

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, June 13, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair  
Councilmember Jim Maddox  
Councilmember Clair Muller  
Councilmember Felicia A. Moore  
Councilmember Clela Winslow

Janice D. Davis, CFO  
Departmental Staff

RECEIVED

JUN 27 2007 *Per*

**Absent:** Councilmember Kwanza Hall

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

The Agenda was adopted as printed with the addition of two new Resolutions (07-R-1249 and 07-R-1250). Both of them contemplate State Contracts for Oracle purchases. The reason for the time sensitivity is that Grant money is the funding source and it goes away if it is not utilized. Councilmember Moore asked why the paper is coming in the Committee instead of due process. Councilmember Maddox stated that he agrees that if it is matching money, we don't have a choice.

**Ms. Alice Wakefield:** Director of the Bureau of Planning addressed the Committee by responding that it took quite a while to get the specifications together. We discovered that the funds would be lost if we waited until June 27<sup>th</sup> to do it. These are General Fund dollars. It is not a match, but a straight fund purchase. We were advised that we would lose the money if it was not appropriated. CFO Davis added that the money is not preserved if you commit them. You will have an appropriation that will not be carried forward. It does not mean that it is encumbered. Ms. Wakefield stated that it is to purchase the hardware and soft ware. We have funds to move it forward. Councilmember Moore asked what will go away. Ms. Wakefield responded that if the funds are not approved by Council, they will be gone by July 2<sup>nd</sup>. CFO Davis added that even if it is encumbered from this Budget, you would have to use 2008 funds to pay for it. There are no appropriations going forward. It does not mean that the Budget will be moved forward. You could use your 2008 Budget money to purchase it. Councilmember Moore stated that in the Resolved Clause, it is under the 2007 Budget. CFO Davis responded that at this point it does not matter. It will be paid for out of the 2008 funds. We are not rolling dollars. We will roll the obligation, but not the fund dollars. Ms. Wakefield stated that there is not enough funding for the 2008 funding. CFO Davis responded that it was brought to her attention that Planning already have the invoices, so they can be paid.

Continuing, Councilmember Moore asked what is the City's Future Sustainability Initiative? CFO Davis responded that we have not funded anything. Ms. Dickerson added that it is not under the City. Minutes of the May 30, 2007 Regular Finance/Executive Committee and the minutes from the Budget Commission were adopted.

### **DISCUSSION ITEMS**

#### **UPDATE OF THE CREDIT CARD INVESTIGATION**

**Mr. Jeffrey Norman:** Senior City Attorney addressed the Committee by stating that there was an addendum report that went out in April of this year. We completed the investigation earlier this year. The Mayor asked us to follow up and identify any other clarity and recovery of any charges as well as accountability. There were charges in the January report that included personal charges. There were also charges with the former Office Manager of \$3,658.89, of which \$294.62 was paid. After the investigation

was closed the Law Department recovered \$1,918.41 by the former employee by voluntary means. One of the items included was unaccounted computer equipment for \$1,409.09. After the conclusion, the vendor provided the vendor number and it turned out to be a projector that was in the City's possession in the Department of Information Technology. This left the remainder amount of \$331.39 that was disputed by the former employee. It was relative to something binding. The complete absence of documentation does not explain that it was a personal item. Pursuant to our protocol, it was one of the matters that was reported to the Fulton County District Attorney's Office for review back in January. We have not had any response from him. We have inquired, but there was not any criminal action taken and he has not heard any determination. Councilmember Moore asked about the other charges. Senior City Attorney Norman responded that there were allegations that referred to Sam's Club and there is some uncertainty on their side. Presently, we have not heard from Sam's Club. They have not been responsive to collections. The account was a closed account. There were allegations attributed from the City. When we contacted them they asked for documentation. Sam's Club has not communicated to us that there is anything to review. Councilmember Moore asked prior to the investigation, was there a bill that we owed them money. Senior City Attorney Norman responded that we received a communication from a third party. The only amount that shows that has not been paid was the \$331.39. It was higher because we included the computer amount and there is a legitimate excuse for it. The biggest absence was that there was not any documentation. The next category is for the Chief of Staff of \$324.00 for the Studio Grille Restaurant. We found documentation that the charge was made by the former Office Manager for food and it was City business. That was the only recollection from the Chief of Staff that he did not recall. Councilmember Moore asked if there was any Personnel Action? Senior City Attorney Norman responded that this is the reference to our follow up and shows that we pursued the matter. We received information after the investigation. Councilmember Moore asked what response did you get back from the Mayor. Senior City Attorney Norman responded that based on our findings, there was no action taken. Councilmember Moore asked what is the difference in this information and what has been forwarded to the District Attorney. Senior City Attorney Norman responded that we forwarded all of the information and he is reviewing it. They will make the determination. The next category is under the Chief Operating Officer of \$710.90 for undocumented expenditure. There was \$188.90 charged to Dicks Clothing and Sporting Goods. We provided information that it was attributed to equipment for the softball team. The same is true for a \$285.00 charge to Universal Sporting Goods on behalf of the Mayor's softball team. There was a charge of \$237.00 for Hatitude, Inc., but there was no further documentation, so it did not change from the first report. Councilmember Moore stated that it seems that the only unquestionable charges were \$710.90. Senior City Attorney Norman responded that these are the only charges. Councilmember Moore asked if she repaid the money for personal use. Senior City Attorney Norman responded yes. The \$70.50 was the one identified as the personal item. That was what we were asked to follow up on. Councilmember Moore asked for the beginning amount. Senior City Attorney Norman responded that the charges were more than \$710.90. The other charges were relative to City business. \$237.00 for Hatitude is the only unexplained expense. Lastly, the card of the Mayor for \$1,571.00 to Texaco was a situation where they could not provide information relative to that expense. His explanation was that the Mayor accepted the recommendation from the Auditor's Office. Councilmember Moore stated that the Ethic's Office is looking into this as well. Are you finished? Senior City Attorney Norman responded yes. It also depends on the recommendation from Sam's Club in the future. Chairperson Shook reminded Councilmembers that the dollars on the credit card was addressed to conferences, etc. He then asked for the total of interest and late fees. CFO Davis added that she remembers the costs being \$16,000 or more. Councilmember Moore asked when the repayment was made did it include late charges or interests. Senior City Attorney Norman responded no, he does not recollect any. Councilmember Maddox asked was there any legal violations. Senior City Attorney Norman responded that we have not made any further determination. We were left with two charges and could not validate them. CFO Davis added that the report from the Internal Auditor shows that the City paid \$16,360.00 in finance charges. Councilmember Maddox asked if the

Department of Law looks at rules and regulations. Senior City Attorney Norman responded that there are ethical implications and they will do an independent investigation. They will receive a copy of our report as well.

### **UPDATE ON INSTALLATION OF NEW CREDIT CARD PROGRAM**

CFO Davis stated that in December, 2006, the Internal Auditor issued a Performance Audit Report on the City's Credit Card Program. The report included 5 recommendations, 1) change to an account more appropriate for the City's needs, 2) implement management controls over the account, 3) define roles and provide guidance to cardholders, 4) ensure that procurement and travel regulations are followed and 5) ensure timely payment of the account. Four of the recommendations have been accepted and implemented. The Program presented in 07-R-1086 is intended to implement the remaining recommendation. The Program makes use of the existing State of Georgia contract with Bank of America. Legislation 07-R-1086 authorizes a Cooperative Purchasing Agreement. The initial Program will be limited to travel and training expenses. Cards will be administered by the Finance Department's Quality Control Unit. Issuance of cards will be tightly controlled and card activity will be closely monitored to detect policy violations. The Program benefits will provide a method for employees to travel on City business, reduce administrative burden related to City travel and include rebates and incentives. There will be security features and Program controls that include flexible authorization parameters - no liability for fraudulent transactions, Bank of America Fraud Detection System and Liability Insurance from Visa/Master Card. We decided that we needed to give employees who travel on City business something instead of using their own credit cards. There are ways to block other purchases. It is monitored by the Quality Control Division. Some of the features of the card were flexible parameters. There are certain codes that can be blocked. Bank of America has fraud protection. We need authorization to finalize and customize the cards to our needs. The employee who will manage the card will come on next Tuesday. Councilmember Moore asked how much is the position worth? CFO Davis responded that she is not sure, but the person reports to her. Councilmember Moore stated that she is giving a card to people who have misused one already. Could you just ask for the money in advance or get reimbursement? Who will get the cards? CFO Davis responded that the Commissioners would determine who would get the cards and the needs for the cards. We currently have seven cards and will soon have 40 or 50. Our intention is to match the authorization for travel. We understand that the ones with the most authority have much more reason to abuse it. It is easier for us to do it. Councilmember Moore asked why not hire one person who has authorization to use a credit card in one central location. CFO Davis responded that we could do that and we are looking at broader use. We can expedite other purchases. Chairperson Shook asked if we have assessed any penalties or late fees. CFO Davis responded that we have a person that goes on line and find out when payment is due and sends out e-mails and we are processing them all. This is not a Government card, but an interim arrangement. This is the same card that the State issues. Chairperson Shook asked about reinventing the Program instead of giving out more cards. CFO Davis responded that reimbursements provide problems for employees with income limits. Councilmember Moore stated that person could have the authorization to use the card for other employees. CFO Davis responded that it is a good alternative and worthy of some consideration. Chairperson Shook stated that this needs more discussion. He wants to Hold this longer. Councilmember Maddox stated that he agrees that there needs to be more study. He does not have a problem with reimbursements. He is concerned about giving out so many credit cards.

**Mr. Dave Walker:** addressed the Committee by stating that there is corruption in the City. This Administration is supposed to be based on integrity. This is not going to work. There were violations with the first set of credit cards and nothing is being done. These indictments are ridiculous. Is anybody going to jail? Is there equal justice for everybody?

**Mr. Carey Duncan:** addressed the Committee by stating that the City should operate like a business. You should take the credit cards, put them in a plastic bag and freeze them. There should be people put in jail. Integrity begins with each individual. He suggested that the new position should be given to him. The voters are watching and we are outraged with how our monies are spent. Councilmember Moore stated that Senior City Attorney Norman has done his job and the District Attorney will do his job. The public needs to contact Mr. Paul Howard.

**CONSENT AGENDA**

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

07-O-1218 (1) An Ordinance by Finance/Executive Committee Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize a month-to-month contract with Millennium Parking Management, a Joint Venture, for up to nine (9) months, for parking management and fee collection for the parking lot located at 143 Alabama Street; all fees collected shall be deposited to Fund, Account and Center Number 1A01 (General Fund) 422203 (Permits, Commercial Parking) B00001 (Revenue Center); and for other purposes.

**FAVORABLE ON FIRST READ**  
**TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

07-O-1219 (2) 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 authorize the Mayor to execute a Lease Agreement with McCall Realty, LLC, for parking spaces located at 197-209 Forsyth Street, S.W., Atlanta, Georgia, on behalf of the Office of General Services, effective as of the date this Ordinance is adopted and ending on August 31, 2009, at a rate of two thousand dollars and no cents (\$2,000.00) per month to be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 525001 (Rental Leases - Non Capital) D45102 (City Hall Complex); and for other purposes.

**FAVORABLE ON FIRST READ**  
**TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

07-O-1220 (3) 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, on a month-to-month basis to obtain continued services for the Office of General Services under an expired contract with Millennium Parking Management, a Joint Venture, for up to nine (9) months, for parking management and fee collection for the parking lot at 818 Pollard Street; all fees collected shall be deposited to Fund Account and Center Number 1A01 (General Fund) 422203 (Permits, Commercial Parking) B00001 (Revenue Center); and for other purposes.

**FAVORABLE ON FIRST READ**

**TO WAIVE THE CITY OF ATLANTA CODE OF ORDINANCES**

- 07-O-1221 (4) An Ordinance by Finance/Executive Committee waiving the City of Atlanta Code of Ordinances, Sections 2-1575 and 2-1485, and to permit the City of Atlanta, through the Aviation General Manager, to pay brokerage or service fees of five percent (5%) of the appraised value, or thirteen thousand and seventy five dollars and no cents (\$13,075.00), resulting from the sale of 4.03 acres of vacant land to the Atlanta Economic Renaissance Corporation; in the amount of two hundred and sixty one thousand and five hundred dollars and no cents (\$261,500.00); approved under Ordinance 06-O-2656 for the purpose of economic development and the creation of new jobs in furtherance of the Mayor's New Century Economic Development Plan; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE SALE OF APPROXIMATELY 162.835 ACRES OF LAND TO PAULDING COUNTY, GEORGIA**

- 07-O-1224 (5) An Ordinance by Finance/Executive Committee Authorizing the sale of approximately 162.835 acres of land to Paulding County, Georgia, for the appraised value of eight hundred fifteen thousand dollars and no cents (\$815,000.00), located in the Paulding County Forest at the West Periphery of the proposed Paulding County Airport in District 19, Land Lots 303, 304, 327 and 374 in Paulding County, Georgia; Authorizing the Mayor to execute on behalf of the City of Atlanta one or more Quitclaim Deeds and other necessary instruments required to consummate this transaction; Authorizing the City Attorney to take all necessary steps on behalf of the City of Atlanta required to close the sale; Authorizing the City of Atlanta to waive Section 2-1572 of Article X, Procurement and Real Estate Code of Ordinances; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR AGENDA**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE**

- 07-O-1087 (1) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to allow the City to impose a convenience fee in the amount of four dollars and fifty cents (\$4.50) on credit cards users, on-line payment users, electronic check users, submitting payments for Water and Wastewater City Services, to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into Fund, Account and Center Number 2J01 (Water and Wastewater Revenue Fund) 641307 (Credit Card) B00001 (Convenience Fee); and for other purposes.

**HELD FOR PUBLIC HEARING**

Chairperson Shook stated that this has to have a Public Hearing and has to go to the NPU's. Mr. Stokes responded that the Public Hearing will be set on tomorrow.

**TO AMEND THE 2007 BUDGET ON THE WESTSIDE TAD FUND**

07-O-1089 (2) An Ordinance by Finance/Executive Committee to Amend the 2007 Budget on the Westside TAD Fund (1B09); and for other purposes.

**FAVORABLE**

CFO Davis stated that these funds were deposited into a Special Reserve Fund. The Reserve Fund is no longer needed. There is \$2 million dollars that is available and can be used for the Westside TAD. We want to move the money into the Public Works Department to be used for Capital Improvement. There have been discussions and we asked them to come up with a list. It has to be dedicated to Capital Projects only. We have made it known that the City's interest for Capital needs and infrastructure for the Projects. Councilmember Maddox asked if the projects come back to Council. CFO Davis responded yes. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2007 (2004 WATER AND WASTEWATER BOND FUND) BUDGET**

07-O-1208 (3) An Ordinance by Councilmember Carla Smith **as Substituted by Finance/Executive Committee (1), 6/13/07** Authorizing the Chief Financial Officer to Amend the FY 2007 (2004 Water and Wastewater Bond Fund) 2J28 Budget in the amount of one hundred thirty seven million seven hundred thirty eight thousand one hundred sixty five dollars and 33/100 dollars (\$137,738,165.33) to transfer funds from Project Cost Centers to the Reserve For Appropriations (2J28 791001 T11001) by transferring funds that the Reserve For Appropriations (2J28 791101 T11001) to Various Project Cost Centers; and for other purposes. **(Finance/Executive Committee Substitute changes the amount and adds the Fund and Title Name, 6/13/07)**

**FAVORABLE ON SUBSTITUTE**

**Ms. Dana Boone:** Chief of Debt and Investment addressed the Committee by stating that the Substitute makes small changes to suit the financial requirements such as the Fund, Account and Center Numbers and dollar amounts. The motivation for the paper has nothing to do with the Projects. We were looking at Watershed old Bond Proceeds. We wanted to use it to reduce any future arbitrage payments and debt service. We wanted to spend some of the oldest money down first. We identified the project and it allowed flexibility to spend money. The Projects have no changes, just the shifting of funding sources. Chairperson Shook stated that all three papers equal up to \$2 million dollars. Is there flexibility to take the left over money and apply it to communities that were ripped up during construction? Councilmember Moore stated that there is \$3.5 million dollars set aside for R.M. Clayton improvements and study. She wants to make sure it is where it needs to be. Ms. Boone responded that it has not been spent.

**Mr. George Barnes:** Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that we want to get started this year on the R.M. Clayton Project. Councilmember Moore stated that she is not sure if it is under Bond Funds or not. Mr. Barnes responded that it is not on this list, it is still there. CFO Davis added that we are not moving the Projects, but just spending the old money. Ms. Boone added that we have attached a list. No projects were taken off the list. As the projects come up, we will identify the funding source. CFO Davis stated that we are taking the old money and applying it to Projects that are ready to move right now and using the new money for newer projects. Some of the Projects may not start until two or three years from now. Councilmember Winslow asked for information regarding District 4, especially Greensberry, Harris Homes and McDaniel Street. She then offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2007 (2001 WATER AND WASTEWATER BOND FUND) BUDGET**

07-O-1209 (4) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the FY 2007 (2001 Water and Wastewater Bond Fund) 2J27 Budget in the amount of forty nine million four hundred forty three thousand four hundred seventy six dollars and 07/100 cents (\$49,443,476.07) to transfer funds remaining from completed, realigned, postponed or discontinued projects to the Reserve For Appropriations (2J27 791001 T11001) and to further amend the FY2007 (2001 Water and Wastewater Bond Fund) Budget in the amount of sixty two million two hundred six thousand eight hundred five dollars and 46/100 cents (\$62,206,805.46) by transferring funds from the Reserve For Appropriations (2J27 791001 T11001) to various Projects Cost Centers; and to amend the FY2007 (Water and Wastewater Renewal and Extension Fund) 2J21 Budget in the amount of sixty two million two hundred six thousand eight hundred five dollars and 46/100 cents (\$62,206,805.46) to transfer funds from Various Cost Center Appropriations to Debt Service Cost Centers and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Numbers and adds the name and title of Account, 6/13/07)**

**FAVORABLE ON SUBSTITUTE**

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

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2007 (1999 WATER AND WASTEWATER BOND FUND) BUDGET**

07-O-1210 (5) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to Amend the FY2007 (1999 Water and Wastewater Bond Fund) 2J26 Budget in the amount of eleven million seven hundred seventy six thousand five hundred eight dollars and 16/100 cents (\$11,776,508.16) to transfer funds remaining from completed, realigned, or discontinued Projects to the Reserve For Appropriations (2J26 791001 T11001); to amend the FY2007 (1999 Water and Wastewater Bond Fund) Budget in the amount of sixty two million four hundred sixty eight thousand nine hundred eighty three dollars and 09/100 cents (\$62,468,983.09) by transferring funds from the Reserve For Appropriations (2J26 791001 T11001) to various Project Cost Centers; and to amend the FY2007 (Water and Wastewater Renewal and Extension Fund) 2J21 Budget in the amount of sixty two million four hundred sixty eight thousand nine hundred eighty three dollars and 09/100 cents (\$62,468,983.09) to transfer funds from Various Cost Center Appropriations to Debt Service Cost Centers; and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Numbers and adds the name and title of Account, 6/13/07)**

**FAVORABLE ON SUBSTITUTE**

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

**TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$23,500,000.00**

07-O-1233 (6)

A **Substitute** Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond Proceeds in the amount of \$22,555,333.75 from the Atlanta Fulton County Recreation Authority Bond Series 2007 A&B Issue to fund various projects; and for other purposes. **(Finance/Executive Committee Substitute changes the amount to \$22,555,333.75, 6/13/07)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Shah Al-Mamun:** addressed the Committee by stating that this paper appropriates the 2007 Bond money for Zoo Bonds. There is a list attached. Councilmember Muller asked how this is different from the first paper. Mr. Al-Mamun responded that the first paper was a Dummy Paper. The Substitute includes the final numbers. Councilmember Moore offered a motion to **Approve on Substitute, 5 Yeas.**

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

07-O-1241 (7)

An Ordinance by Councilmember Howard Shook as **Substituted by Finance/Executive Committee (1), 6/13/07** 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 Authorize the Chief Financial Officer to remit payment for all outstanding invoices to Cameron and Associates, Inc., in an amount not to exceed fifteen thousand dollars and no cents (\$15,000.00), for the Employee Assistance Program; to execute Renewal Agreement with Cameron and Associates, Inc., for FC-7264-00, Employee Assistance Program, on behalf of the Department of Human Resources, in an amount not to exceed one hundred ninety five thousand dollars and no cents (\$195,000.00); all expenses shall be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 524001 (Consultant/ Professional/Services) V13001 (Psychological Services); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number and the Account Title Name, Finance/Executive Committee Amendment in the 8<sup>th</sup> and 9<sup>th</sup> line of the caption delete the words "Renewal" and "No. 2" and insert the work "an" after the work "executive, in the 3<sup>rd</sup> line of the 6<sup>th</sup> Whereas Clause delete the words "Renewal" and "No. 2" and insert the word "an" before the word "Agreement", in the 1<sup>st</sup> line of Section 2 delete the words "Renewal" and "No. 2" and insert the word "an" after the word "execute", in the 2<sup>nd</sup> line of Section 2 insert the phrase "pursuant to the terms and conditions of the Agreement authorized under Resolution 00-R-1951" after the word "Program", 6/13/07)**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

**Ms. Sherry Dickerson:** of the Department of Human Resources addressed the Committee by stating that Cameron and Associates does the psychological testing for Public Safety employees.

**Mr. Dave Chapman:** Deputy Chief Procurement Officer addressed the Committee by stating that the contract was solicited in 2001 for a five-year term and two one-year renewals. We could not find a copy of the executed renewal agreement. Legislative

Counsel asked us to do Legislation for the second renewal and the outstanding balance. The \$15,000.00 is the balance owed and the renewal is \$195,000.00. The initial renewal was a draft and this is the final year and we will re-solicit. Councilmember Moore asked if there was consultation with the Clerk's Office. At some point there is some record. She then offered a condition of some response from the Clerk's Office to determine if there was Legislation.

**Mr. Larry Stokes:** Policy and Research Analyst addressed the Committee by stating that he has checked and there was none. Councilmember Moore stated that we are trying to cure something that did not happen. The Law Department needs to look at this. Ms. Dickerson responded that the Law Department drafted the Ordinance. Councilmember Moore stated that her problem is that it appears that it needs to authorize one and two renewals. You can't authorize the second renewal without authorizing the first renewal. Councilmember Moore stated that it needs to be drafted saying that there was no record of renewal number one. The Substitute corrects the Fund, Account and Center Number and the name and title of the account. Ms. Dickerson responded that the original contract had a five-year term and renewal #1. The Department of Human Resources was operating under what we thought was Renewal #1. Everything after was in order. The contract had expired before we were operating under the Renewal. The first Renewal would have been \$195,000. The original amount was \$225,000 and because of Budget issues they reduced it to \$195,000. We were operating under what we thought was Renewal #1. They started work in 2001.

**Ms. Angela Hinton:** Senior City Attorney addressed the Committee by stating that it needs a new contract because you can't renew what was not renewed. Councilmember Moore stated that Section 1 stated that you are ratifying a new renewal. When did the contract expire? Assistant City Attorney Hinton responded that it expired April 2006. Councilmember Moore asked when was the 1<sup>st</sup> Renewal supposed to be executed? Ms. Dickerson responded in April 2006. We were not knowingly operating under an expired contract. Councilmember Moore asked how could we keep this from happening again. Senior City Attorney Hinton responded that to fix the current situation in Section 1 acknowledges that work was done. Section 2 we will be changed to execute an Agreement. We will strike Renewal Agreement #2 and insert pursuant to the terms and conditions of the Agreement for the FC number and in an amount not to exceed. Councilmember Maddox offered a motion to **Approve on Substitute as Amended, 5 Yeas.**

**TO AUTHORIZE THE MAYOR AND THE CHIEF FINANCIAL OFFICER TO SUPERVISE THE EXPENDITURE OF FUNDS AND ASSURE THE CLOSE OUT OF FISCAL YEAR 2007**

07-O-1243 (8) An Ordinance by Councilmember Howard Shook Authorizing the Mayor and the Chief Financial Officer to supervise the expenditure of funds and assure the Close Out of Fiscal Year 2007; and for other purposes.

**FAVORABLE**

CFO Davis stated that this is our annual clean up Ordinance for adjustments for the CAPFR. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

**TO INCREASE THE COMPENSATION TO ATLANTA GATEWAY DESIGNERS**

07-R-1113 (1) A Resolution by Finance/Executive Committee increasing the compensation to Atlanta Gateway Designers, a Joint Venture between Gresham, Smith & Partners and Duckett Design Group, for FC-7369-01C, Architectural and Engineering Major support Services, for work associated with work authorization #4, in an amount not to exceed one million three hundred fifty thousand

dollars and no cents (\$1,350,000.00) for Design and Construction Administration Services associated with the Concourse E 100% Hold Baggage Screening Project at Hartsfield-Jackson Atlanta International Airport; all contracted work shall be Charged To and Paid From Fund, Account and Center Numbers 2H31 574001 R21E012093CN (\$1,012,500.00) and 2H26 574001 R21E012096AA (\$337,500.00); and for other purposes. **(Referred from the Transportation Committee, 5/30/07); (Finance/Executive Committee Substitute adds the Fund, Account and Center Number Account Name, 6/13/07)**

**FAVORABLE AS AMENDED**

**Mr. Mario Diaz:** of the Department of Aviation addressed the Committee by stating this authorizes a contract to Gateway Designers for Concourse E. The North and South Terminal was completed. It was found that the work was insufficient. The electrical powers had to be upgraded. There will be another year on these projects. The existing baggage handlers had to be taken out and this contract is for \$1.3 million dollars. Chairperson Shook asked if this is a Change Order that was not appropriately done. Is it a separate procurement item? Councilmember Muller asked if Atlanta Gateway Designers were on call as one of the annual contractors. Does this come before or after the redesign? Mr. Diaz responded before the design. They have been on the project from the beginning. This is their participation for the final phase of Concourse E. Councilmember Moore asked what is the Account Name? Mr. Diaz responded that it is the Airport PFC Bond Funds and the Airport Facilities Other Than Buildings and Airport PFC. Councilmember Moore stated that there are only two listed. CFO Davis responded that there should be amended Legislation.

**Mr. Frank Rutledge:** Director of Engineering of the Department of Aviation addressed the Committee by stating that this company has been involved since the beginning. They do design reviews for the consultants and support the construction manager. We do the administrative work was well. We are currently doing a 191 level. Concourse E is a \$30 million dollar facility. Councilmember Moore offered a motion to **Approve as Amended, 5 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO TRANSFER ALL FUTURE FUNDS**

07-R-1216 (2) A Resolution by Finance/Executive Committee Authorizing the Chief Financial Officer to transfer all future funds from generated by cellular tower leases to 3P02 462101 Q11W02CBQNA0 to assist low income customers on behalf of the Department of Watershed Management; and for other purposes.

**FILE**

Chairperson Shook offered a motion to **File, 5 Yeas.**

**TO AUTHORIZE THE MAYOR OF THE CITY OF ATLANTA TO ACCEPT WARRANTY DEED FOR THE COVENTRY STREET RIGHT-OF-WAY**

07-R-1237 (3) A Resolution by Councilmembers Carla Smith and Jim Maddox Authorizing the Mayor of the City of Atlanta to accept Warranty Deed for the Coventry Street right-of-way; and for other purposes.

**FAVORABLE**

Chairperson Shook offered a motion to **Approve, 5 Yeas.**

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

- 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**

- 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 AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA**

- 07-O-0138 (8) 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 PROVIDE FOR THE ANNEXATION OF THOSE PORTIONS OF PROPERTIES WITHIN UNINCORPORATED FULTON COUNTY**

- 07-O-0492 (9) An **Amended** 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, 3/14/07); (Finance/Executive Committee Amendment reflects the correct parcel number associated with 4520 East Brookhaven Drive as 17 0013002042, 6/13/07)**

**FAVORABLE AS AMENDED**

Councilmember Moore asked what is an Unincorporated Island? Senior City Attorney Andrews responded when three sides of the City of Atlanta is adjacent to Unincorporated property. Councilmember Moore asked what is the status of properties to be Annexed. Senior City Attorney Andrews responded anything on the Southside. In September there will be the Referendum. Councilmember Maddox offered a motion to **Approve as Amended, 5 Yeas.**

**TO PROVIDE FOR THE ANNEXATION OF WELCOME ALL ROAD**

07-O-0500 (10) 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, 3/14/07)**

**FAVORABLE**

**Ms. Angela Jones:** addressed the Committee by stating that the property owner is in full agreement with the Annexation. Chairperson Shook stated that the Zoning Committee supported the Legislation and voted to approve the Comprehensive Plan. All three will go to the Council on Monday. Councilmember Maddox offered a motion to **Approve, 5 Yeas.** Councilmember Moore asked what is different now with the State Law? Senior City Attorney Andrews responded that these are under a different set of Codes. Councilmember Moore asked if we could see a new map of the City of Atlanta with all of the Annexations. Senior City Attorney Andrews responded that he would provide it.

**TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS KIMBERLY ROAD**

07-O-0504 (11) 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, 3/14/07)**

**FAVORABLE**

**TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS NISKEY LAKE TRAIL**

07-O-0505 (12) An Ordinance by Councilmembers Jim Maddox and Howard Shook to provide for the Annexation of property known as Niskey Lake Trail, Parcel 14F0029 LI036, 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, 3/14/07)**

**FAVORABLE**

**TO PROVIDE FOR THE ANNEXATION OF WELCOME ALL ROAD**

07-O-0509 (13) 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, 3/14/07)**

**FAVORABLE**

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

07-O-0622 (14) An Ordinance by Councilmembers Anne Fauver and Carla Smith 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 maximize efficiency in purchasing systems furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held, 3/28/07)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 30331**

07-O-0623 (15) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14<sup>th</sup> District of Fulton County 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, 3/28/07)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION**

07-O-0624 (16) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY**

07-O-0968 (17) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive 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. **(Held, 5/16/07)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE HUNTINGTON COMMUNITY (POMPEY DRIVE/OLD FAIRBURN ROAD)**

07-O-0969 (18) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07)**

**HELD**

**TO AMEND ARTICLE V. CLASSIFICATION PLAN, SECTION 114-477**

07-O-0974 (19) An Ordinance by Councilmember C.T. Martin to Amend Article V. Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create two hundred fifteen (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07)**

**HELD**

**TO AMEND CHAPTER 110, ARTICLE 1, SECTION 110-3 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

07-O-1007 (20) An Ordinance by Councilmembers Kwanza Hall and Jim Maddox Amending Chapter 110, Article 1, Section 110-3 of the Code of Ordinances of the City of Atlanta, Georgia which sets forth the Fee Schedule for City of Atlanta's Recreation Centers, by adding a new Subsection 110-3 (a) (9), entitled "Neighborhood Service Centers Room Rental Fees", for purpose of creating a room rental fee schedule for Georgia Hill, John C. Birdine, and Dunbar Neighborhood Service Centers administered by the Department of Parks, Recreation, and Cultural Affairs; to create a refundable room deposit fee; to establish that half of all funds generated by such fees shall be deposited into Fund Account Number: 1A01 (General Fund) 462201 (Building Rental) B00001 (Revenue Center), and that half of the Funds generated by such fees shall be deposited into 3P02 (Trust Fund) 462201 (Deposits Building Rental) N13W02119999 (Georgia Hill Neighborhood Center); 3P02 (Trust fund) 462201 (Deposits Building Rental) N13W02129999 (John C. Birdine Center); and 3P02 (Trust Fund) 462201 (Deposits building Rental) N13W02789999 (Dunbar Neighborhood Center); all revenues generated by the Refundable Room Deposit Fee at each Neighborhood Service Center shall be deposited into 1A01 (General Fund) 462201 (Building Rental) B00001 (Revenue Center) and expended from 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund-Wide Expenses); and for other purposes. **(Held for NPU Notification Public Hearing, 5/16/07)**

**HELD**

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

07-R-1086 (21) 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 State of Georgia Contract #SWC50755 with Bank of America, N.A., on behalf of the Department of Finance, for the use of Bank of America Visa purchasing cards and associated services; and for other purposes. **(Held, 5/30/07)**

**HELD**

**ITEMS NOT ON AGENDA**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO EXECUTE A COOPERATIVE PURCHASING AGREEMENT**

07-R-1249 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Planning and Community Development, to execute a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601, et. Seq. of the Code of Ordinances of the City of Atlanta, Georgia utilizing State of Georgia Contract Number GS-35F-0009T, with Oracle USA, Inc., for the purchase of three (3) Oracle Database Enterprise Edition-Processor License and three (3) Software Update License and Support, in an amount not to exceed eighty five thousand nine hundred seventy six dollars and eighty three cents (\$85,976.83). All contracted work shall be Charged To and Paid From Fund, Account, and Center Number 1A01 (General Fund) 521106 (Media, Published/Electronic) Y62001 (GIS and Mapping); and for other purposes.

**FAVORABLE**

Councilmember Moore offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO EXECUTE A COOPERATIVE PURCHASING AGREEMENT**

07-R-1250 (2) A Resolution by Finance/Executive Committee Authorizing for Mayor on behalf of the Department of Planning and Community Development, to execute a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601, et. Seq. of the Code of Ordinance of the City of Atlanta, Georgia, utilizing State of Georgia Contract Number GS-35F-4984H, with IBM Corporation, for the purchase of one (1) IBM Storage Controller (N5200) and EXP 810 for DS4399T and one (1) Blade Center Chasis and Blade Servers, in an amount not to exceed one hundred forty eight thousand eight hundred ninety eight dollars (\$148,898.00). All contracted work shall be Charged To and Paid From Fund, Account, and Center Number: 1A01 (General Fund) 575001 (Equipment) Y62001 (GIS and Mapping); and for other purposes.

**FAVORABLE**

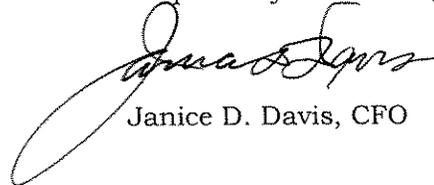
Councilmember Moore offered a motion to **Approve, 5 Yeas.**

**Mr. Carey Duncan:** addressed the Committee by stating that he has questions regarding the amounts set aside for potential lawsuits. The figure for hiring an Attorney is around \$2 million dollars and the lawsuits are around \$6 million dollars. He is particularly interested in the Atlanta/Fulton County Recreational Authority lawsuit. He will go to Fulton County and research it himself. It has been in the news over the years and that information should be available. How can you set a Budget when you are being sought with so many lawsuits? The City creates the atmosphere for the City. Senior City Attorney Andrews responded that he is not sure what lawsuit Mr. Duncan is speaking of. He can pull it from the Fulton County Superior Courthouse. People will file lawsuits because it is an option for them. Mr. Duncan stated that you have dumb lawyers and dumb politicians who are not preparing this City.

### **ADJOURNMENT**

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

Respectfully Submitted,



Janice D. Davis, CFO

Charlene Parker  
Recording Secretary

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