

12-0-0153

(Do Not Write Above This Line)

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AMENDING THE 2011 TREE TRUST FUND BUDGET AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN AGREEMENT PURSUANT TO CITY OF ATLANTA CODE OF ORDINANCES ARTICLE X, SECTION 2-4191.1, SPECIAL PROCUREMENT WITH TREES ATLANTA, INC, FOR THE PLANTING AND MAINTENANCE OF TREES IN THE CITY OF ATLANTA IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY SEVEN THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO CENTS (\$297,810.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBER: 7701 (TRUST FUND) 140201(PRC PARKS ADMIN, 5212001 (CONSULTANT PROF) 6210000 (PARK ADMIN) 600013 (TREE REMOVAL PROTECTION) 69999 (NON CAPITAL); AND FOR OTHER PURPOSES.

ADOPTED BY

FEB 2 0 2012

COUNCIL

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

Date Referred

2/8/12

Referred To:

Fin/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Finance/Executive
Date 2-8-12
Chair James G. Johnson
Referred To Finance/Executive

Committee Finance/Executive
Date 2/8/12
Chair James G. Johnson
Action Refer
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

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

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

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED
FEB 2 0 2012
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
FEB 2 0 2012
MAYOR'S ACTION

Richard D. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 2 9 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



**CITY COUNCIL
ATLANTA, GEORGIA**

12-0-0153

**AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AMENDING THE 2011 TREE TRUST FUND BUDGET AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN AGREEMENT PURSUANT TO CITY OF ATLANTA CODE OF ORDINANCES ARTICLE X, SECTION 2-1191.1, SPECIAL PROCUREMENT WITH TREES ATLANTA, INC., FOR THE PLANTING AND MAINTENANCE OF TREES IN THE CITY OF ATLANTA IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY SEVEN THOUSAND EIGHT HUNDRED TEN DOLLARS AND NO CENTS (\$297,810.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT NUMBER: 7701 (TRUST FUND) 140201(PRC PARKS ADMIN) 5212001 (CONSULTANT PROF) 6210000 (PARK ADMIN) 600013 (TREE REMOVAL PROTECTION) 69999 (NON CAPITAL); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") Tree Conservation Commission was established by the City's Tree Protection Ordinance (Atlanta Code of Ordinances section 158-26, et seq., and specifically section 158-61), and was tasked with establishing a Tree Trust Fund to be utilized for the protection, planting, maintenance, and regeneration of City trees and other forest resources, and for related educational programs and materials (Atlanta Code of Ordinances section 158-66); and

WHEREAS, Trees Atlanta, Inc. ("Trees Atlanta") is a non-governmental, non-profit organization whose sole purpose is committed to the care and replenishment of urban forestry, and planting trees in the City's right of way, and there is no other organization with this mission or performing this work; and

WHEREAS, for the last twenty-three years Trees Atlanta is the only organization utilizing neighborhood volunteers to plant trees, thereby dramatically reducing the cost of its services while improving neighborhood involvement and sense of ownership in City projects; and

WHEREAS, Trees Atlanta has proposed a series of tree planting campaigns in the City. The NeighborWoods Project contemplates Trees Atlanta planting two trees in City neighborhoods, - one tree would be funded by Trees Atlanta and one tree would be funded by the City. The Urban Tree Program is a large tree program, whereby Trees Atlanta intends to match the City's trees one-for-one for a total of 200 trees planted per year for three years. The Community Education and Outreach Program is an educational project focused on teaching citizens about the importance of trees in the City (these projects collectively referred to as the "Project"); and

WHEREAS, the Chief Procurement Officer has determined that Trees Atlanta is a Special Procurement as defined in the City of Atlanta Code of ordinances Section 2-1191.1; and



WHEREAS, the City desires enter into an agreement with Trees Atlanta for the Project in an amount not to exceed Two Hundred Ninety Seven Thousand Eight Hundred Ten Dollars and No Cents (\$297,810.00); and

WHEREAS, the planting and maintenance of trees will greatly reduce soil erosion, runoffs, and flooding, will improve the air quality, will provide a shaded and cool atmosphere for walking and other outdoor activities, will prompt an appreciation of property values, and will enhance the beauty of the City, thereby making the City more livable and attracting tourists and investors; and;

WHEREAS, the Department of Parks, Recreation and Cultural Affairs desires to amend the 2011 Tree Trust Fund Budget as stated below in order to fund the Project.

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

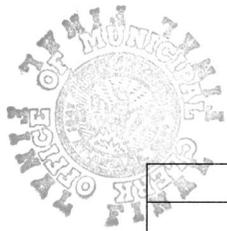
SECTION 1: The Mayor is authorized to enter into a Special Procurement Agreement with trees Atlanta for the Project in amount not to exceed Two Hundred Ninety Seven Thousand Eight Hundred Ten Dollars and No Cents (\$297,810.00) to be paid from the Tree Trust Recompense Fund (the “Agreement”).

SECTION 2: The Agreement shall require Trees Atlanta to implement the “NeighborWoods” project, the “Urban Trees” project, and the “Community Education and Outreach” program, for a total cost not to exceed Two Hundred Ninety Seven Thousand Eight Hundred Ten Dollars and No Cents (\$297,810.00). The Agreement shall require that Trees Atlanta not plant any trees pursuant to the NeighborWoods or Urban Street Trees projects until it has received approval regarding the species and location of each tree from the Commissioner of the Department of Parks, Recreation and Cultural Affairs, or his designee.

SECTION 3: The City Attorney, or her designee, is hereby directed to prepare the appropriate Agreement for execution by the Mayor.

SECTION 4: The Agreement shall not become binding upon the City, and the City shall incur no liability upon the same until the Agreement has been, approved by the City Attorney, or her designee, as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Trees Atlanta.

SECTION 5: The 2011 Tree Trust Fund Budget, Department of Parks, Recreation and Cultural Affairs is hereby amended as follows:



TRANSFER FROM APPROPRIATIONS						
PTAEO			GENERAL LEDGER			
PROJECT NUMBER	N/A	N/A		<i>FUND</i>	7701	<i>TRUST FUND</i>
TASK NUMBER	N/A	N/A		<i>GL DEPT</i>	250101	<i>PRC COMMISSIONER</i>
AWARD NUMBER	N/A	N/A		<i>ACCT</i>	5239004	<i>SERVICE GRANTS</i>
EXPENSE ACCOUNT	N/A	N/A		<i>FUNCTION/ACTIVITY</i>	1320000	<i>CHIEF EXECUTIVE</i>
OWNING ORG	N/A	N/A		<i>GL PROJECT</i>	600013	<i>TREE REMOVAL PROTECTION</i>
				<i>GL FUNDING SOURCE</i>	69999	<i>NON CAPITAL</i>

ADD TO ANTICIPATIONS						
PTAEO			GENERAL LEDGER			
PROJECT NUMBER	N/A	N/A		<i>FUND</i>	7701	<i>TRUST FUND</i>
TASK NUMBER	N/A	N/A		<i>GL DEPT</i>	140201	<i>PRC PARKS ADMIN.</i>
AWARD NUMBER	N/A	N/A		<i>REVENUE ACCT</i>	3710001	<i>CONTRIBUTIONS</i>
EXPENSE ACCOUNT	N/A	N/A		<i>FUNCTION/ACTIVITY</i>	6210000	<i>PARK ADMIN.</i>
OWNING ORG	N/A	N/A		<i>GL PROJECT</i>	600013	<i>TREE REMOVAL PROTECTION</i>
				<i>GL FUNDING SOURCE</i>	69999	<i>NON CAPITAL</i>

ADD TO APPROPRIATIONS						
PTAEO			GENERAL LEDGER			
PROJECT NUMBER	N/A	N/A		<i>FUND</i>	7701	<i>TRUST FUND</i>
TASK NUMBER	N/A	N/A		<i>GL DEPT</i>	140201	<i>PRC PARKS ADMIN.</i>
AWARD NUMBER	N/A	N/A		<i>ACCT</i>	5212001	<i>CONSULTANT PROF. SERVICES</i>
EXPENSE ACCOUNT	N/A	N/A		<i>FUNCTION/ACTIVITY</i>	6210000	<i>PARK ADMIN.</i>
OWNING ORG	N/A	N/A		<i>GL PROJECT</i>	600013	<i>TREE REMOVAL PROTECTION</i>
				<i>GL FUNDING SOURCE</i>	69999	<i>NON CAPITAL</i>



SECTION 6: For purposes of this Agreement, the City hereby grants Trees Atlanta the Special Procurement Designation under the City of Atlanta Procurement and Real Estate Code, Atlanta Code of Ordinances, Chapter 2, Article X. This designation authorizes the Mayor to enter into this Agreement without having undergone a competitive procurement process. The basis of this decision is that: 1) Trees Atlanta is a non-profit organization that has been committed to the care and replenishment of urban forestry, and planting trees in the City's rights of way for twenty-six years; 2) There is no other organization with this mission; and 3) Trees Atlanta is the only organization that utilizes neighborhood volunteers to plant trees, thereby dramatically reducing the cost of its services while improving neighborhood involvement and sense of ownership in City projects.

SECTION 7: 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,

Deputy Clerk

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

FEB 20, 2012
FEB 29, 2012

RCS# 1751
2/20/12
2:22 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
MONDAY, FEBRUARY 20, 2012
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 2

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	02-20-12 ITEMS ADVERSED ON CONSENT
1. 12-O-0112 2. 12-O-0103 3. 12-O-0104 4. 12-O-0105 5. 12-O-0093 6. 12-O-0094 7. 12-O-0098 8. 12-O-0100 9. 12-O-0101 10. 12-O-0102 11. 12-O-0153 12. 12-O-0204 13. 12-O-0205 14. 12-O-0207 15. 12-O-0215 16. 12-R-0155 17. 12-R-0203 18. 12-R-0187 19. 12-R-0201 20. 12-R-0202 21. 12-R-0195 22. 12-R-0197 23. 11-R-0198 24. 12-R-0199 25. 12-R-0213 26. 12-R-0214 27. 12-R-0220 28. 12-R-0191 29. 12-R-0193 30. 12-R-0161 31. 12-R-0162 32. 12-R-0163 33. 12-R-0164 34. 12-R-0165 35. 12-R-0166	36. 12-R-0167 37. 12-R-0168 38. 12-R-0169 39. 12-R-0170 40. 12-R-0171 41. 12-R-0172 42. 12-R-0173 43. 12-R-0174 44. 12-R-0175	45. 12-R-0176 46. 12-R-0177 47. 12-R-0178 48. 12-R-0179 49. 12-R-0180 50. 12-R-0181 51. 12-R-0182 52. 12-R-0183 53. 12-R-0184 54. 12-R-0185 55. 12-R-0186