

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, February 10, 2010, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Adrean, Chair
 Councilmember C.T. Martin
 Councilmember Alex Wan
 Councilmember Howard Shook
 Councilmember H. Lamar Willis
 Councilmember Aaron Watson

Roosevelt Council, Acting CFO
 Departmental Staff

Absent: Councilmember Felicia A. Moore

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers C.T. Martin, Alex Wan, Howard Shook, H. Lamar Willis and Aaron Watson. Other Departmental staff was present as well.

The Agenda was adopted as printed. The minutes of the Finance/Executive Committee January 27, 2010 were adopted as well.

DISCUSSION ITEMS

LEGISLATIVE UPDATE – MS. MEGAN MIDDLETON, INTERGOVERNMENTAL MANAGER

Ms. Megan Middleton: Mayor's Office Intergovernmental Manager addressed the Committee by stating that this is the first update of the year. The State is focusing on the Supplemental Budget. There has not been a lot of movement on other bills. There is a Committee meeting this afternoon at 1:30 p.m. to discuss Item D, Senator Tate is introducing that allows cities with development authorities to negotiate for the sale of surplus city property, as an additional tool in marketing property. The property will be at fair market value. It has been on the Agenda for two years. In Public Safety the suspension of driver licenses and speed detection cameras are being focused on. Municipal Government #3 is a clean-up item. The next page lists bills that were introduced last year. **HR 1** caps property tax assessments at 3% or CPI whichever is less. It has been revised. **HR 21** and **SR 392** are matching bills to recreate previous Milton and Campbell County. There has not been a lot of movement on it. **HB 122** was submitted over the summer. It is amended as well. It passed out of the Committee. On the next page **HB 903** passed out of the Subcommittee to House of Ways and Means. At the bottom of the page is water related items. They are in the Resources Committee. It is things the City is already doing, but we are tracking it. **SB 311** authored by Senator Shaffer, requires EPD to keep records of water loss by governmental utilities. It would require the utility to provide a repair plan and if the utility could not/did not repair their system, another local government could do the repairs. The government making the repairs would then have the water saved and reallocated to them from the original government permit. **SB 321** by Senator Pearson would allow GEFA to do up front development work for private reservoirs and exempts reservoirs from important requirements. It is Tax Credit for water and energy efficiency. She will provide another update to the Committee at the end of the week. Councilmember Shook asked what day are we on in the General Assembly? Ms. Middleton responded that we are on day 16. Councilmember Shook stated that there were legislations we sent over that were never introduced. A lot of them have not been amended as well. Under Public Safety, do we expect to have sponsors for E and F? Ms. Middleton responded that she has had conversations. Some of it is confusion about whether it's a local or state matter. Councilmember Martin asked what is the attempt for Item B to increase taxes on alcohol by the drink? Have there been conversations from the Mayor or the Fulton County Delegation. They do not want to do a tax during election year. He then asked about B or C. Ms. Middleton responded that there is no sponsorship for neither one of them. Councilmember Martin asked if it was part of

conversation during the Legislature's luncheon. Ms. Middleton responded that the alcohol by drink has not been touched since 1974. This is something that could create additional revenue. The bill has not dropped yet. Chairperson Adrean stated that City Council asked for a penny tax to pay for infrastructure. Ms. Middleton responded that she has not seen it. After eight days after Council passes it, it comes to her and yesterday would have been the last day. Councilmember Martin stated that it was to be a hurried legislation. You should look for it. Was there support from the Administrative side? We need a sense of direction. Councilmember Shook asked if her duties interface with Atlanta Public Schools. Ms. Middleton responded not a lot. Councilmember Shook asked about their SPLOST. Are they interested in extending that. There may be a lot of competition for the penny. Chairperson Adrean stated that every day we are silent, it creates confusion.

FINANCE/EXECUTIVE COMMITTEE 2010 GOALS AND OBJECTIVES

Chairperson Adrean stated that we have a list in the Substitute Package. Two of them are labeled budget priorities. What is the procedure? Councilmember Martin stated that we can ask the Subcommittee to put them together and get it back to the Chair. We can have a quick meeting after this one. Chairperson Adrean agreed that after this meeting we can get together.

2011 COUNCIL BUDGET PRIORITIES

We will get together after this meeting regarding this discussion as well.

CONSENT AGENDA

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

10-O-0288 (1) An Ordinance by Finance/Executive Committee to amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, so as to provide above entry hiring authorization in the Department of Watershed Management; and for other purposes.

FAVORABLE ON FIRST READ

TO TRANSFER EXCESS REVENUES AND DECREASE THE ANTICIPATIONS FOR THE 2009 GENERAL FUND BUDGET

10-O-0289 (2) An Ordinance by Finance/Executive Committee to authorize the Chief Financial Officer to transfer excess revenues and decrease the Anticipations for the 2009 General Fund Budget and release the Restricted Reserves in order to do an Accounting Close Out of the Fiscal Year 2009.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2010 (ATLANTA BELTLINE FUND) BUDGET

10-O-0290 (3) An Ordinance by Finance/Executive Committee to amend the Fiscal year 2010 (Atlanta Beltline Fund) Budget by adding to Anticipations and Appropriation Net Reoffering and Bond Issuance Process in the amount of \$78,389,105.74 for the City of Atlanta Beltline Tax Allocation Bonds Series 2008A, the City of Atlanta Beltline Tax Allocation Bonds Series 2008B, the City of Atlanta Beltline Tax Allocation Bonds Series 2008C, the City of Atlanta Beltline Tax Allocation Bonds Series 2009B, and the City

of Atlanta Beltline Tax Allocation Bonds Series 2009C; and for other purposes.

FAVORABLE ON FIRST READ

TO ENTER AMENDMENT AGREEMENT NO. 11 FOR FC-6004007863

- 10-O-0291 (4) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into Amendment Agreement No. 11 for FC-6004007863, Customer Information and Billing System and Off-Site Billing Services, with Systems and Software, Inc. ("S&S") to waive Article X Division 4, Section 2-1188 of the City of Atlanta's Procurement Code to extend the term of contract for an additional eighteen (18) months on behalf of the Department of Watershed Management for time-only; and for other purposes.

FAVORABLE ON FIRST READ

TO ENTER INTO RENEWAL AGREEMENT NO. 1 FOR FC-4718B

- 10-O-0292 (5) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into Renewal Agreement No. 1 for FC-4718B, Annual Contract for small water meters for the Bureau of Drinking Water with Kemi Construction, Inc. on behalf of the Department of Watershed Management/Bureau of Drinking Water for time-only; to waive Article X, Sec. 2-1188. Competitive sealed bidding of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE APPLICATION OF THE SOURCE SELECTION METHODS

- 10-O-0293 (6) An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee to waive the application of the Source Selection Methods prescribed in the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or his Designee to ratify the prior provision of leased equipment under the Master Lease Agreement with Dell Marketing, L.L.P. for desktop and laptop computers and to exercise the purchasing option of lease numbers 37371 and 37902 for desktop and laptop computers on behalf of the Department of Information Technology in an amount not to exceed eighty-two thousand, six hundred nine dollars and nine cents (\$82,609.09) all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (IT Server Management) 5424003 (Computers \$5,000+) 1535000 (Data Processing/ Management Information Systems).

FAVORABLE ON FIRST READ

TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X

- 10-O-0294 (7) An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee to waive the application of the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or his Designee to ratify the prior provision of leased equipment under the Master Lease Agreement with Dell Marketing, L.L.P. and to remit payment for the lease of 140 Dell

Optiplex Computers and 15 Dell Latitude Laptop Computers on behalf of the Department of Information Technology in an amount not to exceed seventy-four thousand, five hundred sixty-eight dollars and forty-three cents (\$74,568.43) all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (IT Server Management) 5223202 (Operating Lease/ Rental Equipment) 1535000 (Data Processing/Management Information Systems).

FAVORABLE ON FIRST READ

TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X

10-O-0296 (8) An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee to waive the application of the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or his Designee to ratify the prior provision of Renewal Option Number One (1) of the five-year E-Business Suite Software Licenses, Support and Maintenance Agreement with Oracle U.S.A. Inc. and Exercise Renewal Option Number Two (2) with Oracle USA, Inc., for E-Business Suite Software Licenses, Support and Maintenance for Contract Numbers 2710958 and 2086579 utilizing State of Georgia Contract #GS-35F-009T on behalf of the Department of Information Technology, in an amount not to exceed nine hundred sixty-four thousand, eight hundred sixty-seven dollars and eighteen cents (\$964,867.18); all contracted work will be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050211 (IT Network Management) 5213001 (Consulting/Professional/ Management Information Systems); and for other purposes.

FAVORABLE ON FIRST READ

REGULAR

TO ENTER INTO AN IN-BUILDING RADIO DISTRIBUTION AGREEMENT

10-O-0167 (1) A **Substitute** Ordinance by Finance/Executive Committee to authorize the Mayor or his Designee to enter into an In-Building Radio Distribution Agreement to allow better radio systems performance for Atlanta Police Department (“APD”) personnel at the 3493 Donald Lee Hollowell Parkway Annex for APD at no expense to the City of Atlanta. **(Finance/Executive Committee Substitute includes Verizon Wireless in the Caption, 2/10/10)**

FAVORABLE ON SUBSTITUTE

Mr. Dan Smith: Chief of Information Technology addressed the Committee by stating that this is to put a repeater at the Annex Building and it is no cost to the City. The Substitute includes Verizon Wireless in the Caption. Chairperson Adrean offered a motion to **Approve on Substitute, 6 Yeas.**

TO SUBMIT THE TWELFTH SUPPLEMENTAL BOND ORDINANCE

10-O-0229 (2) A **Substitute** Ordinance by Finance/Executive Committee submitting the Twelfth Supplemental Bond Ordinance to ratify,

reaffirm, supplement that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain First Supplement 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 Fifth Supplemental Bond Ordinance adopted on November 19, 2007, that certain Series 2008 Bond Ordinance adopted on March 17, 2008, that certain Seventh Supplemental Bond Ordinance adopted on October 6, 2008, that certain Series 2009 Bond Ordinance adopted on May 4, 2009, as supplemented by that certain Supplemental Series 2009 Bond Ordinance adopted on June 17, 2009, and that certain Series 2009B Bond Ordinance adopted on October 5, 2009, as Supplemented by that certain Supplemental Series 2009B Bond Ordinance adopted on October 14, 2009; to authorize the execution and delivery by the City of Atlanta of Amendments to an Interest Rate Swap Agreement that hedged a portion of the City's Water and Wastewater Revenue Bonds; and for other purposes. **(Finance/Executive Committee Substitute adds the Exhibits, 2/10/10)**

FAVORABLE ON SUBSTITUTE

Mr. Larry Stokes: Research and Policy Analyst addressed the Committee by stating that we have a Substitute.

Ms. Clair Coleman: Senior Assistant City Attorney addressed the Committee by stating the Substitute adds the Exhibits. This Ordinance is for different Series for refunding Bonds. 2001 Bonds were Hedge Bonds and had outstanding agreements. We would have had to pay \$60 million dollars to terminate the Bonds. We worked with UBS to attach it to other Bonds. This paper amends the SWAP Agreement. It relates to the outstanding 2008 and 2009 Bonds. Councilmember Shook offered a motion to **Approve on Substitute, 6 Yeas.**

TO AUTHORIZE A PAY FOR PERFORMANCE PAYMENT

10-O-0308 (3) An Ordinance by Councilmembers C.T. Martin, Aaron Watson and Michael Julian Bond to authorize a Pay For Performance Payment to all City Employees covered under the General Employee Salary Schedule that receive a rating of Effective or Better for FY 2010; and for other purposes.

HELD

Chairperson Adrean stated that we will add this to the 2011 Budget. Councilmember Shook stated that there was information we wanted. We want to see what our options are for a COLA from the Index.

Ms. Sherry Dickerson: Commissioner of the Department of Human Resources addressed the Committee by stating that we are working on them with the Finance Department. Councilmember Martin stated that it was not clear about Grade 19 and down to receive a bonus. Acting Commissioner Dickerson responded that we would provide the information.

TO AMEND THE CHARTER OF THE CITY OF ATLANTA

10-O-0313 (1) An Ordinance and Charter Amendment by Councilmembers Howard Shook and Felicia A. Moore amending the Charter of the

City of Atlanta 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 amend Section 2-301, Chapter 3, Article 2, entitled "Organizational Meeting; Oath of Office; Mandatory Training" of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et seq.) so as to provide that the Oath of Office for City of Atlanta Elected Officials set out at Charter Section 2-301(b) shall be revised; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(1ST Reading, 2/01/10)**

2ND READING, 1ST ADOPTION

Chairperson Adrean stated that this requires three Readings. This is a 2nd Reading, 1st Adoption.

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-0295 (1) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the GSA Contract #GS-35F-0742N with Covertrix IT Security Group for Websense E-Mail Security Software Maintenance and three (3) days of on-site implementation support on behalf of the Department of Information Technology in an amount not to exceed fifty-three thousand, two hundred dollars and no cents (\$53,200.00); all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services – Technical) 1535000 (Data Processing/Management Information System); and for other purposes. **(Finance/Executive Committee changes the support from one year to three years, 2/10/10)**

FAVORABLE ON SUBSTITUTE

Mr. Stokes stated that we have a Substitute. Councilmember Shook asked what the Substitute does.

Mr. Dan Smith: Chief of the Department of Information Technology addressed the Committee by stating that it changes the support from one year to three years. Councilmember Martin offered a motion to **Approve on Substitute, 6 Years.**

TO EXECUTE CHANGE ORDER NO. 2 FOR CONTRACT NO. FC-3006007917

10-R-0297 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order No. 2 for Contract No. FC-3006007917, Runway 10-28 Non-Licensed Vehicle Road with Precision 2000, Inc., on behalf of the Department of Aviation, in the amount of \$112,651.23, to settle all outstanding Contract Claims. The settlement will be charged to and paid from PTAE0: 18101595 (Commuter Runway) 102 (Task) 550591336 (DOA PFC Revenue 96AA) 5414002 (Facilities Other Than Bldgs) and FDOA: 5505 (Airport Passenger Facility Charge Fund) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs) 7563000 (Airport) 101595 (Commuter Runway) 91336 (DOA PFC Revenue 96AA) 0000 (Default) 00000000 (Default) 00000000 (Default). **(Finance/Executive Committee Conditional Passage to provide information**

regarding legal documentation for Precision 2000, Inc. workers, 2/10/10)

FORWARD ON CONDITION

Mr. Mario Diaz: Deputy General Manager addressed the Committee by stating that this authorizes a Change Order. It does not remain in the limits of the first contract. The original contract was for \$2.8 million dollars.

Brother Mohammad: addressed the Committee by stating that Precision 2000, Inc. did work on his street. They brought grass that did not take root. Then they brought new grass and put it down. We talked to others they did unsatisfactory work for. They got paid twice for one job. He tried to talk to the contract engineer. All of the employees were Mexicans. All of the residents on my street are black except for two households. At the end of the contract, we shared this information with former Public Works Commissioner Joe Batista and Ms. Sandra Jennings. There were thousands of dollars wasted. He has other people who can speak regarding Precision 2000, Inc. His property was encroached. The City needs to stop rubber stamping things. Mr. Diaz stated that they work very well at the Airport. Chairperson Adrean asked what do you do to make sure that the workers are documented. Mr. Diaz responded that they received badges, but they may not be U.S. citizens. Senior Assistant City Attorney Coleman responded that we are subject to the E-Verify Program. Councilmember Martin offered a motion to Approve. Councilmember Willis offered a Substitute motion to Approve on Condition until we get the information regarding legal documentation. Councilmember Shook offered a motion to Hold until we get the information.

Ms. Angela Hinton: Senior Assistant City Attorney addressed the Committee by stating that companies have to do affidavits for the E-Verify Program. This was put in place from July 2007 going forward. They have to verify that their employees are legal. The City cannot check the employee's backgrounds. Chairperson Adrean asked if we have current affidavits. Senior Assistant City Attorney Hinton responded that Procurement receives the affidavits. Chairperson Adrean responded that it would be the Department of Procurement's responsibility.

Mr. Dave Chapman: Deputy Procurement Officer addressed the Committee by stating that someone is checking to see if affidavits are filed. Mr. Diaz added that we can get a letter from Precision 2000, Inc. Councilmember Shook stated that this is a separate issue. This needs to be audited. Councilmember Shook reiterated the motion to Approve. Councilmember Martin stated that there are two issues. They're doing government work at the Airport and community work on the sidewalk. He then called for the Consent Decree Order. He also wants to approach the owner. Precision 2000, Inc. has worked with us for a long time and one of the few contractors to have prime contractor's work. There are matters being looked into regarding sidewalk work. Councilmember Willis stated that in terms of the \$200,000 settlement that was negotiated to \$112,000. What is the discrepancy? Mr. Diaz responded that the personnel work and items for that day was not production use and reflected some overhead. We went through for months checking personnel and work. The equipment was to be used at the Airport. The amount of the overhead was correct. The Airport will pay for the settlement. We came down on the cost. Councilmember Wan stated that this is a Change Order to an existing contract. He would feel better to get a copy of the certification from the company. He offered a motion to move **Forward on Condition, 6 Years.**

TO UTILIZE GSA CONTRACT #GS-35F-0195J

10-R-0298 (3)

A Resolution by Finance/Executive Committee authorizing the Mayor to utilize GSA Contract #GS-35F-0195J for the renewal of Cisco's Smartnet Support Agreement from CDW Government, LLC. for the City of Atlanta, Department of Aviation; in an amount not to exceed \$1,047,660.40 over a three year period; payments

will be disbursed yearly at \$349,221.47. The software and support purchase will be charged to and paid from FDOA 5501 (Airport Revenue Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consulting/ Professional Services – Technical), Functional Activity 7563000 (Airport) and for other purposes. **(Finance/ Executive Committee Conditional Passage of getting language of this not being a renewal, 2/10/10)**

FORWARD ON CONDITION

Mr. Stokes stated that we have not received a Substitute. Mr. Diaz stated that it is a new contract, not a renewal. The contract exists and that is why we refer to it as a Renewal. The requirement was to drop the word renewal. Councilmember Shook stated that we had this discussion in the Finance/Executive Briefing. He then offered a motion to move **Forward on Condition of getting language of this not being a renewal, 6 Yeas.**

TO REFUND \$9,848.44 TO ANADOL COMPANY

10-R-0299 (4) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund nine thousand eight hundred forty eight dollars and forty four cents (\$9,848.44) to Anadol Company for an overpayment of Business License Fees to the City of Atlanta. All Funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity-Human Resources) and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO REFUND \$16,963.35 TO ASCEND JOINT VENTURE, LLC

10-R-0300 (5) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund sixteen thousand nine hundred sixty three dollars and fifty five cents (\$16,963.35) to Ascend Joint Venture, LLC for an overpayment of Business License Fees to the City of Atlanta. All Funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated – Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity-Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO REFUND \$34,469.42 TO UNITED TEMPS OF GEORGIA

10-R-0301 (6) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund thirty four thousand four hundred sixty-nine dollars and forty two cents (\$34,469.42), to United Temps of Georgia for an overpayment of Business License Fees to the City of Atlanta. All Funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated – Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity-Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO REFUND \$91,869.70 TO SAVANNAH COLLEGE OF ART AND DESIGN

10-R-0302 (7) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund ninety one thousand eight hundred sixty nine dollars and seventy cents (\$91,869.70) to Savannah College of Art and Design for an overpayment of Business License Fees to the City of Atlanta; all Funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated – Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity-Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO AMEND THE CITY OF ATLANTA 2010 GEORGIA GENERAL ASSEMBLY LEGISLATIVE PACKAGE

10-R-0315 (8) A Resolution by Councilmembers Michael Julian Bond, Aaron Watson and H. Lamar Willis to amend the City of Atlanta 2010 Georgia General Assembly Legislative Package so as to call for the repeal O.C.G.A. 16-11-173(b)(1); and for other purposes.

FAVORABLE

Councilmember Bond stated that this Resolution is where we are trying to prevent a pawnshop from opening that wants to sell guns just feet away from a school. It would be located close to Booker T. Washington High School, which already is a high crime area. We want to rescind this. He has nothing against guns because he is a member of the NRA. Councilmember Martin offered a motion to Approve. Councilmember Shook stated that we are virtually powerless when it comes to the State. We are unsponsored and will remain that way. We all know what will happen. He hopes that they acknowledge that they hold all of the face cards. We need to be more strategic dealing with them. Councilmember Bond stated that he hopes that you reconsider your vote. We are a creature of the State. Just because it is that way today, it may not always be that way. We have to continue to appeal to their better nature. They represent us too. They have got to recognize our challenges. He understands guns, but he also understands the reality of kids with guns. At some point, our voices shouldn't fall on deaf ears. Chairperson Adrean asked if Councilmember Bond has talked to the Legislators. Councilmember Bond responded that he talked to Representative Shaun Taylor. He will petition others as well. We are faced with this all over the City. We need to change that relationship. Councilmember Willis asked if there are steps to be taken. Sometimes we can provoke them. Is there a dialogue to use? Will the Delegation forum time be a time to do it? Sometimes they appreciate us having a dialogue with them. We may have to get someone from South Georgia to introduce it. Councilmember Bond stated that this is an issue before the community right now. They want to change the situation. They are very concerned. He has to respond to the constituents. People at the State have to realize that we all represent the same people. Councilmember Martin stated that he supports the legislation because of our crime stats. We have to take a stand on it. When a Title Max business decided to put a business in my and former Councilmember Maddox's Districts, we told them that we would picket all of their businesses. He agrees with Councilmember Shook as well, but this problem is too important. He thought that something was already in place. If it is going into a Shopping Center, you can get them or the individual. We need to do

something about taking guns off of our street. Councilmember Bond responded that it is a stand along building. It is at Joseph Lowery and MLK Streets. Surrounding areas were not notified because the areas have three NPU's. The community at large is taken aback and we are reacting. We don't have the authority anymore. This law was not acted on at the State level. Councilmember Shook stated that it may be useful to provide a list of their Delegation schedule from Ms. Middleton. Councilmember Martin offered a motion to **Approve, 4 Yeas, 2 Abstention.**

TO APPOINT COUNCIL MEMBER H. LAMAR WILLIS TO THE ATLANTA REGIONAL COMMISSION (ARC)

10-R-0325 (9) A Resolution by Finance/Executive Committee appointing Council Member H. Lamar Willis to the Atlanta Regional Commission (ARC); and for other purposes.

FAVORABLE

Mr. Walker stated that he has not seen anyone in his neighborhood with greater impact yet. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO SUBMIT A PERFORMANCE AUDIT REPORT FOR INDIRECT COST ALLOCATION

10-C-0054 (1) A Communication by City Auditor Leslie Ward submitting a Performance Audit Report for Indirect Cost Allocation. **(Held, 1/13/10)**

HELD

Ms. Leslie Ward: Internal City Auditor addressed the Committee by stating that there is a memo regarding the sale of the Jail. 29 employees are in the memo itself. Information regarding Shaw/Aim is in there as well. She stated that she made one copy of the audit. We had copies of Task Orders for Shaw/Aim. There may be additional Notices To Proceed and Task Orders. There was a request for Shaw/Aim invoices. She does not know how many there are and the work goes back to 2005. She hopes to get a sense of it soon. In addition, we are doing follow up work on the Change Orders. We will provide a memo a week from Friday. We can discuss it at the next Finance/Executive Committee meeting.

TO SUBMIT THE CITY OF ATLANTA RETIREMENT REVIEW – PHASES II & III PLAN DESIGN AND FINANCIAL IMPACT REPORT

10-C-0056 (2) A Communication by Mayor Shirley Franklin submitting the City of Atlanta Retirement Review – Phases II & III Plan Design and Financial Impact Report. **(Held, 1/13/10)**

HELD

TO SUBMIT THE PERFORMANCE AUDIT FOR CITY HALL EAST SALE AND PUBLIC SAFETY FACILITIES CONSTRUCTION REPORT

10-C-0148 (3) A Communication from City Auditor Leslie Ward submitting the Performance Audit for City Hall East Sale and Public Safety Facilities Construction Report. **(Held, 1/27/10)**

HELD

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-0172 (4) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement

pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with IBM Corporation, Inc. in an amount not to exceed \$153,217.67 over a three year period; to be charged to and paid from FDOA 5501 (Airport Revenue Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services) Technical, Functional Activity 7563000 (Airport) (\$106,928.34) 0000 (Default) 00000000 (Default) 00000000 (Default) and from Fund 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services) Technical Functional Activity 7563000 (Airport) (\$46,289.33) 0000 (Default) 00000000 (Default) 000000000 (Default); and for other purposes). **(Held, 1/27/10)**

HELD

TO AMEND SECTION 114-125

10-O-0225 (5) An Ordinance by Councilmembers C.T. Martin and Keisha Lance Bottoms to amend Section 114-125, new appointments and starting rates of the Code of Ordinances; and for other purposes. **(Held, 1/27/10)**

HELD AND SUBSTITUTED

Chairperson Adrean offered a motion to bring forth a Substitute. It adds the Compensation Committee we used to have and documentation. It is comprised of the COO, President of City Council, Chair of the Finance/Executive Committee or her Designee. She is not interested in that position or in micromanaging. She is interested in oversight. She is concerned with higher management being paid at a higher income, when there are times our employees have not gotten anything. They are losing ground economically. She wants this level of accountability. We have to be consistent. She is asking that her colleagues consider the state of accountability. Councilmember Martin asked if this is a substitute change to the original paper. Senior Assistant City Attorney Coleman responded that it can proceed as is. Councilmember Martin stated that it has information in the Whereas Clauses that needs to be changed and one material change in Section 1. Senior Assistant City Attorney Coleman responded that she would take a look at it. Councilmember Martin asked what is the position of the Administration? Mr. Aman responded that our position is that the original legislation was consistent with our desires. It is appropriate for the Administration to implement the policies and not modify it. We should set the Personnel Paper. Councilmember Martin asked if you have a problem with the board being constituted. Is there a way to achieve it with the amendment? It may not be the majority of the Council to pass the original paper. Mr. Aman responded that he has not seen it. The original paper speaks to hiring not raises. Senior Assistant City Attorney Andrews added that by adding the additional Section is a substitute change and makes the clock start over. It would take the place of the original paper. Councilmember Martin asked if this Committee passes this, the original paper disappears. Mr. Aman responded that the Compensation Committee could put together a new paper. You can separate out the Compensation Board. Councilmember Martin stated that you could take the hiring issues out of this one. At some point he wants to hear from the Unions. Mr. Aman responded that he would deal with the original paper and deal with raises on another paper. Councilmember Martin offered a motion to separate the issues as it relates to hiring. Chairperson Adrean stated that this substitute has nothing to do with raises. It addresses the ability of Department Heads to hire people above entry. Councilmember Martin stated that the Substitute is on the floor. It has replaced the original paper. Mr. Aman responded that the Substitute looks at above hiring at mid to high level. The Compensation Committee has to review it. From mid to high level the Committee has to approve it. Councilmember Winslow stated that she is concerned with how many Deputies there are in the

Executive Offices. In the newspaper they are talking about property taxes and revamping the assessments. They are talking about equaling the property values with the assessments. Can we start saving above the 5%? It seems like we are going back to what we were doing two years ago when we didn't have a handle on the budget. Citizens feel like they are not getting the services they need. Other employees are not receiving anything. We need to look at the balancing. It will be another two years before we come out of this recession. She has asked for the ranges, etc. We pay our people well at the top level.

Ms. Gina Pagnetta: President of Professional Administrative City Employees (PACE) addressed the Committee by stating that she is surprised because when she met with the Mayor and the Department of Human Resources Commissioner she thought there was an agreement. She is shocked to hear Mr. Aman say he is opposed to having Council's oversight. We thought that raises for Grade 27 and below would have to go to Council. Above Grade 27 was the Council and Mayor's purview. It is not fair to have the employees not have a career level. She wishes you would consider that Grade 27 and below to bring in above mid range. We had this conversation two years ago. Yes it does affect the budget. When you begin juggling positions, the people at the top will cut the service employees. We don't want any more abuse from the top level. Have a Compensation Committee, but look closely at them.

Mr. Chris Brown: Steward of ASCFME addressed the Committee by stating that we have issues and concerns in the Department of Watershed Management. There are people who come in with an educational background getting top dollar salaries and people who have been here a long time with an educational background getting nothing. We don't have any parity. It is not about existing employees. We privatize a lot. The City workers have to go behind contractors to correct work they have done. We can't support this. Accountability must stay within the City of Atlanta. Acting Commissioner Dickerson responded that we agreed with the Unions for a Compensation Committee. We thought it was dealing with hiring. We are in agreement to have them remove Grade 28 and above. There will be discrepancies with the Department Heads. Councilmember Shook stated that it is clear where we want to end up. He wants to move Forward on Condition. He offered a friendly amendment for the Finance/Executive Committee members to sit on the Committee. It should be up to the Committee instead of the Chair. Councilmember Willis stated that he appreciates Mr. Aman's caliber and his response. He is comfortable with putting time on legislation. If we are not happy, we can change it. The first thing to do when creating a Board is facilitating and appointing and until this Council have a clear cut indication we should be cautious about decisions we make. The motion is to move Forward on Condition of tidying up the language and instead of the Chair, a member of City Council should be on the Compensation Committee. Councilmember Martin asked if this can be squared up by Monday. Senior Assistant City Attorney Andrews responded that he would make the changes. Acting Commissioner Dickerson added that she forwarded the information to Councilmember Moore. Councilmember Wan asked about the time limit. Councilmember Martin stated that we reserve the right to change it annually. Councilmember Winslow asked if we could know the positions in order to know how many people we are speaking of and their current salaries. This applies to new hires, 28 and above included and cleaning up the language, **6 Years**.

Continuing, Brother Mohammad stated that several months ago there was a discussion regarding the meters. There was a situation on East Ponce De Leon regarding cleaning. The person has a stop order, but he was already paid so he had to continue the work. This Council is rubber stamping everything. In January 2009, he signed an Encroachment Agreement, but the work has not been done. Why is it you continue to deny black people proper City services. The 14th Amendment gave equal protection and the 15th Amendment gave the right to vote. We have rights that should be given to us. There are twelve black members on this Council. Our people are hurting and you need to empower our young people. Councilmember Willis clarified that the sanitation trucks has just as many employees as any other areas. All of the individuals on Council are not here now. We are always open to hear concerns.

ITEMS NOT ON AGENDA

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Roosevelt Council, Acting CFO

Charlene Parker
Recording Secretary

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