

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
MINUTES
TUESDAY, OCTOBER 13, 2009**

The regularly scheduled meeting of the Community Development/Human Resources Committee was held on Tuesday, October 13, 2009, in Council Chambers. The following members were present:

**The Honorable Jim Maddox, Chair
The Honorable Joyce Sheperd, Vice Chair
The Honorable Ivory Lee Young, Jr.
The Honorable Ceasar Mitchell
The Honorable Mary Norwood
The Honorable Kwanza Hall
The Honorable H. Lamar Willis**

Others in attendance were: Commissioner James Shelby, Christy Fletcher, Valarie Fontaine, Department of Planning and Community Development; Commissioner; Jocelyn Ross and Jim Talley Office of Grants Management; City Attorney, Robin Shahar, Law Department and members of the press and public.

**A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING ONE
PIECE OF LEGISLATION**

B. APPROVAL OF MINUTES - APPROVED

C. PRESENTATION

1. Code Violations from Sub-dividing Apartment Complexes for Sale

Mike Renshaw, Director of Code Compliance, gave a summary of various code violations resulting from sub-divided apt.

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING

09-O-1730 (1) An Ordinance by Community Development/Human Resources Committee amending the 2008 Action Plan of the 2005-2009 City of Atlanta Local Consolidated Plan to amend the Neighborhood Stabilization Program Budget by reducing and adding to anticipations and transferring to and from appropriations in the amount of \$800,000.00; and for other purposes.

**FAVORABLE - TO BE REFERRED TO COMMUNITY
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CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

09-O-1731 (2) An Ordinance by Community Development/Human Resources Committee amending Section 110-59 of the Atlanta Code of Ordinances by adding a new Subsection (e) that shall set forth conduct prohibited on the Isamu Noguchi Playscape; and for other purposes.

FAVORABLE - TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

09-O-1732 (3) An Ordinance by Community Development/Human Resources Committee authorizing the Mayor or her/his designee, on behalf of the City, to enter into agreements with performers, artists, and sponsors for the 2010, 2011 and 2012 Atlanta Jazz Festival and Atlanta Music Festival in Atlanta, and to charge admission fees for select events at those festivals; and directing that all Jazz Festival and Music Festival revenues and expenses be deposited and expended from the accounts listed below; and for other purposes.

FAVORABLE - TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

09-O-1733 (4) An Ordinance by Community Development/Human Resources Committee authorizing the Mayor or her/his designee, on behalf of the City, to enter into vending agreements for the 2010, 2011, and 2012 Atlanta Jazz Festival and Atlanta Music Festival in Atlanta, and directing the all Jazz Festival Vending Fees be deposited into the Jazz Festival Trust Fund, 7701 (Trust) 140401 (PRC Cultural Affairs Admin) 3710001 (Contribution/Donations) 5***** 6110000 (Cultural/Recreation Admin) 600346 (Atlanta Jazz Festival) 69999 (Trust Non Capital); and that all Atlanta Music Festival Vending Fees be deposited into the Atlanta Music Festival Trust Fund: 7701 (Trust) 140401 (PRC Cultural Affairs Admin) 3710001 (Contributions/Donations) 5***** 6110000 (Cultural/Recreation Admin) 600347 (Montreaux Music Festival) 69999 (Trust Non Capital); and for other purposes.

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

**FAVORABLE - TO BE REFERRED TO COMMUNITY
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- 09-O-1734 (5) An Ordinance by Community Development/Human Resources Committee amending the 2009 (Community Development Fund) Budget by reducing and adding to anticipations and transferring to and from appropriations in the amount of \$444,405.00 and by amending the 2009 (Intergovernmental Grant Fund) Budget by reducing and adding to anticipations and transferring to and from appropriations in the amount of \$2,238,685.00 for the purpose of funding various projects for inclusion in the 2010 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

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REGULAR AGENDA

HUMAN RESOURCES SECTION

E. ORDINANCE FOR SECOND READING

- 09-O-1668 (1) An Ordinance by Community Development/Human Resources Committee naming the five (5) acres City Park located at 471 Collier Road, NW, the "Louise G. Howard Park"; and accepting the Howard Property Master Plan on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

Councilmember Norwood made a motion to approve. The vote was unanimous.

FAVORABLE

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F. RESOLUTIONS

09-R-1736 (1) A Resolution by Community Development/Human Resources Committee authorizing the Mayor, on behalf of the City, to enter in to a Memorandum of Understanding with L.E.A.D. Inc. regarding baseball programming at Perkerson Park; and for other purposes. **(Held 10/13/09)**

HELD

09-R-1737 (2) A Resolution by Community Development/Human Resources Committee authorizing the Mayor, on behalf of the City, to execute Amendment Number Eight to an Indenture of Lease between the City of Atlanta and Atlanta Botanical Garden, Inc. for the purpose of increasing the Parking Facility Financing without changing the parking rates established in Council approved Amendment Number 6; and for other purposes. **(Held 10/13/09)**

HELD

COMMUNITY DEVELOPMENT SECTION

G. ORDNANCES FOR SECOND READING

09-O-1702 (1) An Ordinance by Community Development/Human Resources Committee reducing anticipations and appropriations in the amount of \$1,600,000.00 for the purpose of correcting the City of Atlanta's Financial Records to reflect grant de-obligations in the HOME Program; and for other purposes. **(Held 10/13/09 for a 30-day public review)**

HELD

09-O-1800 (2) An Ordinance by Councilmember Jim Maddox to amend the Land Use Element of the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to designate **4776 Campbellton Road** (Parcel ID #14F-0065-0001-003-0), Parcel Identification #14F-0065-0001-005-0 (A.K.A.

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G. ORDNANCES FOR SECOND READING (CONT'D)

Campbellton Rd. Rear), Parcel Identification #14F-0076-LL-008-8 (A.K.A. Kenny Rd. Rear), **2167 Alan Drive** (Parcel ID #14F-0065-0001-011-3), and **2175 Alan Drive** (Parcel Identification # 14F-0065-0001-013-9) to the single-Family Residential Land Use Classification; and for other purposes. **(Held 10/13/09) (Held for a Public Hearing on 11/30/09)**

HELD

H. RESOLUTIONS

09-R-1735 (1) A Resolution by Community Development/Human Resources Committee designating the Commissioner of the Department of Planning and Community Development as the Certifying Local Official for purposes of signing and submitting quarterly reports to the Georgia Department of Community Affairs (DCA) which are required by DCA of all recipients of funds under the Neighborhood Stabilization Program (NSP) of the Housing and Economic Recovery Act of 2008 (HERA); and for other purposes.

Councilmember Sheperd made a motion to approve. The vote was unanimous.

FAVORABLE

09-R-1738 (2) A **Substitute** Resolution by Community Development/Human Resources Committee to authorize the Mayor to amend a Contractual Agreement with Real Estate Alliance Partners (REAL), Resources for Residents and Communities (RRC), and University Community Development Corporation (UCDC) to allow a budget line modification in excess of ten percent; and for other purposes.

Councilmember Sheperd made a motion to approve on substitute. The vote was unanimous.

FAVORABLE ON SUBSTITUTE

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H. RESOLUTIONS (CONT'D)

09-R-1739 (3) An **Amended** Resolution by Community Development/Human Resources Committee authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development Atlanta's 2010-2014 Consolidated Plan and the Year 2010 Annual Action Plan to include applications for the 2010 Community Development Block Grant (CDBG) Program, 2010 Emergency Shelter Grant (ESG) Program, 2010 HOME Investment Partnership (HOME) Program, and the 2010 Housing Opportunities for Persons with Aids (HOPWA) Program; and for other purposes. **(Held 10/13/09)**

Councilmember Norwood made a motion to hold. The vote was unanimous.

AMENDED AND HELD

**I. PAPERS HELD IN COMMITTEE
(Actions taken on I-28 and I-29)**

06-O-0781 (1) An Ordinance by Councilmember Clair Muller to amend Part 15, Section 15-08.005 of the City of Atlanta Land Development Code regarding curved streets; and for other purposes. (Held 3/28/06 at request of the department for further review of the legislation)

06-O-0495 (2) An Ordinance by Councilmember Clair Muller to amend Part 15 of the Land Development Code of the Code of Ordinances of the City of Atlanta to allow for the creation of Conservation Subdivisions in the City of Atlanta and to provide standards for their implementation; and for other purposes. **(Held 2/15/06 by Zoning Committee) (Referred to CD/HR by Council 6/5/06) (Held 6/13/06 at the request of Bureau of Planning)**

06-C-1984 (3) A Communication by Mayor Shirley Franklin re-appointing **Tillman Ward** to serve as a member of the Westside Tax Allocation District (TAD) Neighborhood Advisory Board for the City of Atlanta in the Neighborhood Merchant Category. This

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I. PAPERS HELD IN COMMITTEE (CONT'D)

re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Held 9/12/06 to allow appointee to come to the next Committee meeting)**

- 06-O-2696 (4) An Ordinance by Councilmembers Mary Norwood, Carla Smith, Ceasar C. Mitchell, C. T. Martin, H. Lamar Willis, Natalyn Archibong, Cleta Winslow and Kwanza Hall to require a registration process for vacant property; to waive conflicting ordinances; and for other purposes. **(Held 12/12/06 at the request of the department)**
- 07-O-0085 (5) An Ordinance by Councilmembers Mary Norwood, C. T. Martin, Ivory Lee Young, Jr., H. Lamar Willis, Ceasar C. Mitchell and Natalyn Archibong to provide for the establishment of the City of Atlanta Board of Code Enforcement; and for other purposes. **(Held 1/9/07 for pending work session)**
- 07-O-0998 (6)
CDP-07-29 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **305, 311, 317 & 323 Buckhead Avenue and 312 Pharr Road, NE**, from the "Low Density Commercial" Land Use Designation to the "High Density Commercial" Land Use Designation; and for other purposes. **(Held 5/29/07) (Public Hearing held 6/11/07.)**
NPU-B **Council District 7**
- 07-O-1474 (7) An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate properties located in the Lake MARTA Station Livable Centers Initiative (LCI) Study Area from Various Land Use Designations to Various Land Use Designations; and for other purposes. **(Held 8/28/07) (Public Hearing held 9/10/07)**

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I. PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1475 (8) An Ordinance by Community Development/Human Resources Committee to amend the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to incorporate the projects recommended in the West Lake MARTA Station Livable Centers Initiative (LCI) Plan; and for other purposes. **(Held 8/28/07) (Public Hearing held 9/10/07)**
- 07-O-1476 (9) An Ordinance by Community Development/Human Resources Committee adopting the West Lake MARTA Station Livable Centers Initiative (LCI) Plan by reference into the City of Atlanta 2004-2019 Comprehensive Development Plan; and for other purposes. **(Held 8/28/07)**
- 07-O-2606 (10) An Ordinance by Councilmember Clair Muller to amend certain sections of Part 15, Land Subdivision Ordinance to clarify the application process, including the Public Notification Portion, and Language pertaining to Subdivisions in neighborhoods listed or eligible for the Historic National Register; and for other purposes. **(Held 12/11/07 at the request of the sponsor)**
- 07-R-2413 (11) A Resolution by Councilmember Ivory Lee Young, Jr. **as substituted by Community Development/Human Resources Committee** authorizing the Mayor or her designee to enter into a Contractual Agreement with the English Avenue Community Development Corporation, Inc., in an amount not to exceed \$300,000.00, for predevelopment services for the Proctor Village Mixed Use Development, under the 2007 Budget of the Westside TAD Fund from Fund, Account and Center Number 1B09***** *****; and for other purposes. **(Favorable on substitute by CD/HR Committee 11/27/07) (Referred back by Council 12/3/07) (Held 12/11/07)**

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I. PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0168 (12) An Ordinance by Community Development/Human Resources Committee to create the "Reserve at Brownsmill Housing Enterprise Zone", located in the City of Atlanta, identified by Parcel Numbers 14-0030-LL-0220, 14-0029-LL-053 and 14-0029-LL-054; to provide notification to the Tax Commissioner, School Superintendent and the Department of Community Affairs; and for other purposes. **(Held 2/12/08 at the request of the department for additional financial information)**
- 08-O-0214 (13) An Ordinance by Community Development/Human Resources Committee to authorize the Mayor to direct the Department of Planning and Community Development (Bureau of Code Compliance) to take appropriate actions to clean the premises and close various structures at 2020-2060 Alison Court, SW, Atlanta, GA 30311; and for other purposes. **(Held 2/12/08 for cost information)**
- 08-R-0854 (14) A Resolution by Councilmember Ceasar C. Mitchell to establish a Senior Housing Rehabilitation Advisory Board; and for other purposes. **(Held 4/29/08 at the request of the sponsor of the legislation)**
- 08-O-1036 (15) An Ordinance by Community Development/Human Resources Committee to create the "APCO Hamilton Building Renovation Enterprise Zone", located in the City of Atlanta, Land Lot 63, Parcel Number 14-0063-LL-0717; to provide notification to the Tax Commissioner, School Superintendent and the Department of Community Affairs; and for other purposes. **(Held 6/10/08) (Public Hearings held 11/26/07, 3/10/08 and 6/9/08)**
- 08-O-1449 (16) An Ordinance by Councilmember Jim Maddox **as CDP-08-43 substituted by Community Development/Human Resources Committee** to amend the Land Use Element of the 2008 Atlanta Strategic Action Plan (ASAP) so as to re-designate property that is located at **601 Spencer Street, NW (also known as 605 Spencer Street)**, from the "Medium Density Residential" Land Use Designation to the "Mixed-Use

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I. PAPERS HELD IN COMMITTEE (CONT'D)

Low Density” Land Use Designation; and for other purposes.
**(Held 7/15/08) (Public Hearing held 9/08/08)
(Substituted and held 9/09/08.)**

NPU-L

Council District X

- 08-O-1792 (17) An Ordinance by Councilmember Ceasar C. Mitchell to require notification of the affected Neighborhood Planning Units (NPU's) and the City Council when any police zone facility, precinct or mini-precinct, or fire station is to be decommissioned or closed; and for other purposes. **(Held 9/30/08)**
- 09-R-0132 (18) A Resolution by Community Development/Human Resources Committee to authorize the Mayor or her designee to submit to the U. S. Department of Housing and Urban Development a request to amend the 2004 Annual Action Plan of the 2000-2004 Consolidated Plan to change the scope of the Neighborhood Fresh Start Program, Project #CD-753, from housing acquisition/rehabilitation to demolition; and for other purposes. **(Held 1/27/09) (Held for a 30-day public review period)**
- 09-O-0266 (19) An Ordinance by Councilmember Clair Muller to amend the Transportation Element of the City of Atlanta's 2008 Atlanta Strategic Action Plan (ASAP) so as to remove the proposed new road to be located between Colonial Homes Drive and Biscayne Drive also designated as NS 057; and for other purposes. **(Held 2/10/09) (CDP Public Hearing held on 3/09/09)**
- 09-O-0273 (20) An Ordinance by Councilmember Joyce M. Sheperd to amend the Atlanta Housing Code of 1987, Appendix E to the Land Development Code, so as to establish rules and regulations for registration of vacant buildings; to provide for penalties; to repeal conflicting ordinances; and for other purposes. **(Held 2/10/09 at the request of the author of the legislation)**

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I. PAPERS HELD IN COMMITTEE (CONT'D)

- 09-O-0376 (21) An Ordinance by Councilmember Clair Muller **as substituted by Community Development/Human Resources Committee** to amend the Street Framework Plan of the City of Atlanta's BeltLine Plan so as to remove portions of the proposed new roads to be located between Colonial Homes Drive and Biscayne Drive and the northern area of the street originating at Bennet Street that runs through Colonial Homes Dr.; and for other purposes. **(Substituted and held 2/24/09 for a CDP Public Hearing 3/9/09)**
- 09-O-0294 (22) An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the 2008 Atlanta Strategic Action Plan (ASAP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area 7 – Northside/Peachtree/Piedmont**, from "Industrial" Land Use Designation to the "Mixed-Use High Density" Land Use Designation; and for other purposes. **(CDP Public Hearing held 3/9/09) (Held 3/10/09.)**
NPU-F **Council District X**
- 09-O-0305 (23) An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the 2008 Atlanta Strategic Action Plan (ASAP) so as to re-designate property that is located at **305 & 311 Buckhead Avenue, NE (A.K.A. 315 Buckhead Avenue)**, from the "Low Density Commercial" Land Use Designation to the "Mixed-Use High Density" Land Use Designation (Z-07-46); and for other purposes. **(CDP Public Hearing held 3/9/09) (Held 3/10/09.)**
NPU-B **Council District 7**
- 09-O-0130 (24) An **Amended** Ordinance by Community Development/Human Resources Committee to amend the 2008 City of Atlanta Strategic Action Plan by adopting "Atlanta BeltLine Master Plan Sub-Area 7: Northside/Peachtree/Piedmont"; and for other purposes. **(CDP Public Hearing held 3/09/09) (Favorable by CD/HR Committee 3/10/09) (Referred back by Council 3/16/09) (Held 3/31/09)**

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I. PAPERS HELD IN COMMITTEE (CONT'D)

- 09-O-0854 (25) An Ordinance by Community Development/Human
CDP-09-24 Resources Committee to amend the Land Use Element of the
2008 Atlanta Strategic Action Plan (ASAP) so as to re-
designate property that is located at **79, 87, 91 (Units 1-9)**
and 99 West Paces Ferry Road and 3188 Paces Ferry
Place from the Low Density Commercial Land Use
Designation to the Mixed-Use Medium Density Land Use
Designation (Z-09-15); and for other purposes. **(Held**
5/26/09) (Public Hearing held 6/08/09.)
NPU-B **Council District 7**
- 09-O-0944 (26) An Ordinance by Community Development/Human
Resources Committee adopting the City of Atlanta 2010-2014
Capital Improvements Program (CIP) and Short Term Work
Program (STWP) Components of the Comprehensive
Development Plan (CDP); and for other purposes. **(Public**
Hearing held 06/08/09) (Held 06/09/09)
- 09-O-1233 (27) An Ordinance by Community Development/Human
Resources Committee to amend Appendix A of the City of
Atlanta Land Development Code; to create a new section
titled Sustainable Building Code; to provide for an effective
date; and for other purposes. **(Work session held on**
7/23/09) (Held 7/28/09 at the request of the
department)
- 09-O-1320 (28) An Ordinance by Community Development/Human
Resources Committee amending the 2009 (Intergovernmental
Grant Fund) Budget by adding to anticipations and
appropriations in the amount of \$435,131.00, to increase the
Budget amount authorized by the U. S. Department of
Housing and Urban Development (HUD) for the City of
Atlanta Section 8 Moderate Rehabilitation Program for
Arcadia Downs Apartment; and for other purposes. **(Held**
9/1/09 for HUD Letter.)

**Councilmember Sheperd made a motion to approve. The
vote was unanimous.**

FAVORABLE

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I. PAPERS HELD IN COMMITTEE (CONT'D)

09-R-1322 (29) A **Substitute** Resolution by Community Development/Human Resources Committee authorizing the Mayor on behalf of the Department of Planning and Community Development, Bureau of Housing, to enter into a Housing Assistance Payments Contract with Teresa C. Mitchell, for no longer than one year in an amount not to exceed \$367,035.00, in order to pay rental subsidies and utility allowances on behalf of 53 low income families at Arcadia Downs Apartment, pursuant to the Section 8 Moderate Rehabilitation Program sponsored by the U.S. Department of Housing and Urban Development; all funds shall be charged to and paid from PT AEO 25200668 111 250130366 5239004 COA; and for other purposes. **(Held 7/28/09)**

FAVORABLE ON SUBSTITUTE

09-C-1530 (30) A Communication by Mayor Shirley Franklin appointing **Ms. Odetta MacLeish-White** to serve as a member of the BeltLine Tax Allocation District Affordable Housing Advisory Board on behalf of the City of Atlanta. This appointment is for a term of two (2) years beginning retroactively on May 01, 2009. **(Held 9/15/09 to allow appointee the opportunity to come before the Committee.)**

09-C 1656 (31) A Communication from Chair LaChandra Butler Burks, Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson appointing **Mr. William McFarland** to serve as a member of the BeltLine Tax Allocation District (TAD) Affordable Housing Board. This appointment is for a term of two (2) years to begin retroactive on May 1, 2009. **(Held 9/29/09 to allow the appointee an opportunity to appear before the Committee.)**

09-R-1669 (32) A Resolution by Community Development/Human Resources Committee amending the Oakland City/Lakewood Livable Centers Initiative (LCI) and Upper Westside LCI Plans to adopt the Five Year Plan Updates as required by the Atlanta Regional Commission (ARC); authorizing the Department of Planning and Community Development, on behalf of the City

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I. PAPERS HELD IN COMMITTEE (CONT'D)

of Atlanta, to submit to the ARC the respective Five Year Update Plans for the Upper Westside and the Oakland City/Lakewood LCI Plans; and for other purposes. **(Held 9/29/09 at the request of the Bureau of Planning.)**

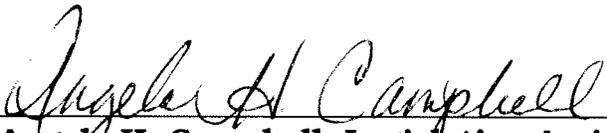
J. ITEM NOT ON THE AGENDA

09-R-1820 (1) A Resolution by Community Development/Human Resources
*** Committee supporting the 7th Annual Jim Maddox Holiday Toys for Kids Program; and for other purposes.

FAVORABLE

There being no further business before the committee the meeting was adjourned at 2:00pm.

Respectfully submitted



Angela H. Campbell, Legislative Assistant



Stephen Tam, Research & Policy Analyst



**The Honorable Jim Maddox, Chairman
Community Development/
Human Resources Committee**