

11-0-1324

(Do Not Write Above This Line)

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND TO PURCHASE APPROXIMATELY 0.114 ACRES OF PROPERTY LOCATED AT 94 FLAT SHOALS AVENUE FROM THE CONSERVATION FUND OR CURRENT LAND OWNER ("THE PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING LANG CARSON PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000.00), THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM PARK IMPROVEMENT BOND 2005A: FUND: 3129, DEPT.: 140106, ACCOUNT PARK DESIGN: 5411001 (LAND), FUNCTION ACTIVITY: 6220000 PARK AREAS, FUNDING SOURCE: 21230 2005A PARK IMPROVEMENT BOND 9999, PTAEO, PROJECT: 14100229, TASK: 101, AWARD: 312921230, EXPENSE TYPE: 5411001, ORGANIZATION: CITY OF ATLANTA, AND FOR OTHER PURPOSES.

Substitute

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

Date Referred 9/15/11

Referred To: Finance/Exec

Date Referred

Referred To:

Date Referred

Referred To:

Committee Finance/Executive
Date 9-14-11
Chair William Johnson
Referred to Finance/Executive

First Reading

Committee Finance/Executive
Date 9/28/11
Chair William Johnson
Action: Fav, Adv, Hold (see rev. side)
Other: On substitute

Members [Signature]
[Signature]
[Signature]
Refer To

Committee

Date

Chair

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

Members

Refer To

Committee

Committee

Date

Chair

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

Members

Refer To

Committee

Date

Chair

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

Members

Refer To

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

CERTIFIED
OCT 03 2011
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
OCT 03 2011
Municipal Clerk
[Signature]

MAYOR'S ACTION

APPROVED

OCT 12 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW



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

11-O-1324

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO NEGOTIATE FOR AND TO PURCHASE APPROXIMATELY 0.114 ACRES OF PROPERTY LOCATED AT 94 FLAT SHOALS AVEUNE FROM THE CONSERVATION FUND OR CURRENT LAND OWNER (“THE PROPERTY”), FOR THE PURPOSE OF EXPANDING THE EXISTING LANG CARSON PARK (“PARK”), IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000.00). THE CITY’S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM PARK IMPROVEMENT BOND 2005A: FUND: 3129, DEPT.: 140106, ACCOUNT PARK DESIGN: 5411001 (LAND), FUNCTION ACTIVITY: 6220000 PARK AREAS, FUNDING SOURCE: 21230 2005A PARK IMPROVEMENT BOND 9999, PTAE0, PROJECT: 14100229, TASK: 101, AWARD: 312921230, EXPENSE TYPE: 5999999, ORGANIZATION: CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, The Conservation Fund (“TCF”) has contracted for approximately 0.114 acres of property, located at 94 Flat Shoals Avenue, Atlanta, Georgia, Parcel Identification Number 14-0013-0006-052 (“the Property”) for the purpose of expanding the existing Park (See attached Exhibit “A”); and

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

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

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

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

SECTION 1: The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to negotiate with The Conservation Fund or current landowner to purchase all or part of the real property located at 94 Flat Shoals Avenue, Atlanta, Georgia, Parcel Identification Number 14-0013-0006-052 (“the Property”), at a purchase price no greater than Fair Market Value.

SECTION 2: The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, environmental assessments, and appraisals to establish the Fair



Market Value of the Property. In addition, the Chief Procurement Officer or his designee is authorized to obtain and pay for those items and services necessary to purchase the Property, including but not limited to title insurance, real estate service fees, demolition, site development, signage, fencing, closing costs and other costs of acquisition (“The City’s Due Diligence and Purchase Services”).

SECTION 3: The City’s Purchase Price, Due Diligence and Purchase Services, in an amount not to exceed two hundred thirty thousand dollars (\$230,000.00) shall be paid from Park Improvement Bond 2005a: Fund: 3129, Dept.: 140106, Account Park Design: 5411001 (Land), Function Activity: 6220000 Park Areas, Funding Source: 21230 2005a Park Improvement Bond 9999, PTAE0, Project: 14100229, Task: 101, Award: 312921230, Expense Type: 5999999, Organization: City of Atlanta.

SECTION 4: Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Property and shall retain the land in perpetuity as a public park. Nothing in this ordinance shall prohibit the development of this property for uses consistent with generally accepted park activities, including but not limited to trails, playgrounds, picnic areas, parking, and gazebos. Nothing in this section shall preclude a neighborhood group(s) or other private entity from maintaining all or part of the property pursuant to an agreement with the City.

SECTION 5: The City’s Greenspace Acquisition Consultant, (“the Consultant”) is authorized to settle the acquisition of the Property at an amount authorized by the Chief Procurement Officer. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

SECTION 6: The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

SECTION 7: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 8: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

SECTION 9: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been approved by the City Attorney as to form, attested to by the Municipal Clerk, and signed by the Mayor.

SECTION 10: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

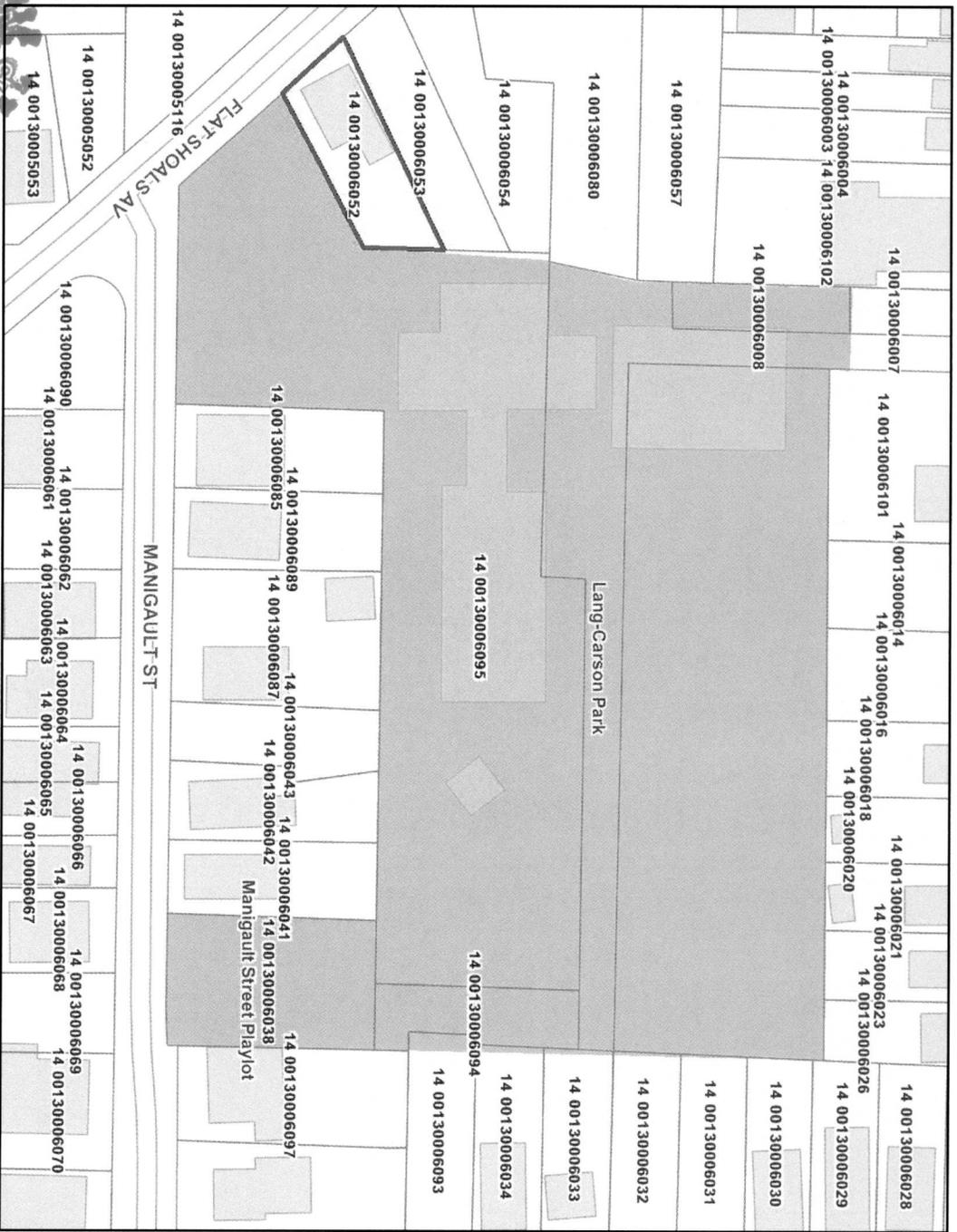
A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

OCT 03, 2011
OCT 12, 2011

Exhibit A - Lang Carson Park Expansion

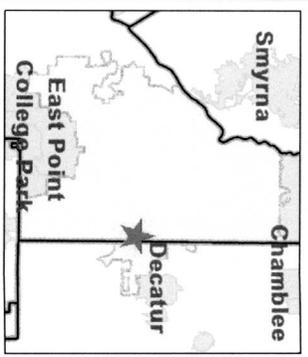


0 35 70 105 m.

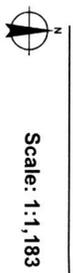
This map is a user-generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: Subject parcel is highlighted in red.

Map center: 2239328, 1364694



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



RCS# 1451
10/03/11
2:50 PM

Atlanta City Council

REGULAR SESSION

CONSENT I CONSENT AGENDA SECTION I OF OCT. 3, 2011

ADOPT

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

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

CONSENT I

		10-03-11
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
<ol style="list-style-type: none"> 1. 11-O-1418 2. 11-O-1319 3. 11-O-1320 4. 11-O-1321 5. 11-O-1322 6. 11-O-1324 7. 11-O-1346 8. 11-O-1405 9. 11-O-1408 10. 11-O-1409 11. 11-O-1314 12. 11-O-1315 13. 11-O-1316 14. 11-O-1311 15. 11-O-1241 16. 11-O-1413 17. 11-R-1378 18. 11-R-1379 19. 11-R-1386 20. 11-R-1403 21. 11-R-1384 22. 11-R-1385 23. 11-R-1381 24. 11-R-1416 25. 11-R-1373 26. 11-R-1423 27. 11-R-1387 28. 11-R-1388 29. 11-R-1389 30. 11-R-1390 31. 11-R-1391 32. 11-R-1392 33. 11-R-1393 34. 11-R-1394 35. 11-R-1395 36. 11-R-1396 	<ol style="list-style-type: none"> 37. 11-R-1397 38. 11-R-1398 39. 11-R-1399 40. 11-R-1400 41. 11-R-1401 42. 11-R-1402 	