

(Do Not Write Above This-16) 1

AN ORDINANCE

BY COUNCILMEMBER IVORY LEE YOUNG JR.

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS AND REAL ESTATE ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO NEGOTIATE FOR, PURCHASE AND DEVELOP APPROXIMATELY 0.17 ACRES OF PROPERTY LOCATED AT 145 GRAVES STREET FROM THE CONSERVATION FUND OR CURRENT LAND OWNER FOR THE PURPOSE OF EXPANDING THE EXISTING VINE CITY PARK; AND AUTHORIZING PAYMENT TO PARK PRIDE FOR COSTS ASSOCIATED WITH DEVELOPMENT OF THE PARK WHERE THE PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, PURCHASE SERVICES, DEMOLITION AND DEVELOPMENT COSTS SHALL NOT EXCEED SEVEN HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED DOLLARS AND NO FEES AND COSTS BE CHARGED TO AND PAID FROM THE ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES

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

Date Referred 11/5/12

Referred To: Fin/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Fin/Exec

11-14-12

Chair

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

Members

Refer To

Committee

Date

Chair

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

Members

Refer To

Committee

Date

Chair

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

Members

ADOPTED BY

NOV 19 2012

COUNCIL

Refer To

FINAL COUNCIL ACTION

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

CERTIFIED

CERTIFIED
NOV 19 2012

ATLANTA CITY COUNCIL, PRESIDENT

CERTIFIED
NOV 19 2012

Ronald D. Campbell
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 28 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



AN ORDINANCE BY
COUNCIL MEMBER IVORY LEE YOUNG

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 AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO NEGOTIATE FOR, PURCHASE AND DEVELOP APPROXIMATELY 0.17 ACRES OF PROPERTY LOCATED AT 145 GRAVES STREET FROM THE CONSERVATION FUND OR CURRENT LAND OWNER FOR THE PURPOSE OF EXPANDING THE EXISTING VINE CITY PARK; AND AUTHORIZING PAYMENT TO PARK PRIDE FOR COSTS ASSOCIATED WITH DEVELOPMENT OF THE PARK WHERE THE PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, PURCHASE SERVICES, DEMOLITION AND DEVELOPMENT COSTS SHALL NOT EXCEED SEVEN HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$738,500.00); AND DIRECTING THAT ALL FEES AND COSTS BE CHARGED TO AND PAID FROM THE ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES

WHEREAS, The Conservation Fund (“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, TCF is negotiating or has contracted for approximately 0.17 acres of property, located at 145 Graves Street, Atlanta, Georgia, Parcel Identification Number 14-0083-0004-089-0 (the “Property”) for the purpose of expanding the existing Vine City Park (the “Park”) as more particularly described on Exhibit A attached hereto; and

WHEREAS, TCF has agreed to sell the Property or assign the contract for the Property to the City of Atlanta (“City”) subject to the appropriate approval processes for a purchase price not to exceed twenty percent (20%) above the fair market value; and

WHEREAS, The Arthur M. Blank Family Foundation (the “Foundation”) has donated Four Hundred Thirty Eight Thousand Five Hundred Dollars and No Cents (\$438,500.00) for this acquisition in support of the development and expansion of the Park; and

WHEREAS, Park Pride Atlanta, Inc., (“Park Pride”) is a 501(c)(3) non-profit organization dedicated to providing support, administration, planning, design and construction services for the City parks and the Department of Parks, Recreation and Cultural Affairs (“DPRCA”); and



WHEREAS, the City has an existing Memorandum of Understanding (“MOU”) with Park Pride authorized pursuant to Resolution 11-R-1471, which was adopted by the City Council on October 17, 2011 and approved per Section 2-403 of the City Charter on October 26, 2011 for the development of City parks; and

WHEREAS, Park Pride prepared the original park design, has conducted all the development in the Park and desires to develop the Property once purchased to expand the Park; and

WHEREAS, the purchase price, closing costs, due diligence and development costs of the Property for the purpose of expanding the Park shall be paid from the donation made by the Foundation in an amount not to exceed Four Hundred Thirty Eight Thousand Five Hundred Dollars and No Cents (\$438,500.00) and from Park Improvement Funds in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and

WHEREAS, purchasing and developing 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 TCF or current landowner to purchase the real property located at 145 Graves Street, Atlanta, Georgia, Parcel Identification Number 14-0083-0004-089-0 at a purchase price not to exceed twenty percent (20%) above 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, site development, signage, fencing, closing costs and other costs of acquisition.

SECTION 3: The Chief Financial Officer or his designee is hereby authorized to pay Park Pride for services or costs associated with development of the Property and the Park for the purpose of expanding and enhancing the Park.

SECTION 4: The City’s purchase price, due diligence fees, purchase services, demolition and development costs shall be paid from and charged to General Ledger: 2501(Intergovernmental grant) 140106(PRC Parks Design) 5999999(PNG Budget Summary) 6220000(Park Areas) 102855(Vine City Park) 10898(Arthur M. Blank 2006SJAO) PTAEO: 250110898 Award (Arthur M. Blank 2006SJAO) 101 Task (N12D0145SJA0) 14102855 Project (D11F7 Vine City Park) 5412001 Account (Land



Improvements) COA in an amount not to exceed Four Hundred Thirty Eight Thousand Five Hundred Dollars and No Cents (\$438,500.00).

SECTION 5: All additional costs of development of the Park shall be paid from and charged to Park Improvement Funds account numbers 3501 Park Improvement Fund 140106 PRC Park Design, 5222003 Repair and Maintenance Other, 6220000 Park Design in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00.)

SECTION 6: Upon acquisition, DPRCA’s, 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 7: 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 8: The requirements of the Atlanta Code of Ordinances Section 2-1541 (d), of the Procurement and Real Estate Code, are hereby waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

SECTION 9: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Department of Law deems necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 10: 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 11: 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 12: 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.

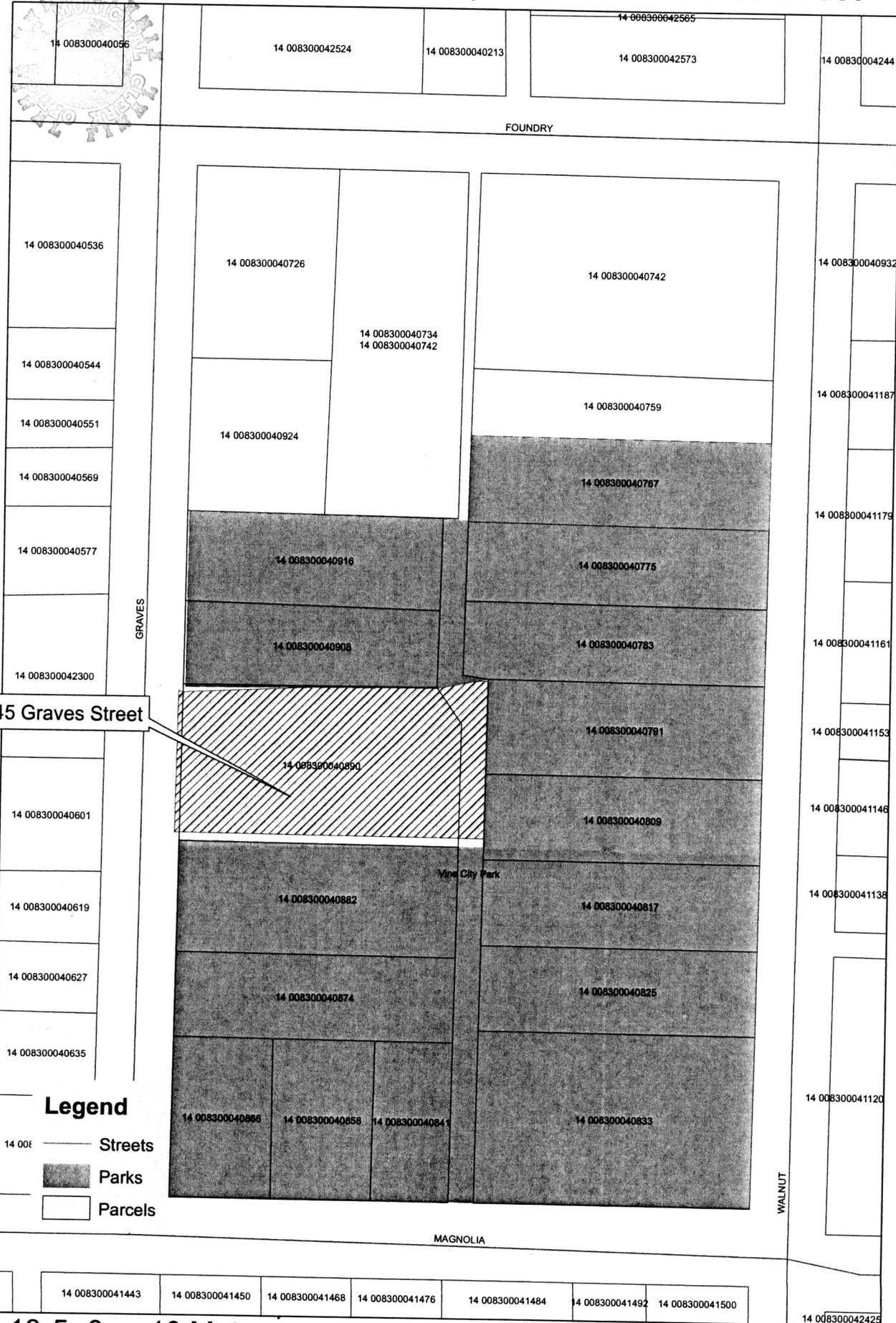
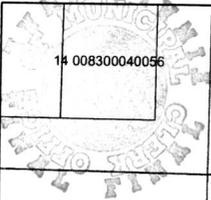
A true copy,

Deputy Municipal Clerk

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

November 19, 2012
November 28, 2012

Exhibit A Vine City Park Expansion 145 Graves Street



10 5 0 10 Meters



Park Design 10/24/12

RCS# 2400
11/19/12
2:23 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
EXCEPT 12-O-1416
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT I

		11-19-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 12-O-1404	35. 12-R-1558	69. 12-R-1581
2. 12-O-1504	36. 12-R-1559	70. 12-R-1582
3. 12-O-1505	37. 12-R-1560	71. 12-R-1583
4. 12-O-1506	38. 12-R-1561	72. 12-R-1584
5. 12-O-1507	39. 12-R-1562	73. 12-R-1585
6. 12-O-1598	40. 12-R-1563	ITEMS ADVERSED ON CONSENT
7. 12-O-1515	41. 12-R-1564	74. 12-R-1586
8. 12-O-1516	42. 12-R-1596	75. 12-R-1587
9. 12-O-1525	43. 12-R-1617	76. 12-R-1588
10. 12-O-1526	44. 12-R-1625	77. 12-R-1589
11. 12-O-1609	45. 12-R-1626	78. 12-R-1590
12. 12-O-1611	46. 12-R-1538	79. 12-R-1592
13. 12-O-1495	47. 12-R-1540	80. 12-R-1593
14. 12-O-1497	48. 12-R-1541	
15. 12-O-1498	49. 12-R-1601	
16. 12-O-1608	50. 12-R-1602	
17. 12-O-1508	51. 12-R-1616	
18. 12-O-1509	52. 12-R-1511	
19. 12-O-1523	53. 12-R-1542	
20. 12-R-1566	54. 12-R-1543	
21. 12-R-1567	55. 12-R-1544	
22. 12-R-1568	56. 12-R-1612	
23. 12-R-1547	57. 12-R-1624	
24. 12-R-1548	58. 12-R-1570	
25. 12-R-1549	59. 12-R-1571	
26. 12-R-1619	60. 12-R-1572	
27. 12-R-1096	61. 12-R-1573	
28. 12-R-1347	62. 12-R-1574	
29. 12-R-1355	63. 12-R-1575	
30. 12-R-1531	64. 12-R-1576	
31. 12-R-1554	65. 12-R-1577	
32. 12-R-1555	66. 12-R-1578	
33. 12-R-1556	67. 12-R-1579	
34. 12-R-1557	68. 12-R-1580	