

**A RESOLUTION BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO AMEND THE NEIGHBORHOOD STABILIZATION PROGRAM CONTRACTUAL AGREEMENTS WITH THE FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY, INC., FOR THE PURPOSE OF INCREASING THE NOT TO EXCEED AMOUNTS; ALL WORK TO BE CHARGED TO AND PAID FROM ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES.

WHEREAS, under Title III of Division B of the Housing and Economic Recovery Act, 2008 (“HERA”), \$12.3 million dollars have been appropriated to the City of Atlanta (“City”) to fund the CDBG Neighborhood Stabilization Program (“NSP”) for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties; and

WHEREAS, the NSP funds can only be used in accordance with the regulations and requirements specified under Title II of Division B of the Housing Economic Recovery Act, 2008; and

WHEREAS, pursuant to Ordinance 13-O-XXXX, the City has anticipated and appropriated One Hundred Seventy-Two Thousand Dollars and No Cents (\$172,000.00) in Georgia Department of Community Affairs ("DCA") NSP Program Income and Three Hundred Thirty-Eight Thousand Dollars and No Cents (\$338,000.00) in U.S. Department of Housing and Urban Development ("HUD") NSP Program Income to be used in accordance with NSP regulations; and

WHEREAS, pursuant to Resolution 10-O-0409 and 09-R-0946, the City entered into contractual agreements with the Fulton County/City of Atlanta Land Bank Authority, Inc. (“LBA”), for the purpose of implementing the NSP (collectively the “Agreements”); and

WHEREAS, the LBA has need for additional funds to complete existing NSP projects and/or purchase new properties; and

WHEREAS, the City’s Department of Planning and Community Development, Office of Housing finds that it is in the best interest of the City to amend the Agreements to increase the not to exceed amounts as follows: 1) DCA Neighborhood Stabilization contract with LBA shall have a not exceed amount of One Million Seven Hundred Six Thousand Thirty Six Dollars and Fifty-Four Cents (\$1,706,036.54), 2) HUD Neighborhood Stabilization contract with LBA shall have a not to exceed amount of Three Million Five Hundred Thirty-Three Thousand Four Hundred Eighty-Six Dollars and Eighty-Nine Cents (\$3,533,486.89).

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is hereby authorized to amend the Agreements with LBA to increase the not to exceed amounts as follows: 1) the DCA Neighborhood Stabilization contract with LBA shall have a not exceed amount of One Million Seven Hundred Six Thousand Thirty Six Dollars and Fifty-Four Cents (\$1,706,036.54), 2) the HUD Neighborhood Stabilization contract with LBA shall have a not to exceed amount of Three Million Five Hundred Thirty-Three Thousand Four Hundred Eighty-Six Dollars and Eighty-Nine Cents (\$3,533,486.89) for the purpose of redevelopment of abandoned and foreclosed homes and residential properties under the NSP.

BE IT FURTHER RESOLVED, that all work shall be charged to and paid from the following accounts:

Funding Type	Contractor	PTAEO				Amount	FDOA					
		Project Number	Task No.	Award Number	Exp. Acct.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Proj #	GL Funding Source
HUD	City of Atlanta/ Fulton County Land Bank Authority	25210408	114	220192005	5239004	1,325,296.00	2201	250305	5999999	7310000	210408	92005
	City of Atlanta/ Fulton County Land Bank Authority	25210408	114	220131844	5239004	2,208,190.89	2201	250305	5999999	7310000	210408	31844

Contract Total: \$ 3,533,486.89

Funding Type	Contractor	PTAEO				Amount	FDOA					
		Project Number	Task No.	Award Number	Exp. Acct.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Proj #	GL Funding Source
DCA	City of Atlanta/ Fulton County Land Bank Authority	25210568	108	250192020	5239004	347,279.00	2501	250305	5999999	7310000	2510568	92020
	City of Atlanta/ Fulton County Land Bank Authority	25210568	108	250141869	5239004	1,358,757.54	2501	250305	5999999	7310000	210568	41869

Contract Total: \$ 1,706,036.54

BE IF FURTHER RESOLVED, that the agreements shall have a term, which expires March 1, 2015.

BE IF FURTHER RESOLVED, that the Office of Housing in consultation with the City Attorney is directed to prepare an appropriate documents for execution by the Mayor.

BE IT FINALLY RESOLVED, that the amendments to the Agreements shall not become binding upon the City, and the City shall incur no liability upon same until such are approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to LBA.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: CD/HR Committee

Caption:

A RESOLUTION AUTHORIZING THE MAYOR TO AMEND THE NEIGHBORHOOD STABILIZATION PROGRAM CONTRACTUAL AGREEMENTS WITH THE FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY, INC., FOR THE PURPOSE OF INCREASING THE NOT TO EXCEED AMOUNTS; ALL WORK TO BE CHARGED TO AND PAID FROM ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES.

Council Meeting Date: March 18, 2013

Requesting Dept.: Planning and Community Development

FAC Confirmed by: N/A

B.

To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to increase the not to exceed amounts for the Fulton County/City of Atlanta Land Bank Authority NSP contracts to allow them to acquire additional properties and rehab existing inventory.

2. Please provide background information regarding this legislation.

DCA NSP has generated over \$780,000 in NSP program income and HUD NSP has generated over \$1,400,000 in NSP program income and both programs will continue to generate additional program income upon the sale of a NSP unit or through NSP loan payments. The LBA will continue to acquire additional properties and utilize funds to rehab properties already acquired.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:** n/a

(c) **Bids/Proposals Due:** n/a

- (d) **Invitations Issued:** n/a
- (e) **Number of Bids:** n/a
- (f) **Proposals Received:** n/a
- (g) **Bidders/Proponents:** n/a
- (h) **Term of Contract:**

4. **Fund Account Center** (*Ex. Name and number*) in legislation

5. **Source of Funds:** DCA NSP1 Program Income

6. **Fiscal Impact:** n/a

7. **Method of Cost Recovery:** All expenses will be paid from this grant amount.

This Legislative Request Form Was Prepared By: Valerie Fontaine (ext. 6595/6121).

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN:

Dept.'s Legislative Liaison: Valerie Fountaine

Contact Number: x6410/6121

Originating Department: Planning and Community Development- Office of Housing

Committee(s) of Purview: CD/HR

Chief of Staff Deadline: February 8, 2013

Anticipated Committee Meeting Date(s): February 26, 2013

Anticipated Full Council Date: March 18, 2013

Legislative Counsel's Signature: _____

Commissioner Signature: _____

Chief Procurement Officer Signature: N/A

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO AMEND THE NEIGHBORHOOD STABILIZATION PROGRAM CONTRACTUAL AGREEMENTS WITH THE FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY, INC., FOR THE PURPOSE OF INCREASING THE NOT TO EXCEED AMOUNTS; ALL WORK TO BE CHARGED TO AND PAID FROM ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: Adriano 2-8-13 Reviewed by: _____
(date) (date)

Submitted to Council: _____