

13-0-0442

(Do Not Write Above This Line)

First Reading

Committee Fin./Exec.  
Date 3-13-13  
Chair Jelena A. Moore  
Referred To \_\_\_\_\_

FINAL COUNCIL ACTION

2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>   
3<sup>rd</sup>  
Readings  
 Consent  V Vote  RC  
Vote

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

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, 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

ADOPTED BY

Committee Fin./Exec.

Date 3-27-13

Chair Jelena A. Moore

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

Other on substitute

Members [Signature]

[Signature]  
[Signature]  
[Signature]

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

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

Other \_\_\_\_\_

Members \_\_\_\_\_

\_\_\_\_\_

Refer To \_\_\_\_\_

CERTIFIED  
CERTIFIED  
APR 15 2013  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
APR 15 2013  
Ronda Doughtin Johnson  
MUNICIPAL CLERK

CONSENT REFER APR 15 2013  
 REGULAR REPORT REFER COUNCIL  
 ADVERTISE & REFER  
 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER  
 PERSONAL PAPER REFER

Date Referred 3/18/13  
Referred To: Finance/Exec  
Date Referred \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Date Referred: \_\_\_\_\_  
Referred 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 \_\_\_\_\_

MAYOR'S ACTION  
  
APPROVED  
APR 24 2013  
WITHOUT SIGNATURE  
BY OPERATION OF LAW

**A SUBSTITUTE ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**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, 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**

**WHEREAS**, The Conservation Fund (“TCF”) is negotiating for or has contracted for approximately 10.18 acres of property, located at 2853 Campbellton Road, Atlanta, Georgia, Parcel Identification Number 14-0218-LL-139-6 (“the Property”) for the purpose of creating a new park in Council District 11 (See attached Exhibit “A”); and

**WHEREAS**, TCF has agreed to sell the Property to the City subject to the appropriate City approval processes for an amount not to exceed Fair Market Value; and

**WHEREAS**, 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**, purchasing 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 The Conservation Fund or current landowner to purchase all or part of the real property located at 2853 Campbellton Road, Atlanta, Georgia, Parcel Identification Number 14-0218-LL-139-6 (“the Property”), at a purchase price no greater than 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 (“The City’s Due Diligence and Purchase Services”).

**SECTION 3:** The 2013 General Government Capital Outlay Fund Budget, Department of Planning and Community Development is hereby amended as follows:

**TRANSFER FROM APPROPRIATIONS**

\$325,000.000 from 3502 (General Government Capital Fund) 100101 (DOF Chief Financial Officer) 5999999 (Reserve Conversion Account – Class 1) 1320000 (Chief Executive) 201072 (Admin. Development Recoupment Fees) 91110 (Funding Source SWMA Loan 9991)

<u>Project:</u>	10201072	SWMA Loan 9991
<u>Task:</u>	101	SWMA Loan 9991
<u>Award:</u>	350291110	SWMA Loan 9991
<u>Expense:</u>	5999901	Projects and Grants Budget
<u>Org City of Atlanta</u>		

**TOTAL** **\$325,000.00**

**ADD TO AWARD INSTALLMENT**

**The amount of :** **\$325,000.00** SWMA Loan 9987/D.I.F. Parks-West  
350291107

<b>TRANSFER TO APPROPRIATIONS</b>						
<b>PTAEO</b>			<b>GENERAL LEDGER</b>			
PROJECT NUMBER	14201997	GREENSPACE PGM; PARKS		FUND	3502	GENERAL GOV. CAPITAL
TASK NUMBER	112	2853 Campbellton		GL DEPT	140106	PRC PARKS DESIGN



		Road				
AWARD NUMBER	350291107	SWMA LOAN 9987/ D.I.F. Parks-West		EXPENSE ACCT	5999999	PROJECTS AND GRANTS BUDGET
EXPENSE ACCOUNT	5411001	LAND		FUNCTION/ACTIVITY	6220000	PARK AREAS
OWNING ORG	COA	SWMA LOAN		GL PROJECT	201997	GREENSPACE PGM; PARKS WEST
				GL FUNDING SOURCE	91107	SWMA LOAN 9987/ D.I.F. Parks - West

**TOTAL**

**\$325,000.00**

**SECTION 4:** The City's Purchase Price, Due Diligence and Purchase Services, in an amount not to exceed three hundred twenty five thousand dollars (\$325,000.00) shall be paid from Park Impact Fee West 14201997 (Project), 112 (Task), 350291107 (Award), 5411001 (Expense Type Land).

**SECTION 5:** Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, 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 6:** 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 7:** The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.

**SECTION 8:** The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

**SECTION 9:** 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 10:** 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 11:** 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.

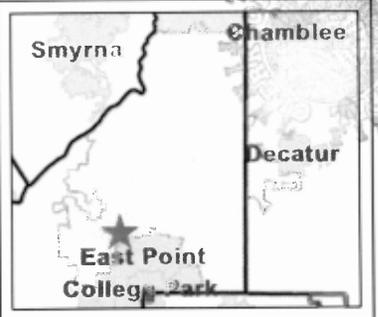
A handwritten signature in black ink, appearing to read "K. L. ...", written over a horizontal line.

Deputy Municipal Clerk

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

April 15, 2013  
April 24, 2013

# 2853 Campbellton Rd Exhibit A



### Legend

- Streets and Highways**
  - Other Limited Access
  - State Route
  - Arterial Roads
  - Streets
  - Ramps
  - Unknown
  - Interstates
- County Boundaries
- Parcels
- Airport Labels
- Airport Runways
- Runway/Apron/Taxiway
- Streams
- Ponds
- Parks
- Greenway Acquisitions
- Atlanta City Limits
- Metro Cities

Scale: 1:14,197



Map center: 2200777, 1346570

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

RCS# 2642  
4/15/13  
3:19 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA:SECTION I:ALL ITEMS  
MONDAY, APRIL 15, 2013  
ADOPT

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

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

CONSENT I

+

		03-18-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-0455	35. 13-R-0545	67. 13-R-0577
2. 13-O-0440	36. 13-R-0546	68. 13-R-0578
3. 13-O-0442	37. 13-R-0547	69. 13-R-0579
4. 13-O-0454	38. 13-R-0548	70. 13-R-0580
5. 13-O-0605	39. 13-R-0549	71. 13-R-0581
6. 13-O-0611	40. 13-R-0550	72. 13-R-0582
7. 13-O-0288	41. 13-R-0551	73. 13-R-0583
8. 13-O-0428	42. 13-R-0552	74. 13-R-0584
9. 13-O-0429	43. 13-R-0553	75. 13-R-0585
10. 13-O-0432	44. 13-R-0554	76. 13-R-0586
11. 13-O-0606	45. 13-R-0555	77. 13-R-0587
12. 13-R-0593	46. 13-R-0556	78. 13-R-0588
13. 13-R-0594	47. 13-R-0557	79. 13-R-0589
14. 13-R-0595	48. 13-R-0558	80. 13-R-0590
15. 13-R-0596	<b>ITEMS ADVERSED ON CONSENT</b>	81. 13-R-0591
16. 13-R-0597	49. 13-R-0559	
17. 13-R-0598	50. 13-R-0560	
18. 13-R-0600	51. 13-R-0561	
19. 13-R-0601	52. 13-R-0562	
20. 13-R-0602	53. 13-R-0563	
21. 13-R-0620	54. 13-R-0564	
22. 13-R-0501	55. 13-R-0565	
23. 13-R-0539	56. 13-R-0566	
24. 13-R-0540	57. 13-R-0567	
25. 13-R-0603	58. 13-R-0568	
26. 13-R-0430	59. 13-R-0569	
27. 13-R-0437	60. 13-R-0570	
28. 13-R-0439	61. 13-R-0571	
29. 13-R-0541	62. 13-R-0572	
30. 13-R-0608	63. 13-R-0573	
31. 13-R-0609	64. 13-R-0574	
32. 13-R-0542	65. 13-R-0575	
33. 13-R-0543	66. 13-R-0576	
34. 13-R-0544		