

**CITY COUNCIL
ATLANTA, GEORGIA**

13-R-3254

A RESOLUTION FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND EIGHTEEN THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY-TWO CENTS (\$18,869.72) TO BELL PARTNERS, INC., FOR THE PURPOSE OF REIMBURSING OVERPAYMENT OF 2010, 2011 AND 2012 BUSINESS LICENSE FEES DUE TO VALIDATION THAT THE OFFICE LOCATED AT ALL FUNDS TO BE CHARGED TO AND PAID FROM 1001 – GENERAL FUND; 100501 - REVENUE AND COLLECTIONS ADMINISTRATION; 5730012 – REFUNDS; 1515000- TREASURY; AND FOR OTHER PURPOSES.

Review List:

Charlene Parker	Completed	06/04/2013 10:06 AM
Jim Beard	Completed	06/04/2013 10:34 AM
Mayor's Office	Completed	06/04/2013 12:55 PM
Office of Research and Policy Analysis	Completed	06/04/2013 3:33 PM
Finance/Executive Committee	Pending	
Atlanta City Council	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND EIGHTEEN THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY-TWO CENTS (\$18,869.72) TO BELL PARTNERS, INC., FOR THE PURPOSE OF REIMBURSING OVERPAYMENT OF 2010, 2011 AND 2012 BUSINESS LICENSE FEES DUE TO VALIDATION THAT THE OFFICE LOCATED AT ALL FUNDS TO BE CHARGED TO AND PAID FROM 1001 – GENERAL FUND; 100501 - REVENUE AND COLLECTIONS ADMINISTRATION; 5730012 – REFUNDS; 1515000- TREASURY; AND FOR OTHER PURPOSES.

WHEREAS, Bell Partners, Inc., paid 2010, 2011 and 2012 business taxes to the City of Atlanta’s Department of Finance (the “Department”); and

WHEREAS, Bell Partners, Inc.,

Deleted: has submitted a Request for Refund of business license fees to the City of Atlanta for overpayment of business license fees; and ¶
¶
WHEREAS, the Department's Office of Revenue has determined that the above reference location is located within the boundaries of DeKalb County and not within the boundaries of the City of Atlanta; and¶
¶
WHEREAS, the Office of Revenue investigated the claim and has determined that Bell Partners, Inc., is entitled to a business tax refund in the amount of Eighteen Thousand Eight Hundred Sixty Nine Dollars and Seventy-Two Cents (\$18,869.72).¶
¶
THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the Chief Financial Officer is hereby authorized to issue a refund to BELL PARTNERS, INC., in the amount of Eighteen Thousand Eight Hundred Sixty Nine Dollars and Seventy-Two Cents (\$18,869.72) for an overpayment of business license taxes.¶
¶
BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from 1001 - General Fund; 100501 - Revenue and Collections Administration; 5730012 - Refunds; 1515000- Treasury.¶

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Charlene Parker

Contact Number: 404-330-6616

Originating Department: Finance

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline:

Anticipated Committee Meeting Date(s): June 12, 2013

Anticipated Full Council Date: June 17, 2013

Legislative Counsel's Signature: Mariangela Corales



Commissioner Signature:



Chief Procurement Officer Signature: N/A

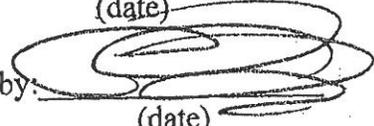
CAPTION

A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND EIGHTEEN THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY-TWO CENTS (\$18,869.72) TO BELL PARTNERS, INC., FOR THE PURPOSE OF REIMBURSING OVERPAYMENT OF 2010, 2011 AND 2012 BUSINESS LICENSE FEES DUE TO VALIDATION THAT THE OFFICE LOCATED AT ALL FUNDS TO BE CHARGED TO AND PAID FROM 1001 - GENERAL FUND; 100501 - REVENUE AND COLLECTIONS ADMINISTRATION; 5730012 - REFUNDS; 1515000- TREASURY; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

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

Received by Mayor's Office: M Hill 5/24/13 Reviewed by: 
(date) (date)

Submitted to Council: _____

Attachment: TRANSMITTAL - BELL PARTNERS, INC. (13-R-3254 : Bell Partners)

(g) Bidders/Proponents: n/a

(h) Term of Contract:

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

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Yolanda McCrory

LEGISLATIVE COUNSEL REQUEST FOR LEGISLATION

For Legislative Counsel Use Only

_____ Date Received _____ Complete _____ Incomplete (Date returned: _____)

_____ Date of Department Consultation _____ Date of Finance Department Consultation

Commissioner Notified: ___ Yes ___ No If No, Why? _____

Legislation Required _____ Yes _____ No Legislation Type _____ Resolution _____ Ordinance

Amends the Code _____ Yes _____ No Blueback Prepared _____ Yes _____ No

Commissioner Signature _____

Council Members Only:
 Authority to speak to Subject Matter Attorney ___ Yes ___ No
 Authority to speak to Department ___ Yes ___ No

Date Submitted: 05.15.13

Department Submitting Request: Finance

Person Submitting Request: Yolanda McCrory Extension: 8409

Bureau/Division Manager: Gary Donaldson Extension: 1985

Requesting preliminary meeting with Legislative Counsel attorney? Yes No

Subject Matter of the Meeting _____

Cycle Number/Requested Full Council Date (not earlier than 4 weeks from date of submission):
Cycle 11

If this must be submitted to Council in fewer than 4 weeks explain why. Please identify consequences if legislation is not submitted for requested cycle. All non-conforming requests must have Commissioner approval.

Attachment: TRANSMITTAL - BELL PARTNERS, INC. (13-R-3254 : Bell Partners)

LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION

Part I: Legislative Request Form:

Instructions: Please answer all questions fully before submitting. Attach additional pages if necessary. All requests for legislation must have approval of a manager prior to submission. All incomplete requests will be returned. Send request via electronic mail to Legislative Counsel. No hard copies will be accepted. Please refer to attached deadlines for the relevant Chief of Staff submission guidelines.

1. What is the purpose of this legislation? (check one)

- Accept a grant or donation
 - Amend budget
 - Amend Code of Ordinances
 - Amend Contract
 - Anticipate funds
 - Appropriate funds
 - Apply for a grant or donation
 - Authorize/renew Contract
 - Fines/penalties
 - Human Resources related
 - Make a purchase
 - New project
 - Procuring goods
 - Procuring services
 - Other, please explain Resolution to refund overpayment of Business License Fee
- Please describe in detail the purpose of your legislation? The purpose of this legislation is to authorize CFO to process refund to Bell Partners for overpayment of Business License fees in the amount of \$18,869.72
-
- If this legislation is to award/amend/renew a contract, please provide the following:
 Expiration date of contract:
 Contract Term (months/yr): n/a

2. Please describe why legislation is required rather than administrative action by the Department (please cite any relevant code sections or internal policies).

All Refunds greater than \$5,000 must be approved by the Atlanta City Council and the Mayor pursuant to the Procurement and Real Estate Code of the Atlanta City Code of Ordinances.

3. If there is an existing process, will this legislation impact that process? How?

NA

Attachment: TRANSMITTAL - BELL PARTNERS, INC. (13-R-3254 : Bell Partners)

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

4. Please explain and estimate any financial impact on the City or your Department.

- Will the City need to appropriate or transfer funds to accomplish this purpose?
NO
- Has this purpose already been set forth in the budget?
YES
- Will there be a fee or charge assessed by the City?
- If so, how much? NO
 - How was the fee or charge determined? NA
- What FAC #'s are needed for this legislation? Also, please provide the associated amounts.
- Funds will be charged as follows: 1001 – General Fund; 100501- DOF Revenue & Collections; 5730012 – Refunds; 1515000 - Treasury in the amount of \$18,869.72
-
- Is a grant required for this legislation? Yes No
- If so, is a matching grant required? Yes No
- Will there be an increase or decrease in personnel? NO
- Has HR been made aware of the need for personnel changes? Yes No
If so, who is the contact person? _____ at extension
 - Will positions be created or abolished? NO
- Will additional resources be required to achieve this purpose? NO
- If yes, what are those resources?
 - Has the Department estimated the cost of those resources?
- Will revenue be generated for the City? YES

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

5. If there has been previous or similar legislation, please describe and cite the relevant legislation (e.g., 04-R-0001). Resolution 12-R-0576 authorizes refund of Business License Fees
6. Is this a computer/technology purchase? Yes No
If so, please forward ISR (Information System Hardware/Software Request) along with a copy of this Legislative Request Form via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

Please forward any additional pertinent or supporting documents (e.g. contracts, exhibits, requisitions, copies of any old ordinances/resolutions pertaining to this issue, etc.) along with a copy of this Legislative Request Form and legislative white paper via email to legislative_counsel or via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

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:

Caption:

Council Meeting Date:

Requesting Dept.:

B. To be completed by the department :

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

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

□ The purpose of this legislation is to authorize CFO to process refund to Bell Partners for overpayment of Business License fees in the amount of \$18,869.72

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

On May 5, the City received notice from the Property Accountant for Bell Partners requesting a refund for business license fees paid for the years 2010, 2011, and 2012. The customer was notified by DeKalb County that the business is actually located within DeKalb County and outside of the limits of the City of Atlanta. The Senior Business License Investigator for the City of Atlanta has confirmed the allegations reported in the notification.

3. If Applicable/Known:

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

(b) **Source Selection:** |

Attachment: TRANSMITTAL - BELL PARTNERS, INC. (13-R-3254 : Bell Partners)

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

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: Funds will be charged to 1001 - General Fund; 100501 - DOF Revenue & Collections; 5730012 - Refunds; 1515000 - Treasury in the amount of \$18,869.72. Funds are available for this disbursement

Example: *This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.*

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Yolanda McCrory

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Committee _____
Date _____
Chair _____
Referred To _____

FIRST READING

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

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 _____

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

CERTIFIED

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

Date Referred: _____

Date Referred: _____

Date Referred: _____

Date Referred: _____

Date Referred: _____