AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO UTILIZE THE CITY OF ATLANTA TREE TRUST FUND AS THE SOURCE OF FUNDING FOR MAINTENANCE ACTIVITIES FOR PROPERTY DESIGNATED, IN PERPETUITY AS FOREST LAND, ON 216 ACRES OF REAL PROPERTY LOCATED AT 0 FORREST PARK RD SE, FULTON COUNTY TAX PARCEL ID NUMBERS 14-0003-LL-017-3, 14-0002-LL-024-0, 14-0004-LL-049-5, 14-0004-LL-053-7 FOR THE PROTECTION, MAINTENANCE, AND REGENERATION OF TREES AND OTHER FOREST RESOURCES AS AUTHORIZED UNDER CITY CODE SECTION 158-66 (B); IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED AND NINETY-FOUR THOUSAND EIGHT HUNDRED THIRTY-FOUR DOLLARS AND THIRTY-TWO CENTS (\$2,294,834.32); TO BE PAID FROM THE TREE TRUST FUND USING THE FUND AND ACCOUNT INFORMATION LISTED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, greenspace is an integral part of the fabric of the City of Atlanta ("City"); and

WHEREAS, Ordinance 16-0-1353, adopted by the City Council on November 21, 2016 and approved as per City Charter Section 2-403 on November 30, 2016 (codified as City Code Sec. 158-66(b)), authorizes the City to procure privately-owned afforested property containing i) 80 percent or more canopy cover; ii) minimum forestation standards of 1,000 DBH inches; and/or iii) 50 mature trees per acre ("minimum eligibility criterion"); and

WHEREAS, in addition to meeting one or more of the minimum eligibility criterion, the aforementioned city code section requires that the property: i) be dedicated and preserved in perpetuity as forested land; ii) be available for public use without cost (subject to park rules and other applicable city ordinances); and c) use of the property be restricted to passive recreational activities with minimal environmental impact, as determined and established in writing by the department of parks and recreation commissioner based on the characteristics of the property; and

WHEREAS, the City has identified property located at 0 Forrest Park Rd SE, Fulton County tax parcel ID numbers; 14-0003-LL-017-3, 14-0002-LL-024-0, 14-0004-LL-049-5, 14-0004-LL-053-7 (the "Property") approximately depicted in Exhibit A, attached hereto and incorporated herein by this reference that it has determined should be preserved as afforested land in perpetuity for its high conservation value; and

WHEREAS, the Property meets the minimum eligibility criterion, including preserving and contributing to the South River watershed, and it is in the best interest of the City to acquire the Property as forested land in perpetuity and shall be available for public use without cost (subject to City of Atlanta rules and other ordinances); and

WHEREAS, following the acquisition of the Property, the City of Atlanta Department of Parks and Recreation ("DPR") is the department responsible for oversight of the Property; and

Last Updated: 03/6/20 Page 1 of 12

WHERAS, as specified in the code section 158-66 (b), a Property Maintenance Plan and Budget has been created that specifies the types of maintenance and improvements that will be needed at the property for the next five years depicted in Exhibit B attached hereto and incorporated herein by this reference; and

WHEREAS, the Property Maintenance Plan will describe the types of maintenance that may be needed at the Property, will estimate the Property's annual maintenance cost, and will identify the source of funding for the estimated annual maintenance cost; and

WHEREAS, as authorized under city code section 158-66, to the extent that the commissioner identifies the tree trust fund as the source of maintenance funding, any specific allocation of maintenance dollars from the tree trust fund shall be authorized as a separate procurement or expenditure, in a manner consistent with applicable city ordinances; and

WHEREAS, funding from the Tree Trust Fund will be allocated to DPR or their designee as prescribed in the Property Maintenance Plan to conduct maintenance on the property; and

WHEREAS, the Department of Parks and Recreation will be required to submit subsequent legislation for authorization to use additional Tree Trust Funds and after the first five year maintenance term is complete for ongoing maintenance if Tree Trust Funds are identified as the source of maintenance funding for the property.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

<u>SECTION 1:</u> The Department of Parks and Recreation, on behalf of the City, is hereby authorized to allow for the use of Tree Trust Funds for maintenance purposes as provided in 158-66 (b) and attached as Exhibit B: Maintenance and Management Plan for O Forrest Road.

<u>SECTION 2:</u> The Authorized Amount shall not exceed a total of two million, two hundred ninety-four thousand, eight hundred thirty-four dollars and thirty two cents (\$2,294,834.32) for a period of five years and shall be paid from the Tree Trust Fund enumerated in Section 3.

<u>SECTION 3:</u> The costs of the maintenance and management plan shall be charged to and paid from the amended FY2021 through FY2025 Tree Trust Fund as follows:

Fund 7701 Trust Fund, Department 140201 PRC Parks Administration, Account 5212001 Consulting /Professional Services 6210000 Park Administration, Project 600013 Tree Removal Protection, 69999 Funding Source for Non Capital Trust.

TRANSFER FRO)M A	PPROPI	RIATIONS				
PTAEO			GENERAL LEDGER	GENERAL LEDGER			
PROJECT	NI	NI	FUND	7701	TRUST FUND		
NUMBER	\boldsymbol{A}	\boldsymbol{A}					
TASK	NI	NI	GLDEPT	250101	PCD		
NUMBER	\boldsymbol{A}	\boldsymbol{A}			COMMISSIONER		
AWARD	NI	NI	ACCT	523900	SERVICE		
NUMBER	\boldsymbol{A}	\boldsymbol{A}		4	GRANTS		
EXPENSE	NI	NI	FUNCTION/ACTIVI	132000	CHIEF		
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	TY	0	EXECUTIVE		
OWNING ORG	NI	NI	GLPROJECT	600013	TREE REMOVAL		
	\boldsymbol{A}	\boldsymbol{A}			PROTECTION		
			GL FUNDING	69999	NON CAPITAL		
			SOURCE				
TOTAL					\$508,778.52		

ADD TO APPRO	PRIA	TIONS					
PTAEO			GENERAL LEDGE	GENERAL LEDGER			
PROJECT	NI	NI	FUND	7701	TRUST FUND		
NUMBER	\boldsymbol{A}	\boldsymbol{A}					
TASK	NI	NI	GLDEPT	140201	PRC PARKS		
NUMBER	\boldsymbol{A}	\boldsymbol{A}			ADMIN		
AWARD	NI	NI	ACCT	521200	CONSULTANT		
NUMBER	\boldsymbol{A}	\boldsymbol{A}		1	PROF.		
					SERVICES		
EXPENSE	NI	NI	FUNCTION/ACTIV	621000	PARK ADMIN		
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	ITY	0			
OWNING ORG	NI	NI	GLPROJECT	600013	TREE		
	\boldsymbol{A}	\boldsymbol{A}			REMOVAL		
			GL FUNDING	69999	NON CAPITAL		
			SOURCE				
TOTAL					\$508,778.52		

FY2022 - Year 2 of Maintenance

TRANSFER FROM APPROPRIATIONS								
PTAEO GENERAL LEDGER								
PROJECT NI NI				FUND	7701	TRUST FUND		

NUMBER	A	\boldsymbol{A}			
TASK	NI	NI	GLDEPT	250101	PCD
NUMBER	\boldsymbol{A}	\boldsymbol{A}			COMMISSIONER
AWARD	NI	NI	ACCT	523900	SERVICE
NUMBER	\boldsymbol{A}	\boldsymbol{A}		4	GRANTS
EXPENSE	NI	NI	FUNCTION/ACTIVI	132000	CHIEF
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	TY	0	EXECUTIVE
OWNING ORG	NI	NI	GLPROJECT	600013	TREE REMOVAL
	\boldsymbol{A}	\boldsymbol{A}			PROTECTION
			GL FUNDING	69999	NON CAPITAL
			SOURCE		
TOTAL					\$522,877.68

ADD TO APPRO	PRIA	TIONS					
PTAEO			GENERAL LEDGE	GENERAL LEDGER			
PROJECT	NI	NI	FUND	7701	TRUST FUND		
NUMBER	\boldsymbol{A}	A					
TASK	NI	NI	GLDEPT	140201	PRC PARKS		
NUMBER	\boldsymbol{A}	A			ADMIN		
AWARD	NI	NI	ACCT	521200	CONSULTANT		
NUMBER	\boldsymbol{A}	A		1	PROF.		
					SERVICES		
EXPENSE	NI	NI	FUNCTION/ACTIV	621000	PARK ADMIN		
ACCOUNT	\boldsymbol{A}	A	ITY	0			
OWNING ORG	NI	NI	GLPROJECT	600013	TREE		
	\boldsymbol{A}	A			REMOVAL		
			GL FUNDING	69999	NON CAPITAL		
			SOURCE				
TOTAL					\$522,877.68		

FY2023 - Year 3 of Maintenance

TRANSFER FROM APPROPRIATIONS									
PTAEO			GENERAL L	GENERAL LEDGER					
PROJECT	PROJECT NI NI			7701	TRUST FUND				
NUMBER	\boldsymbol{A}	\boldsymbol{A}							
TASK	NI	NI	GLDEPT	250101	PCD				
NUMBER	\boldsymbol{A}	\boldsymbol{A}			COMMISSIONER				
AWARD	NI	NI	ACCT	523900	SERVICE				
NUMBER	\boldsymbol{A}	\boldsymbol{A}		4	GRANTS				
EXPENSE	NI	NI	FUNCTION/A	ACTIVI 132000	CHIEF				

ACCOUNT	A	A	TY	0	EXECUTIVE
OWNING ORG	NI	NI	GLPROJECT	600013	TREE REMOVAL
	\boldsymbol{A}	\boldsymbol{A}			PROTECTION
			GL FUNDING	69999	NON CAPITAL
			SOURCE		
TOTAL					\$599,617.99

ADD TO APPRO	ADD TO APPROPRIATIONS								
PTAEO			GENERAL LEDGE	GENERAL LEDGER					
PROJECT	NI	NI	FUND	7701	TRUST FUND				
NUMBER	\boldsymbol{A}	\boldsymbol{A}							
TASK	NI	NI	GLDEPT	140201	PRC PARKS				
NUMBER	\boldsymbol{A}	\boldsymbol{A}			ADMIN				
AWARD	NI	NI	ACCT	521200	CONSULTANT				
NUMBER	\boldsymbol{A}	\boldsymbol{A}		1	PROF.				
					SERVICES				
EXPENSE	NI	NI	FUNCTION/ACTIV	621000	PARK ADMIN				
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	ITY	0					
OWNING ORG	NI	NI	GLPROJECT	600013	TREE				
	\boldsymbol{A}	\boldsymbol{A}			REMOVAL				
			GL FUNDING	69999	NON CAPITAL				
			SOURCE						
TOTAL					\$599,617.99				

FY2024 - Year 4 of Maintenance

TRANSFER FRO)M A	PPROPI	RIATIONS			
PTAEO			GENERAL LEDGER			
PROJECT	NI	NI	NI FUND 77	7701	TRUST FUND	
NUMBER	\boldsymbol{A}	\boldsymbol{A}				
TASK	NI	NI	GLDEPT	250101	PCD	
NUMBER	\boldsymbol{A}	\boldsymbol{A}			COMMISSIONER	
AWARD	NI	NI	ACCT	523900	SERVICE	
NUMBER	\boldsymbol{A}	\boldsymbol{A}		4	GRANTS	
EXPENSE	NI	NI	FUNCTION/ACTIVI	132000	CHIEF	
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	TY	0	EXECUTIVE	
OWNING ORG	NI	NI	GLPROJECT	600013	TREE REMOVAL	
	\boldsymbol{A}	\boldsymbol{A}			PROTECTION	
			GL FUNDING	69999	NON CAPITAL	
			SOURCE			
TOTAL					\$358,021.70	

ADD TO APPRO	PRIA	TIONS				
PTAEO			GENERAL LEDGER			
PROJECT	NI	NI	FUND	7701	TRUST FUND	
NUMBER	\boldsymbol{A}	A				
TASK	NI	NI	GLDEPT	140201	PRC PARKS	
NUMBER	\boldsymbol{A}	A			ADMIN	
AWARD	NI	NI	ACCT	521200	CONSULTANT	
NUMBER	\boldsymbol{A}	A		1	PROF.	
					SERVICES	
EXPENSE	NI	NI	FUNCTION/ACTIV	621000	PARK ADMIN	
ACCOUNT	\boldsymbol{A}	A	ITY	0		
OWNING ORG	NI	NI	GLPROJECT	600013	TREE	
	\boldsymbol{A}	A			REMOVAL	
			GL FUNDING	69999	NON CAPITAL	
			SOURCE			
TOTAL					\$358,021.70	

FY2025 - Year 5 of Maintenance

TRANSFER FROM APPROPRIATIONS								
PTAEO			GENERAL LEDGER	GENERAL LEDGER				
PROJECT	NI	NI	FUND	7701	TRUST FUND			
NUMBER	\boldsymbol{A}	\boldsymbol{A}						
TASK	NI	NI	GLDEPT	250101	PCD			
NUMBER	\boldsymbol{A}	\boldsymbol{A}			COMMISSIONER			
AWARD	NI	NI	ACCT	523900	SERVICE			
NUMBER	\boldsymbol{A}	\boldsymbol{A}		4	GRANTS			
EXPENSE	NI	NI	FUNCTION/ACTIVI	132000	CHIEF			
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	TY	0	EXECUTIVE			
OWNING ORG	NI	NI	GLPROJECT	600013	TREE REMOVAL			
	\boldsymbol{A}	\boldsymbol{A}			PROTECTION			
			GL FUNDING	69999	NON CAPITAL			
			SOURCE					
TOTAL					\$305,538.43			

ADD TO APPROPRIATIONS									
PTAEO			GENERAL I	GENERAL LEDGER					
PROJECT NI NI			FUND	7701	TRUST FUND				
NUMBER A A									

TASK	NI	NI	GLDEPT	140201	PRC PARKS
NUMBER	\boldsymbol{A}	A			ADMIN
AWARD	NI	NI	ACCT	521200	CONSULTANT
NUMBER	\boldsymbol{A}	A		1	PROF.
					SERVICES
EXPENSE	NI	NI	FUNCTION/ACTIV	621000	PARK ADMIN
ACCOUNT	\boldsymbol{A}	\boldsymbol{A}	ITY	0	
OWNING ORG	NI	NI	GLPROJECT	600013	TREE
	\boldsymbol{A}	A			REMOVAL
			GL FUNDING	69999	NON CAPITAL
			SOURCE		
TOTAL					\$305,538.43

<u>SECTION 4:</u> The Property is dedicated as a Tree Trust Fund Acquisition and the City of Atlanta shall retain the Property in perpetuity as public forested land with passive recreational facilities, provided that such facilities are developed and managed to have minimal environmental impact, as determined and established based on the characteristics of the property.

<u>SECTION 5:</u> The Property shall be available for public use without cost (subject to City of Atlanta rules and other ordinances).

<u>SECTION 6:</u> Attached to this ordinance as Exhibit B is the maintenance plan for the Property. This plan describes the types of maintenance that may be needed at the Property, estimates the Property's annual maintenance cost, and identifies the source of funding for the estimated annual maintenance cost.

<u>SECTION 7:</u> Additional requests for use of funds from the Tree Trust Fund for the maintenance of the property will require authorizing legislation.

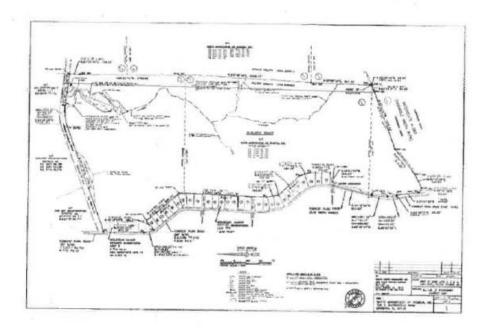
<u>SECTION 8:</u> All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

Exhibit "A"

Description of Property

Portions of Tax Parcel IDs 14-0003-LL-017-3, 14-0002-LL-024-0, 14-0004-LL-049-5, 14-0004-LL-053-7

The boundary line as shown in red below is approximately 100 ft from the Dekalb County border.



CITY COUNCIL ATLANTA, GEORGIA

20-O-1216

AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO UTILIZE THE CITY OF ATLANTA TREE TRUST FUND AS THE SOURCE OF FUNDING FOR MAINTENANCE ACTIVITIES FOR PROPERTY DESIGNATED, IN PERPETUITY AS FOREST LAND, ON 216 ACRES OF REAL PROPERTY LOCATED AT 0 FORREST PARK RD SE, FULTON COUNTY TAX PARCEL ID NUMBERS 14-0003-LL-017-3, 14-0002-LL-024-0, 14-0004-LL-049-5, 14-0004-LL-053-7 FOR THE PROTECTION, MAINTENANCE, AND REGENERATION OF TREES AND OTHER FOREST RESOURCES AS AUTHORIZED UNDER CITY CODE SECTION 158-66 (B); IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED AND NINETY-FOUR THOUSAND EIGHT HUNDRED THIRTY-FOUR DOLLARS AND THIRTY-TWO CENTS (\$2,294,834.32); TO BE PAID FROM THE TREE TRUST FUND USING THE FUND AND ACCOUNT INFORMATION LISTED HEREIN; AND FOR OTHER PURPOSES.

Workflow List:

 Tim Keane
 Completed
 02/27/2020 1:46 PM

 Jonathan S Futrell
 Completed
 02/27/2020 3:12 PM

 Finance
 Completed
 02/28/2020 10:40 AM

 Mayor's Office
 Completed
 02/28/2020 10:43 AM

 Office of Research and Policy Analysis
 Completed
 03/03/2020 2:19 PM

Community Development & Human Services Committee

Completed

Compl

Atlanta City Council Completed 03/17/2020 10:00 AM

Community Development & Human Services Committee

Completed

Compl

Atlanta City Council Pending 04/20/2020 1:00 PM

Mayor's Office Pending

HISTORY:

03/10/20 Community Development & Human Services Committee

SOUNDED AND FORWARDED TO FULL COUNCIL

03/17/20 Atlanta City Council REFERRED TO COMMITTEE

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE BY UNANIMOUS CONSENT OF COUNCIL MEMBERS PRESENT (15Y/0N)

RESULT: REFERRED TO COMMITTEE BY CONSENT VOTE [UNANIMOUS] Next: 3/24/2020 12:00 PM

AYES: Bond, Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone,

Overstreet, Sheperd

RESULT: FAVORABLE [UNANIMOUS] Next: 4/20/2020 1:00 PM

MOVER: Joyce M Sheperd, District 12

Last Updated: 03/6/20

SECONDER: Natalyn Mosby Archibong, District 5

AYES: Westmoreland, Bond, Smith, Farokhi, Brown, Archibong, Sheperd

20-O-1216

AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO UTILIZE THE CITY OF ATLANTA TREE TRUST FUND AS THE SOURCE OF FUNDING FOR MAINTENANCE ACTIVITIES FOR PROPERTY DESIGNATED, IN PERPETUITY AS FOREST LAND, ON 216 ACRES OF REAL PROPERTY LOCATED AT 0 FORREST PARK RD SE, FULTON COUNTY TAX PARCEL ID NUMBERS 14-0003-LL-017-3, 14-0002-LL-024-0, 14-0004-LL-049-5, 14-0004-LL-053-7 FOR THE PROTECTION, MAINTENANCE, AND REGENERATION OF TREES AND OTHER FOREST RESOURCES AS AUTHORIZED UNDER CITY CODE SECTION 158-66 (B); IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED AND NINETY-FOUR THOUSAND EIGHT HUNDRED THIRTY-FOUR DOLLARS AND THIRTY-TWO CENTS (\$2,294,834.32); TO BE PAID FROM THE TREE TRUST FUND USING THE FUND AND ACCOUNT INFORMATION LISTED HEREIN; AND FOR OTHER PURPOSES.

⇒ VOTE RECORD - ORDINANCE 20-O-1216							
□ ADOPTED							
□ ADVERSED							
• FAVORABLE							
☐ ACCEPTED AND FILED							
☐ FIRST READING							
☐ SECOND READING							
☐ THIRD READING							
☐ FOURTH READING							
☐ FIFTH READING							
☐ REFERRED TO COMMITTEE							
☐ HELD IN COMMITTEE			VECAVE	NO/NAY	ABSTAIN	ABSENT	
□ TABLED							
□ DEFERRED	MATT WESTMORELAND	VOTER	O				
□ RECONSIDERED	MICHAEL JULIAN BOND	VOTER	U				
□ FILED	CARLA SMITH	VOTER	U				
☐ ADOPTED AS AMENDED	AMIR R FAROKHI	VOTER	O				
☐ AMENDED	ANTONIO BROWN	VOTER	O				
□ ACCEPTED	NATALYN MOSBY ARCHIBONG	SECONDER	U				
□ SUBSTITUTED	JOYCE M SHEPERD	MOVER	U				
☐ AMENDED SUBSTITUTE							
☐ FILED BY COMMITTEE							
☐ REFERRED TO ZRB AND ZC							
☐ REFERRED WITHOUT OBJECTION							
☐ ADOPTED ON SUBSTITUTE							
☐ ADOPTED SUBSTITUTE AS AMENDED							
☐ FORWARDED WITH NO RECOMMENDATI							
□ REFERRED TO SC							
☐ FILED WITHOUT OBJECTION							

	T
□ FAILED	
☐ FORWARDED TO FC/NQ	
☐ FAVORABLE ON SUBSTITUTE	
☐ FAVORABLE/SUB/AMENDED	
☐ FAVORABLE/SUB/AMND/COND	
☐ FAVORABLE/AMND/COND	
☐ FAVORABLE AS AMENDED	
☐ RETURNED AS HELD	
☐ FAVORABLE ON CONDITION	
☐ FAVORABLE/SUB/CONDITION	
☐ QUADRENNIALY TERMINATED	
☐ QUESTION CALLED	
☐ ROUTED TO COW	
□ SUSTAINED	
□ OVERRIDEN	
☐ NOT ACCEPTED BY COMMITTEE	
☐ SUSTAINED W/O OBJECTION	
☐ TABLED W/O OBJECTION	
☐ HELD IN COW	
□ POSTPONED	
☐ RETAINED AS HELD	
☐ REFER TO ZRB AND ZC W/O OBJECTION	

[Unanimous]

Certified by Clerk		
Action		
Page Attachment		