

AN ORDINANCE BY COUNCILMEMBERS J. P. MATZIGKEIT AND DUSTIN HILLIS AMENDING CITY OF ATLANTA CODE OF ORDINANCES, SECTION 158-66, SUBSECTION (B)(2)(D) TO SPECIFY THE USE OF FUNDING FROM THE TREE TRUST FUND FOR MAINTENANCE COSTS RELATED TO PROCURED AFFORESTED LAND AS AUTHORIZED BY SECTION 158-66 ENTITLED “TREE TRUST FUND”; AND FOR OTHER PURPOSES.

WHEREAS, in 2016, the Atlanta City Council adopted Ordinance 16-O-1353, which amended Section 158-66(b) Entitled “Tree Trust Fund” to authorize the use of funds from the Tree Trust Fund to purchase privately-owned afforested land that contained one or more of the following criteria: i) 80 percent or more canopy cover; ii) minimum forestation standards of 1,000 DBH inches; and/or iii) 50 mature trees per acre; and

WHEREAS, the intent of the amendment was to provide a way to acquire overwhelmingly and significantly afforested land in an effort to preserve and conserve the city’s overall tree canopy and create additional, passive-use public greenspace; and

WHEREAS, along with authorizing the use of funding from the Tree Trust Fund to purchase afforested land, 16-O-1353, also gave oversight of any procured afforested property to the Department of Parks and Recreation, and stated that the department shall provide a maintenance plan for the property along with the ordinance to purchase said afforested land; and

WHEREAS, furthermore, it required that if the Tree Trust Fund was the source identified by the Department of Parks and Recreation for any maintenance, that a separate ordinance would be required to authorize the procurement or expenditure in a manner consistent with city ordinances; and

WHEREAS, the first authorization of the Tree Trust Fund for the purchase of 216 acres of afforested land, which is a wholly worthy project and will be a tremendous asset to the city, has also brought with it a five year maintenance plan that requires almost the same amount for maintenance as for the purchase of the land, with the maintenance plan being entirely funded by the Tree Trust Fund, thereby taking a sizable amount the fund and leaving a limited amount for future forest land projects; and

WHEREAS, it is the intent of the Atlanta City Council to specify the use of the Tree Trust funds for maintenance costs related to the maintenance of afforested land procured as authorized in Code Section 158-66(b) in order to ensure that the Tree Trust Fund is sustainable long-term so that it can be used to acquire additional afforested land, as well as meet additional funding needs authorized within in Code Section 158-66 “Tree Trust Fund”.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1: That Code Section 158-66(b), subsection (2)(d) that reads as follows:

d. The department of parks and recreation commissioner shall provide a property maintenance plan as an attachment to the ordinance. The 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. 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.

Shall be amended to read as follows:

d. The department of parks and recreation commissioner shall provide a property maintenance plan as an attachment to the ordinance. The 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. 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 *must only be used for initial, short-term maintenance costs including but not limited to clean-up, removal of invasive species, security fencing and staff or contractors to administer such services and shall not exceed more than 20 percent of the purchase price of the property. Funds shall not be used for infrastructure considered amenities, including but not limited to the development of trails, facilities or similar infrastructure. Any allocation of such maintenance dollars must be authorized as a separate procurement or expenditure, in a manner consistency with applicable city ordinances. Long-term maintenance is defined as anything beyond two years and such long-term costs should come from the operations and maintenance budget of the department of parks and recreation or source other than the tree trust fund.*

SECTION 2: That all ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

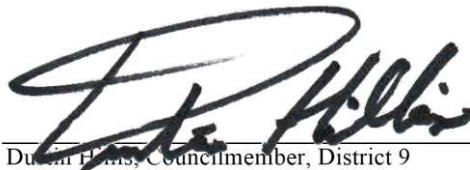
CITY COUNCIL
ATLANTA, GEORGIA

20-O-1337

SPONSOR SIGNATURES



J. P. Matzigkeit, Councilmember, District 8



Duane Evans, Councilmember, District 9

**CITY COUNCIL
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Workflow List:

Atlanta City Council	Completed	05/04/2020 1:00 PM
Community Development/Human Services Committee	Pending	05/12/2020 1:30 PM
Atlanta City Council	Pending	05/18/2020 1:00 PM
Mayor's Office	Pending	

HISTORY:

05/04/20 Atlanta City Council REFERRED WITHOUT OBJECTION

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION
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