

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, April 29, 2009 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair
 Councilmember Felicia A. Moore
 Councilmember Jim Maddox
 Councilmember Clair Muller
 Councilmember Cleta Winslow

Jim Glass, CFO
 Departmental Staff

Absent: Councilmember Carla Smith

Chairperson Shook called the meeting to order at 1:15 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Jim Maddox, Clair Muller and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of two new Resolutions. Minutes of the April 1, 2009 Finance/Executive Committee were adopted as well.

DISCUSSION ITEM

LEGISLATIVE UPDATE, MEGAN MIDDLETON

Ms. Megan Middleton: Mayor's Office Intergovernmental Affairs addressed the Committee by stating that the next couple of pages show bills that have been signed and passed. Councilmember Maddox asked about the MARTA Operating Funds. Ms. Middleton responded that the Legislators put a hold on it. Councilmember Muller stated that it includes the entire region. They are making progress around the transportation issues. The funds need to be used for operations. It got mixed up in the funding process. Council President Borders stated that it is unclear why the Legislators failed to realize the impact that MARTA has on the community. They do not understand that the citizens rely on MARTA. It is a quality of life issue. The Legislators have failed with putting a transportation plan in place. There is no one at the State level that has ever operated a MARTA system. She rejects the notion that this is a MARTA challenge. She thanks the ARC for stepping up. Councilmember Maddox stated that he hopes the State will do the right thing. Their thinking bothers him. Council President Borders stated that another concern of hers is the State wanting to take over the Airport. The Airport is a federally funded enterprise. The Airport is in great shape. Councilmember Moore asked what is the timing sensitivity for inclusion in the next Legislative Package. Ms. Middleton responded in the summer or fall. Councilmember Moore stated that she wants to do an Amendment to the Open Records Act regarding the Citizen Review Board. There seems to be some confusion if it would happen or if there would be some legal ratifications.

ANNUAL REPORT ADVISORY COMMITTEE ON INTERNATIONAL RELATIONS (ACIR) – ERIC DE GROOT, VICE CHAIR

Mr. Eric De Groot: addressed the Committee by stating that in the Organization there are a number of people. We create annual reports. We are all volunteers. There are over 50 Consultants. He has worked with ACIR about six years. Councilmember Maddox asked other representatives to speak.

Ms. Terri Simmons: addressed the Committee by stating that she is with the Atlanta Sisters Committee. We have 18 Sister Cities around the world. We were able to announce two investments. She passed out their annual report.

Mr. John Wilhill: addressed the Committee by stating that we have a club with 60 different Countries. We appreciate your support. We bring in friendship and personal relationships. Councilmember Maddox stated that we are proud of the contributions

the City has made. We are aware of the growing communities. We ask for cultural exchange. The government has established a office in China because of the opportunities that exist between China and Georgia. It is important to have participation.

TO APPOINT MR. KWAME THOMPSON AS A PROCUREMENT APPEALS HEARING OFFICER

09-C-0650 (1) A Communication by Mayor Shirley Franklin appointing **Mr. Kwame Thompson** as a Procurement Appeals Hearing Officer. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

FAVORABLE

Mr. Kwame Thompson: addressed the Committee by stating that he has practiced criminal law for ten years. He has worked with compliance. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

CONSENT AGENDA

TO ADOPT THE FY 2010 PROPOSED BUDGET

09-O-0773 (1) An Ordinance by Finance/Executive Committee adopting the FY 2010 Proposed Budget; and for other purposes.

FAVORABLE ON FIRST READ

CFO Glass stated that the Budget document will be delivered by the end of the day. The Capital Budget will be by the end of May. We will also put it on line.

TO AMEND SECTION 146-26 (B), (C), (D), (E) AND (F) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

09-O-0774 (2) An Ordinance by Finance/Executive Committee to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta of the City of Atlanta, so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the Tax Rates established herein shall remain fixed each year until amended or repealed; and for other purposes.

FAVORABLE ON FIRST READ

TO ADOPT THE FY 2010 CAPITAL, SPECIAL REVENUE, AND FIDUCIARY FUNDS FOR THE CITY OF ATLANTA

09-O-0822 (3) An Ordinance by Finance/Executive Committee Adopting the FY 10 Capital, Special Revenue, and Fiduciary Funds for the City of Atlanta.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR AND THE CHIEF FINANCIAL OFFICER TO SUPERVISE THE EXPENDITURE OF FUNDS

09-O-0775 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor and the Chief Financial Officer to supervise the

expenditure of Funds for subsequent transfers and assure the Close Out of Fiscal Year 2008; and for other purposes.

FAVORABLE ON FIRST READ

Councilmember Moore asked if it is done. CFO Glass responded that this puts forward the final legislation and it will be Substituted.

TO AMEND THE AMORTIZATION SCHEDULES

09-O-0776 (2) An Ordinance by Finance/Executive Committee to amend the Amortization Schedules of the General Employees, Police Officers, and Firefighters Pension Plans from a forty year Closed Schedule to a thirty year Open Ended Schedule; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND ORDINANCE NUMBER 06-O-2600

09-O-0777 (3) An Ordinance by Finance/Executive Committee amending Ordinance Number 06-O-2600 to include various other Departments and City Agencies as well as other charges for services rendered that utilizes credit cards and other forms of electronic payments to process payments received for associated user fees to recover the cost the City pays to third party vendors to process such payments; and for other purposes.

DELETED

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE")

09-O-0778 (4) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code in order to exercise Lease Renewal Option Number 1 with Dell Marketing, LP, for Server Consolidation Software and Support Services and to ratify prior retention of the Software and Provision of Support Services subject to the Lease since January 20, 2009 on behalf of the Department of Information Technology, in an amount not to exceed ninety thousand, three hundred thirty-five dollars and ninety-nine cents (\$90,335.99); all contracted work will be charged to and paid from Fund, Account and Center Number 1001 (General Fund) 050201 (IT Security) 5424004 (Software \$5,000+) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE")

09-O-0779 (5) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code in order to exercise Lease Renewal Option Number 1 with Dell Marketing, LP, for server consolidation hardware and to ratify prior retention of the hardware subject to the Lease since January 20, 2009 on behalf of the Department of Information Technology, in an amount not to exceed seven hundred seventy-six thousand six hundred fifty-

four dollars and four cents (\$776,654.04); all contracted work will be charged to and paid from Fund, Account and Center Number 1001 (General Fund) 050202 (IT Applications) 5424003 (Computers \$5,000+) 1535000 (Data Processing/ Management Information Systems); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH SYSTEMS & SOFTWARE, INC.

09-O-0780 (6) An Ordinance by Finance/Executive Committee authorizing the Mayor to execute an Appropriate Contractual Agreement with Systems & Software, Inc. for the purpose of providing a Software Maintenance Renewal Agreement for Enquesta, 3rd Party Software and Atlanta New – Enterprise License, on behalf of the Department of Watershed Management, in an amount not to exceed four hundred ninety-nine thousand eight hundred seventy-three dollars and twenty-eight cents (\$499,873.28); all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts; \$243,214.32 – 5051 (Water and Wastewater Revenue Fund) 170304 (DWM Watershed Information Systems) 5213001 (Consulting/ Professional Services Technical) 1535000 (Data Processing/Management Information System); \$256,658.96 – 5051 (Water and Wastewater Revenue Fund) 170113 (DWM Watershed Information Systems) 5213001 (Consulting/ Professional Services Technical) 1535000 (Data Processing/ Management Information System); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SALE OF THE CITY'S INTEREST IN PROPERTY

09-O-0781 (7) An Ordinance by Finance/Executive Committee authorizing the Mayor to execute an Agreement for the sale of the City's interest in property located at the Southwestern Corner of Mitchell Street and Centennial Olympic Park Drive, in Land Lot 84 of the 14th District of Fulton County, Georgia; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SALE OF THE CITY'S INTEREST IN PROPERTIES

09-O-0782 (8) An Ordinance by Finance/Executive Committee authorizing the Mayor to execute an Agreement for the sale of the City's interest in properties located on the North Side of Fulton Street between Fraser and Martin Streets, in Land Lot 53 of the 14th District of Fulton County, Georgia; and for other purposes.

FAVORABLE ON FIRST READ

TO REQUEST THE CREATING OF THREE NEW DEPARTMENT/ ORGANIZATIONS (DEPT/ORGS) IN THE CITY'S ORACLE FINANCIAL SYSTEM

09-O-0783 (9) An Ordinance by Finance/Executive Committee requesting the creating of three new Department/Organizations (Dept/Orgs) in

the City's Oracle Financial System for the Department of Aviation within its Airport Revenue Fund; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2009 AVIATION FUNDS BUDGET

09-O-0784 (10) An Ordinance by Finance/Executive Committee amending the Fiscal Year 2009 Aviation Funds Budget by transferring from the Airport Passenger Facility Charge Fund (5505) to the Airport FAC Revenue Bond Sinking Fund (5513) in the amount of \$43,500,000 for the purpose of funding Debt Service Charges associated with the Maynard Holbrook Jackson Jr. International Terminal at the Hartsfield-Jackson Atlanta International Airport; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2009 AIRPORT FACILITY REVENUE BOND SINKING FUND BUDGET

09-O-0785 (11) An Ordinance by Finance/Executive Committee to amend the Fiscal Year 2009 Airport Facility Revenue Bond Sinking Fund Budget by transferring \$1,894,353.52 from the Reserve For Appropriation Conversion Account to the Revenue Bond Interest Account and the Consultant Professional Services Account for the payment of Debt Service and Fees associated with Debt Service; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND ATLANTA CODE OF ORDINANCES CHAPTER 46

09-O-0803 (12) An Ordinance by Finance/Executive Committee amending Atlanta Code of Ordinances Chapter 46, entitled Civic and Cultural Affairs, by adding a new Article IV that shall be entitled Entertainment Filming Fees; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO ANTICIPATE AND APPROPRIATE GRANT FUNDS

09-O-0552 (1) An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the total amount of \$10,000,000 to be received from the Federal Aviation Administration's Offer via a Letter of Intent "#L03-2011 Payment #7" identifying Grant Agreement AIP 3-13-0008-08-88, for the payment of principal on 2004 Airport Passenger Facility Charge Bond and Subordinate Lien Revenue Bonds issued to pay capital costs associated with the project to extend Fifth Runway 10-28 and Associated Taxiways; and for other purposes.

FAVORABLE

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

TO ANTICIPATE AND APPROPRIATE GRANT FUNDS

09-O-0553 (2) An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the total amount of \$6,708,300 to be received from the Federal Aviation Administration's Offer via a Letter of Intent "#L02-2009 Payment #10" identifying Grant Agreement AIP 3-13-0008-87, for the payment of principal on 2004 Airport Passenger Facility Charge Bond and Subordinate Lien Revenue Bonds issued to pay capital costs associated with the project to construct Commuter Runway 10-28 (6000 feet x 150 feet) and Associated Taxiways (Site Preparation-Phase IJ); and for other purposes.

FAVORABLE

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

TO AUTHORIZE THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH OPEN TEXT CORPORATION

09-O-0554 (3) An **Amended** Ordinance by Finance/Executive Committee authorizing the Mayor to execute an Appropriate Contractual Agreement with Open Text Corporation pursuant to City Code Section 2-1191 (Sole Source Procurement), for the purpose of providing Software and Maintenance Agreement for the Enterprise Content Management System (ECMS), on behalf of the Department of Watershed Management, in an amount not to exceed one hundred ninety thousand dollars and no cents (\$190,000.00); all contracted work to be charged to and paid from Fund, Department Organization and Account Number 5051 (Water and Wastewater Revenue) 170304 (DWM Watershed Information. 5213001 (Consulting/ Professional) 1535000 (Data Processing/Management); and for other purposes. **(Finance/ Executive Committee Amendment strikes Section 2 and renumber accordingly, 4/29/09)**

FAVORABLE AS AMENDED

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is a Maintenance Agreement for the electronic filing systems. It provides contract information, etc. Chairperson Shook stated that Section 2 is to be negotiated by the City Attorney. Councilmember Moore asked what are the terms of the renewal? Ms. Pierce responded that as long as we utilize the system. If Section 2 is struck, it would come to Council every year, if not it would not. Councilmember Moore offered a motion to Approve on Condition of coming up with a proper Section 2. She then offered a motion to strike Section 2 and renumber accordingly. Ms. Pierce responded that the company that owns the license is Open Text Corporation. This is a system to move manual files. Councilmember Moore offered a motion to **Approve as Amended, 5 Yeas.**

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY, WAIVES THE CITY OF ATLANTA PROCUREMENT AND REAL ESTATE CODE

09-O-0555 (4) An Ordinance by Finance/Executive Committee authorizing the Mayor, on behalf of the City, waives the City of Atlanta Procurement and Real Estate Code, Atlanta Code of Ordinances Article X and to execute an Agreement and other legal documents with the Path Foundation, Inc. for the Project Management of the design and construction of the Southwest Beltline Connector Trail, Project No. 09-247; for the acquisition of property for the

trail in a total amount not to exceed \$325,000.00 for land acquisition, where said costs shall be charged to and paid from the various Account Segment/PATEO Numbers identified in this Ordinance; 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 this is the implementation for the Beltline Trail. The 11th District did not have any joining connections. Councilmember Maddox offered a motion to **Approve, 5 Yeas**. This is the most important part of the Beltline and the only connecting part.

Ms. Lisa Borders: President of Council addressed the Committee by saluting Parks for all of their hard work. Commissioner Harnell-Cohen responded that there have been countless community meetings. Councilmember Maddox stated that he put the paper in for the Hampton Trail.

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SLAE OF THE CITY'S INTEREST IN PROPERTY

09-O-0556 (5) A **Substituted** Ordinance by Finance/Executive Committee authorizing the Mayor to execute an Agreement for the sale of the City's interest in property located at 1315 Peachtree Street, in Land Lot 105 of the 17th District of Fulton County, Georgia; and for other purposes. **(Finance/Executive Committee Substitute..., 4/29/09)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Mr. John Levell: of the Office of Enterprise and Asset Management addressed the Committee by stating that in 1995 the City entered into a long term lease. It houses a library. Councilmember Maddox asked if the library will no longer exist. Mr. Levell responded yes. Councilmember Maddox offered a motion to **Approve on Substitute**. Councilmember Muller asked it is wise to look through all of the properties. Mr. Levell responded that these are properties that are slivers. Councilmember Moore offered a motion to **Approve on Substitute, 5 Yeas**.

TO AUTHORIZE AMONG OTHER THINGS

09-O-0557 (6) A **Substitute** Ordinance by Finance/Executive Committee authorizing, among other things, the Issuance and Sale of Tax Anticipation Notes in the Aggregate Principal amount of \$_____. **(Finance/Executive Committee Substitute..., 4/29/09)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. CFO Glass responded that we needed to establish a system of Cash Management. It is down significantly. Councilmember Moore asked about the interest rates on page #2.

Ms. Marie Runnels: of the Office of Debt and Investment addressed the Committee by stating that it won't occur until the pricing does. On the 13th there is a Special Reading and on the 12th is the pricing. Councilmember Muller stated that we used to do TANs. What was the recommendation for? CFO Glass responded that the only reason is the City used the Cash Pool as a surrogate. This is a pre-standard practice. We will have

to continue to help Solid Waste with their crisis. Councilmember Muller offered a motion to **Approve on Substitute, 4 Yeas.**

A SERIES 2009 BOND ORDINANCE

09-O-0558 (7) An Ordinance by Finance/Executive Committee a Series 2009 Bond Ordinance to ratify, reaffirm, supplement, and amend that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain First Supplemental Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance adopted on December 5, 2001, that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain Supplemental Series 2004 Bond Ordinance adopted on September 15, 2004, that certain Fifty Supplemental Bond Ordinance adopted on November 19, 2007, that certain Series 2008 Bond Ordinance adopted on March 17, 2008, and that certain Seventh Supplemental Bond Ordinance adopted on October 6, 2008; to provide for the Issuance by the City of Atlanta of its Water and Wastewater Revenue Bonds, Series 2009, for the purpose of (1) financing the costs of making additions, extensions, and improvements to its Water and Sewer System and (2) refinancing all of the outstanding City of Atlanta Water and Wastewater Commercial Paper Notes, Series 2006-1, Series 2006-2, and Series 2006-3, which were issued to finance on an interim basis the projects described in Clause (1) above; to provide terms, provisions, and conditions for the Issuance of its Water and Wastewater Revenue Bonds, Series 2009; and for other related purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Carmen Pigler: Debt and Investment Chief addressed the Committee by stating that the Department of Watershed has a need to issue Bonds for the paper debt. There are encumbrances of \$210 million dollars. The City has not had access to the Commercial Papers. They will have to do \$215 million dollars additional. Ms. Runnels added that the Consent Decree contracts were provided. Councilmember Moore stated that she asked for a list of projects and the term sheet. Chairperson Shook stated that he wanted to understand which projects was Consent Decree. Councilmember Moore stated that she asked for the Commercial Paper outstanding obligations and the additional funds added. CFO Glass made a correction stating that the Issuance is \$24.2 million dollars, Debt Service Reserve is \$50.3 million dollars, actual repayment is \$209.8 million dollars, Unfunded Encumbrance is \$197.6 million dollars, the new money is \$215 million dollars and we are looking for \$597.4 million dollars for the total.

Mr. Rob Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that the sheet is from the Feasibility Study for new projects. The highlighted ones are Consent Decree Projects. The larger sheet is the actual cost and commitments. The actual cost is what will go into the \$209.8 million dollars repayment. It was drawn down on the account. The commitment lines are the encumbrances. There is a timing difference.

Mr. Wayne Placid: addressed the Committee by stating that we planned for an interest rate of 6.10% as a target. It depends on the market. Councilmember Moore stated that it needs to be reduced.

Mr. Earl Taylor: Bond Counsel addressed the Committee by stating that we are authorizing parameters not to exceed numbers. We are worried about market acceptance. We hope the market is so we can sell all of the Bonds by June. There is a

separate schedule. If market conditions permit we will have to sell in June instead of August or September. We will have to come back to Council and approve the interest rates. The market is such that the City cannot afford to act now. Councilmember Moore stated that some of these will have to wait. This authorization does not preclude that decision making for later. Mr. Taylor responded that the City has bonding capacity. If you don't have a Commercial Paper by July 1st the principal will jump. Your construction contract will expire. Councilmember Maddox stated that all of this is designed to save money. Will it stretch our payments out? Ms. Pigler stated that there is a need to refinance Commercial Papers. It is necessary because it is no longer a source of financing for the City. CFO Glass added that it is a refunding mechanism. The Department of Watershed Management has borrowed as much as they can. We owe contractors for work that was encumbered. The new money is for the projects listed. This is not a case of saving money, but we have to do this because we don't have the cash to pay for the Department of Watershed Management's bills. He then added that Mr. Placid is keeping our interest lower. Councilmember Moore offered a motion to **Approve on Substitute, 5 Yeas.**

TO AUTHRORIZE THE TERMINATION OF THE LEASE FOR CITY OWNED PROPERTY

09-O-0559 (8)

A **Substituted and Amended** Ordinance by Finance/Executive Committee authorizing the termination of the lease for City owned property at the Lakewood Fairgrounds between the City and Filmworks, USA, Inc.; authorizing the City to amend the lease documents which will govern the relationship between the City and Live Nation Worldwide, Inc.; and for other purposes. **(Finance/Executive Committee Substitute adds Exhibit "A" lease terms, Finance/Executive Committee Amendment states that the lease can be terminated at any time, Finance/Executive Committee Conditional Passage states that a surcharge fee will be added, 4/29/09)**

FAVORABLE ON SUBSTITUTE AS AMENDED ON CONDITION

Chairperson Shook stated that we have a Substitute.

Mr. Lem Ward: Senior Assistant City Attorney addressed the Committee by stating that in the 1980's the City and Filmworks had an agreement to build an Amphitheater. In 2005 the City paid Filmworks off to terminate the lease. Exhibit "A" is the lease terms. There are also Amendments. The Filmworks lease can be terminated at any time. We have made all of the payments to them. Council President Borders stated that she needs a picture. Councilmember Muller asked what are the conditions? Councilmember Sheperd responded that the original conditions are there. The community wants them to remain the same. There is a list of six conditions. One is making sure the Police Department helps with traffic control. We will not be responsible to take care of the facility. There is the issue of noise. The community wants the original deal of tickets sold over 125,000 tickets and .25 cents will go to the community. The community has done a total upgrade to that area. The biggest complaint is the traffic and noise from the Lakewood Amphitheater. The fencing and landscaping is one of the biggest complaints as well. The new contract defines who owns and maintains the property. This will be a whole new facelift. Councilmember Maddox stated that he thought the Agreement was for a 50 year arrangement. Senior Assistant City Attorney Ward responded that it was 35 years with a 15-year extension. There had been interest for sound studios and to buy out the rest of the lease at the City's demand. Councilmember Maddox asked if they will be tied in with the expansion program. Senior Assistant City Attorney Ward responded that the money will go directly to the City. Councilmember Maddox asked if we have a surcharge fee. Senior Assistant City Attorney Ward responded not at Lakewood. Councilmember Maddox asked why not. Senior Assistant City Attorney Ward responded that it was not part of the negotiations. Councilmember Maddox stated that it should have been. He

proposed that we include that condition now. Senior Assistant City Attorney Ward responded that there is a provision. Mr. Levell responded that the arrangement was to make everything clearer. We will get a percentage of the ticket revenue as well as food, parking, etc. We are taking it off the top. This is a cleaner and clearer arrangement. This is the best deal we can get. Councilmember Maddox offered a motion to **Approve on Substitute as Amended on Condition, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY, TO ACCEPT A GRANT FROM THE ATLANTA REGIONAL COMMISSION

09-O-0564 (9) A **Substituted** Ordinance by Finance/Executive Committee authorizing the Mayor or her designee, on behalf of the City, to accept a Grant from the Atlanta Regional Commission for the D. L. Hollowell/Veterans Memorial Parkway Corridor Livable Center's Initiative (LCI) Study in the amount of \$120,000.00; anticipating and appropriating the Grant Funds and the required local match; and for other purposes.

FAVORABLE ON SUBSTITUTE

Councilmember Moore stated that we have a Substitute. She then offered a motion to **Approve on Substitute, 4 Yeas.**

TO ANTICIPATE AND APPROPRIATE GRANT FUNDS

09-O-0565 (10) An Ordinance by Finance/Executive Committee to anticipate and appropriate Grant Funds in the total amount of \$7,000,000.00 to be received from the Federal Aviation Administration's offer via a Letter of Intent "#LO04-2010 Payment #4" identifying Grant Agreement AIP 3-13-0008-86, for the payment of the United States' share of 75% of allowable costs incurred in accomplishing the project listed as "Construct End Around Taxiway "V"; and for other purposes.

FAVORABLE

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

TO AUTHORIZE THE MAYOR TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

09-O-0566 (11) An **Amended** Ordinance by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the Procurement and Real Estate Code, utilizing the State of Georgia Contract # GTA000119 with RICOH Business Solutions, for the Lease and Maintenance of two (2) RICOH Model MPC3300SPF Copiers/Printers, for a period not to exceed forty-eight (48) months, on behalf of the Department of Planning & Community Development, Bureau of Code Compliance, in an amount not to exceed \$39,915.84; all contracted work to be charged to and paid from Fund, Department/Organization and Account Number Listed Herein; waiving the application of Section 2-1205(a) of the Procurement and Real Estate Code; and for other purposes. **(Finance/Executive Committee Amendment strikes Section 3, 4/29/09)**

FAVORABLE AS AMENDED

Councilmember Moore stated that we need to strike Section 3. She then offered a motion to **Approve on Substitute as Amended, 5 Yeas**.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE THE SOURCE SELECTION PROVISIONS

09-O-0567 (12) An Ordinance by Finance/Executive Committee authorizing the Mayor or her designee to waive the Source Selection Provisions contained in the City of Atlanta Code of Ordinances Article X, Procurement and Real Estate Code, to authorize execution of an Agreement with IBM Corporation for the Criminal Justice Information System Support for Short-Term Support Services, on behalf of the Department of Information Technology, in an amount not to exceed \$111,723.00, to be charged to and paid from FDOA Number 1001 (General Fund) 050102 (IT Administration) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Mr. Smith stated that the contract expired on March 31st. We did reduce the amount by \$136,000. There are no late fees associated with it. Councilmember Moore offered a motion to **Approve, 5 Yeas**.

TO REPEAL SUBPARAGRAPH (K) (5) OF SECTION 2-36

09-O-0818 (13) An Ordinance by Councilmember Howard Shook to repeal Subparagraph (k) (5) of Section 2-36 and Subparagraph (e) of Section 2-39 of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the "Cash Carryforward" Provision related to the Expense Accounts and Appropriations of the Council President and Councilmembers; to waive conflicting Ordinances; and for other purposes.

HELD

Councilmember Maddox offered a motion to **File**. Chairperson Shook offered a Substitute motion to **Approve**. CFO Glass stated that in the past, the City has had a Cash Carryforward. We are now in a Cash basis. It eliminates the language of Cash Carryforward. Councilmember Moore stated that this paper eliminates that Section, but there are other Sections that relate to this. How it will occur is not in the paper. CFO Glass responded that the Department of Law found two Sections. Councilmember Winslow asked why are we eliminating it now. Chairperson Shook responded that the intent was to reformat how the monies are budgeted for. Councilmember Moore stated that the paper as written is not reflected with the Caption. Chairperson Shook asked if this is incomplete and is all for Holding it. CFO Glass responded that we can add the Budget. Councilmember Winslow stated that in the past, it was rolled over every four years and what was left went to the General Fund. Councilmember Moore stated that we also have other provisions. If you are reelected, the funds will roll over into their account. Councilmember Maddox stated that it only eliminates the Cash Carryforward and he did not want to do that.

TO AMEND ARTICLE "V" CLASSIFICATION PLAN, SECTION 114-477

09-O-0820 (14) An Ordinance by Councilmember H. Lamar Willis to amend Article "V" Classification Plan, Section 114-477 of the Code of Ordinances, City of Atlanta, Georgia, so as to create certain positions; and for other purposes.

HELD**TO AMEND THE MASTER INDENTURE OF TRUST**

- 09-O-0821 (15) An Ordinance by Councilmembers Carla Smith and Cleta Winslow to (1) amend the Master Indenture of Trust with respect to the City of Atlanta Tax Allocation Bonds (Beltline Project) to provide for Beltline Tax Allocation Increments to include amounts calculated based upon taxes levied by the Board of Education of the City of Atlanta as security for Beltline Bonds, (2) provide for the Issuance and Sale of Tax Allocation Bonds (Beltline Project), Series 2009 (or other designated Series), in an Aggregate Principal amount not to exceed \$20,000,000, in multiple Series, from time to time, for the purpose of (a) prepaying certain Obligations of the City due in respect of the Beltline Project pursuant to an Intergovernmental Agreement with the Downtown Development Authority, (b) refunding certain previously issued Series 2008 Tax Allocation Bonds and (c) providing funds to pay, or to be applied or contributed toward, the payment of other redevelopment costs identified herein (the "Series 2009 Projects"), (3) authorize paying expenses incident to accomplishing all of the foregoing, (4) authorize the execution of financing documents in respect of the refunding and the Projects in the Beltline TAD including the 2009 Projects, including a second Supplemental Indenture of Trust with respect to the Series 2009 Bonds and a Bond Purchase Contract, and (5) authorize certain other related actions, all in connection with the Issuance and Sale of the foregoing described Series 2009 Bonds; and for other purposes.

HELD**TO AUTHORIZE THE MUNICIPAL CLERK TO PLACE A PUBLIC ADVERTISEMENT IN AN NEWSPAPER OF GENERAL CIRCULATION**

- 09-R-0786 (1) A Resolution by Finance/Executive Committee authorizing the Municipal Clerk to place a public advertisement in an newspaper of general circulation, depicting the Tax Digest Millage Rate, Tax Levy and other information required pursuant to Sections 48-5-32 and 48-5-32.1 of the Official Code of Georgia; and for other purposes.

FAVORABLE

Councilmember Moore offered a motion to **Approve, 4 Yeas**. Councilmember Muller asked what will be advertised. CFO Glass responded that we never advertised that. This is the authorization to do it.

TO AUTHORIZE THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1 AND AMENDMENT AGREEMENT NO. 3

- 09-R-0787 (1) A **Substituted** Resolution by Finance/Executive Committee authorizing the Mayor to enter into Renewal Agreement No. 1 and Amendment Agreement No. 3 with A-Action Janitorial Services, Inc., for FC-7665-04A, Citywide Janitorial Services, on behalf of Executive Office – Office of Enterprise Assets Management, to include the Departments listed herein, the Office of Enterprise Assets Management, and the Police Department, and the Department of Watershed Management, Amendment No. 3 is adding the site and funding on behalf of the Department of Watershed Management-Bureau of Watershed Protection in an

amount not to exceed thirty-nine thousand dollars (\$39,000.00); to be charged to and paid from 505 (Water & Wastewater Revenue Fund), Department 170602 (DWM Greenway Planning), Account 5212001 (Consulting/Professional), Function Activity 7410000 (Planning & Zoning); and for other purposes. **(Finance/ Executive Committee Substitute..., 4/29/09)**

FAVORABLE ON SUBSTITUTE

Councilmember Moore stated that we have a Substitute.

Ms. Althea Smith: of the Office of Enterprise and Asset Management addressed the Committee by stating that this is a renewal for janitorial services for the Department of Watershed Management. Councilmember Muller offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 AND AMENDMENT NO. 4 FOR CONTRACT NO. FC-6005007878

09-R-0788 (2)

A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 and Amendment No. 4 for Contract No. FC-6005007878 Citywide Elevator Service, between the City of Atlanta and Thyssen Krupp Elevator Corporation, on behalf of the Executive Offices – Office of Enterprise Assets Management, to include the Departments listed herein, the Office of Enterprise Assets Management, the Police Department, the Department of Parks, Recreation and Cultural Affairs, the Department of Public Works-Office of Fleet Service, the Office of Solid Waste Services and the Department of Watershed Management; Amendment No. 4 is adding funding on behalf of the Department of Watershed Management for an amount not to exceed one hundred sixty-three thousand dollars and zero cents (\$163,000.00). All contracted work shall be charged to and paid from 5051 (Water & Wastewater Revenue), Department 170407 (DWM Drinking Water), Account 5222001 (Repair & Maintenance), Function Activity 443000 (Treatment – Bureau of Drinking Water) – one hundred twenty-five thousand dollars and zero cents (\$125,000.00), 5051 (Water & Wastewater Revenue), Department 170207 (DWM, Treatment Plant-Intrenchment Creek), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) – six thousand dollars and zero cents (\$6,000.00), 5051 (Water & Wastewater Revenue), Department 170205 (DWM Treatment Plant-Utoy Creek), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment – twelve thousand dollars and zero cents (\$12,000.00), 5051 (Water & Wastewater Revenue), Department 170206 (DWM Treatment Plant-South River), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) – fifteen thousand dollars and zero cents (\$15,000.00), 5051 (Water & Wastewater Revenue), Department 170209 (DWM Wastewater Pumping Station), 5222001 (Repair & Maintenance), Function Activity 4334000 (Sewer Lift Stations) – five thousand dollars and zero cents (\$5,000.00).

FAVORABLE

Councilmember Muller offered a motion to **Approve, 4 Yeas.** Councilmember Moore asked if the elevator in Zone One Precinct can be checked because she got stuck inside.

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT FOR FC-4889

09-R-0789 (3) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement for FC-4889 Workers' Compensation Administration, Healthcare and Litigation Management, with Nova Pro for a term of three (3) years with a two (2) three (3) year renewal options at the sole discretion of the City, in amounts not to exceed one million one hundred ninety thousand dollars (\$1,190,000) in the first year, one million two hundred twenty five thousand seven hundred dollars (\$1,225,700) in the second year, and one million two hundred sixty two thousand four hundred seventy two dollars (\$1,262,472) in the third year, to be charged to and paid from Fund-1001, 5127001 Workers' Comp Inc. Pay; 5750002 Property Liquidation; 5127004 W/C Service Providers; 5127005 Employee Rehab Costs Exp; 5127003 Emp Reimb WC Med Exp; 5710001 Payments to Other Gov't; and for other purposes.

FAVORABLE

Councilmember Winslow offered a motion to **Approve, 4 Yeas**. CFO Glass stated that this is the third party administrator. He met with different parties regarding the Catastrophic people. It is in litigation.

TO AUTHORIZE THE MAYOR TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

09-R-0790 (4) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinance, utilizing GSA Contract Number GS-35F-4507G with AT&T Government Solutions, Inc., for the Lease Purchase of Voice Over Internet Protocol Telephony Equipment and Consulting Services for the Public Safety Headquarters, Annex and E911 Facilities, on behalf of the Office of the Mayor and the Department of Information Technology, in an amount not to exceed seven hundred eighty-nine thousand dollars and no cents (\$789,000.00); all Debt Service payments shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200867 (NDP 2006 Public Safety Facility) 6110999 (Sinking Fund Requirement) 8000000 (Debt Service); 1001 (General Fund) 050209 (IT Telecommunications) 5212001 (Consulting/Professional Services – Technical) 1535000 (Data Processing/ Management Information System); 1001 (General Fund) 050209 (IT Telecommunications) 5421003 (Equipment \$5,000+) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE ON SUBSTITUTE

Councilmember Moore stated that we have a Substitute. She then offered a motion to **Approve on Substitute, 4 Yeas**.

TO AUTHORIZE THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH 1 H S GLOBAL, INC.

09-R-0791 (5) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute a Sole Source Agreement with 1 H S Global, Inc for FC-4915, Modification and Improvement of the Item Master of the MRO System on behalf of the Department of

Watershed Management, in an amount not to exceed one hundred fifty thousand dollars and no cents (\$150,000.00); all contract work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts \$46,432.00 – 5051 (Water & Wastewater Revenue) 170403 (DWM Drinking Water Operational Support) 5222003 (Repair & Maintenance-Equipment) 4420000 (Supply); \$103,568.00 – 5051 (Water & Wastewater Revenue) 170201 (DWM Wastewater Treatment & Collections) 5212001 (Consulting/Professional Services) 431000 (Sanitary Administration); and for other purposes.

FAVORABLE ON SUBSTITUTE

Ms. Pierce stated that this is for maintenance, repair and operations. This company owns the software and will scan all of the inventory. We will merge using a national database. Procurement recommended this company. It is \$150,000. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

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

09-R-0792 (6) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Oracle USA, Inc., utilizing the State of Federal GSA Contract GS-35F-0009T for Software Update License & Support Services, on behalf of the Department of Watershed Management, Bureau of Drinking Water, in an amount not to exceed eighty-five thousand seventy-four dollars and thirty-seven cents (\$85,074.37) all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 5213001 (Consulting/Professional Services – Technical) 170304 (DWM Watershed Information Systems) 1535000 (Data Processing Management Information Systems); and for other purposes.

FAVORABLE ON SUBSTITUTE

Councilmember Moore stated that we have a Substitute. She then offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE GSA CONTRACT #S000546-043

09-R-0793 (7) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract #S000546-043 for the purchase of Cisco 24-Port Gigabit Ethernet Switching Cards for the City of Atlanta, Department of Aviation; in an amount not to exceed \$37,758.00. Cisco 24-Port Gigabit Ethernet Switching Cards will be used to provide additional capacity for future expansion of the Department of Aviation Network. The equipment purchase will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5421003 (Equipment +5000), Functional Activity 7563000 (Airport); and for other purposes.

FAVORABLE

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

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE GSA CONTRACT #S000546-043

09-R-0794 (8) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract #S000546-043 for the purchase of Cisco Supervisor 720 Cards from Presidio, Inc. for the City of Atlanta, Department of Aviation; in an amount not to exceed \$105,722.40. Cisco Supervisor 720 Cards will be used to upgrade existing Supervisor Cards no longer supported by Cisco. The equipment purchase will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5421003 (Equipment +5,000), Functional Activity 7563000 (Airport); and for other purposes.

FAVORABLE

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

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE GSA CONTRACT #GS-35F-4506D

09-R-0795 (9) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract #GS-35F-4506D for the purchase of a Westnet Fire Station alerting interface from Northrop Grumman for the City of Atlanta, Department of Aviation; in an amount not to exceed \$61,205.00; 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 5212001 (Consultant/ Professional), Functional Activity 7563000 (Airport); and for other purposes.

FAVORABLE

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

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND (\$10,563.97)

09-R-0796 (10) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund ten thousand five hundred sixty three dollars and ninety seven cents (\$10,563.97) to the Lummus Supply Company for overpayment of Business Tax Fees on revenue generated for the 2007 Tax Year; all funds shall be charged to and paid from Fund Department Organization Account Number 1001 (General Fund) 200301 (Dept. NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity-Human Resources); and for other purposes.

FAVORABLE

CFO Glass stated that this is a double payment. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

TO CREATE THE POSITION OF CITY COUNCIL FISCAL REVIEW MANAGER

09-R-0817 (11) A Resolution by Councilmember Clair Muller creating the position of City Council Fiscal Review Manager, a position on the Council Staff that will review all Legislation with will have a fiscal impact.

HELD

TO AUTHORIZE THE ALLOCATION OF TAX ALLOCATION INCREMENT FROM THE PERRY/BOLTON TAD SPECIAL FUND

09-R-0819 (12) A Resolution by Councilmember Felicia A. Moore authorizing the Allocation of Tax Allocation Increment from the Perry/ Bolton TAD Special Fund in an amount not to exceed \$4,500,000 for the purpose of constructing and equipping a new Fire Station within the Perry/Bolton TAD; authorizing the Mayor or her Designee to enter into an Intergovernmental Agreement with the Atlanta Development Authority in connection therewith; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Amanda Ryan: of the Atlanta Development Authority addressed the Committee by stating that this is being funded through the Perry/Bolton Tax Allocation District Funds.

Mr. Jim Daws: President of the Firefighters Union addressed the Committee by stating that we have our permanent drawings and are ready to go. Councilmember Moore offered a motion to **Approve on Substitute, 4 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 AMEND ARTICLE V. CLASSIFICATION PLAN

07-O-0974 (3) 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 (4) 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 AND SUBSTITUTED

Chairperson Shook stated that we have a Substitute.

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS

07-R-1904 (5) A Resolution by Councilmember Joyce M. Sheperd and C.T. Martin 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

Councilmember Martin asked why is this paper being Held.

TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM

07-R-2138 (6) 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 (7) 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 AUTHORIZE A TWELFTH SUPPLEMENTAL BOND ORDINANCE

08-O-0299 (8) 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

08-O-0402 (9) 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 (10) 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 ENGAGE ON BEHALF OF THE CITY OF ATLANTA**

08-O-0736 (11) 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 (12) 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 (13) 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. **(3rd 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 (14) 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 (15) 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 (16) 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 (17) 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 AMEND THE FY 2009 BUDGET

08-O-1446 (18) 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, 2/25/09)**

HELD

TO AMEND THE PENSION ACTS

08-O-1545 (19) 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, 2/25/09)**

HELD

TO AMEND THE FY 2009 (GENERAL FUND) BUDGET

08-O-1546 (20) 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 (21) 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 (22) 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**

08-O-2034 (23) 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 AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCE OF THE CITY OF ATLANTA**

08-O-2135 (24) 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 (25) 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 (26) 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 REGARDING 4141 WIEUCA ROAD

09-O-0098 (27) 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 (28) 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)**

FAVORABLE ON SUBSTITUTE

Mr. James Swope: of the Department of Public Works addressed the Committee by stating that this paper reduces the amount of the overall lease. We saved \$11,809.00. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

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

09-R-0183 (29) 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 (30) 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, GEORGIA TECHNOLOGY CONTRACT #980-280008

09-R-0259 (31) 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 AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA)

09-R-0263 (32) 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 (33) 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 REQUEST THE DEPARTMENT OF FINANCE TO PROVIDE A REPORT TO THE FULL COUNCIL

09-R-0270 (34) 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

A CHARTER ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965

09-O-0271 (35) 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

TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING

09-O-0277 (36) 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, 2/25/09)**

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

09-O-0278 (37) 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, 2/25/09)**

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

09-R-0369 (38) 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, 2/25/09); (Held and Substituted, 4/1/09)**

HELD AND SUBSTITUTED

Chairperson Shook stated that we have a Substitute.

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

09-O-0370 (39) 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, 2/25/09); (Held and Substituted, 4/1/09)**

HELD

Chairperson Shook stated that we have a Substitute.

Mr. Bernard Thomas: Research and Policy Analyst addressed the Committee by stating that Section 1 is the membership of ACIR. The only change is the Atlanta Chamber of Commerce. It has been changed to the Metro Atlanta Chamber of Commerce. At the bottom is four proposed new members. We suggest that the Department of Aviation be added as a member. There are two other additions to be added. Section 2 contains Subsection B where the City may allocate funds. Section 3 is the purpose of ACIR. In the annual report there is additional language. It combines the current data to the updated data. Section 4 (2-193) is a Reserve and deleted some years ago. It is moving up and making it Section 2-193. Councilmember Moore stated that Section 1 is adding ADA as a member. How can they be a member and a manager?

Mr. Charles Whatley: of the Atlanta Development Authority addressed the Committee by stating that we will be one of the voting members. The Board of Directors guide the strategics. Councilmember Moore stated that we are contracting with ADA and they are

a member. Mr. Whatley responded that it is an IGA similar to the TADs. Councilmember Moore stated that Section 2 deleted a Subsection B where the Council approves the budget. Mr. Whatley responded that there was never a formal budget submitted to Council. Councilmember Moore stated that she understands that the members are recipients of funding. If Council moves with this and do a MOU, the manager should not be a member. We know that we will have to pay some kind of fee. Mr. Whatley responded that we asked for it in lieu of an administrative fee. The administrative cost was more than the \$15,000 on an annual basis as long as there is funding. Councilmember Moore asked about the Section regarding appointing leadership. Mr. Thomas responded that it is in Section 1. Councilmember Moore asked if it was put under the Council's purview. Mr. Thomas responded that it is carried in the Council's budget. Councilmember Moore stated that now we are deleting the Council's involvement. Mr. Thomas responded yes. It is discretionary upon the City to fund it. Councilmember Moore stated that she is not clear of the necessity of it being sent to ADA. Some of the issue is that there has been funding. She is not sure why we need to move the entire thing to ADA for it to operate. Why not work with ADA? Councilmember Maddox added that he thinks it's being moved to ADA because all they do is economic development for the City. They can take ACIR to a whole new level. ADA has the capability and professionalism to do it. This is the first year ADA is not coming to the City for funding. We have to open up our doors to other nations for economic exchange. We should have a protocol office. We need to recognize how Atlanta is growing. He is concerned about costs. Councilmember Martin stated that we often complain about what we get from the State. They have a huge investment. What is the total impact of this? How can ADA take a few City dollars and make it work tremendously. We have been letting the State handle our tourism. He does not know of any significant deal that has been pulled off. The only thing he sees is that the representatives travels. What does this accomplish? If it is going to address the concerns by Councilmember Moore, that would be fine. Will there be two people from Council staff? Mr. Thomas responded yes. Councilmember Martin asked how will Council Staff have time to go to ADA for meetings. Is ADA the proper place? What will we get from ADA? He thought the function was to help citizen relationships. What will you do with five additional people? Mr. Whatley responded that about 40% covers international entrepreneurship. The State has a lot of resources, but not for the City of Atlanta. ADA is the City's front person. Mr. Thomas responded that the Agreement is for 3 years and may be cancelled upon 90 days notice. The City will pay \$15,000 annually for economic development activities. The Council staff will provide administrative support to ADA. Mr. Pridgeon stated that he speaks in favor to both pieces of legislation. We have worked with ACIR. There is some need for clarity in the mission of what ACIR is supposed to do. Section 3 is the modified language where something needs to be in there regarding the working relationship between ACIR and International Affairs. Councilmember Moore asked why not let the Mayor's Office handle it. Mr. Pridgeon responded that the mission that is modified has more activities. The Council staff has provided a lot of support. We have had tremendous modification. Our staff is down to him. He does not have the resources at the moment. There needs to be an acknowledgment to continue the good working relationship. Chairperson Shook stated that it did not make sense to him for it to be under Council. He questions why Council staff does it. He prefers to Hold it until we have clarity and accept both Substitutes. Councilmember Maddox stated that he wants to make a Substitute motion. He does not have a problem with Mr. Pridgeon's Amendment. Mr. Pridgeon stated that in Section 3, hereby amended after the word (work) in concert with the Mayor's Office. Councilmember Maddox offered a motion to **Approve the Amendment, 3 Yeas, 1 Nay**. Mr. Pridgeon also added in Section 5 (providing the assistance instead of eliminating). Councilmember Maddox stated that we are not talking about a lot of time. The monthly meetings last about 2 hours. The only other time would be for correspondence. ADA has a staff that works on a weekly basis that deals with the economic arena. They can take this to a new level. This is in the best interest of the City. Councilmember Moore stated that it is important to elevate this from a Council thing to a City thing. The language "may" is too subjective. Chairperson Shook stated that it could read the Mayor's Office of Intergovernmental and International Affairs shall. Councilmember Martin stated that if this operation was small potatoes, Council

staff would not need to be involved in it. Any reference to Council staff should be deleted. Mr. De Goot stated that our meetings are 90 minutes. He has invested \$500,000 of our own organization's money. If the investment of \$50 is peanuts compared to what can be done, he requests that their budget be doubled. Councilmember Martin stated that you can't do anything without the State's approval. Councilmember Maddox stated that it is important to vote on the Amendment. Mr. Pridgeon stated that he would be glad to give some clarity. Chairperson Shook stated that the Amendment will be dropped.

TO AMEND SECTION 114-429

09-O-0372 (40) 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, 2/25/09)**

HELD

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

09-O-0377 (41) 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, 2/25/09)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO TRANSFER FUNDS

09-O-0386 (42) 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, 2/25/09)**

ITEMS NOT ON THE AGENDA

Chairperson Shook went over the Budget schedule. Councilmember Martin stated that there is a request to make some modifications regarding a paper brought in regarding the Courts. It deals with the Judges scenario. The paper has 8 Judges in it. By July 1st the Clerk Office needs to be notified. We have some Judges that will retire. They have been elected to stay around until January 2010. We need to change the schedule for when the Courts will meet. They are scheduled to meet on May 19th. All of the Judges there now have to state if they will run again. We need to switch the Courts. May 5th is the only time he sees. Councilmember Moore stated that it is the legal authority the City is operating under to have 11 Judges. The current budget reflects 11 Judges and two Assistants for each Judge. Councilmember Moore stated that the July date is not cast in stone for the Judges to give a letter to the Courts. We should not operate differently. Councilmember Winslow stated that she had a conversation with the Chief Judge and they would bring in their own budget for 11 Judges. There is a paper being Held in Public Safety regarding Pro Hacks. Councilmember Maddox stated

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that we cannot receive anything less than what the Charter calls for. Will we have enough money to have 11 Judges?

TO RETAIN THE EXISTING TEAM OF BOND COUNSEL PROFESSIONALS

09-R-0825 (1) A Resolution by Finance/Executive Committee authorizing the City Attorney to retain the existing team of Bond Counsel Professionals previously authorized by City Council, to assist the City in the issuance of Water and Wastewater Revenue Bonds, Series 2009; to authorize the execution of any necessary Retainer Agreement; to authorize the Chief Financial Officer to pay fees and costs for Legal Services rendered in an amount not to exceed \$120,000.00 plus expenses pursuant to said Retainer Agreement; and for other purposes.

FAVORABLE

Ms. Simone Braithwaite: Senior Assistant City Attorney addressed the Committee by stating that this paper is for a retainer for the Water Wastewater Bonds. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE AN ENGAGEMENT AGREEMENT

09-R-0826 (2) A Resolution by Finance/Executive Committee authorizing the City Attorney to execute an Engagement Agreement with the Law Firms of Hunton & Williams LLP and Howell & Associates, LLC, to serve as Co-Bond Counsel to the City of Atlanta in connection with the issuance of Bonds for the BeltLine Tax Allocation District for a period of two years, with an option to renew for another two years; to authorize the Chief Financial Officer to pay fees in an amount not to exceed \$170,000.00 plus expenses for legal service rendered pursuant to said Engagement Agreement; ;and for other purposes.

FAVORABLE

Senior Assistant City Attorney stated that this is Bond Counsel for the Beltline for an Issuance done in the fall. CFO Glass added that we owe SunTrust and Wachovia \$64 million dollars. ADA will bring forward the additional funding they are looking for in this Bond Issuance. We have to refund the funds. We need the Attorneys now. Councilmember Moore offered a motion to **Approve, 4 Yeas.** Councilmember Maddox asked if this is for two years with two year renewals. Is there minority participation?

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that there is minority participation.

Continuing, CFO Glass stated that we have closed the books for the first six months. We estimated \$262 million dollars and did \$257 million dollars.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker
Recording Secretary

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