

FINANCE/EXECUTIVE BRIEFING

NOTES

JANUARY 28, 2013

10:30 A.M.

The regularly scheduled briefing of the Finance/Executive Committee was held on Monday, January 28, 2013 at 10:30 a.m. in Committee Room. One. The meeting ended at 10:45 a.m.

The following Councilmembers were present:

**The Honorable Felicia A. Moore, Chair
The Honorable C. T. Martin**

Others present at the briefing were: Commissioner George A. Dusenbury, Department of Parks, Recreation and Cultural Affairs; Deputy Commissioners Mike Geisler and Frank Stephens, Meisha Land-Woods Department of Watershed Management; Commissioner Richard Mendoza, Deputy Commissioner Dexter White, Department of Public Works; Michael Dogan, Chief Information Officer; Deputy City Attorney Peter Andrews, Mariangela Corales, Law Department; Deputy Commissioner David Chapman, Keith Brooks, Department of Procurement; Deputy Chief Financial Officer Gwendolyn Smith, Budget Chief Carole King, Finance Department; Deputy Chief Shields, Tracy Woodard, Atlanta Police Department; Deputy Chief of Staff Katrina Taylor Parks and Deputy Chief Operating Officer Hans Utz, Office of the Mayor; Megan Middleton, Office of Intergovernmental Affairs and Council Staff.

C. COMMUNICATION

- 13-C-0115 (1) A Communication by City Auditor Leslie Ward submitting an Audit Report regarding Department Gift Card Purchases. **Councilmember Moore stated that Ms. Ward gave a presentation of the report at the last Finance/Executive Committee meeting. Ms. Moore further stated that unless there were additional questions from the committee, the recommendation would be to File.**

CONSENT

D. ORDINANCES FOR FIRST READING

- 13-O-0132 (1) An Ordinance by Finance/Executive Committee to authorize the Mayor or his designee to accept Pro Bono Professional Consulting Services from A. T. Kearney, Inc.; and for other purposes.
NO DISCUSSION

REGULAR

E. ORDINANCES FOR SECOND READING

- 13-O-0028 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta to waive the requirements of the City Code Section 2-1541(d) of the Procurement and Real Estate Code, to accept the dedication from Atlanta BeltLine, Inc. of approximately 7.45 acres located in Historic Fourth Ward Park in three parcels on North Angier Avenue and Ralph McGill Boulevard more particularly described in Exhibit "A" attached hereto ("The Properties"); and for other purposes.
Commissioner George A. Dusenbury stated that the Atlanta BeltLine Inc. had developed three (3) parcels of land as part of the Old Fourth Ward Park. He stated that this legislation enables the City to accept the dedication of these parcels as park land from the Atlanta BeltLine Inc.
- 13-O-0029 (2) An Ordinance by Finance/Executive Committee amending the 2013 (Trust Fund) Budget, to reimburse the Atlanta Police Department ("Police Department") for costs associated with the Red Light Traffic Camera Program, by transferring between accounts the sum of \$57,826.62; and for other purposes.
Commissioner Richard Mendoza stated that this is an Annual reimbursement to the Atlanta Police Department for services provided, related to the Red Light Traffic Camera Program. Commissioner Mendoza asked that Ordinance 12-O-1674 be brought forward on Wednesday. He informed Ms. Moore that he had discussed the legislation with the other Councilmembers.

E. ORDINANCES FOR SECOND READING (CONT'D)

- 13-O-0030 (3) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to write-off Department of Watershed Management Water and Wastewater Uncollectible Accounts Receivable in the amount of \$1,250,069.31; and for other purposes.
Deputy Commissioners Mike Geisler stated that this is a write-off of \$1,250,069.31 of Department of Watershed Management Water and Wastewater Uncollectible Accounts Receivable. He also stated that there has not been any activity on these accounts in the past five (5) years.
- 13-O-0032 (4) An Ordinance by Finance/Executive Committee to correct Ordinance 12-O-0961 adopted by City Council on July 16, 2012 and approved as per City Charter Section 2-403 on July 25, 2012 correcting the Oracle Fund Number, Project Number listed from 600394 to 600395; and for other purposes.
Commissioner George A. Dusenbury stated that this legislation corrects the project number which was cited in Ordinance 12-O-0961.
- 13-O-0165 (5) An Ordinance by Councilmember C. T. Martin authorizing the Chief Financial Officer to amend the FY 2013 (General Fund) Budget by transferring to and from appropriations in the amount of \$182,421.00, and authorizing the execution of a closing agreement with the Internal Revenue Service regarding the issuance of the City of Atlanta \$80,000,000.00 General Fund Tax Anticipation Note, Series 2010; and to authorize payment of penalties in the amount of \$182,421.00; to be charged to and paid from the listed Fund, Department/Organization and Function/Activity Numbers; and for other purposes.

E. ORDINANCES FOR SECOND READING (CONT'D)

Deputy City Attorney Peter Andrews stated that the Finance Department issued Tax Anticipation Notes (TAN) in January of 2010, under the assumption that \$80,000,000.00 would be needed based on an issuance in the prior year. The proceeds from the TANs were never used and remained on deposit along with the City's other cash reserves. Ms. Moore inquired if the TANs had been redeemed and Mr. Andrews stated that they had. Mr. Andrews stated that the Department of Finance had informed him that the funding section of the paper was not needed; consequently the legislation will be substituted. The substitute will authorize the payment of \$182,421.00 in penalties to the Internal Revenue Service for issuing Bonds without a need.

13-O-0169 (6) An Ordinance by Councilmember Joyce M. Sheperd authorizing the City of Atlanta to waive the requirements contained in Sections 2-1541 (c) and (d) of Article X Division 14 Subdivision II 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 purchase property located at Metropolitan Parkway, SW and identified by Tax Parcel Numbers 14-0102-0007-041 and 043 in an amount not to exceed \$600,000.00, from Manley Homes, Inc., its successors or assigns, for the purpose of procuring the site of a proposed Atlanta Police Precinct on behalf of the Atlanta Police Department and the Office of Enterprise Assets Management; to be charged to and paid from the listed Department, Account and Function/Activity Numbers; and for other purposes.

Reggie Grant stated that this legislation should be held until the funding was put in place. He further stated that the author of the legislation could do a substitute ordinance, reflecting an amendment to the budget to provide the necessary funding. Ms. Moore stated that she would wait to see if a substitute was provided.

E. ORDINANCES FOR SECOND READING (CONT'D)

- 13-O-0172 (7) An Ordinance by Councilmembers Aaron Watson and H. Lamar Willis amending the 2013 (Intergovernmental Grant Fund) Budget, Department of the Executive Offices by adding to anticipations and appropriations in the amount of \$25,000.00 from the Cities of Service Impact Volunteering Fund Grant; and authorizing the City of Atlanta to accept the grant and enter into an agreement with fund for Cities of Service, Inc., on behalf of the Executive Office, for the purpose of implementation and administration of the Grant Award in support of the City of Atlanta's Recycling Corps Initiative; all funds to be deposited into Accounts as listed below; and for other purposes.
- Katrina Taylor Parks explained that the grant will enable the City to recruit volunteers to support the City of Atlanta's Recycling Corps Initiative.**

F. RESOLUTIONS

- 13-R-0123 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement designated by the Department of Procurement as COA-6451-PL, pursuant to 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-07F-8940D, to purchase two-hundred (200) Electronic Control Devices ("ECD"), from Aardvark, to reduce the likelihood of injury caused to suspects resisting lawful arrest, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$385,918.00. All cost shall be charged to and paid from the listed Accounts; and for other purposes.
- Deputy Chief Shields stated this legislation will allow the Atlanta Police Department to purchase additional tasers to be used by APD officers.**

F. RESOLUTIONS (CONT'D)

- 13-R-0124 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement COA-6455-PL, pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing National Intergovernmental Purchasing Alliance Contract Number 080523 for Informational Technology Solutions with CDW Government, LLC, competitively solicited and awarded by the City of Tucson, Arizona, to purchase one (1) year of Maintenance Services for Network Server Farm and Storage Area Network Equipment, on behalf of the Department of Information Technology, in an amount not to exceed \$89,228.18; all contracted work to be charged to and paid from Funding Numbers listed herein; and for other purposes. **Michael Dogan, CIO stated that the contract authorized by this legislation will provide maintenance services for the City's Network Server and Storage Area Network equipment.**
- 13-R-0125 (3) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into Citywide Cooperative Purchasing Agreement Number COA-6446-PL, pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC60748 with Various Office Furniture Vendors; for Office Furniture on behalf of the Department of Parks, Recreation, and Cultural Affairs in an amount not to exceed \$350,000.00; to be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes. **Commissioner George A. Dusenbury stated that the City had procured over 500 computers as part of the Mayor's Centers of Hope. He stated that this agreement enables the Department of Parks, Recreation and Cultural Affairs to purchase furniture for the Centers of Hope. Ms. Moore asked how many of the City's Recreation Centers would be provided with the new furniture. Commissioner Dusenbury informed her that all of the City's Recreation Centers would get new furniture for the computer labs.**

F. RESOLUTIONS (CONT'D)

- 13-R-0133 (4) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an agreement with Holland & Knight, LLP for FC-6408, State Government Lobbying Services, in an amount not to exceed \$144,000.00; all contracted work to be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes. **Megan Middleton stated that this legislation authorizes a new one year agreement with Holland & Knight for State Government lobbying services. Ms. Middleton stated that the dollar amount of the agreement has been the same for the past four (4) years. Ms. Middleton stated that the paper would need to be amended to reflect the correct funding stream.**

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)**

G. PAPERS HELD IN COMMITTEE (CONT'D)

- 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 subparagraph (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-R-0989 (5) 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)**

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G. PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0990 (6) 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-O-1358 (7) 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 (8) 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 (9) 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)**

G. PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-1763 (10) 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 (11) 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. **(3rd Reading/Final Adoption 2/20/12) (Held 2/29/12 at the request of the author for 1 cycle for further review)**
- 11-O-1776 (12) 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 (13) 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)**

G. PAPERS HELD IN COMMITTEE (CONT'D)

- 12-O-0284 (14) An Ordinance by Councilmember Cleta 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-0402 (15) 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)**
- 12-O-0569 (16) 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)**
- 12-R-0822 (17) A **Substitute** Resolution by Finance/Executive Committee authorizing the reemployment of Pati McMahan 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)**
- 12-O-0991 (18) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to establish the Office of Buildings Renewal and Extension Fund; to designate the manner in which net revenues of the Office of Buildings will flow to such fund; and for other purposes. **(Held 8/29/12 for additional information)**

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G. PAPERS HELD IN COMMITTEE (CONT'D)

- 12-R-1146 (19) A Resolution by Councilmembers Natalyn Mosby Archibong and Felicia A. Moore requesting that the Mayor or his designee utilize the Healthcare Premium Rebate to the City of Atlanta that the Affordable Care Act authorized to reduce the premiums City Employees are paying for healthcare; and for other purposes. **(Held 8/29/12 for additional information)**
- 12-R-1273 (20) A Resolution by Finance/Executive Committee authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement FC-6046 with AOT Public Safety Corporation d/b/a CryWolf False Alarm Solutions pursuant to Article X, Section 2-1601 et seq., of the City of Atlanta Code of Ordinances, utilizing the town of Davie, Florida Contract Number R-2011-4 to provide for False Alarm Administration Services as a Contingency Based Contract on behalf of the Departments of Police and Fire Rescue; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes. **(Held 9/26/12 for additional information)**
- 12-O-1314 (21) An Ordinance by Councilmember Michael Julian Bond authorizing the Chief Financial Officer to make the necessary adjustments to the Fiscal 2013 (General Fund) accounting records to correct erroneous charges posted by the Finance Department to various Council Members Costs Centers in the amount of \$1,772.02; and for other purposes. **(Held 9/26/12 for further discussion and additional information)**
- 12-O-1620 (22) An Ordinance by Councilmember H. Lamar Willis to amend the City of Atlanta Code of Ordinances in order to authorize the implementation and imposition of an Excise Tax on energy sold or used in manufacturing in the City and to provide for rates, phase-in period, time for imposition, recovery of the Excise Tax, administrative procedures, audits, allowed expenditures of the proceeds, termination, and an effective date to commence collection; and for other purposes. **(Held 11/28/12 for a Public Hearing)**

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G. PAPERS HELD IN COMMITTEE (CONT'D)

- 12-O-1726 (23) An Ordinance by Councilmembers C. T. Martin, Howard Shook, H. Lamar Willis, Aaron Watson, Alex Wan, Natalyn Archibong, Keisha Lance Bottoms, Felicia A. Moore, Cleta Winslow, Carla Smith, Yolanda Adrean and Joyce M. Sheperd to amend Chapter 114 Personnel, Article 4 Civil Service, Division 2 Classification Plan of the City of Atlanta Code of Ordinances, so as to provide a Citywide Salary Increase of _____ percent (___%) to all Officers and Employees of the City of Atlanta, with the exception of Elected Officials, effective when passed by Full Council; and for other purposes. **(Held 11/28/12 for further review)**
- 12-O-1740 (24) An Ordinance by Councilmembers C. T. Martin, Howard Shook, H. Lamar Willis, Aaron Watson, Alex Wan, Natalyn Archibong, Keisha Lance Bottoms, Felicia A. Moore, Cleta Winslow, Carla Smith, Yolanda Adrean and Joyce M. Sheperd to amend all City of Atlanta Fiscal Year 2013 Operating Funds that contain Personnel Expenses by transferring from Appropriations and adding to anticipations and appropriations in order to provide funding for a Citywide Salary Increase of _____ percent (___%) excluding Elected Officials, when passed by Full Council; and for other purposes. **(Held 11/28/12 for further review)**
- 12-O-1674 (25) An **Amended** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allocate remaining funds from Quality of Life Bond Issuances by amending the FY2013 (General Government Capital Fund) Budget by adding to anticipations and appropriations Quality of Life Bond proceeds in the total amount of \$5,844,440.00 for Various Public Works Projects in the City of Atlanta; and for other purposes. **(Amended and held 12/12/12 for further review)**