

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, March 14, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair
Councilmember Clair Muller
Councilmember Jim Maddox
Councilmember Clela Winslow

Janice D. Davis, CFO
Departmental Staff

RECEIVED
APR 04 2007

Absent: Councilmember Kwanza Hall
Councilmember Felicia A. Moore

MUNICIPAL CLERK

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 Jim Maddox, Clair Muller and Clela Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of one Resolution. Minutes of the February 28, 2007 Regular Finance/Executive Committee were also adopted.

DISCUSSION ITEM:

LEGISLATIVE UPDATE – OFFICE OF INTERGOVERNMENTAL AFFAIRS

Ms. Megan Middleton: Mayor's Office Intergovernmental Affairs Manager addressed the Committee by stating that they have been on recess since March 1st. There have been a few Committee meetings. **HB 77**, the elimination of Red Light Cameras Bill passed the House. **HB 590** is the reduction Penalty for Red Light Violations Bill and is in the State Highways Subcommittee. **SB 89**, the creation of Townships Bill passed the Senate and is in the Senate Rules Committee. Councilmember Winslow asked how are Townships different from Cities? Ms. Middleton responded that Townships are smaller and focuses on zoning in unincorporated areas. They are very limited to what they can do. Chairperson Shook stated it would allow for unincorporated areas to take up zoning issues. Ms. Middleton stated that **HB 306**, the Annexation of Property Bill has submitted a Substitute. It passed the House and went to the Judiciary Committee. **HB 154**, the Compensation to Garbage Companies Bill passed out of the Economic Development Committee. The annexing City would have to reimburse the entity providing the service and give a 4-year notice. **HB 434**, the Transportation Sales Tax Bill passed the Ways and Means Subcommittee. Councilmember Winslow asked if it is for all Counties. Ms. Middleton responded it is a Countywide Tax. Councilmember Muller asked what has happened to the idea of a Statewide Bill. Ms. Middleton responded that it passed the Ways and Means Committee. It may stay in Committee until a Study is done. Councilmember Muller asked what is anticipated to move this year. Ms. Middleton responded that there is a concern. Chairperson Shook asked if the big idea a Statewide approach. Ms. Middleton responded yes. **SB 341**, the Motor Fuel Taxes Bill will go before Transportation Committee at 4:00 p.m. today and will go before the voters. Motor fuel taxes would support the construction of new roads, bridges and highways. **HB 269**, the Commuter Rail Project will have a negative impact, as it would devastate the ability to implement commuter rail and consequently the multi-modal passenger terminal. Councilmember Maddox asked about the Alcohol Bill. Ms. Middleton responded that there was a Senate Bill on yesterday to move forward. It allows the municipalities to go to the voters. Councilmember Maddox asked if the package stores could sell on Sundays. Most grocery stores sell bottled wine. Ms. Middleton responded that they were working on that because they did not want them excluded. She believed the Bill was amended to do that. Councilmember Maddox asked about the No Knock Warrant Legislation. What is the status? Ms. Middleton responded that it was assigned to a Committee. Councilmember Maddox stated that Council took a favorable position on it.

CONSENT AGENDA

TO AMEND THE 2007 (GENERAL FUND) BUDGET, OFFICE OF THE MAYOR

- 07-O-0463 (1) An Ordinance by Finance/Executive Committee to Amend the 2007 (General Fund) Budget, Office of the Mayor, by Transferring Appropriations in the amount of one million two hundred eighty two thousand six hundred fifty five dollars and twenty three cents (\$1,282,655.23) in Grant Funds and six hundred forty five dollars and twenty cents (\$645.20) in interest, to return upspent Grant Funds to the Georgia Emergency Management Agency; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CREATE A NEW FUND, ACCOUNT, AND CENTER NUMBER

- 07-O-0464 (2) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to create a new Fund, Account, and Center Number to receive and disburse Funds donated to the Mayor's Youth Program, in order to provide educational and employment opportunities for high school students of the Atlanta Public School System; and to transfer between Funds 1B07 and 3P02 in the sum of two hundred fifty thousand dollars (\$250,000); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ACQUIRE APPROXIMATELY 4.0 ACRES OF PROPERTY

- 07-O-0465 (3) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta ("City"), to acquire approximately 4.0 acres of property located on Waterford Road Atlanta, Georgia, Parcel Identification Numbers 14-0240-0001-012, 14-0240-0001-013, 14-0240-001-014, 14-0240-001-015, 14-0240-0001-016, and 14-0240-001-017 ("The Waterford Road Property"), from the Atlanta Fulton County Land Bank Authority ("LBA"), in exchange for the City reimbursing "LBA" to perform quiet title for each Parcel and for the City to develop the Park, in an amount not to exceed eighty thousand dollars (\$80,000.00), for the purpose of creating a new Passive Park in City Council District 9. All costs shall be Paid From 1C28 (General Government Capital Outlay Fund Budget) 574001 (Facilities Other Than Buildings) Y63F060392BG (City Wide Greenspace Program) and Amending the 2007 General Government Capital Outlay Fund Budget Department of Planning and Community Development by Transferring between Accounts the sum of eighty thousand dollars (\$80,000.00); and for other purposes.

FAVORABLE ON FIRST READ

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

- 07-O-0466 (4) 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 Ordinances, Authorizing the Mayor to

execute Amendment Agreement No. 1 with Systems & Software, Inc. for FC-6004007863, Customer Information/Billing System ("CIS"), on behalf of the Department of Watershed Management; with no additional funding required; and for other purposes.

FAVORABLE ON FIRST READ

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

- 07-O-0467 (5) 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 Ordinances to execute Renewal Agreement No. 3 with Jordan, Jones & Goulding, Inc./Delon Hampton & Associates, Chartered Engineers/Hatch Mott-Macdonald, Inc. – JV, for Fc-7488-02, Engineering Design Services for Combined Sewer Overflow ("CSO") Storage Tunnel Facilities (West), on behalf of the Department of Watershed Management; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO QUITCLAIM TO THE ATLANTA INDEPENDENT SCHOOL SYSTEM

- 07-O-0310 (1) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta, to quitclaim to the Atlanta Independent School System, property located in Land Lot Fourteen of the Fourteenth District of Fulton County, Georgia; and for other purposes.

FAVORABLE

Councilmember Winslow offered a motion to **Approve, 4 Yeas.**

TO AMEND ARTICLE "V", CLASSIFICATION PLAN, SECTION 114-477, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

- 07-O-0311 (2) A **Substitute** Ordinance by Finance/Executive Committee to Amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create Classifications positions; Grant above entry authorization; and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 3/14/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Mr. Dave Edwards: Program Manager of the Office of the Mayor addressed the Committee by stating that this is for the creation of two Real Estate positions. Chairperson Shook asked how did you come to this salary range. Mr. Edwards responded that the Department of Human Resources did a salary survey and the classification of the position recommends it. The general plan is to consolidate different activities. It includes real estate, capital project and general services. We are trying to put them under one structure. Chairperson Shook asked if they will finish up the list of unused properties. Mr. Edwards responded yes. We have begun to work on that. The

City has over 2000 parcels, but Fulton County does not show that many. Councilmember Winslow asked if it is part of not keeping good records. CFO Davis responded that we are doing the GASB 34 inventory. The Substitute puts in the correct Fund, Account and Center Number. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (PARK IMPROVEMENT FUND) BUDGET

07-O-0312 (3) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to amend the 2007 (Park Improvement Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of one million two hundred seventy thousand seven hundred twenty six dollars and no cents (\$1,270,726.00) by Transferring Funds from 1C22 (Park Improvement Fund) 791001 (Reserve For Appropriations) T11001 (Reservation of Fund Appropriations) to various Fund Account and Center Numbers listed herein, to recover balance forward Appropriations in the Park Improvement Fund; and for other purposes.

FAVORABLE

Ms. Diane Harnell-Cohen: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that these papers are correcting accounting areas. There was a glitch in the system and the Enterprise Accounts did not get incorporated. It moves what was appropriated to balance out. #3 does it for Park Improvement, #4 does it for the Civic Center and #6 for the Cyclorama. CFO Davis added that the MARGS system cut them off at the fiscal year. Once they are appropriated, they will stay until the funds are used. MARGS closed the fund out as if they were Operating Funds. Our move to the ERP System will not make this kind of initiative. It will reappropriate the funds even if we have to use MARS again. Commissioner Harnell-Cohen stated that it was discovered by staff. CFO Davis added that it may have happened because we did not close down at the end of last fiscal year. In the past we closed the system and made it unavailable. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (CIVIC CENTER FUND) BUDGET

07-O-0313 (4) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the 2007 (Civic Center Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of forty seven thousand three hundred eighteen dollars and no cents (\$47,318.00) by Transferring Funds From 2R21 (Civic Center Renewal and Extension Fund) 791001 (Reserve For Appropriations) T11001 (Reserve of Fund Appropriations) to 2R21 (Civic Center Revenue Fund) 762001 (Interfund Operation Transfer) N42101 (Civic Center), to recover balance forward Appropriations in the Civic Center Fund; and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 3/14/07)**

FAVORABLE ON SUBSTITUTE

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

Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AMEND THE 2007 (WATER AND WASTEWATER REVENUE FUND) BUDGET

07-O-0314 (5) A **Substitute** Ordinance by Finance/Executive Committee to Amend the 2007 (Water and Wastewater Revenue Fund) Budget, Department of Watershed Management, by Transferring Appropriations in the amount of one million five hundred thousand dollars and no cents (\$1,500,000.00) from Fund Account and Center Number 2J01 (Water and Wastewater Revenue Fund) 791001 (Reserve For Appropriations) T11001 (Reserve of Fund Appropriations) to 2J01 (Water and Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q71201 (Technical Support), to provide funding for the Department of Watershed Management Customer Information Systems; and for other purposes. **(Finance/Executive Committee Substitute adds the name of the Accounts, 3/14/07)**

FAVORABLE ON SUBSTITUTE

Ms. Natalie Knight: of the Office of Budget and Fiscal Policy addressed the Committee by stating that the same thing happened as with the previous papers. There was a computer glitch in the MARS System. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2007 (PARKS FACILITIES REVENUE FUND) BUDGET

07-O-0315 (6) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the 2007 (Parks Facilities Revenue Fund) Budget, on behalf of the Department of Parks, Recreation and Cultural Affairs, in the amount of one thousand two hundred dollars and no cents (\$1,200.00) by Transferring Funds from 2K21 (Parks Facilities Renewal and Extension Fund) 791001 (Reserve For Appropriations) N42301 (Cyclorama) to 2K21 (Parks Facilities Renewal and Extension Fund) 762001 (Interfund Operation Transfer) N42301 (Cyclorama), to recover balance forward Appropriations in the Parks Facilities Revenue fund; and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Number, 3/14/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook said that we have a Substitute that corrects the Fund, Account and Center Number.

Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF FIRE AND RESCUE, TO GRANT A TEMPORARY CONSTRUCTION ENTRY EASEMENT AGREEMENT

07-O-0316 (7) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Fire and Rescue, to grant a Temporary Construction Entry Easement Agreement, to the Atlanta Independent School System, for the purpose of restructuring the Drainage Basin and Plumbing on and near Fire Station #14, located at 1203 Lee Street and at Finch Elementary School, located at 1114 Avon Street, Atlanta, Georgia; to waive Section 2-1574 of the Official Code of

Ordinances of the City of Atlanta, Georgia; and for other purposes. **(Finance/Executive Committee Substitute adds “waive Section 2-1574”, Finance/Executive Committee Amendment adds Section-1574 in the Caption, 3/14/07)**

FAVORABLE ON SUBSTITUTE AS AMENDED

Deputy Chief Williams: addressed the Committee by stating that this is a temporary easement. It does not have the ability to drain water from the school. This will not be a hardship on the City. ISA will retain all financial responsibility and it will not hinder our ability to operate at that location. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas**. Chairperson Shook stated that Section 2 makes reference to waiving. Deputy Chief Williams responded that it waives the liability from the City. Chairperson Shook offered an Amendment to add the reference to waiving in the Caption.

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO ENTER INTO AN AGREEMENT WITH THE TRUST FOR PUBLIC LAND (“TPL”)

07-O-0406 (8) An Ordinance by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta (“City”), to enter into an Agreement with the Trust For Public Land (“TPL”), to perform Real Estate Research and Due Diligence Services, and to set up an account in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00), for the purpose of reimbursing “TPL” for such Real Estate Research and Due Diligence Services performed, on behalf of the Department of Parks, Recreation, and Cultural Affairs (“Department”), for properties located along the proposed Beltline. All costs shall be Paid From and Charged To Fund, Account, and Center Number 1C53 (2005A Park Improvement Bond Fund) 571001 (Land) N12D11B69999 (Ground and Site Improvement City Wide); and for other purposes.

FAVORABLE

Commissioner Harnell-Cohen stated that this paper creates an Account up to \$250,000. We will be able to reimburse TPL for due diligence cost we elect to purchase. On several occasions it is not in our best interest to purchase property, but we still have to pay the due diligence. Councilmember Winslow offered a motion to **Approve, 4 Yeas**.

TO TRANSFER \$10,000.00 FROM DISTRICT 2 COUNCILMEMBER EXPENSE ACCOUNT TO A TRUST FUND ACCOUNT

07-O-0485 (9) An Ordinance by Councilmember Kwanza Hall to Transfer \$10,000.00 from District 2 Councilmember Expense Account to a Trust Fund Account under the Department of Planning and Community Development for the purpose of assisting the development of an Old Fourth Ward Redevelopment Plan; and for other purposes.

HELD

Chairperson Shook stated that we are missing a Section 2 and the paper needs to be Held for a Substitute.

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO PAY OUTSTANDING INVOICES TO KISSBERG CONSTRUCTION COMPANY, INC.

07-O-0488 (10) An Ordinance by Councilmember Carla Smith as **Substituted by Finance/Executive Committee (1), 3/14/07** Authorizing the Chief Financial Officer, on behalf of the Department of Planning and Community Development, to pay outstanding invoices to Kissberg Construction Company, Inc., for Demolition Services provided at various properties, in an amount of fifty six thousand six hundred dollars (\$56,600.00). All contracted work shall be Charged To and Paid From Fund, Account, and Center Number: 1B01 (Community Development Fund) 529002 (Service Grants) Y46P0931A26A (Housing Demolition/Reclamation, CD-610); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number and the name of the Fund, 3/14/07)**

FAVORABLE ON SUBSTITUTE

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

Mr. James Shelby: Deputy Commissioner of the Department of Planning and Community Development addressed the Committee by stating that this allows the Department to pay the remaining balance. All of the work has been done. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AMEND ARTICLE "V", CLASSIFICATION PLAN, SECTION 114-477, OF THE CODE OF ORDINANCES, CITY OF ATLANTA

07-O-0490 (11) An Ordinance by Councilmember Howard Shook as **Substituted by Finance/Executive Committee (1), 3/14/07** to Amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create the classification of Payroll Director, reclassify a position, and grant above entry hiring authorization; and for other purposes. **(Finance/Executive Committee Substitute rewrites for a new class and adds a new salary grade, 3/14/07)**

FAVORABLE ON SUBSTITUTE

CFO Davis stated that the person in this position has resigned. We interviewed four people, but the salary we offered was not sufficient. We will have a person coming on board temporarily. We had to pull the 2nd person in command back into the Payroll Manager position, but we are at a critical time with the ERP. Councilmember Maddox asked if this person can fill the position permanently if they do well. CFO Davis responded that this person has the background and she is looking for a permanent position. She then stated that the Substitute is a rewrite for a new class and adds a new salary grade. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO PROVIDE FOR THE ANNEXATION OF THOSE PORTIONS OF PROPERTIES WITHIN UNINCORPORATED FULTON COUNTY

07-O-0492 (12) An Ordinance by Councilmembers Howard Shook and Jim Maddox to provide for the Annexation of those portions of properties within Unincorporated Fulton County known on the Tax Records of said County as Club Drive Rear, Parcels 17 00120005046, 17 00120005049, 17 00120005050, and 17

00120005055; Mabry Road Rear, Parcels 17 00130002015, 17 00130002016, and 17 00130002033; 4500 East Brookhaven Drive Rear, Parcel 17 0012005052; 4536 East Brookhaven Drive, Parcel 17 00130002026; 4524 East Brookhaven Drive, Parcel 17 00130002038; 4520 East Brookhaven Drive, Parcel 17 0010002042; 4516 East Brookhaven Drive, Parcel 17 00130002043; and 4647 Club Valley Drive, Parcel 17 00130002041, all properties being Unincorporated Islands, to the Corporate Limits of the City of Atlanta; to provide notice to the property owners; to provide for the notification of the Department of Community Affairs; and for other purposes.

HELD

Chairperson Shook stated that no Public Hearing is necessary. We are not taking action because they have not finished the process. The owners of the properties need to have the notice of the process.

TO PROVIDE FOR THE ANNEXATION OF WELCOME ALL ROAD, PARCEL 14F 0037 LL005

07-O-0500 (13) An Ordinance by Councilmembers Jim Maddox and Howard Shook to provide for the Annexation of Welcome All Road, Parcel 14F 0037 LL005, an Unincorporated Island, to the Corporate Limits of the City of Atlanta; to provide notice to the property owners; to provide for the notification of the Department of Community Affairs; and for other purposes.

HELD

TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS KIMBERLY ROAD, PARCEL 14F 0030 LL010

07-O-0504 (14) An Ordinance by Councilmembers Jim Maddox and Howard Shook to provide for the Annexation of property known as Kimberly Road, Parcel 14F 0030 LL010, Kimberly Road Rear, Parcel 14F0030 LL011, Kimberly Road, Parcel 14F0030 LL012, Kimberly Road, Parcel 14F0030 LL013, Kimberly Road, Parcel 14F0030 LL027, and Kimberly Road 14F0030 LL028, all properties being Unincorporated Islands, to the Corporate Limits of the City of Atlanta; to provide notice to the property owners; to provide for the notification of the Department of Community Affairs; and for other purposes.

HELD

TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS NISKEY LAKE TRAIL, PARCEL 14F 0029 LL036

07-O-0505 (15) An Ordinance by Councilmembers Jim Maddox and Howard Shook to provide for the Annexation of property known as Niskey Lake Trail, Parcel 14 F0029 LL036, said property being an Unincorporated Island, to the Corporate Limits of the City of Atlanta; to provide notice to the property owners; to provide for the notification of the Department of Community Affairs; and for other purposes.

HELD

TO PROVIDE FOR THE ANNEXATION OF WELCOME ALL ROAD, PARCEL 14F 0037 LL008

07-O-0509 (16) An Ordinance by Councilmembers Jim Maddox and Howard Shook to provide for the Annexation of Welcome All Road, Parcel 14F 0037 LL008, an Unincorporated Island, to the Corporate Limits of the City of Atlanta; to provide notice to the property owners; to provide for the notification of the Department of Community Affairs; and for other purposes.

HELD

TO AUTHORIZE THE DEPARTMENT OF WATERSHED MANAGEMENT TO RE-EMPLOY TERRELL RANDALL, COMPUTER PROCESS CONTROL ENGINEER

07-R-0468 (1) An **Amended** Resolution by Finance/Executive Committee to Authorize the Department of Watershed Management to re-employ Torrell Randall, Computer Process Control Engineer, a Retiree of the City of Atlanta, Department of Watershed Management, under Provisions of Section § 3-505(C) of the Charter of the City of Atlanta, for a period not to exceed 520 business days; all contracted work will be Charged To and Paid From Fund, Account and Center Number 2J01 (Water & Wastewater Revenue Fund) 511001 (Regular Salaries) Q37201 (Technical Services); and for other purposes. **(Finance/Executive Committee Amendment changes "Terrell" to "Torrell" in the Caption and wherever it occurs in the Resolution and Amend the paper to say 520 calendar days and not 520 business days, 3/14/07)**

FAVORABLE AS AMENDED

Chairperson Shook stated that we have an Amendment that changes "Terrell" to "Torrell" in the Caption and wherever it occurs in the Resolution.

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that both will be rehired at the same Grade and Step as to when they left. The work is in essence of what they were doing before they retired. They can work up to 520 business days. Many of our workers started at a very young age. Chairperson Shook asked who is currently performing the duties. Ms. Pierce stated that we have one person doing the work of Mr. Clemons and no one is doing the work of Mr. Randall. Councilmember Maddox stated that we need to have cross training. Chairperson Shook stated that we need to Amend it to say 520 calendar days and not 520 business days. He then asked how many employees are in the 30 plus years. Commissioner Ransom responded around 170. Councilmember Winslow offered a motion to **Approve as Amended, 4 Yeas.**

TO AUTHORIZE THE DEPARTMENT OF WATERSHED MANAGEMENT TO RE-EMPLOY DWIGHT CLEMONS, WATERSHED PLAN OPERATOR, CLASS II

07-R-0469 (2) An **Amended** Resolution by Finance/Executive Committee to Authorize the Department of Watershed Management to re-employ Dwight Clemons, Watershed Plant Operator, Class II, a Retiree of the City of Atlanta, Department of Watershed Management, under Provisions of Section § 3-505(C) of the charter of the City of Atlanta, for a period not to exceed 520 business days; all contracted work will be Charged To and Paid From Fund, Account and Center Number 2J01 (Water & Wastewater Revenue Fund) 511001 (Regular Salaries) Q35001 (Treatment Plant - South River); and for other purposes.

(Finance/Executive Committee Amendment Amend the paper to say 520 calendar days and not 520 business days, 3/14/07)

Councilmember Winslow offered a motion to **Approve as Amended, 4 Years.**

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF CORRECTIONS

07-R-0470 (3) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Corrections, to Amend the Contract Agreement for FC-6006007878, Inmate Food Services, with Trinity Services Group, Inc., for the purpose of increasing the Contract amount for Food Service Preparation, in an amount not to exceed eight hundred thousand dollars (\$800,000.00). All contracted work shall be Charged To and Paid From Fund, Account and Center Number 3P02 (Trust fund) 524001 (Consultant/Professional Services) 111Y04049996 (Jail Fund Administration and Construction); and for other purposes. **(Finance/Executive Committee Substitute clears up language at the bottom page that says the contract twice, 3/14/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Diane Jones: of the Department of Corrections addressed the Committee by stating that this is the need to increase the contract amount for Trinity Food Services. We projected the price based on prior year's figures. Chairperson Shook asked if the increase is driven by more inmates. Ms. Jones responded that it is the increase in arrests and the increase of the ones we take for boarding purposes.

Ms. Pat Smith: of the Department of Corrections addressed the Committee by stating that the revenue is based on \$68 per day per inmate. The revenue goes into the General Fund. It does not go into the Enterprise Fund. The commissary and telephone money goes to the Enterprise Fund. The Substitute clears up typo language at the bottom page that says the contract twice.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

07-R-0471 (4) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et. Seq., of the City of Atlanta Code of Ordinances, utilizing Federal Contract #GS-04P-06-EWC-0048 with the United States General Services Administration, to Authorize Mainstation Inc. D/B/A Carlyle's Corporate Food Service to provide Cafeteria Services at Atlanta City Hall, on behalf of the City of Atlanta Office of General Services; all rental payments to be deposited to Fund, Account and Center Number 1A01 (General Fund) 462311 (Food Drink and Notions) B00001 (Revenue Center); and for other purposes.

FAVORABLE

Mr. Mike Williams: Acting Director of the Office of General Services addressed the Committee by stating that this contract re-establishes food services at City Hall. This is an excellent provider. They are through an Intergovernmental Agreement. We

recommend going forward with this company. We are using a federal contract. The previous provider was through a County contract. By doing it this way we are saving about 6 to 8 months before someone else could come in. Councilmember Maddox stated that the previous company came to the Council and provided us with samples. He then offered a motion to **Approve, 4 Yeas.**

Ms. Perceta Watkins: of the Office of General Services addressed the Committee by stating that the rental cost is \$25 dollars a month. It is a two-year contract with renewal options. Councilmember Maddox asked if the City is required to spend money to meet their operational requirements. Mr. Williams responded that we will maintain the City Hall Cafeteria by providing maintenance. We own most of the equipment and we keep a good inventory. We hope to have the Cafeteria opened on March 26th.

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH CAMPBELL ROOFING FOR FC-3006007975

07-R-0481 (5) A Resolution by Transportation Committee Authorizing the Mayor to enter into an Agreement with Campbell Roofing for FC-3006007975, North Cargo Building Roof Replacement and Repairs, on behalf of the Department of Aviation, in an amount not to exceed two million five hundred seventy eight thousand eight hundred fifty six dollars and no cents (\$2,578,856.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2H21 (Airport Renewal & Extension) 573001 (Facility Buildings) R21001 (Hartsfield Capital Program); and for other purposes.

FAVORABLE

Mr. Mario Diaz: of the Department of Aviation addressed the Committee by stating this contract is to replace a 25-year old roof. There were three bidders. The first 2 were non-responsive. The first company failed to provide a detailed work plan statement. The second company failed to provide a contract schedule. The third company complied with all aspects. The second bidder was \$125,000 more and the third bidder was \$200,000 more. Councilmember Maddox asked if they met the minority requirement. Mr. Diaz responded yes, by 35%. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH AMERICASMART REAL ESTATE, LLC, INC.

07-R-0486 (6) A **Substitute** Resolution by Councilmember Kwanza Hall Authorizing the Mayor to enter into a Lease Agreement with AmericaSmart Real Estate, LLC, Inc. for the rental of 7,760 square feet of office space located at 200 Spring Street, Atlanta, Georgia, for the Department of Police Zone Five Precinct, from the period of March 15, 2007 until January 31, 2017, at a rental rate of \$1.00 per year to be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 525001 (Rentals/Leases Non Capital) X42005 (Zone 5); and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute that corrects the Fund, Account and Center Number. AmericaSmart is also providing the support funding for furnishing. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO EXPAND THE BOUNDARIES OF THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT

07-R-0487 (7) A Resolution by Councilmember Kwanza Hall to expand the boundaries of the Downtown Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act; and for other purposes.

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT(S) WITH _____

07-R-0511 (8) A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Appropriate Contractual Agreement(s) with _____, for FC-6006007921, Lobbying Services for Washington Representative, on behalf of the City of Atlanta, in an amount not to exceed \$_____; all contracted work shall be Charged To and Paid From Fund Account and Center Numbers 2H01 524001 R51008; 2H01 524001 R11008; 1A01 524001 T31001; and for other purposes.

HELD

TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION 2-183

06-O-0787 (1) 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 AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION

06-R-1450 (2) 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 (3) 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 (4) 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 KNOWN AS THE SANDTOWN COMMUNITY

06-O-1924 (5) 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, 12/13/06)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN

06-O-1926 (6) 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, 12/13/06)**

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

Chairperson Shook offered a motion to **File, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 1 WITH JOHNSON CONTROLS, INC.

06-R-2640 (9) A Resolution by Finance/Executive 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, 12/13/06)**

HELD

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

06-O-2700 (10) 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, 12/13/06)**

FAVORABLE AS AMENDED

Chairperson Shook asked where are we with regards to the Council President and Chair of Finance being added to the Compensation Committee?

Ms. Benita Ransom: Commissioner of the Department of Human Resources addressed the Committee by responding that the Committee has to approve it. Chairperson Shook stated that Amendment #1 addresses Amending Article III, Equal Employment Opportunity, Sections 114-51, Policy statement, and 114-52, Equal Employment Opportunity Program for City Departments and Agencies, Subsection (b)(1) to prohibit discrimination race, color, religion, age, disability, sex, sexual orientation, veteran's status and national origin. Commissioner Ransom responded that it applies to marital status and gender. Councilmember Maddox offered a motion to **Approve, 4 Yeas.** Chairperson Shook stated that Amendment #2 is to Amend Article IV, Civil Service, Section 114-76, Definitions. Commissioner Ransom responded that the term is used, but we did not include the definition. Councilmember Maddox offered a motion to **Approve, 4 Yeas.** Chairperson Shook stated that Amendment #3 is to Amend Section 114-79, Civil Service Board Subsections (a) and (b). Commissioner Ransom responded that it provides compensation by the case and not by the day. The money is allocated as a line item in the Department of Human Resources Budget. We are increasing Ad Hoc Hearing Officers from two to three. Councilmember Maddox offered a motion to **Approve, 4 Yeas.** Chairperson Shook stated that Amendment #4 is Section 114-120, Compensation Committee. Councilmember Maddox asked if we should specifically

identify the Designees. Commissioner Ransom responded that it should be another member of Council and not a staff person. Councilmember Maddox stated that it should be Amended to say the President of Council and Chair of Finance. We will strike out Or Designee. He then offered a motion to **Approve as Amended, 4 Yeas**. Chairperson Shook stated that Amendment #5 is to Amend Section 114-127, increase in compensation upon promotion, to shorten the title, and add a Subsection (b). The amount should not exceed 10%. Commissioner Ransom that Managers and Supervisors are the ones who assign the duties. It was not previously included in the paper. Councilmember Winslow offered a motion to **Approve, 4 Yeas**. Chairperson Shook stated Amendment #6 Amends Division 10, Promotions, Section 114-349, Certification and Selection, Subsection (c) to include the following statement: "A credit check shall be conducted if such promotion warrants such action based on job relatedness". Commissioner Ransom responded that it was at the request of the Police Union when someone goes into a position of trust. Councilmember Maddox offered a motion to **Approve, 4 Yeas**. Chairperson Shook stated that Amendment #7 is to Amend Section 114-398, Evaluation. The word "Shall" is a requirement. He then offered a motion to **Approve, 4 Yeas**. He stated Amendment #8 is to Amend Section 114-429, Voluntary Shared Leave Program Subsection (c)(1)(d). He then offered a motion to **Approve, 4 Yeas**. He stated that Amendment #9 is to Amend Section 114-505, meet and confer monthly Sessions. Councilmember Maddox offered a motion to **Approve, 4 Yeas**. Chairperson Shook stated that Amendment #10 is to Amend Division 3, Disciplinary Action, to include Sections 114-526, Statement of Policy, through 114-532, Emergency situation. Commissioner Ransom responded that it should be moved from one Section to another. Councilmember Maddox offered a motion to **Approve, 4 Yeas**. Chairperson Shook stated that Amendment #11 is to Amend Section 114-547, Notice of Appeal, Subsection (a)(1) by deleting the current language and place in lieu thereof. It is a final written notice of the official notice. Councilmember Maddox offered a motion to **Approve, 4 Yeas**. He then offered a motion for the overall paper to **Approve as Amended, 4 Yeas**.

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$8,000,000

07-O-0113 (11) An Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond Proceeds in the amount of \$8,000,000 from the Annual 2007 General Obligation Bonds Issue to fund Various Municipal Projects; and for other purposes. **(Held, 2/28/07)**

HELD

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

07-O-0138 (12) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO PAY ALL OUTSTANDING INVOICES TO KISSBERG CONSTRUCTION COMPANY, INC.

07-R-0307 (13) A Resolution by Finance/Executive Committee Authorizing the Chief Financial Officer, on behalf of the Department of Planning and Community Development, to pay all outstanding invoices to Kissberg Construction Company, Inc., for Demolition Services provided at various properties, in an amount of fifty six thousand six hundred dollars (\$56,600.00). All contracted work shall be Charged To and Paid From Fund, Account, and Center Number:

1B01 529002 Y43P0931A26A; and for other purposes. **(Held, 2/28/07)**

FILE

Chairperson Shook offered a motion to **File, 4 Yeas.**

TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRM OF MURRAY BARNES FINISTER LLP

07-R-0381 (14) A **Substitute** Resolution by Finance/Executive Committee Authorizing the City Attorney to execute a Retainer Agreement with the Law Firm of Murray Barnes Finister LLP to serve as Bond Counsel to the City of Atlanta in connection with the Issuance of Westside Tax Allocation Revenue Bonds, Series 2007; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered in an amount not to exceed \$60,000.00 plus expenses pursuant to said Retainer Agreement; and for other purposes. **(Held, 2/28/07; (Finance/Executive Committee Substitute changes the cost from \$70,000.00 to \$60,000.00, 3/14/07)**

FAVORABLE ON SUBSTITUTE

Ms. Melanie Wallace: Senior City Attorney addressed the Committee by stating that this paper gives authority to the City Attorney to hire Bond Council for the Westside TAD. There are two Resolve Clauses. One allows the CFO to make payments in the amount of \$60,000.00. Chairperson Shook asked when will we move forward. CFO Davis responded that we won't be moving forward until there is some resolution with the Beltline. Chairperson Shook offered a motion to **Approve on Substitute, 4 Yeas.**

ITEMS NOT ON AGENDA

TO APPROVE THE ADMINISTRATIVE REALLOCATION OF AMOUNTS ERRONEOUSLY DEPOSITED INTO THE SPECIAL FUND

07-R-0518 (1) A Resolution by Finance/Executive Committee Approving the Administrative Reallocation of amounts erroneously deposited into the Special Fund established for the City of Atlanta Tax Allocation District Number Five – Eastside (the “Eastside TAD”) to the Special Funds established for the City of Atlanta Westside Tax Allocation Bond District Number 1, as amended – Atlanta/Westside (the “Westside TAD”), the City of Atlanta Tax Allocation District Number 2 – Atlantic Steel (the “Atlantic Station TAD”) and the City of Atlanta Tax Allocation District Number 6 – Beltline (the “Beltline TAD”) for the purpose of properly funding each such enumerated Special Fund in the amounts required under the Redevelopment Powers Law; approving certain administrative actions to be taken by the Department of Finance and the Atlanta Development Authority in connection therewith; and for other purposes.

FAVORABLE

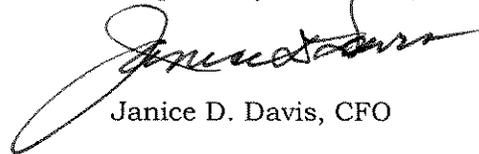
Mr. Ken Nabors: of the Atlanta Workforce Development Authority stated that in connection with the financial monitoring of the TADS we determined in 2005 that around \$8 million dollars for several parcels were erroneously put in the Eastside TADS. By putting them in the wrong parcels, it affected the growth rates. That caused around \$4.3 million dollars to be put in Access Reserves. Our determination is that the Westside TADS was underfunded by \$1.1 million dollars. We want to use the City's

share to fund Atlantic Station, Beltline and Westside TADS. We are rightsizing the funds. Councilmember Muller stated that we should fund infrastructure. Do we have an opportunity for all the TADS to Amend that? CFO Davis responded that we are discussing accommodating infrastructure within subsequent Bonds. We are moving to 60% for the developer, 20% for the management group and the remaining 20% for the Westside TAD infrastructure. We haven't come to a decision yet. Councilmember Muller asked do we have the opportunity to do it now. CFO Davis responded that these are General Fund dollars so we can't move TAD dollars. There is a need in the Beltline because of the delay to pay certain costs because of the lawsuit. There was an overfunding of the Westside TAD because of the overfunding of the Eastside TAD. This is a policy decision. Councilmember Muller stated that we have \$8 million dollars that is overfunded and we pay \$4.5 million dollars back to the Tax Commissioner. What are we doing with the remainder? Mr. Nabors responded that 19% relates to the City's increment. That leaves around \$821,000 to deal with. Our recommendation is to put \$26,000 in the Atlantic Station TAD. Of the \$1 million dollars, the City's share is \$215,000 and the remainder will go into the Beltline TAD Special Fund. This is to get all of our Special Funds properly allocated. Chairperson Shook asked what mistake was committed. Mr. Nabors responded that in 2005 we included 12 parcels in the Eastside TAD and 2 of them did not belong in there. That commits erroneous and false increments and it affected our growth rate. We have reserved the money to address the growth rate. Chairperson Shook asked if there are others. Mr. Nabors responded that this is everything we know of. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,



Janice D. Davis, CFO

Charlene Parker
Recording Secretary

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