated that one individual stated that they paid back their money. This City spent \$60,000 to \$70,000 on an investigation of one individual at the Traffic Court. Their name was published in the newspaper and on the television stations. This person was not found guilty of anything, but there was no exoneration. The people who used the credit cards knew if the charges were City charges or personal charges.

### **CONSENT AGENDA**

#### **TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00)**

06-O-2661 (1) An Ordinance by Finance/Executive Committee Authorizing the transfer of Appropriations, in the amount of twenty thousand dollars (\$20,000.00), from Fund, Account, and Center Number 2R21 (Civic Center Renewal and Extension Fund) 791001 (Reserve For Appropriation) T11001 (Reservation For Funds Appropriations) to Fund, Account, and Center Number 2R01 (Civic Center Revenue Fund) 729010 (Refunds) N42101, in order to allow the Atlanta Civic Center to refund the deposit paid by the "Bodies Exhibition"; and for other purposes.

### **FAVORABLE ON FIRST READ**

### **REGULAR AGENDA**

#### **TO AMEND THE CHARTER OF THE CITY OF ATLANTA**

06-O-0380 (1) A **Substitute** Ordinance by Finance/Executive Committee to Amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the Authority of 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 \$300,000.00; to amend Article 6, Chapter 4, Section 6-402, so as to adjust the limitations on the Mayor's Small Purchase Authority from \$20,000.00 to \$50,000.00 and to adjust the threshold requirement for approval of competitively Procured Contracts by the city Council of Atlanta from \$100,000.00 to \$300,000.00; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06); (Held for Work Session on 11/7/06 @ 10:00 a.m., 11/1/06); (3<sup>rd</sup> Reading, 2<sup>nd</sup> Adoption, 11/29/06); (4<sup>th</sup> Reading, Final Adoption)**

### **FAVORABLE**

Chairperson Shook stated that this is the fourth Reading and Final Adoption. Councilmember Moore stated that she opposes this piece of Legislation. She feels like a broken record because she needs more information. It is beyond her to even ask for the amount to be increased. There is no provision to do it. The citizens elect representatives to look out for their tax dollars. She finds it to be problematic and troublesome to do so. We have moved to a more computerized system, but it is not on-line yet. The authority of the Council is a collective power of eight members and she is extremely concerned about that. We do not have the information requested to make decisions. We all know that the initial authorization of \$1 million dollars was not going to get approved. The \$300,000.00 is an agreement the Mayor's Office and some Councilmembers came up with. Before we even raise the limit of small purchases to \$20,000, she often wondered how many followed the Law. Until we get controls in place, we should not do it. The Administration says that it is for efficiency. The Administration wants to spend money and not come before Council. About 99% of the contracts go through this Committee in two weeks. If the contract is Held, it is from the Department. She wants to be fiscally responsible. She urges her colleagues to consider these points. Councilmember Maddox stated that we have all looked at this Legislation. We have been dealing with it for a while now. We are not shucking our responsibility. The Administration wanted to raise the cost to \$1 million dollars and we decided and compromised on \$300,000.00. We have the right to bring anybody before Council if there are questions. All of us are responsible and concerned about our work here. Councilmember Muller asked what could be done to defer splitting contracts from happening again. CFO Davis responded that in the existing system it is extremely difficult. We could identify it after the fact. Councilmember Muller asked what is different than earlier. CFO Davis responded that we cannot catch it in advance. Councilmember Muller asked if we wanted to address it, how could we.

**Mr. Adam Smith:** Chief Procurement Officer addressed the Committee by stating that we have witnessed this issue of splitting purchases. We have put policies and procedures in place. We have caught a lot of them. If we discover it, we take immediate action. We will limit the spending ability for that particular Department. We have implemented policies since 2004. We would also speak with the Commissioner. We review the report quarterly as well. The remedial action is to decrease the spending authority to that person in the Department. There was no willing intent, but you have to set an example. It was probably about ten times we had to deal with this. We send out a memo each year about splitting invoices. We meet on a monthly basis with the Departments. Councilmember Muller asked what is in place in the Code. Mr. Smith responded that the Code does not allow it at all. Councilmember Martin asked about the unlimited purchase that is for the safety and welfare of the City. Mr. Smith responded that the Emergency Purchase has no dollar limit. It is rare and not a standard procedure. He has the authority to do it. Councilmember Martin asked who does he report to. Mr. Smith responded the Chief Operating Officer. Councilmember Martin stated that the procurement contract amount was raised to \$50,000.00 by former Councilmember Mary Davis and then raised to \$100,000 by former Mayor Bill Campbell. He has offered two pieces of evidence that we do not need to approve this paper. The Administration has the power already if it is the public safety of the City. He then requested a copy of the SOP. What we currently have put in place is a continuing Law. Councilmember Moore stated that she echoes what Councilmember Martin says. Chairperson Shook offered a motion to **Approve, 4 Yeas, 1 Nay.**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA**

06-O-1924 (2)

An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06)**

**HELD**

Chairperson Shook offered a motion to Hold.

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA**

06-O-1926 (3) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06)**

**HELD**

Chairperson Shook offered a motion to Hold.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ASSESS CREDIT CARD AND ON-LINE PAYMENT USERS**

06-O-2600 (4) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to assess credit card and on-line payment users a convenience fee in the amount of four dollars and fifty cents (\$4.50) for payment of associated ser fees and a convenience fee in the amount of 2.5% for taxes to recover the cost the City pays to third-party vendors to process such payments; collected funds will be deposited into the following Fund Account Center Numbers: 1A01 (General Fund) 641307 (Credit Card) B00001 (Convenience Fee), 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee), and 1B05 (Traffic Court) 641307 (Credit Card) B00001 (Convenience Fee); and for other purposes.

**HELD FOR PUBLIC HEARING**

Chairperson Shook stated that this paper is Held for a Public Hearing at the January 31<sup>st</sup> meeting. Councilmember Muller asked if this is 2 ½ of the Tax Bill.

**Mr. Gary Donaldson:** Director of the Office of Revenue addressed the Committee by stating that it applies to payments of Hotel and Car Taxes on the web.

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO INCREASE THE COMPENSATION AMOUNT FOR ALLAN BENSON**

06-O-2601 (5) An Ordinance by Finance/Executive Committee to Authorize the Mayor or her Designee to increase the compensation amount for Allan Benson from \$86,000 (eighty-six thousand dollars) to \$149,000 (one-hundred forty-nine thousand dollars) for an increase in the scope of Consulting Services provided to be Paid From Fund, Account, and Center Number: 1A01 (General Fund) 524001 (Consultant Services) J82001 (Director of Accounting Services Center); and for other purposes. **(Finance/Executive Committee Condition includes a White Paper, 12/13/06)**

**FORWARDED WITH NO RECOMMENDATION ON CONDITION**

CFO Davis stated that Mr. Benson was a former employee. He retired in 2005. We are adding dollars to his contract now to work on conversion on the City's FAC structure

into the Accounting Code. His contract will expire in February 2007. He reports to the Director of General Accounting. This is additional work on a different task, but it is related to his experience. We are putting additional money on the contract. We are paying about \$35 dollars an hour. When we came to Council it was originally \$86,000, but we are now putting dollars under the same contract to do additional work. The hourly rate will remain the same. We have now used up all of the hours. Councilmember Moore stated that the paper is showing that there is an increase. CFO Davis responded that it is additional work for the same contract. Councilmember Willis asked what is the time frame we utilized? CFO Davis responded we used the funds from February or March of 2005. There was a period of time where he was not working. We did not use the entire \$86,000, but we used the rest of that money and the increase will bring us to \$149,000, roughly an additional \$63,000 for this month until February 2007. We don't know how many hours we will use him. Councilmember Willis stated that to bill \$63,000 from now to February means we are looking at \$5,250 a week to be spent. That means that you would work 150 hours a week. CFO Davis responded that we put in that amount to make sure that we are covered. She will provide the information. Chairperson Shook stated that we need the background on the expected amount of work. We also may need to say an up to amount. Councilmember Willis stated that he would abstain until he receives the information. Councilmember Hall offered a motion to Approve on Condition for the not to exceed amount along with a White Paper for the amount of work. Councilmember Willis offered a motion to send it **Forward With No Recommendation on Condition, 6 Yeas.**

**TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

06-O-2700 (6) An Ordinance by Councilmember Howard Shook to Amend the Code of Ordinances, City of Atlanta, Georgia, creating a new Chapter 114, Personnel; and for other purposes.

**HELD FOR WORK SESSION**

Chairperson Shook stated that there are two versions of the document, which are the original Chapter and the Chapter with proposed changes. We will need multiple Work Sessions to digest the proposed changes. Councilmember Moore stated that it was not the Council who dragged out the Procurement issues. Chairperson Shook stated that this is in a form that we can work with.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by stating that the document has the current and proposed Code changes. Anything new has been indicated in blue. We have a one page Executive Summary as well. Chairperson Shook stated that we will have Work Sessions on January 11<sup>th</sup> and January 25<sup>th</sup> from 10:00 a.m. to 2:00 p.m.

**TO AMEND SECTION 2-183 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

06-O-2701 (7) An Ordinance by Councilmember C.T. Martin to Amend Section 2-183 of the Code of Ordinances of the City of Atlanta, Georgia by adding a Subsection "(b)" which shall provide that all open records requests which are forwarded to any Department, Bureau, Division, Office, or Unit of City Government, shall, within forty eight (48) hours of the receipt thereof, be forwarded to the President and all members of Council via the Municipal Clerk, and any and all responses to any such open records requests, shall also be provided to the President and all members of Council via the Municipal Clerk, within forty eight (48) hours after the response is made; to waive conflicting Ordinances; and for other purposes.

**HELD**

**Mr. Robert Caput:** Senior Assistant City Attorney addressed the Committee by stating that he is concerned with passing this Ordinance. It makes a difference from the user Department and Council. The Department has to make their files available and respond to the request. Councilmember Martin stated that he wants to Hold the paper because he wants it to be simple. It seems that we should have a couple of the request if the press can get one. The Municipal Clerk is the keeper of all documents. We ought to know that any request is public information. We should not be the last to know.

**TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT FC-6039-94**

06-O-2702 (8) An Ordinance by Councilmember Clela Winslow Authorizing the Mayor to execute an Amendment to Lease Agreement FC-6039-94, Retail Concession Package Seven, with Hartsfield Air Ventures, JV, on behalf of the Department of Aviation, for the purpose of extending the Lease on a month to month basis not to exceed August 31, 2007; Authorizing the City of Atlanta to waive the competitive source selection requirements contained in Section 2-1187, 2-1188, and 2-1189 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

**FAVORABLE**

**Mr. Mario Diaz:** of the Department of Aviation addressed the Committee by stating that the next three Ordinances are contracts at the Airport. We want the time to put in place a RFP. The contracts will expire next year. Last year we brought in a new Director for Concessions at the Airport. He has set out to look at the expired contracts. He took the RFP from 2005 to rebid it. We are trying to decide if it should be a single term or with 5 year renewals? We expect to have new RFP's by August 31<sup>st</sup>. Councilmember Maddox asked if you are opening the bids up for other vendors. Mr. Diaz responded yes. There are presently two contracts out for RFP. One of our ideas is to make it five. It would open up for more companies and improve the contract. Councilmember Muller asked why we didn't discuss this in the Transportation Committee. Mr. Diaz responded that Mr. DeCosta stated that these papers would be coming to the Finance Committee. Councilmember Muller asked how long has the Concessions been in place. Mr. Diaz responded that it has to do with the issues surrounding the Olympics. The Concessions date back to 1995 and 1996. In 2000, the Agreement was extended for an additional five years. Councilmember Muller stated that it was a huge discussion as well in 2005. She then requested a presentation be made in the Transportation Committee. Councilmember Moore asked why will the bid be ready in August. Mr. Diaz responded that a lot of the work is completed. There is no magic date for the month of August, but it is the shortest time. Councilmember Moore asked what is the philosophy behind the RFP? What are you going out for? Mr. Diaz responded that he has provided the information to the Chief Procurement Officer. Councilmember Moore asked when will Council know the direction you are going. Mr. Diaz responded that the Chief Procurement Officer will be bringing the bid forth. Councilmember Willis stated that if the Concession industry knows about the restructuring of the program, why doesn't Council know. We won't find out until next summer if there are some problems with it. Any ratification that is going to take place will happen here. Mr. Diaz responded that the industry does not know. Councilmember Willis stated that when you solicit the opinion of the industry, we should have been informed. Chairperson Shook stated that he envisions joint Work Sessions regarding this. We are now talking about extending the Leases. He then offered a motion to **Approve, 3 Yeas, 0 Nay, 2 Abstentions.**

**TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT FC-6215-95**

06-O-2703 (9) An Ordinance by Councilmember Clela Winslow Authorizing the Mayor to execute an Amendment to Lease Agreement FC-6215-95, Business Services Concessions, with Business Traveler Services, Inc., on behalf of the Department of Aviation, for the purpose of extending the Lease on a month to month basis not to exceed August 31, 2007; Authorizing the City of Atlanta to waive the competitive source selection requirements contained in Section 2-1187, 2-1188 and 2-1189 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

**FAVORABLE**

**TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT FC-6040-94**

06-O-2704 (10) An Ordinance by Councilmember Clela Winslow Authorizing the Mayor to execute an Amendment to Lease Agreement FC-6040-94, Airport Retail Concessions Package Eight, with Host/National Concessions Management, LLC., on behalf of the Department of Aviation, for the purpose of extending the Lease on a month to month basis not to exceed August 31, 2007; Authorizing the City of Atlanta to waive the competitive source selection requirements contained in Section 2-1187, 2-1188, and 2-1189 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

**FAVORABLE**

**TO EXECUTE AMENDMENT AGREEMENT NO. 1 WITH JOHNSON CONTROLS, INC. FOR FC-6005007980**

06-R-2640 (1) A Resolution by City Utilities Committee Authorizing the Mayor to execute Amendment Agreement No. 1 with Johnson Controls, Inc. for FC-6005007980, Security Cameras – Repair and Replacement Services, adding labor rates and additional funding, on behalf of the Department of Watershed Management, in an amount not to exceed three hundred sixty seven thousand dollars and no cents (\$367,000.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension) 574001 (Facilities Other Than Buildings) Q12T07419999 (Water Security Surcharge); and for other purposes.

**HELD**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT GTA000119**

06-R-2662 (2) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract GTA000119 with Xerox Corporation for the purchase of two (2) Xerox 4590CP copier/printers, one (1) WC732 copier/printer, one (1) workcentre pro C2128, one (1) Xerox 4110 copier/printer and one (1) year maintenance agreement, on behalf of the Department of Aviation, in an amount not to exceed one hundred forty nine thousand one hundred twenty six dollars and no cents

(\$149,126.00); all contracted work will be Charged To and Paid From Fund, Account and Center Numbers: 2H21 (Airport Renewal and Extension Fund), 575001 (Equipment), R12006 (Office of Information Systems) (\$97,090.00) and 2H21 (Airport Renewal and Extension Fund) 575001 (Equipment) R12006 (Office of Information Systems) (\$97,090.00) and 2H21 (Airport Renewal and Extension Fund) 575001 (Equipment) R21001 (Hartsfield Capital Programs) (\$43,300.00) and 2H21 (Airport Renewal and Extension Fund) 523001 (Service/Report/Maintenance Contract) R21001 (Hartsfield Capital Programs) (\$8,736.00); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that this is for the use of the State Contract for printers. This is also high tech equipment. Councilmember Maddox offered a motion to **Approve, 7 Years**.

**TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH ACB AIRPORT SOLUTIONS**

06-R-2663 (3) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute Change Order No. 2 with ACB Airport Solutions, a Joint Venture comprised of ACS State and Local Solutions, Inc.; Carter Brothers, LLC; and D & D Electric Company, Inc., for FC-7520-02, Parking Revenue Control System, for final installation, testing and commissioning of the system, on behalf of the Department of Aviation, in an amount not to exceed one million dollars and no cents (\$1,000,000.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2H21 (Airport Renewal & Extension Fund) 574001 (Facilities Other Than Buildings) R21E07019999 (Parking Decks); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that this Contract is for the Parking Control System at the Airport. When someone is using a credit card, the information goes directly to the bank and the transaction takes place then. There is a new company being selected (Bank of Omaha). This is for the protection of the consumer. Councilmember Hall offered a motion to **Approve, 7 Years**.

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INC., FOR FC-6006007915**

06-R-2664 (4) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Appropriate Contractual Agreement with Northrop Grumman Information Technology, Inc., for FC-6006007915, Critical Safety Systems Support, on behalf of the Department of Information Technology, in an amount not to exceed three million eight hundred seventy two thousand two hundred seventy three dollars and no cents (\$3,872,273.00); all contracted work shall be Charged To and Paid From Fund Account and Center Numbers 1A01 (General Fund) 523001 (Service/Repair/Maintenance) T51013 (Citywide Communications Systems) (\$2,981,650.21); 2H21 (Airport Renewal and Extension Fund) 523001 (Service/Repair/Maintenance) R21E01219999 (M.I.S.) (\$309,781.84); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance) Q64001 (Plant Maintenance) (\$309,781.84); 1B03 (Emergency Telephone

Systems) 523001 (Service/Repair/Maintenance) T31T07019992 (Emergency Telephone System Fund) (\$116,168.19); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance) Q31001 (Office of Director, Treatment) (\$77,445.46); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance) Q38001 (Office of Director, Collections) (\$77,445.46); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 12/13/06)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute to correct the Fund, Account and Center Number. Mr. Hudson stated that this is to provide services for the 911 Systems for Police and Fire. We have sent out an RFP. This company has done this work for the last ten years. We sent it to three other companies and they did not respond. Councilmember Winslow asked if they will be working with the new 911 Center. Deputy Chief Banda responded that it is for the current 911 System. Councilmember Winslow offered a motion to **Approve on Substitute, 7 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH CLEVELAND ELECTRIC COMPANY FOR FC-3006007966**

06-R-2665 (5) A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Agreement with Cleveland Electric Company for FC-3006007966, Concourse E – Unit Substation #10 and South Airfield Lighting Vault Generator, on behalf of the Department of Aviation, in an amount not to exceed two million seven hundred twenty five thousand sixty six dollars and no cents (\$2,725,066.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2H21 (Airport Renewal & Extension Fund) 573001 (Facilities Buildings) R21001 (Hartsfield Capital Programs); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that there is two pieces of it. One is a subsection. The other one is to replace a generator that does not meet the EPA standards. There were three bids. We are recommending the highest bidder. We found that the lowest two bidders were non responsive. There were significant problems found with the bids. The difference was \$500,000. Councilmember Maddox offered a motion to **Approve, 7 Yeas.** Maddox said that some Airports have areas for cell phones. That will eliminate a lot of congestion. Mario said that we are looking for some off site locations that is owned by the Airport.

**TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH A-ACTION JANITORIAL AND VENDING, INC., FOR FC-7665-04**

06-R-2666 (6) A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into Amendment Agreement No. 1 with A-Action Janitorial and Vending, Inc., for FC-7665-04, Citywide Janitorial Services, on behalf of the Office of General Services, in an amount not to exceed eight hundred fifty four thousand three hundred thirty one dollars and sixty cents (\$854,331.60); all contracted work shall be Charged To and Paid From Fund Account and Center Numbers 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance) Q32001 (R.M. Clayton W.P.C.) (\$50,000.00); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance) Q33001 (Utoy Creek W.P.C.) (\$120,000.00); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance)

Q36001 (Intrenchment Creek W.P.C.) (\$5000.00); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance) Q37301 (Pumping Stations) (\$10,000.00); 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance) Q64001 (Plant Maintenance) (\$669,331.60); and for other purposes. **(Finance/Executive Committee Substitute corrects name of Fund, Account and Center Numbers, 12/13/06)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that changes the name of the Fund, Account and Center Numbers.

**Ms. Deborah Scott Brooks:** Director of the Office of General Services addressed the Committee by stating that this paper adds the funding for a janitorial services contract for the Department of Watershed Management. Councilmember Hall offered a motion to **Approve on Substitute, 7 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO A PURCHASING AGREEMENT PURSUANT TO SECTION 2-1601**

06-R-2667 (7)

A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into a Purchasing Agreement pursuant to Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, with Advanced Public Safety, Inc., pursuant to the Dallas County Texas Contract 2006-065-1642, for the purchase of an Automated Traffic Citation Management System, on behalf of Court Operations, in an amount not to exceed four hundred fifty five thousand four hundred nineteen dollars and thirty five cents (\$455,419.35); all contracted work shall be Charged To and Paid From Fund, Account and Center Numbers 1A01 (General Fund) 521105 (Supplies, Non-Consumable) S11001 (Court Operations) (\$2,844.00); 1A01 (General Fund) 521106 (Publications, Electronic Media) S11001 (Court Operations) (\$332,125.00); 1A01 (General Fund) 524001 (Consultant Professional Services) S11001 (Court Operations) (\$14,217.20); 1A01 (General Fund) 575001 (Equipment) S11001 (Court Operations) (\$106,233.15); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Numbers and Title, 12/13/06)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that corrects the Fund, Account and Center Numbers and Title.

**Mr. John Hudson:** of the Police Department addressed the Committee by stating that this is Phase 1 that will provide 80 hand held devices for Police Personnel for ticket writing. Further, if a person is pulled over and have a second violation, it would improve the process. It is connected to the Georgia Crime Institute Center to see if there are warrants on the person or the vehicle. The program will take place in the spring of next year. Councilmember Moore asked if this is a stand along system or does it interact with the Department of Information Technology. Mr. Hudson responded it will interface with the Court Case Management System.

**Deputy Chief Banda:** of the Police Department addressed the Committee by stating that it will help with the safety of the citizens as well. It is a five or six month pilot program. Councilmember Moore asked if there are a lot of capabilities in this program. Mr. Hudson responded that it is easy to copy data and it configures better. Deputy

Chief Banda added that there is a computer in cars now, but it does not have the capability to write tickets. The new program will also print out the citation. It has wireless capability as well. It takes about six months to roll out the numbers we expect. Other agencies write tickets that come to the Court. We are also providing the parking people with that capability as well. Councilmember Muller stated that we should look at Code Enforcement as well. Councilmember Martin asked how many tickets will it write.

**Mr. Tommy Lopez:** of the Department of Public Safety addressed the Committee by stating that it will write about 30 to 35 tickets per day, the same as hand written. Councilmember Martin asked who will handle the training. Mr. Hudson responded it will be provided by the vendor, APS. Councilmember Martin asked if they have an office here. Mr. Lopez responded that they are based in Florida. Councilmember Martin asked what is the availability of the company? Mr. Lopez responded that we have a 24/7 support system. Chairperson Shook offered a motion to **Approve on Substitute, 5 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH ORKIN PEST CONTROL, INC., FOR FC-6005007906**

06-R-2668 (8)

A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into Amendment Agreement No. 1 with Orkin Pest Control, Inc., for FC-6005007906, Citywide Pest Control Services, on behalf of the Office of General Services, in an amount not to exceed twenty thousand dollars (\$20,000.00); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2J01 (Water and Wastewater Revenue Fund) 523001 (Service, Repair and Maintenance) Q64001 (Plant Maintenance); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 12/13/06)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute.

**Ms. Deborah Scott-Brooks:** Director of the Office of General Services addressed the Committee by stating that it corrects the Fund, Account and Center Number. Councilmember Hall offered a motion to **Approve on Substitute, 7 Yeas.**

**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 (1)

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 on 11/7/06 @ 10:00 a.m., 11/1/06)**

**HELD AND SUBSTITUTED**

**Ms. Angela Hinton:** Senior Assistant City Attorney addressed the Committee by stating that the Substitute was inadvertently delivered to Mr. Pridgeon's Office instead of all of the Councilmembers. Councilmember Moore stated that we have waited until the last minute to get a Substitute. She does not know what the rush is. She is objecting to the fact of getting the Substitute at the last minute. We should wait to vote on this next

year. Chairperson Shook asked if we will have copies soon. Senior Assistant City Attorney Hinton responded momentarily. Councilmember Moore stated that her objection was getting it at the last minute. The Department knew what the changes were. There was no reason why we could not have received it within two weeks. We did not have a chance to review the whole document as a total package. Mr. Smith stated that he agrees with Councilmember Moore. We intended for it to be ready before today. He then asked that we table this because there is no rush. We want to give the Committee an opportunity to review it. Councilmember Muller offered a motion to accept the Substitute and Hold it. Chairperson Shook stated that we can't discuss it anyway unless we all have copies of the Substitute. Councilmember Martin stated that we need an Executive Summary of this. He hopes that every Department will provide a White Paper for large documents. Mr. Smith responded that we will also discuss the on-line solicitation versus written notification. Chairperson Shook stated that there needs to be a dialogue. Councilmember Moore stated that she wants to know why you are asking for on-line solicitation. Mr. Smith responded that he would provide the information.

**TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA**

06-O-0787 (2) 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 (3) 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 on 11/7/06 @ 10:00 a.m., 11/1/06)**

**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 (4) 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 (5) 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 (6) 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 PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA**

06-O-2250 (7) 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**

**TO REQUEST THAT THE MAYOR AND THE ATLANTA CITY COUNCIL DISCONTINUE THE ANNUAL REQUEST FOR AND USE OF THE \$8,000,000.00 ANNUAL BOND GENERAL OBLIGATION FUNDS**

06-R-2473 (8) A Resolution by Councilmember Howard Shook Requesting that the Mayor and the Atlanta City Council discontinue the annual request for and use of the \$8,000,000.00 annual Bond General Obligation Funds; and for other purposes. **(Held, 11/15/06)**

**HELD**

**TO ADD TO THE CITY'S 2007 LEGISLATIVE PACKAGE TO REQUIRE THAT SALES TAXES BE CHARGED ON INTERNET SALES**

06-R-2629 (9) A Resolution by Councilmember Anne Fauver to Add to the City's 2007 Legislative Package to require that Sales Taxes be charged on Internet Sales of items shipped to Georgia addresses; and for other purposes. **(Held, 11/29/06)**

**FILE**

**TO ADD TO THE CITY'S 2007 LEGISLATIVE PACKAGE TO REQUIRE THAT UTILITIES MUST ADHERE TO LAND USE DESIGNATIONS**

06-R-2630 (10) A Resolution by Councilmember Anne Fauver to Add to the City's 2007 Legislative Package to require that utilities must adhere to Land Use Designations for new construction; and for other purposes. **(Held, 11/29/06)**

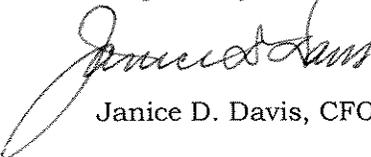
**FILE**

**ITEMS NOT ON AGENDA**

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 4:15 p.m.

Respectfully submitted,



Janice D. Davis, CFO

Charlene Parker  
Recording Secretary

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