

**A SUBSTITUTE ORDINANCE
AS AMENDED BY FINANCE/EXECUTIVE COMMITTEE**

A ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE ATLANTA HOUSING AUTHORITY AND THE CITY OF ATLANTA, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, FOR THE PURPOSE OF PROVIDING FUNDING FOR PUBLIC INFRASTRUCTURE IMPROVEMENT PROJECTS; TRANSFERRING APPROPRIATIONS IN THE AMOUNT OF ONE MILLION ONE HUNDRED SEVENTEEN THOUSAND THREE HUNDRED SIXTY-THREE DOLLARS AND SEVENTY CENTS (\$1,117,363.70) TO FUND A PORTION OF SAID PUBLIC IMPROVEMENTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) desires to provide funding for various public infrastructure streetscape improvement projects; and

WHEREAS, funding for the public infrastructure streetscape improvement projects at Memorial Drive, Grady Homes, Herndon Homes, and Perry Homes, were included in the project list associated with the 2000 Quality of Life Bond Referendum approved by the voters of the City of Atlanta in November 2000 (“the Bond Referendum”); and

WHEREAS, the City and the Atlanta Housing Authority (“the Authority”) acknowledge and agree that the most efficient and economical manner in which to perform the public improvements is to have such work performed by the Authority (through its private sector partners) and to have the City contribute a total of One Million One Hundred Seventeen Thousand Three Hundred Sixty-three Dollars and Seventy Cents (\$1,117,363.70), as authorized in the Bond Referendum and subsequent Quality of Life Bond issues, to the Authority for the costs incurred or to be incurred by the Authority in performing such work; and

WHEREAS, the City now wishes to make a contribution of the allocated Quality of Life funds in the aggregate amount of One Million One Hundred Seventeen Thousand Three Hundred Sixty-three Dollars and Seventy Cents (\$1,117,363.70), to the Authority for a portion of the cost of public infrastructure improvements; and

WHEREAS, subject to the terms and conditions set forth in an Intergovernmental Agreement, in substantially the form attached hereto, as Exhibit “A”, to be entered into by and between the City and the Authority, the City and the Authority have agreed that the Authority (through its private sector partners) would perform the public improvements on behalf of the City, and the City desires to accept such offer and contribute the funds to the Authority for the public improvements.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: That the Mayor is authorized to enter into an Intergovernmental Agreement (here in after referred to as the "Agreement"), in substantially the form attached hereto. As Exhibit "A" on behalf of the Department of Public Works, with the Atlanta Housing Authority, for the purpose of providing funding for public infrastructure improvement projects at Memorial Drive, Grady Homes, Herndon Homes, and Perry Homes, more specifically outlined in the Fund, Account, and Center Numbers below:

- 1) 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) Y63F058192BH (Streetscape Projects, District 1); (\$255,000)
- 2) 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) Y63F058592BH (Streetscape Projects, District 5); (\$332,363.70)
- 3) 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F077292BH (Grady Homes GO# 1622); (\$180,000)
- 4) 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F052792BH (Sidewalk Improvements, District 3); (\$100,000)
- 5) 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F077192BH (Perry Homes Street Reconstruction); (\$250,000)

Section 2: That the projects identified herein were included in the project list associated with the 2000 Quality of Life Bond Referendum approved by the voters of the City of Atlanta in November 2000 (the "Bond Referendum") in the amounts set out herein for each project in the aggregate amount of One Million One Hundred Seventeen Thousand Three Hundred Sixty-three Dollars and Seventy Cents (\$1,117,363.70).

Section 3: That the City wishes to contribute the allocated Quality of Life funds in the amount of One Million One Hundred Seventeen Thousand Three Hundred Sixty-three Dollars and Seventy Cents (\$1,117,363.70), to the Authority for the performance of the public infrastructure improvements provided herein.

Section 4: That the City Attorney is authorized to prepare and review all necessary contractual agreements and the Mayor is authorized to execute all necessary agreements after approval by the City Attorney as to form.

Section 5: That this Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to the Authority.

Section 6: That the Chief Financial Officer is authorized to make payment for said contractual agreements from the 2007 (2004 Quality of Life Bond Fund) Budget in the amount of One Million One Hundred Seventeen Thousand Three Hundred Sixty-three Dollars and Seventy Cents (\$1,117,363.70), and said amounts should be charged from the following Fund, Account, and Center numbers:

- 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) Y63F058192BH (Streetscape Projects, District 1); (\$255,000)

- 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) Y63F058592BH (Streetscape Projects, District 5); (\$332,363.70)
- 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F077292BH (Grady Homes GO# 1622); (\$180,000)
- 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F052792BH (Sidewalk Improvements, District 3); (\$100,000)
- 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. Other Than Buildings) M65F077192BH (Perry Homes Street Reconstruction); (\$250,000)

Section 7: That all Ordinances or parts of Ordinances that are in conflict with this Ordinance are waived to the extent of the conflict.