

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE WAIVING CERTAIN PROVISIONS UNDER SECTIONS 2-1541 (D) AND 2-1545 (D) OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CONSERVATION FUND TO PURCHASE 1.1 ACRE OF LAND FOR DEVELOPMENT AS A PARK TRAILHEAD TO BE LOCATED AT 2177 ARMAND ROAD N.E., PARCEL NUMBER 17-0049000-70141 IN COUNCIL DISTRICT SIX, IN THE AMOUNT OF THREE HUNDRED NINETY-NINE THOUSAND EIGHT HUNDRED FIFTY-THREE DOLLARS AND TWENTY-SEVEN CENTS (\$399,853.27); THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, SIGNAGE, SITE SECURITY, SITE STABILIZATION, FENCING, AND OTHER DEVELOPMENT COSTS TO BE PAID FROM THE PARK IMPACT FEE NORTH FUND, AS SET FORTH BELOW, AND AMENDING THE 2016 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGETS IN THE DEPARTMENTS OF PARKS AND RECREATION, AND FINANCE PARKS NORTH SERVICE DISTRICT BY TRANSFERRING TO AND FROM VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, in 2009 the City's Project Green space Plan identified District 6 as being underserved with respect to park and green spaces; and

WHEREAS, The 2016 Comprehensive Development Plan Vision is for the City of Atlanta to Be a bikeable, walkable and pedestrian-oriented community offering a variety of safe transportation options such as sidewalks, streetscapes, greenway trails, bike lanes, and ADA accessibility; and

WHEREAS the 2016 Comprehensive Development Plan states as a primary Goal the protection of water quality and increased community connectivity through stream bank acquisition and restoration; and

WHEREAS the 2016 Comprehensive Development Plan states as a primary Goal improving stream buffer easements with multi-use trails and other outdoor recreation and educational opportunities; and

WHEREAS 2016 Comprehensive Development Plan outlines priority green space needs identified in Project Green space are Greenways and Multi-use Trails; and

WHEREAS the 2016 Comprehensive Development Plan Goal is to establish connections between parks and green spaces as part of the overall green space system, including Greenway Corridors, Multi-use Trails, and Complete Streets; and

WHEREAS the Comprehensive Development Plan Parks, Open Space and Greenway Policy is to unify the City by developing Multi-use Recreational Trails; and

WHEREAS, The acquisition of 2177 Armand Rd NE will help the City of Atlanta achieve its Vision, Goals, Policies and Priorities set forth in the 2016 Comprehensive Development Plan; and

WHEREAS, the acquisition of 1.1 acre parcel of land situated at 2177 Armand Road N.E., would connect creek side trails running along the banks of the South Fork of Peachtree Creek by providing a trailhead entrance to the forested preserve; and

WHEREAS, access to the trails is currently restricted, due to this parcel's proximity between City owned land and a fully used Nature trail; and

WHEREAS, NPU-F supports the South Fork Conservancy’s proposal to convert this parcel into a green space trailhead; and

WHEREAS, The Conservation Fund (“TCF.”) is a non-profit, 501 (c) (3) organization, whose mission is to hold such properties until the respective public agencies have funds to purchase the properties; and

WHEREAS, The Department of Parks and Recreation will seek appropriate future legislative authorization to engage Park Pride Inc. to design the trailhead and park entrance amenities; and

WHEREAS, the proposed purchase of this parcel is consistent with the City of Atlanta’s goal of increasing the amount of parks and green space acreage available, and within closer proximity to each resident of the City.

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 to purchase parcel number 17-0049000-70141, and located at 2177 Armand Road N.E. at a purchase price of Three Hundred Ninety-Nine Thousand Eight Hundred Fifty Three Dollars And Twenty-Seven Cents (\$399,853.27) or 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.

SECTION 3: 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”) from the fund manifest enumerated in Section 5 of this ordinance.

SECTION 4: The total amount of the “City” Purchase Price and Due Diligence and Purchase Services shall not exceed the sum of Three Hundred Ninety Nine Thousand Eight Hundred Fifty Three Dollars and Twenty-Seven Cents (\$399,853.27).

SECTION 5: The 2016 General Government Capital Outlay Fund Budget, Department of Parks and Recreation is hereby amended as follows:

TRANSFER FROM APPROPRIATIONS

\$399,853.27 from 3502 (General Government Capital Outlay Fund) 100101 (DOF Chief Financial Officer) 5999999 (Reserve Conversion Account-Class 1) 1320000 (Chief Executive) 201072 (Admin. Development Recoupment Fees) 91109 (Dev Impact Fees Parks North)

PROJECT	10201072	Development Recoupment Fees
Task	101	Development Recoupment Fees

Award	350291109	Dev. Recoup Fees-Parks North
Expense	5999901	Projects and Grants Budget
Org City of Atlanta		

\$399,853.27

ADD TO AWARD INSTALLMENT

The amount of \$399,853.27

D.I.F. Parks North

			D.I.F. PARKS NORTH			
			TRANSFER TO APPROPRIATIONS			
PTAEO				GENERAL LEDGER		
PROJECT NUMBER	14201997	GREENS PACE PGM; PARKS		FUND	3502	GENERAL GOVERNMENT CAPITAL OUTLAY
TASK NUMBER	128	Green Space 2177 Armand Road NE		GL DEPT	140106	PRC PARKS DESIGN
AWARD NUMBER	350291109	D.I.F Parks-North		Expense Acct	5999999	Projects And Grants
Expense Account	5410001	Land		Function/Activity	6220000	Park Areas
Owning Org	COA	City of Atlanta		GL Project	201997	Green space PGM; Parks North
				GL	91109	D.I.F.

				FUNDIN G SOURCE		PARKS NORTH
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TOTAL

\$399,853.27

SECTION 6: The City’s Purchase Price, Due Diligence, Site Security, Signage, Site Stabilization, Fencing, Development Costs, and Purchase Services, in an amount not to exceed Three Hundred Ninety Nine Thousand Eight Hundred Fifty Three Dollars And Twenty Seven Cents (\$399,853.27) shall be paid from Park Impact Fee North 14201997 (Project), 128 (Task), 350291109 (Award), 5410001 (Expense Type Land).

SECTION 7: Upon acquisition, the Department of Parks and Recreation shall be 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 one or more neighborhood groups or other private entity from maintaining all or part of the property pursuant to an agreement with the City.

SECTION 8: The City’s Green Space Acquisition Consultant (“the Consultant”), is authorized to settle the acquisition of the Property at an amount authorized by the Chief Procurement Officer and in an amount not to exceed Fair Market Value. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

SECTION 9: 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 10: 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 11: 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 12: 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 13: 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.

**CITY COUNCIL
ATLANTA, GEORGIA**

17-O-1061

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Workflow List:

Finance	Completed	02/03/2017 11:02 AM
Amy Phuong	Completed	02/03/2017 11:08 AM
Susan Garrett	Completed	02/03/2017 12:08 PM
Mayor's Office	Completed	02/03/2017 12:36 PM
Office of Research and Policy Analysis	Completed	02/08/2017 3:36 PM
Finance/Executive Committee	Pending	02/15/2017 1:00 PM
Atlanta City Council	Pending	02/20/2017 1:00 PM
Mayor's Office	Pending	

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