

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, March 13, 2013, at 1:00 p.m. in Council Chambers, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Felicia A. Moore, Chair  
 Councilmember Howard Shook  
 Councilmember Yolanda Adrean  
 Councilmember Alex Wan  
 Councilmember Aaron Watson  
 Councilmember Natalyn M. Archibong  
 Councilmember C.T. Martin

Jim Beard, CFO  
 Departmental Staff

Chairperson Moore called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Howard Shook, Yolanda Adrean, Alex Wan, Aaron Watson, Natalyn M. Archibong and C.T. Martin. Other Departmental staff was present as well. Chairperson Moore stated that the Agenda is **Adopted as Amended with two new First Read Ordinances and one new Resolution 5 Yeas**. The minutes of the Finance/Executive Committee of February 27, 2013 were **Approved, 5 Yeas**.

### **DISCUSSION ITEM**

#### **Legislative Update:**

**Ms. Megan Middleton:** Mayor's Office of Intergovernmental Affairs stated that today is day 33 of the State Legislature. She then gave her presentation. **HB 541** (Fulton County Homestead Exemption) passed the House today and will go to the Senate process. Councilmember Adrean asked about **HB 176**. Ms. Middleton responded that it did not come out of the House. Councilmember Adrean asked about the Pension legislations. Ms. Middleton responded that they were reintroduced, but they did not move. Local legislation does not have to abide by the 30 day.

#### **2012 Comprehensive Annual Financial Report (CAFR) and Management Letter, John Gaffney, Controller**

**Mr. John Gaffney:** Controller gave a presentation of the 2012 CAFR. Councilmember Adrean asked about the amortization of the unfunded liability being reduced to 25 years. Mr. Gaffney responded that it is 30 years. The Pension Boards are waiting on the numbers and it should be ready for the budget session. Councilmember Archibong asked why is the Department of Parks budget separated out of the pie chart on page #9. Mr. Gaffney responded that on pages #9 and #12 you will see Department level expenses.

#### **KPMG**

**Mr. Milford McGuirt:** gave a presentation. We brought a fresh look and will give observations.

**Ms. Elleen McGinn:** gave a presentation of the 2012 Audit. Councilmember Wan asked about the lack of Atlanta Public Schools (APS) pension information. Ms. McGinn responded that the judiciary funds for APS needs to be in the CAFR. Councilmember Adrean asked if there is an ongoing relationship. Ms. McGinn responded that it was there before the split. Councilmember Watson asked if we will have to start incurring the unfunded liability at the government wide level. Councilmember Watson asked if they will be in our financials. Ms. McGinn responded that it has been recognized in the plan. The liability would have to be included. Councilmember Watson stated that the decision has been not to include it in the City's CAFR. Councilmember Adrean asked if the earlier financial statements have to be redone as well. Ms. McGinn responded that it is in the referred CAFR. The general financial principal does not currently require it. There will not have to be a restatement. In the government wide it would have an impact, but not in the general fund. Ms. McGinn continued with the presentation.

Chairperson Moore asked if we can use the Five Year Plan for the reduction of plan deficit. CFO Beard responded that the one that is outstanding is Fleet and E911, they cost more to operate than the revenue we receive from them. Chairperson Moore asked where do we document it? CFO Beard responded that we give a plan to Audit, but we have to address the structural deficit to make it work. Chairperson Moore asked how do we resolve it? We need to see the plan. Councilmember Adrean asked why Fleet has to be an Enterprise Fund. CFO Board responded that they build out for their shop hours. The question is how do we raise the rates? It is an operational ongoing discussion. Councilmember Adrean asked if there are depreciated assets. The deficit is that we are not charging enough money. CFO Beard responded that we can lower the cost or increase the rates. **Chairperson Moore wants to add the Deficit Reduction discussion at a later date.** She then asked about page #12. Ms. McGinn responded that these are ones that were not booked. They booked \$2.5 million dollars, but what's out there may be \$5 million dollars. Councilmember Wan asked about page #10. Ms. McGinn responded that there was a credit carried forward on a liability. CFO Beard gave an appreciation for the Audit. There are some areas we agreed with and some we did not. We look forward to working with them next year. Councilmember Archibong asked about the IT policies. Ms. McGinn responded that you have to communicate strong policies.

**Ms. Leslie Ward:** stated that a lot of this was done through Oracle and Kronos. Many of the issues were already identified in control reports. We are already aware of these issues. Mr. Dogan responded that some of the items we did not agree with, but there is room for improvement. There are some things that are not in our control. Ms. Ward commented that IT was of a significant on the conduct of the Audit. The City has not experienced this type of report in a long time. Councilmember Martin complimented Mr. Dogan.

Chairperson Moore gave the public an opportunity to speak:

**Mr. Paul Luna:** asked if the Auditors work independently. Ms. Ward responded, yes.

**Mr. Shaka Freeman:** stated that he has concerns for the Wastewater Operators. There needs to be more hands on approach. Mr. Isler needs to speak with him in regards to the GPS in vehicles. Chairperson Moore stated that we are taking a look at the positions. Mr. Freeman responded that it is not a high priority for the supervisors. He has to have more than a word, but some dialog. These salaries are not equitable. He wants to set up a meeting with Chairperson Moore and the CFO. He does not see anyone representing the people who are underpaid. CFO Beard responded that the issue will be best addressed with HR. Chairperson Moore stated that she received the information and she asked Commissioner Yancy for a follow up. We have to see what the Department recommends. That is in the purview of the Executive Branch. We are not on the front end of it.

## **CONSENT REPORT**

### **ORDINANCE FOR FIRST READING**

13-O-0440 (1) An Ordinance by Finance/Executive Committee to amend the City of Atlanta Retirement Plan so as to include certain language at the request to the U.S. Internal Revenue Service; to repeal conflicting Ordinances; and for other purposes.

### **FAVORABLE ON FIRST READ**

13-O-0441 (2) An Ordinance by Finance/Executive Committee to provide for the annexation of the City owned Cascade Road Landfill to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to

notify the Georgia Department of Community Affairs of such annexation; and for other purposes.

**FAVORABLE ON FIRST READ**

13-O-0442 (3)

An Ordinance by Finance/Executive Committee 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, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 10.18 acres of property located at 2853 Campbellton Road from the Conservation Fund or current land owner ("The Property"), for the purpose of creating a new park in Council District 11, in an amount not to exceed three hundred twenty five thousand dollars (\$325,000.00). The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee West as shown below and amending the 2013 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of three hundred twenty five thousand dollars (\$325,000.00); and for other purposes.

**FAVORABLE ON FIRST READ**

13-O-0453 (4)

An Ordinance by Finance/Executive Committee 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, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to accept the donation of approximately 0.94 acres of property located at 2865 Springdale road from two eight six five Springdale Road LLC or current land owner ("The Property"), for the purpose of creating a new park in Council District 12 ("Park"), in an amount not to exceed sixty thousand dollars (\$60,000.00). The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee South as shown below and amending the 2013 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of sixty thousand (\$60,000.00); and for other purposes.

**FAVORABLE ON FIRST READ**

13-O-0454 (5)

An Ordinance by Finance/Executive Committee 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, to authorize the mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to accept the donation of approximately 1.08 acres of property located at Macon Drive and Mt. Zion Road from Michael Turgeon or current land owner ("The Property"), for the purpose of creating a new park in Council District 12 ("Park"), in an amount not to exceed sixty thousand dollars (\$60,000.00). The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee South as shown below and amending the 2013 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of sixty thousand (\$60,000.00); and for other purposes.

**FAVORABLE ON FIRST READ****REGULAR AGENDA****ORDINANCES FOR SECOND READING**

- 13-O-0299 (1) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to transfer funds from the General Fund surplus to the E911 Fund to reduce the deficit, accrue payment from the General Fund Surplus to the Department of Watershed Management for outstanding water bills, and to record all necessary Audit Adjustments to ensure the Close Out of Fiscal Year 2012; and for other purposes.

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore stated that we have a Substitute.

**Mr. John Gaffney:** stated that this is a standard Close Out Ordinance. There are two transfers of \$6.7 million dollars for E911 and Watershed outstanding bills. The other adjustments are audit adjustments. The Substitute is in the middle of page. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas, 1 Abstention (Moore)**. Councilmember Adrean asked if the water bills had been reconciled. CFO Beard responded that these are current water bills owed from the general fund. We are disputing and finishing up on the remaining water bills. Councilmember Watson asked if the \$2.5 million dollars from Consultant/Professional Services Account. Mr. Gaffney responded that we do a systematic check. The issue here is that there were certain payments we did not know about because they may have been held by the Department. We are looking at a more comprehensive way of looking at it. Councilmember Watson asked if it hit the Reserves or was it overspent. Mr. Gaffney responded that it will go in as an expense.

- 13-O-0502 (2) An Ordinance by Councilmember Howard Shook to correct the authorized Contractual Funding amount listed in Resolution No. 11-R-0338 from four million, sixty-three thousand, eight hundred seventy-three dollars and thirty-eight cents (\$4,063,873.38) to eight million, one hundred twenty-one thousand, six hundred fifty dollars and forty cents (\$8,121,650.40); to correct City of Atlanta's share of the Project Cost from two million, thirty-one thousand, nine hundred thirty-six dollars and sixty-nine cents (\$2,031,936.69) to four million, sixty thousand, eight hundred twenty-five dollars and twenty cents (\$4,060,825.20) for the purpose of authorizing additional funding amounts for year two (2) in addition to year one (1) of the Renewal No. 1 term; to waive the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code for the purpose of authorizing payments under the Agreement; and for other purposes.

**FAVORABLE**

**Ms. Margaret Tanner:** stated that the City portion was misstated into the legislation. We will ratify the language in the original renewal. Councilmember Adrean asked for the timeline of how it was discovered. Ms. Tanner responded that we determined the dollar amount did not agree with the two year option renewal. Councilmember Adrean asked if we have a linkage. Ms. Tanner responded that the budget in the contract was right. We will reintroduce procedures. Councilmember Wan asked what provision are we waiving?

**Ms. Myesha Wood:** stated that the provisions are such when an amount is issued we have to waive the Procurement Code. The amendment would take care of it if it was not retroactive. The amount of the original contract was 2.7 million dollars. Councilmember Adrean asked what controls in place to make sure it does not happen again? Ms. Wood responded that she looks at the legislation with previous renewals. The renewal #1 contract total was \$4 million dollars. She then asked staff if we are charging twice the amount. In reviewing the legislation, she came back with the intent of the legislation and ensured if we made payments above it, the payments were ratified. If we do not pay our bills in three months, we are charged late fees. Councilmember Adrean asked if other contracts could have the same issue. There may be other that doesn't agree with what we approve. Ms. Wood responded that the encumbrance is put in to move forward. We have put protocols in place to address this. This is the first time she has seen this happen. Councilmember Martin offered a motion to **Approve, 6 Yeas, 1 Abstention.**

13-O-0505 (3) An Ordinance by Councilmembers Keisha Lance Bottoms and C.T. Martin authorizing the Chief Financial Officer to establish a separate Cost Center under the Mayor's Office to properly account for the Office of Customer Service; and to transfer certain positions from the Departments of Planning and Community Development, Public Works and Watershed Management to the new ATL311 Customer Service Center (CSC); and for other purposes.

**FAVORABLE**

**Ms. Yvonne Cowser-Yancy:** Commissioner of the Department of Human Resources stated that this will move forward with the ATL311 Customer Service Call Center. We are moving positions from point A to point B. Councilmember Wan asked about the headcount. What was the basis for the determination? Commissioner Yancy responded that Departments moved positions for the appropriate role.

**Ms. JoAnn Butler:** stated that the headcount is from the Departments. We identified positions to be moved. These are people who are currently taking calls. Councilmember Wan stated that it seems like we are yanking people from the Departments. Ms. Butler responded that we take about 2 million calls per year. She will get the breakdown from the Departments. Councilmember Martin offered a motion to **Approve, 7 Yeas.**

13-O-0513 (4) An Ordinance by Councilmembers Aaron Watson and H. Lamar Willis to provide funding in the amount of \$2,500.00 from the Post 2 At-Large Councilmember's Non-Departmental Reserve (Councilmember's Carry-Forward) to assist with the 2013 Senior Connections' Senior Prom; and for other purposes.

**FAVORABLE**

Councilmember Martin offered a motion to **Approve, 7 Yeas.**

**RESOLUTIONS**

13-R-0443 (1) An **Amended** Resolution by Finance/Executive Committee authorizing the Mayor to reemploy Retiree Mr. Charles (Chuck) E. Adair in the Department of Watershed Management in order to facilitate the implementation of Program Implementation of Program Improvement to the Accela Software System pursuant to Section 3-505(C) of the Charter of the City of Atlanta, Georgia; and for other purposes. **(Finance/Executive Committee Substitute Amendment adds back information, 3/13/13)**

**FAVORABLE AS AMENDED**

Chairperson Moore offered an Amendment for the backup information.

**Mr. James Shelby:** Commissioner of the Department of Planning and Community Development stated that Mr. Adair was in the process of training when he had to retire. We want to bring him back to finish the task. One of the projects was he was tracking the building permits. Chairperson Moore offered a motion to **Approve as Amended, 7 Yeas.**

13-R-0444 (2) An **Amended** Resolution by Finance/Executive Committee authorizing the reemployment of City Retiree, Ms. Evelyn Nu'Man in the position of Financial Analyst Sr. in the Office of Housing, Department of Planning and Community Development pursuant to Section 3-505(c) of the Charter of the City of Atlanta; and for other purposes. **(Finance/Executive Committee Substitute Amendment adds back information, 3/13/13)**

**FAVORABLE AS AMENDED**

Chairperson Moore offered an Amendment for the backup information.

Commissioner Shelby stated that we want Ms. Nu'man to return because when we hired someone, they did not work out. She will come back and assist with training two people. Councilmember Martin offered a motion to **Approve as Amended, 7 Yeas.**

13-R-0445 (3) An **Amended** Resolution by Finance/Executive Committee authorizing the continued reemployment of City Retiree Gloria Peters as a Plans Review Specialist, Senior in the Department of Planning and Community Development for the Office of Buildings pursuant to Section 3-505(c) of the Charter of the City of Atlanta, Georgia; for a period of not more than 120 days; and for other purposes. **(Finance/Executive Committee Substitute Amendment adds back information, 3/13/13)**

**FAVORABLE AS AMENDED**

Chairperson Moore offered an Amendment for the backup information.

Commissioner Shelby stated that Ms. Peters will help with training remaining staff to continue to push forward the Mayor's initiative. Councilmember Archibong asked if we could have a timeline of the people returning. We need a real program for moving functions forward. We need to track it better. Commissioner Shelby responded that we can come back in three months with the accomplishments they have made. Councilmember Archibong stated that we want to see training programs in place. Councilmember Martin offered a motion to **Approve as Amended, 7 Yeas.**

13-R-0446 (4) An **Amended** Resolution by Finance/Executive Committee authorizing the continued reemployment of City Retiree Ann S. Heard as an Assistant Director in the Department of Planning and Community Development for the Office of Buildings, pursuant to Section 3-505 (C) of the Charter of the City of Atlanta, Georgia; for a period of not more than 120 days; and for other purposes. **(Finance/Executive Committee Substitute Amendment adds back information, 3/13/13)**

**FAVORABLE AS AMENDED**

Chairperson Moore offered an Amendment for the backup information. Councilmember Martin offered a motion to **Approve as Amended, 7 Yeas.**

- 13-R-0447 (5) A Resolution to Amend Resolution 12-R-1741, which authorized the City of Atlanta to enter into Cooperative Purchasing Agreement Number FC-6381, with Opus Group, LLC, for the ATL311 Call Center Project implementation, utilizing the Prince George's County, Maryland Information Technology Consulting and Technical Services Contract Number S11-115, to provide for a contract term of two (2) years; and for other purposes.

**FAVORABLE**

Councilmember Martin offered a motion to **Approve, 7 Yeas.**

- 13-R-0448 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Sole Source Agreement No. SS-6168-PL with International Business Machines, Corporation for Software Licenses and Technical Support Services for the IBM Tivoli Maximo Asset Management System, on behalf of the Department of Watershed Management, in an amount not to exceed one hundred thirteen thousand, two-hundred fifty-six dollars and forty-four cents (\$113,256.44); all contract work shall be charged to and paid from Fund Department Organization and Account Number 5051 (Water & Wastewater Revenue) 170113 (DWM-Information Systems) 5213001 (Consulting/Professional) 1535000 (Data Processing/Management); and for other purposes.

**FAVORABLE**

Councilmember Martin offered a motion to **Approve, 7 Yeas.**

- 13-R-0449 (7) A **Substituted** Resolution by Finance/Executive Committee authorizing the mayor or his Designee to enter into Cooperative Purchasing Agreement Number COA-6525-PL pursuant to Section 2-1602 et seq. of the City of Atlanta Code of Ordinances, with Carahsoft Technology Corporation, an authorized Symantec Corporation Reseller, utilizing the Carahsoft General Services Administration Contract Number GS-35F-0119Y to purchase a subscription for Symantec Enterprise Vault Storage, Management Software Licenses and Support for Microsoft Exchange 10.0, on behalf of the Department of Information Technology; for twelve (12) months, in an amount not to exceed forty thousand, seven hundred eighty-two dollars and fifty-five cents (\$40,782.55), all contracted work to be charged to and paid from Funding Numbers listed herein; and for other purposes.

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore stated that we have a Substitute.

**Mr. Michael Dogan:** Chief of Information Technology stated that this is for backup software for e-mails. The Substitute corrects the funding source. Councilmember Martin offered a motion to **Approve on Substitute, 7 Yeas.**

- 13-R-0450 (8) A **Substituted** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Cooperative Purchasing Agreement Number COA-6518-PL pursuant to Section 2-1602 et seq. of the City of Atlanta Code of Ordinances, with Internet Content management, Incorporated ("ICM"), an authorized Websense, Incorporated Reseller, to purchase a new Websense Web Security Gateway Software, Maintenance, and Support Subscription for a term of nine (9) months, with two (2) twelve (12) months Renewal Options, on behalf of the Department

of Information Technology, in an amount not to exceed fifty-five thousand, five hundred fifty dollars and no cents (\$55,550.00), utilizing the Arrow Enterprise Computing Solutions, Incorporated ("Arrow ECS") General Services Administration Contract Number GS-35F-0296R, via an authorized Reseller Agreement between Arrow ECS and ICM, all contracted work to be charged to and paid from Funding Numbers listed herein; and for other purposes. **(Finance/Executive Committee Substitute clarifies the Caption, 3/13/13)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Moore stated that we have a Substitute. Mr. Dogan responded that the Substitute clarifies the Caption. Councilmember Wan offered a motion to **Approve on Substitute, 7 Yeas.**

13-R-0451 (9) A Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the City of Atlanta to enter into Renewal Number 2 to the Agreement with Valleycrest Landscape Maintenance, Inc., for FC-4890, Piedmont Lawn Maintenance on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed eighty three thousand five hundred eighty five dollars and zero cents (\$83,580.00) for a term of one (1) year and no Renewal Options; all contracted work shall be charged to and paid from the below referenced accounts; and for other purposes.

**FAVORABLE**

Councilmember Wan offered a motion to **Approve, 7 Yeas.**

13-R-0452 (10) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with Holland & Knight LLP for FC-6288, Federal Lobbying Services, on behalf of the General Fund Departments, the Department of Aviation and the Department of Watershed Management, in an amount not to exceed three hundred ninety-nine thousand nine hundred ninety-six dollars and no cents (\$399,996.00); all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the listed amounts: 1001 (General Fund) 040101 (Exe Mayor's Office) 5239004 (Service Grants) 1310000 (Mayor/ Commission Chair) (\$99,996.00); 501 (Airport Revenue Fund) 180105 (Aviation Public Affairs) 5212001 (Consulting Professional Services) 7563000 (Airport Function Activity) (\$140,000.00); and 5051 (Water & Wastewater Revenue) 170101 (DWM Commissioner of Water) 5212001 (Consulting/Professional) 1320000 (Chief Executive) (\$160,000.00); and for other purposes.

**FAVORABLE**

Chairperson Moore asked for the issues the previous firms are working on. Ms. Middleton responded that she would provide a quarterly update. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

13-R-0503 (11) A Resolution by Councilmember C.T. Martin authorizing the Mayor or Designee on behalf of the City of Atlanta to execute an appropriate Contractual Agreement with Technology Integration Group for FC-6013, Comprehensive Office Equipment Assessment Project, with the Technology Integration Group, on behalf of the Department of Finance to provide Office Equipment and Service

in an efficient and cost effective manner, in an amount not to exceed one hundred thirty three thousand four hundred dollars (\$133,400.00); all funds shall be paid from the General Fund; and for other purposes.

**HELD**

13-R-0504 (12)

A Resolution by Councilmember C.T. Martin authorizing the mayor to enter into a Cooperative Purchasing Agreement for Networkfleet Wireless Service (3500SM12S) with Networkfleet, Inc., utilizing Federal GSA Contract No. GS-07F-5559R for the Maintenance, Repair, Monitoring Services and Labor for Fleet Global Positioning Systems on behalf of the Department of Watershed Management, in an amount not to exceed four hundred thousand, one hundred sixty-five dollars and no cents (\$400,165.00); all contracted work will be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: FY2013 - \$45,469 - 5052 (Water & Wastewater Renewal Fund) 170506 (DWM Technical Support) 5222002 (Repair & Maintenance-Equipment) 1535000 (Data Processing/Management); \$8,500.00 - 5052 (Water & Wastewater Renewal Fund) 170506 (DWM Technical Support) 5316002 (Equipment (\$0-999)) 1535000 (Data Processing/Management); FY2014 - \$164,598 - 5051 (Water & Wastewater Revenue Fund) 170514 (DWM Asset Control) 5222002 (Repair & Maintenance-Equipment) 1511000 (General Supervision); \$8,500.00 - 5051 (Water & Wastewater Revenue Fund) 170514 (DWM Asset Control) 5316002 (Equipment) (\$0-999) 1511000 (General Supervision); FY2015 - \$164,598 - 5051 (Water & Wastewater Revenue Fund) 170514 (DWM Asset Control) 5222002 (Repair & Maintenance-Equipment) 1511000 (General Supervision) \$8,500.00 - 5051 (Water & Wastewater Revenue Fund) 170514 (DWM Asset Control) 5316002 (Equipment (\$0-999)) 1511000 (General Supervision); and for other purposes.

**FAVORABLE**

**Mr. Isler:** of Watershed stated that this will give us an indication of how the driver is driving. The contract will run from March 2013 through March 2015. Councilmember Archibong asked if there are ways to know if they are unnecessary idles. Mr. Isler responded that the pump trucks sits on the side while using energy. We will look at it to see if the idle time is functioning. Councilmember Archibong asked if all vehicles are diesel. Mr. Isler responded yes. Councilmember Adrean asked how long is too long to idle. Mr. Isler responded that it has to do with the type of job. You shut it on and shut it off. Councilmember Adrean stated that she knows that diesel doesn't get turned off. If the operators believe that it is best to leave them running, they will.

**Mr. Hans Utz:** Mayor's Office Deputy Chief Operating Officer stated that we will push for efficiencies. Councilmember Martin asked if there is a decrease in accidents. Mr. Isler responded, yes they are down. Councilmember Martin stated that some of the manuals tell you a three hour return is how long you leave them off. Some things will happen if you turn on and off. Councilmember Archibong asked when you are tracking where the vehicle are, what explanation are they giving. Mr. Isler responded that if they are not at a particular site where there is not a work order, the device would tell the location. Councilmember Archibong asked did you shop around. Mr. Isler responded that it was competitively bid. Our GPS people went out and visited other companies that use the device.

**Mr. Shaka Freeman:** stated that employees are not being treated with dignity. It does not make sense to put GPS on equipment. He thinks that salary and focusing on the employees should be the main focus. People are overworked and underpaid. Councilmember Martin offered a motion to **Approve, 7 Years.**

**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-R-0989 (5) A Resolution by Councilmembers Aaron Watson, Carla Smith, Cleta 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 (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)**

**HELD**

- 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)**

**HELD**

- 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, 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 (9) 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 (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)**

**HELD**

- 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. **(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 (12) 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 (13) 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 (14) 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-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)**

**HELD**

- 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**

- 12-R-0822 (17) 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**

- 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, 8/28/12)**

**HELD**

- 12-R-1146 (19) A Resolution by Councilmembers Natalyn Mosby Archibong and Felicia A. Moore requesting that Mayor or his Designee utilize the Healthcare Premium Rebate to the City of Atlanta the Affordable Care Act authorized to reduce the premiums City Employees are paying for Healthcare; and for other purposes. **(Held, 8/29/12)**

**HELD**

- 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 Fund Department Organization and Account Numbers listed herein; and for other purposes. **(Held, 9/26/12)**

**HELD**

- 12-O-1620 (21) 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 to 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. **(Favorable, 11/14/12); (To be advertised for a Public Hearing); (Referred back by Full Council for Public Hearing, 11/19/12)**

**HELD**

- 12-O-1726 (22) An Ordinance by Councilmembers C.T. Martin, Howard Shook, Joyce M. Sheperd, Natalyn Archibong, Yolanda Adrean, Cleta Winslow, H. Lamar Willis, Carla Smith, Aaron Watson, Keisha Lance-Bottoms, Felicia A. Moore and Alex Wan to amend Chapter

114-Personnel, Article Four-Civil Service, Division Two-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)**

**HELD**

12-O-1740 (23) An Ordinance by Councilmembers C.T. Martin, Howard Shook, Natalyn Archibong, Joyce M. Sheperd, Yolanda Adrean, Carla Smith, H. Lamar Willis, Aaron Watson, Keisha Lance-Bottoms, Felicia A. Moore, Clea Winslow and Alex Wan 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 City-Wide salary increase of \_\_\_\_\_ percent (\_\_\_\_%) excluding Elected Officials, when passed by Full Council; and for other purposes. **(Held, 11/28/12)**

**HELD**

13-O-0030 (24) 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 one million, two hundred fifty thousand, sixty-nine dollars and thirty-one cents (\$1,250,069.31); and for other purposes. **(Held, 1/30/13)**

**HELD**

13-O-0311 (25) An Ordinance by Councilmember Natalyn M. Archibong to provide for the annexation of property located at the Glenaire Subdivision, Phase II to the Corporate Limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes. **(Held, 2/27/13); (To be advertised for a Public Hearing)**

**HELD**

13-C-0414 (26) A Communication by Department of Finance, submitting the 2013 Five-Year Financial Plan. **(Held for Work Session on 2/28/13, 2/27/13)**

**HELD**

**COMMENTS FROM PUBLIC**

**Mr. Paul Luna:** stated that this meeting was not posted on line. Who is Councilmember Young to speak about the benefits of a new stadium? He is a Boardmember of the Falcons. Is he a citizen of Atlanta? If so, why do City Council bend the rules. Is the interest for the people or their own? Has Mayor Reed made a deal behind doors? If it is void, does this contract still exist? This contract is at halt. Has an alleged crime been committed? If a new stadium is to be built, the people of Atlanta have offered a deal.

**Mr. Glenn Wrightson:** stated that he went to another Country and they had the sewer cost added on the bill. He understands having a new retractable roof. He does not know the financial impact of it though. The neighborhoods have already been impacted

negatively with the current Dome. He has concerns with the financing. On the website there are numbers for costs of other stadiums. There is \$100 million dollars on the existing lease and it is around \$15 million dollars annually for the debt. If we take on new debt, where does the money come from for the new debt? He has heard that we will redirect the costs. CFO Beard responded that the current bonds are paid by Hotel/Motel Tax. The current payment goes to repay debt. The revenue for the old bonds will go to pay the new bonds. There is no final deal ratified. Right now there are a bunch of scenarios out there. Councilmember Adrean stated that the State sets the limit at \$200 million dollars to borrow. We wanted to have access to \$300 million dollars. The City would still have the 24.7% to use in the general fund and it will not go away. Mr. Wrightson asked does the debt go away in 2020,. Councilmember Adrean stated that the tax would expire and the State would own the old Dome. Ms. Ward added that the State Law was amended two years ago and if a new facility is built the tax would go away by 2050. Mr. Wrightson stated that the City of Atlanta has the highest water rates in the Country.

**Mr. Ron Shakir:** stated that the funds could be spent for other things. Chairperson Moore stated that the Legislature has to amend the Law to do that. Mr. Shakir stated that historical areas could be renovated. What is the upcoming impact on the stadium? He hopes that we can start getting the human and capital resources committed to this project. When we come to meetings we expect transparency. When the Law Dept. represents things that are untrue, they should be held accountable.

**Mr. Peter Andrews:** Deputy City Attorney stated that he wanted to respond to Mr. Shakir comments. Mr. Lem Ward was accurate regarding public comments in the Zoning Committee meeting. Councilmember Archibong stated that two wrongs do not make two rights.

#### **ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 3:46 p.m.

Respectfully submitted,

Jim Beard, CFO  
Secretary

Charlene Parker  
Recording Secretary

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