

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, February 25, 2009 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair                      Jim Glass, CFO  
                   Councilmember Felicia A. Moore                      Departmental Staff  
                   Councilmember Carla Smith  
                   Councilmember Jim Maddox  
                   Councilmember Cleta Winslow  
                   Councilmember Clair Muller

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

The Agenda was adopted as printed. Minutes of the February 11, 2009 Finance/Executive Committee were adopted as well.

### **DISCUSSION ITEM**

#### **LEGISLATIVE UPDATE, MEGAN MIDDLETON**

**Ms. Megan Middleton:** Mayor's Office of Intergovernmental Affairs Manager addressed the Committee by stating that this is day 42 of the Session. They will go ahead and finish up instead of recessing in March. Chairperson Shook asked about bills that had not dropped. Ms. Middleton responded that anything with changeovers will stay alive.

#### **FINANCIAL SYSTEM RECOMMENDATION-BOB FABISZAK**

**Mr. Bob Fabiszak:** addressed the Committee by stating that he is the Director OF Deloitte, Atlanta Office, and we did a six week assessment of the City's finances. We did three major processes, budgeting, account payables and the closing process. We had a number of workshops. I also have with me Mr. Brad Grant. We were here last spring. We spoke with some of the people in the Department of Finance. The challenges cannot be fixed overnight. The employees seem to be good people. You have a good team who can fix the issues. We found about seven or eight issues. Page #4 is reporting. Finance should focus on providing reports. We found that successful Finance Departments help other Departments get things done. They act as a strategic partner. The CFO is usually the #2 person in most organizations. Traditionally the Department of Finance has missed opportunities. Page #5 is Finance Oversight. Finance is the only group that is not a part of the ATL STAT. We heard from other Departments that the Department of Finance is silent. They could not handle person's questions. People would be bounced around from one Department to another. We should be here to serve the community. It is an insufficient way to run the City. Page #6 is the Oracle Project. There are not many mainframe systems out there. The City made a good decision to purchase Oracle. It is not uncommon to have lingering issues. Some areas are still feeling the effects. There are interfacing issues that need to be looked at and addressed. They are complicated issues. Page #8 is the Oracle Processes and Controls. Not everyone was trained on the system level. It was lacking the overall view of the system. There are some people not following the process. Page #8 is Reporting. There is no good report management. There was no good responsibility when the system was implemented. Many people rely on DIT for reporting. DIT has a system called Discovery to run reports. Page #9 is Finance Oversight. It is not a standard process to have 96% anticipation. Nobody has 99% or 96% prior revenues. The way it was implemented was to have a budget surplus at the end of the year. Page #10 is Planning, Budgeting and Forecasting. In the past, there has not been a well designed budget forecasting method in place. There is no overall strategic plan done. No organization of this size has a planning process that drives the budget. The budget guidance is on a very high level. The budget process is not stable. The current process

did not have an adequate technology behind it. It is not the ideal tool. Some of the problems mean not having good transparency. There is not a good process in place to project revenues. There is no monthly budget. Page #11 is Closing and Reporting. Projects and Grants cause the most problems with closing the books. Page #12 shows the number of things that need to be done. The Department of Finance must focus initially on short-term remedial actions and then address the underlying root causes of the finance process issues. Closing the books can get you more reports. Implement an Accounts Payable system. Conduct and develop a certified financial report. The first major task is to clean up work. There is a stack of work that needs to be cleaned up and establish a transformation agenda. He does not know if the current staff knows what they need to do. There needs to be outside people brought in to help. Another key recommendation is to begin reporting initiatives to develop required reporting and analysis capabilities. Next recommendation is to identify and implement any required fixes and/or modifications to the Oracle ERP system. Page #17 is policy changes and there may need to be changes to the Charter. Page #18 is to develop a stable and sustainable planning and budgeting process. Finally, page #19 is to address customer service issues by developing a Department of Finance "Center of Excellence". Budget Transfers do not need to go to the Council. He recommends finding the right balance for the necessary requirement. Chairperson Shook asked if you found anything that works. Mr. Fabiszak responded yes, the Accounts Payable process has only minor issues. Councilmember Moore stated that right now there is not enough trust from the Council for the Finance Department to have the Charter changed. Mr. Fabiszak responded that he thinks that developing a reporting system will go a long way. Councilmember Winslow stated that it is disturbing that we are going down a dark hole. We want our City to be helpful. Is Oracle useable without spending a lot more money on it and can the employees use it. Mr. Fabiszak responded that Oracle does work. Invoices are being paid and financial reports are being produced. There are some parts of it that is not working and there are still some bugs in it. Other than the reporting issues, these things can be adjusted very easily. Reporting is a big issue in Oracle. CFO Glass stated that the situation with the cash pool is not a new issue. It has been going on for three years. June is one of the high points and lot of it depends on the revenues. We had to enter into a MOU because of deficit conditions. Councilmember Winslow stated that she is hoping that if we need to measure things, we can do it instead of waiting until the next year. CFO Glass responded that we tried to do that with the forecasting. He needs a full pledge process. Councilmember Muller asked if the Oracle people were still here. How much is remaining on the contract? Mr. Fabiszak responded that it is procedural to have people still on board after a system is implemented. Councilmember Winslow asked if the contract was until June of this year.

**Mr. Dan Smith:** Chief of Information Technology addressed the Committee by stating that they are on site through June. It was for \$1.2 million dollars. We have three functional and one technical person on site. There is no extra money. Councilmember Winslow asked if the problems can be worked out by June. Mr. Smith responded yes, there are things we already knew about and started fixing. Councilmember Maddox asked if we are comfortable that DIT can take over after the Oracle people leave. Mr. Smith responded yes. He does not think he needs the same level of Oracle support after June. It would be in next year's budget. Chairperson Shook stated that we wonder if some of the problems come from the CFO not having the authority. Is it a CFO problem? Does the CFO have the codified muscle to make a Department stay within their budget. Mr. Fabiszak responded that in federal government there was an initiative to raise the CFO's responsibility. It is a matter of personality. One thing is that Mr. Glass wants to change things. He should be able to drive controls within other Departments. He should have the necessary analysis and reporting that show if there is overspending. Chairperson Shook stated that this Department sustains budget cuts itself. Mr. Fabiszak responded that you should take advantage of the 10 months left in this Administration for a suitable replacement. It is hard to attract people with a 10% furlough and there are other challenges as well. Some training is a good way to motivate employees. Chairperson Shook asked how do we follow up with you. Mr. Fabiszak responded that he would be glad to stay involved. CFO Glass thanked Mr.

Branch and Mr. Fabiszak. As the Consultants have stated, AP is the only area that is not broken. Councilmember Winslow asked if the Administration has this information. Mr. Fabiszak responded that the Mayor has a copy.

**2007 AUDIT MANAGEMENT LETTER RECOMMENDATION STATUS REPORT-LESLIE WARD**

**Ms. Leslie Ward:** City Internal Auditor addressed the Committee by stating that this is our first Status Report request for Council. Fiscal Year '08 has been completed. When it is finalized we will add it to the Audit Report. Chairperson Shook asked when will it be ready. CFO Glass responded that he is working on it. Ms. Ward stated that the Management Letter includes a cover letter and the table that lists the Auditor's findings and recommendations and actions needed. There are seven recommendations. Three are them are for security. The Finance Department was the lead department. Also involved is Aviation and Watershed. The Law Department also had a role. It was aimed at the City staff to identify those. Four of the three are partially implemented for better communication. It is for the Enterprise Funds. One of the four has not been implemented, which is to complete documentation of accounting procedures. It should be completed by April. The Departments of Watershed and Aviation have a separate IT staff. It was our view that efforts took place at the appropriate place. Having the Law Department meet with the Department of Finance to provide current information is an ongoing process. The best insurance is the completion of the policy and procedures. Chairperson Shook asked about the completion of the Oracle system related to these. Ms. Ward responded that she does not believe Oracle plays a role in these. Coordination within the Departments is facilitated by Oracle. The next follow up will be in June or July. She expects that the Management Letter won't be ready before March. Councilmember Moore asked about the Department of Watershed. Ms. Ward responded that the internal audit has been interrupted several times. The big performance target is March 31<sup>st</sup> and we will have it released by April 30<sup>th</sup>. It should be done before the rates on the budget are done. The level of cooperation is good. We need to make sure of our timing. Chairperson Shook thanked Ms. Ward for her work.

**TO APPOINT MS. ALLISON S. DYER TO SERVE AS A PROCUREMENT APPEALS HEARING OFFICER FOR THE CITY OF ATLANTA**

09-C-0280 (1) A Communication by Mayor Shirley Franklin appointing **Ms. Allison S. Dyer** to serve as a Procurement Appeals Hearing Officer for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

**FILE**

Chairperson Shook offered a motion to **File, 6 Yeas.**

**CONSENT AGENDA**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT LOCAL ASSISTANCE GRANTS**

09-O-0288 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor, on behalf of the City, to accept Local Assistance Grants in amount not to exceed \$105,000 (one hundred five thousand dollars) from the Georgia Department of Community Affairs; and amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Grant Services, by adding to Anticipations and Appropriations in the amount not to exceed \$105,000 of Grant Funds from the Georgia Department of Community Affairs for the

purpose of assisting Local Non-Profit Organizations to provide services to the Atlanta area; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR AGENDA**

**TO AMEND THE FY 2009 BUDGET**

- 08-O-1446 (1) An Ordinance by Councilmember C.T. Martin to amend the FY 2009 Budget so as to add to the Budget, Funding of the Judicial Agencies in the amount of \$350,000.00; to reduce the adopted Budget by said amount; and for other purposes. **(Referred back by Full Council, 2/16/09)**

**HELD**

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

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

- 08-O-1545 (2) 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); (File, 2/11/09); (Referred back from Full Council, 2/16/09)**

**HELD**

Councilmember Moore offered a motion to Hold and scheduled an Executive meeting at the end of the meeting or at the next meeting.

**Mr. Virendra J. Kharod:** addressed the Committee by stating that he was one of the people involuntarily retired. He came to know about the meeting on yesterday. Chairperson Shook stated that we decided to send this legislation back on last Monday's Council meeting. He is not sure of any notice being required. Councilmember Moore stated that the information did not come from us. Mr. Kharod responded that this seems to be out of the way. Two or three months before it took place, the Department of Watershed Management hired two new Directors. We should have been forewarned to look for another job. We feel that this was a disoriented practice used. We feel that there was a selective group of people laid off. People who were recently hired got to keep their jobs while people with 15 to 30 years of service were Riffed. Chairperson Shook asked if he would give his information to the Legislative Staff. Mr. Kharod responded that he has been subjected to discrimination. In 1993 he was employed by the Department of Corrections. He will bring this to the Council.

The Finance/Executive Committee went into Executive Session at 4:35 p.m. and reconvened at 5:00 p.m. Councilmember Moore offered a motion to **Hold, 6 Yeas.**

**TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING**

- 09-O-0277 (3) An Ordinance by Finance/Executive Committee to ratify and affirm that certain Interdepartmental Memorandum of Understanding between the Department of Finance and the

Department of Watershed Management dated December 23, 2008, establishing the terms and conditions for the repayment of an obligation owed by the General Fund to the Watershed Management Enterprise Fund; and for other purposes.

### **HELD**

Chairperson Shook stated that we have a Substitute. Councilmember Moore stated that we need to Hold this paper. At the last meeting she asked for a White Paper as to what happened. She received an e-mail of what made up the \$116 million dollars. Chairperson Shook stated that we will get a White Paper to explain the cash pool. CFO Glass responded that it is a device that alleviates short term borrowing. The funds that are causing this are the Capital Assets, Solid Waste, E-911 and Underground. They need to be repaid with a systematic method. He believes that we can issue TANs. There are timing issues that we need to take action. One issue is fixing the deficit balance. The basic issue is that we have funds that are in a deficit. We need to finance funds to borrow against the systems and growing stocks and the sale of City Hall East. Cash Pools are dynamic. On July 1<sup>st</sup> the balance of the cash pool will change. This is not a new issue. It fluctuates daily. We need to monitor this. He understands the frustrations and concerns. It boils down to balances fluctuating. We need a cash management program for each fund to be able to stand on their own. Councilmember Muller asked if we will be able to get the short term loans through the TANs. CFO Glass responded that he is pushing for it. We have to make sure that we don't overspend our revenues. We are looking at it to take place in the May time frame. This is not an unusual practice. He is not comfortable with it and wants to ratify it. He wants TANs on an annual basis until there is not a deficit. The Solid Waste fund has about \$40 million dollars associated with it. We don't collect the first dollar until after six months. Councilmember Muller stated that it may change the way we do billings. CFO Glass responded that there are some pros and cons. You could put in a one-time charge for eighteen months. Councilmember Muller stated that some Cities do an environmental bill monthly. CFO Glass responded that there are Counties that bill every other month. There are solutions that are fixable. He recommends that we fix it the accountable way. Councilmember Muller asked if it has been in the CAFR. CFO Glass responded that he recommends that it is ratified. This is the first year we have disclosed this. Nothing has been done illegally. Councilmember Muller stated that another CFO suggested that we stop using the TANs. Councilmember Moore stated that we do need to true it up. Moore asked about the money for the Public Safety Headquarters furniture. CFO Glass responded that funding was never executed. The City made the purchases in 2008. Councilmember Moore asked about the \$25 million dollars for City Hall East. What is the cure? CFO Glass responded that only \$12 million dollars have been borrowed. Councilmember Moore stated there was \$25 million dollars for City Hall East, \$20 million dollars for vehicles and the remainder of \$13 million dollars for Underground Atlanta. CFO Glass responded that there were vehicles purchased for Public Safety. We carried that fund in 2008 with a \$25 million dollar deficit. Councilmember Moore asked about the \$13 million dollars for Underground. CFO Glass responded that he would go back and research it because they are ancient. Solid Waste had a surplus of \$2 million dollars. The \$46 million dollars is from years past. It would be to pay back the General Fund. E-911 now is subsidized by the General Fund. It was broken out and in a deficit position. It is about \$7.5 to \$8 million dollars. Councilmember Moore asked if we are going into the next budget with that line item. CFO Glass responded that Underground Atlanta and E-911 are budget items. Councilmember Moore asked if we budgeted for it. CFO Glass responded that under the MOU we are obligated to budget for it. In the past it was not even budgeted for. Councilmember Moore stated that she wondered why Water Management was not budgeted for.

### **TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING**

09-O-0278 (4)

An Ordinance by Finance/Executive Committee to ratify and affirm that certain Interdepartmental Memorandum of

Understanding between the Department of Finance and the Department of Watershed Management dated January 27, 2009, establishing the terms and conditions for calculating and assessing Pilot and Franchise Fees, and offsetting outstanding water and sewer charges between the General Fund and the Department of Watershed Management Enterprise Fund in the amount of \$4,000,000 per year for four years beginning Fiscal Year 2010; and for other purposes.

**HELD**

**TO AMEND SECTION 2-1982 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

09-O-0370 (5) An Ordinance by Councilmember Jim Maddox to amend Section 2-1982 of the Code of Ordinances of the City of Atlanta, Georgia, pertaining to the Advisory Committee on International Relations (ACIR), so as to expand the scope of the purpose of ACIR; to waive conflicting Ordinances; and for other purposes.

**HELD**

**TO AUTHORIZE THE USE OF FUNDS RECEIVED IN CONJUNCTION WITH THE FEDERAL ECONOMIC STIMULUS PACKAGE**

09-O-0371 (6) An Ordinance by Councilmember Jim Maddox by the Atlanta City Council requiring Council approval authorizing the use of Funds received in conjunction with the Federal Economic Stimulus Package; and for other purposes.

**HELD**

Councilmember Maddox stated that Council should be involved in the expenditures. It is going to be a good thing for the economy. It has to be monitored carefully. Chairperson Shook stated that it is a selection process of existing plans. Our approval will be for each of the items.

**Mr. Dave Edwards:** Mayor's Office Program Manager addressed the Committee by stating that there may be some confusion on how the funds will come to us. In order to receive the funds there are processes in place. The Council's role is the same. There will be no additional processes in place. Councilmember Maddox stated that there are some projects that are shoveled ready. Mr. Edwards responded that when the White House was working on the Stimulus Package they were looking at infrastructure. The U.S. Congress and Mayors asked for all projects that could hit the ground in three months and be completed in two years. We took that list that met those qualifications. None of the projects are listed in the Stimulus Package. Councilmember Maddox stated that anytime you are using federal funds you will be audited. We have to be careful on how we spend the money. Mr. Edwards responded that we have the ability to spend the funds effectively. There are 90 different programs receiving funding through the Stimulus Program. Each project would have to apply for the funds. Councilmember Maddox asked when does the Council get involved? Mr. Edwards responded that they would come to the City Council for approval. Councilmember Moore asked about the list circulating around. Is that the list the federal government would look at? Mr. Edwards responded no, there is an established process. There is no single document. Councilmember Moore asked where is the document? Mr. Edwards responded that he could provide the list. Councilmember Moore stated that Council wants to have input. At what point in the process will Council be involved and have realistic dialogues with the Administration. Could Council have a Work Session to have our input? Mr. Edwards responded that we are in the process of going through the list.

**Mayor Shirley Franklin:** addressed the Committee by stating that she just got an e-mail from HUD regarding their allocations. She got through four of the ten programs listed. She thought she would send an e-mail to Council regarding them. The U.S. Congress of Mayors met with the President as well as some members of the Cabinet. We were there around 8:00 a.m. and finished around 12 noon. There were presentations made by HUD, Transportation, Infrastructure, Energy and Education. Of the five we should qualify for entitlement funding. We expect to have the guidelines out in 120 days. HUD issued documentation for 75% for the stimulus money. She was going through the link. Secretary Donovan got his guidelines out in a week for Homeless Prevention, CDBG, Lead Paint, etc. Each program sheet is one page. Of the remaining 25% from HUD, \$10 billion is allocated and the remaining 25% is for competitive bids, which is around \$2.5 billion dollars. States from the previous cycles had bids on the money. He has not stated when the competition would be for the remaining money. Money was coming for Transportation as well. Most of the money was coming to the State and the balance was coming to the Regional Commission. 30% is divided for local governments. There are discretionary funds for communities to bid for. The Department of Energy Secretary Steven Chu spoke about weatherization funds for homes. We would have to compete for weatherization money. He did not speak to the bulk of the funding for improvements. Our team (Office of Sustainability) had been working on our energy usage. It is not clear if they will be competitive. Education is for the most for States and School Boards. This is around \$100 billion dollars. She has not seen anything for summer or afterschool programs. It will include Pell Grants and additional tax credits for college students. Byrne introduced COPs to pay for equipment and inoperability and pay for 100% of Police Officers and Fire Fighters wages. This could bring back people who were laid off and retain officers or hire additional officers. At the end of the grant the program would continue. The guidelines will be out shortly and the application is simple. All of the Cabinet Officials are expected to get the guidelines out. You either spend the money consistently or return the money. She has sent to the Council some of the e-mails. Until we got the guidelines, it was not necessary to send out all of the e-mails. We will be fully engaged with the Council. Councilmember Moore asked if we have the people to write the grants. Mayor Franklin responded that you have to judge each one separately. It is unfair for us to say we don't have qualified people. AWDA programs started 40 years ago. We made a strong case for those dollars. COPs are within our ability and the federal government is going to make that judgment. The State will receive \$350 billion dollars for Medicaid this week. All of the funds are going to be auditable. On a monthly basis the federal government will do reports. Councilmember Maddox stated that the purpose of his Ordinance is for the Council to have input. He is proposing to Hold the paper until we see the information you have available. Mayor Franklin responded that it is impossible to spend funding without it going through Council. If you do not want her to use her access, she won't. She took on an issue that very few did not want to take on. She will not proceed with anything if you do not want her to. Councilmember Maddox stated that he did not know how the money would be coming. Mayor Franklin responded that she sent e-mails. Today is the first day that she has gotten anything in writing. She has concerns that you have a judiciary responsibility. Councilmember Maddox stated that a lot of it he did not know. We want to make sure that Council is in the loop. Mayor Franklin responded that she propose that she will come to Finance to give an update regarding the applications. Councilmember Maddox stated if we don't make sure it is done right, they will take it back. Mayor Franklin responded that if it is not it will be reallocated to someone else. We have more chances to get more money reallocated to us. Councilmember Maddox wants us to work together. Chairperson Shook stated that he will get with Mr. Edwards regarding receiving information. Councilmember Muller stated that the National League of Cities has good information as well. Mayor Franklin responded that the EPA person attended. When you are in a competition, you don't want to tell all of your competitors what you are doing. We need to be careful.

**TO AMEND SECTION 114-429 (VOLUNTARY SHARED LEAVE PROGRAM)**

09-O-0372 (7) An Ordinance by Councilmember C.T. Martin amending Section 114-429 (Voluntary Shared Leave Program) of the City of Atlanta Code of Ordinances for the purpose of allowing Employees to donate accrued leave (Sick or Annual) to eligible Employees in need of a donation prior to that individual having to exhaust all of their own leave; and for other purposes.

**HELD**

**TO TRANSFER \$50,000.00 FROM DISTRICT 8 COUNCILMEMBER EXPENSE ACCOUNT**

09-O-0377 (8) An Ordinance by Councilmember Clair Muller to transfer \$50,000.00 from District 8 Councilmember Expense Account to the Department of Public Works Office of Transportation to be used to assist in funding portions of the Peachtree Battle Neighborhood Intersection Project; and for other purposes.

**HELD**

Councilmember Moore stated that we should ask each other what we are doing. Councilmember Muller stated that this is at Peachtree Battle where there are many accidents and we want to make it safer. There are different categories of Quality of Life money, but it is not enough for this project. Councilmember Muller stated that \$50,000 is going to the total amount.

**TO AMEND CHAPTER 3 SECTION 6-304, BUDGET AMENDMENTS, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

09-O-0378 (9) An Ordinance by Councilmembers Felicia A. Moore, Carla Smith, Howard Shook, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Jim Maddox, Clair Muller, Kwanza Hall, C. T. Martin and Anne Fauver to amend Chapter 3 Section 6-304, Budget Amendments, of the Code of Ordinances, City of Atlanta, Georgia, so as to add a new Sub-Section (e) requiring Council approval of Interdepartmental transfer of Appropriations within, from or to the City's total Investment Portfolio; and for other purposes.

**HELD**

CFO Glass stated that he wants to provide monthly statements.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO TRANSFER FUNDS FROM EACH COUNCILMEMBER ACCOUNT**

09-O-0386 (10) An Ordinance by Councilmember C.T. Martin by the Atlanta City Council authorizing the Chief Financial Officer to transfer Funds from each Councilmember Account, as designated by individual Council Member, to cover the cost of hiring a Consultant to write Grant Requests on behalf of the Department of Police and the Department of Fire and Rescue; and for other purposes.

**HELD**

Councilmember Winslow stated that the Fire Rescue Department Chief has identified people to write the grants.

**TO AUTHORIZE THE MAYOR TO ENTER INTO GRANT AGREEMENTS WITH THE STATE OF GEORGIA**

09-R-0302 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Grant Agreements with the State of Georgia Department of Community Affairs, enabling the City to accept Local Assistance Grants not to exceed a total amount of \$200,000 (two hundred thousand dollars).

**HELD**

Chairperson Shook stated that this paper is a companion to the First Read paper.

**TO AUTHORIZE THE MAYOR TO ACCEPT A GRANT AWARD FROM THE GATES FOUNDATION**

09-R-0361 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to accept a Grant Award from the Gates Foundation, on behalf of the City of Atlanta, in an amount not to exceed five thousand dollars and no cents (\$5,000.00), for Sustainability Projects to Address Building Efficiency in City Facilities; and for other purposes. **(Finance/Executive Committee Substitute..., 2/25/09)**

**FAVORABLE ON SUBSITUTE**

**Ms. Mandy Schmitt:** of the Office of Sustainability stated that it is for lighting to decrease energy and save money. Chairperson Shook offered a motion to **Approve on Substitute, 6 Yeas.**

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

09-R-0362 (3) 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-5237H with BMC Software Distribution, Inc., for the purchase of software support for the Remedy Help Desk System on behalf of the Department of Information Technology in an amount not to exceed fifty thousand, three hundred sixty-four dollars and eighteen cents (\$50,364.18). All contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050202 (IT Applications) 5424004 (Software (\$5,000+) 1535000 (Data Processing/Management Information System); and for other purposes.

**FAVORABLE**

Mr. Smith stated we get over 2,000 DIT tickets per month. If something was to happen we could not process tickets. Chairperson Shook offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO RENEWAL NO. 1 AND AMENDMENT NO. 6**

09-R-0363 (4) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into Renewal No. 1 and Amendment No. 6 on behalf of the Executive Office-Office of Enterprise Assets Management with Dothan Security, Inc., (DSI) for FC-6005007888B, Citywide Security Guard Services on behalf

of the Departments listed herein, Department of Corrections, the Executive Offices-Office of Enterprise Assets Management, Department of Parks, Recreation and Cultural Affairs-Civic Center, and Oakland Cemetery, the Department of Public Works-Office of Fleet Services, Office of Solid Waste Services and the Office of Transportation; Amendment No. 6 is to add additional sites and funding on behalf of the Department of Watershed Management, in the amount of three hundred thirty-five thousand dollars and zero cents (\$335,000.00) and the Department of Parks, Recreation and Cultural Affairs-Grant Park, Pittman Park, Adams Park, and Phoenix Park, in an amount not to exceed one hundred twenty-five thousand, seven hundred sixty-three dollars and zero cents (\$125,763.0) with a total not to exceed amount of four hundred sixty thousand, seven hundred sixty-three dollars and zero cents (\$460,763.00); to be charged to and paid from Fund 5051 (Water & Wastewater Revenue Fund), Department 170901 (DWM Watershed Security), Account 5212001 (Consulting/Professional), and Function Activity 3920000 (Emergency Management); 1001 (General Fund), Department 140301 (PRC Recreation Administration), Account 5212001 (Consultant/Professional) Function Activity 6110000 (Recreation Administration); and for other purposes. **(Finance/ Executive Committee Substitute..., 2/25/09)**

#### **FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute.

**Ms. Althea Smith:** of the Office of Enterprise Assets Management addressed the Committee by stating that this is for a two-year renewal. It adds funding only for the Department of Watershed. The question was posed that we discuss it with the vendor regarding reducing the cost. A letter is attached with the legislation. Chairperson Shook stated that it was asked during contract renewals we should assume we could do better. The request was for the Administration to go back and have that conversation. Councilmember Winslow asked when was the last time it was bid? Ms. Smith responded that it is a three-year contract. The end of the contract is April 4<sup>th</sup> with a renewal option for one-year. Councilmember Winslow asked how long was the first Amendment? There are six amendments in two-years. Generally the amendment is after one year. In 2006, when we got the contract, what was the period of time? Ms. Smith responded that there were two renewal options and the amendments are done as needed. We are adding sites and funding only for Watershed Management. Councilmember Winslow asked if the amendments were every three months or so. Councilmember Moore stated that we need to do a competitive bidding process. She has a concern with adding on amendments. Councilmember Winslow asked why are we doing it for a year? Ms. Smith responded that it is a part of the three-year contract. Councilmember Winslow asked why not go for the initial contract in 2009. Ms. Smith responded that within the term of the contract it has two one-year options. Councilmember Winslow asked if we are preparing now to go out for bids. Ms. Smith responded that we will look at it. Councilmember Smith stated that we have six weeks before it expires. Are we trying to put this in place because Watershed has invoices out there to pay? We need to have the Department of Procurement go ahead and do a new contract. We don't have time to redo the whole thing. CFO Glass responded that he understands the concern and the procurement issue. The Department of Watershed does have the funds available. If we are going to lose security, it is a necessity. Councilmember Smith offered a motion to **Approve on Substitute, 3 Years, 1 Nay, 1 Abstention.**

**TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE ATLANTA POLICE DEPARTMENT, TO ENTER INTO RENEWAL AGREEMENT NO. 2**

09-R-0364 (5) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the Department of Public Works and the Atlanta Police Department, to enter into Renewal Agreement No. 2 and to enter into Amendment Agreement No. 1, with ACS State and Local Solutions, Inc. for FC-7649-04, Annual Contract for the Red Light Camera Enforcement Program ("Program"), for the purpose of both providing for the second of three one year Renewals provided for in the original Agreement and to extend the original Agreement for a new two year base period to begin on March 16, 2010, and to further provide for a maximum of two one year Renewals at the sole discretion of the City; with all revenue collected from the Program to be deposited into Fund, Account, and Center Number: 7701 (Trust Fund) 130308 (DPW Transportation Design) 3511717 (Traffic and Parking Fines) or Successor Accounts and all expenses generated from the Program to be paid from Fund, Account, and Center Number: 7701 (Trust Fund) 130308 (DPW Transportation Design) 5239004 (Service Grants) or Successor Accounts; and for other purposes. **(Finance/Executive Committee Substitute..., 2/25/09)**

**FAVORABLE ON SUBSTITUTE**

**Ms. Sandy Jennings:** of the Department of Public Works addressed the Committee by stating that this is the second renewal. Councilmember Muller asked if there was an issue with the State. Chairperson Shook stated that to expand the program is limited. Ms. Jennings responded that it was a slow down process to get the cameras on line. We are able to move forward. We have 8 now and with these we will have 20. At each location they range from one to three. Councilmember Smith asked if the State outlawed it, would we pay the whole renewal. Ms. Jennings responded that it is based on them actually doing the work. Councilmember Muller offered a motion to **Approve on Substitute, 5 Yeas.**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING**

09-R-0365 (6) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee, on behalf of the City to enter into a Memorandum of Understanding in the amount of twenty five thousand dollars (\$25,000.00) with Ruder Finn Inc., for the purpose of implementing the pursuit of Excellence Institute, in conjunction with the Atlanta Workforce Development Agency; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

Chairperson Shook stated that it should be in CD/HR.

**Mr. Larry Stokes:** Research and Policy Analyst addressed the Committee by stating that the Analyst sent it to us because it is a MOU. Chairperson Shook offered a motion to Refer to CD/HR.

**TO SUPPORT THE PROPOSED LOTTERY-TIED, CASINO-STYLE GAMING AT UNDERGROUND ATLANTA**

09-R-0368 (7) A Resolution by Councilmember Jim Maddox **as Substituted by Finance/Executive Committee (1), 2/25/09** to support the proposed Lottery-Tied, Casino-Style Gaming at Underground Atlanta that is presently before the Georgia Lottery Board; to establish the intent to create an Advisory Committee for City and Community Participation; and for other purposes. **(Finance/Executive Committee Substitute amends the Caption and some of the Whereas Clauses, 2/25/09)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that amends the Caption and some of the Whereas Clauses. He stated that he needs more clarification on Section 3 and Section 4. Councilmember Maddox stated that we need to discuss putting the Committee together. It is introduced to make it known to the Georgia Assembly that the Council supports the efforts. In the CD/HR meeting we had an extensive meeting regarding the advantage it would be for the City of Atlanta. Underground Atlanta has been there for a number of years and the Bonds have to be serviced.

**Mr. Dave O'Leary:** of Underground Atlanta addressed the Committee by stating that we made a proposal to the Lottery Corporation. This would be a mega complex. There will be two levels for entertainment. We can have Phase 1 up and running in 12 months. It would cost around \$50 million dollars. It would not cost the City or the State anything. Councilmember Maddox stated that it is something that makes sense. We are surrounded by States that have gambling. It will be a win-win situation. CFO Glass responded that we would have to service our \$52 million dollars debt and it hits around \$7 million dollars annually. Could we be paid back that money because we have a deficit of \$13 million dollars? Is there anything to make the City whole. Mr. O' Leary responded that we met with ADA and they are a partner with Underground. They want to put Underground into private hands and get the City off the hook. We want to acquire the ownership of Underground Atlanta. We understand the situation and we see this as a major vehicle to get the City off the hook from the Bonds. Councilmember Moore asked if the Lottery would have sole authority as to where the funds would go. Mr. O' Leary responded that they would have sole authority deciding on how much they got. The remainder of the pie would have to be discussed. Chairperson Shook asked about Section 4 (Protecting the City's interest). Councilmember Maddox stated that this would occur after they got permission to go forward. Mr. O' Leary responded that once it is approved we would first have to negotiate the amount of revenue with them. That would be the appropriate time to take the Bonds into consideration. Councilmember Maddox stated that the property is still owned by the City. Once they have gotten that we would sit down with them to work out the details. We want to let them know that we are open to the idea and the concept. This would bring a lot of jobs to the City. He then offered a motion to **Approve on Substitute, 6 Yeas.**

**Mr. Carey Duncan:** addressed the Committee by stating that Mayor Jackson proposed the creation of an Underground Atlanta Park. You will have to own the streets to be part of the Park because it had to be an admission. The streets are paid for from past generations. Underground Atlanta has always played a key role in Atlanta. He views that area like the Airport. It bothers him that the original contract was for fifty years. It costs us around \$8 million dollars annually. The only place that makes money there is the parking. The contract was unwise back then. He is proud that Atlanta is an international City, but he is concerned about the organized crime. The only positive thing the Lottery got in was education. It is wrong to use education to the extent to corrupt the teachers when they are giving grades. It is what you want Atlanta to be. You can't rush through on something like this.

**TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ATLANTA DEVELOPMENT AUTHORITY (ADA)**

09-R-0369 (8) A Resolution by Councilmember Jim Maddox authorizing the Mayor to execute an Agreement with the Atlanta Development Authority (ADA) regarding the Management and implementation of the Activities and Programs of the Advisory Committee on International Relations (ACIR); and for other purposes.

**HELD**

**TO SUPPORT U.S. HOUSE BILL 632**

09-R-0379 (9) A Resolution by Councilmembers Felicia A. Moore, Joyce M. Sheperd, Carla Smith, Natalyn Archibong, H. Lamar Willis, Howard Shook, Mary Norwood, Ivory Lee Young, Jr., Ceasar M. Mitchell, Jim Maddox, C.T. Martin, Anne Fauver and Kwanza Hall by the Atlanta City Council supporting U.S. House Bill 632 (known as the National Silver Alert Act 2009) and encouraging the U.S. Senate to approve this legislation the purpose of which is to encourage, enhance, and integrate Silver Alert Plans throughout the United States, to authorize Grants for the assistance of organizations to find missing adults; and for other purposes.

**FAVORABLE**

Councilmember Moore stated that the Council initiated the Mattie's Call. The Police Department also has a Program. We passed the legislation on this side and they passed it through the State. It is an International concern. This is the same companion, but it is on a national basis. She then offered a motion to **Approve, 5 Yeas.**

**TO EXTEND THE SERVICE DELIVERY STRATEGY (SDS)**

09-R-0388 (10) A Resolution by Finance/Executive Committee to extend the Service Delivery Strategy (SDS) between the City of Atlanta and Dekalb County through April 30, 2010; and for other purposes.

**FAVORABLE**

**Mr. Garnett Brown:** of the Department of Planning and Community Development addressed the Committee by stating that there is an Agreement with Fulton and Dekalb Counties. We came in October 2008 for an extension for the Study. They are asking for another year extension. Councilmember Muller asked if there is only one issue we are at odds with. Mr. Brown responded that we are not at odds. Next year we will have to go through the Ordinance. 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**

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 ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50**

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**

**TO AUTHORIZE A TWELFTH SUPPLEMENTAL BOND ORDINANCE**

08-O-0299 (11) An Ordinance by Councilmember Howard Shook authorizing 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 aggregated principal amount of not to exceed \$550,000,000.00, 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 Rule 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 an effective date; and for other related purposes. **(Held 2/13/08 at the request of the Department of Finance pending an agreement with Bond Insurers and LOC Providers; Referred back to Finance/Executive Committee from Full Council 2/2/09); (Held, 2/11/09)**

**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 WITH THE FULTON COUNTY DISTRICT ATTORNEY**

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 ESTABLISH AND IMPLEMENT A COST NEUTRAL DEFERRED RETIREMENT OPTION RETIREMENT PLAN**

- 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**

- 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 2, 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 II, 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 CONTRACT 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 AMEND THE FY 2009 (GENERAL FUND) BUDGET**

08-O-1546 (22) 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**

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

08-O-1688 (23) 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 (24) 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 AUTHORIZE THE MAYOR OR HER DESIGNEE TO ACCEPT A DONATION IN THE AMOUNT OF \$ \_\_\_\_\_**

08-O-2034 (25) 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**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT WITH IRON MOUNTAIN**

08-R-2108 (26) A Resolution by Finance/Executive Committee authorizing the 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 ARTICLE IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA**

08-O-2135 (27) 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**

08-O-2257 (28) 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**

**A FOURTEENTH SUPPLEMENTAL BOND ORDINANCE**

08-O-2406 (29) An Ordinance by Finance/Executive Committee Fourteenth 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 previously amended and supplemented, particularly as supplemented specifically by that certain Amended and Restated Third Supplemental Bond Ordinance of the City of Atlanta adopted on May 19, 2003 providing for, among other things, the issuance and delivery of the City of Atlanta Variable Rate Airport General Revenue Refunding Bonds Series 2003RF-B and the City of Atlanta Variable Rate Airport General Revenue Refunding Bonds Series 2003RF-C; to authorize the cancellation of the existing MBIA financial guaranty insurance policy insuring said Series 2003RF Bonds and approving the form and authorizing the execution of a cancellation agreement; to authorize the acceptance by the City of a commitment to issue a financial guaranty insurance policy from assured guaranty Corp. and approving the form and authorizing the execution of an insurance and indemnity agreement; to provide for a revised form of said Series 2003RF Bonds and for the execution of said Series 2003RF

Bonds; to approve the form and authorize the execution of amendments to standby Bond Purchase Agreements between the City and the Banks providing liquidity support for said Series 2003RF Bonds; to authorize the termination of the interest rate exchange agreements between the City and certain counterparties in connection with said series 2003RF Bonds and approving the form and authorizing the execution of such other instruments and documents necessary or desired in connection with the termination of such interest rate exchange agreements; granting the Mayor the authority to approve and execute such other instruments and documents necessary or desired in connection with the cancellation of the MBIA financial guaranty insurance policy and the substitution of the financial guaranty insurance policy from assured guaranty Corp. and providing for incidental action; authorizing certain officials and employees of the City to take all actions required in connection with the cancellation of the MBIA financial guaranty insurance policy and the substitution of the financial guaranty insurance policy from assured guaranty Corp.; providing certain other details with respect thereto; providing for severability; providing an effective date; and for other purposes. **(Held, 1/14/09)**

**HELD**

**TO RESCIND ALL PERMITS GIVEN BY THE CITY OF ATLANTA**

09-O-0098 (30) An Ordinance by Councilmember Howard Shook rescinding all permits given by the City of Atlanta regarding 4141 Wieuca Road, and for other purposes. **(Held, 1/14/09)**

**HELD**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT GTA000119**

09-R-0182 (31) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia Contract GTA000119 with Ricoh Americas Corporation for the lease of four (4) MP33505SPF Copiers/Printers for a period of thirty six (36) months in an amount not to exceed fifty seven thousand one hundred forty dollars and sixty four cents (\$57,140.64) with all contracted work being charged to and paid from FDOA: 5401 (Solid Waste Services Revenue 130201 (DPW Solid Waste Administration) 5222002 (Repair & Maintenance); and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC.**

09-R-0183 (32) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Motorola, Inc. utilizing the State of Georgia Technology Authority Agreement No. 980-2800008 for the purchase of a Georgia Global Positioning System Two-Way Radio Communication Equipment, on behalf of the Department of Watershed Management, Office of Safety and Security, in an amount not to exceed three hundred seventy-five thousand seven hundred fifty dollars and no cents (\$375,570.00); all contracted work will be charged to and paid from Fund,

Department Organization and Account Number 5052 (Water & Wastewater Revenue) 170902 (DWM Watershed Safety) 5212001 (Consulting/Professional) 1555000 (Risk Management); and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AMEND CHAPTER 62, ARTICLE II, SECTION 62-46 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

09-O-0203 (33) An Ordinance by Councilmember Ceasar C. Mitchell to amend Chapter 62, Article II, Section 62-46 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Pretrial Diversion Fee") so as to specify the General Fund uses for which the fees shall be allocated; to waive conflicting Ordinances; and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA**

09-R-0259 (34) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia, Georgia Technology Contract #980-280008 for the purchase of a Motorola Turnkey Solution including radios and software for City of Atlanta, Department of Aviation; in an amount not to exceed \$173,891.16. Equipment purchased will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5410001 (Consulting/Professional Services), Functional Activity 7563000 (Airport); and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AMEMDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA)**

09-R-0263 (35) A Resolution by Councilmember Ivory Lee Young, Jr. authorizing the Mayor or her designee to enter into an amendment to the Intergovernmental Agreement (IGA) authorized by Resolution 08-R-1694 with the Atlanta Development Authority so as to ensure that the expenditure of Westside TAD Funds through In Rem action can be used to effect not only the demolition of also the Clean and Close of structures located within the English Avenue Neighborhood identified as abandoned and/or dilapidated by the Bureau of Code Compliance; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROPOSE THE CREATION OF THE SOUTHWEST ATLANTA COMMUNITY IMPROVEMENT DISTRICT**

09-R-0264 (36) A Resolution by Councilmembers H. Lamar Willis and Jim Maddox proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the

majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROVIDE A REPORT TO THE FULL COUNCIL**

09-R-0270 (37) A Resolution by Councilmember Mary Norwood requesting the Department of Finance to provide a report to the Full Council regarding the Plan of Financing for Department of Watershed Projects to be funded by Commercial Paper; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO CREATE A NEW SECTION 3-502.1**

09-O-0271 (38) An Ordinance and Charter Amendment by Councilmembers C.T. Martin, Ivory Lee Young, Mary Norwood, Anne Fauver and Natalyn Archibong adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (GA. Laws 1965, p. 298, et seq.) as amended, to create a new Section 3-502.1 (entitled "Ordinance Required To Impose Furloughs on certain Public Safety Employees") of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et seq.) approved April 15, 1996, as amended, which shall provide that an Ordinance adopted by a majority vote of the Council shall be required in order to impose furloughs on certain Public Safety Employees; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(Held, 2/11/09)**

**HELD**

**ITEMS NOT ON AGENDA**

**Mr. Dorsey Walker:** of Georgia Power addressed the Committee by stating that he is glad to be a part of this team. We know that a new system can be painful. He has 41 years with Georgia Power.

**Mr. Willie Palmer:** of Georgia Power addressed the Committee by stating that he has big shoes to fill. He looks forward to working with Council. He is in his 31<sup>st</sup> year with Georgia Power. Councilmember Moore stated that he is at every meeting. Councilmember Maddox stated that Mr. Walker has been a big asset to him. He wants to say that now that you have retired you will have a lot to do around the house. Mr. Walker responded that he always get the last word at home.

**Sergeant Scott Kraher:** Police Union President addressed the Committee by stating that there were discussions regarding not furloughing the Public Safety Officers. There is a Charter Amendment and an Ordinance for a Code change. We will have the information available at the next meeting. The Charter tells the Mayor how she should furlough and Rif employees. Chairperson Shook stated that Councilmember Martin wants to merge the subject matter. Sergeant Kraher responded that when we accepted the COPS Program funds, they funded 100% for the Police Officers the first year and 25% thereafter.

Continuing, Chairperson Shook stated that we have the Budget schedule attached. We need to figure out how we will format the Sessions. Councilmember Muller stated that Deloitte mentioned working on the budget together. ARC does have software when we start forecasting. CFO Glass responded that his thoughts about the 99% should be fine. Chairperson Shook stated that last year the Budget Sessions was a train wreck.

Councilmember Moore stated that our priority should be to get our financial systems straight and stay in the black. MARTA used GA State to do their forecasting and they did it for a 15 year period. CFO Glass responded that we can get their information. They have backed off from us. Mr. Jeffrey Humphries of UGA has offered to meet with us. The issue is what happens with our property taxes or our face value. We have a March 1<sup>st</sup> situation coming up, but we can get by. We have to stay in the black and we cannot do it without the furloughs. Councilmember Winslow stated that if we can keep the Reserve, it would make a healthier City. Councilmember Muller stated that we need new revenues.

Concluding, Chairperson Shook stated that Ms. Serena Sparks is leaving to start her own firm.

### **ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker  
Recording Secretary

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