

ATLANTA CITY COUNCIL

ACTION/MINUTES

MARCH 15, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, March 15, 2010. The Meeting convened at 1:11 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President **Cesar C. Mitchell** presided. The Honorable Council President Pro Tempore **Howard Shook** presided during a portion of the meeting.

Attendance:

The following (13) voting members were present at the Meeting:

The Honorable Carla Smith *1:18	The Honorable Felicia A. Moore
The Honorable Ivory L. Young, Jr.	The Honorable C. T. Martin
The Honorable Clela Winslow *1:17	The Honorable Keisha Bottoms *1:13
The Honorable Natalyn Archibong	The Honorable Michael J. Bond *1:21
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:05
The Honorable Yolanda Adrean	

Councilmembers Joyce Sheperd and Kwanza Hall were absent.

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

INVOCATION: Deacon **Hilliard Lee** of the St. Paul of the Cross Roman Catholic Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, 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 **March 01, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: The Motion to Adopt the Agenda was moved and CARRIED, Without Objection, by a roll call vote of 12 yeas; 0 nays.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-0506 (1) A Communication by **Mayor Kasim Reed** appointing Mr. Michael Cheyne as Interim Commissioner for the Department of Public Works effective February 24, 2010.
FILED WITHOUT OBJECTION
- 10-C-0507 (2) A Communication by **Councilmember Alex Wan** re-appointing Ms. Chayne Johnson to serve as a member of the Atlanta Commission on Women. This re-appointment is for a term of two (2) years, effective upon the initial expiration date of March 17, 2010.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-0508 (3) A Communication by **Councilmember Keisha Lance Bottoms** appointing Ms. Kellye D. Terrell to serve as a member of the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-0509 (4) A Communication from **Mark Massey, Clerk to the Fulton County Board of Commissioners, to Council President Ceasar C. Mitchell** submitting the Fulton County Board of Commissioners' appointment of Ms. Jan Prisby Bryson (Position 5) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-0519 (5) A Communication by **President Ceasar C. Mitchell** appointing Mr. Joe Hindsley to serve as a member on the Xernona Clayton Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be 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: **13 Yeas**: Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Bond, Watson and Willis; **0 Nays**.

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 10-O-0410 (1) A **Substitute** Ordinance by **Finance/Executive Committee** to amend the Fiscal Year 2010 Budget by adding to anticipations and appropriations in the amount of \$15,000.00 for a donation received from The Reed Inaugural Committee, Inc., to fund Census Outreach efforts within the City of Atlanta; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

- 10-O-0501 (2) An Ordinance by **Councilmember Alex Wan as Substituted by Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City, to accept a grant in the amount of \$300,000.00 from the Georgia Department of Natural Resources, Environmental Protection Division, for the purpose of reimbursing the Piedmont Park Conservancy for a portion of its costs in implementing the Creek Restoration Components of the Piedmont Park Master Plan; amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations funds received from the Georgia Department of Natural Resources, Environmental Protection Division in the amount of \$300,000.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

- 10-O-0388 (3) An Ordinance by **Councilmembers Michael J. Bond, H. Lamar Willis, Keisha Lance Bottoms, Aaron Watson, C. T. Martin, Ivory L. Young, Jr., Clela Winslow, Joyce Sheperd and Kwanza Hall as Substituted by Public Safety and Legal Administration Committee** to amend Article III, ("Pawnbrokers"), of Chapter 122, ("Secondhand Goods"), of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 122-88 to be entitled "Location Restrictions" so as to regulate the location of Pawnshops and similar places where money is advanced on goods or other effects or merchandise of any kind is taken in pawn; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
C. T. MARTIN, CHAIR

- 10-O-0280 (4) A **Substitute** Ordinance by **Transportation Committee** to amend Division 2A of Article IV of Chapter 150, Traffic and Vehicles, Section 150-120 through 150-131 of the Code of Ordinances of the City of Atlanta so as to establish a Permanent Program to permit Valet Parking Services; to modify and extend procedures for the permitting and regulation of the Valet Parking Services Program; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTIONS

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 10-R-0333 (1) A Resolution by **Finance/Executive Committee** extending the Service Delivery Strategy (SDS) between the City of Atlanta and DeKalb County through June 30, 2010; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

10-R-0477 (2) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Renewal Agreement No. 1 on behalf of the Executive Offices - Office of Enterprise Assets Management to enter into a Memorandum of Understanding ("MOU") with the Atlanta Workforce Development Agency (AWDA) for the purpose of continuing the Culinary Training Program in the City Hall Cafeteria, in an amount not to exceed \$25.00 monthly; all revenue received pursuant to this Memorandum of Understanding "(MOU)" shall be deposited into the FDOA Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0478 (3) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to renew the Cooperative Purchasing Agreement made pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the GSA Schedule GS-35F-0009T with Oracle USA, Inc., for Oracle Contract #2016306, RAC Software Licenses and Support for the ERP Application, for 1 Year from May 30th 2010 to May 29th 2011, on behalf of the Department of Information Technology in an amount not to exceed \$47,541.50; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0479 (4) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to renew the Cooperative Purchasing Agreement made pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the GSA Schedule GS-35F-0009T with Oracle USA, Inc., for Oracle Contract #2118646, Oracle Database Software Licenses and Support for the ERP Application, for 1 Year from April 8th 2010 to April 7th 2011, on behalf of the Department of Information Technology in an amount not to exceed \$56,032.35; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

10-R-0480 (5) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Renewal Agreement No. 2 and Amendment Agreement No. 4 for FC-6005007906, Citywide Pest Control with Orkin, Inc. on behalf of the Executive Offices - Office of Enterprise Assets Management, to include the sites and funding for the Departments listed herein in an amount not to exceed \$199,788.00. All contracted work shall be charged to and paid from the FDOA Numbers listed.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-R-0481 (6) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement with Oracle USA, Inc., utilizing Federal GSA Contract GS-35F-0009T Service Contract No. 3795831 for Call Center CRM Application Technical Support Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$49,699.94; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-R-0493 (7) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize GSA Contract #GS-07F-0468V, to purchase a Mobile Command and Surveillance Vehicle, on behalf of the Department of Police, in an amount not to exceed \$217,529.95; all costs shall be charged to and paid from a Grant from the United States Department of Homeland Security through the FDOA Numbers listed; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

KWANZA HALL, VICE-CHAIR

10-R-0419 (8) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1, for FC-6007000029, Annual Contract for Major Mechanical Services with Alberici Constructors, Inc./Willis Professional Services, JV, for time-only; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

KWANZA HALL, VICE-CHAIR

10-R-0420 (9) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1, for FC-4866, Removal of Canadian Geese with Atlanta Animal Evictions on behalf of the Department of Watershed Management for time-only; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0421 (10) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Screening Systems International, Inc., for FC-4802, Traveling Screens Services and Repair on behalf of the Department Watershed Management in an amount not to exceed \$200,000.00; all contracted work shall be charged to and paid from the Fund, Department Account and Organization Number listed; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL
VOTE OF 13 YEAS; 0 NAYS**

10-R-0422 (11) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Johnson Real Estate Investments, LLC, for rental space located at 263 Decatur Street, SW, Atlanta, Georgia on behalf of the Department of Watershed Management, in an amount not to exceed \$360,024.46; all contracted work shall be charged to and paid from the Fund, Department Account and Organization Number listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0423 (12) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with WWPS, LLC, for FC-5010, Annual Contract for Major Mechanical Service and Repair on behalf of the Department/Bureau of Drinking Water of Watershed Management, in an amount not to exceed \$445,810.00; all contracted work shall be charged to and paid from the Fund, Department Account and Organization Number listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

KWANZA HALL, VICE-CHAIR

- 10-R-0424 (13) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Notice-to-Proceed to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture, for FC-4906D, City-Wide Annual Contract for Architectural and Engineering Services for the Southwest Area Water Distribution Study on behalf of the Department of Watershed Management, in an amount not to exceed \$83,910.00; all contracted work will be charged to and paid from the Fund, Department Account and Organization Number listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-0425 (14) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Notice-to-Proceed to Arcadis/Bindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services for the Stream Restoration Project for McDaniel Branch, on behalf of the Department of Watershed Management, in an amount not to exceed \$207,500.00; all contracted work will be charged to and paid from the Fund, Department Account and Organization Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-0486 (15) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Thomas Cleaning Services d/b/a Turf Care Services, for FC-6007000069, Annual Contract for Grounds Maintenance Services, on behalf of the Department of Watershed Management in an amount not to exceed 400,000.00; that all contracted work shall be charged to and paid from the FDOA Numbers listed, in the following amounts: FY 2010-\$78,500.00 and FY 2011-\$321,500.00; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

- 10-R-0427 (16) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the mayor's Office of Weed and Seed, to apply for and accept funding in the amount of \$150,000.00 from the U.S. Department of Justice Community Capacity Development Office, for the continuation of the Weed and Seed Strategy in the English Avenue Community; to provide for matching funds; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0428 (17) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Bettye Ferguson V. City of Atlanta, Civil Action File Number 2009-CV-167172, Fulton County Superior Court, in the amount of \$88,500.00; authorizing said payment to be paid from Fund 1001 (General Fund) Center Number 200101 (Non Departmental) Account 5212005 (Litigation Expenses) and 1512000 (Functional Activity); Authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0494 (18) An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the case styled "City of College Park and Charles E. Phillips, Sr., Plaintiffs, V. City of Atlanta and Shirley Franklin, in her official capacity as Mayor of the City of Atlanta , Defendants; in the United States District Court for the Northern District of Georgia, Atlanta Division; Civil Action File No. 1: 08-CV-1464"; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

10-R-0471 (19) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Local Assistance Road Program Agreement with the Georgia Department of Transportation for Project Nos. S01263-LAU and S012604-LAU to provide for the Resurfacing of Twenty-Two (22) City Streets; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-0472 (20) A Resolution by **Transportation Committee** authorizing the Mayor to issue a Notice to Proceed with Arcadis/Brindley Pieters & Associates, a Joint Venture for FC-4906A, Annual Contract for Architectural and Engineering Services, for additional Design Services for the Upgrade of Advance Traffic Intersection Controllers on behalf of the Department of Public Works, in an amount not to exceed \$100,000.00; with all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-0487 (21) A Resolution by **Transportation Committee** authorizing the Mayor or his designee to enter into Amendment Agreement No. 1 with Engineering Design Technologies, Inc., for FC6005007887, Annual Contract for Professional Design Services for various Quality of Life Projects (Project A: West End LCI and Project B: Greenbriar Town Center), to add additional funds on behalf of the Department of Public Works in an amount not to exceed \$202,040.00; all contracted work shall be charged to and paid from various FDOA Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-0488 (22) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 1 to the Master Wireless Agreements for Hartsfield-Jackson Atlanta International Airport to extend the Airport's Distributed Antenna System used by Wireless Service Providers to the Rental Car Center; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

10-R-0489 (23) A Resolution by **Transportation Committee** increasing the Compensation Limit for Contract No. FC-6006007929-A, Architectural and Engineering Design Services, with Hartsfield Support Services Team, a Joint Venture, in an additional amount of \$750,000.00 to provide Professional, Architectural and Engineering Design Services for the Department of Aviation on a task order basis; all services to be charged to and paid from the PTAE0 and FDOA Numbers listed.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

10-R-0429 (1) Claim of **Tomond Jack and Sharon E. Jack**, for damages alleged to have been sustained as a result of a sewer back up on October 11, 2008 at 251 West Lake Drive. **\$4,000.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0430 (2) Claim of **State Farm Insurance Company, as subrogee of Troy S. Levens**, for vehicular damages alleged to have been sustained from an automobile accident on October 14, 2009 at 386 Georgia Avenue, SE. **\$3,177.22**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0431 (3) Claim of **Liberty Mutual Insurance Company, as subrogee of Gregory and Cynthia Randall**, for damages alleged to have been sustained as a result of an automobile accident on June 5, 2009 at 3747 Peachtree Road, NE. **\$3,516.19**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-R-0432 (4) Claim of **Nationwide Mutual Insurance Company, as subrogee of Gail Lipscomb, through its Attorney, Candage M. Boutwell, Esq.**, for property damages alleged to have been sustained due to an automobile accident on July 31, 2009 at Memorial Drive, SE and Bill Kennedy Way. **\$5,740.48**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 10-R-0433 (5) Claim of **Allstate Insurance Company, as subrogee of Olivia Baratta**, for damages alleged to have been sustained as a result of a vehicular accident on November 10, 2008 at Monroe Drive and Piedmont Road. **\$9,089.66**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0434 (6) Claim of **Gracia Asoh**, for damages alleged to have been sustained as a result of a trip and fall on an unsecured water meter lid on August 18, 2009 at 772 East Confederate Avenue, SE. **\$2,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0435 (7) Claim of **AT&T**, for damages alleged to have been sustained as a result of a severed phone line during the repair of a water main on September 10, 2009 at 8640 Ridge Road, Fairburn, GA. **\$1,603.65**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0436 (8) Claim of **David K. Roller, Jr.**, for damages alleged to have been sustained to a tree during the repair of a meter leak on April 24, 2008 at 3892 Wieuca Road, NE. **\$4,900.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0437 (9) Claim of **Wheels, Inc.**, for vehicular damages alleged to have been sustained after driving over a pot hole on November 19, 2009 at Chattahoochee Avenue, NW & Permalume Place, NW. **\$1,484.96**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-0438 (10) Claim of **Mary S. McCullough**, for bodily injuries alleged to have been sustained due to a fall on August 1, 2007 at 640 North Avenue, NE. **\$5,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

10-R-0439 (11) Claim of **Geraldine P. Rivers**, for vehicular damages alleged to have been sustained after driving over a pot hole on November 7, 2009 at 2067 Delowe Drive, SW.

\$823.42

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Claims with unfavorable recommendations:

10-R-0440 (12) Claim of **Rodney Graham, through his attorney, Robert A. Elsner**, for damages alleged to have been sustained during an arrest on September 1, 2008 at 30 Alabama Street.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13
YEAS; 0 NAYS**

10-R-0441 (13) Claim of **Colvino Pierre**, for damages alleged to have been sustained as a result of driving over a pothole on January 16, 2010 at Virginia Avenue, East Point.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13
YEAS; 0 NAYS**

10-R-0442 (14) Claim of **Renee Watson, through her attorney, Melvin Robinson**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on September 7, 2008 at 1494 Beecher Street.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13
YEAS; 0 NAYS**

10-R-0443 (15) Claim of **Blake Eiseman**, for damages alleged to have been sustained as a result of driving over a failed construction cut on October 14, 2009 at 2429 North Druid Hills.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13
YEAS; 0 NAYS**

10-R-0444 (16) Claim of **Jennifer L. Perritte**, for vehicular damages alleged to have been sustained from an automobile accident on May 26, 2008 on Interstate 285 & Donald Lee Hollowell Parkway, NW.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13
YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-0445 (17) Claim of **Linda Cole, through her attorney, James J. Kelleher, Esq.**, for bodily injuries alleged to have been sustained from a slip and fall incident on August 15, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0446 (18) Claim of **Danah Richardson, through her attorney, Sho Watson**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on March 30, 2008 at 674 Boulevard Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0447 (19) Claim of **J. Timothy Mast**, for damages alleged to have been sustained as a result of the installation of a sidewalk on November 6, 2007 at 760 Penn Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0448 (20) Claim of **Tyron Clark**, for vehicular damages alleged to have been sustained after driving over a series of potholes in the roadway on February 1, 2010 at 3412 Martin Luther King, Jr. Drive, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0449 (21) Claim of **Najla Rashad-Einstein**, for damages alleged to have been sustained from a maltreatment incident from 2002 to present at an unidentified location.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0450 (22) Claim of **Metropolitan Atlanta Task Force for the Homeless, Inc., through its attorney, Steven G. Hall, Esq.**, for damages alleged to have been sustained from a violation of City ordinances with respect to City program certifications on July 2, 2009 at 477 Peachtree Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-0451 (23) Claim of **Atlanta Federation of Musicians, through its attorney, Robert Witcher, Esq.**, for damages alleged to have been sustained from a sewer backup on January 22, 2008 at 551 Dutch Valley Road.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0452 (24) Claim of **Nicole Johnson, on behalf of her minor child, Breanna Johnson**, for bodily injuries alleged to have been sustained from an automobile accident on March 31, 2008 at 1622 Joseph E. Boone, NW & West Lake Avenue.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0453 (25) Claim of **Walter Calloway, through his attorney, Marvin S. Arrington, Jr., Esq.**, for damages alleged to have been sustained from an arrest on May 13, 2008 at 225 H. E. Holmes Drive, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0454 (26) Claim of **Timothy B. Clark**, for bodily injuries alleged to have been sustained from a shooting on July 15, 2008 at 976 Cascade Avenue, SW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0455 (27) Claim of **Atlanta American Owner, LLC and Columbia Sussex Corporation, through their attorney, Douglas F. Aholt**, for damages alleged to have been sustained as a result of a water main leak between 2001 and 2008 at 160 Spring Street, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0456 (28) Claim of **Karen DiMatties**, for damages alleged to have been sustained as a result of a water meter installation on February 24, 2009 at 869 Gilbert Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-0457 (29) Claim of **Deborah Bloodsoe**, for vehicular damages alleged to have been sustained from an automobile accident on September 17, 2009 at University Avenue, SW & Pryor Road, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0458 (30) Claim of **Nicole Johnson**, for bodily injuries alleged to have been sustained from an automobile accident on March 31, 2008 at 1622 Joseph E. Boone, NW & West Lake Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0459 (31) Claim of **Melissa Clark, on behalf of her son, Montellis Clark, Deceased**, for damages alleged to have been sustained from a shooting on July 15, 2008 at 976 Cascade Avenue, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0460 (32) Claim of **Northmoor Apartments**, for damages alleged to have been sustained as a result of a sewer back up on January 15, 2008 at 690 Lindbergh Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0461 (33) Claim of **Northmoor Apartments**, for damages alleged to have been sustained as a result of a sewer back up on February 9, 2008 at 690 Lindbergh Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-0462 (34) Claim of **Glen and Danielle Rollins, through their attorney, Jason R. Isenberg**, for damages alleged to have been sustained as a result of water discoloration on September 25, 2008 at 3053 Habersham Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

All items on Consent Agenda II (1 through 18 as follows) were Referred to the appropriate committees as a collective vote.

- 10-O-0473 (1) An Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations funds received from the Buckhead Community Improvement District ("BCID") in the amount of \$246,794.00, for the purpose of relocating utilities for the Peachtree Corridor Project; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0474 (2) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (Intergovernmental Grant Fund - 2501) Budget in the amount of \$390,000.00 by adding to anticipations and appropriations for the grant from the Environmental Protection Agency, ("EPA") per the Intergovernmental Agreement with ("EPA") for the design and construction of the McDaniel Branch Stream Restoration Project; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0475 (3) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into a Contractual Agreement with LAZ Parking/Georgia, LLC, on behalf of the Department of Planning and Community Development, Bureau of Code Compliance, for the lease of thirty-five (35) parking spaces at 211 Trinity Avenue, S.W. for the parking of fleet vehicles in an amount not to exceed \$33,000.00 determined by the Department of Procurement to be a special procurement pursuant to City Code Section 2-1191.1 with all contracted services being charged to and paid from the FDOA Numbers listed; to ratify the provisions of parking services provided by LAZ Parking/Georgia, LLC pursuant to a License Agreement between the parties and for a period of time from 11/1/2008 until such time as the execution date of the New Lease Authorizing pursuant hereto; to waive Code Section 2-1187 (Source Selection Provision) of the Procurement Code for the Non-Procured Lease; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

10-O-0491 (4) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to waive the Substantial Similarity Requirements of Article X ("The Procurement and Real Estate Code") of the Atlanta City Code and authorize a Cooperative Purchasing Agreement utilizing Georgia Technology Authority Contract Number 980-280014 with Gartner, Inc. for Research and Consultant Services for one (1) year beginning April 1, 2010 and ending on March 31, 2011 on behalf of the Department of Information Technology in an amount not to exceed \$78,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

10-O-0492 (5) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to waive the Source Selection and Payment Provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Emergency 911 Equipment and Support Services by AT&T Telecommunications for a period beginning March 21, 2008 through March 31, 2010; to authorize an Agreement with AT&T Telecommunications for Emergency 911 Support Equipment from April 1, 2010 through May 04, 2013 for an amount not to exceed \$86,364.08 per month, all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE
KWANZA HALL, VICE-CHAIR

10-O-0417 (6) An Ordinance by **City Utilities Committee** to amend Chapter 154 of the City of Atlanta Code of Ordinances to require replacement of inefficient plumbing fixtures with water-conserving plumbing fixtures at the time water service is established; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

KWANZA HALL, VICE-CHAIR

- 10-O-0482 (7) An Ordinance by **City Utilities Committee** rescinding Ordinance Number 09-O-0660 Adopted by Council on December 7, 2009 and Approved by the Mayor on December 15, 2009 authorizing the Chief Financial Officer to amend the FY 2010 Budget (5057) (2001 Water and Wastewater Fund) in the amount of \$12,269,735.21; to transfer funds from the Completed, Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0483 (8) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2010 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of _____; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for _____ Capital Improvement Projects _____; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0484 (9) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2010 (2009A Water and Wastewater Fund) (5066) Budget in the amount of _____; to transfer funds from the Capital Projects Reserve for Appropriations and add to appropriations for _____ Capital Improvement Projects _____; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0485 (10) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2010 (2009A Water and Wastewater Fund - 5066) Budget in the amount of \$193,402,903.00; to transfer funds from the Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 10-O-0463 (11) An Ordinance by **Public Safety and Legal Administration Committee** to amend the 2010 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations in the amount of \$142,000.00 from the Department of Justice Community Capacity Development Office and \$125,000.00 in matching funds from the City of Atlanta totaling \$267,000.00, for the continuation of the Weed and Seed Strategy in the English Avenue Community; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0464 (12) An Ordinance by **Public Safety and Legal Administration Committee** to amend the 2010 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations in the amount of \$142,000.00 from the Department of Justice Community Capacity Development Office and \$125,000.00 from the City of Atlanta totaling \$267,000.00, for the continuation of the Weed and Seed Strategy in the Vine City Community; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0465 (13) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$443,910.00 for Grant Funds from the White House Office of National Drug Control Policy (“White House”) for the continuation of the High Intensity Drug Trafficking Area (“HIDTA”) Task Force and continued disruption of drug trafficking organizations; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

- 10-O-0466 (14) An Ordinance by **Public Safety and Legal Administration Committee** to repeal Ordinance 07-O-2135 which amended Section 10-12, and repealed Sections 10-208 and 10-222 of the City of Atlanta Code of Ordinances in order to strengthen efforts to curb underage drinking by prohibiting employees and entertainers under the age of twenty-one from entering certain premises licensed for the consumption of alcohol on the premises; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 10-O-0467 (15) An Ordinance by **Transportation Committee** to amend Chapter 138 (Entitled "Street, Sidewalks and Other Public Places"), Article IV, Division 2, Sections 138-84 and 138-85 so as to amend the procedures to be followed for the installation of Traffic Calming Devices in the Public Right-of-Way; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0468 (16) An Ordinance by **Transportation Committee** to amend Chapter 150 (Entitled "Stopping, Standing and Parking"), Division 4 (Entitled "Residential Permit Parking"), so as to amend the procedures to be followed for the establishment of Residential Permit Parking Areas within the City of Atlanta; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-0469 (17) An Ordinance by **Transportation Committee** to anticipate and appropriate Grant Funds in the total amount of \$475,750.00 to be received from the United States Department of Energy via Grant Award No. DE-EE0001168, for the construction phase of the Terminal Core Drawings and Specifications for the International Terminal Building Project; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

10-O-0470 (18) An Ordinance by **Transportation Committee** to amend the FY 2010 [Airport Renewal and Extension Fund (5502), the Airport Passenger Facility Charge Fund (5505), the 2006 Airport CONRAC Bond Fund (5518), and the 2004 Airport PFC Bond Fund (5508)] Budgets by transferring to and from appropriations a total amount of \$7,647,881.69 for reimbursement of the Renewal and Extension Fund, and a total amount of \$323,476.00 for reimbursement of the 2004 Airport PFC Bond Fund; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the March 10, 2010 meeting of the Zoning Committee was as follows:

Present: Councilmembers Watson (Chair), Young, Smith and Winslow

Absent: Councilmembers Bottoms and Shook

ORDINANCE FOR FIRST READING

10-O-0505 (1) An Ordinance by **Zoning Committee** to amend Ordinance 06-O-0776 that rezoned property from the R-4 (Single-Family Residential) District to the O-I-C (Office Institutional-Conditional) District, for property located at **2812 Piedmont Road, NE** for the purpose of a change of conditions; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the March 10, 2010 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Martin, Moore, Wan, Willis and Watson

Absent: Councilmember Shook

COMMUNICATIONS

10-C-0148 (1) A Communication by **City Auditor Leslie Ward** to the Atlanta City Council submitting a Performance Audit for City Hall East Sale and Public Safety Facilities Construction Report.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-C-0413 (2) A Communication by **City Auditor Leslie Ward** to the Atlanta City Council submitting a Performance Audit Report which includes the Implementation of Audit Recommendations Report.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTION

10-R-0476 (1) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract #GTA000119 to Lease one (1) Bizhub 950 and one (1) Bizhub 452 Copiers from Konica Minolta Business Solutions for a period of sixty (60) months, on behalf of the Department of Finance, in a total amount not to exceed \$147,300.00; all costs shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Due to the lack of a quorum, the Committee of Council entered Committee of the Whole during Standing Committees of Full Council to proceed with their meeting.

Attendance at the March 15, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Wan and Winslow

Absent: Councilmembers Bond, Sheperd and Hall

Chairperson Moore made a Motion to enter Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council then entered Committee of the Whole. Upon conclusion of the Committee on Council agenda, Chairperson Moore made a Motion to re-enter Regular Session. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Therefore, Council re-entered Regular Session.

COMMITTEE OF THE WHOLE

Chairperson Moore made a Motion to Approve the Committee on Council agenda with added resolution 10-R-0510. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Chairperson Moore then made a Motion to Approve the Committee on Council minutes and Approve the Full Council agenda. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

COMMUNICATIONS

Communications (1 through 04 as follows) were taken as a collective vote.

10-C-0414 (1) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** re-appointing Mr. Dan C. White as a member of the Tree Conservation Commission. This appointment is for a term of two (2) years, to begin retroactively on May 16, 2009 and expires May 16, 2011. **(Favorable by Community Development/Human Resources Committee 3/9/10.)**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

10-C-0414 (1)
(Cont'd)

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-0414, 10-C-0416 and 10-C-0504 and made a Motion to Approve. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Confirm 10-C-0414, 10-C-0416, 10-C-0504 and 10-C-0327. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-C-0416 (2)

A Communication by **Councilmembers Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large appointing** Mark A. Reece as a member of the Zoning Review Board for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 3/10/10.)**

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-0414, 10-C-0416 and 10-C-0504 and made a Motion to Approve. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Confirm 10-C-0414, 10-C-0416, 10-C-0504 and 10-C-0327. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)
FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

10-C-0504 (3) A Communication by **Councilmembers Joyce Sheperd, District 12, Keisha Lance Bottoms, District 11, and H. Lamar Willis, Post 3 At-Large**, appointing Mr. Robert Reed to the Urban Design Commission. This 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 3/9/10.)**

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-0414, 10-C-0416 and 10-C-0504 and made a Motion to Approve. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Confirm 10-C-0414, 10-C-0416, 10-C-0504 and 10-C-0327. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-C 0327 (4) A Communication by **Councilmember Felicia A. Moore** re-appointing Ms. Bettina Alam as a member of the Atlanta Commission on Women. This appointment is for a term of two years, scheduled to begin retroactively on December 3, 2009 and to expire December 3, 2011. **(Held 3/1/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communication 10-C-0327 and made a Motion to Approve. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (4)
FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

10-C 0327 (4)
(Cont'd)

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Confirm 10-C-0414, 10-C-0416, 10-C-0504 and 10-C-0327. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

10-O 0495 (1) An Ordinance by **Committee on Council** to amend Section 2-1852 of the Code of Ordinances of the City of Atlanta, Georgia which sets forth the procedure for the appointment by the full council of individuals or council members to boards, commissions and authorities so as to provide that by two-thirds vote of the total membership of the council, the procedure set forth in Section 2-1852, may be waived so as to allow the council to consider such an appointment at the same meeting at which it is introduced, sounded or announced; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to Ordinance 10-O-0495 and made a Motion to Approve. The Motion then CARRIED by a roll call vote of 13 yeas; 0 nays.

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Adopt 10-O-0495. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (5)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

- 10-O-0498 (2) An Ordinance by **Councilmember Natalyn M. Archibong** to amend Chapter 2 (Administration), Article II (Council), Division 2 (Meetings), Subdivision II (Rules of Procedure), Section 2-99.1 (Motion to Hold in the Breast of Council) of the Code of Ordinances of the City of Atlanta, Georgia, so as to provide more flexibility to the Council with respect to the length of time that an item can remain tabled; to waive conflicting Ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to Ordinance 10-O-0498 and made a Motion to Approve. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Adopt Ordinance 10-O-0498. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

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

RESOLUTION

- 10-R-0510 (1) A Resolution by **Committee on Council** authorizing the City of Atlanta to accept the pro bono donation of professional consulting services consisting of City Council strategic plan development and implementation, facilitating the development of the Director of Council Staff and the Municipal Clerk position descriptions, Council reorganization and related incidental services, worth a value of approximately \$26,122.00, from Alignment at Work, LLC; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to Resolution 10-R-0510 and made a Motion to Approve. A brief discussion ensued, after which, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (6)

FELICIA A. MOORE, CHAIR

RESOLUTION (CONT'D)

10-R-0510 (1)
(Cont'd)

REGULAR SESSION

During Regular Session, Chairperson Moore made a Motion to Adopt Resolution 10-R-0510. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)
KWANZA HALL, VICE-CHAIR

Attendance at the March 09, 2010 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Hall (Vice-Chair), Watson, Adrean and Smith

Absent: Councilmembers Archibong and Shook

RESOLUTION

10-R-0418 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 1 with Decanter Machine, Inc., for FC-4939, Annual Contract for Centrifuge Repair and Maintenance at the south River Water Reclamation Center, on behalf of the Department of Watershed Management in an amount not to exceed \$136,000.00; all contracted work shall be charged to and paid from the Fund, Department Account and Organization Number listed; and for other purposes.

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
JOYCE SHEPERD, CHAIR

Attendance at the March 09, 2010 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Young, Winslow, Hall and Bond

Absent: None

ORDINANCES FOR SECOND READING

10-O-0409 (1) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2008 Annual Action Plan of the 2005-2009 City of Atlanta Local Consolidated Plan to amend the Neighborhood Stabilization Program Budget by transferring to and from various eligible activities; to amend the definition of affordable rents in the Plan; and for other purposes.

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

10-O-0329 (2) An Ordinance by **Community Development/Human Resources Committee** for final action on a request for the issuance of a Cemetery Disturbance Permit for property located at 431 Pharr Road; and for other purposes. **(Public Hearing held 3/08/10)**

Vice-Chairperson Wan sounded the caption to Ordinance 10-O-0329 and stated the committee recommendation was to Adverse. A discussion ensued, after which, the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

ADVERSE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
IVORY L. YOUNG, JR., CHAIR

Attendance at the March 09, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Adrean, Bottoms, Martin and Sheperd

Absent: Councilmembers Willis and Archibong

RESOLUTION

10-R-0389 (1) A Resolution by **Councilmember Michael J. Bond as Substituted by Public Safety and Legal Administration Committee** to express the intent of the Atlanta City Council to provide that all Business License, Zoning and Variance Applications placed on the agenda of the relevant Neighborhood Planning Unit ("NPU") are also placed on the agenda of the adjacent NPU(s); to create a Task Force to recommend changes to the City of Atlanta Code of Ordinances to achieve said intent; and for other purposes.

Chairperson Young sounded the caption to Resolution 10-R-0389 and stated the recommendation from committee was Favorable on Substitute on Condition (if Councilmembers questions cannot be answered without going into Committee of the Whole, the legislation would be referred back to the committee). Following, a discussion ensued. Thereafter, the Motion to Adopt on Substitute CARRIED by a roll call vote of 11 yeas; 0 nays.

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the March 10, 2010 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Bottoms, Smith and Willis

Absent: Councilmembers Bond and Archibong

ORDINANCE FOR SECOND READING

10-O-0400 (1) An Ordinance by **Councilmembers Keisha Lance Bottoms and C. T. Martin** authorizing the Mayor or his designee to make Willis Mill Road, SW, an All-Way Stop where it intersects with Wilson Drive, SW; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

RESOLUTION

10-R-0490 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with the Atlanta Airlines Terminal Corporation for the North Hold Baggage System Mega Merge Replacement Project at Hartsfield-Jackson Atlanta International Airport, for a cost to the City not to exceed \$1,100,000.00, to be charged to and paid from PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

10-R-0511 (1) A Resolution by **Councilmembers C. T. Martin, Keisha Bottoms, Aaron Watson, Ivory Lee Young, Jr. and Michael Julian Bond** to amend Resolution 10-R-0223 authorizing the creation of a commission to determine an appropriate honor memorializing Reverend James Orange in the City of Atlanta so as to add the local chapter of the Southern Christian Leadership Conference (SCLC) as an appointing organization; and for other purposes.

Councilmember Martin made a Motion to Adopt Resolution 10-R-0511. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-R-0512 (2) A Resolution by **Councilmembers Felicia A. Moore, Michael Julian Bond and C. T. Martin** a resolution by the Council of the City of Atlanta, Georgia requesting that the Legislature and Governor of the State of Georgia enact legislation to assist in funding MARTA; and for other purposes.

Councilmember Moore made a Motion to Adopt the above resolution. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-R-0513 (3) A Resolution by **Councilmembers Felicia A. Moore, C. T. Martin, Alex Wan, Keisha Bottoms and Michael Julian Bond** a resolution by the Council of the City of Atlanta, acknowledging the importance of the Metropolitan Atlanta Transit Authority (MARTA) to Atlanta's economic growth and development, and recognizing that MARTA needs to be able to safely operate its daily service, preserve its current system in a "State of Good Repair" and expand in smart ways to address new growth areas, and hereby pledging our continued support of MARTA and officially proclaim this day, March 26, 2010 as 'Ride MARTA Day'; and for other purposes.

Councilmember Moore made a Motion to Adopt Resolution 10-R-0513. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Pro Tempore Howard Shook Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

10-R-0514 (4) A Resolution by **Councilmember Carla Smith** authorizing the Mayor to execute a donation of services and space agreement with the U.S. Census Bureau for the 2010 Census; and for other purposes.

Councilmember Smith made a Motion to Adopt Resolution 10-R-0514. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

10-R-0515 (5) A Resolution by **Councilmembers Keisha Bottoms, Aaron Watson, C. T. Martin, H. Lamar Willis and Michael Julian Bond** authorizing the Mayor to execute an Intergovernmental Agreement with the Georgia Department of Transportation for the purpose of funding construction expenses for the Cascade Mays Streetscapes Project; and for other purposes.

Councilmember Bottoms made a Motion to Adopt Resolution 10-R-0515. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Pro Tempore Howard Shook Presided

10-R-0516 (6) A Resolution by **Councilmembers Felicia A. Moore and Joyce M. Sheperd** to support House Bill 1369 to amend Georgia Code Section 15-6-67 (Recordation of Maps and Plats) so as to provide that certain data shall be shown on certain maps and plats; to provide for certain restrictions regarding a plat of a subdivision; and for other purposes.

Councilmember Moore made a Motion to Adopt Resolution 10-R-0516. Without Objection, the Motion CARRIED by a roll call vote of 10 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Pro Tempore Howard Shook Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

10-R-0517 (7) A Resolution by **Councilmembers Felicia A. Moore, Kwanza Hall, Keisha Bottoms, H. Lamar Willis, Aaron Watson, Yolanda Adrean, Michael Julian Bond, Ivory Lee Young, Jr. Alex Wan, Howard Shook and Carla Smith** supporting the Mattie's Call Team Atlanta during each annual Alzheimer's Association Memory Walk; and for other purposes.

Councilmember Moore made a Motion to Adopt Resolution 10-R-0517. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

ORDINANCE/REFERRED

10-O-0518 (1) An Ordinance by **Councilmembers Howard Shook, Carla Smith, Aaron Watson, Ivory Lee Young, Jr., Alex Wan, H. Lamar Willis, C. T. Martin, Keisha Bottoms, Yolanda Adrean and Michael Julian Bond** to authorize, ratify and approve an accelerated and modified procurement process to address the emergency repairs performed and as needed to restore and reconstruct the R. M. Clayton Water Reclamation Center in response to the September 2009 flood, as may be required to meet FEMA requirements and to utilize as much competition as practicable for emergency contracts, pursuant to Section 2-1192 of the City Code of Ordinances; to authorize such work in an amount not to exceed such amounts authorized by the Chief Procurement Officer, pursuant to Section 2-1192; to authorize the Commissioner of the Department of Watershed Management or his designee to administer an accelerated and modified procure process for future projects, pursuant to the approval of the Chief Procurement Officer under 2-1192 of the City Code; to authorize the Commissioner of the Department of Watershed Management and the Chief Procurement Officer, or their respective designees, to execute contracts on behalf of the City of Atlanta for such future emergency services, upon the approval of the City Attorney as to form; to ratify and approve emergency contracts entered into on behalf of the City by the Commissioner of the Department of Watershed Management (and his designee) prior to the date of this ordinance, as procured according to FEMA requirements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the March 15, 2010 meeting of the Atlanta City Council was adjourned at 3:54 p.m.

ADJOURNMENT ROLL CALL: *Council President Ceasar C. Mitchell (1); Councilmembers Smith, Young, Wan, Shook, Adrean, Moore, Martin, Bottoms, Bond, Watson and Willis (11); Councilmembers Winslow and Archibong were excused (2).*