

13-0-0454

(Do Not Write Above This Line)

First Reading

Committee Fin/Exec
Date 3-13-13
Chair [Signature]
Referred To _____

FINAL COUNCIL ACTION

2nd 1st & 2nd
 3rd
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 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 AFFIARS AND THE DEPARTMENT OF FINANCE BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF SIXTY THOUSAND (\$60,000.00); AND FOR OTHER PURPOSES

substitute

Committee Fin/Exec
Date 3-27-13
Chair [Signature]
Action Fav, Adv, Hold (see rev. side)
Other on substitute
Members [Signatures]
Refer To _____

Committee _____
Date _____
Chair _____
Action Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

CERTIFIED
APR 15 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
APR 15 2013
Rhonda Daughlin Johnson
MUNICIPAL CLERK

CONSENT REFER
 REGULAR REPORT REFER
 ADVERTISE & REFER
 1ST ADOPT 2ND READ & REFER
 PERSONAL PAPER REFER
ADOPTED BY
APR 15 2013
COUNCIL

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

Date Referred 3/18/13
Referred To: Finance/Exec
Date Referred _____
Referred To: _____
Date Referred: _____
Referred To: _____



**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 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 AFFIARS AND THE DEPARTMENT OF FINANCE BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF SIXTY THOUSAND (\$60,000.00); AND FOR OTHER PURPOSES

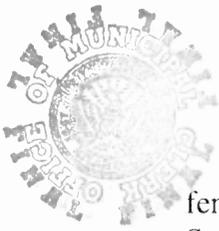
WHEREAS, Michael Turgeon (“Owner”) has offered to donate approximately 0.94 acres of property, located at Macon Drive and Mt. Zion Road, Atlanta, Georgia, Parcel Identification Numbers 14-0061-0003-080-6, 14-0061-0003-069-9, and 14-0061-0003-068-1 (“the Property”) for the purpose of creating a Park (See attached Exhibit “A”); and

WHEREAS, accepting 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 Owner or current landowner to accept the donation of all or part of the real property located at Macon Drive and Mt. Zion Road, Atlanta, Georgia, Parcel Identification Numbers 14-0061-0003-080-6, 14-0061-0003-069-9, and 14-0061-0003-068-1 (“the Property”).

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 acquire 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

\$60,000.00 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)

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

TOTAL **\$60,000.00**

ADD TO AWARD INSTALLMENT

The amount of : **\$60,000.00** SWMA Loan 9988/D.I.F. Parks-South
350291108

TRANSFER TO APPROPRIATIONS						
PTAEO			GENERAL LEDGER			
PROJECT NUM	14201997	GREENSPACE P PARKS		<i>FUND</i>	3502	GENERAL GOV CAPITAL
TASK NUMBER	114	Swann Preserv Expand		<i>GL DEPT</i>	140106	PRC PARKS DE
AWARD NUM	350291108	SWMA LOAN 9 D.I.F. Parks-Sou		<i>EXPENSE ACCT</i>	5999999	PROJECTS AND GRANTS BUDG
EXPENSE ACC	5411001	LAND		<i>FUNCTION/ACTIVITY</i>	6220000	PARK AREAS
OWNING OR	COA	SWMA LOAN		<i>GL PROJECT</i>	201998	GREENSPACE PARKS South
				<i>GL FUNDING SOURCE</i>	91108	SWMA LOAN D.I. F. Parks-S

TOTAL **\$60,000.00**



SECTION 4: The City's Purchase Price, Due Diligence and Purchase Services, in an amount not to exceed sixty thousand dollars (\$60,000.00) shall be paid from Park Impact Fee South 14201997 (Project), 114 (Task), 350291108 (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.

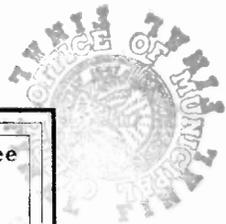
SECTION 11: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

A true copy,

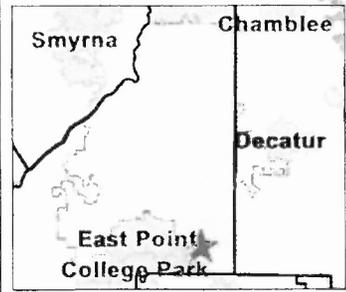
Deputy Municipal Clerk

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

April 15, 2013
April 24, 2013



Macon Drive at Mt Zion



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



0 325 650 975 m.

Map center: 2229395, 1336263



Scale: 1:11,165

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.

Notes: 3 parcels = 1.1 acres.

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	ITEMS ADVERSED ON CONSENT	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		