

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, July 11, 2012, at 1:00 p.m. in Council Chambers, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Felicia A. Moore, Chair                      Jim Beard, CFO  
 Councilmember Yolanda Adrean                                      Departmental Staff  
 Councilmember Howard Shook  
 Councilmember C.T. Martin  
 Councilmember Kwanza Hall  
 Councilmember Aaron Watson  
 Councilmember Michael Julian Bond

Chairperson Moore called the meeting to order at 1:05 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Yolanda Adrean, Howard Shook, C.T. Martin, Kwanza Hall, Aaron Watson and Michael Julian Bond. Other Departmental staff was present as well.

Chairperson Moore stated that the Agenda is approved as printed, **4 Yeas**. The minutes of the Finance/Executive Committee of June 27, 2012 were **Approved, 4 Yeas**.

### **DISCUSSION/PRESENTATION**

#### **FIVE YEAR PLAN, Jim Beard, CFO**

Chairperson Moore stated that we will have a presentation at the next Finance/Executive Committee meeting.

### **CONSENT REPORT**

#### **ORDINANCES FOR FIRST READ**

12-O-0910 (1)                      An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee to execute an Amendment to a Lease Agreement with T-Mobile South, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road, Atlanta, Georgia and located in Land Lot 231 of the 17<sup>th</sup> District of Fulton County, Georgia, said Lease Amendment being for the purpose of correcting the legal description of the leased area of the property for certain existing telecommunications equipment; and for other purposes.

#### **FAVORABLE ON FIRST READ**

12-O-0911 (2)                      An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee to execute an Amendment to a Lease Agreement with New Cingular Wireless PCS, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road and located in Land Lot 231 of the 17<sup>th</sup> District of Fulton County, Georgia, said Lease Amendment being for the purpose of correcting the legal description of the leased area of the property for an existing Cell Tower and related telecommunications equipment; and for other purposes.

#### **FAVORABLE ON FIRST READ**

**REGULAR AGENDA**

**ORDINANCES FOR SECOND READING**

- 12-O-0878 (1) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY2013 Budget by adding to anticipations and appropriations funds in the amount of one million one hundred thirty two thousand dollars and no cents (\$1,132,000.00) for funding of the Atlanta Streetcar Transit Enhancements Project through a Livable Centers Initiative Grant; and for other purposes. **(Finance/Executive Committee Substitute..., 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Tom Weyandt:** stated that this is the Atlanta Regional Commission initiative. This allows us to go beyond of what is accomplished. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas, 1 Nay (Moore)**. Councilmember Adrean asked if this is Quality of Life Bonds. Mr. Weyandt responded that \$137,000 is from the Quality of Life Bonds. Councilmember Adrean stated that when it was created, there were projects associated to it. Mr. Weyandt responded that there were funds for Citywide Bicycle Projects, but none of them has been created. CFO Beard responded that Mr. John Gaffney will provide the information.

- 12-O-0879 (2) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into Lease Agreements for the rentals of office space at the John C. Birdine, Dunbar and Georgia Hill Neighborhood Centers with various public and private agencies that provide valuable services to the surrounding communities at an annual rental rate of ten and 00/100 dollars (\$10.00) per square foot for a period of up to three (3) years with tenants to be determined in the sole discretion of the Office of Enterprise Assets Management; to waive provisions of Section 2-1547 of the City of Atlanta Code of Ordinances that require solicitation for lease of City-owned property through a request for lease proposals process and annual revision of rental fees; to have fifty percent (50%) of all rental revenue deposited into Fund 1001 (General Fund), Department 000002 (Executive-Real Estate), Account 3810008 (Building Rentals, General) and fifty percent (50%) of all rental revenue deposited into the established Trust Fund Account for each Neighborhood Center; and for other purposes.

**FAVORABLE**

**Mr. John Lavelle:** stated that this legislation is confirming existing practices where individual pieces of legislation will do. We already charge \$10.00 for space. Chairperson Moore asked who are the tenants, how long will they occupy, what is the funding source, etc. Only one of forty tenants is late. We have issued a default letter to the tenant. He does not know if they are 501(c). Councilmember Adrean stated that it is being subsidized by taxpayers. Mr. Lavelle responded that he does not believe that \$10.00 is the market cost. Chairperson Moore offered a motion to **Approve, 7 Yeas**.

- 12-O-0960 (3) An Ordinance by Councilmembers Ivory Lee Young, Jr., H. Lamar Willis, Yolanda Adrean, Michael Julian Bond, Kwanza Hall, Felicia A. Moore, Natalyn Archibong, Carla Smith, Alex Wan and Clela Winslow **as Substituted by Finance/Executive Committee (1), 7/10/12** authorizing the Mayor, pursuant to Atlanta Code of Ordinances, Chapter 2, Article X, Division 14, Subdivision II, Section 2-1544, to execute appropriate documents acceding a donation from the Atlanta Development Authority D.B.A. Invest Atlanta of approximately 4.7 acres of land as more particularly

described in Exhibit "A" attached hereto for the purpose of developing the approximately sixteen-acre Historic Mims Park; and authorizing the payment of outstanding encumbrances, fees and other costs in connection with due diligence, acceptance and development of the property in an amount not to exceed four hundred eighty eight thousand three hundred eighty six dollars and ten cents (\$488,386.10); and directing that all fees and costs be charged to and paid from the Accounts listed below; and for other purposes. **(Finance/Executive Committee Substitute ..., 7/10/12)**

### **FAVORABLE ON SUBSTITUTE**

**Mr. George Dusenbury:** Commissioner of the Department of Parks, Recreation and Cultural Affairs stated that we have been trying to create more park area in northwest Atlanta. Councilmember Young came to him to create a park. It is about 13 acres and we will enter into an agreement and maintain the park.

**Mr. Rodney Mims Cook:** gave a presentation. Chairperson Moore asked to be walked through the legislation. Councilmember Watson stated that he is excited about the park, but he is sensitive about the history. He hopes the intent is to be accurate. Councilmember Young stated that 160 families lost everything in the Vine City flood in 2002. The ones that were left only received market value and the ones who stayed received new homes. Councilmember Watson stated that he hopes that history is not rewritten. Mr. Cook responded that he agrees with Councilmember Watson. It has become a tradition to be unique. We want to tell the story of the Native Americans. The Native American Council is aware of it and agrees. Commissioner Dusenbury stated that Section 1, Exhibit A is the map with the parcels. 16 acres include 4.7 acres to Invest Atlanta will be donated to the City. These parcels are part of a project by Housing and Urban Development funds. We need the parcel unencumbered to pay back HUD of \$488,386.10 and this is what this legislation does. Section 4 and Section 5 shows in 2005 Council approved the Park and Improvement Bond. There is money to cover it. Councilmember Hall asked about the investments.

**Ms. Terri Lee:** Deputy Commissioner of the Department of Planning and Community Development stated that the initial project was affordable housing projects. The second issue is that the project has not moved forward. The non-profit organization Tyler Place CDC was not able to move forward because they could not able to secure additional funding. Councilmember Hall asked when the funds come back do we repurpose them. Ms. Lee responded that we have to reimburse HUD. From the HOME and CDBG we do not any commitment. Councilmember Hall stated that this is a good project and we should capitalize investments in the area. Councilmember Young stated that ADA went through a procurement process and the reconciliation of all of the plans was to be updated. Councilmember Shook offered a motion to **Approve on Substitute, 3 Yeas, 3 Abstentions (Moore, Watson and Martin).**

12-O-0961 (4)

An Ordinance by Councilmember Ivory Lee Young, Jr., Yolanda Adrean, Kwanza Hall, Michael Julian Bond, C.T. Martin, Carla Smith, Felicia A. Moore, H. Lamar Willis, Cleta Winslow, Natalyn Archibong and Alex Wan **as Substituted and Amended by Finance/Executive Committee (1), 7/10/12** authorizing the Mayor, on behalf of the City, to enter into and execute a fifty year lease with the National Monuments Foundation, Inc., for approximately sixteen acres of City owned property, whereby the terms of the lease will include the Foundation's development of Historic Mims Park at no cost to the City, and the Foundation's maintenance of the same; and authorizing the waiver of City Code Section 2-1547 regarding the procedures for leasing City-owned real property, for purposes of entering this lease, where said waiver is based upon the unique circumstances of the proposed Park; and requiring certain prerequisite transactions to occur

prior to executing the lease; and for other purposes. **(Finance/ Executive Committee includes term sheet; Finance/ Executive Committee Amendment changes date to 2016 instead of 2015 and 2017 instead of 2016), 7/10/12)**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

Commissioner Dusenbury stated there is a term sheet attached.

**Mr. Jalal Slade:** stated that there are 3 acres in the heart of Mims Park. There are three parcels in white that are the trigger. The lease will be for 50 years. The City will not sell any of the land. The park will be in four phases. First should be completed in 2014. The park will be for the playground, etc. It is all in Section 4. Section #2 describes the funds will be. Section #3 outlines the Park. Councilmember Adrean asked about the water feature. Mr. Slade responded that flood won't occur like it did in 2002. The buildings will be developed with recertification materials. None of the work done will be against the Consent Decree. Section #4 is where the phases are. Phase #1 is the basic park and will be completed by 2014. Phase #2 is anticipated to be completed by July, 2015. Phase #3 will be completed by July 4, 2016 which includes the restaurants, sculptures, etc. Phase #4 will be completed by July 4, 2017. Councilmember Adrean asked about the responsibility for maintenance. Section #5 shows that they will have 50% of the construction cost by July 4, 2013. Section #6 shows that it will be transferred to Parks except for the headquarters portion. Section #A and Section B says that it will be for commercial space. Section #7 says the property must be owned by the City. Section #8 says the annual rent will be paid by National Monument. Annual rent will be adjusted every 5 years

**Robin Shahar:** Senior City Attorney responded that on the top of page #7 shows that we will have full responsibility of maintenance, repairs, operations, etc.

Continuing, Slade stated that Section #11 waives cost for business permits. Chairperson Moore asked what are we waiving? Commissioner Dusenbury responded the permits for \$2,000 per month for vending. Section #12 the Real Estate Code is waived for the lease only. Section #13 the Mayor may not execute the lease until all is until all occurs. Section #14, City Attorney approves the document of the Ordinance. Section #15 the Mayor will execute all Deeds, etc. Section #16 says that all documents must be approved by the City Attorney. Section #17 the documents will not become binding until signed by the Mayor. Section #18 the City will deposit all rent received into a Trust Account for maintenance. Section #19 all Ordinances are waived. In the term sheet the park will be maintained for 50 years and provide additional security. They will manage traffic, at least 50 parking spaces. Default remedies show that they have capital to complete the Park. If that does not happen, the City has the right to take back the property and develop the property ourselves. Councilmember Watson asked if the name of the Park part of the contract. Senior City Attorney Shahar responded that the name of the Park will be Historic Mims Park.

**Rev. Fletcher:** stated that he has served the Vine City area for thirteen years. This project is a slap in the face. We are fighting for schools because the kids have lost two schools. The community has had no engagement in this park. We are really hurt.

**Ms. Makeda Johnson:** stated that she has been a homeowner in Vine City for 25 years and her property is worth 1/3 of what she paid for it. She is very serious about our history. She served as NPU Chair for many years. We did not have successful partnerships. We struggled to come up with this Agreement. She is excited and this is a great opportunity.

**Mr. Rodney Mullins:** stated that he wants to talk about West Atlanta future. We have initiated discussions regarding economic development. We see this as a great opportunity. This will create economical and educational opportunities.

**Mr. James Arpad:** stated that he is in support of the Park. He has stayed in Vine City/English Avenue for 10 years and he owns three properties there.

**Ms. Yvonne Jones:** stated that she is a NPU Chair. She sent out a letter earlier from NPU-L listing concerns from the community because we were not involved in the process and she does not agree with how it was presented. Please consider the list as we go forward.

**Mr. Tony Torrence:** stated that this is troublesome to hear both sides. The overall picture is that floods have terminated our community. We do need green space development. There are health and wellness issues from the stormwater overflow. He is in support of this. Senior City Attorney Shahar responded that there is a typo on page #6, the date should be 2016 instead of 2015 and 2017 instead of 2016. Councilmember Bond stated that he is in favor of green space. He is also concern with historical accuracy. He was impressed with the film and presentation. Councilmember Adrean offered a motion to **Approve on Substitute as Amended, 4 Yeas, 3 Abstentions (Moore, Watson and Martin)**. Councilmember Watson stated that he wants to see how this will help with the overflow of water. He wants to see how it will help the residents that will be pushed out. He is concerned with the symbols.

**Mr. Hans Utz:** Mayor's Office Deputy Chief Operating Officer stated that he will provide the information. Senior City Attorney Shahar responded that Mims Park will coordinate with Watershed. There will be a lake in the park. Councilmember Martin stated that he shares the same concerns as Councilmember Watson. One weakness with Council is that we don't have investigators. He wants factual information. Councilmember Hall stated that he supports this in theory. Councilmember Martin asked what are the boundaries? Councilmember Young stated that when the property flooded, we wanted to make the neighborhood whole again. The National Monument will hire a security company and landscape company from the neighborhood. He concluded stated that he has concerns with not wanting to accept a \$50 million dollars gift.

## **RESOLUTIONS**

12- R-0912 (1)

A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to appropriate additional funds for Agreement Number FC-5136 with Public Safety Systems, Inc. for Cad Support Services to reflect Pricing Modifications and additional Equipment Support for a term of two (2) years beginning July 1, 2012 through June 30, 2014, with two (2) one-year renewal options on behalf of the Atlanta Police Department, in an amount not to exceed fifty-nine thousand, nine hundred five dollars and no cents (\$59,905.00) for the first year, and an amount not to exceed forty-one thousand, eight hundred seventy-six dollars and thirty-one cents (\$41,876.31) for the second year, for a total amount not to exceed one hundred one thousand, seven hundred eighty-one dollars and thirty-one cents (\$101,781.31), to be charged to and paid from Fund Department Organization and Account Numbers 2151 (Emergency Telephone System) 240207 (APD-E911) 5213001 (Consulting/Professional Service Technical) 3800000 (E911) (\$90,686.85) and 5501 (Airport Revenue Fund) 180107 (Department of Aviation, Aviation Information Services) 5213001 (IT Consulting Professional Services) 7563000 (Airport) (\$11,094.46); and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA; Finance/Executive Committee Conditional Passage to provide an Amendment by Monday, 7/10/12)**

### **FAVORABLE ON SUBSTITUTE ON CONDITION**

Chairperson Moore stated that we have a Substitute that corrects the Account Numbers.

**Mr. Michael Dogan:** Chief of the Department of Information Technology stated that this is the pricing modification for Public Safety Systems, Inc. Councilmember Adrean stated that she has seen contracts like this year after year. We are stuck with this provider because they are a Sole Source. Can we have this discussion next year? She has not seen where we do an inflationary cost a head of time. Can we approve this year and have you come back next year? Mr. Dogan responded that we have an authorization already for a two-year agreement. Councilmember Adrean offered an amendment for the contract to not exceed \$59,905.00 to eliminate the inflationary cost for year two so that Law Department can review it. Chairperson Moore offered a conditional passage that Law will review and bring a Substitute on Monday.

**Ms. Mariangela Corales:** Senior City Attorney stated that we would change the terms. Chairperson Moore offered a motion to **Approve on Substitute on Condition, 4 Yeas.**

12-R-0913 (2) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Cooperative Purchasing Agreement COA-6044-PL pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-0315N with Cxtec for various terms of General Purpose Commercial Information Technology Equipment, Software, and Services for one (1) year on behalf of the Department of Information Technology in an amount not to exceed fifty thousand dollars and no cents (\$50,000.00) under a Blanket Purchase Order: all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers set forth below:

**HELD**

12-R-0914 (3) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Bioscrip Pharmacy, Inc. for an overpayment of business license fees in the amount of thirty five thousand nine hundred sixty four dollars and one cents (\$35,964.01); all funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 100501 (DOF Revenue & Collections) 5730012 (Account Refunds) 1515000 (Function Activity-Treasurer); and for other purposes.

**FAVORABLE**

Chairperson Moore offered a motion to **Approve, 6 Yeas.**

12-R-0915 (4) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Aecom Technical Services, Inc. for an overpayment of business license fees in the amount of sixty five thousand nine hundred dollars and ninety seven cents (\$65,900.97); all funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 10501 (DOF Revenue & Collections) 5730012 (Account Refunds) 151500 (Function Activity – Treasurer); and for other purposes.

**FAVORABLE**

Chairperson Moore offered a motion to **Approve, 6 Yeas.**

12-R-0916 (5) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to EXW, LLC for an overpayment of business license fees in the amount of ten thousand seven hundred thirty dollars and five cents

(\$10,730.05); all funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 100501 (DOF Revenue & Collections 5730012 (Account Refunds) 1515000 (Function Activity-Treasurer); and for other purposes.

**FAVORABLE**

Chairperson Moore offered a motion to **Approve, 6 Yeas.**

12-R-0917 (6) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Amendment Agreement No. 1 with Resurgens Risk Management/Willis for FC-4971, Insurance Agent Broker, on behalf of the Department of Finance, in an amount not to exceed three hundred sixty thousand dollars and no cents (\$360,000.00) over the length of the initial contract and minimum of one hundred fifty thousand dollars and no cents (\$150,000.00) and adjusted at a fixed rate of 0.0025 x total construction costs per year charged to the Department of Aviation; all contracted work shall be charged to and paid from the Fund, Department Organization and Account Numbers listed herein; and for other purposes. **(Finance/Executive Committee Substitute..., 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore stated that we have a Substitute.

**Mr. Jerry DeLoach:** Director of the Office of Risk Management stated that this is the Joint Venture for insurance. This is the third year agreement and it will expire in April. We will come back with a new RFP. In the future the vendor will pay for the insurance costs at the Airport. We are looking at about \$300,000.00 increase. Councilmember Martin offered a motion to **Approve on Substitute, 7 Yeas.**

12-R-0918 (7) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee, on behalf of the City of Atlanta, to enter into a Cooperative Purchase Agreement with the Public Group utilizing the State of Georgia's Contract Number 40300-222-0000000031D for FC-5566, Online Auctioneer Services for the City of Atlanta, pursuant to Section 2-1601 of the Procurement and Real Estate Code of the City of Atlanta, for the purpose of purchasing Online Auctioneer Services, for a term of three base years with an option to renew for an additional two year term at the sole discretion of the City; all revenues generated under this Contractual Agreement shall be deposited into Account Segment Numbers: 1101-110103-3921001-1517000 for GF; DWM 5052-000002-3921001; DOA 5502-000002-3921001; and for other purposes. **(Finance/Executive Committee Substitute ..., 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Dave Chapman:** Deputy Procurement Officer stated that this authorizes the revenue generating for our surplus properties. We do live auctions once a year. We were moved to do auctions online and are able to sell items throughout the year. This will avoid the cost of a live auction. We generated \$1, 158,163.00 from last year's auction. Councilmember Hall offered a motion to **Approve on Substitute, 7 Yeas.**

12-R-0919 (8) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor, or his Designee, to execute a Sole Source Agreement Number FC-6051 with Public Facilities & Services,

Inc., for the continued Maintenance and Repair Support of the Automatic Public Toilets installed in six (6) locations through the City for Fiscal Year 2013, on behalf of the Department of Public Works in an amount not to exceed two hundred four thousand nine hundred thirty seven dollars and fifty cents (\$204,937.50), to be charged to and paid from FDOA: 1001 (General Fund) 130302 (DPW Traffic Engineering) 522002 (Repair & Maintenance) 4270000 (Traffic Engineering); and for other purposes. **(Finance/Executive Committee Substitute..., 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

Mr. Lavelle stated that the City assumes the maintenance costs for the toilets. Councilmember Martin offered a motion to **Approve, 7 Yeas.**

12-R-0920 (9) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Somerset Technology Group, LLC d/b/a Winning Strategies ITS, LLC via Cooperative Purchase Agreement Number FC-6050, utilizing General Services Administration Contract No. GS-35F-0132X, on behalf of the Department of Watershed Management, to provide Active Directory Migration and Domain Consolidation Services in an amount not to exceed one hundred forty-eight thousand five hundred dollars and no cents (\$148,500.00); all work shall be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater Renewal & Extension Fund) 170113 (DWM - Information Systems) 5212001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA numbers, 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore stated that we have a Substitute that corrects the Account Numbers. Councilmember Martin offered a motion to **Approve on Substitute, 4 Yeas.**

**PAPERS HELD IN COMMITTEE**

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**

10-O-1733 (2) 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**

- 10-O-1739 (3) 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**

- 11-R-0771 (4) A Resolution by Councilmembers H. Lamar Willis, Keisha Lance Bottoms and Aaron Watson proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 5/11/11)**

**HELD**

- 11-O-0790 (5) An Ordinance by Councilmembers Felicia A. Moore and C. T. Martin to transfer \$16,000.00 from the District 9 Councilmember Non-Departmental Expense Account and \$12,000.00 from the District 10 Councilmember Non-Departmental Expense Account to the Department of Planning and Community Development to be used to fund the Nomination and Designation Activities per the City of Atlanta's Historic Preservation Ordinance for the Collier Heights Neighborhood's consideration as a locally designated Historic District; and for other purposes. **(Held 6/1/11 for consideration with 2012 Budget)**

**HELD**

- 11-R-0989 (6) A Resolution by Councilmembers Aaron Watson, Carla Smith, Clea Winslow, Ivory Lee Young, Jr., Keisha Lance-Bottoms and H. Lamar Willis requesting that the Departments of Law and Finance launch a study of the operational impact of a modification of the number of Judges in the Municipal Court of Atlanta; such operational impact study to be presented to the City Council by no later than August 31, 2011; and for other purposes. **(Held, 6/29/11)**

**HELD**

- 11-O-0990 (7) An Ordinance by Councilmember Ivory Lee Young, Jr. amending the Atlanta Code of Ordinances, Section 114-126 (a) by replacing language stating that employees "May" receive an Annual Performance-Based Salary Increase, with language stating that employees "Shall" receive an Annual Performance-Based Salary Increase; and for other purposes. **(Held, 6/29/11)**

**HELD**

- 11-R-1104 (8) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to award and execute an Agreement with Thanks Again, LLC, pursuant to Code Section 2-1191; Sole

Source Procurement, for the purpose of providing a Credit Card Based Customer Rewards Program for Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$135,000.00 for one year; all contracted work shall be charged to and paid from FDOA 5501 (Airport Revenue Fund) 180402 (Concessions) 523001 (Advertising) 7563000 (Airport) (\$45,000); and Marketing Fund 5501-000001-1233011-00000000 (\$90,000); and for other purposes. **(Favorable on Substitute, 7/27/11); (Referred back by Full Council, 8/15/11); (Held, 8/31/11)**

**HELD**

- 11-O-1358 (9) An Ordinance by Councilmember Kwanza Hall imposing a Limited and Temporary Moratorium upon the issuance of Business Licenses to New Pain Management Clinics within the City of Atlanta; and for other purposes. **(Held, 9/14/11)**

**HELD**

- 11-O-1473 (10) A **Substitute** Ordinance by Finance/Executive Committee to amend the Atlanta code of Ordinances by: adding a Subsection (10) to Section 2-190(b) to create a City of Atlanta Office of Film, Television, Music and Digital Media Development in the Office of the Mayor; and adding a new Section 2-200 that sets forth the functions and duties of the City of Atlanta Office of Film, Television, Music and Digital Media Development; and modifying Chapter 46, entitled Civic and Cultural Affairs, by adding a new Article IV entitled "Entertainment Filming Ordinance"; and establishing a process for use of City property, use of City intellectual property, film permitting, and the collection of fees from such use and permits, the allocation of a Fund or management by the City of Atlanta Office of Film, Television, Music and Digital Media Development, and the establishment of a Board of Advisors to advise the Mayor on the City of Atlanta Office of Film, Television, Music and Digital Media Development, on activities of the entertainment industry; and for other purposes. **(Held, 11/2/11)**

**HELD**

- 11-R-1677 (11) A Resolution by Councilmember Joyce M. Sheperd and Michael J. Bond to create a Task Force to convene on the establishment of a Commission to oversee the Film, Television, Music and Digital Entertainment Industry in the City of Atlanta; to Study the issues surrounding Film and TV Production and the use of public property within the City of Atlanta and to report it's findings and recommendations to the Mayor and Members of the Atlanta City Council within 120 days; and for other purposes. **(Held, 11/16/11)**

**HELD**

- 11-O-1763 (12) An Ordinance by Councilmembers Michael Julian Bond, Ivory Lee Young, Jr. and C.T. Martin to authorize the Chief Financial Officer to create a Trust Fund Account for Tax Revenue collected from Sunday Retail Beer, Wine and Liquor Sales amending the 2012 (General Fund) Budget by adding to anticipations and appropriations sales tax proceeds in the amount of \$250,000.00; to use said tax revenue for Atlanta

Police Department DUI Enforcement and for Enforcement of City of Atlanta Liquor Licenses; and for other purposes. **(Held, 11/30/11)**

**HELD**

11-O-1772 (13) An Ordinance and Charter Amendment by Councilmember Yolanda Adrean **as Substituted (2) by Finance/Executive Committee** 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 II (Legislative), Chapter 6 (City Internal Auditor), to amend Section 2-604(c) so as to define the roles and responsibilities of the Audit Committee in the Selection Process of the City's External Auditor; and for other purposes. **(1<sup>st</sup> Reading 11/21/11; 2<sup>nd</sup> Reading / 1<sup>st</sup> Adoption 2/6/12); (Favorable on 3<sup>rd</sup> Read, Final Adoption, 2/15/12); (Referred back by Full Council, 2/20/12); (Held, 2/29/12)**

**HELD**

11-O-1776 (14) An Ordinance by Councilmember Felicia A. Moore to amend the Procurement Code of the City of Atlanta, Georgia, by amending Sec. 2-1161, to add new language; and for other purposes. **(Held on Substitute, 11/30/11)**

**HELD**

11-R-1841 (15) A Resolution by Councilmembers Felicia A. Moore, Natalyn Archibong, H. Lamar Willis, Aaron Watson, Michael Julian Bond, Ivory Lee Young, Jr., Yolanda Adrean and Kwanza Hall expressing the Atlanta City Council desire to intent to act upon Section 2-396 of the City of Atlanta Code of Ordinances so as to employ directly or to contract the Services of Outside Legal Counsel to assist City Council in providing legislative oversight to the operations of the City; and for other purposes. **(Held, 12/14/11)**

**HELD**

12-O-0284 (16) An Ordinance by Councilmember Cleta Winslow to transfer \$80,232.00 (eighty thousand two hundred thirty two dollars) from the Fire Impact Fee Fund Account to a specific Project Center Designated Account in the Department of Fire and Rescue for the purpose of providing needed funding for the assessment, reassessment and renovation of Fire Station #7; to waive conflicting Ordinances; and for other purposes. **(Held, 2/29/12)**

**HELD**

12-O-0397 (17) An Ordinance by Finance/Executive Committee to amend Chapter 78, Article III, Section 78.57(A)(1)(B), of the Code of Ordinances of the City of Atlanta, to correct the fee for operational permits for storage of liquid propane gas/liquid natural gas and for the storage of other flammable and combustible liquids to establish a minimum permit fee of \$75.00 and a maximum permit fee of \$750.00; and for other purposes. **(Held, 5/2/12)**

**HELD**

- 12-O-0400 (18) An Ordinance by Finance/Executive Committee to authorize the Chief Financial Officer to establish a new Fund (Fund 2508), under the Finance Department's Office of Grants Services by amending the FY 2012 (Intergovernmental Grant Fund) Budget for the purpose of funding the Grants Compliance Division; and for other purposes. **(Held, 5/2/12)**

**FILE**

Chairperson Moore offered a motion to **File, 7 Yeas.**

- 12-O-0402 (19) An Ordinance by Finance/Executive Committee to amend Ordinance 11-O-1290 to empower the Commissioner of Planning and Community Development to authorize overtime and incentive pay to Departmental Personnel for hours assigned to be worked in excess of the regular work week to provide additional plan review services as set forth in Section 104 (1) of Appendix "A" to Volume III of the Code of Ordinances of the City of Atlanta which contains the Building Code Amendments. **(Held, 5/2/12)**

**HELD**

- 12-O-0569 (20) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to invite Competitive Sealed Bids from interested parties for the purchase from the City of Atlanta of approximately 30.7 acres of land in Land Lot 27 of District 14 of Fulton County; and for other purposes. **(Held, 5/2/12)**

**HELD**

- 12-R-0579 (21) A **Substitute** Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund customers for overpayments to Water and Sewer Accounts in the amount of four hundred fifty-seven thousand, nine hundred forty-eight dollars and thirty-six cents (\$457,948.36); all funds to be charged to and paid from Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 000001 (Balance Sheet Default) 1226009 (Refunds Payable); and for other purposes. **(Held, 5/2/12); (Finance/Executive Committee Substitute corrects FDOA, 7/10/12)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore offered a motion to **Approve on Substitute, 7 Yeas.**

- 12-C-0786 (22) A Communication by City Auditor Leslie E. Ward submitting the Performance Audit report regarding Tax Allocation Districts. **(Referred to Finance/Executive and Community Development and Human Resources Committees by City Council, 6-4-2012); (Held, 6/13/12)**

**HELD**

- 12-R-0821 (23) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with CDW Government, LLC, via cooperative Purchase Agreement Number COA-5950-PL, Utilizing General Services Administration Contract No. GS-35F-0119Y, on behalf of the Department of Watershed Management, for the purchase of ADOBE Connect Hosted in an amount not exceed ninety-seven thousand, five hundred sixty-one dollars and no cents (\$97,561.00); all contracted work will be charged to and

paid from Fund Department Organization and account number 5052 (Water & Wastewater Renewal & Extension Fund) 170113 (DWM – Information Systems) 5212001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes. **(Held, 6/13/12)**

**HELD**

12-R-0822 (24)

A Resolution by Finance/Executive Committee authorizing the reemployment of Pati McMahon as a Watershed Management Director Senior for the City of Atlanta Department of Watershed Management, Pursuant to Section 3-505(C) of the Charter of the City of Atlanta, Georgia; and for other purposes. **(Held on Substitute, 6/13/12)**

**HELD**

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 4:05 p.m.

Respectfully submitted,

Jim Beard, CFO  
Secretary

Charlene Parker  
Recording Secretary

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