

10-1767
 (Do Not Write Above This Line)

AN ORDINANCE BY
 COMMUNITY DEVELOPMENT/HUMAN
 RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE
 MAYOR, ON BEHALF OF THE CITY, TO
 ACCEPT A GRANT FROM THE
 GEORGIA FORESTRY COMMISSION TO
 BE UTILIZED FOR THE ATLANTA TREE
 CONSERVATION COMMISSION'S
 DOWNTOWN TREE INVENTORY
 PROJECT; TO WAIVE SECTION 2-910 OF
 THE ATLANTA CODE OF ORDINANCES
 TO ALLOW ACCEPTANCE OF THE
 GRANT WITHOUT LEGISLATIVE
 APPROVAL PREAUTHORIZING THE
 GRANT APPLICATION; TO AMEND THE
 FY 2011 TREE TRUST FUND BUDGET BY
 ADDING TO ANTICIPATIONS AND
 APPROPRIATIONS, GRANT FUNDS IN
 THE AMOUNT OF \$20,000.00 FROM THE
 GEORGIA FORESTRY COMMISSION
 FOR THE URBAN AND COMMUNITY
 FORESTRY GRANT PROGRAM; AND
 FOR OTHER PURPOSES.

SUBSTITUTE NOV 0 1 2010

ADOPTED BY

COUNCIL

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

Date Referred 10/18/10

Referred To: CDHR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
 Committee Date 10/12/10
 Chair Shopper
 Referred To CDHR

Committee CDHR
 Date 10/18/10
 Chair Shopper
 Action Subst
 Fav, Adv, Hold (see rev. side)
 Other

Members
 Refer To

Committee
 Date
 Chair
 Action
 Fav, Adv, Hold (see rev. side)
 Other

Members
 Refer To

Committee

Date

Chair

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

Members

Committee

Date

Chair

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

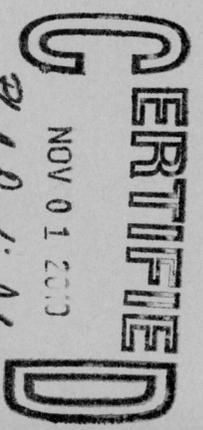
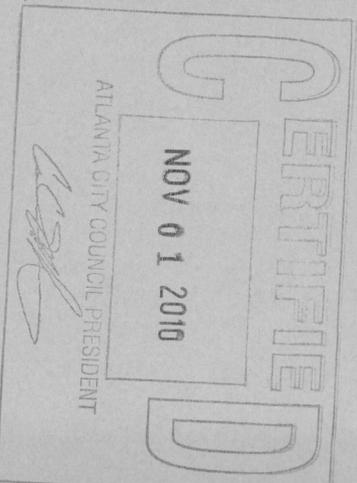
Members

Refer To

Refer To

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

CERTIFIED



MAYOR'S ACTION

APPROVED

NOV 1 0 2010

WITHOUT SIGNATURE
 BY OPERATION OF LAW



**A SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

10-O-1767

A SUBSTITUTE ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT A \$20,000 GRANT FROM THE GEORGIA FORESTRY COMMISSION TO BE UTILIZED FOR THE ATLANTA TREE CONSERVATION COMMISSION'S DOWNTOWN PUBLIC PROPERTY TREE INVENTORY PROJECT; TO WAIVE SECTION 2-910 OF THE ATLANTA CODE OF ORDINANCES TO ALLOW ACCEPTANCE OF THE GRANT WITHOUT LEGISLATIVE APPROVAL PREAUTHORIZING THE GRANT APPLICATION; TO AUTHORIZE THE EXPENDITURE OF GRANT MATCHING FUNDS IN THE AMOUNT OF \$20,000 FOR THE INVENTORY PROJECT, TO BE PAID FROM THE TREE TRUST FUND; TO AMEND THE FY 2011 INTERGOVERNMENTAL GRANT FUND BUDGET BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS, GRANT FUNDS IN THE AMOUNT OF \$20,000.00 FROM THE GEORGIA FORESTRY COMMISSION FOR THE URBAN AND COMMUNITY FORESTRY GRANT PROGRAM; AND FOR OTHER PURPOSES.

WHEREAS, City of Atlanta Tree Conservation Commission ("TCC") wishes to conduct an inventory of trees on City-owned property in downtown Atlanta (the "Project"). The inventory will provide information about the number, type, size, and health status of these trees. The result will be a management tool for their care and replacement; and

WHEREAS, the Project inventory will cover all trees on City-owned property in an area bordered (approximately) by North Avenue on the northern side, Northside Drive/MLK/Spring Streets on the western side, Memorial Drive on the southern side, and 75/85 on the eastern side (the "Project Area"). The Project Area is approximately 1,500 acres, with an estimated 9,000 trees; and

WHEREAS, the City's Tree Trust Fund ("Tree Fund") is established by Atlanta Code of Ordinances section 158-66 for the purpose of "the protection, maintenance, and regeneration of the trees and other forest resources of Atlanta"; and

WHEREAS, the Project will allow the City to make informed decisions about areas in need of immediate tree planting and maintenance within the Project Area. Because the Project promotes tree maintenance and regeneration efforts, the TCC would like to pay for the Project from the Tree Fund; and

WHEREAS, the Georgia Forestry Commission is a State of Georgia agency that provides services regarding the protection and conservation of Georgia's forest resources. To that end, the Commission runs the Urban and Community Forestry Grant Program that focuses on assisting communities with maintenance of forested lands and individual trees in urban settings; and



WHEREAS, the TCC applied to the Urban and Community Forestry Grant Program for money to help fund the inventory Project in order to reduce the amount required from the Tree Fund;

WHEREAS, section 2-910 of the Atlanta Code of Ordinances, requires legislative approval prior to the City's applying for a grant. The Georgia Forestry Commission had a short deadline to apply for the subject grant, and obtaining legislative approval prior to submitting the application would have precluded the TCC from competing for this grant opportunity; and

WHEREAS, the Georgia Forestry Commission awarded the City of Atlanta, by and through the TCC, a \$20,000 grant (the "Grant") for the Project; and

WHEREAS, in order to accept the Grant, the City is required to provide matching funds in an amount not to exceed \$20,000.00. The TCC proposes utilizing \$20,000 from the Tree Fund as matching dollars that will be utilized to help pay for the Project; and

WHEREAS, the City, on behalf of the TCC, has issued a Request for Proposals for the Project, and proposals are currently due in early December. The Project cost is expected to be significantly less than \$100,000; and

WHEREAS, the Commissioner of the Department of Planning and Community Development recommends that the provision of Atlanta Code Section 2-910, that requires pre-authorization of grant applications, be waived with regard to the Grant, and that the Mayor, on behalf of the City, be authorized to accept the Grant to be used for the TCC's inventory Project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: The Mayor, on behalf of the City, is authorized to accept grant funds in the amount of \$20,000.00 from the Georgia Forestry Commission which shall be used solely for payment of Project costs, where the Project shall consist of an inventory of trees on City-owned property within the Project Area. The \$20,000 matching requirement for the Grant shall be paid from the Tree Fund, 7701.250101.5111001.1320000.600013.69999, and shall be used solely for payment of Project costs.

SECTION 2: The requirement of Section 2-910 of the Code of Ordinances that the City receive legislative approval prior to applying for a grant, is hereby waived. No pre-legislative approval of the subject Grant application is required.



SECTION 3: The FY 2011 Tree Trust Fund Account shall be amended as follows:

ADD TO ANTICIPATIONS

FUND	2501	TRUST	
DEPARTMENT	250101	PCD COMMISSIONER OF DPCD	
REVENUE ACCT	3311101	FED-DIRECT	
FUNCTION	1320000	CHIEF EXECUTIVE	
PROJECT	25210915	TREE SURVEY	
FUND SOUCE	41954	GEORGIA FORESTRY	
Total:			\$20,000.00

ADD TO APPROPRIATIONS

FUND	2501	TRUST	
DEPARTMENT	250101	PCD COMMISSIONER OF DPCD	
REVENUE ACCT	5999999	PROJECTS AND GRANTS BUDGET SUMMARY	
FUNCTION	1320000	CHIEF EXECUTIVE	
PROJECT	25210915	TREE SURVEY	
FUND SOUCE	41954	GEORGIA FORESTRY	
Total:			\$20,000.00

SECTION 4: That the Mayor or his designee is authorized to execute all appropriate documents required to accept the above-referenced Grant from the Georgia Forestry Commission. Said documents shall not become binding upon the City until they have been executed by the Mayor or his designee and delivered to the Georgia Forestry Commission.

SECTION 5: All 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,

Rhonda Daughin Johnson
Municipal Clerk

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

NOV 01, 2010

NOV 10, 2010

RCS# 633
11/01/10
3:38 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1872, 10-R-1898,

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

CONSENT I

		11-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 10-O-1874 2. 10-O-1881 3. 10-O-1767 4. 10-O-1479 5. 10-O-1781 6. 10-O-1875 7. 10-O-1876 8. 10-O-1870 9. 10-R-1836 10. 10-R-1897 11. 10-R-1858 12. 10-R-1859 13. 10-R-1884 14. 10-R-1830 15. 10-R-1835 16. 10-R-1861 17. 10-R-1862 18. 10-R-1863 19. 10-R-1864 20. 10-R-1865 21. 10-R-1882 22. 10-R-1823 23. 10-R-1824 24. 10-R-1825 25. 10-R-1826 26. 10-R-1827 27. 10-R-1828 28. 10-R-1837 29. 10-R-1838 30. 10-R-1839 31. 10-R-1840 32. 10-R-1841 33. 10-R-1842 34. 10-R-1843	35. 10-R-1844 36. 10-R-1845 37. 10-R-1846 38. 10-R-1847 39. 10-R-1848 40. 10-R-1849 41. 10-R-1850 42. 10-R-1851 43. 10-R-1852 44. 10-R-1853 45. 10-R-1854 46. 10-R-1855 47. 10-R-1856 48. 10-R-1857	