

10-0-0950

(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING PAYMENT OF ALL SALARIES AND BENEFITS FOR FOUR (4) EMPLOYEES OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT'S ARBORIST DIVISION FROM THE TREE TRUST FUND FOR FISCAL YEAR 2011 FROM FUND 7701 (TRUST FUND), ACCOUNT NUMBER 5111001 (PERSONNEL EXPENSES), CENTER/DEPARTMENT NUMBER 250101 (OFFICE OF COMMISSIONER, AND FUNCTION OF ACTIVITY 1320000 (CHIEF EXECUTIVE); AND FOR OTHER PURPOSES.

SUBSTITUTE

ADOPTED BY

JUN 21 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 06/07/10

Referred To: Finance Exec.

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred To
Finance/Exec 6/21/10 Fin/Exec
Chair Graham
Referred To Graham FM/Exec

Committee Date
Finance/Exec 6/15/10

Chair Graham

Action Fav, Adv, Hold (see rev. side)

Other Other

Members

Refer To

Committee Date

Chair

Action Fav, Adv, Hold (see rev. side)

Other Other

Members

Refer To

Committee Date

Chair

Action Fav, Adv, Hold (see rev. side)

Other Other

Members

Refer To

Committee Date

Chair

Action Fav, Adv, Hold (see rev. side)

Other Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED

JUN 21 2010

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

JUN 21 2010

Ronald Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 29 2010

[Signature]

MAYOR



**A SUBSTITUTE ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING PAYMENT OF ALL SALARIES AND BENEFITS FOR FOUR (4) EMPLOYEES OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT'S ARBORIST DIVISION FROM THE TREE TRUST FUND FOR FISCAL YEAR 2011 FROM FUND 7701 (TRUST FUND), ACCOUNT NUMBER 5111001 (PERSONNEL EXPENSES), CENTER/DEPARTMENT NUMBER 250101 (OFFICE OF COMMISSIONER), AND FUNCTION ACTIVITY 1320000 (CHIEF EXECUTIVE); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") Tree Conservation Commission was established by the City's Tree Protection Ordinance, set forth in Atlanta Code of Ordinances 158-26 et seq. ("Tree Ordinance"), to oversee the management and maintenance of trees on both public and private property, and to establish educational programs that encourage proper management and maintenance of trees on private property so that the City and its residents enjoy the benefits provided by the City's urban forest; and

WHEREAS, in 2001, in what is codified as Atlanta Code of Ordinances section 158-66, the Tree Conservation Commission was tasked with establishing a Tree Trust Fund (the "Tree Trust Fund") to be utilized for the protection, planting, maintenance, and regeneration of City trees and other forest resources, and for related educational programs and materials; and

WHEREAS, the Tree Trust Fund is funded by developers, builders, contractors, homeowners and others as a recompense for permitted and illegal removal and destruction of trees within the City; and

WHEREAS, implementation of the requirements of the Tree Ordinance requires a number of staff members in both the Department of Planning and Community Development ("Planning Department") and the Department of Parks, Recreation, and Cultural Affairs. The Planning Department's Arborist Division ("Arborist Division") enforces the Tree Ordinance for trees located on private property. The Office of Parks enforces the Tree Ordinance for trees located on public property; and

WHEREAS, currently the Tree Trust Fund funds the salaries and benefits of three positions within the Arborist Division: two (2) arborists up to a maximum of \$110,000 per year pursuant to Sec. 158-66 and one (1) administrative analyst position up to a maximum of \$60,000 per year pursuant to Ordinance 08-O-1260; and



WHEREAS, the City is encountering a significant budget shortfall for the 2011 fiscal year and the Planning Department does not have sufficient funds in its General Fund budget to fund the Arborist Division's Arboricultural Manager position; and

WHEREAS, because of the necessity of the Arborist Division employees to enforce the Tree Ordinance, and because of the inability of the General Fund to fund an Arboricultural Manager position, it is in the best interest of the City that the Tree Trust Fund the Arborist Division's Arboricultural Manager position for fiscal year 2011.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

Section 1. The Department of Planning is hereby authorized to fund the total cost of salary and benefits for four (4) Arborist Division positions for fiscal year 2011 (July 1, 2010 through June 30, 2011) from the Tree Trust Fund in an amount not to exceed \$277,785.00 and charged to and paid from 7701 (Trust Fund) 250101 (Office of Commissioner) 5111001 (Personnel Expenses) 1320000 (Chief Executive) for the following positions:

<u>Position:</u>	<u>Class Title:</u>	<u>Class Code:</u>
53596	Arboricultural Manager	811012
21971	Arborist	811036
05576	Arborist	811036
55653	Admin. Analyst Sr.	811036

Section 2. That all Arborist Division positions within the Department of Planning, other than those authorized pursuant to Section 1 of this Ordinance, shall be paid from the General Fund.

Section 3. In the event that any portion of this Ordinance is deemed to be in violation of Atlanta Code of Ordinances section 158-66(a), that sets forth the acceptable use of Tree Trust Fund dollars, that segment of section 158-66(a) shall be deemed waived for purposes of this Ordinance. In addition, all other ordinances and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

A true copy,

Shanda Daughkin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JUN 21, 2010
JUN 29, 2010

RCS# 320
6/21/10
3:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1166,10-O-0875

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	NV Bottoms	NV Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I

		06-21-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-1178	43. 10-R-1179	77. 10-R-1103
2. 10-O-1165	44. 10-R-1072	78. 10-R-1104
3. 10-O-0876	45. 10-R-1073	79. 10-R-1105
4. 10-O-0945	46. 10-R-1074	80. 10-R-1106
5. 10-O-0946	47. 10-R-1075	81. 10-R-1107
6. 10-O-0947	48. 10-R-1076	82. 10-R-1108
7. 10-O-0948	49. 10-R-1077	83. 10-R-1109
8. 10-O-0949	50. 10-R-1078	84. 10-R-1110
9. 10-O-0950	51. 10-R-1079	85. 10-R-1111
10. 10-O-1041	52. 10-R-1080	86. 10-R-1112
11. 10-O-1176	53. 10-R-1081	87. 10-R-1113
12. 10-O-0897	54. 10-R-1082	88. 10-R-1114
13. 10-O-0924	55. 10-R-1083	89. 10-R-1115
14. 10-O-0932	56. 10-R-1084	90. 10-R-1116
15. 10-O-0933	57. 10-R-1085	91. 10-R-1117
16. 10-O-1057	58. 10-R-1086	92. 10-R-1118
17. 10-R-1139	59. 10-R-1087	93. 10-R-1119
18. 10-R-1140	60. 10-R-1088	94. 10-R-1120
19. 10-R-1141	61. 10-R-1089	95. 10-R-1121
20. 10-R-1154	62. 10-R-1182	96. 10-R-1122
21. 10-R-1180	ITEMS ADVERSED	97. 10-R-1123
22. 10-R-1181	ON CONSENT	98. 10-R-1124
23. 10-R-1143	63. 10-R-0839	99. 10-R-1125
24. 10-R-1144	64. 10-R-1090	100. 10-R-1126
25. 10-R-1146	65. 10-R-1091	101. 10-R-1127
26. 10-R-1060	66. 10-R-1092	102. 10-R-1128
27. 10-R-1061	67. 10-R-1093	103. 10-R-1129
28. 10-R-1062	68. 10-R-1094	104. 10-R-1130
29. 10-R-1155	69. 10-R-1095	105. 10-R-1131
30. 10-R-1156	70. 10-R-1096	106. 10-R-1132
31. 10-R-1157	71. 10-R-1097	107. 10-R-1133
32. 10-R-1158	72. 10-R-1098	108. 10-R-1134
33. 10-R-1159	73. 10-R-1099	109. 10-R-1135
34. 10-R-1160	74. 10-R-1100	110. 10-R-1136
35. 10-R-1164	75. 10-R-1101	111. 10-R-1137
36. 10-R-1172	76. 10-R-1102	112. 10-R-1138
37. 10-R-1177		
38. 10-R-1183		
39. 10-R-0931		
40. 10-R-1070		
41. 10-R-1071		
42. 10-R-1175		