

**FINANCE/EXECUTIVE COMMITTEE
BRIEFING NOTES
JULY 11, 2012
Council Conference Room
10:30AM**

The Following Committee Members were Present

**The Honorable Felicia A. Moore, Chair
The Honorable Yolanda Adrean, Vice Chair**

OTHERS IN ATTENDANCE WERE:

**Jim Beard, Michael Dogan, Richard Mendoza, Yvonne Cowser-Yancy, James Shelby,
George Dusenbury**

AMENDMENTS TO THE AGENDA

None brought forward at the time of the briefing

AMENDMENTS TO THE MINUTES FOR JUNE 27, 2012 MEETING

None brought forward at the time of the briefing

DISCUSSION/PRESENTATION

5 Year Plan

Jim Beard, CFO, asked that this discussion be held for one (1) additional cycle.

CONSENT REPORT

D. ORDINANCES FOR FIRST READING

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 17th 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.

NO DISCUSSION

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 17th 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.

NO DISCUSSION

E. ORDINANCES FOR SECOND READING

12-O-0878 (1) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2013 Budget by adding to Anticipations and Appropriations funds in the amount of \$1,132,000.00, for funding of the Atlanta Streetcar Transit Enhancements Project through a Livable Centers Initiative Grant; and for other purposes.

Jim Beard, CFO, asked that this legislation be held for one (1) additional cycle.

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 rate of \$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 the FDOA Numbers listed and fifty percent (50%) of all rental revenue deposited into the established Trust Fund Account for each neighborhood center; and for other purposes.

Ms. Moore asked ? to provide a list of who the vendors are leasing the spaces, what is the monthly lease amount, what is the annual lease agreement amount, are all vendors current on their leases, how long has each vendor been a tenant, what is the scope of service for each vendor and what is the justification for the service each vendor is providing All Exhibits need to be attached before the meeting.

12-O-0960 (3) An Ordinance by Councilmembers Ivory Young, Jr., Alex Wan, Michael J. Bond, Kwanza Hall, C. T. Martin, Cleta Winslow, H. Lamar Willis, Yolanda Adrean, Felicia A. Moore, Natalyn Archibong and Carla Smith authorizing the Mayor, pursuant to Atlanta Code of Ordinances, Chapter 2, Article X, Division 14, Subdivision II, Section 2-1544, to execute appropriate documents accepting 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 (16) 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 \$488,386.10; and directing that all fees and costs be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

Commissioner Dusenbury and Shelby said the money to remove the outstanding encumbrances owed to HUD will come from the Park Improvement Fund.

A substitute is need to clarify the FDOA Numbers in section 3.

12-O-0961 (4)

An Ordinance by Councilmembers Ivory Young, Jr., Alex Wan, Michael J. Bond, Kwanza Hall, C. T. Martin, Clela Winslow, H. Lamar Willis, Yolanda Adrean, Felicia A. Moore, Natalyn Archibong and Carla Smith 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 (16) 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.

Ms. Moore asked Robin Shahar for the Term Sheet and Lease Agreement by 12 noon 7/10/12.

John Levelle stated that any money generated would go back to the park Zoning legislation is coming soon

A Public meeting is scheduled for 7/9/12 at 5:00pm

National Monument Foundation will buy and lease to the City

F. RESOLUTIONS

12-R-0912 (1)

A 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 \$59,905.00 for the first year, and an amount not to exceed \$41,876.31 for the second year, for a total amount not to exceed \$101,781.31, to be charged to and paid from the FDOA Numbers listed; and for other purposes.

Substitute is needed to correct renewal amounts

It's a sole source because no one else produces this product (Auto Vehicle Locators)

Ms. Moore asked what is the CPI Index?

Mr. Dogan was asked to compare this vendor increase against the CPI Index.

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 items 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 \$50,000.00 under a Blanket Purchase Order; all

contracted work shall be charged to and paid from the FDOA Numbers listed.

HOLD

Per Michael Dogan

- 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 \$35,964.01; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.

NO DISCUSSION

- 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 \$65,900.97; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.

NO DISCUSSION

- 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 \$10,730.05; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.

NO DISCUSSION

- 12-R-0917 (6) A 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 \$360,000.00 over the length of the initial contract and minimum of \$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 FDOA Numbers listed; and for other purposes.

Substitute needed to add additional account numbers

This vendor will be re-evaluated in October or November 2012

- 12-R-0918 (7) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into a Cooperative Purchasing 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 the FDOA Numbers listed; and for other purposes.

Need to add Watershed/Solid Waste Fund Account detail to the substitute submitted for this meeting.

- 12-R-0919 (8) A 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 throughout the City for fiscal year 2013, on behalf of the Department of Public Works in an amount not to exceed \$204,937.50; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

Inspections are done to ensure regular maintenance

- 12-R-0920 (9) A 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 \$148,500.00; all work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

Ms. Moore asked how will the cost be allocated

What model will be used

DIT not equipped with the staff or the knowledge to make these changes

G. 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 employment of the City; and for other purposes. **(Held 4/28/10 for further review and additional information)**
- 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)**
- 10-O-1739 (3) An Ordinance and Charter Amendment by Councilmember Natalyn Mosby Archibong **as substituted and amended 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 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) so as to provide that any commissioner remaining

from a previous administration will be deemed acting until he/she is re-nominated and re-confirmed; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. (**Charter Amendment/3rd Reading/Final Adoption**) (**Substituted as amended and held 10/13/10 for additional information.**)

- 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 for additional information.**)
- 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.**)
- 11-R-0989 (6) A Resolution by Councilmembers Aaron Watson, Carla Smith, Cleta Winslow, Ivory Lee Young, Jr., Keisha Lance Bottoms and H. Lamar Willis **as amended by Finance/Executive Committee** requesting that the City of Atlanta Audit Committee procure a Performance Audit of the Municipal Court, its Operations, and number of Judges needed to effectively dispense justice; such audit to be presented to the City Council by no later than October 1, 2011; and for other purposes. (**Amended and held 6/29/11 for further discussion.**)
- 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 for substitute language and possible study.**)
- 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 (1) year; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes. (**Referred back by Full Council 8/15/11**) (**Held 8/31/11 at the request of the Department of Aviation for further review.**)

(6/27/12) This was held to see if anyone else could do the work. It was determined that there were no other companies.

This is a rewards based program for customers at the airport to receive frequent flyer miles for making purchases at the airport.

- 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 for further review.)**
- 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, filming permitting, and the collection of fees from such use and permits, 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 for further review)**
- 11-R-1677 (11) A Resolution by Councilmembers 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 its findings and recommendations to the Mayor and members of the Atlanta City Council within 120 days; and for other purposes. **(Held 11/16/11 at the request of the author for additional consideration.)**
- 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 for further discussion.)**
- 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. **(1st Reading 11/21/11; 2nd Reading/1st Adoption 2/6/12; 3rd Reading/2nd Adoption 2/20/12.) (Held 2/29/12 at the request of the author for 1 cycle for further review.)**
- 11-O-1776 (14) An Ordinance by Councilmember Felicia A. Moore **as substituted by Finance/Executive Committee** to amend Article X, Division 3, Sec. 2-

1161, to add new provisions; and for other purposes. **(Substituted and held 11/30/11 for further review and discussion)**

11-R-1841 (15) A Resolution by Councilmembers Felicia A. Moore, H. Lamar Willis, Natalyn M. Archibong, Aaron Watson, Michael J. Bond, Ivory Lee Young, Jr., Yolanda Adrean and Kwanza Hall expressing the Atlanta City Council desire and 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 for further discussion.)**

12-O-0284 (16) An Ordinance by Councilmember Clela Winslow to transfer \$80,232.00 from the Fire Impact Fee Fund Account to a Specific Project Center Designated Account in the Department of Fire and Rescue for the purposes 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 at the request of the Department of Fire and Rescue for further review)**

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 at the request of the Department for further review.)**

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 at the request of the Department for further review.)**

FILE

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 at the request of the Department for further review.)**

This legislation will be quarterly incentive pay for exempt employees

Ms. Moore asked if it conflicts with FLSA

Ms. Moore asked the department to look at using comp time and to pay a portion of the comp time once it reaches a certain amount

A substitute is needed

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 5/16/12 at the request of the Department for further discussion.)**

A substitute is needed and should include a spread sheet

12-R-0579 (21) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to refund customers for overpayments Water and Sewer Accounts in the amount of \$457,948.36; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes. **(Held 5/2/12 for additional information.)**

(6/27/12) Ms. Adrean asked if this legislation was discussed in City Utilities Committee. Mr. Utz replied ‘no’

A spread sheet is needed

12-C-0786 (22) A Communication by Leslie Ward, City Auditor, submitting the Performance Audit Report regarding Tax Allocation Districts. **(Held 6/13/12 for a Joint Work Session with Community Development/Human Resources Committee 7/9/12 at 3:00pm.)**

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 to exceed \$97,561.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes. **(Held 6/13/12 for further discussion.)**

12-R-0822 (24) A **Substitute** 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; and for other purposes. **(Substituted and held 6/13/12 for further discussion.)**

OTHER REQUESTS

None

ANNOUNCEMENTS AND COMMENTS

None