

**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1503

AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE AUTHORIZING THE MAYOR OR HER DESIGNEE OR THE CHIEF PROCUREMENT OFFICER OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO ACQUIRE FROM THE CONSERVATION FUND (“TCF”) APPROXIMATELY 0.99 ACRES OF REAL PROPERTY LOCATED AT 640 HUTCHENS ROAD SE, ATLANTA, GEORGIA (FULTON COUNTY TAX PARCEL ID NUMBER 14-0030-LL-024-6), IN CITY COUNCIL DISTRICT 12 FOR DEVELOPMENT AS A PARK AT A PURCHASE PRICE NOT TO EXCEED EIGHTY-THREE THOUSAND EIGHT HUNDRED EIGHTEEN DOLLARS AND SEVEN CENTS (\$83,818.07); AUTHORIZING THE MAYOR OR HER DESIGNEE OR THE CHIEF PROCUREMENT OFFICER OR HIS DESIGNEE, ON BEHALF OF THE CITY, TO EXECUTE ALL DOCUMENTS NECESSARY TO ACQUIRE THE PROPERTY; AUTHORIZING ACQUISITION, DUE DILIGENCE, CLOSING COSTS, SIGNAGE, DEMOLITION, SITE STABILIZATION AND OTHER SITE DEVELOPMENT COSTS TO BE PAID FROM THE PARK IMPACT FEE SOUTH ACCOUNT IN AN AMOUNT NOT TO EXCEED EIGHTY-THREE THOUSAND EIGHT HUNDRED EIGHTEEN DOLLARS AND SEVEN CENTS (\$83,818.07), AS INDICATED IN THE ACCOUNT LISTED BELOW, AMENDING THE 2020 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGETS, IN THE DEPARTMENTS OF PARKS AND RECREATION AND FINANCE, PARKS SOUTH SERVICE DISTRICT BY TRANSFERRING TO AND FROM VARIOUS ACCOUNT(S) LISTED; WAIVING SECTION 2-1541(D) OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY CODE OF ORDINANCES, ARTICLE X; AND FOR OTHER PURPOSES.

(FAVORABLE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE 8/11/20)

WHEREAS, the Conservation Fund (“TCF”) is a non-profit, 501(c)(3) organization, whose mission is to conserve land and whose work involves working with public agencies to purchase properties for this purpose, and to hold such properties until the public agency has the funds to purchase the properties; and

WHEREAS, TCF has acquired approximately 0.99 acres of property, located at 640 Hutchens Road SE, Atlanta, Georgia (Fulton County Tax Parcel ID Number 14-0030-LL-024-6) (the “Property”), for the purpose of providing additional parkland within Southeast Atlanta; and

WHEREAS, parks, greenspace and recreation are an integral part of the fabric of the city and must reflect each neighborhood’s distinct character and needs; and

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

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA 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 property located at 640 Hutchens Road SE, Atlanta, Georgia (Fulton County Tax Parcel ID Number 14-0030-LL-024-6) (the “Property”), at a purchase price not to exceed Eighty Three Thousand Eight Hundred and Eighteen dollars and seven cents (\$83,818.07).

SECTION 2: 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, surveys, title insurance, appraisals, real estate service fees and other such due diligence items deemed necessary or desirable for the acquisition of the TCF Property (Due Diligence”) and other items or services deemed necessary to purchase the TCF Property, including but not limited to, site stabilization, signage, closing costs and other costs of acquisition (collectively, the “The City’s Due Diligence and Purchase Services”) from the fund manifest enumerated in Section 3 and Section 4 of this ordinance.

SECTION 3: The Purchase Price and Due Diligence and Purchase Services Costs shall not exceed Eighty Three Thousand Eight Hundred and Eighteen dollars and seven cents (\$83,818.07) and be paid from the following accounts in the amounts specified below. Amending the 2020 general government capital outlay fund budgets in the Department of Parks and Recreation and Finance Parks South Service District is hereby amended and enumerated as follows:

TRANSFER FROM APPROPRIATIONS

Eighty Three Thousand Eight Hundred and Eighteen dollars and seven cents (\$83,818.07) 3502 (General Government Capital Outlay Fund) 100101 (DOF Chief Financial Officer) 5999901 (Projects and Grants Budget/Reserve Conversion Account-Class 1) 1320000 (Chief Executive) 201072 (Admin. Development Recoupment Fees) 91108 (Dev Impact Fees Parks South)

Project	10201072	Development Recoupment Fees
Task	101	Development Recoupment Fees
Award	350291108	Dev. Recoup Fees-Parks SOUTH
Expense	5999901	Projects and Grants Budget
Org City of Atlanta	COA	CITY OF ATLANTA
TOTAL:		\$83,818.07

TRANSFER TO APPROPRIATIONS

PTAEO			GENERAL LEDGER		
PROJECT NUMBER	14201997	GREENSPACE PGM; PARKS	FUND	3502	GENERAL GOVERNMENT CAPITAL

					OUTLAY
TASK NUMBER	140	640 Hutchens Road, SE	GL DEPT	140106	PRC PARKS DESIGN
AWARD NUMBER	350291108	D.I.F Parks-South	Expense Acct	5411001	Land
Expense Account	5411001	LAND	Function/Activity	6220000	Park Areas
Owning Org	COA	City of Atlanta	GL Project	201997	Green space PMG; Parks
			GL FUNDING SOURCE	91108	D.I.F. PARKS SOUTH

TOTAL:

\$83,818.07

SECTION 4: The requirements of the Chapter 2, Article X, Division 14, Sections 2-1541(d) of the City of Atlanta Code of Ordinances, are waived, for the purposes of this Ordinance only, to allow the purchase of the TCF Property on behalf of the City without further authorization by the City Council.

SECTION 5: The Mayor or her designee, the City Attorney or her designee, the Chief Procurement Officer or his designee, the Commissioner of the Department of Parks and Recreation or his designee, or other agent of the City, on behalf of the City in their official capacities in accordance with this ordinance, are authorized to take and do such further acts and deeds, and to execute and deliver, for and in the name of the City, respectively, such other documents, certificates, papers and instruments as they deem to be necessary, appropriate, advisable or required in order to effectuate the purpose and intent of this ordinance and to consummate the actions contemplated by this ordinance.

SECTION 6: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall not incur 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 appropriate designee as outlined in section 6 of this ordinance.

SECTION 7: Said transfer of appropriations from the fund manifest enumerated in Section 4 and Section 5 of this ordinance shall occur after approval of all instruments and follow confirmation that sufficient funding is available as such time to be appropriated.

SECTION 8: Upon acquisition, the Department of Parks and Recreation, is hereby 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, fitness equipment, interpretation, picnic areas, parking, and pavilions. Nothing in this section shall preclude a neighborhood group(s) or other party from maintaining all or part of the property pursuant to an agreement with the City.

SECTION 9: 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.

SECTION 10: This Ordinance shall be effective immediately upon approval.

CITY COUNCIL
ATLANTA, GEORGIA

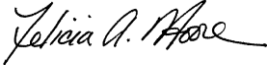

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**(Favorable by Community Development/Human Services
Committee 8/11/20)**

Workflow List:

LaChandra Burks	Completed	07/02/2020 6:52 AM
Amber Robinson	Completed	07/02/2020 9:40 AM
Finance	Completed	07/02/2020 11:40 AM
Mayor's Office	Completed	07/02/2020 6:12 PM
Office of Research and Policy Analysis	Completed	07/09/2020 12:42 AM
Community Development/Human Services Committee	Completed	07/14/2020 1:30 PM
Atlanta City Council	Completed	08/03/2020 1:00 PM
Community Development/Human Services Committee	Completed	08/11/2020 1:30 PM
Finance/Executive Committee	Completed	08/12/2020 1:30 PM
Atlanta City Council	Completed	08/17/2020 1:00 PM
Atlanta City Council	Completed	08/17/2020 1:00 PM

Certified by Presiding Officer	Certified by Clerk
<p data-bbox="282 212 581 275">CERTIFIED</p> <p data-bbox="391 302 477 323">7/14/2020</p> <p data-bbox="245 338 623 359">ATLANTA CITY COUNCIL PRESIDENT</p> 	<p data-bbox="922 212 1221 275">CERTIFIED</p> <p data-bbox="1031 302 1117 323">7/14/2020</p> <p data-bbox="976 338 1175 359">MUNICIPAL CLERK</p> 
<p data-bbox="643 491 846 527">Mayor's Action</p> <p data-bbox="509 541 980 577"><i>See Authentication Page Attachment</i></p>	