

AN ORDINANCE BY COUNCILMEMBER KIESHA LANCE BOTTOMS AS SUBSTITUTED BY ATLANTA CITY COUNCIL AMENDING THE CITY OF ATLANTA FY 2017 (GENERAL FUND) BUDGET BY TRANSFERRING TO AND FROM APPROPRIATIONS THE AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$2,500,000.00) FOR THE PURPOSE OF FUNDING AND AUTHORIZING THE ATLANTA DEVELOPMENT AUTHORITY D/B/A “INVEST ATLANTA” TO MAKE ECONOMIC OPPORTUNITY FUND “EOF” GRANTS TO INCENTIVIZE BUSINESS RETENTION AND EXPANSION WITHIN THE CITY, PURSUANT TO THAT INTERGOVERNMENTAL AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES BETWEEN THE CITY OF ATLANTA AND INVEST ATLANTA; TO PROVIDE FOR A WRITTEN REPORT TO THE CITY COUNCIL AFTER THE EXPENDITURE OF THE TWO MILLION FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$2,500,000.00); TO WAIVE CONFLICTING ORDINANCES FOR THIS INSTANCE ONLY; AND FOR OTHER PURPOSES.

.WHEREAS, The Atlanta Development Authority d/b/a Invest Atlanta (“Invest Atlanta”) has been duly created and is existing under and by virtue of the Constitution and the laws of the State of Georgia (the “State”), in particular, the Development Authorities Law of the State (O.C.G.A. §36-62-1 *et seq.*, as amended) and an activating resolution of the City Council of the City of Atlanta, Georgia (the “City”), duly adopted on February 17, 1997 and approved by the Mayor of the City on February 20, 1997, and is now existing and operating as a public body corporate and politic and an instrumentality of the State; and

WHEREAS, the City has designated Invest Atlanta as the economic development and redevelopment agent for the City and, as such, Invest Atlanta creates, manages and conducts special project, programs, initiatives and studies for the purposes of investment in the economic development, revitalization and growth of the City (collectively, the “Economic Development Services”); and

WHEREAS, pursuant to Ordinance 11- O-1839, duly adopted on January 3, 2012 and approved by operation of law on January 12, 2012, the City entered into an Intergovernmental Agreement for Economic Development Services with Invest Atlanta effective as of March 28, 2009, which term expires June 30, 2019 (the “IGA”); and

WHEREAS, the IGA provides for the funding by the City and management by Invest Atlanta of an Economic Opportunity Fund (“EOF”), to be utilized to increase the capital available for business attraction, expansion and retention by investing in significant job creation opportunities in the City; and

WHEREAS, this important tool has been used with discretion to attract and retain targeted high quality, job-creating companies such as Honeywell International, Keysight Technologies, Global Payments, General Electric, Equifax, NCR, WorldPay, Kaiser Permanente, Porsche North America, and others; and

WHEREAS, in order for the City of Atlanta to remain competitive against other jurisdictions in business expansion and retention, as well as the promotion of environmentally sustainable Class A office buildings, the strategic use of an EOF is often needed to close the deal; and

WHEREAS, the City Council has determined that it would be in the best interest of the City of Atlanta to sufficiently fund the Economic Opportunity Fund to incentivize business expansion and retention.

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

Section 1. That the FY 2017 (General Fund) Budget is hereby amended as follows:

Transfer From Appropriations \$2,500,000.00:

Fund	1001	General Fund
Dept/Org	200101	NDP Reservation Fund
Account	5999901	Reserve Conversion Account
Function	1512000	Accounting

Transfer To Appropriations \$2,500,000.00:

Fund	1001	General Fund
Dept/Org	200205	NDP Atlanta Development Authority
Account	5212001	Consulting/Professional Services Account
Function	7520000	Economic Development

Section 2. That the Chief Financial Officer is authorized to fund the full EOF allocation of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00) to Invest Atlanta, the disbursement of which to eligible business expansion and retention recipients shall be governed by a grant agreement between Invest Atlanta, as administrator of the EOF, and eligible EOF recipients.

Section 3. Invest Atlanta shall provide an accounting to the City on all disbursements in accordance with the Intergovernmental Agreement for Economic Development Services between the City and Invest Atlanta effective as of March 28, 2009. Notwithstanding the foregoing, upon the expenditure of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00) from this allocation, Invest Atlanta shall make a special ad hoc written report to the City Council regarding the business retention and expansion project(s) for which the expenditures were made.

Section 4. That all EOF grant agreements, or amendments thereto, which are entered into by Invest Atlanta to memorialize the defined economic development benefits and obligations contemplated by the parties shall not be binding upon the City and the City shall not incur any obligations or liability therefor.

Section 5. That all ordinances or parts of ordinances in conflict herewith are waived to the extent of the conflict only.

**CITY COUNCIL
ATLANTA, GEORGIA**

16-O-1623

SPONSOR SIGNATURES


Keisha Lance Bottoms, Councilmember, District 11

**CITY COUNCIL
ATLANTA, GEORGIA**

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Workflow List:

Clerk of Council	Completed	11/08/2016 11:24 AM
Atlanta City Council	Completed	11/07/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Finance/Executive Committee	Completed	11/16/2016 1:00 PM
Atlanta City Council	Completed	11/21/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

11/07/16 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

11/16/16 Finance/Executive Committee FAVORABLE ON CONDITION

RESULT: FAVORABLE ON CONDITION [5 TO 1]
MOVER: Clarence "C. T." Martin, Councilmember, District 10
SECONDER: Andre Dickens, Councilmember Post 3 At-Large
AYES: Wan, Shook, Archibong, Martin, Dickens
NAYS: Felicia A. Moore
ABSENT: Yolanda Adrean

11/21/2016 Atlanta City Council ADOPTED SUBSTITUTE

RESULT: ADOPTED SUBSTITUTE [13 TO 1]
MOVER: Alex Wan, Councilmember, District 6
SECONDER: Clarence "C. T." Martin, Councilmember, District 10
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd
NAYS: Felicia A. Moore
ABSENT: Cleta Winslow

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VOTE RECORD - ORDINANCE 16-O-1623							
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input checked="" type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC							
			YES/AYE	NO/NAY	ABSTAIN	ABSENT	
		MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		MARY NORWOOD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CARLA SMITH	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KWANZA HALL	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		IVORY LEE YOUNG JR.	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLETA WINSLOW	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		ALEX WAN	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YOLANDA ADREAN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		FELICIA A. MOORE	VOTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		CLARENCE "C. T." MARTIN	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		KEISHA LANCE BOTTOMS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		JOYCE SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND <input type="checkbox"/> FAVORABLE/AMND/COND <input type="checkbox"/> FAVORABLE/AMENDED <input type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE ON CONDITION <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED W/O OBJECTION <input type="checkbox"/> TABLED W/O OBJECTION	
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[13 to 1]

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