

10-0-1555
(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE
 AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND TO PURCHASE ONE APPROXIMATELY 0.30 ACRE PARCEL OF PROPERTY LOCATED AT 3382 DELMAR LANE FROM THE CONSERVATION FUND OR CURRENT LAND OWNER ("THE PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED NINETY THOUSAND DOLLARS (\$90,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE DEMOLITION, AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 142019 97 (PROJECT), 104 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA, AND AMENDING THE 2010 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF NINETY THOUSAND DOLLARS (\$90,000.00); AND FOR OTHER PURPOSES.

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

Date Referred 09/07/10
 Referred To: Finance Exec.
 Date Referred
 Referred To:
 Date Referred
 Referred To:

Committee Finance/Executive
 Date Sept. 7, 2010
 Chair Yaduan
 Referred to Finance/Executive

Committee Finance/Executive
 Date 9-15/10
 Chair Yaduan
 Actions: on Substitute
 Fav, Adv, Held (see rev. side)
 Other:
 Members Queen Waters
Telicia G. Moore
H. S. S.
J. L. W.
 Refer To

Committee
 Date
 Chair
 Actions:
 Fav, Adv, Held (see rev. side)
 Other:
 Members
ADOPTED BY
SEP 20 2010
COUNCIL
 Refer To

Committee
 Date
 Chair
 Actions:
 Fav, Adv, Held (see rev. side)
 Other:
 Members
 Refer To

Committee
 Date
 Chair
 Actions:
 Fav, Adv, Held (see rev. side)
 Other:
 Members
 Refer To

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

CERTIFIED
 SEP 20 2010
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 SEP 20 2010
Ronda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 09 2010
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

10-O-1555

**AN ORDINANCE
AS SUBSTITUTED BY
FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND TO PURCHASE ONE APPROXIMATELY 0.30 ACRE PARCEL OF PROPERTY LOCATED AT 3382 DELMAR LANE FROM THE CONSERVATION FUND OR CURRENT LAND OWNER ("THE PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED NINETY THOUSAND DOLLARS (\$90,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE DEMOLITION, AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 14201997 (PROJECT), 104 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA, AND AMENDING THE 2010 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF NINETY THOUSAND DOLLARS (\$90,000.00); AND FOR OTHER PURPOSES.

WHEREAS, the old Adamsville Park is an existing neighborhood park located at the corner of Delmar Lane and Brownlee Road, Atlanta, Georgia; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs has renovated the facility for use as an emergency center; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs acquired the adjacent property, 3392 Delmar Lane, in 2008, for the expansion of the Park; and

WHEREAS, the proposed acquisition of the Property will create a greenspace buffer between the existing park facility and the neighborhood; and

WHEREAS, The Conservation Fund ("TCF") is negotiating for or has contracted for approximately 0.30 acres of property, located at 3382 Delmar Lane, Atlanta, Georgia, Parcel Identification Number 14-0243-0006-003 ("the Property") for the purpose of expanding the existing Park (See attached Exhibit "A"); and

WHEREAS, TCF has agreed to sell the Property to the City subject to the appropriate City approval processes for an amount not to exceed Fair Market Value; and



WHEREAS, TCF is a non-profit, 501(c)(3) organization, whose mission is to conserve land and whose work involves working with public agencies to purchase properties for this purpose, and to hold such properties until the public agency has the funds to purchase the properties; and

WHEREAS, purchasing the Property is consistent with the City's goals of greenspace acquisition, preservation and park expansion.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to negotiate with The Conservation Fund or current landowner to purchase the real property located at 3382 Delmar Lane, Parcel Identification Number 14-0243-0006-003 ("the Property"), at a purchase price no greater than Fair Market Value.

SECTION 2: The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, environmental assessments, and appraisals to establish the Fair Market Value of the Property. In addition, the Chief Procurement Officer or his designee is authorized to obtain and pay for those items and services necessary to purchase the Property, including but not limited to title insurance, real estate service fees, demolition, site development, signage, fencing, closing costs and other costs of acquisition ("The City's Due Diligence and Purchase Services").

SECTION 3: The 2010 General Government Capital Outlay Fund Budget, Department of Planning and Community Development is hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

\$90,000.00 from 3502 (General Government Capital Fund) 100101 (DOF Chief Financial Officer) 5999999 (Reserve Conversion Account – Class 1) 1320000 (Chief Executive) 201072 (Admin. Development Recoupment Fees) 91110 (Funding Source SWMA Loan 9991)

<u>Project:</u>	10201072	SWMA Loan 9991
<u>Task:</u>	101	SWMA Loan 9991
<u>Award:</u>	350291110	SWMA Loan 9991
<u>Expense:</u>	5999999	Projects and Grants Budget
<u>Org City of Atlanta</u>		

TOTAL **\$90,000.00**



ADD TO AWARD INSTALLMENT

The amount of : **\$90,000.00**

SWMA Loan 9987
350291107

TRANSFER TO APPROPRIATIONS						
PTAEO				GENERAL LEDGER		
PROJECT NUMBER	14201997	GREENSPACE PGM; PARKS		FUND	3502	GENERAL GOV. CAPITAL
TASK NUMBER	104	N12P06129987		GL DEPT	140106	PRC PARKS DESIGN
AWARD NUMBER	350291107	SWMA LOAN 9987		EXPENSE ACCT	5999999	PROJECTS AND GRANTS BUDGET
EXPENSE ACCOUNT	5411001	LAND		FUNCTION/ACTIVITY	6220000	PARK AREAS
OWNING ORG	COA	SWMA LOAN		GL PROJECT	201997	GREENSPACE PGM; PARKS NORTH
				GL FUNDING SOURCE	91107	SWMA LOAN 9987

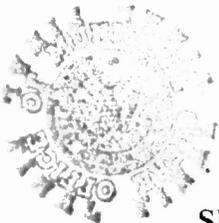
TOTAL

\$90,000.00

SECTION 4: The City’s Purchase Price, Due Diligence and Purchase Services, in an amount not to exceed ninety thousand dollars (\$90,000.00) shall be paid from Impact Fee West 14201997 (Project), 104 (Task), 350291107 (Award), 5411001 (Expense Type Land), as shown in the attached Legislative PTAEO_FDOA Form (Exhibit “B.”)

SECTION 5: Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Property and shall retain the land in perpetuity as a public park. Nothing in this section shall preclude a neighborhood group(s) or other private entity from maintaining all or part of the property pursuant to an agreement with the City.

SECTION 6: The City’s Greenspace Acquisition Consultant, (“the Consultant”) is authorized to settle the acquisition of the Property at an amount authorized by the Chief Procurement Officer. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.



SECTION 7: The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

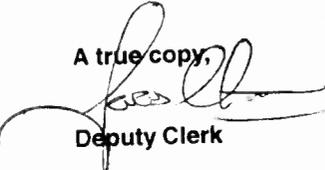
SECTION 8: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 9: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

SECTION 10: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been approved by the City Attorney as to form, attested to by the Municipal Clerk, and signed by the Mayor.

SECTION 11: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

A true copy,



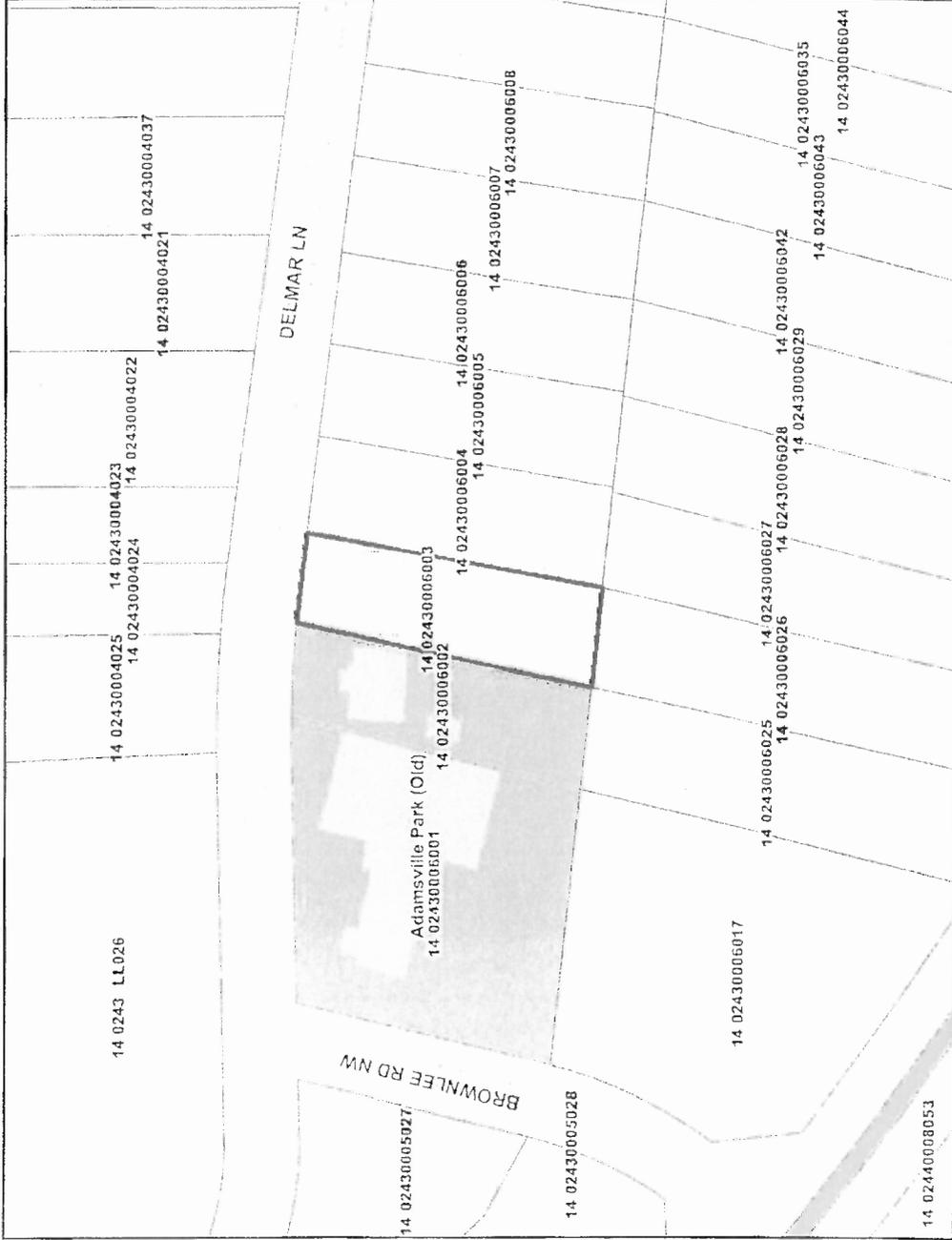
Deputy Clerk

ADOPTED by the Atlanta Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 20, 2010

SEP 29, 2010

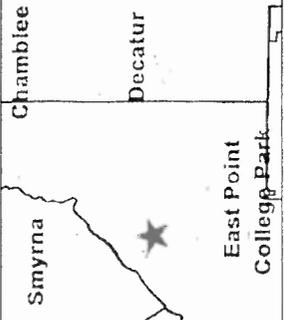
3382 DELMAR LANE



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: 3382 Delmar Lane

Map center: 2195650, 1366543



Legend

- ▣ Points of Interest
- ▣ Streets and Highways
- ▣ Other Limited Access
- ▣ State Route
- ▣ Arterial Roads
- ▣ Streets
- ▣ Ramps
- ▣ Unknown
- ▣ Interstates
- ▣ County Boundaries
- ▣ Parcels
- ▣ Building Footprints
- ▣ Airport Labels
- ▣ Airport Runways
- ▣ Runway/Apron/Taxiway
- ▣ Streams
- ▣ Ponds
- ▣ Parks
- ▣ Greenway Acquisitions
- ▣ Atlanta City Limits
- ▣ Metro Cities



Scale: 1:1,377

RCS# 554
9/20/10
2:47 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-O-1689

ADOPT EXCEPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

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

CONSENT I

		09-20-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-1486	38. 10-R-1587	63. 10-R-1610
2. 10-O-1553	39. 10-R-1588	64. 10-R-1611
3. 10-O-1554	40. 10-R-1589	65. 10-R-1612
4. 10-O-1555	41. 10-R-1590	66. 10-R-1613
5. 10-O-1557	42. 10-R-1591	67. 10-R-1614
6. 10-O-1570	43. 10-R-1592	68. 10-R-1615
7. 10-O-1535	44. 10-R-1593	69. 10-R-1616
8. 10-O-1536	45. 10-R-1594	70. 10-R-1617
9. 10-O-1552	46. 10-R-1595	71. 10-R-1618
10. 10-O-1487	47. 10-R-1596	72. 10-R-1619
11. 10-O-1488	48. 10-R-1597	73. 10-R-1620
12. 10-O-1489	49. 10-R-1598	74. 10-R-1621
13. 10-R-1655	50. 10-R-1599	75. 10-R-1622
14. 10-R-1661	51. 10-R-1600	76. 10-R-1623
15. 10-R-1662	52. 10-R-1601	77. 10-R-1624
16. 10-R-1666	53. 10-R-1602	78. 10-R-1625
17. 10-R-1685	54. 10-R-1603	79. 10-R-1626
18. 10-R-1691	55. 10-R-1604	80. 10-R-1627
19. 10-R-1667	56. 10-R-1605	81. 10-R-1628
20. 10-R-1668	57. 10-R-1606	82. 10-R-1629
21. 10-R-1669	58. 10-R-1607	83. 10-R-1630
22. 10-R-1670	59. 10-R-1608	84. 10-R-1631
23. 10-R-1671	60. 10-R-1609	85. 10-R-1632
24. 10-R-1672	61. 10-R-1650	86. 10-R-1633
25. 10-R-1673	62. 10-R-1651	87. 10-R-1634
26. 10-R-1674		88. 10-R-1635
27. 10-R-1675		89. 10-R-1636
28. 10-R-1676		90. 10-R-1637
29. 10-R-1677		91. 10-R-1638
30. 10-R-1678		92. 10-R-1639
31. 10-R-1679		93. 10-R-1640
32. 10-R-1680		94. 10-R-1641
33. 10-R-1681		95. 10-R-1642
34. 10-R-1682		96. 10-R-1643
35. 10-R-1683		97. 10-R-1644
36. 10-R-1490		98. 10-R-1645
37. 10-R-1690		99. 10-R-1646
		100. 10-R-1647
		101. 10-R-1648
		102. 10-R-1649