

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, March 12, 2008 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 Cleta Winslow
Councilmember Jim Maddox
Councilmember Clair Muller

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

The Agenda was adopted as printed with three new Resolutions. Minutes of the February 27, 2008 Regular Finance/Executive Committee were adopted.

DISCUSSION ITEM

LEGISLATIVE REPORT-MEGAN MIDDLETON

Ms. Megan Middleton: Manager of the Mayor's Office of Intergovernmental Affairs addressed the Committee by stating that the last minute bill was the Car Tags. They are debating **HB-77** (Red Light Camera Bill). It has to go to the Department of Transportation for permitting. The Bill is on the floor of the Senate. **HB-1145** is the Property Assessment Bill. Chairperson Shook asked about **HB-1117** (Water Bill). Ms. Middleton responded that it did not get through. Chairperson Shook asked about the Public School Tax Bill. Ms. Middleton responded that there is a Homestead Exemption Bill and it is being Held by the Speaker. Councilmember Moore asked if they would have an impact on the Speaker's Bill. Ms. Middleton responded that it has caps on it. Councilmember Moore asked what do they propose to do for the higher exemptions. Ms. Middleton responded that now it is 15,000 and in five years it will go to 50,000. We still have to provide the services and the questions have not been answered. Councilmember Moore stated that citizens need to know that there is a drawback to maintain service delivery. We may have to raise property taxes. Ms. Middleton responded that they have been given the numbers. Councilmember Moore stated it is the same amount of increased taxes for the County and School Board. Councilmember Maddox asked if the Beltline issue settled. Ms. Middleton responded that the Senate Resolution passed, but the House did not. It is still being worked on with the Committee. Councilmember Maddox asked if there are any problems. Ms. Middleton responded that it is in good form and has a lot of support. Councilmember Moore asked if it is retroactive. Ms. Middleton responded that she believes so. Chairperson Shook asked when is the last day? Ms. Middleton responded March 27th or 28th. The State Budget has to be worked out and that will take more time. Chairperson Shook asked about last minute things. Ms. Middleton responded the Vehicle Tax. Councilmember Maddox asked about the Para Mutual Betting. Ms. Middleton responded that it was introduced, but did not get a Hearing. It should move forward next year.

2007 FINANCIAL AUDIT - BANKS, FINLEY & WHITE

Mr. Gregory C. Ellis: of Banks, Finley and White addressed the Committee by stating that he has with him Jerry Williams, Lee Tabb and Michael Forsyth. He thanked the Department of Finance staff for working with them. There are several documents attached. We will talk about the Management Letter on the audit process. We will start with the handout on slide #3 (Comprehensive Financial Report). There is also supplementary information attached. The last Section of the CAPR is specific

information part of the report that has to be included in the Audit. The Audit Report covers the Government Reporting Model. Slide #4 is what the independent audit report indicates. We give opinions on all units except for the component units. We did conduct the audit with auditing standards. We conducted a risk assessment. We have performed a sufficient number of procedures for the opinions. It combines all of the funds for the City listed in the CAPR. The other column is for Enterprise activities. In the chart are overviews of the government activities. Slide #5 is the Governmental Activities for all revenues. We thought it was helpful to go back to 2005 to show a trend over the last three years. Councilmember Moore asked about the combined total of all funds. Mr. Ellison responded that it reflects 2005-2007 funds together. There was not much of a change in the charge for services. Property taxes did not have much of a change. Councilmember Moore stated that property tax revenues are just what the City brought in. Did we bring in more taxes in 2005? Mr. Ellison responded yes. Councilmember Moore stated that the revenues are supposed to be down. Are there other areas than the General Fund? Mr. Ellison responded that this is for the year end of June 2007. The revenue in 2005 is recognized in the year that it is levied. It really occurred in 2005. This other tax includes sales taxes, such as alcohol, beer and wine. The next slide shows the change in revenues for Watershed, Sanitation, Parks, the Underground, Civic Center and the Airport, which are Enterprise Funds. There was a rate increase in 2007. The Airport has a new parking contract. The increase is driven by pension and salary increases. The next Slide is business expenses and activities. They are increased by salaries and benefits. There was an additional claim in Watershed in 2007 for maintenance projects. The Department of Aviation had a capital impairment that has to be recognized as an asset. The depreciation of the 5th Runway in 2007 drove expenses up. The next slide is the fund balance, which are the assets over liability. They are either Reserved or Unreserved. They are restricted by Legislation or Grant Agreements. The big columns are related to the TADS. The negative impact is in the Emergency Telephone Fund of \$34 million dollars. It is the excess expenditures over revenues. The notes attached deals with the investments Slide #10 is the financial highlights, which include fund deficits of the Sanitation Fund of \$67 million dollars, Underground Atlanta Fund of \$13 million dollars and the Emergency Telephone Fund of \$34.1 million dollars. The risks are properly managed, but have to be disclosed. The stewardship and compliance are operating as a deficit. Some of the deficits are E-911, Sanitation (Landfill Post Closure and Bonds), the Underground and changing to a fiscal year. It takes \$30 million and a write off of 1/30th until it goes down to \$0. There is a \$10 million dollars deficit for Sanitation. Councilmember Moore stated that we got rid of the Enterprise Fund for Sanitation. CFO Davis responded that it is accounted for and presented as an Enterprise Fund. Councilmember Moore stated that if we have to recognize it as an Enterprise Fund, why not operate it as one. CFO Davis responded that we are moving it back. We have to move money to it so it won't have a deficit. We can't continue to let it have a large deficit. The Department of Public Works is doing a lot of work on it to rationalize it and retooling its efforts. It does not cover its direct enterprise costs. Councilmember Muller added that we don't charge for about half of our services. Councilmember Winslow agreed. CFO Davis responded that in 2008 we recognized that it does not cover its cost. Our projection to make it whole will be \$2 million dollars. It will return some of the costs back to the General Fund. As soon as we see what is anticipated we will know. Councilmember Moore asked what happened with Underground Atlanta. Mr. Ellison responded that it has always had a deficit and the \$5 million dollars is accumulative. Continuing, he stated that the next two areas show that there are changes in the audit standards. The new standard attempts to define the relative government. Next years audit impact will change the way we have to perform the audit. CFO Davis responded that it will impact the cost of the audit as well. Mr. Ellison responded that we will have to follow certain controls. The next category finding is material weaknesses. There is a deficiency in the internal controls for transporting financial information and it probably won't be detected. Councilmember Winslow asked if Oracle is a good start in correcting those. Mr. Ellison responded that it enhances system controls. It has to be combined with other processes. A lot of it is built into the system and some of it is manual processes. Slide #14 is the charge of governance. Slide #19 is a report on matters in the conduct of the audit. Some factors are legal or regulatory requirements and who

the body is to report back to. Who has the ability to take action on things communicated? Who has responsibility to make sure that action is taken and is there a need to communicate to another body. We did discuss this with the Audit Committee. CFO Davis responded that we thought that the Finance Committee would meet that definition instead of the Audit Committee. Councilmember Moore asked if we have approved the financial statements in the past. CFO Davis responded that the new standard is a new step and will force someone to take action. This is an attempt to make sure that someone is watching what is going on. Mr. Ellison responded that we are charged with looking at the environment of an organization. This becomes part of the overall risk assessment in place now. Councilmember Moore stated that the governing body is City Council. We are the policy makers. We can have a role in it, but not accomplish it all. She wants to set some policies. CFO Davis responded that is the approach when talking with the Finance Committee once we look at the Management Letter. Not everything can be addressed in the Code. Councilmember Moore suggests making policies. Councilmember Winslow stated that nobody has come up with suggestions. Mr. Ellison responded that the Audit Committee doesn't have the authority and we assume that it is this Committee.

Ms. Leslie Ward: Internal City Auditor addressed the Committee by stating that the report she is doing in April is the 2008 General Fund Budget and the processes. The corrective actions on controls will be addressed. We are beefing up our role on corrective actions. CFO Davis responded that we were going to request a quarterly process report on what we do. There are some findings that the Department of Finance cannot address and we don't have the authority to force compliance on other Departments. Mr. Ellison added that this is the key aspect of the audit and overall corporation. The last document is the Management Letter (Slide #23). It provides broad categories of material weaknesses. The first is the application of accounting principles. We had no findings in that area. The Anti Fraud Program had no findings. Slide #24 is the reporting process. We had a couple of findings such as a post closing process. They did not maintain the books under MARS-G. We started the audit process with all of the documentations. CFO Davis added that they were captured in time for the presentation of the CAPR. We will be adjusting numbers up until the last minute. We did not get the information from the Departments until the Auditors were supposed to be leaving the building. We can't make the other Departments give it to us. Councilmember Muller asked if one of the recommendations will be to make the Departments provide the information. CFO Davis responded that we are looking at the Code that says that they shall provide information because right now we are captive to people's vacations, etc. We are going through the Code to enforce it. It is just not working otherwise. Mr. Ellison responded that Slide #25 is misstatements that we discovered such as the underbudget of the Pension expense. During the 2007 audit the assets had declined as well as recorded transactions to the Georgia Municipal Association. Councilmember Moore asked about the underbudget for Pension. CFO Davis responded that it was overall \$16 million dollars. We knew that we did not have the proper percentage taken out. The number we were using was decided by MARS-G. We realized it because the previous year we had an accrual. It was not accrued on a regular basis. We increased the amount in the 2008 Budget. The City had looked at flat dollar amounts. Mr. Ellison stated that Slide #26 is the non-transactions that didn't happen. The Department of Human Resources should not have been in the City's books. It is a separate component. Councilmember Moore stated that Bonds should be under Atlanta Development Authority (ADA). Mr. Ellison responded yes. CFO Davis added that we believe that it should not be on ADA's books because we are responsible for the Debt. This year it was around \$38 million dollars through indirect costs. Mr. Ellison stated that had to come off the City's books because they were reported by ADA. CFO Davis responded that there is a contribution made to ADA. Mr. Ellison stated that the Park Improvement Fund had been recorded on the Fulton County Recreation Authority books. CFO Davis responded that we just need them recorded some place. It is another indirect cost. The proceeds may or may not be under our control. They are our obligation. Mr. Ellison stated that the Fulton County Recreation Authority fiscal year end is December 31st and the City is June 30th. Councilmember Winslow stated that if it is coming out of the General Fund, it should be on our books. Mr. Ellison

responded that it is not left out. Next is the renegotiation of Agreements with the Department of Watershed and other surrounding facilities. It was not reported. There should be communication. This is the arrangement with Fulton County and they were negotiating capital improvements. The last bullet is a general claim we found out about at the last hour. As these events occur there has to be communication. Slide #27 is areas with potential findings. The last Slide #28 is internal controls for operations for Information Technology. This year we looked at Watershed Management billing system controls, such as security issues and changes. We will go back and look at the CAPR. We will be into the third year of our contract this year. We started back in 1973 as a subcontractor and in 2003 we were the prime contractor.

CONSENT AGENDA

TO AUTHORIZE THE EXTENSION OF CONTRACT NO. FC-6760-97

08-O-0499 (1) An Ordinance by Finance/Executive Committee (i) authorizing the extension of Contract No. FC-6760-97, Parking Management Services, with Parking Company of America, on a month-to-month basis until the execution of a new Contract or October 5, 2008, whichever is earlier; (ii) waiving the Competitive Source Selection Requirements of Sections 2-1187, 2-1188, 2-1189 and 2-1191.1 of the Code, as well as any other conflicting Code provisions; and (iii) for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AMEND THE CHARTER OF THE CITY OF ATLANTA ADOPTED UNDER AND BY VIRTUE OF THE MUNICIPAL HOME RULE ACT OF 1965

08-O-0351 (1) An Ordinance and Charter Amendment by Councilmember Howard Shook to amend the Charter of the City of Atlanta adopted under and by virtue of the Municipal Home Rule Act of 1965 (GA Laws 1965, P. 298, et. seq.) as amended to amend Part 1, Subpart A, Article VI, Charter 3, Section 6-304 of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et. seq.) approved April 15, 1996, as amended, so as to add a requirement that Restricted General Fund Reserves be maintained, carried over, and added to from one year to the next; and so as to require that transfers from the Restricted General Fund Reserves to General Fund Operating Accounts receive approval from the Finance Committee or equivalent Committee of the Governing Body prior to consideration by the Governing Body; and for other purposes. **(Favorable as 3rd Reading, Final Adoption, 2/27/08)**

FAVORABLE

Chairperson Shook stated that this for our Restricted Reserves. He then offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY LOCATED AT 207/211 VINE STREET

08-O-0402 (2) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street, N.W. and 601/605 Spencer

Street, N.W., Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 plus funds for other expenses from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes.

HELD AND SUBSTITUTED

Chairperson Shook stated that Councilmember Young wants this paper Held and Substituted.

TO AUTHORIZE RENEWAL AGREEMENT NO. 2 WITH ADS, LLC F/K/A ADS CORPORATION FOR FC-7710-04

08-O-0403 (3) An Ordinance by Finance/Executive Committee authorizing Renewal Agreement No. 2 with ADS, LLC F/K/A ADS Corporation for FC-7710-04, Flow Measurement in Combined Sewers and Separate Sanitary Sewers, on behalf of the Department of Watershed Management; to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE

Mr. Joe Batista: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that the signature did not happen until January 30th, several days beyond the expiration of the contract. If we closely monitored it we would not have this Ordinance. Councilmember Moore asked what was the timeframe? Mr. Batista responded less than a week. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO ENTER INTO RENEWAL AGREEMENT NO. 3 WITH ADVANCE DISPOSAL SERVICES, INC. FOR FC-7650-04A

08-O-0407 (4) An Ordinance by City Utilities Committee **as Substituted by Finance/Executive Committee (1), 3/12/08** authorizing the Chief Procurement Officer to waive Article X of the City of Atlanta's Procurement Code and authorizing the Mayor to enter into Renewal Agreement No. 3 with Advance Disposal Services, Inc. for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste, on behalf of the Department of Public Works, for an amount not to exceed three hundred thousand dollars (\$300,000.00); all contracted work will be Charged To and Paid From Fund, Department and Center Number: 1001 (General Fund) 5212001 (Consultant/Prof. Services) 130213 (Recycling and Collection); and for other purposes. **(Finance/Executive Committee Substitute adds the Procurement Provision and corrects the dollar amount, Finance/Executive Committee Amendment puts the FDOA numbers in Section 6, 3/12/08)**

FAVORABLE ON SUBSTITUTE AS AMENDED

Ms. Sandy Jennings: of the Department of Public Works addressed the Committee by stating that these three papers are for Solid Waste Transfer Services. They are for expired contracts and outstanding payments and to fund the contracts through June 2008. The mistakes were due to inadequate financing and irregularities. Ms. Jennings stated that she will not come back with any other expired contracts. Councilmember

Moore stated that she has a problem with this becoming a habit. This goes back to February. Ms. Jennings responded that is when the 90-day extension expired.

Mr. James Swope: of the Department of Public Works addressed the Committee by stating that we began negotiations back in November and thought that we had enough time. We then found out that we had to waive the Code to come back. Councilmember Moore stated that she knows that unforeseen things happen. You should come to us a head of time and let us know that you are having problems. Councilmember Maddox asked if we don't pass these, what will happen. Mr. Swope responded that we won't have a place to put the waste. We have one additional year with a one year renewal. We are satisfied with their services. Councilmember Maddox asked if there are any long range plans for our own facilities. Mr. Swope responded that we are looking at long term solutions. Councilmember Maddox stated that there is enough technology out there to sell the waste for energy. Mr. Swope responded that we are in discussions with Georgia Power now. Chairperson Shook stated that each paper has an Amendment to put the FDOA in Section 6. Councilmember Winslow stated that Coweta County has contracted with Georgia Power to pull methane gas out of their waste. We need to seriously look at that. Mr. Swope responded that the landfill gas is one area we are proceeding with for Georgia Power. Ms. Jennings added that this is for 12 months. We are working on the next contract now. Councilmember Maddox offered a motion to **Approve on Substitute as Amended, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO INCREASE RENEWAL AGREEMENT NO. 2 WITH REPUBLIC SERVICES OF GEORGIA, LP

08-O-0408 (5) An Ordinance by City Utilities Committee **as Substituted by Finance/Executive Committee (1), 3/12/08** authorizing the Chief Procurement Officer to waive Article X of the City of Atlanta's Procurement Code and authorizing the Mayor to increase Renewal Agreement No. 2 with Republic Services of Georgia, LP for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste, on behalf of the Department of Public Works, in an amount not to exceed two million seven hundred fifty one thousand three hundred eighty eight dollars and five cents (\$2,751,388.35); all contracted work will be Charged To and Paid From Fund, Department and Center Number: 1001 (General Fund) 5212001 (Consultant/Prof. Services) 130213 (Recycling and Collection); and for other purposes. **(Finance/Executive Committee Substitute adds the Procurement Provision and corrects the dollar amount, Finance/Executive Committee Amendment puts the FDOA numbers in Section 6, 3/12/08)**

FAVORABLE ON SUBSTITUTE AS AMENDED

Councilmember Maddox offered a motion to **Approve on Substitute as Amendment, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 3 WITH REPUBLIC SERVICES OF GEORGIA, LP

08-O-0409 (6) An Ordinance by City Utilities Committee **as Substituted by Finance/Executive Committee (1), 3/12/08** authorizing the Chief Procurement Officer to waive Article X of the City of Atlanta's Procurement Code and authorizing the Mayor to enter into Renewal Agreement No. 3 with Republic Services of Georgia, LP for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste, on behalf of the Department of Public Works, in an amount not to exceed one million six hundred thousand dollars (\$1,600,000.00); all contracted work will be Charged To and Paid From Fund, Department and Center Number: 1001 (General

Fund) 5212001 (Consultant/Prof. Services) 130213 (Recycling and Collection); and for other purposes. **(Finance/Executive Committee Substitute adds the Procurement Provision and corrects the dollar amount, Finance/Executive Committee Amendment puts the FDOA numbers in Section 6, 3/12/08)**

FAVORABLE ON SUBSTITUTE AS AMENDED

Councilmember Maddox offered a motion to **Approve on Substitute as Amendment, 5 Yeas.**

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

08-O-0509 (7) An Ordinance by Councilmembers Howard Shook and Cleta Winslow **as Substituted by Finance/Executive Committee (1), 3/12/08** 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 City of Atlanta under an expired contract with Atlanta Victim Witness Assistance Inc., formerly known as Victim Witness Assistance Program, Inc., for consultation and support services to Victims and Witnesses of Crimes in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month; all contracted work to be Charged To and Paid From Fund, Department Organization and Account Number 7101 (Agency Fund) 00001 (Balance Sheet Org) 12180523P01 (Surcharge For Fulton County Victim and Witness Program; and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA, Finance/Executive Committee Amendment changes the time from eight months to twelve months, 3/12/08)**

FAVORABLE ON SUBSTITUTE AS AMENDED

Chairperson Shook stated that we have a Substitute. CFO Davis responded that we need to Amend the Substitute from eight months to twelve months.

Mr. Dave Edwards: Mayor's Office Program Manager addressed the Committee by stating that there are two papers, this paper and Resolution #4. The contract was for eight months. It is not quite finalized yet. This is funded through the \$2 collected at Municipal Court for citations. CFO Davis responded that the Substitute corrects the FDOA and the Amendment removes 3P01. Councilmember Maddox asked if this is the one for the Brenda Muhammad Organization. Mr. Edwards responded that this paper extends this contract with that Organization. This paper we want to move forward and the Resolution we want to Hold. This one stays the same. Councilmember Maddox offered a motion to **Approve on Substitute as Amended, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED

08-O-0511 (8) An Ordinance by Councilmembers Cleta Winslow and Howard Shook authorizing the Mayor to execute a Quitclaim Deed conveying the City of Atlanta's interest in property located at 3493 Donald Lee Hollowell Parkway, Atlanta, Georgia ("Property"), to the City of Public Safety and Judicial Facilities Authority; to waive Section 2-1574 of the Code; and for other purposes.

FAVORABLE

Mr. Edwards stated that this conveys the property. Councilmember Winslow offered a motion to **Approve, 5 Yeas.**

TO RATIFY, REAFFIRM, AND SUPPLEMENT THAT CERTAIN MASTER BOND ORDINANCE ADOPTED ON MARCH 31, 1999

08-O-0512 (9) An Ordinance by Councilmember Howard Shook **as Substituted by Finance/Executive Committee** a Series 2008 Bond Ordinance to ratify, reaffirm, and supplement that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain First Supplemental Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance adopted on December 5, 2001, that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain Supplemental Series 2004 Bond Ordinance adopted on September 15, 2004, and that certain Fifty Supplemental Bond Ordinance adopted on November 19, 2007; to provide for the Issuance by the City of Atlanta of its Water and Wastewater Revenue Bonds, Series 2008 for the purpose of refunding \$105,600,000 in aggregate principal amount outstanding of its Water and Wastewater Revenue Bonds, Series 2001C, presently operating in the auction rate mode; to provide terms, provisions, and conditions for the Issuance of its Water and Wastewater Revenue Bonds, Series 2008; and for other related purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Dana Boone: Debt and Investment Chief addressed the Committee by stating that this is for refunding the 2001C Bonds. Councilmember Moore stated that this is one of the major topics at the National League of Cities. How is this structure different? Ms. Boone responded that the problem was the downgrading of the figures. There is only one Bond that is very strong. Several of them are building momentum. We are refunding this Issue in a different mode. We will have a Letter of Credit. Councilmember Moore asked if it is necessary to have the insurance. Who is the bank? Ms. Boone responded Wachovia. We are trying to minimize our costs.

Mr. Earl Taylor: addressed the Committee by stating that we will work on typos and fill in the blanks. Ms. Boone responded that we are continuing to monitor these. Chairperson Shook stated that we have plenty of challenges. Councilmember Winslow offered a motion to **Approve on Substitute, 4 Yeas, 1 Abstention.**

TO AUTHORIZE THE MAYOR OR THE MAYOR'S DESIGNEE TO ENTER INTO AN 800 MHZ WAVE 3, STATE 2 RECONFIGURATION AGREEMENT

08-R-0501 (1) A Resolution by Finance/Executive Committee authorizing the Mayor or the Mayor's Designee to enter into an 800 MHz Wave 3, Stage 2 Reconfiguration Agreement, as mandated by the Federal Communications Commission, with Sprint Nextel for the reimbursement of costs and direct payment of vendors associated with the reconfiguration of the City's 800 MHz Radio System; and for other purposes.

FAVORABLE

Ms. Luiz Borrero: Mayor's Office Deputy Chief of Staff addressed the Committee by stating that this is the final creation. We are banning the 800 MHz Project. The total payment is \$3.7 million dollars. We will pay for the rebanning cost. Councilmember

Moore asked if this is forever. Ms. Borrero responded it is the 3rd and final one. We will not have any further negotiations with them. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR OR THE MAYOR'S DESIGNEE TO ENTER INTO APPROPRIATE AMENDMENTS TO THE MOTOROLA COMMUNICATIONS RADIO SYSTEM AGREEMENT

08-R-0502 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or the Mayor's Designee to enter into Appropriate Amendments to the Shaw Environmental Inc. and AIM Partners, PLC, a Joint Venture FC-7619-03F ("Shaw/Aim"), pursuant to Chapter 2, Article X, Division 4, Section 2-1191.1 of the Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to include FCC Mandated Rebanding Activities, in an amount not to exceed \$144,069.94, to be reimbursed from Sprint Nextel under a settlement with the FCC and Paid From Fund, Department, Organization and Account Number 3505 (Capital Finance Fund) 040401 (Exe. General Buildings and Plants) 521001 (Consulting/Professional Services) 1565000 (Gen. Gov. Bldgs & Plant); and for other purposes. **(Finance/Executive Committee Substitute change the company and the amount, 3/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute that changes the company and the amount.

Ms. Borrero stated that there is a reduction because of changing the Agreement with the Motorola Company, but we don't need to do it at this time. Councilmember Moore asked what is rebanning. Ms. Borrero responded that rebanning the 800 MHz Projects. As a consequence of the mandate we are going digital. Councilmember Moore offered a motion to **Approve on Substitute, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT

08-R-0503 (3) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Intergovernmental Agreement with the Atlanta Public Safety and Judicial Facilities Authority for the purpose of leasing the Public Safety Facility Annex; authorizing the negotiation, execution, delivery and performance of a Construction Services Agreement or similar Agreement between the City and the Authority; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Councilmember Moore stated that she had a series of questions regarding this. CFO Davis responded that there is a money amount requirement of \$2.2 million dollars. This paper says that the Intergovernmental Agreement will budget \$2.2 million dollars for the next ten years. Councilmember Moore asked if there will be another Substitute or not. Mr. Edwards responded that is it. Councilmember Moore stated that she will abstain. Councilmember Winslow offered a motion to **Approve on Substitute, 2 Yeas, 2 Abstentions.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT

08-R-0510 (4) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes.

HELD

Mr. Edwards stated that we are working on a plan. Councilmember Winslow stated that she needs some clarity when we make major changes to a program that is going over to Fulton County. She needs to know why are we doing it and what are the advantages? Councilmember Moore asked if it is appropriate to move it to the Public Safety Committee. Councilmember Winslow stated that she is okay with it being here.

TO AUTHORIZE THE RE-EMPLOYMENT OF MS. BONNIE J. WARE

08-R-0514 (5) An **Amended** Resolution by Finance/Executive Committee authorizing the re-employment of Ms. Bonnie J. Ware as the Manager of the Office of Human Services for the City of Atlanta, Department of Executive Offices, pursuant to §3-305(C) of the Charter of the City of Atlanta, and for other purposes. **(Finance/Executive Committee Amendment corrects the FDOA number and the correct spelling of Ms. Ware's name, 3/12/08)**

HELD AND AMENDED

CFO Davis stated that the FDOA is wrong and the Fund, Account and Center are correct. We need to Amend the paper to put in the correct FDOA number and the correct spelling of Ms. Ware's name. Councilmember Maddox stated that he thought the Mayor was not hiring anyone because of the Budget.

Ms. Sherry Dickerson: of the Department of Human Resources addressed the Committee by stating that this person will oversee day to day operations. Councilmember Winslow stated that the Office of Human Services oversees CDBG contracts. Councilmember Maddox asked where do we start with following the Mayor's recommendations. Ms. Dickerson responded that the Mayor stated that she would hire essential personnel. Ms. Ware has been gone since December 3, 2007, but she has been volunteering her services. Councilmember Moore stated that in 2002 we decided to hire retirees as well as giving them a pension. We need to make it a shorter period of time or take it out. The Department of Human Resources should look into these situations. Is there anyone else in that area? Ms. Dickerson responded that they are not at management level. Councilmember Moore asked for a plan. Is she going to work for 2 years? We are going to end up doing more rehiring. Chairperson Shook asked how many people have come back. Ms. Dickerson responded that she would get that number. Chairperson Shook stated that in Section 1 we would be adding a 0. Councilmember Maddox offered a motion to Hold for more clarity. Has she been working 4 or 5 months voluntarily? Ms. Dickerson responded yes. Councilmember Moore stated that she don't mind Holding the paper to get the information she has requested. She does not have a problem with it, but she is not getting enough information. Ms. Dickerson asked if the paper can be moved Forward With No Recommendation. Chairperson Shook stated that if we felt comfortable with it, we would have passed it.

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

- 07-O-0138 (2) 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 (3) 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

- 07-O-0623 (4) 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 (5) 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 (6) 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

- 07-O-0969 (7) 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 (8) 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 (9) 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 ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50 ON CREDIT CARDS USERS

07-O-1087 (10) 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 (11) 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 ENVIRONMENT BLOCK GRANT PROGRAM

07-R-2138 (12) 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 (13) 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 CREATE A NEW SECTION 2-46.1

08-O-0085 (14) An Ordinance by Councilmembers Felicia A. Moore, C.T. Martin, Mary Norwood, Jim Maddox, Ivory Lee Young, Jr., Ceasar C.

Mitchell, Joyce M. Sheperd and Natalyn Archibong to create a new Section 2-46.1 entitled "Authorization Required by City Council for Requested Local Government Approval and/or Letters of Support"; and for other purposes. **(Held, 1/16/08)**

HELD

TO APPOINT MR. MICHAEL HOSMER TO SERVE AS A MEMBER OF THE PERRY/BOLTON TAD ADVISORY BOARD

08-C-0217 (15) A Communication by Councilmember Felicia A. Moore appointing **Mr. Michael Hosmer** to serve as a member of the Perry/Bolton TAD Advisory Board. This appointment is scheduled to begin on the date of Council confirmation. **(Forward with no recommendation by Finance/Executive Committee, 2/13/08; Forwarded to Full Council with recommendation to be referred to Finance/Executive Committee by Committee on Council, 2/18/08; Referred to Finance/Executive Committee by Full Council, 2/18/08); (Held, 2/27/08)**

HELD

TO RESCIND ORDINANCE 07-O-2410

08-O-0295 (16) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD

A TWELFTH SUPPLEMENTAL BOND ORDINANCE

08-O-0299 (17) An Ordinance by Councilmember Howard Shook a Twelfth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000, as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its variable rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregate principal amount of not to exceed \$550,000,000, each to bear interest in a variable rate mode; to refund all or a portion of the City's variable rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required Debt Service Reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rul3 15C2-12 of the Securities and Exchange Commission; to designate one or more Underwriters and Remarketing Agents, and a Tender and Paying Agent and to approve forms of various other agreements in connection with the Issuance of said Bonds; providing for incidental action; providing

for severability; to provide and effective date; and for other related purposes. **(Held, 2/13/08)**

HELD

TO AMEND ARTICLE X, "PROCUREMENT AND REAL ESTATE CODE"

08-O-0350 (18) An Ordinance by Councilmembers C. T. Martin, Joyce M. Sheperd, Anne Fauver, Caesar C. Mitchell, Howard Shook, Natalyn Archibong, Felicia A. Moore, Clair Muller, Ivory Lee Young, Jr., Kwanza Hall, Mary Norwood and H. Lamar Willis amending Article X, "Procurement and Real Estate Code", Division 1, "Generally" of the City of Atlanta's Code of Ordinances by creating a new Section 2-1114 entitled "Contract Monitoring Plan and Reporting Requirement" for all Contracts for ten million dollars (\$10,000,000.00) or more; and for other purposes. **(Held, 2/27/08)**

HELD

TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH HOGAN CONSTRUCTION GROUP, LLC, FOR FC-6007000081

08-R-0404 (19) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Hogan Construction Group, LLC, for FC-6007000081, Construction of Public Safety Annex, on behalf of the Office of the Mayor, in an amount not to exceed eighteen million two hundred ninety two thousand dollars and no cents (\$18,292,000.00), to be Charged To and Paid From Fund Account and Center Number 1C51 (Capital Finance Fund) 573002 (Construction in Progress) D45C05029999 (Public Safety & Judicial Facilities-Annex); and for other purposes. **(Held, 2/27/08)**

FILE

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE LEASE/PURCHASE AGREEMENT WITH WACHOVIA BANK

08-R-0405 (20) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Lease/Purchase Agreement with Wachovia Bank, for _____, on behalf of the Office of the Mayor, in an amount not to exceed _____; to provide for advertisement in an newspaper of general circulation and set a Public Hearing; and for other purposes. **(Held, 2/27/08)**

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT

08-R-0406 (21) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute the First Amendment to the Purchase and Sale Agreement between the City of Atlanta and Ponce Park, LLC, to extend the closing date for the property located at 695 Ponce De Leon Avenue, S.E. also known as City Hall East; and for other purposes. **(Held, 2/27/08)**

FAVORABLE

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

ITEMS NOT ON AGENDA

Mr. Rob Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that we are working on a water main break at the Piedmont Hospital caused by a contractor. Councilmember Muller stated that a public service announcement is good, but notifying the neighborhood is also good. Commissioner Hunter stated that Water will be shut off from 6:00 p.m. to 6:00 a.m. We have Fire Rescue coverage during this time. Councilmember Muller stated that we need to do an e-mail message before the end of this day as well.

TO AUTHORIZE THE MAYOR TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

08-R-0525 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the Code of Ordinances of the City of Atlanta, utilizing GSA Contract #GS-35F-0890N with Florida Micro LLC, for the purchase of 114 tablet devices, printers, accessories and installation services for the implementation of field automation, on behalf of the Department of Planning and Community Development, in an amount not to exceed four hundred fifty five thousand dollars and no cents (\$455,000.00); all contracted work shall be Charged To and Paid From Fund, Department Organization and Account Numbers 1001 (General Fund) 250201 (PCD Director of Buildings) 5316005 (Computers) (\$360,200.00); 1001 (General Fund) 250201 (PCD Director of Buildings) 5316002 (Equipment) (\$48,555.70); 1001 (General Fund) 250201 (PCI) Director of Buildings) 5311002 (PCD Director of Buildings) 5410001 (Consulting/Professional Services – Capital Projects) (\$17,839.60); and for other purposes.

FAVORABLE

CFO Davis stated that the Account Numbers are incorrect. We will bring a Substitute to the full Council.

Mr. Tim Hardy: Director of the Bureau of Buildings addressed the Committee by stating that this is for hand held devices for field inspections for the Code Enforcement Officers. They will record our permitting process on them. Councilmember Winslow offered a motion to **Approve on Condition, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH ORACLE USA, INC.

08-R-0527 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Oracle USA, Inc., pursuant to Chapter 2, Article X, Division 4, Section 2-1191.1 of the Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, for software licenses, support and maintenance for 5 years, on behalf of the Department of Information Technology, in an amount not to exceed \$964,867.18 per year for the first three years, \$580,534.60 for the fourth year, and \$600,999.28 for the fifth year for a total amount not to exceed \$4,076,135.30; all contracted work shall be Charged To and Paid From Fund Department Organization and Account Number 1001 (General Fund) 050211 (DIT IT Network Management) 5213001 (Consulting/Professional Services-

Technical) 1535000 (Data Processing/Management Information); and for other purposes.

FAVORABLE

Mr. Mark Campbell: Acting CIO of the Department of Information Technology addressed the Committee by stating that this is for the financing and licensing for Oracle for 5 years. The discount is only through March 31st. By approving now we will save the City \$2 million dollars. It will be in the 2009 Budget. Councilmember Maddox asked why it wasn't in the normal legislative process. Mr. Campbell stated that Oracle made a change to their payment schedule. We had to get approval for the Oracle application. Councilmember Winslow asked what kind of maintenance does it provides. Mr. Campbell responded the latest upgrades for Oracle. This means that we would not have to pay additional money for Oracle licensing. It is the user and application aspect. It is also for new versions of applications. CFO Davis responded that the license is for an enterprise license. We will have access for all users. This is also to keep the overall software up to date. If we choose to use something without the licensing, someone will have to apply. To implement that is an additional cost. Training is a separate component. Councilmember Winslow stated that she talked with Mr. Giornelli about training. Who is responsible for the training? CFO Davis responded that Mr. Robert Carson, PMO is to provide consulting support to ERP. We have no budget for training. When there was training, the classes were sometimes empty. The Steering Committee is putting together training, but are charging for them. Councilmember Moore asked how many licenses are there. CFO Davis responded for the entire enterprise. It is unlimited as long as our budget doesn't change.

Mr. Anthony Robinson: of Oracle USA, Inc. addressed the Committee by stating that the license is unlimited and based on the City's annual budget. It is also based on the City's usage and this is the best price allowed. Councilmember Winslow reiterated the issue regarding training. Mr. Robinson responded he is not responsible for training. We have people that are utilizing the system, but have not paid for licensing. Councilmember Moore asked how is it tied to the Budget. Mr. Robinson responded that we priced it this way instead of per person.

Mr. Tommy Hearn: addressed the Committee by stating that we are not charging per user. Anyone in the City can utilize the software. For audit use, we had to put parameters in place. We have to have controls to keep it from growing. Mr. Robinson added that it is \$1.39 billion for all. Mr. Hearn stated that it is for technical support. He would be happy to work with the City. You have the UPK (User Product Kit) tool. CFO Davis added that there has to be an Instructor with UPK to interface it. Mr. Hearn stated that it is an internal training tool. Councilmember Winslow stated that there were concerns with people who did go to training that just didn't get it. Chairperson Shook offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT

08-R-0528 (3) A Resolution by Councilmember Kwanza Hall authorizing the Mayor or her Designee to execute an Amendment to the Lease Agreement with the Progressive Welcome House SRO, L.P. to correct the legal description for property located at 234 Memorial Drive, Atlanta, Georgia, correcting the boundary of said property; an for other purposes.

FAVORABLE

Mr. Martin Clark: Senior Assistant City Attorney addressed the Committee by stating this is for the Welcome House property. When we went through the history of the property we found out that we owned the adjoining property.

Mr. Carey Duncan: addressed the Committee by asking if we are changing the survey of an eight foot alley. Who owns the property? The City has gone through a debate about the ownership of an alley. The question of ownership has not been settled. Senior Assistant Attorney Martin responded that the City owns both sides of the Alley. We have the ability to utilize the midpoint of the Alley. Mr. Duncan stated that this issue is like the Crawford Long building where their building on top of an alley. You are changing ownership and the tax digest will not be accurate. He wants to see the records at Fulton County. **Approve, 5 Yeas.**

Continuing, Mr. Duncan stated that he has a question for an account for Lawsuits. What is that figure and has the situation changed. CFO Davis responded that we budgeted in the Unrestricted Funds \$5.5 or \$6 million dollars. We have paid \$8 millions in Lawsuits. Mr. Duncan asked if it is with City Hall East. Is that one of the issues? Was it paid? CFO Davis responded that it is processed through the Law Department. Mr. Duncan asked how will you sell the property if there is a lawsuit against it. He then asked about the sidewalk accidents. Councilmember Moore responded that sidewalks are public property. Mr. Duncan stated that they have placed a lien on City Hall East. What is the status? Chairperson Shook responded that he would find out.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

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