

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, November 24, 2008 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair                      Lee Hannah, Acting CFO  
 Councilmember Clair Muller    Departmental Staff  
 Councilmember Felicia A. Moore  
 Councilmember Cleta Winslow  
 Councilmember Kwanza Hall  
 Councilmember Jim Maddox

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Clair Muller, Felicia A. Moore, Cleta Winslow, Kwanza Hall and Jim Maddox. Other Departmental staff was present as well.

The Agenda was adopted as printed with two First Read Ordinances and a Resolution. Minutes of the November 12, 2008 Finance/Executive Committee were adopted as well.

### **DISCUSSION ITEMS**

#### **08-O-2261**

*An Ordinance by Councilmember Howard Shook **as Substituted by Finance/Executive Committee as Amended by Full Council** to amend Chapter 114, Personnel, Article "V" Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer positions, abolish and create positions and classifications, and provide for certain position reclassifications, employee salary adjustments and other mid-year personnel actions in line with the 2009 Budget; and for other purposes. **(Forwarded with no recommendation on Substitute on Condition by Finance/Executive Committee 11/12/08; Amended and Tabled by Full Council 11/17/08.)***

Chairperson Shook asked that the transactions in the paper be discussed. We want to become comfortable with the paper. Council President Borders asked Mr. DeCosta why are these positions needed and what will they accomplish?

**Mr. Ben DeCosta:** Department of Aviation General Manager addressed the Committee by responding that the paper will provide for one abolishment and a couple of positions to be hired above entry. We have been recruiting. In the paper there are single positions and some classes. We have had difficulty filling Electricians and Electrician Sr. positions. We would like to have a salary compared with the market. The Airport had 89.3 million passengers last year. We have Communications Dispatchers and Dispatchers Seniors to staff the Airport on a 24 hour basis. We will start the processing the Command Center in March 2009. The Car and Rental facility is a new facility. It requires a Manager and a Contract Manager. We have provided a memorandum. The number is the difference between the minimum salary and above entry. The Departments of Aviation and Watershed Management are Enterprise Funds. Council President Borders asked Mr. DeCosta to speak on these positions and the economy. Mr. DeCosta responded that at the beginning of the Budget year. Oil was at \$135 a barrel and now for an aisle seat you have to pay something extra, etc. There is going to be a decrease in concessions, parking and rental cars. We have instituted a hiring freeze, travel restrictions and a 10% cut in our personnel cuts. It turns out that fuel this morning is less than \$50.00 a barrel, but the bad part is that the market is frozen. Rather than eliminate the restrictions we want to sort out what will likely happen. Council President Borders asked if you have the funds for the increases. Mr. DeCosta responded yes. Councilmember Muller asked about the cut backs in the Capital Project Programs. Does all of this have to do with the CONRAC and the Control Center? Mr. DeCosta responded yes. The offers have already been made to the individuals. He is recommending approval because it is hard to fill jobs. Councilmember Muller asked

when did the interviews take place? Mr. DeCosta responded two months ago. We have qualified people for the jobs. Councilmember Muller stated that we tabled it because we weren't sure it had to be done now. CFO Glass added that he looked at the Commissioners proposals and it does make sense. Councilmember Muller asked if all of them are for future projects. Mr. DeCosta responded yes. Councilmember Muller asked if they are to begin immediately. Mr. DeCosta responded yes and we have established certain priorities. Councilmember Winslow asked if they were in the 2008/2009 Budget. Mr. DeCosta responded yes they are the increases between the positions. They are budgeted. Councilmember Moore asked if you have made budget cut?. Mr. DeCosta responded yes in personal services and he has also asked the managers to take a 10% cut. Councilmember Moore stated that she is concerned with the cuts people are making. Unless there is something in writing she can't keep her eye on the ball. The budget needs to be amended. If the furloughs are cuts they need to be made to the budget. Do you have specifics now regarding the 10% cuts? Mr. DeCosta responded that he would provide it to the Committee. Councilmember Moore stated that there was some interest made related to Aviation and their funding. Are you on track? Mr. DeCosta responded that in the summer we looked at the official airline guide regarding available seat miles, etc. Fuel was up and there were fewer passengers and less revenue for the Airport. He has made the judgment to be conservative until we see what will happen in our economy. Councilmember Moore stated that she does not see every position. Some of them on pages #2, #4 and #5 have above entry hiring. Have you hired the people yet? Mr. DeCosta responded that the City froze hiring on the General Fund and not the Enterprise Funds. We have decided to put in place more conservative actions. Councilmember Moore stated that it is appropriate for everybody. Having a mid-year budget review is important. She hopes it will happen the first of the year. We need the amendments documented. The last amendment was from Ms. Jackson where she identified the accounts the Mayor froze. Chairperson Shook asked if you are under a freeze. Mr. DeCosta responded no, he opposed it on business judgment decision. Chairperson Shook asked how critical are the transactions? Why weren't they done months ago? Mr. DeCosta responded that we have not been able to hire. Councilmember Moore stated that she understands, but when the authority changed you could have still introduced the paper. Mr. DeCosta responded that we had to wait on Commissioner Ransom to add in the Personnel Paper. Councilmember Moore reiterated is there a hiring freeze at the Airport. Mr. DeCosta responded that we are doing a modified one, no Manager cannot hire without his authorization.

Continuing, Council President Borders asked Commissioner Hunter what is going on in his Department. We understand that your Department is self detaining. We are concerned about the people you want to hire. What are you trying to accomplish.

**Mr. Rob Hunter:** Commissioner of the Department of Watershed Management addressed the Committee by stating that he describes this paper as an administrative authorization. The positions are included in his budget. They are administrative changes. Before Council changed the authorization they were included in the budget and would have been done administratively. The dollar impact is \$211,000. They are moving from one class title to another one. There are also salary adjustments. Some of them are issues where there are entry level hiring to mid-point hiring. They lead to savings. The Watershed Director position is already filled. When it was restructured the individual replaced two people's positions. We have a number of above entry hiring positions. We want to make sure that the salaries are in the appropriate place. This has no funding impact. We are doing legislatively what Council requires us to do. Council President Borders asked what is the driver of the impact? We know that revenues went down. Commissioner Hunter responded that costs went up on the Capital Projects of \$35 million dollars. Capital debt payments have increased by \$1.5 million. Council President Borders asked what ability is there to cover the gap. Commissioner Hunter responded that this paper and gap actions run down two separate tracks. First the gap is not finalized. We will have temporary conditions. The draft charge is not finished yet. It will allow us to cover the \$50 million dollar gap. Councilmember Muller stated that appears to be exactly the same. Commissioner Hunter responded that the memo went to everyone's office and was given at the

meeting. Councilmember Muller stated that Watershed is not laid out like Aviation. Commissioner Hunter responded that the first position number is the one to be abolished and the other one is the creation. Position Number 52279 Grade #23 is being abolished and Grade #21 is being created. All positions are reflected in the summary. There is a savings of \$3 million dollars. Councilmember Muller asked if it is tallied up. CFO Glass responded that he went through the draft plan and it seems to be logical. He has identified what makes a lot of sense. It will depend on execution. Councilmember Muller asked if they will be hired immediately. Commissioner Hunter responded that he has a draft plan to make sure it is implementable. It will indicate the close out gap. Councilmember Moore stated that we have not amended the budget yet. She is concerned with the Department of Watershed absent of the plan. If you are asking for a vote she needs to know what the plan is. It may not make sense. How do you know it is \$50 million dollars? Commissioner Hunter responded that we are projecting \$50 million dollars and the financial information is up on the website. Our projections are to be a \$35 million dollars shortfall. Councilmember Moore stated that when we adopted the 27% rate increase, we were told that we were blending them and making them whole for less water usage. Has water usage gone down since? Commissioner Hunter responded yes. Across the area it is 20% to 25% lower. It is a factor to use less. One issue is the drought that was in affect. The outdoor watering ban took effect. It could be a low water washer or low water toilet. Another issue is the mortgage crisis. There are a number of factors. On the expenditure side, some of the Bonds are Variable Rate Bonds. The debt is to be \$15 million dollars more. Councilmember Moore stated that raising rates and cutting staff may be what we need to do. Commissioner Hunter responded that we will have the plan available in the next couple of weeks. We are not entertaining more rate increases this year and reducing expenses. Councilmember Moore stated that all budgets need cuts in expenditures. Why wait until the first meeting next year to start cutting. Commissioner Hunter responded that these are actions we had in the last budget. We had offers in or promised to promote people. They took a job with an offered salary. They are caught up in the legislative change. Councilmember Moore asked why weren't these with the budget? How were they missed? Commissioner Hunter responded that they were not included in the activities at the time. They missed the administrative change. We are required to have a licensed operator 24/7 at the plants. Councilmember Moore asked what are you doing specifically. Commissioner Hunter responded that while the dollar amount is larger we went through this last fall. We finished in the black and not in the red. Councilmember Maddox stated that there is no paper before the Committee. Chairperson Shook stated that he wanted the six Committee Members to have a discussion. He hopes that we won't have to go into a Committee as a Whole. Councilmember Muller asked for a Work Session. Councilmember Maddox stated that he hopes that the other colleagues will have an opportunity for discussion. He then asked the CFO if there is some reservation with moving forward. CFO Glass responded that from his perspective, it is his belief that they can achieve the offsets. It appears to be reasonable. Everything depends on execution. He should be able to handle this. Councilmember Maddox asked if necessary is it quite possible to do furloughs in your Department to close the gap. Commissioner Hunter responded that everything is on the table from electric bills to furloughs. Mr. DeCosta added that we will be able to avoid furloughs. The 10% reduction is a soft freeze where he will make decisions on hiring. Councilmember Maddox stated that he is supportive of the paper. Councilmember Winslow asked about the Shining Star Program. Is it for the lower level employees? Commissioner Hunter responded that it puts together training for individuals to have greater skills to provide more services to our customers. Councilmember Moore asked what took so long for the paper to get here.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by responding that we suspended all personnel transactions. We wanted to submit one Personnel Paper throughout the year. The Code was changed back in August. Councilmember Muller stated that there are two pages that are not Watershed and Aviation. Commissioner Ransom responded that it is the Departments of Fire and Finance. There is a title amendment for Fire/Rescue and a Criminalist at a pay grade 26 that is downgraded to a Grade #21. Currently, there is no Fire Sergeant.

The Department of Finance is cost neutral. It is a Reclassification to identify the Encumbrance. City Council approved the Citizen Review Board and for staff, which includes two Investigators and one Administrative Assistant. The Department of Planning and Community Development positions are the Bond Fund positions. The Planning position is a Grant and Public Works is the Bond Funds. Councilmember Moore asked how the hiring freeze effects the position creations. Commissioner Ransom responded that the Executive Director will fill the positions. She will leave one of the Investigator position's vacant. Councilmember Moore stated that you cannot say there is a freeze and hire people. Councilmember Maddox asked if those new creations in the General Fund will be furloughed as well. Commissioner Ransom responded yes. Councilmember Moore stated that if we say something we should make it clear. Commissioner Ransom responded that there is a freeze except for Audit, Ethics and Boards and Commissions. Councilmember Moore stated what we say and do does not have clarity. If you set policies, everyone should follow them. Does the 10% furlough have exclusions? Commissioner Ransom responded that it is from the Department Heads to support staff. Councilmember Moore stated that it should reflect the budget. It was asked that Departments do an additional 10% cut. Are there going to be additional Rifs? Commissioner Ransom responded that everything is on the table. Councilmember Moore asked if it is supposed to be accomplished by December 1<sup>st</sup>. Commissioner Ransom responded that information will be communicated to Council. Councilmember Moore stated that is why it is difficult to sit back and wait for some reactionary result. The 10% cut could be Rifs. She needs the public to understand that we don't talk. Council is left to wait on information.

**Mayor Shirley Franklin:** addressed the Committee by stating that based on our proposal we anticipate a \$50 to \$60 million dollar budget shortfall. We have instituted a hiring freeze and furloughs. We are working on the operational issues related to the furloughs. We will save around \$25 to \$30 million dollars. We will come back to modify and take \$12 million dollars from the Reserves. It will leave \$20 million dollars in the Reserves. It is not wise to take 100% of the Reserves. The balance will leave around \$18 to \$19 million dollars in our Reserves. We have been working since two weeks ago trying to determine what our options are to close the gap. We have not figured it out yet. We believe the furloughs to work operationally. We are working hard on it. We don't want to propose a plan that is not balanced. The employees believe that they should be paid a fair wage for the service they do. What we plan has to be implementable. We are trying to avoid back and forth with saying one thing and changing our direction. Council President Borders asked for an update regarding the letter to Chairperson Randle. Mayor Franklin responded that Chairperson Randle acknowledged receiving the letter. He expressed an interest in our ideas. He also expressed an interest in how we invest Airport funds. The Mayor of Philadelphia initiated the letter. We asked for assistance in guaranteeing direct loans for infrastructure and for Pensions. All of the efforts are impacted because Treasury is having such a hard time to stop the bleeding. We don't have anything hard and fast. Chairperson Randle stated that some of it belongs to other Committees. The first letter was a follow up to hearings that Ways and Means held. The letter to Secretary Paulson is to review broad mandates. He has the ability to do some of the things that we impose. Dr. Scott of MARTA stated that all of us are frozen out of the market and need relief. We are all in the same category where we can't borrow money. Councilmember Moore asked if we can have feedback and discussions. The Council needs to know if there are going to be Rifs. Is there a way for a better mechanism? Mayor Franklin responded that we came and presented it to Council and told you everything we knew. She has heard from several Councilmembers and personally wrote them e-mails. She presented the list of things she could implement immediately and things that would impact services. Councilmember Moore asked when do you anticipate having the plans. Mayor Franklin responded that the furloughs will take place in December. All of the Departments have proposals. She has appealed to everyone to find a way to meet the reduction. We are trying to finalize how to operate. Some things are impacted by furloughs and some are the result of budget cuts. Councilmember Moore asked if some of the Departments are instituting the cuts. Mayor Franklin responded that she is not aware if that is for the cuts. Councilmember Moore asked about the \$12 million dollars

from the Reserves. Mayor Franklin responded that the outcome is how much you have left. The goal is to keep \$20 million dollars in the Reserves. Some economists have said that we have bottomed out. Councilmember Moore asked for a report that shows that revenues are low. Mayor Franklin responded that information was passed out regarding the first quarter. Councilmember Maddox thanked the Mayor. Have you considered doing some different with overtime? Mayor Franklin responded that we are controlling overtime. Some can pay compensatory time. We have policies in place and will investigate those. She thinks that we need to be concerned about comp time. Councilmember Maddox stated that Chairperson Randle will be replaced next year. Mayor Franklin responded that we will have somebody there you can rely on as the Chairman. Councilmember Maddox asked if we are on schedule with the changes. Mayor Franklin responded that she expect in the 2<sup>nd</sup> week of December we will know. See wants to do it differently. We had expected Atlanta to turn around sooner than other Cities. She hopes that you will join her in getting ready for 2010. If we manage this process we will be able to recover. She would not like to leave the City operating in the red. Councilmember Winslow asked if the money will be put back in the Reserves. Mayor Franklin responded no, we would build the Reserves back up. If the economy does not get worst, we will have a Reserve of \$20 million dollars. We are better off than we anticipated. Councilmember Winslow asked if it would help with the \$15 million dollars to pay for Variable Rate Bonds. Mayor Franklin responded that the Capital and Operating Funds are all operating in the black. The Variable Rate is something we do not control. Councilmember Winslow asked if we put back the \$12 million dollars, will it help with the Bond ratings? Mayor Franklin responded that she is talking specifically about the General Fund. The Enterprise Fund is different and they rely on the funds they receive. If you go with the \$12 million dollars going to operating, we will replace that before fiscal year June 30<sup>th</sup>. Councilmember Winslow asked if Bonds in the future will get better ratings. Mayor Franklin responded that if we address the financial issues now we are in a better position for ratings. Councilmember Muller asked about contracting out services. Mayor Franklin responded that we are looking at everything. Should we decide to do it, the impact would be on the 2010 budget. There are some thoughts about quick money that you may want to avoid.

**MR. IAN COOPER**

CFO Glass stated that in compliance with the Council's Amendment, Mr. Cooper is here to present himself to the Committee.

**Mr. Ian Cooper:** addressed the Committee by stating that he has been here a week. He stated that he also applied for the CFO position. He has focused on accounting, such as identifying, prioritizing and implementing accounting standards. He has Oracle experience. Councilmember Moore asked if he has outgoing reporting experience. What can you bring to the table? Mr. Cooper responded that there are other causes into play with Oracle. It is just not technology, but the implementation and processes. The information has to be at the front end of the system. There is an opportunity for improvement. He works with the CFO on a daily basis. Councilmember Moore stated that she would like to know what the Consultant has brought to the City. CFO Glass responded that he is working on reconciliations and processes. He will provide a written memo monthly. The Deloitte Firm will come in the first of the year. Councilmember Moore asked if he is utilized to put out fires. Mr. Cooper responded that his focus is on the daily operations. He is trying to find an immediate solution. He thinks that there are so many improvements.

**Council President Lisa Borders:** addressed the Committee by stating that she looks forward to all of the good things that the CFO and Consultants will bring.

**CONSENT AGENDA**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X**

- 08-O-2291 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive the application of the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor her Designee to enter into an Appropriate Renewal Agreement with Oracle USA Inc., for the Oracle RAC Software Licenses and Support for the ERP Application, on behalf of the Department of Information Technology, in an amount not to exceed fifty-six thousand, four hundred forty-six dollars and forty-two cents (\$56,446.42); all contracted work shall be charged to and paid from Fund, Department, Organization, and Account Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X**

- 08-O-2292 (2) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive the application of the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or her Designee to enter into an Appropriate Renewal Agreement with Oracle USA Inc., for the Oracle Database Software Licenses and Support for the ERP Application, on behalf of the Department of Information Technology, in an amount not to exceed seventy thousand, one hundred seventy-nine dollars and ninety-nine cents (\$70,179.99); all contracted work shall be charged to and paid from Fund, Department, Organization, and Account Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X**

- 08-O-2293 (3) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive the application of the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or her Designee to enter into an Appropriate Renewal Agreement with Oracle USA Inc., for the Oracle Database, RAC, and Internet Server Software Licenses and Support, on behalf of the Department of Information Technology, in an amount not to exceed sixty-six thousand, nine hundred nineteen dollars and thirty-six cents (\$66,919.36); all contracted work shall be charged to and paid from Fund, Department, Organization, and Account Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

**FILE**

The Department does not want to include this paper. Chairperson Shook offered a motion to **File, 6 Yeas.**

**TO ANTICIPATE AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF \$2,090,442**

- 08-O-2294 (4) An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the amount of \$2,090,442 to be received from the Federal Aviation Administration's Offer via a Letter of Intent "#L004-2010, Payment #3" identifying Grant Agreement 3-13-0008-85-2008 for payment of the City of Atlanta's share of 25%, being handled via Construction Contract with Archer Western/APAC Joint Venture Contract #FC-30070000023, being paid from the 2004 Airport PFC Bond Fund, in accomplishing the Project listed as "Construct Taxiway "M" (east end tie into new Taxiway "L") Phase II; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE**

Chairperson Shook stated that this paper needs to be Referred to Transportation Committee.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 WATER AND WASTEWATER BUDGET**

- 08-O-2295 (5) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2009 Water and Wastewater Budget, on behalf of the Department of Watershed Management, in the amount of five hundred thirty nine thousand dollars and no cents (\$539,000.00) by transferring funds from 5052 (Water and Wastewater) 200101 (NDP Reservation of Fund) 5999901 (Reserve Conversion Account) 1512000 (Accounting) to 5051 (Water and Wastewater) 170201 (DWM Wastewater Treatment) 5750002 (Property/Liquidation) 4310000 (Sanitary/Administration) for Litigation Expenses Associated with Department of Watershed Management Matters; and for other purposes.

**FAVORABLE ON FIRST READ****REGULAR AGENDA****TO WAIVE APPLICATION OF THE CITY'S CODE**

- 08-O-2169 (1) An Ordinance by Finance/Executive Committee waiving application of the City's Code to renew on a retroactive basis for the first renewal term Agreement with Holland & Knight LLP, for FC-6006007921-B, Annual Contract for Lobbying Services for the Washington Representative; and for other purposes.

**FAVORABLE**

**Ms. Megan Middleton:** Mayor's Office of Intergovernmental Affairs addressed the Committee by stating that this had a one year base term and not three. Both of the contracts expired in June. Councilmember Hall offered a motion to **Approve, 6 Yeas.**

Councilmember Moore asked how did they expire. Ms. Middleton responded that the contract had a three year base term. The Legislation was different from the contract. Councilmember Moore stated that if the RFP had one year, then the contract was wrong. Ms. Middleton responded that is correct. Councilmember Moore asked how much is it for? Ms. Middleton responded it is not to exceed \$154,000 and the other paper is not to exceed \$170,000. This goes to June 19, 2009. Councilmember Moore stated that neither one has an amount. Ms. Middleton responded that there are not no additional funds, we are changing the time.

**TO AUTHORIZE THE MAYOR TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

08-O-2240 (2) An Ordinance by Finance/Executive Committee to authorize the Mayor to waive the Competitive Procurement Provisions contained in Atlanta City Code Article X, Procurement and Real Estate Code, to authorize the Chief Financial Officer to remit payment to CA Inc., for the past due invoice for the current contract year in an amount not to exceed one hundred sixty-eight thousand, one hundred forty-five dollars and eighty-one cents (\$168,145.81) for mainframe operations management, desktop management, network management, and information security software licenses, support and maintenance to be charged to and paid from FDOA Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

**FAVORABLE**

**Mr. Michael Dugan:** of the Department of Technology addressed the Committee by stating that this is for the \$168,145 that was left off. It was the first year of a three year agreement. There was a clerical error. It was a continuation of services for three years. We only did it for two. Councilmember Moore asked if it is for the extension of three years. Mr. Dugan responded it is from the initial contract. Councilmember Maddox offered a motion to **Approve, 6 Years.**

**TO WAIVE APPLICATION OF THE CITY'S CODE OF ORDINANCES**

08-O-2241 (3) An Ordinance by Finance/Executive Committee waiving application of the City's Code of Ordinances and allowing the City to renew on a retroactive basis for first renewal term Agreement with Pillsbury Winthrop Shaw Pittman LLP, for FC-6006007921-A Annual Contract for Lobbying Services for the Washington Representative; and for other purposes.

**FAVORABLE**

Councilmember Hall offered a motion to **Approve, 6 Years.**

**TO AMEND SECTION 1 OF ORDINANCE NO. 07-O-1007**

08-O-2242 (4) A **Substitute** Ordinance by Finance/Executive Committee amending Section 1 of Ordinance No. 07-O-1007 amending Chapter 110, Article 1, Section 110-3 of the Code of Ordinances of the City of Atlanta, Georgia. This Ordinance is to amend the room rental fee for tenants in good standing of the City's Neighborhood Centers – John C. Birdine, Dunbar, and Georgia Hill. The room rental fees for those rooms shall be \$0.00 for tenants from 8:00 a.m. through 5:00 p.m., Monday through

Fridays except holidays. Tenants who wish to rent those rooms before 8:00 a.m. or after 5:00 p.m. Monday through Fridays and on weekends and holidays shall pay the normal resident hourly rates for such rooms on behalf of the Executive Offices – Office of Enterprise Assets Management. **(Finance/Executive Committee Substitute adds the dollar amount, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

**Mr. John Levell:** Office of Enterprise Assets Management addressed the Committee by stating that Serena Sparks stated that a Public Hearing is not required. This is a rental issue. Councilmember Hall stated that we initially said that we could move this forward. Councilmember Muller stated that if someone is obliged to pay, it should require a Public Hearing. Mr. Levell responded that NPUs do not pay. Senior Assistant Attorney Braithwaite added that this is not a new charge but a continuing charge. Mr. Levell stated that it is for tenants in good standing who do not pay. The Substitute adds the dollar amount in the Caption. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH TRUST FUND ACCOUNT STRINGS FOR THE EXECUTIVE OFFICES**

08-O-2243 (5)

A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to establish Trust Fund Account strings for the Executive Offices – Office of Enterprise Assets Management to accept room rental fees and revenues associated with lease office space from the Neighborhood Service Cents – John C. Birdine, Dunbar and Georgia Hill to establish that half of all funds generated by the room rental fees and leased office space shall be deposited into 1001 (General Fund), Department 000002, Account 3810008 (Building Rentals, General) 0000000 (Default), and that half of the funds generated by such fees shall be deposited into the newly established Trust Fund Account Strings for each Neighborhood Service Center on behalf of the Executive Offices – Office of Enterprise Assets Management. All revenues generated by the refundable room deposit fee at each Neighborhood Service Center shall be deposited and expended from the newly created Trust Fund Account Strings for each Neighborhood Service Center; to authorize the Office of Enterprise Assets Management to expend fees from room rental fees, leased office space and the refundable room deposit fees, in addition to transferring the existing funds from the Department of Parks Recreation and Cultural Affairs Trust Fund Account to the newly established Trust Fund Account Strings for each Neighborhood Service Center on behalf of the Executive Offices – Office of Enterprise Assets Management, and for other purposes. **(Finance/Executive Committee Substitute removes the refundable room rental deposit, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute. Councilmember Moore asked if the money is for a singular purpose. Mr. Levell responded yes. Councilmember Moore stated that this money needs to go into the General Fund. Mr. Levell responded that it is about \$12,800. The money will be for the upkeep of the Centers. Councilmember Moore asked if it is in the Parks Budget or the Office of Enterprise Management Assets. Mr. Levell responded that they came under our Office in July. Councilmember Moore asked if it is operating maintenance. Mr. Levell responded that the budget is in the red. It is for everything because each Center is operating in a deficit. Councilmember Moore stated that she wants information regarding the annual cost for each Center. Are you

budgeting below? Mr. Levell responded that we are budgeting at what the Centers need. Councilmember Winslow stated that the Dunbar Center has to renovate. They used some CDBG money. Mr. Levell responded that he would provide the information. Councilmember Moore asked how much do we receive. Mr. Levell responded that it is set at \$8.00 per square footage and we raised it to \$10.00 at the last meeting. It cost us \$16.00 per square footage. We would have to cancel our leases and do new ones to charge \$16.00. There are leases up to three years in length. Councilmember Moore stated that we need to come up with fee structures. Is everyone paying? Mr. Levell responded yes, except for some Departments. Councilmember Moore stated that she wants a report of who is in the facility. If it costs more we may need to change the contract. Mr. Levell responded that we did that recently. We are going from \$8.44 to \$10.00 and it is the first increase in seven years. We did not want to double it. The remainder comes out of the General Fund. Councilmember Winslow stated that we need not raise leases to the point of losing tenants. Mr. Levell responded that the leases include utilities, etc. \$15.00 a foot to include utilities is not bad. It is on a pro-rental basis. Councilmember Moore stated that we need to rethink how we do things. We need to recover our costs. Councilmember Winslow stated that she is thinking about agencies that are non-profit and provide the necessary services. Councilmember Moore stated that it does not make sense to have expenses that revenues do not cover. She is not trying to hurt anyone, but cover our costs. Councilmember Maddox asked if the leases can be renegotiated. Mr. Levell responded that we can cancel new leases. We will take direction from Council. Some of the leases are as long as two years. We have authority to write up to three years. Councilmember Maddox stated that we need to put the tenants on notice when the lease is renewed and that there may be an increase. Whatever it is costing us, they need to cover. He thinks that we need to get on a pay as you go basis. We may need to renegotiate each one of them. Mr. Levell responded that we can cancel them and then renew them. All this legislation was moving forward when the storm hit. We did not want them to get a 90% increase. This is about a 17% increase. Councilmember Maddox asked if \$10.00 is high enough. Mr. Levell responded \$15.00 would be close. He would argue a phased in approach instead of a lump sum. Councilmember Maddox asked if this paper could do it. Mr. Levell responded that it would have to be amended. Councilmember Moore asked if it is possible that we can get information from each tenant first. Mr. Levell responded that it will be at the next meeting. Councilmember Fauver stated that if we have tenants we need to keep them. Councilmember Muller stated that when we start talking about changing things we need to realize that we do not charge for yard trimming and collections. Chairperson Shook stated that the Substitute removes the refundable room rental deposit. Councilmember Moore stated that the objective is knowing what the expenditures and the operating costs are. It does not always mean to increase the rent. Councilmember Hall asked how much comes in for the rental. Mr. Levell responded less than \$400,000 annually. Councilmember Winslow offered a motion to **Approve on Substitute, 6 Yeas.**

**TO RATIFY CONSULTING SERVICES RENDERED BY MACTEC ENGINEERING AND CONSULTING, INC.**

08-O-2248 (6)

A **Substitute** Ordinance by Finance/Executive Committee to ratify Consulting Services rendered by Mactec Engineering and Consulting, Inc., for FC-6005008009, Brownfield Identification, Assessment, and Prioritization, on behalf of the Department of Planning and Community Development; to authorize a new contract with Mactec Engineering and Consulting, Inc. for FC-6005008009; to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA and dollar amount, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Garnett Brown:** addressed the Committee by stating that we have two Grants from the EPA. In the Spring of this year we asked for a Grant Extension. We had a 90 day extension and it took us beyond the deadline. The Substitute corrects the FDOA and dollar amount. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas, 1 Abstention.**

**TO AMEND THE FY 2009 BUDGET**

08-O-2271 (7) A **Substitute** Ordinance by Finance/Executive Committee to amend the FY 2009 Budget by adding Funds collected from Donation Meters for Homeless Initiatives to Anticipations and Appropriations; and for other purposes. **(Finance/Executive Committee Substitute includes the FDOA, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that includes the FDOA.

**TO REDUCE THE PERSONNEL COSTS OF THE CITY COUNCIL MEMBERS AND THE COUNCIL PRESIDENT**

08-O-2277 (8) An Ordinance by Finance/Executive Committee to reduce the Personnel Costs of the City Council Members and the Council President by ten percent (10%); to waive conflicting Ordinances; and for other purposes. **(Referred by Committee on Council, 11/17/08)**

**FILE**

Councilmember Moore offered a motion to **File, 6 Yeas.**

**TO REDUCE THE PERSONNEL COSTS TO THE OFFICES OF THE MUNICIPAL CLERK**

08-O-2278 (9) A **Substitute** Ordinance by Finance/Executive Committee to reduce the Personnel Costs to the Offices of the Municipal Clerk. The Director of Council Staff and Councilmembers by ten percent (10%); to waive conflicting Ordinances; and for other purposes. **(Referred by Committee on Council, 11/17/08); (Finance/Executive Committee Substitute changes the ID number, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Councilmember Moore stated that we have a Substitute to change the ID number. It talks about the national economy and imposing a furlough. The Council will reduce Accounts to equal the 10% costs of the furloughs. We are transferring money from all of the Offices listed for the total amount. It is different because some Councilmembers have more staff members than others. The description lists the amount coming out. She has presented it to District 5 and the Council President. She has not heard a response back from District 5. When she does their money can be plugged in. Councilmember Maddox asked when she gives her amount, what will it be? Councilmember Moore responded she would provide the information. The paper we passed was money from various accounts. Councilmember Maddox asked if she decides to participate and we introduce a paper to transfer, does it mean the other Accounts will be reduced. Councilmember Moore stated that every Office carries its own weight. Everyone is giving their own amount. Councilmember Maddox suggested encouraging her to contribute. Councilmember Moore stated that she would make a call to her again before Monday. Councilmember Maddox asked if she is not included, are we in the total amount. Councilmember Moore responded every Office is in line

except for District 5. Chairperson Shook recognizes Councilmember Moore's diligence with putting all of this together. Councilmember Winslow stated that we will watch it. We will start our cuts when they start with the furloughs. Councilmember Moore stated that the money now is in the Non-Departmental fund.

**Mr. Greg Pridgeon:** Mayor's Office Chief of Staff addressed the Committee by stating that he thanks the Council for being part of closing up the gap. Councilmember Moore offered a motion to **Approve on Substitute, 6 Yeas.**

**TO WAIVE THE BUILDING, WATER, AND SEWER HOOK-UP FEES**

08-O-2311 (10) An Ordinance by Councilmember Clair Muller **as Substituted by Finance/Executive Committee (1), 11/24/08** to waive the building, water, and sewer hook-up fees related to the renovation of City of Atlanta Fire Station 27; and for other purposes. **(Finance/Executive Committee Substitute removes Sewer, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute to remove Sewer. He then offered a motion to **Approve on Substitute, 6 Yeas.**

**TO ANTICIPATE AND APPROPRIATE FUNDS IN THE AMOUNT OF (\$1,400,000.00) FROM THE ATLANTA DEVELOPMENT AUTHORITY**

08-O-2313 (11) An Ordinance by Councilmembers Natalyn Archibong and Joyce Sheperd **as Substituted by Finance/Executive Committee (1), 11/24/08** to anticipate and appropriate funds in the amount of one million four hundred thousand (\$1,400,000.00) from the Atlanta Development Authority to be used as Grant Funds for Chris Kids, Inc. under the Homelessness Opportunity Bond Projects; authorizing the Mayor to enter into the necessary Agreements including an Intergovernmental Agreement with the Atlanta Development Authority to administer a Grant in the amount of one million four hundred thousand dollars (\$1,400,000.00) for Chris Kids, Inc; to acknowledge ineligible Program expenditures and authorizing the use of the Grant money as an eligible offset to support the HUD disallowed costs; and for other purposes. **(Finance/Executive Committee Substitute adds the Attachment and corrects the FDOA, 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that adds the Attachment and corrects the FDOA. Councilmember Hall offered a motion to **Approve on Substitute, 6 Yeas.**

**TO AMEND AND SUPPLEMENT THAT CERTAIN ORDINANCE 05-O-2259 ENACTED BY THE CITY COUNCIL OF THE CITY**

08-O-2314 (12) An Ordinance by Councilmember Natalyn Archibong amending and supplementing that certain Ordinance 05-O-2259 enacted by the City Council of the City on November 21, 2005 and signed by the Mayor on November 22, 2005 to authorize additional funding for the Memorial Drive Greenway Project in an amount not to exceed six hundred thousand dollars (\$600,000.00) from Quality of Life Bond 3 Citywide Greenspace Funds Account Segment/PATEO Numbers: 13102550 (Project) 104 (Task)

313821776 (Award) 5411001 (Expense Type-Land); and Account Segment Numbers – 3138 Fund 2008 Quality of Life Bond Fund, 130308 Dept/Org DPW Transportation Design, 5411001 Account Land, 4270000 Function Traffic Engineering, 102550 Project Greenway Trail Projects, 21776 Funding Source 2008 QOL Bond 3138; approving conforming changes to the Intergovernmental Agreement relating thereto; and for other purposes.

### **FAVORABLE**

**Ms. Diane Harnell-Cohen:** Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that in 2008 the Eastside TAD was passed. We have been following tracts of land and land on Memorial Drive has become available. Chairperson Shook asked for the source of funding. Commissioner Harnell-Cohen responded that it is the Quality of Life. There was \$4 million dollars for Citywide green space. It is deemed to be one of those. Chairperson Shook asked for the process of obtaining green space. Commissioner Harnell-Cohen responded that this project has been on the plate since 2006. It is 1.2 acres. Anytime anyone has property for us to acquire the entire team will look at it. It is between Oakland Cemetery and the Capitol. She then showed a map with the parcels that have been acquired. Councilmember Hall asked if this is the Lamplighter Café. There are other operating businesses there. Commissioner Harnell-Cohen responded no. It is part of the Linear Park. Chairperson Shook asked how much green space has gone to this project. Commissioner Harnell-Cohen responded \$6 million dollars out of \$13 million dollars. Chairperson Shook asked how does he catch up with the other Districts? It is unfair because District 7 has 27% of green space. Commissioner Harnell-Cohen responded that outside of the Beltline we try to balance out the Districts. Councilmember Moore asked what is the relationship between the acres and the cost? Commissioner Harnell-Cohen responded that each acquisition is different. Some we can purchase for millions and some for thousands. Councilmember Moore stated that the Bellwood Quarry was funded by Watershed and not the Quality of Life Bond Funds. Commissioner Harnell-Cohen responded that we try as hard as we can. Wherever there is an opportunity we jump on it. The clock is ticking and it is going to expire soon. Chairperson Shook stated that he would like to be involved in the quick decisions. How can one part of the City get the 50 story buildings and no green space? Commissioner Harnell-Cohen responded that questions are on the table. Chairperson Shook stated that he had this discussion seven years ago and there is no resolution. Commissioner Harnell-Cohen responded that there is no large pot of money. You have to take advantage of the opportunity when you can. She was in your District a year ago celebrating getting green space. Chairperson Shook stated that he has just had it. This conversation is going to continue. Councilmember Muller stated there was discussion to look at the two large parking facilities and put parking underground. Commissioner Harnell-Cohen responded that this is on the Department of Planning's scope as being high priority. For six years she has been trying to find green space and we are still 46<sup>th</sup> in the Country for acquiring green space. Councilmember Moore stated that Buckhead is overdeveloped. She has concerns with fair share regarding waste, junk yards, etc. We all have our frustrations. If there are some available sites, the Commissioner can look at it. This is out of Planning's Quality of Life Funds. Councilmember Hall stated that a solution is to look at the cost. Some properties can become parks. Commissioner Harnell-Cohen responded that is what we did with the Howard Property. Councilmember Muller stated that before the Olympics a firm wanted to do an underground parking lot at Lenox. Commissioner Harnell-Cohen responded that we are amending the agreement to see where the money is going. Councilmember Moore asked the Commissioner if she has properties in the Buckhead area to be acquired. Commissioner Harnell-Cohen responded that there is some in the land bank we are trying to acquire. Councilmember Hall offered a motion to **Approve, 4 Yeas, 1 Nay.**

**TO AMEND THE 2008/2009 (GENERAL FUND) NON-DEPARTMENTAL BUDGET IN THE AMOUNT OF \$55,000.00**

08-O-2316 (13) An Ordinance by Councilmembers C.T. Martin and Jim Maddox amending the 2008/2009 (General Fund) Non-Departmental Budget in the amount of \$55,000.00 by transferring Funds from Account \_\_\_\_\_ to the Judicial Agencies-Court Operations Salary Accounts; and for other purposes.

**HELD**

**TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER #2 TO CONTRACT NO. FC-7692-04**

08-R-2286 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order #2 to Contract No. FC-7692-04 with Archer Western Contractors, Ltd/Capital Contracting Company, Inc., a Joint Venture, and associated Purchase Order FC-7692-04-PO, Conrac Automated People Mover System, on behalf of the Department of Aviation, in an amount not to exceed \$8,730,000, to be charged to and paid from PTAE0 18102610 (Conrac APM Center) 102 (R21E013593CR) 551121375 (DOA 2004 J N K PFC 93CR) 5414002 (Facilities Other Than Bldgs-CIP) and FDOA 5511 (204 Airport FPC Bond Fund F-K) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 7563000 (Airport) 102610 (Conrac APM Center) 21375 (DOA 2004 J N K PFC 93CR) 0000 (Default) 00000000 (Default) 00000000 (Default); and for other purposes.

**FAVORABLE**

**Mr. Dan Malloy:** of the Department of Aviation addressed the Committee by stating that this was a conflict in 2007. We have audited their books and identified the impact in the \$18 million dollars range. This is the last issue on this Rental Car Program. This clears up our issues and we are comfortable. Chairperson Shook stated that Aviation was upfront with warning us that this day would come. Mr. Malloy responded that we tried to be upfront. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

**TO ACCEPT THE ASSISTANCE OF IBM GLOBAL SERVICES ON A PRO BONO BASIS**

08-R-2287 (2) A Resolution by Finance/Executive Committee accepting the Assistance of IBM Global Services on a pro bono basis to perform an assessment of the Atlanta Police Department's Technology Infrastructure to support the Digital Video Surveillance Initiative and make appropriate recommendations; to authorize the Mayor or her Designee to execute said statement of work; and for other purposes.

**FAVORABLE**

Mr. Dugan stated that this is for pro bono services. The intent is to do an assessment so we will be able to transport video feed. There is a project plan and scope of services attached. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO CONTRACT NO. FC-6007000058**

08-R-2288 (3) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment No. 1 to Contract No. FC-6007000058, Post-Production Support for Enterprise Resource Planning, between the City of Atlanta and Oracle USA, Inc., on behalf of the Department of Information Technology, to extend the term of the contract and to add funding in an amount not to exceed one million, two hundred fifty thousand dollars and no cents (\$1,250,000.00); all contracted work to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information Systems); and for other purposes.

**FILE**

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

08-R-2289 (4) A 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 GSA Contract GS-35F-0009T with Oracle USA, Inc., for the purchase of Consulting and Professional Services to implement the Oracle Human Resources Self-Service Module on behalf of the Department of Information Technology in an amount not to exceed two hundred seventy-nine thousand, six hundred sixty-six dollars and no cents (\$279,666.00) all contracted work shall be charged to and paid from 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System) and for other purposes.

**HELD**

Chairperson Shook stated that without this action HR will be left without the Oracle program. Why don't we have it and how much we have thrown down the drain. It is unbelievable. We are over \$50 million. Councilmember Winslow stated that we were told we were at the final cost. What is the additional amount for this system? Where are the Oracle people?

**TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 FOR A SOLE SOURCE AGREEMENT**

08-R-2290 (5) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 for a Sole Source Agreement with JKR Maintenance Services, Inc., for Building Maintenance Services (I.E. Mechanical and Electrical) at City Hall East, on behalf of the Executive Offices-Office of Enterprise Assets Management in an amount not to exceed two hundred twenty-two thousand, dollars and zero cents (\$222,000.00); all contracted work to be charged to and paid from Fund, 1001 (General Fund), Department 040405 (Exe. Facility Maintenance), Account 5222001, Service Repair and Maintenance-Buildings), 1565000 Function Activity (Gen. Gov-Bldgs/ & Plants); and for other purposes.

**FAVORABLE**

**Mr. Larry Riddle:** of the Office of Enterprise Assets Management stated that this is a Renewal #1 for maintenance at City Hall East. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ACCEPT THE MAYOR'S VOLUNTARY REDUCTION IN SALARY**

08-R-2310 (6) A Resolution by Councilmember Howard Shook authorizing the Chief Financial Officer to accept the Mayor's Voluntary Reduction in Salary for the remainder of Fiscal Year 2009; and for other purposes.

**FAVORABLE**

**Mr. Greg Pridgeon:** Mayor's Office Chief of Staff addressed the Committee by stating that this was reviewed by Law and the Mayor wants to have this approved while she bridges the gap. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

**TO SUPPORT AND ENCOURAGE THE DISINVESTMENT OF ALL FUNDS**

08-R-2317 (7) A Resolution by Councilmember Ceasar Mitchell **as Amended by Finance/Executive Committee (1), 11/24/08** supporting and encouraging the disinvestment of all Funds managed by, for and on behalf of the City of Atlanta and any ancillary components of the City of Atlanta, in an company with active business operations in Iran or Sudan; and for other purposes. **(Finance/Executive Committee Amendment states that any business in the petroleum and energy sector, 11/24/08)**

**FAVORABLE AS AMENDED**

**Mr. Wayne Martin:** of Councilmember Ceasar C. Mitchell's Office addressed the Committee by stating that this is a perspective measure to not move forward with investments with active business operations in Iran or Sudan. Councilmember Moore asked if do any business with them. CFO Glass responded that we would have to go in and investigate. Mr. Martin stated that a year and a half ago there were none. Chairperson Shook stated that there is an Amendment that states that any business in the petroleum and energy sector. Councilmember Moore asked if it is narrowly with that or inclusive. That would make it more difficult. She does not know how to identify it. Mr. Martin responded that we have a list of companies. Chairperson Shook stated that he does not recall seeing any similar legislation before regarding making an international statement. Mr. Pridgeon responded that we took action regarding the apartheid in South Africa. Chairperson Shook asked if the City is able to track and identify companies? Mr. Pridgeon responded that it may have not been inclusive, but there was an attempt. Chairperson Shook stated that we want to know in order to take action. Mr. Pridgeon responded that it is a best effort. Councilmember Winslow stated that she sees what Councilmember Mitchell is trying to do. We all are trying to find out more information. In the housing market, companies took properties and sold them oversees to other companies. If they live here now they may invest in their Country. There was some Prince's that did that. Mr. Martin stated that it is not individuals. This measure passed in the United States unanimously. Councilmember Fauver stated that if there is an investment in a Bond it would only be the trading value in the Stock Exchange.

**Mr. Jarrod Jordan:** addressed the Committee by stating that this Resolution talks more to the Iranian energy sector. It relates to oil and gas. It says that we will not indirectly fund them that kill the troops. If there is we will disinvest. This legislation

states that we are not going to allow our money to fund these regimes. The City of Atlanta will be the first in the nation that target Sudan and Iran. 80% of their economy is tied to petroleum. It is similar to South Africa in the 80's. The legislation says that the City will cease now. Councilmember Muller asked for a copy of the State Legislation that was passed.

**Mr. Cory Johnson:** addressed the Committee by stating that he was attracted to the City because they are proactive. The American government is funding their nuclear ambitions. He is a concerned citizen and a student of Clark Atlanta. We care about this issue. We want to make sure that we are not doubling the efforts to regimes that harm us. This is something we can do on a municipal level. Councilmember Moore offered a motion to **Approve as Amended, 5 Yeas.**

### **TO AMEND RESOLUTION 08-R-1783**

08-R-2319 (8) A Resolution by Councilmember Anne Fauver to amend Resolution 08-R-1783 to authorize the Mayor or her Designee to establish a recovery charge of 19.8% which reimburses the City for compensation to MSB Government Services for FC-4678-08; for delinquent account receivables at a compensation rate of 19.8% of principal amount collected to be charged and paid from various Fund, Department Organization and Account Numbers listed herein; all revenue generated shall be deposited to various Fund, Department Organization and Account Numbers listed herein and for other purposes.

#### **FAVORABLE**

Councilmember Fauver stated that we have not been collecting collections charges on debt. We are supposed to get 80%. We add \$20.00 on top so the City can be made whole. We don't have a target of collective dollars. It covers fees in the Courts and Water rates. Councilmember Moore stated that there are concerns with the way they are structured. CFO Glass responded that they go back to the fund it is originated from. Councilmember Moore asked does it need to go through the process of notice. Councilmember Fauver responded that the Law Department stated that it does not need to. It is a recoupment not a new fee. Senior Assistant City Attorney Braithwaite responded that she would provide the information. Councilmember Fauver stated that when we have legislation, she expects Law to defend it. Councilmember Hall offered a motion to **Approve, 4 Yeas, 1 Nay.** Councilmember Moore read the Ordinance regarding establishing new fees. Councilmember Winslow stated that she wants to be certain. Senior Assistant City Attorney Braithwaite responded that a fine is considered a charge. Chairperson Shook Reconsidered the legislation. Councilmember Moore asked to Hold the legislation in order to go to the NPU's and have a Public Hearing. If the Ordinance is not followed, it would be voided. It will be **Held and sent to the NPUs.** Councilmember Winslow asked Senior Assistant City Attorney Braithwaite to give a paper to Fauver to introduce as an Ordinance if it should be one.

**Mr. Lem Ward:** Senior Assistant City Attorney addressed the Committee by stating that this is not one of those type of fees. This is not a new fee. Chairperson Shook stated that it is disturbing to hear different things from different organizations. Deputy City Attorney Sparks responded that Mr. Ward is the Law Department expert on fees. We feel comfortable relying on his opinion. Councilmember Winslow offered a motion to Reconsider. She then offered a motion to **Approve, 4 Yeas, 1 Nay.**

### **TO URGE THE FEDERAL GOVERNMENT TO ESTABLISH AN URBAN INFRASTRUCTURE RENEWAL AND DEVELOPMENT INITIATIVE**

08-R-2320 (9) A Resolution by Councilmember Ceasar Mitchell urging the Federal Government to establish an Urban Infrastructure Renewal and Development Initiative; and for other purposes.

**FAVORABLE**

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

**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**

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 PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW**

07-O-0623 (3) 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 to ensure annexation procedures are executed appropriately)**

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

07-O-0968 (4) 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 AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

07-O-0974 (5) 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 CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE**

07-O-1087 (6) 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 (7) 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**

07-R-2138 (8) 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 (9) 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 RESCIND ORDINANCE 07-O-2410**

08-O-0295 (10) 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 (11) 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 AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY LOCATED AT 207/211 VINE STREET**

08-O-0402 (12) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, 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 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

**HELD**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT**

08-R-0510 (13) 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, 3/12/08)**

**HELD**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ENAGE ON BEHALF OF THE CITY OF ATLANTA**

08-O-0736 (14) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

**HELD**

**TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT)**

08-O-0822 (15) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1\_\_\_\_\_ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

**HELD**

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

08-O-0829 (16) An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending

Article 2, Chapter 3, Section 2-302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(3<sup>rd</sup> Reading/Final Adoption); (Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION, SUBDIVISION II, SECTION 2-351**

08-O-0830 (17) An Ordinance by Howard Shook to amend Chapter two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146-26**

08-O-0831 (18) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146, Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE, DIVISION 2, SUBDIVISION 1, SECTION 2-69**

08-O-0833 (19) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II, Division 2, Subdivision II, Section 2-96© (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105**

08-O-0834 (20) An Ordinance by Councilmember Howard Shook as amended by Finance /Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of

Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO REQUIRE NOTICE IN CITY CONTRACTS REGARDING THE REQUIREMENTS FOR LEGISLATIVE AUTHORIZATION**

08-R-1233 (21) An Ordinance by Councilmembers Felicia Moore, Carla Smith, Joyce Sheperd, H. Lamar Willis, C.T. Martin, Natalyn Archibong, Ivory Lee Young, Jr., Ceasar C. Mitchell, Howard Shook, Clair Muller and Kwanza Hall to require notice in City Contracts regarding the requirements for Legislative Authorization in advance of rendering services of demand for payment; and for other purposes. **(Held 6/11/08 at the request of the Committee to allow Law Department to provide additional information.)**

**HELD**

**TO INCREASE ANTICIPATIONS FOR THE GENERAL FUND FOR FY 2008**

08-O-1460 (22) A **Substitute** Ordinance by Finance/Executive Committee increasing Anticipations for the General Fund for FY 2008 based on current revenues and to release the FY 2008 Restricted Reserve; and for other purposes. **(Held and Substituted, 7/30/08); (Finance/Executive Committee Substitute..., 11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute. Councilmember Moore asked if in the future when there is a big document that the Substitute pages only be inserted. Ms. Jackson stated that there are additional handouts and summaries as well.

**Ms. Monique Laws:** Director of General Accounting addressed the Committee by stating that Section 1 shows that there are three items to be transferred from the General Fund, which are Solid Waste, Surcharge and the Red Light Camera. Section 4 covers the excess revenues for the year. We had revenues of \$580,774,683 and we had revenues of \$573,410,739. The second page is Operations that outline Departments with a budget surplus. Section 5 were the Departments with a negative deficit. We are requesting that Reserves cover the deficits. Councilmember Moore went over the Departments that overspent and those with surpluses for a total of \$56 million dollars. There was a \$41 million dollars deficit in Non-Departmental. What sent us over the top?

**Mr. Lee Hannah:** Director of Grants Accounting addressed the Committee by responding that he can give a detail list of Departments that overspent. Page #2 under Non-Departmental the total amount for Oracle was \$5 million dollars, Legal Settlements of \$2.5 million dollars, Revenue Bond Principal Payments of \$5.1 million dollars, Sinking Fund for the GMA Loan Pool items \$13.9 million dollars, Hotel/Motel \$2.6 million dollars and Dome financing of \$17 million dollars. Councilmember Moore asked how we could not budget for such items as Credit Cards. Mr. Hannah responded that it was not an open budget, but budgeted at the end of the year. Councilmember Moore stated that there is \$450,000 in Credit Card payments. Mr. Hannah responded that in the past they were budgeted in the Non-Departmental Account. Going forward they will be budgeted for. Councilmember Moore asked what the \$484,000 business meetings

for? She then asked about Refunds. Ms. Jackson responded that in the past Non-Departmental was accessible Citywide. Any Department could do a disbursement. Councilmember Moore asked why we didn't keep up with the GMA Loan Pool and Sinking Fund. Ms. Jackson responded that we didn't have any input in the 2008 budget. Moving forward we have budgets, restrictions and controls not to charge to that account anymore. Refunds have to do with deposits. Councilmember Moore asked if a policy can be considered. CFO Glass responded that he concurs. Mr. Hannah added that there were no budgets for these items in the past. Councilmember Winslow stated that it was discovered that the Hotel/Motel taxes were down. Mr. Hannah responded that we paid out more than we received. CFO Glass added that we get 28.5% of the revenues. He is concerned that it has a tendency to overstate revenues. Those revenues were budgeted as a net of what we receive. We have to be careful because if the revenues are overbudgeted the expenses will be as well. Mr. Hannah stated that the other sheet shows the breakdown of overspent budgets. Two of the seven Departments overbudgeted were less than 2%. Judicial was over by \$3 million dollars, probably in salaries and overtime. CFO Glass added that they had a number of issues in the Department of Public Works, personnel expenses of \$1 million dollars, utilities of \$1.2 million dollars, fuel of \$250,000 and motor repair of \$2.1 million dollars. It is costing us more to maintain our fleet. It may be because of the age of the fleet. Councilmember Muller asked if we had a Solid Waste Fund to pay for capital improvements. Right now we are closing landfills. Councilmember Maddox stated that we can look at outsourcing some of it. Mr. Hannah responded that they would provide a detailed report. CFO Glass added that he cautioned to remember that we had a new system that was implemented in January. Mr. Hannah stated that we can give updated summary sheets. Councilmember Maddox asked if we have gone out for bids to do outsourcing for sanitation or motor fleet then we would not have to do the maintenance. Mr. Hannah responded that there were reports in the past. Councilmember Maddox asked to see the figures. Chairperson Shook stated that there were studies done for both Offices.

Continuing, Ms. Laws responded that we adopted Reserves of \$41 million dollars and the adjustment was \$19,642,005. The fund balance shows we had revenues of \$573 million dollars and expenditures of \$614 million dollars. Unfunded was \$94 million dollars. Councilmember Moore asked if we started with \$94 million dollars. Ms. Laws responded it was \$64 million dollars. We are now at \$53 million dollars. Each year it stands alone. The \$53 million dollars will start off 2009/2010. Ms. Jackson responded that the fund balance is not technically used unless it is to balance the budget. Unless something predicates us not to balance the budget, then we will use it. If we don't use it, it stays in the Reserves. The fund balance is the revenues and the residuals. Councilmember Moore stated that she is going to be dramatic if something else shows up. Councilmember Winslow asked under the \$573 million dollars and \$53 million dollars fund balance is that money we currently have. Ms. Laws responded that the \$94 million dollars was the fund balance at the end of 2007. The \$41 million dollars is the net and expenses. We have an accumulative of \$53 million dollars. Our expenditures exceeded our revenues. We ended up with a loss of \$41 million dollars. Councilmember Winslow asked if we had \$140 million dollars in 2006/2007. Ms. Laws responded yes. We used up \$41 million dollars of the Reserves. Ms. Jackson added that the 5% Budget Reserves is based on the 2009 budget of \$28.9 million dollars for the Restricted Reserves. The \$53 million dollars is the fund balance. Ms. Laws stated that the Reserves do not come out of the fund balance. CFO Glass added that the Mayor's number of \$32 million dollars is when the budget was reduced and forced the Departments to budget an additional amount. Another Reserve was created and the Non-Restricted Reserve is \$32 million dollars and the Restricted Reserve is \$28.5 million dollars. Councilmember Hall offered a motion to **Approve on Substitute, 6 Yeas**. Councilmember Winslow asked that the Departments respond to the CFO's e-mail.

**TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND**

- 08-O-1545 (23) An Ordinance by Councilmember C.T. Martin to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2009 and 2010 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Held for Actuary Report, 7/30/08)**

**HELD**

**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

- 08-O-1546 (24) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Ivory Lee Young, Jr., Ceasar C. Mitchell, Anne Fauver, Natalyn Archibong and Kwanza Hall to amend the FY 2009 (General Fund) Budget to reestablish the Department of Fire and Rescue Special Operations Squad by transferring appropriations from various non-personnel accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Held, 7/30/08)**

**HELD**

**A THIRTEENTH SUPPLEMENTAL BOND ORDINANCE**

- 08-O-1586 (25) An Ordinance by Finance/Executive Committee a Thirteenth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as amended and supplemented by the First Supplemental Bond Ordinance of the City of Atlanta adopted on March 30, 2000 (00-O-0214), the Second Supplemental Bond Ordinance of the City of Atlanta adopted on October 7, 2002 (02-O-1463), the amended and restated Third Supplemental Bond Ordinance of the City of Atlanta adopted on May 19, 2003 (03-O-772), the Fourth Supplemental Bond Ordinance of the City of Atlanta adopted on June 2, 2003 (03-O-0835), the Fifth Supplemental Bond Ordinance of the City of Atlanta adopted on September 15, 2003 (03-O-1448), the Sixth Supplemental Bond Ordinance of the City of Atlanta adopted on November 17, 2003 (03-O-1871), the Seventh Supplemental Bond Ordinance of the City of Atlanta adopted on April 19, 2004 (04-O-0431) and the Eighth Supplemental Bond Ordinance of the City of Atlanta adopted on October 18, 2004 (04-O-1811), the Ninth Supplemental Bond Ordinance of the City of Atlanta adopted on October 3, 2005 (05-O-1717), the Tenth Supplemental Bond Ordinance of the City of Atlanta adopted on April 17, 2006 (06-O-0551), the Eleventh Supplemental Bond Ordinance of the City of Atlanta adopted on April 17, 2006 (06-O-0552), and the Twelfth Supplemental Bond Ordinance of the City of Atlanta adopted on February 18, 2008 (08-O-0216), to provide for the Issuance of Airport Limited Obligation Bond Anticipation Notes, to provide funds to finance or refinance, in whole or in part on an interim basis, the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport, and to pay expenses relating

thereto, to authorize and approve the preparation, use and distribution of an Official Statement in connection with the offer and sale of the Bond Anticipation Notes; to provide for the form of the Bond Anticipation Notes and for the execution of the Bond Anticipation Notes; to provide for the place of payment of the principal of and interest on the Bond Anticipation Notes; to amend certain provisions of the restated and amended Master Bond Ordinance relating to maintenance of the Debt Service Reserve requirement and conditions for Issuance of additional Bonds and for other purposes. **(Held, 9/10/08)**

**HELD**

**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

08-O-1688 (26) An Ordinance by Councilmember Ceasar C. Mitchell to amend the FY 2009 (General Fund) Budget to reopen and maintain Atlanta Fire Station No. 7 by Transferring Appropriations from various Consulting, Supply, Travel and Other Non-Personnel Accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Forward with no Recommendation, 8/27/08); (Forwarded back by Full Council, 9/2/08); (Held, 9/10/08)**

**HELD**

**TO ESTABLISH A CITY OF ATLANTA TAXATION AND SERVICE DELIVERY TECHNICAL ADVISORY COMMITTEE**

08-R-1752 (27) A Resolution by Councilmember Mary Norwood establishing a City of Atlanta Taxation and Service Delivery Technical Advisory Committee; and for other purposes. **(Held, 9/10/08)**

**HELD**

**TO ADOPT THE FY 09 FINAL BUDGET**

08-O-2021 (28) A **Substitute** Ordinance by Finance/Executive Committee adopting the FY 09 Final Budget to include all Funds, and for other purposes. **(Held, 10/29/08); (Finance/Executive Committee Substitute...,11/24/08)**

**FAVORABLE ON SUBSTITUTE**

Councilmember Moore asked if when we have big documents, could we just add the pages that are Substituted instead of the whole document.

**Ms. Tanya Jackson:** Chief of Budget and Fiscal Policy addressed the Committee by stating that the attached summaries add a compiled detail. We took two pages and put them together. Our Agency and Judiciary Trust Fund is included. What is corrected is the summary amount. The Capital Budget process has been difficult to move from cash basis to accrual basis. We used conservative estimates. Until the audit is final things may change. We moved forward at detail. The document is presented in a summary format. We had to have a basis. The projects are ongoing. Page #3 is a corrected page, which shows the summary amount. In order to determine the funds available for FY 2009, we used an average of 90% of prior revenues as the estimated fund balance. We acknowledge that until the Audit is completed, numbers are subject to change. When you look at overriding things you have to have a basis. In order to move forward we have to present something today. Projects, Grants and the General Ledger are adopted

from previous legislation. We had issues identifying what the maximum revenue was. We will go back and break out all of the summary information. In order to move forward, we had to present something today. Councilmember Muller asked about page #28, money in the 1994 Bond Referendum Program. Ms. Jackson responded that funds are in some old Bonds. Councilmember Maddox stated that Campbellton Road had some remaining funds as well. We have done Phase I and II and we need to see what is available in Phase III. Ms. Jackson responded that she is aware that there are old Bond funds out there. Councilmember Muller stated that we need to make sure that they are in the correct category. There were a couple of projects that never got looked at in 1994, 1995 and 1996 Bonds. Councilmember Hall stated that this is really informative. There was some money in District 2 as well. Could the information be put in an itemized list? Councilmember Muller asked if it could be explanatory. We need to be specific of what they are. Councilmember Hall stated that the old Bonds should be in an Excel spreadsheet. Councilmember Maddox asked if it could be indicated if the project is to be completed or in progress. Councilmember Hall asked if the amount is around \$10 million dollars. Ms. Jackson responded yes, it is an estimate of that amount. Chairperson Shook asked how much is Underground? Ms. Jackson responded that is \$9.1 million dollars. Councilmember Muller stated that some encumbrances are listed as paid. Do we know? Ms. Jackson responded that one of the things is that there has to be collaboration between Finance and the various Departments. It allows for the cleanup process. We will have to come back with the details. Councilmember Muller stated that she was shocked to see when they did a Trust Fund for Water and we found out that there was over 300 Trust Funds and it was a fund to balance budgets. Ms. Jackson responded that she had a conversation with Law to be sure that funds could be spent on that purpose. The \$7.4 million dollars is the operating transfer. Chairperson Shook stated that one of the problems he has had is that we never had information presented the same way year to year. Is this the best possible way for it to be presented or was it time sensitive. CFO Glass responded that it was a time situation. We would probably do the entire budget in detail. Not having capital budgets in place means that we were not authorized to make payments against these funds. We simply can't pay you because of an unauthorized budget. Chairperson Shook stated that you can't do it too soon if you don't have the information. CFO Glass responded to pop up in the fifth month is too late. He wants to work on how to move the capital budget forward. He was told four weeks ago that it was not in place. It causes severe problems with the Departments and the people they work with. Oracle is a large impact. Chairperson Shook offered a motion to **Approve on Substitute, 6 Yeas**. Councilmember Muller asked if we Held a lot of papers do to the capital budget because it was not approved. Chairperson Shook responded yes.

#### **TO AUTHORIZE THE MAYOR, OR HER DESIGNEE, TO IMPOSE A 9-1-1 CHARGE**

08-O-2027 (29) An Ordinance by Councilmember Anne Fauver **as Substituted by Finance/Executive Committee (1), 11/24/08** authorizing the Mayor, or her Designee, to impose a 9-1-1 charge in an amount not to exceed one dollars and fifty cents (\$1.50) per month on Voice Over Internet Protocol (VOIP) Connections within the City of Atlanta; and for other purposes. **(Held and Substituted, 10/15/08)**

#### **HELD AND SENT TO NPU'S**

Chairperson Shook gave the public an opportunity to speak. We have a Substitute. Councilmember Fauver stated that we have a \$1.50 for every land line phone. In 2007, the State Legislature approved for the City to charge for VOIP. The VOIP is a younger group that probably does not pay property taxes.

**Mr. Bill Castings:** Associate City Attorney addressed the Committee by stating that VOIP is an internet communication. Councilmember Maddox asked what was the NPU report? Councilmember Fauver stated that it went for informational only and not for a vote. Councilmember Maddox stated that his NPU delayed any comments because they

had questions. Is it something that we needed to do? He thinks that we need some idea from the NPU's. Is there any records or response? When there is a cost involved they normally take a position. Councilmember Fauver stated that we have the authority to do it. Associate City Attorney Castings added that this legislation just covers the loop hole. Councilmember Moore stated that some people use their computer as a phone. Chairperson Shook offered a motion to **Approve on Substitute, 6 Yeas.**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ACCEPT A DONATION IN THE AMOUNT OF \$ \_\_\_\_\_**

08-O-2034 (30) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her Designee to accept a donation in the amount of \$\_\_\_\_\_ from the Atlanta Fire Foundation on behalf of the Atlanta Department of Fire and Rescue to fund the renovation of Fire Station #7; and for other purposes. **(Held, 10/15/08)**

**HELD**

**A CONTRACTUAL AGREEMENT WITH IRON MOUNTAIN**

08-R-2108 (31) A Resolution by Finance/Executive Committee authorizing all Mayor or her Designee to enter into a Contractual Agreement with Iron Mountain to provide for the removal of all records from City Hall East and to store the City's Records in accordance with the various approved retention schedules; said expense associated with this Contract shall be Charged To 1001 (General Fund) 200313 (NDP Records Management) 5212001 (Consultant/Professional Services) 1580000; and for other purposes. **(Held, 10/29/08)**

**HELD**

**TO AMEND CHAPTER 114 CHAPTER IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCE**

08-O-2135 (32) An Ordinance by Councilmembers H. Lamar Willis and C.T. Martin to amend Chapter 114 Article IV Division 12 Section 14-379 of the Code of Ordinance of the City of Atlanta so as to provide for Written Justification and Hearing for any Reduction In Force by Executive or Legislative Actions involving Public Safety and Court Employees; to waive conflicting Ordinances; and for other purposes. **(Held, 10/29/08); (Held and Substituted, 11/12/08)**

**HELD**

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

08-O-2257 (33) 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 a Classification and Position of Economist; and for other purposes. **(Held, 11/12/08)**

**HELD**

**ITEMS NOT ON AGENDA**

- 08-R-2354 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Northrop Grumman for the acquisition and installation of the hardware associated with the Atlanta Fire and Rescue Mobile Data Computer Project pursuant to City Code Section 2-1191.1. Special Procurements, on behalf of the Atlanta Fire and Rescue Department, in an amount not to exceed nine hundred sixty four thousand three hundred sixty dollars and no cents (\$964,360.00); and for other purposes. **(Finance/Executive Committee Conditional Passage of the CFO receiving information regarding the loan, 11/24/08)**

**FORWARD WITH NO RECOMMENDATION ON CONDITION**

**Ms. Simone Braithwaite:** Senior Assistant City Attorney addressed the Committee by stating that this is for hardware for the motor data for fire trucks. It is to help find the locations more efficiently. It is from the Lease Purchase Agreement. The total cost is over \$900,000 and the balance is from a Lease Purchase. Councilmember Moore asked how much will it cost. Councilmember Winslow asked if there is money in their budget. What is the cost? We just talked about having a deficit and now we are talking about spending \$438,000. Somebody needs to explain it. Senior Assistant City Attorney Braithwaite responded to have it passed means not losing the loan. Councilmember Moore stated that she has problems with it and move to Hold it.

**Ms. Serena Sparks:** Deputy City Attorney addressed the Committee by adding that Fire is in jeopardy of losing grant proceeds by December 31<sup>st</sup> if it is not approved. That is why the paper was walked in. Councilmember Winslow Reconsidered and want to send **Forward With Recommendation on Condition of the CFO receives information regarding the loan, 2 Yeas, 1 Nay, 1 Abstention.** Deputy City Attorney Sparks responded that this is an ongoing Grant and information was provided last year. It requires some matching funds and it is needed for equipment and installation for Fire. CFO Glass added that no one discussed it with him. Deputy City Attorney Sparks responded that all she has is an e-mail. Councilmember Maddox stated that he hates to turn down Grant money. Deputy City Attorney Sparks responded that the matching piece is already in the Fire budget. The Wachovia loan is a separate piece. Councilmember Maddox asked if we will lose it if we don't do it now.

**TO WAIVE THE ATLANTA CITY CODE OF ORDINANCES, ARTICLE X, THE PROCUREMENT AND REAL ESTATE CODE**

- 08-O-2351 (1) An Ordinance by Finance/Executive Committee waiving the Atlanta City Code of Ordinances, Article X, the Procurement and Real Estate Code, to authorize the extension of Contract No. FC-6007000058, Post-Production Support for Enterprise Resource Planning with Oracle USA, In., on behalf of the Department of Information Technology, and to add funding in an amount not to exceed one million, two hundred fifty thousand dollars and no cents (\$1,250,000.00); all contracted work to be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050202 (IT Applications 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information Systems); and for other purposes.

**FAVORABLE ON FIRST READ**

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

08-O-2352 (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 a month-to-month Contract with Novapro Risk Solutions, LP, for up to six (6) months or until another vendor is accepted, for Workers' Compensation Third Party Administration, Healthcare Management and Litigation Management, on behalf of the Department of Finance, in an amount not to exceed \$777,150.00; all expenses to be charged to and paid from Fund Department Organization and Account Number: 1001 (General Fund) 200307 (NDP Workers' Compensation Expenses) 5127001 (Workers' Compensation Inc) 1555000 (Risk Management) (Previously 1A01/General Fund; 515001/Workers Compensation Inc; T33301/Workers' Compensation Expenses); and for other purposes.

**FAVORABLE ON FIRST READ**

**Mr. Al Berry:** Research and Policy Analyst addressed the Committee by asking if there is any legislation being proposed about our Cost of Living proposal. Is it going to be removed? Until legislation is passed, it cannot be removed. Chairperson Shook stated that there is no pending legislation that he is aware of. Mr. Berry responded that Debra Henson is stating that there is such action being taken from Pensioners. Councilmember Moore stated that it has not been a part of the discussions. Maybe the Executive Branch is making that decision.

Continuing, Maddox stated that there are some projects coming to CDHR. One is that the developer is donating a park for public use in Buckhead and the developer will maintain it.

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker  
Recording Secretary

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