

ATLANTA CITY COUNCIL

ACTION/MINUTES

NOVEMBER 02, 2009

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, November 02, 2009. The Meeting convened at 1:10 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Lisa M. Borders presided. The Honorable Council President Pro Tempore Natalyn Archibong presided during a portion of the meeting.

Attendance:

The following (14) voting members were present at the Meeting:

The Honorable Kwanza Hall	The Honorable Felicia A. Moore
The Honorable Ivory L. Young *1:16	The Honorable C. T. Martin
The Honorable Clela Winslow *1:21	The Honorable Jim Maddox
The Honorable Natalyn Archibong *1:25	The Honorable Joyce Sheperd *1:25
The Honorable Anne Fauver	The Honorable Ceasar C. Mitchell *1:23
The Honorable Howard Shook	The Honorable Mary Norwood
The Honorable Clair Muller	The Honorable H. Lamar Willis *1:13

***Arrival Time:** - indicates arrival after convening roll call.

Councilmember Carla Smith was absent.

INVOCATION: Chaplain Eric Copeland of the Atlanta Fire and Rescue gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, lead by Councilmember Jim Maddox, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **October 19, 2009** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

COMMUNICATIONS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMUNICATIONS

- 09-C-1873 (1) A Communication from **Mr. John O' Callaghan, President and CEO, Atlanta Neighborhood Development Partnership (ANDP), to Municipal Clerk Rhonda Dauphin Johnson** submitting the Atlanta Neighborhood Development Partnership (ANDP) jointly with the Atlanta Housing Association of Neighborhood-based Developers (AHAND) appointment of Mr. Derrick Duckworth to serve as their representative on the Atlanta BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term retroactive to May 01, 2009 and expires on April 30, 2011.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 09-C 1874 (2) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the October 2009 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.
FILED WITHOUT OBJECTION
- 09-C-1899 (3) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Jim Maddox, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Mr. Roger Nance as a member of the Board of Zoning Adjustment. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO ZONING COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 09-C-1900 (4) A Communication by **Ginny Looney, Ethics Officer; Jeffrey Norman, Compliance Manager and Leslie Ward, City Auditor** submitting a 2008 Integrity Line Annual Report.
FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Lisa M. Borders Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Lisa M. Borders Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of item 09-O-1730 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **14 Yeas: Councilmembers Hall, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Sheperd, Mitchell, Norwood and Willis: 0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE JIM MADDOX, CHAIR

09-O-0944 (1) 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 Hearings held 06/08/09 and 09/14/09)**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

09-O-1730 (2) 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. **(Public Hearing held 10/27/09)**

The above item was removed from the Consent Agenda by request of Councilmember Maddox.

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

09-O-1731 (3) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)

JIM MADDOX, CHAIR

09-O-1732 (4) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or her 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.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1733 (5) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or her 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 that all Jazz Festival and Music Festival revenues and expenses be deposited and expended from the accounts listed below; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1734 (6) A **Substitute** 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 \$2,238,685.08 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.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1879 (7) An Ordinance by **Councilmember Howard Shook as Substituted by Community Development/Human Resources Committee** amending the 2010 General Government Capital Outlay Fund Budgets in the Departments of Planning and Community Development and Public Works by transferring between account the sum of \$400,000.00 for the purpose of funding system improvements along Wieuca Road; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
CLETA WINSLOW, CHAIR

- 09-O-1045 (8) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Section 162-77 (6) so as to specifically allow third parties approved by the Bureau, to administer the examination which all new applicants for driver permits must pass in order to secure their initial permits; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
CLAIR MULLER, CHAIR

- 09-O-0381 (9) An Ordinance by **Councilmember Kwanza Hall as Substituted by Transportation Committee** authorizing the Mayor or her designee to replace Bicycle Lanes on both sides of Jackson Street Between Irwin St. and Edgewood Ave. with a shared route; to install "Sharrow" Markings on both sides of Jackson Street between Irwin St. and Edgewood Ave. as a pilot; to permit vehicular parking on the west side of Jackson Street, NE between Edgewood Avenue and Irwin Street, NE; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1654 (10) An Ordinance by **Councilmember Howard Shook as Substituted by Transportation Committee** authorizing the Mayor or her designee to set the Speed Limit on Wieuca Road, NE between Peachtree Road and Roswell Road at 30 Miles Per Hour outside a School Zone; to establish School Zone and Speed Limit of 25 Miles-Per-Hour within the School Zone for Sarah Smith Elementary School during certain hours; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1778 (11) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to convert William H. Borders Drive, SE, between Decatur Street, SE and Chamberlain Street, SE, from a One-Way Street to a Two-Way Street; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

HOWARD SHOOK, CHAIR

- 09-O-1784 (12) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or her designee to waive the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provisions of support services by AT&T Communication Systems Southeast under an expired Agreement for the period beginning July 1, 2009 through November 15, 2009; for an amount not to exceed \$116,920.00, all funds to be charged to and paid from Fund, Department, Organization, and Account Numbers 1001 (General Fund) 050209 (DIT IT Telecommunications) 522002 (Repair and Maintenance-Equipment) 1535000 (Data Processing/Management Information Systems); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1815 (13) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2010 General Fund Budget by transferring appropriations in the amount of \$1,135,089.02 from the General Fund to various departments affected by the flood within the General Fund and Park Design and to establish projects to assist with the Flood Recovery; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1878 (14) An Ordinance by **Councilmember Howard Shook as Substituted by Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances allowing the City to enter into Renewal Agreement No. 1 with Wright-Brown Electric Company, Inc., for FC-3006008004, Installation, Relocation, Removal, and/or Revisions of Traffic Signals, Reversible Lane Signals, and/or Street Lights and Associated Hardware, for the installation of Signals and Radar Signs for the Wieuca Road Project, on behalf of the Department of Public Works, in an amount not to exceed \$245,000.00; all contracted work shall be charged to and paid from various Fund, Department Account and Center Numbers; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

HOWARD SHOOK, CHAIR

- 09-O-1882 (15) An Ordinance by **Councilmember Clair Muller** amending the 2009 (Gen. Gov't Outlay Fund) Budget by transferring from appropriations (3502.000001.1340001.0000000) in the amount of \$138,128.24 to add to anticipations (7701.140106.3912009.6220000.600356.69999) and appropriations (7701.140106.5411001.6220000.600356.69999) for Park Design and Construction of the Howard Property on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

RESOLUTIONS

CITY UTILITIES COMMITTEE

CARLA SMITH, CHAIR

- 09-R-1827 (1) A Resolution by **City Utilities Committee** to correct Resolution Number 09-R-0942 adopted by the City Council on June 1, 2009 and approved by the Mayor on June 9, 2009 by deleting incorrect Department Organization and Expenditure Number and Description and inserting in lieu thereof the correct Department Organization and Expenditure Number and Description; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 09-R-1828 (2) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 10 for FC-6004007863, Customer Information and Billing System and Off-Site Billing Services, with System and Software, Inc., ("S&S") for to Upgrade Cognos Reportnet to Cognos 8 Business Intelligence Version 4 on behalf of the Department of Watershed Management to increase funding in an amount not to exceed \$73,480.00; all contracted work shall be charged to and paid from 5051 (Water and Wastewater Renewal Fund) 170113 (Information Systems) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information/Additional Licenses); and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

CARLA SMITH, CHAIR

09-R-1877 (3) A Resolution by **Councilmember Howard Shook** authorizing the Mayor to enter into Amendment Agreement No. 1 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters for the construction of the Wieuca Road Sidewalk Improvement Project on behalf of the Department of Public Works in an amount not to exceed \$250,000.00; all contracted work shall be charged to and paid from various Fund, Department and Account Numbers; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

09-R-1886 (4) A Resolution by **Councilmember Clair Muller** supporting the naming of an unnamed stream in the City of Atlanta, Little Wolf Creek; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JIM MADDOX, CHAIR

09-R-1669 (5) 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 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.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

09-R-1737 (6) 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.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JIM MADDOX, CHAIR

09-R-1739 (7) 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.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-R-1880 (8) A Resolution by **Councilmember Howard Shook** authorizing the Bureau of Planning to change the City of Atlanta Cadastral Map to recognize an improved parcel of land at 2349 Hurst Drive, Atlanta, Georgia 30305 as a legal, non-conforming lot; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
CLETA WINSLOW, CHAIR

09-R-1855 (9) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Margie Walker v. City of Atlanta, Superior Court Fulton County, Civil Action File No. 2008-CV-147203, in the amount of \$325,000.00; authorizing said payment to be charged to and paid from Fund 5051 (Water & Wastewater Revenue Fund), 170201 (DWM Wastewater Treatment & Collections), 5750002 (Property/Liquidation) 4310000 (Sanitary Administration); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

- 09-R-1856 (10) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Amy Falzone v. City of Atlanta, Magistrate Court Fulton County, Civil Action File No. 09MS097930, in the amount of \$7,000.00; authorizing said payment to be charged to and paid from Fund 5051 (Water & Wastewater Revenue Fund), 170201 (DWM Wastewater Treatment & Collections), 5750002 (Property/Liquidation) 4310000 (Sanitary Administration); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-R-1870 (11) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the City of Atlanta ("City") Police Department, to enter into an agreement with Legacy Pavilion, LLC, in order to use the Helicopter Landing Pad located on the roof of 300 Marietta Street, NW, at a rental rate of \$1.00 per year, to be charged to and paid from 1001 (General Fund), 240421 (APD Police Precinct Zone 5), 5223102 (Operating/Lease Rental Land), 3223000 (Patrol); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-R-1871 (12) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, to enter into a Lease Renewal Agreement with ASI Properties, Inc., on behalf of the Atlanta Police Department, for the rental of 5,026 square feet of office space located at 3120 Maple Drive, Atlanta, Georgia, for the Department of Police Zone Two Precinct, at a rental rate of \$89,714.10 per year, to be charged to and paid from 1001 (General Fund), 240406 (APD Police Precinct Zone 2), 5223102 (Operating/Lease Rental Land), 3223000 (Patrol); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

09-R-1872 (13) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to renew a Lease Agreement with CNN Center Ventures, on behalf of the Atlanta Police Department, for the rental of 3,895 square feet of office space located at One CNN Center, Atlanta, Georgia, for the Department of Police Zone Five Mobile Precinct, from March 1, 2010, until February 28, 2015, at a rental rate of \$1.00 per year, to be charged to and paid from 1001 (General Fund), 240421 (APD Police Precinct Zone 5), 5223102 (Operating/Lease Rental Land), 3223000 (Patrol); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-R-1881 (14) A Resolution by **Councilmember Ceasar C. Mitchell** expressing the support of the Atlanta City Council and encouraging the implementation of the Atlanta Police Department's Plan to increase the total number of personnel in the Red Dog Unit from its current strength of 27 officers, to 62 officers to be achieved between July and December, 2010; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
CLAIR MULLER, CHAIR

09-R-1728 (15) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute an Actual Cost Utility Agreement between the City of Atlanta and the Georgia Department of Transportation to relocate all Traffic Signal Equipment along State Route 139 between Gordon Place, S.W. and Florida Avenue, S.W. for Project CSSFT-0008-00(277), P.I. No. 0008277; Safety Action Plan Utility Relocations, at no cost to the City; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-R-1857 (16) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Air Transport International, L.L.C. for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

- 09-R-1858 (17) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Singapore Airlines Cargo PTE Limited for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 09-R-1859 (18) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with American Airlines, Inc. for the occupancy and use of warehouse space in the North Cargo Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 09-R-1860 (19) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Amendment No. 14 to the Central Passenger Terminal Complex Lease Agreement with US Airways, Inc. covering the permanent surrender to the City of Atlanta of exclusive leased premises located on Concourse "D" at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 09-R-1861 (20) A Resolution by **Transportation Committee** increasing the Compensation Limit for Contract No. FC-6006007929-E, Architectural and Engineering Design Services, with Ascend Joint Venture, LLC, in an additional amount of \$1,195,172.00; all services will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund) 180201 (DOA Aviation Capital Planning & Development) 5212001 (Consulting/Professional Services) 7563000 (Airport) 0000000 (Default) 00000 (Default); and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

09-R-1862 (21) A Resolution by **Transportation Committee** authorizing the Aviation General Manager, or his designee, to issue Task Orders under Contract No. FC-3007000037-C, Small Business Managing General Contractors, with Dobbs Raker, LLC, in a collective amount not to exceed \$400,000.00, to provide Installation of Archival Display Cases at Hartsfield-Jackson Atlanta International Airport. All services will be charged to and paid from FDOA 5502 (Airport Renewal and Extension) 180202 (DOA Aviation Art Program) 5316014 (Art) 7563000 (Airport) 0000000 (Default) 00000 (Default); and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

09-R-1896 (22) A Resolution by **Transportation Committee** authorizing the Mayor to enter into amendment Agreement Number 5 with Wright-Brown Electric Company, Inc., for FC-3006008004, Installation, Relocation, Removal, and/or Revisions of Traffic Signals, Reversible Lane Signals, and/or Street Lights and Associated Hardware, to relocate all traffic signal equipment along State Route 139 between Gordon Place, S.W. and Florida Avenue, S.W. for Project Number CSSFT-0008-00(277), P.I. No. 0008277; Safety Action Plan Utility Relocations on behalf of the Department of Public Works, in an amount not to exceed \$457,985.00; all contracted work shall be charged to and paid from various Fund, Department Account and Center Numbers; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

FINANCE/EXECUTIVE COMMITTEE

HOWARD SHOOK, CHAIR

09-R-1875 (23) A Resolution by **Finance/Executive Committee** authorizing to Mayor to execute the Second Amendment to the Intergovernmental Agreement by and among the City of Atlanta, the Atlanta Development Authority and the Atlanta Independent School System, dated December 31, 2005 and amended on August 17, 2009, in connection with the BeltLine Tax Allocation District; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

HOWARD SHOOK, CHAIR

- 09-R-1894 (24) A Resolution by **Finance/Executive Committee** to authorize the extension of the Service Delivery Strategy Agreement with Fulton County and Fulton County Municipalities for a period of one hundred twenty days to ensure the continuation of various services provided by and to the City of Atlanta, to maintain qualified Local Government status and to avoid sanctions from the State of Georgia, including loss of state funding; to authorize a mediation with Fulton County Cities in dispute with the City of Atlanta in compliance with the Service Delivery Strategy Act, O.C.G.A. §36-70-20, et seq.; to authorize the City Attorney to initiate and prosecute a Civil Action pursuant to Section 2-402 of the Code of Ordinances to seek a Stay in Sanctions from the State of Georgia as a result of a lapse in the Service Delivery Strategy Agreement and to protect and preserve Atlanta's interests in its Service Agreements, Service Areas and related Service Delivery Systems, including its water and wastewater assets; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

CLETA WINSLOW, CHAIR

Claims with favorable recommendations:

- 09-R-1830 (1) Claim of **Jimmy Robinson, through his attorney, Thomas H. Cooper**, for damages alleged to have been sustained as a result of an automobile accident on November 29, 2007 at Howell Mill Road, NW and 14th Street, NW. **\$6,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1831 (2) Claim of **Annie D. Scott**, for vehicular damages alleged to have been sustained from an automobile accident on May 22, 2009 at Northside Drive, NW and Channing Drive, NW. **\$4,237.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

Claims with unfavorable recommendations:

- 09-R-1838 (9) Claim of **Travelers, as subrogee of Tara Nydick**, for damages alleged to have been sustained as a result of an automobile accident on November 24, 2008 at 1657 Geary Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1839 (10) Claim of **Craig Nydick**, for damages alleged to have been sustained as a result of an automobile accident on November 24, 2008 at 1657 Geary Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1840 (11) Claim of **Richard L. Holder**, for damages alleged to have been sustained from a contract breach involving an Atlanta Police Reserve Program reinstatement on November 14, 2008 at 675 Ponce de Leon Avenue, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1841 (12) Claim of **Liberty Mutual, as subrogee of Thomas Riess**, for damages alleged to have been sustained as a result of an automobile accident on May 30, 2009 at 675 Ponce de Leon Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1842 (13) Claim of **William Wilson**, for damages alleged to have been sustained during a sewer project in June 2009 at 2422 Sagamore Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1843 (14) Claim of **Carla Barbour**, for damages alleged to have been sustained during a sewer project between April and May 2009 at 756 Shorter Terrace, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 09-R-1844 (15) Claim of **Marcene R. Moore**, for damages alleged to have been sustained as a result of striking a boulder in the roadway on June 29, 2009 on I-75 Southbound.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1845 (16) Claim of **Philip Carr, through his attorney, Kevin Rew**, for damages alleged to have been sustained due to a damaged tree on January 13, 2009 at 758 Lake Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1846 (17) Claim of **Unitrin Direct Insurance, as subrogee of Joseph Holick**, for damages alleged to have been sustained as a result of striking a damaged sewer manhole on February 5, 2009 at 401 5th Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1847 (18) Claim of **Michael L. Miller**, for damages alleged to have been sustained as a result of a tailpiece leak between 2000 and 2008 at 37 Kenmare Hall, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1848 (19) Claim of **Rowena F. Waller**, for damages alleged to have been sustained as a result of striking a hole in the roadway on February 13, 2008 on Northwest Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1849 (20) Claim of **Brian Smith**, for damages allegedly sustained as a result of the repair of a water main during the month of December 2008 at 260 Tamer Lane.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 09-R-1850 (21) Claim of **Jeff Stanley**, for damages alleged to have been sustained as a result of a rock thrown by a weed eater on July 21, 2009 at 1115 North Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 09-R-1851 (22) Claim of **Kathleen Gossett, through her attorney, William J. McKenney, Esq., McKenney & Froelich**, for bodily injuries alleged to have been sustained from an automobile accident that occurred due to a malfunctioning traffic light on May 17, 2009 at Peachtree Road, NE and Pharr Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-R-1852 (23) Claim of **Ryan Whitaker, through his attorney, William J. McKenney, Esq., McKenney & Froelich**, for bodily injuries alleged to have been sustained from an automobile accident that occurred due to a malfunctioning traffic light on May 17, 2009 at Peachtree Road, NE and Pharr Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-R-1853 (24) Claim of **James Elwood, through his attorney, William J. McKenney, Esq., McKenney & Froelich**, for bodily injuries alleged to have been sustained from an automobile accident that occurred due to a malfunctioning traffic light on May 17, 2009 at Peachtree Road, NE and Pharr Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Lisa M. Borders Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

CARLA SMITH, CHAIR

All items on Consent Agenda II (1 through 10 as follows) were Referred to the appropriate committees as a collective vote.

09-O-1826 (1) An Ordinance by **City Utilities Committee** authorizing the Mayor or her designee to abandon a portion of Florence Street, NE located between East Avenue, NE and the Dead-End of Florence Street consisting of approximately 0.128 acre and being more specifically described in the attached Exhibit "A," lying and being in Land Lot 19 of the 14th District, Fulton County, Georgia; and for other purposes. **(Advertised for a Public Hearing 11/10/09 at 9:00 a.m.)**
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1893 (2) An Ordinance by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 1 with Clayton County Water Authority for the Water Pollution Control Service Agreement for the South River Water Pollution Control Plant Facilities and Transmission System to extend the terms for a period of four (4) months for the purposes of transferring sewage flows from the City of Atlanta Sewer System to the Clayton County Water Authority; to amend the FY 2009 Budget by transferring to and from appropriations the amount \$1,918,508.00; to authorize and direct the Chief Financial Officer to pay the Clayton County Water Authority for reimbursement of undepreciated capital costs incurred by the Clayton County Water Authority in an amount not to exceed \$1,918,508.00; all to be charged to and paid from Fund Department, Organization and Account Number _____ ; and for other purposes
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JIM MADDOX, CHAIR

- 09-O-1829 (3) An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2008 City of Atlanta Comprehensive Development Plan (CDP) so as to designate property at 1500 Kay Lane, to the Single-Family Residential Land Use Designation; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

CLETA WINSLOW, CHAIR

- 09-O-1854 (4) An Ordinance by **Public Safety and Legal Administration Committee** amending the FY10 (Intergovernmental Grant Fund) Budget, City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations, in the amount of \$37,000.00, for grant funds from the Governor's Office of Highway Safety, for the purpose of expanding the "Teens Learning Control Program" (TLC); and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1895 (5) An Ordinance by **Public Safety and Legal Administration Committee** amending the Atlanta Code of Ordinances Chapter 30, Article XXIII entitled Vending on Public Property, to clarify that Public Property does not include City Parks; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE
HOWARD SHOOK, CHAIR

- 09-O-1864 (6) An Ordinance by **Finance/Executive Committee** to provide for the Annexation of property located at 1500 Kay Lane to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% Method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such Annexation; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1865 (7) An Ordinance by **Finance/Executive Committee** to anticipate and appropriate grant funds in the total amount of \$13,977,695.00 to be received from the Federal Aviation Administration's offer via Grant Agreement AIP 3-13-0008-90, for the payment of the United States share of 100% of Allowable Costs incurred in accomplishing the project listed as "Construct Apron, Phase II"; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1866 (8) An Ordinance by **Finance/Executive Committee** to anticipate and appropriate grant funds in the total amount of \$7,659,130.00 to be received from the Federal Aviation Administration's offer via Grant Agreement AIP 3-13-0008-91, for the payment of the United States share of 75% of allowable costs incurred in accomplishing the project listed as "Construct Apron Phase III"; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 09-O-1897 (9) An Ordinance by **Finance/Executive Committee** to amending the FY 2010 (_____) Budget by adding to anticipations and appropriations in the amount of _____ for insurance proceeds received for damage to City-owned property caused by flooding which occurred as a result of heavy rainfall beginning September 18, 2009; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

HOWARD SHOOK, CHAIR

09-O-1898 (10) An Ordinance by **Finance/Executive Committee** to amending the FY 2010 (_____) Budget by adding to anticipations and appropriations in the amount of _____ for funding received from the Federal Emergency Management Agency for damage to City-owned property caused by flooding which occurred as a result of heavy rainfall beginning September 18, 2009; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)
CARLA SMITH, CHAIR

Attendance at the October 27, 2009 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Smith (Chair), Muller, Mitchell, Shook and Young

Absent: Councilmembers Archibong and Sheperd

The Standing Committee of City Utilities did not have a report.

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
JIM MADDOX, CHAIR

Attendance at the October 27, 2009 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Maddox (Chair), Sheperd, Norwood, Mitchell, Young and Hall

Absent: Councilmember Willis

ITEM REMOVED FROM CONSENT AGENDA

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. **(Public Hearing held 10/27/09)**

The above item was removed from the Consent Agenda by request of Councilmember Maddox. Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Ordinance 09-O-1730 on behalf of Chairperson Maddox. Mr. Maddox then offered Amendment #1/#1 to add a new Section #3 which shall read as follows: That the Mayor be and is hereby authorized to submit to the U. S. Department of Housing and Urban Development an amendment to Atlanta's Year 2009 Annual Action Plan of the 2005-2009 Consolidated Plan. Following, Chairperson Maddox made a Motion to approve Amendment #1/#1. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. After which, Mr. Maddox made a Motion to Adopt as Amended and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1) **CLETA WINSLOW, CHAIR**

Attendance at the October 27, 2009 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Winslow (Chair), Martin, Hall, Sheperd and Willis

Absent: Councilmember Fauver

The Standing Committee of Public Safety and Legal Administration did not have a report.

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)
CLAIR MULLER, CHAIR

Attendance at the October 28, 2009 meeting of the Transportation Committee was as follows:

Present: Councilmembers Muller (Chair), Hall, Moore, Martin, Mitchell and Willis

Absent: None

The Standing Committee of Transportation did not have a report.

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

IVORY L. YOUNG, JR., CHAIR

Attendance at the October 28, 2009 meeting of the Zoning Committee was as follows:

Present: Councilmembers Young (Chair), Archibong, Smith, Shook and Fauver

Absent: Councilmembers Martin and Norwood

ZONING REVIEW BOARD SUMMARY REPORT

09-O-1647 (1)
Z-09-31 An Ordinance by **Councilmember Felicia A. Moore** as **Amended by Zoning Committee** to rezone property from I-1 (Light Industrial) District to O-I-C (Office-Institutional-Conditional), property located at **846 Huff Road and 0 Huff Road (17-01500001011), NW**. Property fronts approximately 140 feet from the southwest corner of Huff Road. Depth: varies; Area: approximately 1.848 acres, Land Lot 150, 17th District, Fulton County, Georgia. Owner: The Howard School/Winter Properties; Applicant: The Howard School; NPU-D Council District 9.
FILED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

The following items (09-O-1816 and 09-O-1818) were taken as a collective vote.

09-O-1816 (1)
U-70-30 An Ordinance by **Zoning Committee** to amend Ordinance U-70-30, as adopted by the City Council on November 3, 1997 and returned without signature by the Mayor per Section 2-405 of the 1996 Charter for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **175 Racine Street, SW**; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1818 (2)
U-79-12 An Ordinance by **Zoning Committee** to amend Ordinance U-79-12 as adopted by the City Council on August 20, 1979 and approved by the Mayor on August 29, 1979 for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **2062 Childress Drive, SW**; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

IVORY L. YOUNG, JR., CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

08-O-1142 (3)
Z-08-38

An **Amended** Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial)/BeltLine Overlay District to the R-4B (Single-Family Residential)/BeltLine Overlay District, property located **680 Drewry Street, NE**, fronting approximately 69.99 feet on the north side of Drewry Street, beginning 190 feet from the northwest corner of Ponce Place. **(Held 9/30/09)**

Depth: Approximately 153 Feet
Area: 0.25 Acre
Land Lot: 17, 14th District, Fulton, County, Georgia
Owner: Seven Homes, LLC.
Applicant: William L. Stephenson
NPU-F Council District 6

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

ORDINANCES FOR FIRST READING

All items for First Reading (1 through 5 as follows) were Referred to the appropriate committees as a collective vote.

09-O-1863 (1)
Z-09-40

An Ordinance by **Zoning Committee** to zone property located at **1500 Kay Lane** to the R-3 (Single-Family Residential) Zoning District; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

09-O-1889 (2)
U-74-27

An Ordinance by **Zoning Committee** to amend Ordinance U-74-27 as adopted by the City Council on December 9, 1974 and approved by the Mayor on December 16, 1974 for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **1635 Campbellton Road, SW**; and for other purposes.

REFERRED TO ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
IVORY L. YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

09-O-1890 (3) An Ordinance by **Zoning Committee** granting a Special Use
U-09-17 Permit for a Personal Care Home pursuant to Section 16-08.005
 (1)(f) for property located at **762 Bender Street, SW**, fronting
 approximately 60 feet on the east side of Bender Street, at the
 southeast corner of Bender Street and Stephens Street.

 Depth: Varies
 Area: Approximately 0.147 Acre
 Land Lot: 86, 14th District, Fulton County, Georgia
 Owner: Deborah L. Turner
 Applicant: Deborah L. Turner
 NPU-V Council District 4

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

09-O-1891 (4) An Ordinance by **Zoning Committee** to amend Ordinance 98-
U-09-18 O-0067 (U-97-69) which granted a Special Use Permit for a
 Communication Tower in a C-2 (Commercial Service) District, for
 property located at **2664 Donald Lee Hollowell Parkway**
 (formerly known as Bankhead Highway), and for other purposes.

 Owner: Horatio Lawson
 Applicant: T-Mobile South, LLC c/o SAI Communication

 NPU-I Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

IVORY L. YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

09-O-1892 (5)
U-09-20

An Ordinance by **Zoning Committee** granting a Special Use Permit for a Day Care Center pursuant to Section 16-06.005 (l)(g) for property located at **3797 Adamsville Drive, SW.**, fronting approximately 90 feet on the north side of Adamsville Drive, approximately 760 feet west of the intersection of Martin Luther King, Jr. Drive and Adamsville Drive.

Depth: Approximately 200 Feet
Area: Approximately 0.41 Acre
Land Lot: 14, 14FFth District, Fulton County, Georgia
Owner: Unity Realty Specialist (Ben Lawrence)
Applicant: April Ingraham
NPU-H Council District 10

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
HOWARD SHOOK, CHAIR

Attendance at the October 28, 2009 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Shook (Chair), Moore, Muller, Maddox, Winslow and Smith

Absent: None

The Standing Committee of Finance/Executive did not have a report.

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the November 02, 2009 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Archibong, Fauver, Maddox and Winslow

Absent: Councilmember Norwood

COMMUNICATIONS

The following communications (09-C-1208 and 09-C-1825) were taken as a collective vote.

09-C-1208 (1) A Communication by **Mayor Shirley Franklin** appointing Ms. Carol King to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is to fill the unexpired term of Carole Dortch to expire May 21, 2010. **(Recommendation to File by Finance/Executive Committee 10/28/09.)**
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

09-C-1825 (2) A Communication from **Ms. Cristina Beamud, Executive Director, Atlanta Citizen Review Board, to Council President Lisa M. Borders and Members of Council** submitting the Atlanta Planning Advisory Board appointment of Mr. James Doyle representing NPU's G-L to serve as their representative on the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Recommendation to File by Public Safety & Legal Administration Committee 10/27/09.)**
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

09-C 1656 (3) 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. **(Favorable by Community Development/Human Resources Committee 10/27/09.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

11/02/09 Action Minutes

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

The following communications (4 – 6) were taken as a collective vote.

09-C-1658 (4) A Communication by **Mayor Shirley Franklin** re-appointing Ms. Gloria Leonard to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This re-appointment is for a term of three (3) years to expire on December 03, 2010. **(Favorable by Finance/Executive Committee 10/28/09.)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

09-C-1822 (5) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, to Council President Lisa M. Borders and Members of Council** submitting their appointment of Mr. Shelby Mayes to serve as the representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is to fill the unexpired term of Ms. Anna Cherry which expires on December 31, 2010. **(Favorable by Community Development/Human Resources Committee 10/27/09.)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

09-C-1823 (6) A Communication by **Councilmembers H. Lamar Willis, Post 3 At-Large; Felicia A. Moore, District 9 and C. T. Martin, District 10** re-appointing Ms. Allyson T. McCarthy to serve as a member of the Urban Design Commission. This re-appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 10/27/09.)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

09-O-1888 (1) An Ordinance by **Councilmember Felicia A. Moore as Substituted by Committee on Council** to amend the following Sections of Chapter 66 Entitled "Elections" of the Code of Ordinances of the City of Atlanta, Georgia so as to delete obsolete references to the Georgia Municipal Election Code, O.C.G.A. §21-3-1 et seq. and to update said sections with current references to the Georgia Election Code: Sections 66-1, 66-2, 66-3, 66-4, 66-5, 66-6 and 66-7; to waive conflicting ordinances and code sections; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Lisa M. Borders Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

- 09-O-1887 (2) An Ordinance and Charter Amendment by **Councilmember Felicia A. Moore as Substituted by Committee on Council** adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p. 298, et seq.) as amended, to amend Section 5-101 and 5-106 (Pertaining to Elections) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.) approved April 15, 1996, as amended, so as to delete obsolete references to the Georgia Municipal Election Code and to update and replace said references to the Georgia Election Code; to repeal conflicting ordinances and charter amendments; and for other purposes. **(2nd Reading, 1st Adoption)**
REFERRED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS FOR 3RD READING/FINAL ADOPTION

PERSONAL PAPERS

Council President Pro Tempore Natalyn Archibong Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

09-R-1937 (1) A Resolution by **Councilmembers Carla Smith, Cleta Winslow, Jim Maddox, C. T. Martin and Ceasar C. Mitchell** authorizing the establishment of the Stadium Neighborhoods TAD Advisory Committee for the Stadium Neighborhoods Tax Allocation District; establishing the composition of the committee; providing for meetings and activities of the committee; and for other purposes.

Councilmember Winslow made a Motion to Adopt Resolution 09-R-1937. It was properly Seconded and a brief discussion ensued, during which, Ms. Winslow offered Amendment #1/#1 to add a new Section #9 that states as follows: "all resolutions or parts of resolutions in conflict with this resolution are hereby waived to the extent of any such conflict." Amendment #1/#1 then CARRIED by a roll call vote of 13 yeas; 0 nays. Following, Councilmember Winslow made a Motion to Adopt as Amended. It was Seconded by Councilmember Maddox and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

09-R-1938 (2) A Resolution by **Councilmembers Felicia A. Moore, C. T. Martin and Ceasar C. Mitchell** authorizing the establishment of the Hollowell/MLK TAD Advisory Committee for the Hollowell/MLK Tax Allocation District; establishing the composition of the committee; providing for meetings and activities of the committee; and for other purposes.

Councilmember Moore made a Motion to Adopt 09-R-1938. It was Seconded by Councilmember Martin and a brief discussion ensued, during which, Councilmember Archibong offered Amendment #1/#1 to add a new Section #9 that states as follows: "all resolutions or parts of resolutions in conflict with this resolution are hereby waived to the extent of any such conflict." Following, Moore Amendment #1/#1 CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Moore then made a Motion to Adopt as Amended. Properly Seconded, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11/02/09 Action Minutes

Council President Pro Tempore Natalyn Archibong Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

09-R-1939 (3) A Resolution by **Councilmembers Jim Maddox, Joyce Sheperd, Cleta Winslow and Ceasar C. Mitchell** authorizing the establishment of the Campbellton Road Advisory Committee for the Campbellton Road Tax Allocation District (TAD); establishing the composition of the committee; providing for meetings and activities of the committee; and for other purposes.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Resolution 09-R-1939 on behalf of Councilmember Maddox. Following, Mr. Maddox made a Motion to Adopt. It was properly Seconded and a brief discussion ensued, during which, Councilmember Archibong offered Amendment #1/#1 to add a new Section #9 that states as follows: "all resolutions or parts of resolutions in conflict with this resolution are hereby waived to the extent of any such conflict." It was properly Seconded and the Archibong Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, Councilmember Maddox made a Motion to Adopt as Amended. It was Seconded by Councilmember Archibong and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

09-R-1940 (4) A Resolution by **Councilmembers Joyce Sheperd, Jim Maddox and Ceasar C. Mitchell** authorizing the establishment of the Metropolitan Parkway Advisory Committee for the Metropolitan Parkway Tax Allocation District (TAD); establishing the composition of the committee; providing for meetings and activities of the committee; and for other purposes.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Resolution 09-R-1940 on behalf of Councilmember Sheperd. Following, Ms. Sheperd offered Amendment #1/#1 to add a new Section #9 that states as follows: "all resolutions or parts of resolutions in conflict with this resolution are hereby waived to the extent of any such conflict." It was Seconded by Councilmember Archibong and the Sheperd Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, Councilmember Sheperd made a Motion to Adopt as Amended. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

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Council President Pro Tempore Natalyn Archibong Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 09-O-1901 (1) An Ordinance by **Councilmember Jim Maddox** to amend Chapter 114, Personnel, Article "V," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer certain positions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1902 (2)
Z-09-42 An Ordinance by **Councilmember Jim Maddox** to rezone certain properties within the Campbellton Road Corridor in NPU-R from the R-3 (Two-Family Residential), R-4 (Two-Family Residential), RLC (Residential Limited Commercial), RG-2-C (Residential General-Conditional), RG-3 (Residential General), C-1 (Community Business), C-1-C (Community Business-Conditional), C-2-C (Commercial Service-Conditional), Districts to the MR-2 (Multi-Family Residential), MR-3 (Multi-Family Residential), MR-4A (Multi-Family Residential), MRC-1 (Mixed Residential Commercial), MRC-2 (Mixed Residential Commercial), MRC-3-C (Mixed Residential Commercial-Conditional) Districts; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 09-O-1904 (3) An Ordinance by **Councilmember Jim Maddox** amending the 2009 (Community Development Fund) Budget by adding to anticipations and transferring appropriations in the amount of \$72,961.96 from project closeouts for the purpose funding, CD-, parks flood damage repairs; or other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 09-O-1906 (4) An Ordinance by **Councilmember Jim Maddox** transferring funds from the District 11 Councilmember carry forward account to existing City of Atlanta Department of Parks, Recreation and Cultural Affairs and Department of Public Works fund accounts to fund operations and projects; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1907 (5) An Ordinance by **Councilmembers Carla Smith and Kwanza Hall** to authorize the Department of Watershed Management to recognize a Storm Water Master Plan for Atlanta-Fulton County Zoo, Inc. to manage the flow of storm water within the zoo leasehold; and to authorize all projects to be reviewed under existing storm water regulations until completion of the entire master plan; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 09-O-1908 (6) An Ordinance by **Councilmember Kwanza Hall** to waive the source selection provisions of Article X (“The Procurement and Real Estate Code”) of the Atlanta City Code and authorizing the Mayor or her designee to enter into an agreement with Atlanta Gas Light Company pursuant to the Atlanta City Charter Subsection 6-402; to provide gas energy efficient improvements to the Atlanta Civic Center on behalf of the Department of Parks, Recreation and Cultural Affairs, Boisfeuillet Jones Atlanta Civic Center, in an amount not to exceed \$1,901,000.00; all contracted work will be charged to and paid from account segment numbers identified in this ordinance; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1910 (7) An Ordinance by **Councilmember Clair Muller** to transfer \$00,000.00 from the Northside Drive 1994 Bond Fund to the Department of Public Works Office of Transportation in order to fund new traffic signals at Beck Street and Howell Mill Road and at Emery Street and Collier Road; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 09-O-1911 (8) An Ordinance by **Councilmember Clair Muller** to reduce the speed limit on West Wesley Road, NW to 30 miles per hour; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 09-O-1912 (9) An Ordinance by **Councilmember Clair Muller** to amend Chapter 114, Personnel, Article “V,” Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to create a position, reclassify a position and provide above entry hiring authorization in the Division of Sustainability; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1913 (10) An Ordinance by **Councilmember Clair Muller** amending the FY 2010 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$5,658,264.00 for the U. S. Department of Energy’s Energy Efficiency and Conservation Block Grant; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 09-O-1914 (11) An Ordinance by **Councilmember Felicia A. Moore** authorizing the Chief Financial Officer to amend the FY2010 General Fund Budget by transferring appropriations in the amount of \$700,000.00 from non-departmental to various departments affected by the flood within the General Fund and to establish projects to assist with the flood recovery; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1915 (12) An Ordinance by **Councilmember Howard Shook** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Georgia Department of Transportation (GDOT) Transportation Improvement Funds in the amount of Four Hundred Fifty Seven Thousand Nine Hundred Eighty Five Dollars (\$457,985.00) for the purpose of funding the relocation of all traffic signal equipment along State Route 139 between Gordon Place, S.W. and Florida Avenue, S.W.; Project CSSFT-0008-00(227), P.I. Number 0008277; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 09-O-1916 (13) An Ordinance by **Councilmember Howard Shook** amending the City of Atlanta Occupation Tax Ordinance for the purpose of clarifying the operation of Sec. 146-38; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-O-1917 (14) An Ordinance by **Councilmember Howard Shook** to amend the FY 2010 (Water and Wastewater Revenue Bond Fund) Budget by adding to anticipations and appropriations bond proceeds in the amount of \$449,275,138.85 for the City of Atlanta's Water and Wastewater Revenue Bonds, Series 2009B; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Pro Tempore Natalyn Archibong Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

09-O-1918 (15) An Ordinance by **Councilmember Howard Shook** to authorize (1) the purchase in lieu of redemption of City of Atlanta Tax Allocation Bonds (BeltLine Projects), Series 2008A/B/C Bonds (The "Series 2008 Bonds") in the outstanding aggregate principal amount of \$64,500,000 which have been tendered for purchase by their holders, (2) the execution and delivery of an amended and restated first supplemental indenture of trust in order to establish, among other things, a fixed rate mode and a debt service reserve fund (3) ratification of the preparation, use and distribution of a (preliminary official statement) (limited offering memorandum) in connection with the reoffering of Series 2008 Bonds (4) paying expenses incident to accomplishing all of the foregoing, (5) certain other related actions, all in connection with the reoffering of the foregoing described Series 2008 Bonds; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

09-O-1919 (16) An Ordinance by **Councilmember Howard Shook** to authorize (1) the issuance and sale of \$_____ City of Atlanta Tax Allocation Bonds (BeltLine Project), Series 2009A (The "Series 2009A Bonds"), \$_____ City of Atlanta Tax Allocation Bonds (BeltLine Project), Series 2009B (The "Series 2009B Bonds") and \$_____ City of Atlanta Tax Allocation Bonds (BeltLine Project), Series 2009C (The "Series 2009C Bonds," and together with The Series 2009A Bonds and The Series 2009B Bonds, "The Series 2009 Bonds") in order to provide funds to be applied towards (A) refinancing the City's previously issued Tax Allocation Bonds (BeltLine Project) Series 2008A/B/C Bonds (The "Series 2008 Bonds") outstanding in the aggregate principal amount of \$64,500,000, (B) establishing certain accounts in respect of The Series 2008 Bonds and The Series 2009 Bonds, including a debt service reserve account, capitalized interest account and costs of issuance account (B) to pay other related expenses, including the costs of issuing The Series 2009 Bonds; (2) the execution of a second supplemental indenture of trust providing for the issuance of The Series 2009 Bonds; (3) the preparation, use and distribution of a (preliminary official statement) (limited offering memorandum) in connection with the issuance and sale of The Series 2009 Bonds; (4) the execution and delivery of a purchase contract; (5) certain related actions all in connection with the issuance of The Series 2009 Bonds; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

09-O-1920 (17) An Ordinance and Charter Amendment by **Councilmember Felicia A. Moore** adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, Et. Seq.) as amended, to amend Section 2-403, Entitled "Submission to Mayor; Mayor's Veto" of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, Et. Seq.) approved April 15, 1996, as amended, so as to provide that if the Mayor Vetoes any ordinance or resolution adopted at the last Council Meeting in December of a General Election Year, the Council shall call a Special Meeting prior to December 31 of that year, to consider any such vetoed legislation; to repeal conflicting ordinances and charter amendments; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

09-O-1921 (18) An Ordinance by **Councilmember Felicia A. Moore** transferring funds from the District 9 Councilmember expense account to Park Pride on behalf of the Carver Hills Neighborhood; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

09-O-1922 (19) A Charter amending Ordinance by **Councilmember Felicia A. Moore** to amend the Charter of the City of Atlanta adopted under and by virtue of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, et. seq.) as amended to amend Part 1, Subpart A, Article VI, Chapter 3, Section 6-304 of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et. seq.) approved April 15, 1996, as amended, by amending Article VI, Chapter 3, Section 6-304 so as to add a Subsection D regarding Non Budgeted Programs and Expenditures; to repeal conflicting ordinances; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

09-O-1924 (20) An Ordinance by **Councilmembers Ceasar C. Mitchell, Joyce M. Sheperd and Ivory Lee Young, Jr.** to amend the Code of Ordinances of the City of Atlanta, Georgia Chapter 2, Article IV, Section 2-195 to expand the functions and duties of the Atlanta Workforce Development Agency; to insert a new Article XI entitled The Atlanta Community Benefits Jobs Policy, which new Article XI shall include Division 1 – General Provisions, Division 2 – First Source Jobs Policy, Division 3 – Atlanta Jobs Training and Employment Placement Policy, and Division 4 – Atlanta First Source and Jobs Training Oversight Committee; to repeal conflicting ordinances; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

09-O-1930 (21) An Ordinance by **Councilmember Anne Fauver** transferring funds from the District 6 Councilmember expense account to existing City of Atlanta Department of Parks, Recreation and Cultural Affairs accounts to assist in funding the purchase of equipment destroyed in the September 2009 flood; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

09-O-1931 (22) An Ordinance by **Councilmember Natalyn Mosby Archibong** correcting Ordinance Number 08-O-2260 which transferred funds from Council District 5 expense account to several departments for the purpose of Code Enforcement Case Management and Sidewalk Improvements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

09-O-1933 (23) An Ordinance by **Councilmember Kwanza Hall** authorizing the Mayor or her designee to permit vehicular parking on the north side of Auburn Avenue, between Piedmont Ave. and Jesse Hill, Jr. Drive, without time limits, on Sundays; on the west side of Jesse Hill, Jr., Drive, between Auburn Ave. and JW Dobbs Ave., without time limits, on Saturdays and Sundays; and on the east side of Jessie Hill, Jr. Drive, between Auburn Ave. and JW Dobbs Ave., without time limits on Sundays; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

09-O-1935 (24) An Ordinance by **Councilmember Anne Fauver** transferring funds from the District 6 Councilmember expense account to Park Pride on behalf of the Lindridge/Martin Manor Neighborhood Association to assist in the improvement and maintenance of greenspace at 2366 Armand Road NE; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

09-R-1903 (1) A Resolution by **Councilmember Jim Maddox** authorizing a contractual agreement with the 24/7 Gateway LLC for the implementation of HPR-08-18, project connect at Gateway in an amount not to exceed \$99,115.54; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 09-R-1905 (2) A Resolution by **Councilmember Jim Maddox** authorizing the Mayor, on behalf of the Atlanta City Council, to utilize the State of Georgia DOAS Contract #SWC90814 for the purchase of 55 desktop computers from Dell Marketing, LP for the City Council of Atlanta, Georgia; in an amount not to exceed \$68,395.00. The equipment purchase will be charged to and paid from Fund 1001 (General Fund), Department 200101 (NDP Reservation of Funds), 5790001 (Contingency Fund Unrestricted), 1512000 (Accounting); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-R-1909 (3) A Resolution by **Councilmember Kwanza Hall** authorizing the Mayor or her designee to allow the attachment of a plaque at the base of the "No Goal Is Too High If We Climb With Care And Confidence" Sculpture Archway located on Poplar Street in the Fairlie-Poplar District; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 09-R-1923 (4) A Resolution by **Councilmember Ceasar C. Mitchell** to establish a trust fund account for the transfer of unexpended funds from councilmember expense and fund carryover accounts for use by city departments in the implementation of identified established project(s) or operations; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-R-1925 (5) A Resolution by **Councilmember Ceasar C. Mitchell** authorizing the Mayor to execute amendment agreement Number 1 with Tople Construction, Inc., for FC-4943E, annual contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed Two Hundred Sixty Four Thousand Five Hundred Seven Dollars and Forty Three Cents: (\$264,507.43; all contracted work to be charged to and paid from various fund, department organization and account numbers; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

09-R-1926 (6) A Resolution by **Councilmember Ceasar C. Mitchell** authorizing the Mayor to execute amendment agreement Number 1 with SD&C, Inc., for FC-4943D, annual contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed Three Hundred Twelve Thousand Five Hundred Ninety Dollars: (\$312,590.00); all contracted work to be charged to and paid from various fund, department organization and account numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

09-R-1927 (7) A Resolution by **Councilmember Ceasar C. Mitchell** authorizing the Mayor to execute amendment agreement Number 2 with Precision 2000, Inc., for FC-4943C, annual contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed Two Hundred Forty Five Thousand Seven Hundred Ninety Two Dollars and Fifty Cents (\$245,792.50); all contracted work to be charged to and paid from various fund, department organization and account numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

09-R-1928 (8) A Resolution by **Councilmember Ceasar C. Mitchell** authorizing the Mayor to execute amendment agreement Number 1 with Kemi Construction, Inc., for FC-4943B, annual contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed Two Hundred Twenty Three Thousand Six Hundred Twenty One Dollars and Twenty Three Cents (\$223,621.23); all contracted work to be charged to and paid from various fund, department organization and account numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

09-R-1929 (9) A Resolution by **Councilmember Ceasar C. Mitchell** authorizing the Mayor to execute amendment agreement Number 1 with CP Richards Construction, Inc., for FC-4943A, annual contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed Two Hundred Eighty Six Thousand Five Hundred Three Dollars (\$286,503.00); all contracted work to be charged to and paid from various fund, department organization and account numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

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PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 09-R-1932 (10) A Resolution by **Councilmembers Natalyn Mosby Archibong and Felicia A. Moore** requesting the members of the Atlanta City Council to review the appointment of the Clerk of Council and the Director of Council Staff; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 09-R-1934 (11) A Resolution by **Councilmember Kwanza Hall** authorizing the Mayor to apply for and accept a Gateway Grant; upon award of the grant, the City of Atlanta shall enter into a mowing and maintenance agreement with the Georgia Department of Transportation.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 09-R-1936 (12) A Resolution by **Councilmember Anne Fauver** authorizing the Midtown Improvement District to apply for and accept a Gateway Grant; upon award of the grant, the Midtown Improvement District shall enter into a mowing and maintenance agreement with the Georgia Department of Transportation; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

11/02/09 Action Minutes

Council President Pro Tempore Natalyn Archibong Presided

ADJOURNMENT

There being no further business to discuss, the November 02, 2009 meeting of the Atlanta City Council was adjourned at 3:39 p.m.

ADJOURNMENT ROLL CALL: Council President Lisa M. Borders (E); Councilmembers Hall, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Sheperd, Mitchell and Norwood (11); Councilmembers Young, Winslow and Willis were excused (3).