

13-0-0453

(Do Not Write Above This Line)

First Reading: 3-13-13

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

FINAL COUNCIL ACTION

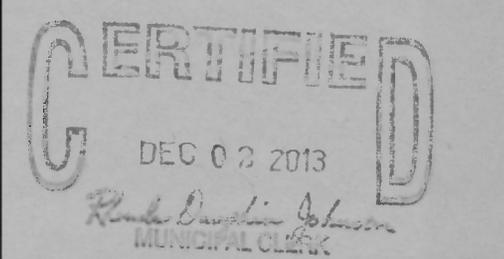
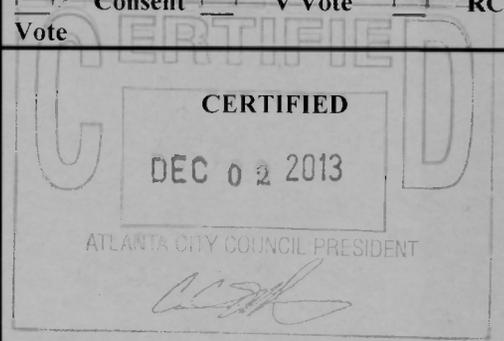
2nd 1st & 2nd
 3rd
Readings
 Consent V Vote RC
Vote

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 0.94 ACRES OF PROPERTY LOCATED AT 2865 SPRINDALE ROAD FROM TWO EIGHT SIX FIVE SPRINDALE 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 AFFIARS AND THE DEPARTMENT OF FINANCE BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF SIXTY THOUSAND (\$60,000.00); AND FOR OTHER PURPOSES

Committee Fin./Exc
Date 3-27-13
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 _____



- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred 3/13/13
Referred To: Finance/Exc
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 _____

AUTOMATICALLY TERMINATED
AND
FILED BY CLERK
PER CHARTER SECTION 2-407
DEC 02 2013

MAYOR'S ACTION

**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 0.94 ACRES OF PROPERTY LOCATED AT 2865 SPRINDALE ROAD FROM TWO EIGHT SIX FIVE SPRINDALE 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 AFFIARS AND THE DEPARTMENT OF FINANCE BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF SIXTY THOUSAND (\$60,000.00); AND FOR OTHER PURPOSES

WHEREAS, Two Eight Six Five Springdale Road LLC (“Owner”) has offered to donate approximately 0.94 acres of property, located at 2865 Springdale Road, Atlanta, Georgia, Parcel Identification Number 14-0100-0002-016-4 (“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 2865 Springdale Road, Atlanta, Georgia, Parcel Identification Number 14-0100-0002-016-4 (“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: 5999999 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 NUMBER	14201997	GREENSPACE PGM; PARKS		FUND	3502	GENERAL GOV. CAPITAL
TASK NUMBER	113	Swann Preserve Park Expand		GL DEPT	140106	PRC PARKS DESIGN
AWARD NUMBER	350291108	SWMA LOAN 9987/ D.I.F. Parks-South		EXPENSE ACCT	5999999	PROJECTS AND GRANTS BUDGET
EXPENSE ACCOUNT	5411001	LAND		FUNCTION/ACTIVITY	6220000	PARK AREAS
OWNING ORG	COA	SWMA LOAN		GL PROJECT	201998	GREENSPACE PGM; PARKS South
				GL FUNDING SOURCE	91108	SWMA LOAN 9988/ D.I. F. Parks-South

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), 113 (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.

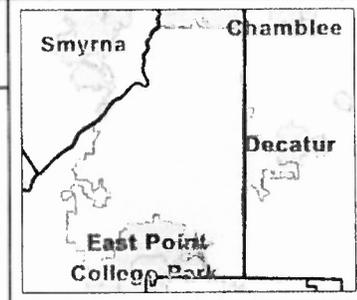
SECTION 9: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

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.

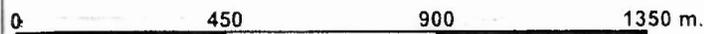
EXHIBIT A

2865 Springdale Rd



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**



Map center: 2224324, 1337185



Scale: 1:14,882

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: Cleveland Avenue Park is 1.5 mi distant