

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, February 2, 2011, at 2:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Yolanda Adrean, Chair                      Joya C. De Foor, CFO  
 Councilmember Felicia A. Moore                                      Departmental Staff  
 Councilmember C.T. Martin  
 Councilmember Howard Shook  
 Councilmember Alex Wan  
 Councilmember H. Lamar Willis  
 Councilmember Aaron Watson

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 Felicia A. Moore, C. T. Martin, Howard Shook, Alex Wan, H. Lamar Willis and Aaron Watson. Other Departmental staff was present as well.

The Agenda were adopted as printed along with one new First Read Ordinance regarding Perry Bolton TAD and one new Resolution regarding a refund for Alcohol Tax. The minutes of the Finance/Executive Committee of January 14, 2011 were adopted as well with two corrections on page #6.

### **DISCUSSION ITEMS/PRESENTATIONS**

#### **1. 2011 Committee Goals and Objectives**

Chairperson Adrean asked if the Committee is ready to adopt them. She then offered a motion to **Adopt the Goals and Objectives, 7 Years.**

#### **2. Alcohol Tax Audit – Gary Donaldson, Revenue Chief**

**Mr. Gary Donaldson:** Chief of the Office of Revenue addressed the Committee by stating that he has a two-page overview. We have been doing audits. We looked at food sales versus alcohol sales. We are looking at the invoices that have been paid. We look at the technology as well. We observe the business operations. We perform key analysis of retail liquor sales. We selected three months sales by the drink sales. We look at the customer distribution activities. Councilmember Willis asked about the methodology of tax by the drink sales. Who is the wholesaler? Mr. Donaldson responded that we receive that information. We look at the sale history. Since the end of last year, we have about 10 audits and the third party was not found. We have not seen underreporting. Councilmember Willis asked what is the percentage on an annual basis? Are they chains or ma and pa operations? Are they nightclubs? He is interested in the analysis of the data. Councilmember Wan asked about the tax by the drink. Is it provided by the establishment? Mr. Donaldson responded, yes.

#### **3. 2011 Council Budget Priorities**

Councilmember Moore stated that we always want the Auditor to do a lot of audits. She asked her to research other Cities for models. The information has been more than beneficial. Chairperson Adrean stated that there are items such as looking at the work plans. Councilmember Shook asked about the last item. Chairperson Adrean responded that this is something that Councilmember Lance-Bottoms brought to us. Councilmember Watson stated that it seems to be tax credits for people who adopt children. Councilmember Moore asked if it should be in the form of a Resolution. Councilmember Watson offered a motion to **Approve the Budget Priorities, 6 Years, 1 Abstention.** Councilmember Shook asked if the rest of Council would have access to the document. Chairperson Adrean responded yes and she has received feedback from most of them. Councilmember Moore stated that she will not vote because this is more in line of where we are right now. Some of this stuff may be already included in the budget. This is a laundry list of things. Chairperson Adrean stated that these are serious priorities. Councilmember Moore stated that the reality is this is not what the

Administration wants. Councilmember Willis stated that the reality is if Council does not add their wishes to the budget, they might get done. There are a lot of us who thinks the same way.

#### **4. Five Year Financial Plan – Joya De Foor, CFO**

CFO De Foor stated that the first phase of the report consists of Assumptions and Recommendations. This is a draft of the Preliminary Plan. This is a guide for the future and not a completed plan because we have just received the second quarter financial numbers. This is for best efforts. Councilmember Moore stated at some point we have to adopt this. We have to go through the formal legislative process. CFO De Foor responded that it should be ready in the next couple of weeks. We will address any questions coming out of this document. We also want to put in our preliminary indirect allocation numbers. Page #4 includes the 2<sup>nd</sup> Quarter Financial Results. If additional information is requested, we will do so. Citywide assumptions are on page #5, this year's assumptions is resetting the base line budget for Departments to see where they are trending. If money is not spent, their budget will be reduced. It includes the General Fund portion of the move to the AJC building. We included the Car Rental Tax Funds as well as freezing the use of the Capital Finance Fund. Chairperson Adrean asked how much is it?

**Mr. Peter Andrews:** Deputy City Attorney addressed the Committee by stating any application is approved by Council of \$1 million dollars per year. \$7 million dollars was part of the settlement of the lawsuit. Chairperson Adrean stated that the revenues are what we get. Deputy City Attorney Andrews responded that a majority is spent on the Debt Service for the Philips Arena. He is not sure what is done on an annual basis. Going forward the money will be spent on the streetcars. Councilmember Moore stated that Brand Atlanta is also included. Chairperson Adrean asked if it is new revenue. CFO De Foor responded that is not revenue moved from something else. It is an ongoing pledge. Councilmember Moore stated that the money is taken away from something else. Are they spent on hospitality? Deputy City Andrews responded yes, Philips Arena, safety associated with it and hospitality type programs. Councilmember Moore stated that she is dedicating the \$1 million dollars to be spent on public safety. Chairperson Adrean stated that she noticed the \$1 million dollars is not listed as a new line item. She wants to see it listed as separate and as going to the Streetcar Project. Councilmember Willis asked about the new stadium. There will be expectation from the City. Has it been contemplated and allocated?

**Mr. Peter Aman:** Mayor's Office Chief Operating Officer addressed the Committee by stating that the discussion is on going. There has been no commitment from the City. He agrees that we should list all of the initiatives. We have not offered any involvement. We are constrained with our spending. CFO De Foor added that the last assumption is to exercise fiscal discipline of the Capital Finance Fund going forward. We want to demonstrate to the market that we are worthy. What we have put in place is enhanced reporting. We want a better relationship with the Rating Agencies. Page #6 shows some future initiatives such as water bills to be allocated to Departments, Budget Grady water bill in the Department of Corrections and institute inflation multiplier for all fees. Councilmember Moore stated that she is glad to see this recommendation. We had not budgeted as much as we spend. Hopefully we will budget on this year's experience. We need some kind of cushion. CFO De Foor responded that next we will develop General Fund and Capital Finance Fund policies. We want an augment plan to include Enterprise Funds data. We want a plan for infrastructure, FY 2012 financing and an obtain budget planning module. If there was an expense allocated to a Department, we will put in the plan. We have moved things from Non-Departmental. Councilmember Watson asked what does that mean. CFO De Foor responded one example is technology. Councilmember Moore asked if there are other considerations with how we develop the budget. We make an attempt, but we need to look at the way we develop the budget. CFO De Foor responded that she agrees. We need more programmatic budgeting. We can do zero-based budgeting. We plan on doing a bi-annual budget. Councilmember Moore stated that we need a mid-year budget review. It m we currently have. CFO De Foor responded next is a financial overview.

Councilmember Martin asked how do you tie the City's fees and the planning process into this. He has heard that the Department of Planning is getting the community input on projects to enhance the growth of the City. Does it have a serious cost to it? CFO De Foor responded that she has not heard that. Deputy City Attorney Andrews responded that there is a practice we have to do the CDP for the State funding. It is a planning tool for all types of projects. Councilmember Martin stated that is always been the response. Why do we continue to fool the communities? They invest their time to come here year after year. It is either part of the budget or not. Mr. Aman responded that the CIP and CDP have not fulfilled their commitment. They do drive certain things in the budget. We are using only a small fraction of work to put into the document. Councilmember Martin stated that the data is constantly changing. Communities are becoming poorer. The average person to get arrested is 17 or 18 years of age. Do we brush poverty aside? Mr. Aman responded that he does not know of any grand plan. We need a better clear policy to be articulated. There are dozens of initiatives we provide to prevent it. We spend everyday dealing with poverty in a number of ways, whether it is housing, etc. Councilmember Martin asked about homeless grants. Mr. Aman responded that we have two approaches to grants. There are grants in the Finance Department where they receive and track them and in the Departments of Planning, Police and Parks where they have grant writers. We need to look at supporting expert grant writers.

Continuing, Mr. Donaldson responded that the general fund revenue assumption for the Five-Year Plan is discipline. We have incorporated a decline in FY 2010 for the Tax Digest. We work with the University of Georgia and Georgia Tech. Chairperson Adrean asked about the disconnection between what we collect from City businesses and the Georgia State Department of Revenue. She then asked about the Pilot Program. Mr. Donaldson responded that it is data base sharing. We will do a Resolution showing our participation in the program. Chairperson Adrean stated that the impression she received is that there is quite a lag in the remittance to the City. Councilmember Moore asked the Internal City Auditor about how we anticipate our revenues. Is this in line with what we should do?

**Ms. Leslie Ward:** Internal City Auditor addressed the Committee by stating that it is described as economic work. We were underestimating when we had growth and overestimating cash flows. Mr. Donaldson stated that the next page is a continuation.

**Ms. Carol King:** Chief of the Office of Budget and Fiscal Policy addressed the Committee by stating that overall the plan assumes 2011 as a base budget for 2012. A review will be done to make sure the expenses are in line. Chairperson Adrean stated that it is surprising to use 2011 as a base since this is a new Administration. The only information we have is the 1<sup>st</sup> quarter financials. Mr. Aman responded that we are still adjusting things and the data lags. Councilmember Willis stated that we made tough decisions. Have we anticipated any reductions? He has been bombarded with increased fees. We are not tracking the funds. It is revenue sitting there at the gyms. Mr. Aman responded that we will look at the ticket issue. There needs to be research done on it. We need to look at the policy for certain types of games. We can't pull back on the revenue figures. We are under severe fiscal constraints. Ms. King stated that we are initiating a 1.5% step increase for Police and Fire and adding sworn Police Officers as well as Oracle program upgrades. Chairperson Adrean asked about the number of Officers. Mr. Aman responded that an additional 100 Officers. We are striving for 2000 and have 1869 sworn Officers and it includes COPS and Recruitments of around 200. Councilmember Moore stated that if 2011 budget will be a base, then all of the other things will be added. Mr. Aman responded yes. Councilmember Moore asked about the General Employees. Mr. Aman walked through the new initiatives. The first is a 1.5% Step Increase for Police and Fire. The 3.5% we currently have shows that we had fallen behind. We look to get answers from the Pay and Class Study. We need to get away from one-time bonuses. Councilmember Moore reiterated the issue of not offering anything to General Employees.

Continuing, Mr. Aman responded that we need to add 21 new sworn Fire Fighters per year. Councilmember Martin also asked about the general employees. The sworn

Officers should include the Correction Officers. Will we keep the jail? Mr. Aman responded yes, we will keep it as it is. We have not made any promises. Councilmember Martin asked if there has been discussion about the 1.5%. How can you do it without laying some people off? We are already short of crews. We can project some kind of catastrophic weather in the future. We have to identify additional revenues to cover this. Does this include the physical environment for the workforce? We need to look out for everybody. Mr. Aman responded that he agrees. We know that some of the working conditions are horrible and the Five-Year Plan does not resolve it. We are looking at unspent and unallocated funds. Our front line crews are understaffed, but given the revenue faction of the City, we don't have an answer. He agrees that we have to look at the pay. The Pay and Class is to provide a competitive level and benefits. Councilmember Martin stated that the comments he made are to catch up, keep up or get ahead. Mr. Aman responded that we need to spend \$200 million dollars per year to keep up. Councilmember Willis asked when is the Pay and Class Study going to be completed? Mr. Aman responded in two months. Councilmember Willis stated that he agrees with Councilmembers Moore and Martin with piece meal funding. He wants an entire list of what will be done for employees and what is important. It is contemplated that Police Officers can go out and make money elsewhere. When they do something illegal, it is the liability of the City. What is the value of that? We need that as part of the Pension discussion. Mr. Aman responded that the Pension is for the Five-Year Plan. Councilmember Willis stated that he will not vote for an increase for anybody without that information. He then asked the Union for a list of everything they want. Mr. Aman responded that we will bring forward the pay schedule and pension information. We will go through all of that. Councilmember Willis asked if we will allow Police Officers to have private security firms. Chairperson Adrean asked if we could put all of the compensation, pension, etc. together. Councilmember Wan asked where are the COPS grants for the 50 Police Officers? In 2013, we will pick up the COPS Officers. Chairperson Adrean asked about the next slide, funding gaps to balance the budget. Ms. King responded that page #13 summarizes the revenues through 2013 and page #9 lists the numbers where the expenses show the actuals. We will insert projections once we have them. Councilmember Moore commented that the previous budget for Council was \$6.7 million dollars and we spent \$5.8 million dollars and this year's budget is \$6.7 million dollars. CFO De Foor responded that where it shows that expenses are going up comes from moving Non-Departmental costs. Chairperson Adrean asked if the Committee wants to look at it and come back and discuss it in two weeks. Ms. King responded that she can highlight the significant increases. Executive Office had Service Grants, Corrections have the water bills and medical staff included. Finance moved some items from Non-Departmental, such as Refunds and Bank Fees, Human Resources moved the Employee Assistant Program (EAP) and decreased from the Pay and Class Study, Public Works is charged for their own water and DIT has Oracle. Councilmember Willis asked about the Solicitor's Office. Ms. King responded that there is not a significant increase. It was due to adding positions and items being moved from the Non-Departmental. Chairperson Adrean stated that it is not unusual to spend additional funding on weather crises. CFO De Foor responded that this fund does not contemplate this. We can't estimate the cost. Mr. Aman added that is what the Catastrophic Reserve is for. If it is used, it would be replaced. Councilmember Martin stated that it should also be factored in that 2012 is a Presidential year. When the President comes here it is around \$1 million dollars in security costs. Mr. Aman responded that amount is not that substantial. He then stated that there will not be a tax increase. The Five-Year Plan is through the restructuring of the pensions. Once you choose an option, we will be discussing the pension restructuring. The other option is layoffs. Councilmember Moore stated that she does not understand why we would start with a base budget that was too aggressive. Why would you propose a Five-Year Plan that has a deficit? Mr. Aman responded that it is with cost reduction. We plan to move forward with the pension plans. We want to get out of 20% of our budget going to pensions. The Administration plan is to address it. Councilmember Moore asked about the Pension covering the \$22 million dollars. She commends the Administration with looking at pension. How is it we will see a reduction with the pension? Mr. Aman responded that one of the benefits is that we can change the amount of money moving forward. When we calculated the benefits and the brand new pension plan, many of the options

contemplate changing and reducing the Defined Benefit Plan. Councilmember Wan stated that he is curious to see what is being proposed. Mr. Aman responded that 3.5 Step is not new. Another \$3.3 million dollars is the Non-Departmental infrastructure. It is new infrastructure for a down payment of the \$200 million dollars costs. We also believe that we are better off restructuring the pension plan. Councilmember Martin asked about the AJC move cost of \$700,000. Is there a way to get the City employees do the moving instead of a private company, except for IT items? Mr. Aman responded that the \$709,000 will be revised. Most of it is cabling and IT. We will look at that. CFO De Foor responded that page #14 is Non-Departmental details. The MOU to Watershed is being paid under a balance sheet treatment. That is the way we should do it according to GASB 34. She added that page #22 in the CAFR shows the balance sheet. The bottom of the page shows the MOU and the history. Chairperson Adrean stated that on pages #22 and #65 in the CAFR shows the \$137 million dollars for the MOU. Councilmember Watson asked about the example of the \$25 dollar bill out of \$100. CFO gave an explanation. Councilmember Moore stated that in previous years when we budgeted MOUs, but now it will be accounted for at the end of the year. CFO De Foor responded that it will now be handled in the balance sheet. The other payment was \$10 million dollars and \$14 million dollars. We paid water bills, but do not have to budget for the \$10 million dollars and \$4 million dollars as part of the expenditure budget. Councilmember Moore stated that we are adding \$14.5 million dollars additional expenses and are \$23 million dollars in the red. CFO De Foor responded that the Non-Departmental will not include the \$14 million dollars. Chairperson Adrean stated that if you do a base budget and there is a \$22 million dollars gap, why wouldn't you see \$8 million dollars instead of \$22 million dollars difference? Why do these loan payments show up on the Non-Departmental? CFO De Foor responded that she is in the process of going through each one of them. It may be that some need a balance sheet treatment. Chairperson Adrean stated that the top line is the cash we are going to get and what we are going to spend. CFO De Foor responded that the MOU is a balance sheet treatment. She would provide the list. Chairperson Adrean asked why is there \$51 million dollars of loan payments in the Non-Departmental? Councilmember Moore asked about the Election expenses being spent in 2013. CFO De Foor responded that is based on policy decisions made. Chairperson Adrean asked about the Capital Finance Fund. CFO De Foor responded that page #16 shows the negative balance. We have to make a firm policy not to make deficit spending. Councilmember Moore stated that we never had a policy for deficit spending. Chairperson Adrean asked about infrastructure needs. What is the recommendation on borrowing money for infrastructure? CFO De Foor responded that it is prudent to maintain the status quo. The pension plans could free up money. We have to set priorities and be realistic. All three scenarios incurred 30-year debt. The first is to decrease debt service to \$150 million dollars. Chairperson Adrean asked if we do have the capacity for \$150 million dollars. CFO De Foor responded that we may have the capacity, but not the ability or cash flow. It shows the increased needs every year. Councilmember Watson asked what number is it applied to? Mr. Aman responded \$1 billion dollars. The \$250 million dollars would be applied against the \$1 billion dollars and \$100 million keeps us from backsliding. Councilmember Watson asked about the City Hall East (CHE) sale. Mr. Aman responded that CHE sale is being finalized in the next 60 days. We are getting through the major issues. This plan looks at a proposal. Of the \$15 million dollars, \$5 million dollars will be for street and road repairs, \$5 million dollars to reduce the Capital Finance Fund deficit and \$5 million dollars for the Catastrophic Reserves. Page #20 is for the AJC building. We have operating cost, a one-time cost and capital costs. Once they move in, they will pay us rent. In FY 2012 the cost will be \$2 million dollars or less. Councilmember Moore asked if this is general fund expenses. Mr. Aman responded, yes. Of the \$3.9 million dollars the Department of Watershed Management will pick up half of it. We have to get benchmarks of what they have to pay. He will come back with the lease savings. CFO De Foor stated that page #21 is additional risk factors. On the low areas are raiding the General Fund Reserves, negative fund balances and failure to leverage technological advances. On the high areas are failure to achieve pension relief, key employee retention and Rating Agency perceptions. Page #22 lists the conclusions. We can continue to provide its current level of services while employing a holistic approach to public safety enhancements. The City must continue to pursue outsourcing opportunities, core

programs must be identified, decisions must be made about non-core activities and the General Fund Reserves must be protected. Deficits in funds must be resolved and provide rewards for high performing Departments that live within their means and opportunity exists to raise the City's financial image with the Rating Agencies. Councilmember Martin asked what are we worth? CFO De Foor responded that page #22 of the CAFR shows that as of June 30<sup>th</sup> the assets minus liability are \$72.433 million dollars.

**Mr. John Gaffney:** of the Department of Finance addressed the Committee by stating that page #22 is for the general fund (governmental funds) and page #19 is government wide funds. We tend to put all of the funds on the same basis. Chairperson Adrean asked if the outside auditors will be here in two weeks. CFO De Foor responded, yes. Councilmember Martin asked if the Auditors are happy with us. CFO De Foor responded that the recent discussion shows that the auditors are happy with us. They would like to see enhanced reporting and longevity. They were pleased to see that we paid our TAN on time.

### **Pension Update – Peter Aman, COO**

Councilmember Moore stated that there were no handouts at the Pension meeting. Mr. Aman responded that we ran out of binders. The Mayor's pension panel has been at work for the last year. They have highlighted seven options. There are many levers to pull from. We will take them to the pension panel and bring back a proposal to City Council. Councilmember Moore asked if the Council will do the choosing. Will it be part of the budget discussion? We need plenty of opportunity to review it. Mr. Aman responded that we want it to take effect on July 1, 2011. The Administration is looking to cure the gap position in the Five-Year Plan. We are considering options with lower numbers. We are not proposing shutting down pension and moving to Social Security. Councilmember Shook suggested that when the options are crystallized, put together something for employees. Mr. Aman responded that we will spend time on employee communication. For the most majority it is a promise we can keep. We have no intention of exploring a Chapter 9 Bankruptcy. Councilmember Shook stated that he foresees the need to ask questions and how much legal advice we need. Who should we question? Councilmember Martin asked who would provide the information. Mr. Aman responded that Segal and Company will provide the actuaries. Chairperson Adrean asked if there is a mathematical tool. Mr. Aman responded, no. There are rules of thumb. There is not a single module. Councilmember Martin asked if it affects people that are already retired or people who are already vested or new employees. Mr. Aman responded that if you are already retired, there is no change. People with the City and are vested will have two different benefits, which the old plan for years of service and the B plan for the new plan. Councilmember Moore asked if there are any changes for current employees. She may need some outside legal advice. Mr. Aman responded that we had received legal advice in the past that was wrong. The legal issue is that we have the ability to change the plan for current employees. We have two offers. This is one issue we press on. Chairperson Adrean asked if the attorneys will make a briefing to us. Mr. Aman responded yes. Councilmember Shook asked about the vesting threshold. What happens with that? Mr. Aman responded that we will look at it and we can move the age and multiplier.

### **CONSENT AGENDA**

#### **TO AUTHORIZE THE CREATION OF THE AIRPORT COMMERCIAL PAPER NOTES SERIES**

- 11-O-0142 (1) An Ordinance by Finance/Executive Committee to authorize the creation of the Airport Commercial Paper Notes Series 2010 Fund (5523) to Internally Record Accounting Transactions/Financial Activities related to the Airport General Revenue Commercial Paper Notes, Series 2010; and for other purposes.

### **FAVORABLE ON FIRST READ**

**TO AMEND THE FY 2011 AIRPORT RENEWAL AND EXTENSION BUDGET,  
DEPARTMENT OF AVIATION**

- 11-O-0143 (2) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations Grant Funds in the total amount of \$373,125 from the Federal Aviation Administration for Project Number 3-13-0008-098-2010 "Sustainability Management Plan"; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE STANDARD PARKING CORPORATION/PARKING SOLUTIONS, LLC**

- 11-O-0144 (3) An Ordinance by Finance/Executive Committee authorizing Standard Parking Corporation/Parking Solutions, LLC to provide and the City of Atlanta to accept Ground Transportation Taxi Starter Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on January 4, 2011 under the terms of Agreement FC-6004007831 for a period not to extend beyond April 30, 2011; in an amount not to exceed \$38,976.30 per month, to be charged to and paid from FDOA 5501 (Airport Revenue Fund) 5212001 (Consulting/Professional Services) 180315 (Ground Transportation) authorizing the City of Atlanta to waive the competitive source selection requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS**

- 11-O-0145 (4) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the competitive source selection requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and authorizing Standard Parking Corporation/Parking Solutions, LLC to provide and the City of Atlanta to accept Ground Transportation Taxi Starter Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on January 4, 2011 under the terms of Agreement FC-6004007831 for a period not to extend beyond April 30, 2011; in an amount not to exceed \$38,976.30 per month, to be charged to and paid from FDOA 5501 (Airport Revenue Fund) 5212001 (Consulting/Professional Services) 180315 (Ground Transportation); and for other purposes.

**FAVORABLE ON FIRST READ**

**TO ENTER INTO CONTRACT WITH DALE S. HAYGOOD**

- 11-O-0146 (5) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into contract with Dale S. Haygood, a retired employee of the City of Atlanta, Department of Planning and Neighborhood Development, for Training and Consultant Services for the re-organization of the In Rem Program of the Office of Code Compliance for up to 12 months and in an amount not to exceed twenty thousand dollars (\$20,000.00) with all services and charges to be paid from General Fund Account 1001, Department

250301 (PCD Director of Code Compliance), Account 5212001 (Consultant Professional Services) 7210000 (Protective Inspection ADM); to ratify prior Consulting Services; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR AGENDA**

**TO MODIFY ATLANTA LEGISLATION NUMBER 09-O-1908**

11-O-0027 (1) An Ordinance by Finance/Executive Committee to modify Atlanta legislation number 09-O-1908 by revising the City's Loan Repayment amounts to Atlanta Gas Light, where said loan will fund HVAC improvements to the Boisfeuillet Jones Atlanta Civic Center; and for other purposes.

**FAVORABLE**

**Mr. George Dusenbury:** Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that this change the loan term of 4% and will jump to 8% after four years. The Civic Center is around forty years old. We have been working with the CFO. If we don't do four years, we will be in danger of a higher percentage. Councilmember Shook asked if the change of the term means the work will be completed at a lower rate. Commissioner Dusenbury responded that we have 3 years at the lower rate. With the lower rate we can make ends meet. Councilmember Shook offered a motion to **Approve, 5 Yeas.**

**TO CREATE THE 2010C AIRPORT GENERAL REVENUE REFUNDING BOND FUND**

11-O-0029 (2) An Ordinance by Finance/Executive Committee to create the 2010C Airport General Revenue Refunding Bond Fund; to amend the FY2011 Budget by adding to anticipations and appropriations bond proceeds in the aggregate principle amount of \$524,045,000.00, net premium in the amount of \$15,256,721.45 and accrued interest in the amount of \$5,505,183.76 for the Airport General Revenue Refunding Bonds, Series 2010C; and for other purposes.

**FAVORABLE**

**Mr. Paul Kwaw:** of the Office of Debt and Investment addressed the Committee by stating that this is to appropriate the proceeds of the 2010C Bonds. An Ordinance is needed before any new revenues are accepted. Chairperson Adrean asked how is it received by the market? CFO De For responded the Bonds were received very well. The Municipal Security Rulemaking Board (MSRMB) has an on line service called (Electronic Municipal Market Access (EMMA) which provides transparency to the City. If the funds were not issued last year, we would have to borrow at a higher rate. Chairperson Adrean asked if a way to put on the screen. CFO De For responded that the website is EMMA.MSRB.Org. Councilmember Shook offered a motion to **Approve, 5 Yeas.**

**TO TRANSFER (\$143,443.70) FROM THE DISTRICT 9 COUNCIL-MEMBER NON-DEPARTMENT EXPENSE ACCOUNT FUND**

11-O-0103 (3) An Ordinance by Councilmember Felicia A. Moore to transfer one hundred forty three thousand four hundred forty three dollars and seventy cents (\$143,443.70) from the District 9 Councilmember Non-Department Expense Account Fund to the Department of Public Works to be used to construct sidewalks, driveways curbs and gutters for the Simms Avenue and Johnson Road Curbing

Projects and the Bolton Road/Marietta Boulevard Intersection Project; and for other purposes.

**HELD**

Councilmember Moore asked that this paper be Held for a Substitute. Funds are still left and there are some outstanding projects that have not been done.

**TO TRANSFER FUNDS FROM THE DISTRICT 9 COUNCILMEMBER EXPENSE ACCOUNT TO PARK PRIDE**

11-O-0105 (4) An Ordinance by Councilmember Felicia A. Moore transferring funds from the District 9 Councilmember Expense Account to Park Pride on behalf of the Lincoln Homes Neighborhood Association to provide the matching funds in the amount of \$1,000.00 for a Micro Grant that was awarded to the Association for installation of Energi Station Exercise equipment at the Lillian Cooper Shepherd Park; and for other purposes.

**FAVORABLE**

Commissioner Dusenbury stated that this is for exercise equipment. Councilmember Moore stated that the community went out for the grant without having matching funds. She wants to use her Account to assist them. Councilmember Wan offered a motion to **Approve, 5 Yeas.**

**TO TRANSFER THE AMOUNT OF \$10,000.00 FROM DISTRICT TWO (2) COUNCILMEMBER EXPENSE ACCOUNT**

11-O-0106 (5) An Ordinance by Councilmembers Kwanza Hall, Carla Smith, Cleta Winslow, Ivory Lee Young, Jr., Alex Wan and Howard Shook to transfer the amount of \$10,000.00 from District Two (2) Councilmember Expense Account to pay for a Cultural Heritage Plan for Downtown and surrounding neighborhoods; and for other purposes.

**HELD**

**TO AUTHORIZE THE RE-EMPLOYMENT OF CITY RETIREE, TRACY CURRY**

11-R-0147 (1) A Resolution by Finance/Executive Committee authorizing the re-employment of City Retiree, Tracy Curry in the Atlanta Police Department for the City of Atlanta pursuant to §3-505, as amended, of the Charter of the City of Atlanta, to be paid an amount not to exceed \$80,231.00 annually from FDOA Number 1001 (General Fund) 240213 (APD Police Administration) 5111001 (Salaries) 3100000 (Activity) Salaries; and for other purposes.

**HELD**

**Deputy Shaun Jones:** of the Police Department addressed the Committee by stating that he wants this paper Held.

**TO UTILIZE GEORGIA STATE CONTRACT 99999-SPD-S20110701-0004**

11-R-0148 (2) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize Georgia State Contract 99999-SPD-S20110701-0004 to purchase Over-The-Phone Interpretation Services from Language Line Services to allow the E911 Center to communicate with callers who do not speak

English, on behalf of the Department of Police (“Department”), in an amount not to exceed thirty thousand dollars (\$30,000). All costs shall be charged to and paid from the E911 Enterprise Fund 2151 (Enterprise Fund); 240207 (General Ledger Department: APD E911); 5212001 (Expense Account; Professional Services); 3800000 (Activity); and for other purposes.

**FAVORABLE**

Deputy Chief Jones stated that this is for citizens who do not speak English. Councilmember Martin offered a motion to **Approve, 5 Yeas**. Councilmember Wan asked what language is covered. Deputy Chief Jones responded all of them. Councilmember Shook stated that this fund is in the red and part of the Five-Year Plan. CFO De Foor responded that we need a policy to do all of the deficit funding. Councilmember Martin asked if it comes out of the Police Department budget. Deputy Chief Jones responded yes, E-911. The General Fund also supports that fund. Chairperson Adrean stated that it requires the State approving for E-911 fee increases.

**TO EXECUTE CHANGE ORDER NO. 4 TO CONTRACT NO. FC-5034**

11-R-0149 (3) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order No. 4 to Contract No. FC-5034; Airfield Pavement Replacement 2009 with Archer Western Contractors, LTD, at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$500,000. All Services will be charged to and paid from PTAE0 18102777 (Airfield Pavement Replacement) 101 (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) 102777 (Airfield Pavement Replacement) 91336 (DOA PFC Revenue 96AA); and for other purposes.

**FAVORABLE**

**Mr. Luis Miller:** Department of Aviation General Manager addressed the Committee by stating that at the Finance/Executive Committee briefing there were questions regarding the process for the scope of work. It costs about \$12.3 million dollars. We are doing a change order instead of a competitive bid because the taxiway had to be closed down. It produces over 200 times for airway traffic. It would have cost more money to rebid. It was built in 1979. Hopefully his memo will answer the questions. Chairperson Adrean stated that she wanted Deputy City Attorney Andrews to answer to the scope of work. Mr. Miller responded that a lot of the work was competitively bid and it is the same type of work on the change order. Councilmember Willis asked when was it competitively bid? Mr. Miller responded May 2010. Councilmember Willis stated that prices are continuing to go down. Was that taken into consideration by the contractor?

**Mr. Tom Drinkard:** of the Department of Aviation addressed the Committee by stating yes, it is a not to exceed amount. Deputy City Attorney Andrews responded that you look at the general scope. It was done by units. We put a taxiway next to the original property. A good example is if we asked them to build a shed or deck. Councilmember Willis asked what are we paying for. Mr. Miller responded cement. Councilmember Willis stated that the size of the job can be based on the charge. He is half okay with it. Where do you draw the line? Mr. Miller responded that it would have been eight months to rebid. This contract was an emergency. This is a not to exceed amount and we will go back and renegotiate with them. Councilmember Martin offered a motion to **Approve, 6 Yeas**.

**TO ENTER INTO A COOPERATIVE PURCHASING SERVICE AGREEMENT**

- 11-R-0150 (4) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Service Agreement for a Storage Area Network (SAN) with Dell Marketing L.P., utilizing the State of Georgia Contract SWC90814-01 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances on behalf of the Department of Watershed Management in an amount not to exceed twenty-nine thousand, two-hundred twelve dollars and no cents (\$29,212.00); 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) 170113 (DWM Watershed Informational Systems) 1535000 (Data Processing Management Information Systems); and for other purposes.

**FAVORABLE**

**Ms. Daphne Rackley:** of the Department of Information Technology addressed the Committee by stating that this is a standard Maintenance Agreement for the Department of Watershed Management. It is for large data storage. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

**TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA**

- 10-O-0774 (1) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

**HELD**

**TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379**

- 10-O-0874 (2) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In Force" so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

**HELD**

**TO AMEND SECTION 6-637 (C) AND 6-637 (D) OF THE 1978 PENSION ACT**

- 10-O-0906 (3) An Ordinance by Finance/Executive Committee to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

**HELD****TO AMEND SECTION 6-222 (C) AND 6-222 (D) OF THE 1978 PENSION ACT**

- 10-O-0908 (4) An Ordinance by Finance/Executive Committee to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

**HELD****TO AMEND SECTION 6-37 (C) AND 6-37 (D) OF THE 1978 PENSION ACT**

- 10-O-0910 (5) An Ordinance by Finance/Executive Committee to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

**HELD****TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH MSB GOVERNMENT SERVICES, FOR FC-4678**

- 10-R-1663 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with MSB Government Services, for FC-4678, Financial Collections, on behalf of the Department of Finance, at a compensation rate of 19.8 of the principal amount collected to be charged to and paid from Fund, Department Organization and Account Number 7101 (Agency Fund) 190101 (JDA Municipal Courts Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999); 7101 (Agency Fund) 170101 (Commissioner of Watershed Mgt) 5212001 (Consulting/Professional Services); 1320000 (Chief Executive) 202361 (Collection Fee) 91468 (Agency Fund 9999); 7101 (Agency Fund) 190191 (JDA Municipal Court Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999), all funds collected will be deposited to Fund, Department Organization and Account Number 1001 (General Fund) 000002 (General Fund Org) 3441102 (Sanitary Service); 1001 (General Fund) 000002 (General Fund Org) 3211002 (General Bus. Licenses); 5051 (Water & Wastewater Revenue Fund) 000002 (General Fund Org) 3442101 (Water Service) 5051 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442551 (Sewer Services); 505 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442101 (Water Service) 1001 (General Fund); 000002 (General Revenue Org); 3511717 (Traffic & Parking Fines); and for other purposes. **(Held, 9/15/10)**

**HELD****TO CREATE A PARKING PASS PROGRAM**

- 10-O-1733 (7) An Ordinance by Councilmembers Michael Julian Bond, Joyce Sheperd, Aaron Watson, Keisha Lance Bottoms, H. L. Willis, Ivory Lee Young, Jr., C.T. Martin, and Yolanda Adrean authorizing the Mayor or his designee to create a Parking Pass Program for all duly appointed members of City Boards and Commissions; and for other purposes. **(Held, 9/29/10)**

**HELD****TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA**

- 10-O-1739 (8) An Ordinance by Councilmember Natalyn Mosby Archibong to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469 et seq. 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, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 Entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new Sub-Paragraph (d); and for other purposes. **(2<sup>nd</sup> Reading, 1<sup>st</sup> Adoption, 9/29/10); (3<sup>rd</sup> Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

**HELD****TO CONCERN THE FUTURE OF REGIONAL TRANSIT UNDER THE 2010 TRANSPORTATION INVESTMENT ACT**

- 10-R-1869 (9) A Resolution by Atlanta City Council of the City of Atlanta, Georgia concerning the future of Regional Transit under the 2010 Transportation Investment Act. **(Held, 10/27/10)**

**HELD****TO EXECUTE AN AGREEMENT WITH \_\_\_\_\_ FOR FC-5187**

- 10-R-2133 (10) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with \_\_\_\_\_ for FC-5187, Consulting and Lobbying at the State Government Level, in an amount not to exceed \$\_\_\_\_\_; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes. **(Held, 12/1/10 at the request of the Administration for further discussion)**

**HELD****TO APPOINT MS. CECILY J. MCLEOD TO SERVE AS CONTRACT COMPLIANCE HEARING OFFICER**

- 10-C-2138 (11) A Communication by Mayor Kasim Reed appointing **Ms. Cecily J. McLeod** to serve as Contract Compliance Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of (2) two years, scheduled to begin on the date of Council confirmation. **(Held, 12/15/10)**

**HELD**

**Ms. Cecily J. McLeod:** addressed the Committee by stating that she is an attorney and graduated from the University of Florida and her expertise is government contracts. Councilmember Shook offered a motion to **Approve, 5 Yeas.**

**TO ENTER INTO CONTRACT WITH DALE S. HAYGOOD**

11-R-0034 (12) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into contract with Dale S. Haygood, a retired employee of the City of Atlanta, Department of Planning and Neighborhood Development, for training and consultant services for the Re-Organization of the In Rem Program of the Office of Code Compliance for up to 12 months and in an amount not to exceed twenty thousand dollars (\$20,000.00) with all services and charges to be paid from General Fund Account 1001, Department 250301 (PCD Director of Code Compliance), Account 52123001 (Consultant Professional Services) 7210000 (Protective Inspection ADM); and for other purposes. **(Held, 1/14/11)**

**HELD**

**ITEMS NOT ON AGENDA**

**TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT)**

11-O-0152 (1) An Ordinance by Finance/Executive Committee to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2011, in the Aggregate Principal amount not to exceed \$\_\_\_\_\_ (the "Series 2011 Bonds"), in one or more Subseries, to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2011 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of an indenture of trust, a Bond Replacement Agreement, Separate Development Agreements with the developers of each of the 2011 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 2011 Bonds.

**FAVORABLE ON FIRST READ**

Chairperson Adrean requested that someone come and explain the TAD at the next meeting.

**TO ISSUE A REFUND TO GIBNEY'S PUB**

11-R-0153 (1) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Gibney's Pub in an amount not to exceed fifty one thousand, six hundred thirty three dollars and eighty eight cents (\$51,633.88) for Alcohol Excise Taxes paid in error to the City of Atlanta; all funds shall be charged to and paid from Fund Department Organization Account Number 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

**FAVORABLE**

Mr. Donaldson stated that this is overpaid for the last three years.

Chairperson Adrean stated that we have a draft of the Budget Departmental Hearing schedule. On the second page we need to add May 3<sup>rd</sup> and 4<sup>th</sup> and move Council date up from May 7<sup>th</sup>. On February 9<sup>th</sup> there will be a tour of AJC building. There will be a bus leaving City Hall at 9:45 a.m. and please wear comfortable shoes. There will be a team here to discuss the CAFR at the next Finance/Executive Committee meeting. Councilmember Moore stated that when we got the AJC building we were spending money that was not contemplated. Chairperson Adrean stated that the House Delegation is having a box lunch February 8<sup>th</sup> and please give your rsvp to Megan Middleton.

Chairperson Adrean then gave the public an opportunity to speak:

**Mr. Ron Shakir:** addressed the Committee by stating that he is concerned with some of the projects discussed here. There are so many things the City is lacking from doing. We need to be stable instead of getting large. Mr. Arthur Blank needs to get to know our community. The Parks is one area we use grant writing in. In the CD Committee meeting they were discussing Parks, Beltline, Housing, etc. and the citizens only have five minutes to speak. We were told that all of the Parks are open. We come here because we care. A lot of parents don't know that their kids have to pay for everything. We don't understand the benefits that Parks and Recreation have on kids. Grant writing has to be looked into. Chairperson Adrean stated that one of the goals is to discuss the Mayor's goals and initiatives and do an analysis. He has concerns with erosion from the running water as well. We need to secure our communities.

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Joya C, DeFoor, CFO  
Secretary

Charlene Parker  
Recording Secretary

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