

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, March 2, 2011, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

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

Absent: Councilmember C.T. Martin
 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, Howard Shook, Alex Wan, and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with one walk in. The minutes of the Finance/Executive Committee of February 16, 2011 were adopted as well.

DISCUSSION ITEMS/PRESENTATIONS

1. 2011 General Assembly Update—Megan Middleton, Intergovernmental Affairs Manager

Ms. Megan Middleton: Mayor's Office of Intergovernmental Affairs Manager addressed the Committee by stating that she has passed out information. One item is the 911 fees on land line and cell phones to cover the true cost of the service. There was legislation about 7 years ago. The funds were supposed to go back to the jurisdiction, but it didn't, instead it went to the general fund. This legislation will allow it to go back to the jurisdictions. **HB-73** is in Ways and Means Subcommittee and it deals with Sales Tax. Chairperson Adrean asked about the Gas Tax. Ms. Middleton responded that **HB-35 (Gas Tax)** is part of the legislation of interest. It is not based on inflation, but gallons. It would have to be constitutionally voted on. Once it is adopted, it would go to the House for an Amendment. It came from the Tax Reform Bill. The Vacant Property Owner Identification came from the Law Department. We have had various meetings on it. It is for vacant and foreclosed properties. It will be having another hearing today and go to the Subcommittee for a vote. It is the fourth hearing on it. It is helpful to get the vacant property registrations. Another interest is **SB-122** for private partnership for water projects. There are a few bills to add restrictions on such as **HB-128**. **HB-187** will go to the House on tomorrow. Councilmember Moore asked if you are lobbying on efforts that are not on the sheet. Ms. Middleton responded that we are trying to get legislation on Municipal Government and changing fiscal accounting years. It has been a slow process and these are the top issues. Councilmember Moore asked if there are any other efforts. Chairperson Adrean asked about the School SPLOST. Ms. Middleton responded that there is a bill for Capital Improvements to be used for operations. It would take place in November. If passed it would happen in May or June of next year. Chairperson Adrean asked for a follow-up. Ms. Middleton responded that she would update the Committee. We have over 33 new members so things are moving slow.

2. 2nd Quarter Financial Report-Joya De Foor, CFO

CFO De Foor stated that this is ending December 31, 2010. Councilmember Moore asked that when you do the reports, it is helpful to get the report a week or two before the Committee meeting. Chairperson Adrean asked if the report is online.

Ms. Carol King: Chief of Budget and Fiscal Policy addressed the Committee by responding yes. Page #2 is the summary. Page #3 shows the Revenues.

Mr. Gary Donaldson: Director of the Office of Revenue addressed the Committee by stating that revenues are on target of \$336 million dollars. Property taxes are on target as well. We are in a good position to meet the budget of \$549 million dollars. Chairperson Adrean asked about the increase in property taxes last year. There was a question about teasing out the increase. CFO De Foor responded that she would provide the information at the end of this week. Chairperson Adrean stated that there is a lag in sales taxes. Mr. Donaldson responded that it is an area of concern. Chairperson Adrean stated that the news media is saying one thing and our report shows another. Mr. Donaldson responded that the LOST (Local Option Sales Tax) is based on ten year's allocation. We have seen an increase in the MOST (Municipal Option Sales Tax) versus the LOST. Councilmember Willis asked what would be the impact with the new Cities coming on board, if South Fulton is annexed into the City, and if Milton County is recreated. Mr. Donaldson responded that Atlanta is the retail City. A new jurisdiction would put us in a good position. Councilmember Willis asked what does that mean. Has the City taken a position?

Mr. Peter Aman: Mayor's Office Chief Operating Officer addressed the Committee by responding that he would confer with the CFO. Chairperson Adrean stated that she would like the discussion added to the Agenda to provide the impact new Cities will have on property taxes. Councilmember Wan asked for a breakdown of property taxes. Mr. Donaldson responded that he would provide the information. CFO De Foor added that we would provide a property tax line and prior year's collections line. Chairperson Adrean asked about Grants revenues. Mr. Donaldson responded that it is in the Trust Fund. Chairperson Adrean asked if it would be part of the budget. CFO De Foor responded that we would do what we could. If there are questions, we would provide it in writing. Ms. King stated that page #5 is a continuation of the Executive Summary. The General Fund is 7% below budget, which is contributed to the Restricted Reserves. Councilmember Moore asked why would we consider using the Reserves? Ms. King responded that we presented it in two ways. CFO De Foor added that part of the Reserves was to balance the budget. Councilmember Moore stated that the real statement is that we are 2% below budget. If the Reserves are treated as an expenditure line, it should be listed in the budget. She then asked which option will we choose? CFO De Foor responded that we were trying to be responsive to other Councilmembers. The Reserves are not an expenditure, but it is required to be budgeted. Ms. King added that if we take out the \$27.4 million dollars we would not get to the \$559 million dollars budget, so it had to be included. Councilmember Moore stated that she wants to know what the rules are. Ms. King stated that page #9 lists the highlights of the Departments. It includes variance, projected expenses, etc. Chairperson Adrean asked about page #30, new vehicles. Were they approved in last year's budget?

Mr. George Turner: Chief of Police addressed the Committee by responding yes, they were approved. Councilmember Moore stated that she remembers the amount. This list does not match the purchases. Chief Turner responded that the two Tahoe's are the two purchased for the Mayor. Our intent was to purchase the vehicles for security purposes. The type was chosen by the Administration. Councilmember Moore asked why not swap out the two Tauruses. Chief Turner responded that they are being utilized by support staff. Councilmember Moore asked what happened to the ones we had. Chief Turner responded that the Detectives' vehicles are rotated out. Councilmember Moore asked if it was a combination expense. Mr. Aman responded that the total for fleet purchase was \$16 million dollars. We have about \$1 million dollars of it left. The \$16 million dollars was paid for through a GMA lease. The \$3.2 million dollars is what is budgeted annually for it. The fleet value authorized was \$16 million dollars. A few vehicles were purchased with Grant Funds. Councilmember Moore asked for the amount for the vehicles. She asked why we went to a higher end vehicle. Mr. Aman responded that he does not have the details. Councilmember Willis asked what is the size of executive security protection? Is it the same today as with former Mayors? Chief Turner responded that the size of the detail has been fairly consistent. We will always have an advanced team of officers for that purpose. Councilmember Willis stated that he disagrees. Chief Turner responded that he prefers to give the information offline. Councilmember Willis suggests we go and look at

comparable Cities and benchmarks. We have to make sure that it is reasonable. Chief Turner responded that we had done benchmarks and ours is extremely low compared to other Cities. Councilmember Willis stated that he has been asked more questions about the two SUVs than anything else. Chairperson Adrean asked about the COPs Program. Chief Turner responded that the Grants allowed us to hire and train Officers. The new Grants are for rehiring veteran Officers. We would provide all of the information. We are comfortable with the vehicles purchased. CFO De Foor added she is also very comfortable with them. Councilmember Moore asked about page #9, projected expenses. From January 2011 to June 2011 we are projecting \$80 million dollars. Is it on track with the fund balance? CFO De Foor responded that it is slightly above budget. Ms. King added that we would provide the information. Chairperson Adrean asked about the accounting for new initiatives. Some of the funding is from the General Fund and some from private fund raising. Where can we find an analysis? CFO De Foor responded it is not in the report.

Mr. George Dusenbury: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that it was to open the Recreational Centers and we are tracking the money. Legislation was passed several months ago. \$3.7 million dollars is to open the Centers. Councilmember Wan asked about Departments having significant increases in the budget. Commissioner Dusenbury responded that it has to do with the Beltline and Recreational Centers being opened. Chairperson Adrean asked for a report on the Centers of Hope. We need accounting on the way they are funded. This initiative will be a growing one. Commissioner Dusenbury responded that he would work with the CFO. Chairperson Adrean asked about page #56, the 54 vacancies. Commissioner Dusenbury responded that it goes to expenditures. Councilmember Moore stated that you could be over budget. Commissioner Dusenbury responded that we have seasonal workers. We have expenditures up in the second half of the year, but we will have a budget surplus. Chairperson Adrean asked about funding a Call Center. Will it take priority over a Disaster Plan for DIT? Mr. Aman responded that \$250,000 or \$500,000 was for a Call Center and the RFP is out. Chairperson Adrean stated that \$500,000 will just get a study done. Councilmember Wan asked about Non-Departmental regarding the \$14 million dollars MOU. Page #9 shows that the \$14 million dollars was not included. Is the variance really the variance of \$38 million dollars? CFO De Foor responded that it was included in the budget. The actual is to include it as a balance sheet line item. Councilmember Wan asked if the \$14 million dollars is deducted from the \$559 million dollars and it is \$545 million dollars. CFO De Foor responded that it should have never been budgeted. She agrees that it is not clear. Ms. King added that it does not show up in the expenditure column. It was included in the budget. Councilmember Moore asked for it to be broken out. Councilmember Shook stated that we need to be investing in a recovery plan. Chairperson Adrean stated that it includes the Enterprise Fund and the fund balance. Councilmember Moore stated that we don't need to just focus on the General Fund. She wants to discuss the Enterprise Funds as well. Chairperson Adrean stated that there is a new Budget Calendar. CFO De Foor responded that we would be updating it on a weekly basis.

3. Copier/Printer Purchase Consolidation-Joya De Foor, CFO

Mr. Stefan Jaskulak: Deputy CFO addressed the Committee by stating that we set up a project. The first page is the current state we are in. We have multiple vendors and don't get the greatest price. We could look at a single strategy. We could migrate to a single contract. We are currently doing an inventory. We will ask for buyout potentials. We will then do an implementation. We will select a vendor and incorporate all utilization. We will look at the base rates and any credit, and develop a method for feedback. Councilmember Wan asked about the contract with Gardner. Will there be all incorporations? Deputy CFO Jaskulak responded that he would check with DIT. Chairperson Adrean asked if it is Citywide. Deputy CFO Jaskulak responded yes.

CONSENT AGENDA

TO ENTER INTO AN AMENDMENT AGREEMENT NO. 1

- 11-O-0268 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into an Amendment Agreement No. 1 for the constructed wetlands project cost share agreement located in McDaniel Branch with the United States Army Corps of Engineers (“USACE”) to include an additional property located on Land Lot F0073 of the 14th (FF) District, Fulton County Georgia parcel Number 14F-0073-LL-074-9 of the 14th (FF) District, Fulton County Georgia, Parcel Number 14F-0073-LL-074-9; to authorize the Mayor to enter into an agreement with property owners and other appropriate documents for the acquisition of the properties to include in the constructed wetlands project cost share agreement located in McDaniel Branch; to waive portions of Article X of the procurement and real estate code; to authorize the city attorney to use the assistance of outside counsel to effectuate the acquisition; to authorize the Chief Procurement Officer to obtain title work, surveys, environmental tests, appraisals and other appropriate due diligence items to effectuate the acquisition of the property; to charge and pay for acquisition costs from Fund Department Account and Organization number 5051 (Water & Wastewater Revenue Fund) 5212001 (Consulting/Professional Services) 170602 DWM Greenway Planning & Acquisition) 7410000 (Planning & Zoning) in an amount not to exceed one hundred thousand dollars and no cents (\$100,000.00); and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2011 NORTHWEST ATLANTA (PERRY/BOLTON) FUND BUDGET

- 11-O-0269 (2) An Ordinance by Finance/Executive Committee to amend the Fiscal Year 2011 Northwest Atlanta (Perry/Bolton) Fund Budget by amending Ordinance 10-O-0901 to anticipate and appropriate Tax Allocation Increment in the amount of \$4,500,000.00 from the City of Atlanta Northwest Atlanta (Perry/Bolton) Tax Allocation District for the purpose of constructing and equipping a new Northwest Atlanta fire Station, a mini-police precinct, and a community assembly room (“Fire Station 28 Project”); and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND A LEASE AGREEMENT

- 11-O-0317 (3) An Ordinance by Finance/Executive Committee authorizing the Mayor to amend a Lease Agreement with the Atlanta City Employees Credit Union for approximately 1,068 square feet of office space at 226 Peachtree Street, SE, in Land Lot 77 of the 14th District of Fulton County, Georgia; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA**TO WAIVE ARTICLE X, DIVISION 4, SECTION 2-1188**

11-O-0221 (1) An Ordinance by Finance/Executive Committee to waive Article X, Division 4, Section 2-1188 of the City of Atlanta's Procurement Code to extend the term of the contract to include a third one (1) year renewal option for FC-6005007967, Privatized Probation Services, a revenue generating contract; authorizing the Mayor to enter into the third one (1) year Renewal Agreement in said amended contract; all Fund generated thereunder to be deposited into the applicable General Fund Revenue Accounts and Agency Fund Liability Accounts; and for other purposes.

HELD

Chief Judge Crystal Gaines: addressed the Committee by stating that she is here to endorse the allowance to enter into an additional one year agreement for Probation Services. Sentinel has been with us since 2006. We were going to do a RFP, but we lost the Court Administrator. Sentinel asked for a year extension until we get another Court Administrator. She has been doing the duties since Mr. Mincher left. Councilmember Young stated that the second year extension came in error last year. He realized that if they did what they proposed to do, it would be an asset. They were not allowed to do the job they were supposed to. One year later we find ourselves at 50% less than anticipated. As a team, Sentinel has proven to be an asset; 25% of revenue is from the collection efforts of Sentinel. He agrees when the Court Administrator is on board we would follow their advice. He is in support. Councilmember Moore stated that Councilmember Watson asked about going to the one year extension. It was suggested a month to month, but the contractor was not interested. Chief Judge Gaines responded that we did bring the contractor here because we need the services.

Mr. Steve Queens: Director of Sentinel Services addressed the Committee by stating that we have to be careful about the services we allocate. We do not oppose a month to month, but prefer a yearly. Councilmember Willis stated that any organization would prefer annual. They shouldn't be sunk in costs. Even in a year it is not enough time to amortize. Mr. Queens responded that there are additional costs and services. A year lets us move more freely on a long term basis. Councilmember Willis asked what are you investing over the next twelve months? What are we talking about? Mr. Queens responded that we are providing software integration. Councilmember Willis asked where are we. Mr. Queens responded that it has not started. Councilmember Willis asked how long. Chief Judge Gaines responded that the money is the issue. The services are needed. This will give us the real time report. They would invest \$20,000 for the project. Councilmember Willis asked why would we invest that amount. Chief Judge Gaines responded that it would not take that long to get the project.

Ms. Crystal Smith: of Municipal Court addressed the Committee by stating that there are existing vendors. The project should be available in six to twelve weeks. Councilmember Willis asked who is paying for it. Chief Judge Gaines responded that we don't have \$20,000 in our budget. Councilmember Willis stated that there is no additional cost with going month-to-month. Councilmember Young stated that the value is the systems, processes and programs they offer. He is excited they have a functioning machine. Chief Judge Gaines responded that she asked about the month-to-month. He has the features, but they would not be able to be continued because of the investment they have in them. He would not be able to provide house arrest services. A lot of things may be at risk with a month-to-month. Councilmember Willis stated that he is not sure if it is the best deal. It has been clear that a month-to-month is not interesting to them. He asked if it could be Held later in the meeting. Councilmember Young stated that there are numerous needs. These services have been a real asset. Councilmember Wan stated that we are asked to waive the Procurement Code. We should just waive it to get it bid out. He does not believe it would be twelve months. The best option is to procure on a long term basis. Councilmember

Shook stated that this is sloppy service. Things do happen. He will not vote on this today. Councilmember Willis asked that we Hold it until the Chief can discuss it with the company. It is helpful to know when the procurement will go out. Chairperson Adrean stated that if it is moved to month-to-month it would give Chief Judge Gaines an opportunity to get something together. Councilmember Wan stated that we could help by Holding it. Councilmember Wan offered a motion to Hold.

TO ASSIST WITH THE 2011 BUCKHEAD ECO COLLECTION EVENT

11-O-0322 (2) An **Amended** Ordinance by Councilmembers Yolanda Adrean, Howard Shook, Carla Smith and Felicia A. Moore transferring funds from the District 8 Councilmember Expense Account to assist with the 2011 Buckhead ECO Collection Event; and for other purposes. **(Finance/Executive Committee Amendment changes the FDOA, 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment to change the FDOA. Councilmember Shook offered a motion to **Approve as Amended, 5 Years**.

TO TRANSFER FUNDS FROM THE DISTRICT 7 COUNCILMEMBER EXPENSE ACCOUNT

11-O-0326 (3) An Ordinance by Councilmembers Howard, H. Lamar Willis, Yolanda Adrean, Carla Smith, Felicia A. Moore, Michael Julian Bond and Aaron Watson transferring funds from the District 7 Councilmember Expense Account to assist with the 2011 Buckhead ECO Collection Event; and for other purposes. **(Finance/ Executive Committee Conditional passage receives \$2000 from the Office of Sustainability, 3/2/11)**

FAVORABLE ON CONDITION

Councilmember Shook stated that this is a duplicate from the previous paper. The Mayor's Office is giving \$2,000. He asked to **Approve on Condition** of receiving information regarding the \$2000 from the Office of Sustainability.

TO CONCERN THE ATLANTA STREETCAR PROJECT

11-O-0327 (4) An Ordinance by Councilmembers Aaron Watson, Michael Bond, Kwanza Hall, Ivory Lee Young, Jr. and H. Lamar Willis concerning the Atlanta Streetcar Project that will authorize: (1) the execution by the Mayor of such documents as may be required by the Secretary of Transportation in order to obligate the funding preliminarily approved with respect to that discretionary grant awarded to the City under funding included in the Transportation, Housing and Urban Development, and related Agencies appropriations Act for 2010 for National Infrastructure improvements; (2) the execution by the Mayor of an Intergovernmental Agreement ("IGA") with the Metropolitan Atlanta Rapid Transit Authority ("MARTA") and the Downtown Atlanta Community Improvement District ("DACID") setting forth the terms under which the parties will allocate local share funding obligations, procure, design, construct, and initially operate the Project; (3) the execution by the Mayor of Agreements for the procurement of rolling stock that may be used as the local share obligation for future federally funded transit Projects using nine million, forty-nine thousand, eighty-nine dollars (\$9,049,089) in surplus funds held in the Project coverage fund established under a Tax Custody Agreement dated December 1,

2005, among the City of Atlanta, Fulton County Recreation Authority, the Atlanta Development Authority and Regions Bank and appropriate those funds to such procurement; (4) the Chief Financial Officer to create the accounts necessary to receive any grant funds, local share obligation funds to be provided by DACID or additional appropriations necessary to carry out the intent of this Ordinance and expend the funds kept in such accounts; and for other purposes.

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment. The Committee should have received a memo from City Attorney Hampton regarding the use of these funds.

Ms. Duriya Farooqui: Mayor's Office Deputy Chief Operating Officer addressed the Committee by stating that the second part is for new vehicles. The funding will allow the City to draw down from it. Page #3 is an overview. The next page is slide #6. Page #7 is a closer look of the streetcar map. The use of new vehicles for the Atlanta Streetcar will have refurbished vehicles that have an eight year life cycle. The vehicles will be replaced in ten years. The next page is the specifications. Chairperson Adrean asked if it is in coordination with the Beltline. Ms. Farooqui responded, no. Slide #11 shows that you could step off a ramp into the street. The high floor vehicles have three steps. The next slide shows specifications around the advantages. Chairperson Adrean asked if we need a circle route.

Mr. Paul Grether: of MARTA addressed the Committee by stating that we are looking at existing opportunities. We are building crossovers. That is the configuration of the vehicles. Chairperson Adrean asked if it is part of the engineering and design. Ms. Farooqui responded that it does not intervene with traffic. She was asked to come back with a plan that integrated the project. The funds that are being proposed are on page #15. We have discussed with the federal government their commitment. It would qualify for a pre-match. Chairperson Adrean asked if there would be debt on the rails and cars. Ms. Farooqui responded, no. The Intergovernmental Agreement points out all of it. It is in the RFP process. The scope, budget and time line will fall on the City and the operations will fall on MARTA. Councilmember Moore stated that this is over \$9 million dollars. There will be another \$5.6 million dollars. She then asked about the money being used for this project.

Mr. Doug Silvey: of Hunter and Williams addressed the Committee by stating that there is a tax custody cost. The Fulton County/Atlanta Recreational Authority has to sign the requisitions. Councilmember Moore asked if you have any authority or if the funds are needed for another project. Mr. Silvey responded that a Reserve Fund has to be supplied. Money will continue to go into the Rental Car Tax fund. The City is authorized to use the funds. The bucket is full. Revenues have come in a high multitude of Debt Service. There are four buckets, Reserves (2), ADA and Recreational interest and principle. The payments to College Park have gone away. Councilmember Moore asked if there is any action taken by the Recreational Authority. Mr. Silvey responded that we asked for a report from the Trustee. A report will be provided on the action that this Committee takes today. Councilmember Moore asked if it is determined if it is alright to do that. Has there been any review? Mr. Silvey responded that we would do due diligence. The Board has reviewed the account, met and carefully reviewed statements. They also reviewed the requisition and sought his opinion. The funds are full and the requisitions were provided today. They are pledged funds for the Bonds. We receive around \$1.4 million dollars annually. It is split between College Park and the City of Atlanta. CFO De Foor added that there is around \$14 million dollars in there.

Mr. Peter Andrews: Deputy City Attorney addressed the Committee by stating that it would be in phases. Councilmember Moore asked what is the preferred amount we are comfortable with keeping in the fund? It could be used for something else. CFO De Foor responded that this fund is governed by the Fund Document. The Debt Service

comes out before this. The bucket afterward is split between College Park and the City. Chairperson Adrean asked when will the Streetcar Project receive funds? CFO De Foor responded after the split. Mr. Silvey added that it is the step before the allocation to the City. Deputy City Attorney Andrews responded that the College Park piece is if they didn't get what was promised. Councilmember Wan stated that this is like the money pit. There are a number of projects that could be funded. Deputy City Attorney Andrews responded that it is with Phillips Arena and related to the Capital Outlay Project. We want to capture the ongoing expenses. Ms. Farooqui added that the ten year commitment is \$23.7 million dollars. The approval of this will reduce the cost over a ten year period. Councilmember Willis asked what kind of projects have we used the funds for? Mr. Silvey responded for the Homeless Opportunity through ADA in 2005. Councilmember Willis stated that he had concerns with occurring costs, but this is a one-time hit. We are doing it alone. He supports this legislation. Ms. Farooqui responded that if Council took no action, we would do the refurbish train plan. The additional investment is required every eight to ten years. Chairperson Adrean stated that she voted against it last year. She now wants to be part of the solution. One of the conditions is for it to be compatible to the transit we already have. This is the first significant process to change our transportation since MARTA. She is excited that there is no debt. Councilmember Willis offered a motion to Approve. Chairperson Adrean asked if we needed a condition for the approval of the Trust Agreement. Deputy City Attorney Andrews responded that Mr. Silvey is saying that they will not vote on it. The Trust Agreement already says that it has to have the signature of the Recreation Authority and the City representative.

Mr. Ron Shakir: addressed the Committee by stating that it was said that there would be no additional transportation money spent. To say there is no debt is not true. Do we have information about the garage? The streetcar will not go to the MLK Center, but by it. He has seen things rushed through before.

Mr. Dave Walker: addressed the Committee by stating that trains don't make money. The Chair of Finance has said it. MARTA can't get to the gas station by itself. He believes this project is going to end up being \$150 million dollars. Who will ride this train? How much will a trip cost? Ms. Farooqui responded that the fare will be competitive with MARTA. It will be negotiated in the Agreement. Councilmember Willis offered a motion to **Approve as Amended, 3 Yeas, 1 Abstention, 1 Nay.** The Amendment is for Attachments.

TO EXECUTE AN AGREEMENT WITH PATTON BOGGS, LLP

11-R-0258(1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with Patton Boggs, LLP for FC-5184, Consulting and Lobbying at the Federal Government Level, on behalf of the Department of Aviation and the Department of Watershed Management, in an amount not to exceed \$300,000.00; all contracted work shall be charged to and paid from FDOA Numbers listed; and for other purposes. **(Referred back to Finance/Executive Committee from City Council, 2/2/11)**

HELD

TO AUTHORIZE THE RE-EMPLOYMENT OF CLARENCE G. GRIFFIN

11-R-0270 (2) A Resolution by Finance/Executive Committee authorizing the re-employment of Clarence G. Griffin, as a Legal Program Assistant in the Department of the Office of the City Solicitor at salary grade 13, \$33,396 pursuant to § 3-505 (C) of the Charter of the City of Atlanta; and for other purposes.

FAVORABLE

Councilmember Willis offered a motion to **Approve, 5 Yeas.**

TO EXECUTE THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT

11-R-0271 (3) An **Amended** Resolution by Finance/Executive Committee authorizing the Mayor or his designee to execute the First Amendment to the Intergovernmental Agreement between the City of Atlanta and the Atlanta Redevelopment Authority, Inc., authorized by Resolution 09-R-0819, so savings from the Fire Station Project may be used for other redevelopment costs within the Perry/Bolton TAD; and for other purposes. **(Finance/Executive Committee Amendment deletes Atlanta Redevelopment Authority and inserts Atlanta Development Authority and further amends by replacing Exhibit "A", 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment that deletes Atlanta Redevelopment and adds Atlanta Development and replaces Exhibit "A". Chairperson Adrean asked if we could use money for the fire trucks. Mr. Aman responded, yes. Councilmember Moore offered a motion to **Approve as Amended, 5 Yeas.**

TO EXECUTE A SOLE SOURCE AGREEMENT WITH COMSQUARED SYSTEMS, INC.

11-R-0272 (4) An **Amended** Resolution by Finance/Executive Committee authorizing the Mayor or his designee to execute a sole source agreement with Comsquared Systems Inc., for the UniSearch Document Management system for nine (9) months with an effective date of April 1, 2011, on behalf of the Department of Information Technology, in an amount not to exceed one hundred twenty-one thousand, two hundred ninety-seven dollars and fifty cents (\$121,297.50) to 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 Amendment inserts comma in the dollar amount, 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment to insert a comma in the dollar amount. Councilmember Moore offered a motion to **Approve as Amended, 5 Yeas.**

TO ENTER INTO AN AGREEMENT WITH ORACLE USA, INC.

11-R-0273 (5) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an agreement with Oracle USA, Inc. utilizing Federal GSA Contract GS-35F-0009T Service Contract No. 3795831 for Call Center CRM Application Technical Support Services, on behalf of the Department of Watershed Management, in an amount not to exceed fifty-one thousand one hundred ninety dollars and ninety-four cents (\$51,190.94); 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 Information Systems) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Mr. Michael Dogan: Deputy Chief of the Department of Information Technology addressed the Committee by stating that this is for Oracle support for the Department of Watershed Management. Councilmember Moore asked if it is annual. Mr. Dogan responded, yes. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0274 (6) An **Amended** 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 Covetrix, LLC utilizing the State of Georgia Contract #GS-35F-0742N, for a software utility for website monitoring, blocking and reporting, in an amount not to exceed \$34,375.00 for a one year period; to be charged to and paid from FDOA 5501 (Airport Revenue Fund) 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services/Technical), Functional Activity 7563000 (Airport); and for other purposes. **(Finance/Executive Committee Amendment deletes the State of Georgia and inserts General Services Administration, 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment to delete the State of Georgia and insert General Services Administration. Mr. Dogan responded that this is for the Airport. It is for internet usage. Councilmember Wan offered a motion to **Approve as Amended, 5 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0275 (7) A **Amended** Resolution by Finance/Executive Committee authorizing the Mayor or his designee to enter into a cooperative purchasing agreement pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the General Services Administration Contract Number GS-35F-0240T with Symantec Corporation for the purchase of net backup software licenses, maintenance and support for one (1) year beginning March 27, 2011 on behalf of the Department of Information Technology in an amount not to exceed eighty-two thousand, five hundred thirty-one dollars and fifty-six cents (\$82,531.56); all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (DIT Server Management) 5424004 (Software \$5,000+) 1535000 (Data Processing/Management Information System); and for other purposes. **(Finance/Executive Committee Amendment “Whereas, the City purchased a 90-day extension of the software licenses, maintenance and support services beginning January 1, 2011 to allow time to complete the legislative approval process; and for other purposes”, 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment that inserts a new 4th Whereas, which reads as follows: “Whereas, the City purchased a 90-day extension of the software licenses, maintenance and support services beginning January 1, 2011 to allow time to complete the legislative approval process; and for other purposes. Mr. Dogan stated that this is for backing up data. Councilmember Wan offered a motion to **Approve as Amended, 5 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0276 (8) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee to enter into a cooperative purchasing agreement made pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the GSA schedule GS-35F-0009T with Oracle USA Inc., for Oracle Contract #2016306, Real Application Cluster Software Maintenance and Support for the ERP Application, for one year from starting May 30, 2011, on behalf of the Department of Information Technology in an amount not to exceed forty-eight thousand, nine hundred sixty-seven dollars and seventy-four cents (\$48, 967.74); all contracted work shall be charged to and paid from 1001 (General Fund) 050211 (IT Network Management) 5213001 (Consultant/Professional Services –Technical) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Councilmember Moore asked if this was to be renewed in May. She commends the Department for it. Councilmember Moore offered a motion to **Approve, 5 Years.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0277 (9) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee to enter into a cooperative purchasing agreement made pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the GSA schedule GS-35F-0009T with Oracle USA inc., for Oracle Contract #2118646, Oracle Database Software Maintenance and Support for the ERP application, for one year beginning April 8, 2011 on behalf of the Department of Information technology in an amount not to exceed fifty-seven thousand, seven hundred thirteen dollars and thirty-two cents (\$57,713.32); all contracted work shall be charged to and paid from 1001 (General Fund) 050211 (IT Network Management) 5213001(Consultant/ Professional Services-Technical) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Councilmember Moore offered a motion to **Approve, 5 Years.**

Mr. Dogan stated that this is for the support of databases for the ERP system. Councilmember Moore asked if they are all coming at the same time because they were done at the same time. Mr. Dogan responded, yes. Councilmember Moore asked what is the whole population of pieces? Mr. Dogan responded maybe ten pieces.

TO EXERCISE RENEWAL OPTION NUMBER THREE (3) WITH ORACLE USA, INC.

11-R-0278 (10) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee to exercise renewal option number three (3) with Oracle USA, Inc., for 15 modules of the E-Business Suite Software support and Maintenance for Contract number 2086579 utilizing General Services Administration Contract Number GS-35F-0009T on behalf of the Department of Information Technology, in an amount not to exceed two hundred ninety-six thousand, one hundred fifty-four dollars and twenty-five cents (\$296,154.25); all contracted work will be charged to and paid form Fund, Department, Organization and Account Number 1001 (General Fund) 050211 (IT Network Management) 5213001

(Consulting/Professional Services-Technical) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Mr. Dogan stated that this is for 24 modules used for the ERP system. Councilmember Moore stated that the dates are off. Is it the first renewal or the third? Councilmember Wan offered a motion to **Approve, 5 Yeas.**

TO EXERCISE RENEWAL OPTION NUMBER THREE (3) WITH ORACLE USA, INC.

11-R-0279 (11) A Resolution by Finance/Execute Committee authorizing the Mayor or his designee to exercise renewal option number three (3) with Oracle USA, Inc., for 9 modules of the E- Business Suite Software support and maintenance for contract number 2710958 utilizing General Services Administration Contract number GS-35F-0009T on behalf of the Department of Information Technology, in an amount not to exceed two hundred eighty-nine thousand, five hundred thirty-five dollars and thirty-eight cents (\$289,535.38); 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 Services-Technical) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Councilmember Wan offered a motion to **Approve, 5 Yeas.**

TO EXPRESS ITS INTENTION TO ENLIST THE SERVICES OF PROFESSIONALS

11-R-0329 (12) An **Amended** Resolution by Councilmembers Felicia A. Moore, Howard Shook, Michael Bond, H. Lamar Willis, Aaron Watson, Keisha Bottoms, Joyce M. Sheperd, Natalyn Archibong, and Yolanda Adrean expressing its intention to enlist the services of professionals in the review and evaluation of data used in the report and presentation of the 2011 Pension Panel; and for other purposes. **(Finance/Executive Committee Amendment adds Councilmember Wan as a sponsor, 3/2/11)**

FAVORABLE AS AMENDED

Chairperson Adrean stated that we have an Amendment to add Councilmember Wan as a sponsor.

Ms. Cathy D. Hampton: City Attorney addressed the Committee by stating that approving this legislation is very premature. She agrees with proceeding cautiously. It is inefficient to use the resources for the legal point. There have been three opinions and one of them is hers. She wants to give hers before we reach out to others. She reports to Council and takes her dual reporting responsibility very seriously. She is asking not to duplicate her efforts. She will take any concerns and meet with you individually. Councilmember Moore stated that first the intent should be taken. Your comments are not in order. This Resolution does not hire Outside Legislative Counsel. The Law Department is for the Executive Branch. If Council deemed it necessary, we can have Outside Counsel. The City Attorney is not left out of the process. This Resolution states the intent. City Attorney Hampton responded that the intent is premature. Councilmember Moore stated that it does not assume what we may need. It does not say that we are going to do it. First of all, when did you hire Outside Legal Counsel for Pension Reform? City Attorney Hampton responded in January 2011 and

she is in the process of preparing a report. She will provide a full document package. Councilmember Moore asked why haven't we received the information outlining the Outside Legal Counsel you have retained. City Attorney Hampton responded that she has not finished the process. Councilmember Moore stated that the Code says the City Attorney shall provide in writing monthly a list of all Outside Counsel. Councilmember Wan stated as a matter of practicality we would have to wait until March 21st to introduce it as a Personal Paper and it has to be approved in April. We have a clock to work on. Councilmember Moore stated that this was not an attack on the Law Department. We are making the statement to seek outside help if we need it. Any legal advice can only be helpful. City Attorney Hampton responded that this firm was already on the list when she arrived. It shows a lack of confidence to seek someone else to regulatory agencies. Councilmember Moore stated that the monthly report should show who you have retained. How much have we put these people? City Attorney Hampton responded we have paid them zero, she is negotiating with them. They have not required any payment yet. Councilmember Moore asked that the Resolution be moved forward. CFO De Foor added that she concurs with some of the City Attorney statements about how it appears. It seems to the rating agency that we have disagreements. She came here with a national reputation, known to be very honest and she takes her dual reporting seriously. Some people seated here or the Administration has not been happy all of the time. It seems that she and the City Attorney were excluded from presenting their professional opinions to you prior to the need to go outside the City. Councilmember Shook stated that it is important to say that there is a lot of history here, a lot went on here. If you see this as a personal affront you would be making a mistake. Councilmember Moore offered a motion to **Approve as Amended, 4 Yeas, 1 Abstention.**

TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES

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

Mr. Shakir stated that he has concerns about where the Centers of Hope stand. Are they all opened? We are hearing that every \$1 out of \$4 dollars from Georgia 400 will go to a developer. He thinks that this legislation needs to come up. These initiatives are pipe dreams.

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 EXECUTE RENEWAL AGREEMENT NO. 1 WITH MSB GOVERN-MENT SERVICES

10-R-1663 (3) 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)**

FILE

TO CREATE A PARKING PASS PROGRAM

- 10-O-1733 (4) 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 (5) 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. **(2nd Reading, 1st Adoption, 9/29/10); (3rd Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

HELD

TO CONCERN THE FUTURE OF REGIONAL TRANSIT

- 10-R-1869 (6) 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 TRANSFER \$143,443.70 FROM THE DISTRICT 9 COUNCIL-MEMBER-DEPARTMENT EXPENSE ACCOUNT FUND**

- 11-O-0103 (7) 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, 2/2/11)**

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

- 11-O-0106 (8) 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, 2/2/11)**

HELD**ITEMS NOT ON AGENDA****TO UTILIZE GEORGIA STATE CONTRACT #980-2800008**

- 11-R-0335 (1) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize Georgia State Contract #980-2800008 to purchase communication technology from Motorola to improve the communication capabilities of the City of Atlanta ("City") during terrorist attack, severe weather, or other large scale emergency event, on behalf of the Department of Police ("Department") in an amount not to exceed fifty thousand dollars (\$0,000); all costs shall be charged to and paid from a Grant from the United States Department of Homeland Security approved by the City Council of Atlanta: 2501 (Intergovernmental Grant Fund); 240101 (General Ledger Department: APD Chief of Police; \$5421003 (Expense Account: Equipment \$5,000+); 1320000 (Function Activity Number: Chief Executive); 2102352 (General Ledger Project: UASI - APD 2007); 31863 (General Ledger Funding Source: UASI 2007); and for other purposes.

FAVORABLE

Deputy Chief Shaun Jones: of the Department of Police addressed the Committee by stating that this Homeland Security Grant is for radios for emergency weather or terrorist attacks. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:55 p.m.

Respectfully submitted,

Joya C. De Foor, CFO
Secretary

Charlene Parker
Recording Secretary

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