

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, December 12, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

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

Chairperson Shook called the meeting to order at 1:30 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Clair Muller, Kwanza Hall, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new Resolution. Minutes of the November 18, 2007 Regular Finance/Executive Committee were adopted.

TO RE-APPOINT MS. CASSANDRA LAWSON TO SERVE AS A MEMBER OF THE CIVIL SERVICE BOARD FOR THE CITY OF ATLANTA

07-C-2547 (1) A Communication by Mayor Shirley Franklin re-appointing **Ms. Cassandra Lawson** to serve as a member of the Civil Service Board for the City of Atlanta. This re-appointment is for a term of three (3) years scheduled to begin on the date of Council confirmation.

FAVORABLE

Ms. Cassandra Lawson: addressed the Committee by stating that she has previously served on the Board. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

CONSENT AGENDA

TO AMEND SECTION 154-55 OF THE CITY OF ATLANTA, CODE OF ORDINANCES

07-O-2586 (1) An Ordinance by Finance/Executive Committee to Amend Section 154-55 of the City of Atlanta, Code of Ordinances, so as to authorize the Commissioner of Watershed Management to automatically refund deposits or credits on closed accounts for Water Service; and for other purposes.

FAVORABLE ON FIRST READ

TO PROVIDE FOR (1) THE SALE OF \$ _____ CITY OF ATLANTA GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS

07-O-2587 (2) An Ordinance by Finance/Executive Committee providing for (1) the sale of \$ _____ City of Atlanta General Obligation Public Improvement Bonds, Series 2008A (The "Bonds"); (2) the redemption of the Bonds prior to maturity upon certain terms and conditions; (3) the execution and delivery of said Bonds; (4) the forms of said Bonds; (5) the Levy of a continuing Direct Annual Ad Valorem Tax without limit as to rate or amount to pay the Bonds and the interest thereon when due and payable; (6) the creation and maintenance of a Project Fund and a Bond Fund; (7) the authorization of the execution and delivery of a Bond Purchase Agreement among the City of Atlanta and the purchasers of the Bonds; (8) the approval of an Official Statement with respect to said Bonds and authorizing the execution and

delivery thereof; (9) the execution of a certificate pertaining to the use of the proceeds derived from the sale of said Bonds; (10) the undertaking of a continuing Disclosure Commitment in compliance with S.E.C. Rule 15C2-12(B)(5) and (11) for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AMEND THE CITY OF ATLANTA OCCUPATION TAX ORDINANCE

07-O-2540 (1) An Ordinance by Finance/Executive Committee Amending the City of Atlanta Occupation Tax Ordinance by the addition and deletion of certain language for the purpose of clarifying the operation of Sec. 30-63; confirming the effect of City Code Sec. 2-105 on this Ordinance; and for other purposes.

FAVORABLE

Mr. Lem Ward: Senior Assistant City Attorney addressed the Committee by stating that in lieu of the normal rate Attorneys will pay \$400.00. This paper will reserve the Ordinance in a way it was intended to be. Councilmember Moore asked if the other Code Section applies. What are you doing? Senior Assistant City Attorney responded that this is not a new fee or charge. Councilmember Muller asked what was in the Section that was unclear. Senior Assistant City Attorney responded that it is Exhibit A, Section 22. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH FULTON COUNTY

07-O-2592 (2) An Ordinance by Councilmember Felicia A. Moore **as Substituted by Finance/Executive Committee (1), 12/12/07** to Authorize the Mayor to enter into a Contract with Fulton County to conduct a City of Atlanta Special Election to be held on February 5, 2008 to present a Referendum reimposing a one per cent sales and use tax for the purpose of funding Water and Sewer Projects pursuant to Article 4 of Chapter 8 of the Official Code of Georgia annotated and City of Atlanta Resolution 07-R-1114; to appoint the Fulton County Board of Registration and Elections, with the Director or Interim Director of the Fulton County Department of Registration and Elections acting as its agent, as Municipal Election Superintendent for the purpose of conducting said Election, as Absentee Ballot Clerk and as Municipal Registrar; all contracted work shall be charged to and paid from Fund Account and Center Number 1A01 (General Fund) 529013 (Legislative Expense) T31001 (Unallocated Fund Wide Expense); and for other purposes. **(Finance/Executive Committee Substitute adds the Fund, Account and Center Number, 12/12/07)**

FAVORABLE AS AMENDED

Councilmember Moore stated that she introduced this on the Committee on Council Committee meeting.

Mr. Robert Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that the Municipal Optional Sales Tax started in October 2004 and the total to October 2007 is \$326,856.496.00. The State legislation **HB 709**, is for four years each three cycle. At the end of each cycle it needs to be

reauthorized through a Referendum. Councilmember Moore asked about the interest and how is it impacted and utilized. How will this renewal impact future Referendums? Commissioner Hunter responded that it was for a dollar to dollar application and for a rollback of the rates. The second year there was a 43% rate increase, but it only ended up being a 1% increase that year. There were some minor changes as well. We are in our fourth year of the first of four years. We will come forward with a budget proposal for the next four year rates. We are looking at an 8% increase per year. Usually it is around a 10% increase. Councilmember Moore asked if it relates to our conservation efforts. Commissioner Hunter responded yes. We are looking at a drought surcharge. We are currently working out the detail. Councilmember Moore asked CFO Davis about the \$800,000 from Fulton County. Where does it come from and where does it go? CFO Davis responded that the funds are rolled over. Chairperson Shook stated that we need to Amend the information into the paper. Councilmember Muller asked what is the grand total? Commissioner Hunter responded that the amount is \$326 million dollars for 3 years and 3 months. The current rate is \$120 million dollars per year. The future rates' impact depends upon the fiscal year. If it did not pass we would have to raise water and sewer rates. The Amendment is as follows:

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

07-R-2588 (1) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract #NASPO/WSCA A63307 with Dell Marketing, LP, for the lease of computer equipment and maintenance for a period of one (1) year with four (4) one-year renewal options, on behalf of the Department of Information Technology, in an amount not to exceed seven hundred seventy six thousand six hundred fifty four dollars and four cents (\$776,654.04); all contracted work shall be charged to and paid from Fund Account and Center Number 1A01 (General Fund) 523001 (Service/Repair/Maintenance) E22001 (IT Applications); and for other purposes. **(Finance/Executive Committee corrects the Fund, Account and Center Number and length of the contract, 12/12/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Mr. Mark Campbell: Chief Information Officer addressed the Committee by stating that this allows the Department of Information Technology to shrink the technology foot print. We can reduce the count by half for the growth of data storage. It will also reduce the operating cost by \$2 million dollars. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH M.C. DEAN, INC.

07-R-2589 (2) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute Change Order No. 2 with M.C. Dean, Inc., for Contract No. FC-7687-04, Security Access Control System, on behalf of the Department of Aviation, in an amount not to exceed \$1,657,500; all contracted work will be charged to and paid from Fund, Account and Center Numbers 2H26 (Airport Passenger Facility Charge Fund) 574001 (FAC. Other Than Bldgs) R21E012096AA (Security Improvements); and for other purposes. **(Finance/Executive Committee Amendment inserts the word**

**“Fund” after the words “Airport Passenger Facility Charge”,
12/12/07)**

FAVORABLE AS AMENDED

Mr. Ben DeCosta: General Manager of the Department of Aviation addressed the Committee by stating that there are two Change Orders. This is a settlement for equitable adjustment. They will have access around the Airport. We used an outside consultant and negotiated with them. Councilmember Moore asked who lead them to believe it was worth more. Mr. DeCosta responded that we allow contractors to ask questions and his staff lead them to believe it. Councilmember Moore asked if you took appropriate action with your staff. Mr. DeCosta responded that there are changes in the weather that affects the cost. Part of it is being careful about the determined availability. We should not make a commitment to the hours. Councilmember Maddox asked if the problem has been resolved. Mr. DeCosta responded that it is unpredictable. Councilmember Maddox asked what is worked out. Mr. DeCosta responded that in the future we will be more acceptable of the availability. He expects that contractors will bid a higher amount because they won't get the productivity in the winter months that they get in the summer months. Councilmember Maddox offered a motion to **Approve as Amended, 5 Yeas**. Chairperson Shook stated that there is an Amendment in the Second Resolve Clause to insert the word Fund after Airport Passenger Facility Charge.

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (1) An **Amended** 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. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY

06-O-1924 (2) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN

- 06-O-1926 (3) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

HELD

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

- 06-O-2250 (4) 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 at the request of the Law Department)**

FILED

Chairperson Shook stated that there was a letter of withdrawal from the applicant. Councilmember Maddox stated that the paper was Held until Fulton County had voted on it. We found out that the homeowner can do it individually. There is another paper dealing with the zoning issue as well.

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that he would make sure that the zoning paper will be Filed. Councilmember Maddox offered a motion to **File, 6 Yeas.**

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION 2-1142

- 07-O-0138 (5) 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 at the request of the Department of Procurement for an additional study)**

HELD

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

- 07-O-0622 (6) 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 pending a Substitute to include other Projects)**

HELD

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

07-O-0623 (7) 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 14th 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 to ensure annexation procedures are executed appropriately)**

HELD

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

07-O-0624 (8) 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 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

HELD

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

07-O-0968 (9) 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 due to State requirement)**

HELD

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

07-O-0969 (10) 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 due to State requirement)**

HELD

TO AMEND ARTICLE V, CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

07-O-0974 (11) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

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

07-R-1086 (12) 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 pending receipt of documentation that the recommendations from the Credit Card Audit are met)**

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

07-O-1087 (13) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and 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 various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD**TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT**

07-R-1904 (14) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD**TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENTAL BLOCK GRANT PROGRAM**

07-R-2138 (15) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (16) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO SUPPORT REBATES FOR RETROFITS FOR LOW-FLOW TOILETS

07-R-2431 (17) A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Clair Muller, Jim Maddox, Joyce M. Sheperd, H. Lamar Willis, Cleta Winslow, Ceasar C. Mitchell, Carla Smith and Mary Norwood to support rebates for Retrofits for Low-Flow Toilets; and for other purposes. **(Held, 11/19/07)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT WITH THE XEROX CORPORATION

07-R-2469 (18) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an contractual agreement with the Xerox Corporation, for FC-6007000063, to operate and manage the Document Service Center in Atlanta City Hall and City Hall East, as a cost savings benefit for city departments on behalf of the Office of Facilities Management, in an amount not to exceed one hundred two thousand four hundred fifty four dollars (\$102,454.00). All funds to be paid from Fund, Account, Center number: 1A01 (General Fund) 524001 (Consultant Services) D81012 (Printing Facilities-City Hall South); and for other purposes. **(Held and Substituted, 11/28/07)**

HELD

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT

07-R-2470 (19) A **Substituted** Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the Office of Enterprise Assets Management, to enter into a Memorandum of Understanding ("MOU") with the Atlanta Workforce Development Agency, for the purpose of implementing a culinary training program in the City Hall Cafeteria, for a period of two years with two (2) one year renewal options, in an amount not to exceed twenty five dollars (\$25.00) monthly; that all revenue received pursuant to this MOU shall be deposited into Fund, Account, and Center Number: 1A01 (General Fund) 462311(Food, Drink & Notions) B00001 (Revenue Center); and for other purposes. **(Held and Substituted, 11/28/07); (Finance/ Executive Committee Substitute changes the time from a 12 week to a 6 week program in the Second Whereas Clause, 12/12/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute to change 12 week to a 6 week program in the Second Whereas Clause.

Mr. Greg Pridgeon: Mayor's Office Chief of Staff addressed the Committee by stating that we are excited about reaching an agreement. This is a program that is even better than before and has training for individuals to become efficient in food service. The company will be Gourmet Services. It will be a full service cafeteria. Councilmember Maddox asked how long is the contract for? Mr. Pridgeon responded two years with two one-year renewals. Councilmember Maddox asked about more long range planning. There is an issue concerning elevators being too slow. Maybe the cafeteria should be on the first level. He then offered a motion to **Approve on Substitute, 6 Yeas**. Mr. Pridgeon responded that he would take a look at that and the doors will be opened on January 7th. Councilmember Moore asked for a copy of the proposed menu and the prices.

Ms. Debra Long: of Gourmet Services addressed the Committee by stating that the doors opens at 7:30 a.m. and closes around 2:30 p.m. We have hot dogs, etc. The meals are around \$4.50. We provide very good quality meals. We are also located two blocks from Turner Field in the old OIC building.

ITEMS NOT ON AGENDA

TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER NO. 3

07-R-2609 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute Change Order No. 3 with M.C. Dean, Inc., for FC-7687-04, Security Access Control System, on behalf of the Department of Aviation, in an amount not to exceed \$3,024,045.20; all contracted work will be Charged To and Paid From Fund, Account and Center Numbers 2H26 (Airport Passenger Facility Charge Fund) 574001 (FAC. Other Than Bldgs) R21E012096AA (Security Improvements) \$2,419,760 and 2H01 (Airport Revenue Fund) 523001 (Serv/Repair/Maint Cont.) R48001 (Aviation Security) \$604,285.20; and for other purposes.

FAVORABLE

Mr. DeCosta stated that this is Change Order #3. One is for the added scope of doors. The second part is a Maintenance Agreement. Out of the 1200 doors, 80 doors were left out. Concourse E has to have a custom element. This work includes the 80 doors. It is \$600,000 for the first year units. There have been negotiations for the door units. We are recommending a not to exceed number and we will monitor it carefully. We have decided to go forward to complete the system. The new system will have 1200 doors and the old system will have 80 doors. Councilmember Muller asked if this project is eligible for grant funding. Mr. DeCosta responded that he would follow up with an answer. It is about \$14 million dollars for 1200 doors and \$3.4 million dollars for 80 doors. The PFC funds are also used for this project. The contractor used drawings to count all of the doors. There were a number of doors missed and new ones added. Chairperson Shook asked why is the cabling different for the old doors than the new ones. Mr. DeCosta responded that they estimated them conservatively. His project manager and design staff met with the contractor. He had a choice to bid it out or go with the existing contractor. He decided to bid it out. Councilmember Moore offered a motion to **Approve, 6 Yeas**.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 2:40 p.m.

Respectfully submitted,

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

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