

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### JUNE 07, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, June 07, 2010. The Meeting convened at 1:17 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 (15) voting members were present at the Meeting:

<b>The Honorable Carla Smith *1:21</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall *1:22</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory L. Young, Jr.</b>	<b>The Honorable Keisha Lance Bottoms</b>
<b>The Honorable Clea Winslow *1:21</b>	<b>The Honorable Joyce Sheperd *1:22</b>
<b>The Honorable Natalyn Archibong1:52</b>	<b>The Honorable Michael J. Bond *1:21</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Aaron Watson *2:25</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable H. Lamar Willis</b>
<b>The Honorable Yolanda Adrean</b>	

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

**INVOCATION:** Pastor **Marvin A. Moss** of Cascade United Methodist 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 May **17, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** A Motion to **Adopt the Agenda** was made and properly Seconded. Subsequently, it **CARRIED** by a roll call vote of **12 yeas; 0 nays**.

During the meeting, Council made a Motion to **Suspend the Rules of Council** to allow Commissioner Robert Hunter to speak. It was properly Seconded and **CARRIED** by a roll call vote of **13 yeas; 0 nays**. The Rules of Council were suspended. After Commissioner Robert Hunter addressed the Council, a Motion was made to re-enter **Regular Session**. It was properly Seconded and **CARRIED** by a roll call vote of **13 yeas; 0 nays**. Council then re-entered Regular Session.

# COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 10-C-1051 ( 1) A Communication from **Dexter Wimbish, Esq., General Counsel, Southern Christian Leadership Conference (SCLC)** submitting their appointment of Mr. Jerry Ponds to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-1052 ( 2) A Communication from **Dexter Wimbish, Esq., General Counsel, Southern Christian Leadership Conference (SCLC)** submitting their appointment of Mr. Jerry Ponds to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-1053 ( 3) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the May 2010 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**
- 10-C-1054 ( 4) A Communication from **Ms. Drennell Thomas, President, Atlanta Planning Advisory Board, to President Ceasar C. Mitchell** submitting their appointment of Ms. Barbara Hubbard to serve as a member of the Atlanta Citizen Review Board in the (NPU G-L) category. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-1055 ( 5) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Mr. Eugene Miller to serve 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**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

10-C-1056 ( 6)      A Communication by **Councilmember Howard Shook** re-appointing Mr. Jim W. Brown to serve as a member of the Atlanta Tree Conservation Commission in the developer position. This re-appointment is for a term of two (2) years, to begin retroactively on January 07, 2010 and expire on January 07, 2012.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND 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

10-R-0863 ( 1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the City of Atlanta Municipal Court, to execute Temporary Service Contracts with fifteen (15) retired City of Atlanta ("City") police officers and four (4) DSI security officers, for the purpose of providing professional security services at the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed Seven Hundred Two Thousand Seven Hundred Ninety Dollars (\$702,790.00). All costs to be charged to Fund, Department, Account, and Function Activity: 1001 (General Fund), 190101 (Municipal Court Operations), 5212001 (Consultant Professional Services), 2650000 (Municipal Courts); and for other purposes.

**At the Regularly Scheduled meeting held May 17, 2010, Councilmember Young made a Substitute Motion to Table the resolution. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. During this meeting, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Resolution 10-R-0863. Councilmember Young was then recognized and made a Motion to remove the resolution from the Table. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays; 1 abstention. However, Councilmember Adrean voted in error as an abstention and wanted to record her Nay vote. Subsequently, the roll call vote was 10 yeas; 1 nay. Resolution 10-R-0863 was before Council. Following, a discussion ensued, during which, Councilmember Young made a Motion to Adopt. It was Seconded by Councilmember Martin. After which, Councilmember Moore was recognized and made a Substitute Motion to Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Later during the meeting, Councilmember Young made a Motion to remove 10-R-0863 off the Table. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. The resolution was before Council. Councilmember Young then made a Motion to Refer the resolution back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Martin and CARRIED by a roll call vote of 12 yeas; 0 nays.**

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**CONSENT AGENDA  
SECTION I**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

There was no separate discussion of the following items with the exception of items 10-O-0923, 10-O-0877 and 10-R-1000 which were 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: **13 Yeas**: Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis: **0 Nays**.

**SECTION I**

**ORDINANCES FOR SECOND READING**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

10-O-0628 ( 1)      A **Substitute** Ordinance by **Community Development/Human Resources Committee** to amend Section 18 of the Atlanta Housing Code of 1987 and Section 8-2094 of the Atlanta Commercial, Institutional, & Industrial Building Maintenance Code so as to provide a new Minimum Penalty Schedule for code violations; so as to provide a new Fee Schedule for initial and subsequent inspections to determine if such violations exist and/or have been corrected; and for other purposes. **(Public Hearing held 6/1/10)**

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

10-O-0629 ( 2)      An Ordinance by **Community Development/Human Resources Committee** amending the Atlanta Code of Ordinances Section 46-38 to increase certain rates for rental of the Boisfeuillet Jones Atlanta Civic Center; and to direct that the revenue from the rate increases be deposited into the accounts set forth herein; and for other purposes. **(Public Hearing held 6/1/10)**

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

10-O-0631 ( 3)      A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$2,172,509.00 and by amending the 2010 (HOME Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$300,000.00 for the purpose of funding various projects assigned to the Department of the Mayor, Office of Human Services that are included 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 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

10-O-0634 ( 4) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$3,963,281.00 and the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$2,416,406.00 for the purpose of funding various projects assigned to the Department of Finance, Department of Watershed Management, and the Department of Parks, Recreation and Cultural Affairs that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidate Plan; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0635 ( 5) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$2,606,658.00 and by amending the 2010 (Home Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$3,593,806.00 for the purpose of funding various projects assigned to the Department of Planning and Community Development that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidate Plan; 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)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

10-O-0923 ( 6)      An Ordinance by **Councilmember Natalyn M. Archibong** authorizing the Commissioner of the Department of Parks, Recreation and Cultural Affairs, on behalf of the City of Atlanta and the Mayor, to waive Chapter 110, Section 110-3 (C) Atlanta Cyclorama Admissions and Chapter 38, Cemeteries, of the Code of Ordinances, Article II, Municipal Cemeteries, Division 2, Oakland Cemetery, Section 38-45, Schedule of Charges for Guided Tours, so as to allow 100 or more residents of District 5 to visit the Atlanta Cyclorama and the Oakland Cemetery without charge on Saturday, July 17, 2010 and Sunday, July 18, 2010, in conjunction with the organizing plans for the "Battle of Atlanta" Celebration scheduled on those dates; and for other purposes.

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

**SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 10-O-0734 ( 7)      A **Substitute** Ordinance by **Transportation Committee** authorizing the Mayor or his designee to increase the Ambulance Transportation Fees to \$1,300.00 plus \$15.00 per mile for the purpose of transportation services rendered by Airport Fire Medical Units at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0864 ( 8)      An Ordinance by **Transportation Committee** to make the intersection of Johnson Road, NW and Habershal Drive, NW an All-Way Stop; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0865 ( 9)      An Ordinance by **Transportation Committee** to relocate the Stop Sign at the intersection of North Eugenia Place, NW and Margaret Place, NW, from North Eugenia Place, NW to Margaret Place, NW; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0866 (10)      An Ordinance by **Transportation Committee** to restrict parking on a certain section of Belmont Avenue, SW; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0867 (11)      An Ordinance by **Transportation Committee** authorizing the Mayor to purchase approximately 2.6 acres of unimproved land located in Land Lot 127 of the 14<sup>th</sup> District of Fulton County near Hartsfield-Jackson Atlanta International Airport from the Georgia Department of Transportation for the purchase price of \$165,000.00; 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 YEARS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 10-O-0807 (12) An Ordinance by **City Utilities Committee** authorize the Chief Financial Officer to amend the FY 2010 (2009 Water and Wastewater Bond Fund-5066) Budget in the amount \$2,062,919.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriations funds R. M. Clayton Compliance Upgrades Project; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;  
0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 10-O-0877 (13) A **Substitute** Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$1,161,492.00 for a Grant Award from the Department of Energy's Clean Cities Program; to authorize the Mayor to execute the necessary Grant Agreements; and for other purposes.

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

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

- 10-O-0879 (14) A **Substitute** Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Transportation Improvement Funds in the amount of \$11,248,321.00 for the purpose of funding Construction Expenses for Pedestrian Improvement Projects on behalf of the Department of Public Works; 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)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 10-O-0901 (15) A **Substitute** Ordinance by **Finance/Executive Committee** to amend the Fiscal Year 2010 Northwest Atlanta (Perry/Bolton) Fund Budget by appropriating Tax Allocation Increment in the amount of \$4,500,000.00 from the City of Atlanta Northwest Atlanta (Perry/Bolton) Tax Allocation District, for the purpose of constructing and equipping a new Northwest Atlanta Fire Station and Mini Police Precinct ("Fire Station 28 Project"); and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0902 (16) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (Airport Revenue Fund) Budget in an amount not to exceed \$5,200.00 by transferring funds from the FDOA Numbers listed, to correct an error in the Copier Budget for the Department of Finance, Office of Debt and Investment; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**
- 10-O-0927 (17) An Ordinance by **Councilmembers Joyce M. Sheperd, Cleta Winslow, Carla Smith, Keisha Lance Bottoms, Felicia Moore and C. T. Martin** authorizing the Atlanta Development Authority, the Redevelopment Agent for the City of Atlanta Tax Allocation District Number Seven – Campbellton Road, the City of Atlanta Tax Allocation District Number Eight – Hollowell/M. L. King, the City of Atlanta Tax Allocation District Number Nine – Metropolitan Parkway, and the City of Atlanta Tax Allocation District Number Ten – Stadium Neighborhoods (all such aforementioned Tax Allocation Districts are collectively, the "Commercial Corridor TADs"); to utilize a Pay-as-you-go Financing Model for the Commercial Corridor TADs; authorizing the approval process for projects within the Commercial Corridor TADs; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

- 10-R-0935 ( 1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into respective contracts with National Church Residence (NCR); and City certified CHDO Organizations Quest 35; Resources for Residents & Communities (RRC); SUMMECH Community Development Corporation (SUMMECH), and University Community Development Corporation (UCDC) for Community Housing Development Organization (CHDO) Home Capital Funds; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1038 ( 2) A Resolution by **Community Development/Human Resources Committee** to endorse an application by UH Senior Partnership I, LP to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for construction of the Veranda at University Homes Senior Apartments located at **130 Lawshe Street, SW**, Atlanta, Georgia; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1039 ( 3) A Resolution by **Community Development/Human Resources Committee** to endorse an application by Ambling Development Partners to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for construction of the Oakland Drive Senior Residences, located at **1240 Oakland Drive, SW**, Atlanta, Georgia; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1040 ( 4) A Resolution by **Community Development/Human Resources Committee** to endorse an application by New Columbia Residential, LLC to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for construction of the Columbia Townhomes at Edgewood II located at **19-62 Hutchinson St., NE and 18-54 Montgomery St, NE**, Atlanta, Georgia; 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)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

10-R-0643 ( 5) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into various contractual agreements administered by the Department of Finance and the Department of Watershed Management for projects under the 2010 Community Development Block Grant (CDBG); and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-0645 ( 6) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into various contractual agreements administered by the Department of Planning and Community Development for projects under the 2010 Community Development Block Grant (CDBG); and 2010 Home Investment Partnership Act (HOME); and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

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

10-R-0954 ( 7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Westrex Corporation v. City of Atlanta, Civil Action File No. 2009-CV-164800, Fulton County Superior Court, in the amount of \$2,500,000.00; authorizing said payment to be paid from Fund, Account and Center Number listed; 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-0955 ( 8) A Resolution by **Public Safety and Legal Administration Committee** amending Resolution Number 10-R-0535 so as to correct the amount of damages contained in said resolution from \$3,500.00 to \$1,840.58 in settlement on the claim of Yvette Dennis against the City of Atlanta; 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 (CONT'D)**

**IVORY L. YOUNG, JR., CHAIR**

10-R-0956 ( 9) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract #SWC-30747, to purchase Self-Contained-Breathing-Apparatus (“SCBA”) and associated air-supply cylinders, on behalf of the Department of Police (“Department”), in an amount not to exceed \$92,430.00. All costs shall be charged to and paid from a grant from the United States Department of Homeland Security listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**

10-R-1037 (10) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Magnus Aburime v. City of Atlanta, Civil Action File No. 2009CV168243, in the amount of \$23,750,00; authorizing said payment to be charged to and paid from Fund, Account and Center Number listed; 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**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

10-R-0951 (11) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Contract for Project Number FC-5078 Maynard Holbrook Jackson, Jr. International Terminal Construction Audit Services with Jefferson Wells International, Inc. in an amount not to exceed \$250,000.00, 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-1048 (12) A Resolution by **Transportation Committee** authorizing the Mayor to consent to an Assignment of Lease Agreement for hotel from Sunstone Hartsfield, LLC, to Atlanta Hotel Owner 2010, LLC, for land covering approximately 10.76 acres located in Land Lots 128 & 129 of the 14<sup>th</sup> District of Fulton County near Hartsfield-Jackson Atlanta International Airport; 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**

**NATALYN M. ARCHIBONG, CHAIR**

10-R-0937 (13) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Rockdale Pipeline, Inc./Integral Municipal Services, Inc., Joint Venture, for FC-3007000044, Annual Contract for Pipe Laying, 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-0943 (14) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into a Cost Share Agreement with the United States Army Corps of Engineers ("USACE") to fund a Watershed River Intake and Erosion Control Improvement Project for Defoors Island in an amount not exceed \$2,000,000.00; all contracted work will be charged to and paid from Fund, Department Account and Organization Number and PTAE0 listed; and for other purposes.

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

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

10-R-0941 (15) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate Contractual Agreement with Motorola, Inc., for Citywide Digital Radio Maintenance, on behalf of the Department of Information Technology, in an amount not to exceed \$2,087,455.48; authorizing use a Sole Source Procurement under Section 2-1191 of the City Code of Ordinances; all contracted work shall be charged to and paid from the Account Number listed; 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)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

10-R-0942 (16) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute an appropriate Contractual Agreement with Public Safety Systems, Inc., for Response™ Software and CAD Support Services pursuant to Atlanta City Code Section 2-1191 Sole Source Procurement, for one (1) year with one (1) one-year Renewal Option beginning July 1, 2010 on behalf of the Department of Information Technology, in an amount not to exceed \$490,280.00; to 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-1042 (17) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Memorandum of Understanding with the Georgia Tech Research Corporation for a Data Analysis to be used to develop the City of Atlanta's Baseline Community-Wide Greenhouse Gas Inventory, Forecasts and Mitigation Recommendations, utilizing funds from the U. S. Department of Energy's Energy Efficiency and Conservation Block Grant in the amount of \$100,000.00; and for other purposes.

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

10-R-1043 (18) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Memorandum of Understanding with the Institute for Local Self Reliance for the development of a "Zero Waste" Plan for the City of Atlanta, utilizing funds from the U. S. Department of Energy's Energy Efficiency and Conservation Block Grant in the amount of \$100,000.00; and for other purposes.

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

10-R-1044 (19) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Memorandum of Understanding with the Midtown Alliance for the Upgrade of Traffic Lights and Pedestrian Signals to LED Technology, utilizing funds from the U. S. Department of Energy's Energy Efficiency and Conservation Block Grant 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)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

10-R-1045 (20) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Memorandum of Understanding with the Piedmont Park Conservancy for the purchase of Recycling Bins, utilizing funds from the U. S. Department of Energy's Energy Efficiency and Conservation Block Grant in the amount of \$15,410.00; and for other purposes.

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

10-R-1049 (21) A Resolution by **Finance/Executive Committee** authorizing the Mayor's Office to apply for the U. S. Department of Energy's State Energy Program Strengthening Building Retrofit Markets and Stimulating Energy Efficiency Action Grant in an amount not to exceed \$2,000,000.00; to further enhance Energy Efficiency Rebate and Financing Programs being implemented within the City of Atlanta; and for other purposes.

**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-0963 ( 1) Claim of **Frances M. Wood**, for property damages alleged to have been sustained when driveway and sidewalk was broken due to a tree limb falling from a tree in the City's right-of-way on April 22, 2009 at 34 Palisades Road, NE. **\$9,029.80**

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

10-R-0964 ( 2) Claim of **Federal Bureau of Investigation**, for vehicle damages alleged to have been sustained as a result of a vehicular accident on August 17, 2008 at Ralph McGill Boulevard at Piedmont Avenue. **\$8,289.49**

**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-0965 ( 3)      Claim of **Hanover Insurance Company, as subrogee of Mark Cooley**, for vehicular damages alleged to have been sustained when a parked vehicle was struck by rocks and other flying debris from a tractor mower on July 28, 2009 at 1775 Aviation Boulevard. **\$7,749.84**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0966 ( 4)      Claim of **Brent and Lelia Brougher**, for damages alleged to have been sustained as a result of a water main leak on April 8, 2009 at 3475 Valley Road. **\$7,389.35**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0967 ( 5)      Claim of **Caprice Holt, through her attorney, Gregory S. Shurman, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on September 25, 2009 at Northside Drive and McDaniel Street. **\$7,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0968 ( 6)      Claim of **Caprice Holt, on behalf of her minor child, Lakedra Holt, through her attorney, Gregory S. Shurman, LLC and Healthcare Recoveries**, for bodily injuries alleged to have been sustained from an automobile accident on September 25, 2009 at Northside Drive and McDaniel Street. **\$6,200.00**  
**and**  
**\$207.83**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0969 ( 7)      Claim of **State Farm Insurance Companies, as subrogee of Richard A. Boren**, for damages alleged to have been sustained as a result of an automobile accident on January 8, 2010 at 541 Seal Place. **\$5,179.77**  
**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-0970 ( 8) Claim of **Julius Speed, through his attorney, Jeffrey S. Kowalski**, for damages alleged to have been sustained as a result of an automobile accident on April 29, 2009 at Pryor Road and University Avenue. **\$5,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0971 ( 9) Claim of **Chanqueata Pitts, through her attorney, Jeffrey S. Kowalski**, for damages alleged to have been sustained as a result of an automobile accident on April 29, 2009 at Pryor Road and University Avenue. **\$5,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0972 (10) Claim of **Paula Pitts, through her attorney, Jeffrey S. Kowalski**, for damages alleged to have been sustained as a result of an automobile accident on April 29, 2009 at Pryor Road and University Avenue. **\$5,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0973 (11) Claim of **Rena Bradford, through her attorney, Sheryl Burke**, for damages alleged to have been sustained as a result of walking on a recessed water meter on January 1, 2009 at 2600 Donald Lee Hollowell Parkway. **\$4,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0974 (12) Claim of **Ned Smith, through his attorney, Sheryl Burke**, for damages alleged to have been sustained as a result of rolling over a recessed water meter in his wheelchair on January 3, 2009 at 2600 Donald Lee Hollowell Parkway. **\$4,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0975 (13) Claim of **Christine Malone, through her attorney, L. Chris Stewart**, for vehicle damages alleged to have been sustained as a result of a sidewalk defect on August 26, 2008 at 191 Peachtree Street. **\$3,800.00**  
**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-0976 (14) Claim of **Samuel A. Tutuwan**, for property damages alleged to have been sustained from an automobile accident on September 23, 2009 at Moreland Avenue, SE and Custer Avenue, SE. **\$3,753.98**

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

10-R-0977 (15) Claim of **Brenda Ann Stewart**, for damages alleged to have been sustained as a result of an automobile accident on October 26, 2009 at South Central Avenue and Atlanta Avenue, Hapeville. **\$3,200.00**

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

10-R-0978 (16) Claim of **Mae H. Battle**, for property damages alleged to have been sustained from a sanitary sewer backup on February 3, 2010 at 1464 Sharon Street, NW. **\$3,149.25**

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

10-R-0979 (17) Claim of **Smith M. Boddie**, for damages alleged to have been sustained as a result of striking a pothole on November 7, 2009 at 3065 Browns Mill Road. **\$2,869.21**

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

10-R-0980 (18) Claim of **Engineer's Bookstore, Inc.**, for damages alleged to have been sustained as a result of flooding during the installation of a data recorder on a fire hydrant on March 11, 2010 at 748 Marietta Street, NW. **\$2,689.98**

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

10-R-0981 (19) Claim of **Kim M. Lucas**, for damages alleged to have been sustained as a result of striking a pothole on February 25, 2010 at 3030 Continental Colony Parkway, SW and Greenbriar Parkway, SW. **\$2,357.03**

**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-0982 (20) Claim of **GEICO, as subrogee of Dave A. Davis**, for damages alleged to have been sustained as a result of an automobile accident on January 30, 2010 at Wells Street, SW and Ralph David Abernathy Boulevard, SW. **\$2,144.10**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0983 (21) Claim of **Keisha Temple, through her attorney, The Mabra Firm, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on November 30, 2009 at McDonough Boulevard, SE and Boulevard, SE. **\$2,100.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0984 (22) Claim of **Tiara S. Hart**, for damages alleged to have been sustained as a result of an automobile accident on March 2, 2010 at Hightower Road, NW and St. Paul Avenue, NW. **\$1,508.34**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0985 (23) Claim of **Terrence Arnold**, for vehicular damages alleged to have been sustained from an automobile accident on April 1, 2010 at 1935 Alison Court. **\$1,310.01**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0986 (24) Claim of **Marilyn Langston Jackson**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer sinkhole in December 2009 at 1399 Northwest Avenue, NW. **\$1,763.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0987 (25) Claim of **Laura and Luke Graham**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer construction site that was left open and in an unsafe condition on November 1, 2009 at 2020 Peachtree Road, NE. **\$1,152.95**  
**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-0988 (26) 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 meter on November 6, 2009 at 201 Fisk Drive. **\$1,107.87**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0989 (27) Claim of **Wilbur Shepherd and Valt Trust**, for damages alleged to have been sustained as a result of striking a pothole on March 14, 2010 at 3030 Continental Colony Parkway, SW and Greenbriar Parkway, SW. **\$818.20**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0990 (28) Claim of **K. Michelle Martin**, for damages alleged to have been sustained as a result of a trip and fall on a damaged water meter lid on May 18, 2009 at 409 Temple Street. **\$1,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0991 (29) Claim of **Ramon Creese**, for vehicular damages alleged to have been sustained from driving over a pothole on February 23, 2010 at Piedmont Avenue, NE and Decatur Street, NE. **\$750.90**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0992 (30) Claim of **Ryan Chura**, for vehicular damages alleged to have been sustained from driving over a pothole on March 24, 2010 at 1001 Piedmont Avenue, NE and 10<sup>th</sup> Street, NE. **\$702.41**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**
- 10-R-0993 (31) Claim of **Sophia Patten-Lee**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on August 1, 2009 at North Camp Creek Parkway at Stone Hogan Connector. **\$588.74**  
**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-0994 (32) Claim of **Deshun and Harvey Gay**, for vehicular damages alleged to have been sustained as a result of driving over a pothole on March 5, 2010 at 369 McDaniel Street. **\$550.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

10-R-0995 (33) Claim of **Keisha Temple, on behalf of her minor child, Zoey Nelson, through their attorney, The Mabra Firm, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on November 30, 2009 at McDonough Boulevard, SE and Boulevard, SE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-0996 (34) Claim of **Dhruvin Patel**, for vehicular damages alleged to have been sustained due to a pothole in the road on November 7, 2009 at Spring Street and 12<sup>th</sup> Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-0997 (35) Claim of **Arielle Pool**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on March 2, 2010 at Piedmont Avenue, NE and Westminster Drive, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-0998 (36) Claim of **John Quesenberry**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was left in an unsafe manner on October 24, 2009 at Piedmont Avenue, NE and Westminster Drive, NE.  
**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-0999 (37) Claim of **Prentice Johnson**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was left in an unsafe manner on February 23, 2010 at Piedmont Avenue, NE and Westminster Drive, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-1000 (38) Claim of **Alyce Jackson**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on March 3, 2010 at Piedmont Avenue, NE and Westminster Drive, NE.

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

**SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT**

10-R-1001 (39) Claim of **Jule McReynolds, Jr.**, for damages alleged to have been sustained as a result of the repair of a water meter on November 30, 2009 at 4682 Derby Loop.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-1002 (40) Claim of **Alison Comer, through her attorney, Brian R. Smith**, for damages alleged to have been sustained as a result of a trip and fall on an uncovered storm sewer manhole on November 25, 2008 at Brandon Mill Road and Morgan Falls Road in Sandy Springs.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-R-1003 (41) Claim of **Dwight Jones**, for damages alleged to have been sustained as a result of driving over a construction cut on January 23, 2010 at 563 Spring 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-1004 (42) Claim of **Gladys Mayes, through her attorney, Donald Ellis**, for damages alleged to have been sustained as a result of an automobile accident on March 17, 2010 at Dill Avenue and Desoto Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1005 (43) Claim of **Clayton County Board of Commissioners, Risk Management Division**, for damages alleged to have been sustained as a result of an automobile accident on February 19, 2010 at SR 3 and Blalock Street, Clayton County.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1006 (44) Claim of **Benjamin G. Allen**, for damages alleged to have been sustained after a vehicle was driven through wet paint during a road restriping project on March 30, 2010 on Kimberly Avenue, SW and Cascade Road, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1007 (45) Claim of **Lakisha Lashon Smith**, for damages alleged to have been sustained after a vehicle was driven through wet paint during a road restriping project on March 30, 2010 on Kimberly Avenue, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1008 (46) Claim of **Quinton Pierce**, for damages alleged to have been sustained after a vehicle was driven through wet paint during a road restriping project on March 25, 2010 at Stanton Road, SW and Campbellton Road, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1009 (47) Claim of **Andrea Scott, through her attorney, John S. Morgan, Esq.**, for damages alleged to have been sustained from an assault on February 6, 2009 at an unspecified location.  
**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-1010 (48) Claim of **Mary C. Simmons**, for damages alleged to have been sustained when a tree log struck a mailbox during a tree removal project on March 22, 2010 at 2201 Belvedere Avenue, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1011 (49) Claim of **Delonza Fitzgerald**, for damages alleged to have been sustained as a result of an arrest and vehicle impound on October 6, 2009 at 3656 Ruby Harper Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1012 (50) Claim of **Ann-Marie Dixon**, for damages alleged to have been sustained from errors made on an Atlanta Police automobile accident report on August 16, 2009 at Interstate 75/85 and Interstate 20 interchange.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1013 (51) Claim of **Willie Mae Glenn**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on a sidewalk on January 14, 2010 at Memorial Drive and Hill Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1014 (52) Claim of **Anita Brewster**, for vehicular damages alleged to have been sustained after driving over a construction site that was left in an unsafe manner in the road on March 14, 2010 at 1969 Jonesboro Road, SE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1015 (53) Claim of **Alfreda Shufford**, for vehicular damages alleged to have been sustained after driving over a construction site that was left in an unsafe manner in the road on March 15, 2010 at 1969 Jonesboro Road, SE.  
**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-1016 (54) Claim of **Orlia L. Sharpe**, for vehicular damages alleged to have been sustained after driving over a construction site that was left in an unsafe manner in the road on March 14, 2010 at 1969 Jonesboro Road, SE.

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

10-R-1017 (55) Claim of **Wyvonia Luttrell**, for vehicular damages alleged to have been sustained after driving over a construction site that was left in an unsafe manner in the road on March 16, 2010 at 1969 Jonesboro Road, SE.

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

10-R-1018 (56) Claim of **Jermaine Parker, through his attorney, James Lee Ford, PC**, for damages alleged to have been sustained from a false arrest incident on May 30, 2009 at Westview Drive, SW and Langhorn Avenue, SW.

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

10-R-1019 (57) Claim of **Susanne R. Peterfield**, for property damages alleged to have been sustained from a sewer backup on September 20, 21, 2009 at 588 Oakdale Road, NE.

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

10-R-1020 (58) Claim of **AT&T**, for damages alleged to have been sustained as a result of a damaged cable during the installation of a water line on August 25, 2009 at 2694 Fair Oaks Drive, DeKalb County.

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

10-R-1021 (59) Claim of **Columbia Insurance Group, as subrogee of Architectural Brass**, for damages alleged to have been sustained as a result of a tree falling on May 6, 2009 at 1130 Donald L. Hollowell Parkway.

**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-1022 (60) Claim of **Bradley M. Cooke**, for damages alleged to have been sustained as a result of a sewer backup on March 20, 2010 at 904 Rosedale Road, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-01023 (61) Claim of **James Whitmire, through his attorney, Don English, Esq., Southern States Police Benevolent Association, Inc.**, for damages alleged to have been sustained when monies received from approved off-duty employment were deducted from City payroll checks from April 10, 2009 through July 7, 2009 at 675 Ponce de Leon Avenue, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1024 (62) Claim of **Christine Daniel, through her attorney, Peter K. Odom, Esq., Odom Law Firm**, for damages alleged to have been sustained from an arrest and detention incident from July 17-19, 2009 at 675 Ponce de Leon Avenue, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1025 (63) Claim of **Outdoor Management Company**, for damages alleged to have been sustained as a result of an automobile accident on August 26, 2009 at 3820 Cascade Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1026 (64) Claim of **Willie Junior Pinson**, for damages alleged to have been sustained from an apprehension incident by police on August 26, 2009 at 520 Boulevard, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1027 (65) Claim of **Michael Carter**, for damages alleged to have been sustained as a result of a vehicular incident on June 1, 2009 at 32 Harlan Road.  
**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-1028 (66) Claim of **Georgia Administrative Services, as subrogee of Clayton County Board of Education**, for damages alleged to have been sustained as a result of a trip and fall on a sidewalk on September 10, 2008 at 135 Auburn Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1029 (67) Claim of **Juan Hargrove, through his attorney, Mawuli Davis**, for damages alleged to have been sustained as a result of an arrest and false imprisonment on November 2, 2007 through April 24, 2009 at 28 Gould Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1031 (68) Claim of **Jean Marie Harrison**, for damages alleged to have been sustained as a result of driving over a catch basin grate on December 11, 2009 at 3227 Roswell Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1032 (69) Claim of **Ezra B. Jones, III, Esquire, through his attorney, Howell A. Hall**, for damages alleged to have been sustained as a result of a water account dispute beginning August 2008 at 305 Crosstree Lane.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1033 (70) Claim of **Alexander Sutton**, for damages alleged to have been sustained as a result of driving over a pothole on January 19, 2010 at Andrews Drive and West Paces Ferry Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-R-1034 (71) Claim of **The Estate of Jasmine Zachery, et al., through its attorney, Michael Deming, Esq., Deming, Parker, Hoffman, Campbell & Daly, LLC**, for bodily injuries alleged to have been sustained from a wrongful death incident resulting from an improperly marked entrance ramp on December 8, 2009 at Interstate 75 in Hapeville.  
**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-1035 (72) Claim of **Pradeep Upadhyaya**, for property damages alleged to have been sustained when a parked vehicle was struck by fallen insulation debris on February 25, 2010 at Hartsfield-Jackson International Airport, 6000 S. Terminal Parkway.

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

10-R-1036 (73) Claim of **Valeria C. Eberhart**, for damages alleged to have been sustained as a result of a sewer backup on April 15, 2009 at 1455 Helen Lane.

**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**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

**All items on Consent Agenda Section II (01 through 15 as follows) were Referred to the appropriate committees as a collective vote.**

10-O-0930 ( 1)      An Ordinance by **Community Development/Human Resources Committee** to adopt the City of Atlanta 2011-2015 Capital Improvements Program (CIP) and Short Term Work Program (STWP); to amend the City of Atlanta 2008-2023 Comprehensive Development Plan (CDP) so as to incorporate these programs into the CDP; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0932 ( 2)      An Ordinance by **Community Development/Human Resources Committee** to adopt the Chosewood Park Redevelopment Plan; to amend the City of Atlanta 2008-2023 Comprehensive Development Plan (CDP) so as to incorporate the Plan into the CDP; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0933 ( 3)      An Ordinance by **Community Development/Human Resources Committee** to adopt the Poncey-Highland Neighborhood Master Plan; to amend the City of Atlanta 2008-2023 Comprehensive Development Plan (CDP) so as to incorporate the Plan into the CDP; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0934 ( 4)      An Ordinance by **Community Development/Human Resources Committee** to adopt the D. L. Hollowell Parkway/Veterans Memorial Highway Livable Centers Initiative (LCI) Study; to amend the City of Atlanta 2008-2023 Comprehensive Development Plan (CDP) so as to incorporate the Study into the CDP; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 10-O-0936 ( 5)      An Ordinance by **Community Development/Human Resources Committee** amending Atlanta Code of Ordinances Sections 110-3 and 38-45 to increase certain fees related to amenities and programs offered by the Department of Parks, Recreation and Cultural Affairs; and to direct that the revenue from the fees be deposited into the accounts set forth herein; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

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

- 10-O-0952 ( 6)      An Ordinance by **Public Safety and Legal Administration Committee** to amend Chapter 98, Article II, Division 2, Sections 98-63 and 98-64; Chapter 114, Article IV, Division I, Section 114-79; Chapter 114, Article IV, Division 7, Subdivision II, Sections 114-229 and 114-230; Chapter 114, Article VI, Division I, Section 114-502; and Chapter 114 Article VI, Division 3, Sections 114-546 and 114-553, so as to change the nondiscretionary rank of Police Captain to a discretionary rank; to repeal conflicting ordinances; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**CITY UTILITIES COMMITTEE**  
**NATALYN M. ARCHIBONG, CHAIR**

- 10-O-0939 ( 7)      An Ordinance by **City Utilities Committee** to amend Chapter, Article V, Division IV, Section 297 of the Atlanta City Code of Ordinances, entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes. **(To be advertised for a Public Hearing)**  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 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)**

**NATALYN M. ARCHIBONG, CHAIR**

- 10-O-0940 ( 8)      An Ordinance by **City Utilities Committee** to amend Article V of Chapter 154 of the Atlanta City Code entitled "Sewage Disposal" (§154-196 et seq.); to create a fee for the issuance of an Industrial Wastewater Discharge Permit; to create a fee for Annual Inspections; and for other purposes. **(To be advertised for a Public Hearing)**  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 10-O-0945 ( 9)      An Ordinance 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 contractually exercise its renewal options on an expired Contract as Renewal Option No. 4, for FC-6005007900, Annual Contract for the Yard Trimmings Program on behalf of the Department of Public Works in an amount not to exceed \$675,000.00; all contracted work will be charged to and paid from the FDOA Number listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-O-0946 (10)      An Ordinance by **Finance/Executive Committee** waiving the City of Atlanta Code of Ordinances, Article X, Section 2-1187 of the Procurement and Real Estate Code, and to authorize the Mayor or his designee to enter into an Agreement with Northrop Grumman Systems Corporation for Critical Safety Systems Support, for one (1) year with two (2) one-year renewal options beginning July 1, 2010 on behalf of the Department of Information Technology, in an amount not to exceed \$1,899,302.00. All contracted work to be charged to and paid from the FDOA Number listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 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-0947 (11) An Ordinance by **Finance/Executive Committee** waiving the City of Atlanta Code of Ordinances, Article X, Section 2-1187 of the Procurement and Real Estate Code, and to authorize the Mayor or his designee to enter into an Agreement with IBM Corporation for Criminal Justice Information System Support, for one (1) year with two (2) one-year renewal options beginning July 1, 2010 on behalf of the Department of Information Technology, in an amount not to exceed \$410,000.00 per year; to be charged to and paid from the FDOA Number listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-O-0948 (12) An Ordinance by **Finance/Executive Committee** to correct Ordinance Number 09-O-1897 adopted by the Atlanta City Council on November 16, 2009, and approved by the Mayor on November 24, 2009; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-O-0949 (13) An Ordinance by **Finance/Executive Committee** to document the Transfer Inventory Assets of twenty-five (25) Motorola XTS 1500 Portable Radios with a value totaling \$45,000.00, from the Atlanta Police Department to the Department of Planning and Community Development for the purpose of increasing the efficiency and safety of the Department of Planning, Code Enforcement Division's Fieldwork Agents, by equipping them with radios to enable real time communication; to amend the FY 2010 (Department of Planning and Community Development Director of Code Compliance) Budget, and the FY 2010 (APD Police Communications) Budget by transferring an amount not to exceed \$45,000.00 from the FDOA Numbers listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-O-0950 (14) An Ordinance by **Finance/Executive Committee** authorizing payment of all salaries and benefits for four (4) employees of the Department of Planning and Community Development's Arborist Division from the Tree Trust Fund for Fiscal Year 2011 from FDOA Number listed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 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-1041 (15) An Ordinance by **Finance/Executive Committee** to authorize the City of Atlanta, Division of Sustainability to appropriate and disburse funds from the FY 2010 (Intergovernmental Grant Fund) Budget to fund the Sustainable Home Initiative for a New Economy ("SHINE") Program; to authorize the Mayor to execute a Memorandum of Understanding with Georgia Power for the SHINE Program; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

# **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS**

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

Attendance at the June 01, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Hall

**ORDINANCES FOR SECOND READING**

10-O-0630 ( 1) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing funding for various grant positions under the 2010 Community Development (CDBG) Budget, 2010 Emergency Shelter Grant (ESG) Budget, 2010 Home Investment (HOME) Budget and the 2010 Housing Opportunities for Persons with AIDS (HOPWA); and for other purposes.

**Note: Councilmember Alex Wan stated for the record his abstention to Ordinance 10-O-0630 was due to a potential conflict of interest.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS; 1 ABSTENTION**

10-O-0636 ( 2) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$6,761,648.00 for the purpose of funding various Housing Opportunities for Persons with AIDS (HOPWA) projects assigned to the Department of the Mayor, Office of Human Services, that are included in the 2010 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

**Note: Councilmember Alex Wan stated for the record his abstention to Ordinance 10-O-0636 was due to a potential conflict of interest.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS;  
0 NAYS; 1 ABSTENTION**

10-O-0784 ( 3) An Ordinance by **Councilmember Howard Shook as Substituted by Community Development/Human Resources Committee** to amend the Code of Ordinance of the City of Atlanta, Georgia, Chapter 142, Article VI, Section 142-86 Notice by the Chief of Police; and for other purposes.

**FILED SUBSTITUTE 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 (2)**  
**JOYCE SHEPERD, CHAIR**

**RESOLUTION**

10-R-0644 ( 1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into various contractual agreements administered by the Office of Human Services for projects under the 2010 Community Development Block Grant (CDBG); 2010 Emergency Shelter Grant (ESG), 2010 Home Investment Partnership Act (HOME) and 2010 Housing Opportunities for Persons with AIDS (HOPWA); and for other purposes.

**Note: Councilmember Alex Wan stated for the record his abstention to Resolution 10-R-0644 was due to a potential conflict of interest.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS; 1 ABSTENTION**

**ITEM REMOVED FROM CONSENT AGENDA**

10-O-0923 ( 1) An Ordinance by **Councilmember Natalyn M. Archibong** authorizing the Commissioner of the Department of Parks, Recreation and Cultural Affairs, on behalf of the City of Atlanta and the Mayor, to waive Chapter 110, Section 110-3 (C) Atlanta Cyclorama Admissions and Chapter 38, Cemeteries, of the Code of Ordinances, Article II, Municipal Cemeteries, Division 2, Oakland Cemetery, Section 38-45, Schedule of Charges for Guided Tours, so as to allow 100 or more residents of District 5 to visit the Atlanta Cyclorama and the Oakland Cemetery without charge on Saturday, July 17, 2010 and Sunday, July 18, 2010, in conjunction with the organizing plans for the "Battle of Atlanta" Celebration scheduled on those dates; and for other purposes.

**Chairperson Sheperd requested 10-O-0923 be removed from the Consent Agenda. Ms. Sheperd then made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. Following, Chairperson Sheperd sounded the caption to the Substitute and made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.**

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

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 June 01, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmembers Willis and Archibong

**ORDINANCE FOR SECOND READING**

10-O-0780 ( 1) An Ordinance by **Councilmember Kwanza Hall as Substituted by Public Safety and Legal Administration Committee** to amend Chapter 10, Article II, Division 2, Section 10-94 of the City of Atlanta Code of Ordinances to provide an exemption from distance requirements for certain establishments licensed to sell alcoholic beverages on property registered on the National Register of Historic Places when such establishments meet other requirements; to amend Chapter 10, Article II, Division 5, Section 10-209 to establish the times during which such establishments may sell alcoholic beverages; to amend Chapter 10, Article II, Division 2, Subdivision I. Section 10-62 of the City of Atlanta Code of Ordinances to affirm that Bars and Brewpubs are eligible for licenses to sell Distilled Spirits by the drink; to amend Chapter 10, Article I, Section 10-1 of the City of Atlanta Code of Ordinances to confirm the definition of a brewpub; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

**RESOLUTION**

10-R-1030 ( 1) Claim of **Willie H. Brown**, for damages alleged to have been sustained as a result of the loss of a vending location on February 15, 2002 at 521 Hank Aaron Boulevard.  
**ADVERSED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)**  
**IVORY L. YOUNG, JR., CHAIR**

**ITEM REMOVED FROM CONSENT AGENDA**

10-R-1000 ( 1) Claim of **Alyce Jackson**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on March 3, 2010 at Piedmont Avenue, NE and Westminster Drive, NE.

**Chairperson Young requested the above resolution be removed from the Consent Agenda. Mr. Young sounded the caption to 10-R-1000 and made a Motion to Refer it back to the Public Safety and Legal Administration Committee. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.**

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the June 02, 2010 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Willis

**ITEM REMOVED FROM HELD STATUS**

10-O-0925 ( 5) An Ordinance by **Councilmember Kwanza Hall** authorizing the Mayor to permit On-Street Parking on both sides of Auburn Avenue between Jackson Street and Boulevard on Sundays between 7 am and 2 pm; and for other purposes. **(Held 6/02/10 pending Sub-Committee Work session for Parking Enforcement on 6/4/10.)**

**Councilmember Hall made a Motion to remove Ordinance 10-O-0925 from the Held Status. It was Seconded by Councilmember Bond and a discussion ensued, in which, Council deferred the ordinance to later during the meeting. Returning back Ordinance 10-O-0925, Councilmember Smith made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Hall and CARRIED by a roll call vote of 12 yeas; 0 nays. Council then entered Committee of the Whole.**

***COMMITTEE OF THE WHOLE***

**In Committee of the Whole, Councilmember Hall made a Motion to Adopt. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Following, Councilmember Smith made a Motion to re-enter Regular Session. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. Council re-entered Regular Session.**

***REGULAR SESSION***

**During Regular Session, Chairperson Martin made a Motion to Adopt. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the June 02, 2010 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Bottoms and Smith

**ORDINANCES FOR FIRST READING**

**All items for First Reading (01 through 06 as follows) were Referred to the Zoning Review Board and Zoning Committee as a collective vote.**

10-O-0957 ( 1)      An Ordinance by **Zoning Committee** to rezone from the C-2  
Z-10-11              (Commercial Service) District to the MRC-2 (Mixed Residential  
Commercial) District, property located at **300 and 306 Ponce de  
Leon Avenue, NE**, fronting approximately 100.35 feet on the  
north side of Ponce de Leon Avenue at the southeast intersection  
of Argonne Avenue and Ponce de Leon Avenue.

Depth:              Varies  
Area:                Approximately 0.427 Acre  
Land Lot:          48, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:             The Bootery Inc., Profit Sharing, et al.  
Applicant:        Robert M. Cain  
NPU-E              Council District 6

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0958 ( 2)      An Ordinance by **Zoning Committee** to rezone from the R-5  
Z-10-12              (Two-Family Residential) District to the NC-7 (Existing Traditional  
Neighborhood) District, properties located at **287 and 289 Little  
Street, SE and 288 Grant Park Place, SE**, fronting  
approximately 120 feet on the east side of Hill Street,  
approximately 53.50 feet on the north side of Grant Park Place  
and approximately 53.5 feet on the south side of Little Street.

Depth:              Varies  
Area:                Approximately 0.15 Acre  
Land Lot:          43, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:             Thomas "T. L." Lee Spangler  
Applicant:        Douglas A. Lueder  
NPU-W              Council District 1

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**

**AARON WATSON, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

10-O-0959 ( 3)  
Z-10-13 An Ordinance by **Zoning Committee** to rezone from the C-4 (Commercial Residential) District to the C-3 (Commercial Residential) District, property located at **333 Highland Avenue, NE**, fronting approximately 237.99 feet on the west side of Hilliard Street, approximately 69 feet on the south side of North Highland Avenue and bordering Interstate 75/85 Connector with approximately 214.44 feet.

Depth: Varies  
Area: Approximately 0.554 Acre  
Land Lot: 46, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: 333 Highland Avenue Associates, LLC  
Applicant: 333 Highland Avenue Associates, LLC  
NPU-M Council District 2

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0960 ( 4)  
U-10-18 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Daycare Center pursuant to Section 16-06.005(l)(b) property located at **3297 Fairburn Road, SW**, fronting approximately 75 feet on the northwesterly side of Fairburn Road and approximately 940 feet east of the Seaboard Coast Railroad Line.

Depth: Varies  
Area: Approximately 0.472 Acre  
Land Lot: 35, 14<sup>th</sup> ff District, Fulton County, Georgia  
Owner: Arlethea Marie Scrivens-Aghaji  
Applicant: Arlethea Marie Scrivens-Aghaji  
NPU-P Council District 11

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**

**AARON WATSON, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

10-O-0961 ( 5)  
U-10-19 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Daycare Center pursuant to Section 16-35.007(l)(c) property located at **2392 Donald Lee Hollowell Parkway, NW**, fronting approximately 81 feet on the south side of Donald Lee Hollowell Parkway and approximately 163 feet east of the intersection of Center Hill Avenue and Donald Lee Hollowell Parkway.

Depth: Approximately 200 Feet  
Area: Approximately 2.99 Acres  
Land Lot: 177, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: William H. Palmer, Sr.  
Applicant: William H. Palmer, Sr.  
NPU-J Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-O-0962 ( 6)  
U-10-20 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Church pursuant to Section 16-06.005(l)(c) property located at **3267 and 3309 Jonesboro Road, SE**, fronting approximately 508 feet on the west side of Jonesboro Road beginning 132.60 feet from the intersection of Jonesboro Road and Macedonia Road.

Depth: Varies  
Area: Approximately 3.29 Acres  
Land Lots: 34 and 35, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Willie W. Williams  
Applicant: Willie W. Williams  
NPU-Z Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE 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**

Attendance at the June 07, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Wan, Sheperd and Winslow

Absent: Councilmembers Bond and Hall

**COMMUNICATIONS**

**The following communications (01 through 06) were taken as a collective vote.**

10-C-0507 ( 1) 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. **(Held 4/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-C-0610 ( 2) A Communication from **Mr. William Pate, President & CEO, Atlanta Convention & Visitors Bureau to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination of Ms. Kathleen Bertrand to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation. **(Held 5/3/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-C-0913 ( 3) A Communication by **Councilmembers Carla Smith, District 1; Kwanza Hall, District 2 and Michael Bond, Post 1 – At-Large** re-appointing David J. Payne to serve as a member of the Zoning Review Board. This re-appointment is for a term of two (2) years; retroactive to March 17, 2010. **(Favorable by Zoning Committee 6/02/10.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

10-C-0914 ( 4) A Communication by **Council President Ceasar C. Mitchell** appointing Nathaniel O. Clark to serve as a member of the Atlanta Urban Design Commission in the Architect II category. 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 6/01/10.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (2)**

**FELICIA A. MOORE, CHAIR**

**COMMUNICATIONS (CONT'D)**

- 10-C-0915 ( 5) A Communication by **Council President Ceasar C. Mitchell** appointing Kevin Perry to serve as a member of the Keep Atlanta Beautiful Board. This appointment is for a term of two (2) years; scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 6/01/10.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**
- 10-C-0919 ( 6) A Communication from **Joel G. Baker, Interim Fire Chief, Atlanta Fire - Rescue Department, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Firefighter/EMT Sharyl D. Chatman, Jr. to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**RESOLUTIONS**

- 10-R-0926 ( 1) A Resolution by **Councilmembers Michael Julian Bond, Ivory Lee Young, Jr., Joyce Sheperd, Clea Winslow, H. Lamar Willis, Felicia A. Moore, Aaron Watson, C. T. Martin, Natalyn M. Archibong, Yolanda Adrean, Kwanza Hall, Carla Smith, Alex Wan and Howard Shook** authorizing the creation of a Commission to determine an appropriate honor memorializing the Committee for the Appeal for Human Rights and the Atlanta Student Movement; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0929 ( 2) A Resolution by **Councilmembers Ivory Lee Young, Jr., Michael Julian Bond, C. T. Martin, H. Lamar Willis, Clea Winslow, Yolanda Adrean, Kwanza Hall, Aaron Watson, Alex Wan and Joyce Sheperd, as Amended by Committee on Council** authorizing the creation of a Joint Commission to study and propose an appropriate honor befitting Mr. John Portman and Mr. Herman J. Russell in the City of Atlanta; and for other purposes.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Pro Tempore Howard Shook Presided

**Note: after the Committee on Council report, Councilmember Sheperd who charged the duty of finding a process to appoint commissioners, gave an overview to Council of the submitted draft report. Thereafter was discussion of the draft report.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the June 01, 2010 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Shook, Hall, Smith, Watson and Adrean

Absent: None

**RESOLUTION**

10-R-0938 ( 1) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to encumber Phase Two (2) funding in the amount of \$44,673,970.80 for the Agreement with GSC Atlanta, Inc., for FC-4747 South River Tunnel and Pumping Station on behalf of the Department of Watershed Management; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED 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 June 02, 2010 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Willis

**ORDINANCE FOR SECOND READING**

10-O-0878 ( 1) An Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Aviation, by adding to anticipations and appropriations in the amount of \$477,000.00 for a Grant Award from the Department of Energy's Clean Cities Program, to pay the incremental cost of upgrading 40 parking shuttles from petroleum to compressed natural gas; and for other purposes.

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

**RESOLUTIONS**

10-R-0886 ( 1) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize GSA Contract #S000546-043 for the purchase of Network Adapters and Accessories from CDW Government, LLC for the City of Atlanta, Department of Aviation; in an amount not to exceed \$67,330.00. The equipment purchase will be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

10-R-0891 ( 2) A Resolution by **Councilmembers Joyce M. Sheperd, Carla Smith, Keisha Lance Bottoms, Felicia A. Moore, Ivory Lee Young, Jr., H. Lamar Willis, Alex Wan and Kwanza Hall** to support the City of Atlanta's participation in the National League of Cities' Free "Prescription Discount Card" Program; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCE FOR FIRST READING**

10-O-1047 ( 1) An Ordinance by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "V", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain Position Abolishment's, Creations, Reclassifications, Class Abolishment's, Class Creations, Class Title Amendments, Above Entry Authorization, Employee Salary Adjustments, Salary Grade Amendments, Position Transfers, Position Funding Allocation Changes and other personnel actions in line with the 2011 Budget; and for other purposes.

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

**ITEM REMOVED FROM CONSENT AGENDA**

10-O-0877 ( 1) A **Substitute** Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$1,161,492.00 for a Grant Award from the Department of Energy's Clean Cities Program; to authorize the Mayor to execute the necessary Grant Agreements; and for other purposes.

**Chairperson Adrean requested the above ordinance be removed from the Consent Agenda. Following, Ms. Adrean sounded the caption and made a Motion to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. The Substitute was before Council. After a brief discussion, Chairperson Adrean made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.**

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

# **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

10-R-1161 ( 1) A Resolution by **Councilmembers Kwanza Hall, Aaron Watson, Ivory Lee Young, Jr., C. T. Martin, Alex Wan, Keisha Bottoms, Howard Shook, Cleta Winslow, Michael Bond and H. Lamar Willis** authorizing the Mayor or his designee to enter into a Memorandum of Understanding between the City of Atlanta and the Kingdom of Bahrain for the purposes of developing potential projects and area of cooperation between the two governments; and for other purposes.

**Councilmember Hall made a Motion to Adopt Resolution 10-R-1161. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

10-R-1162 ( 2) A Resolution by **Councilmembers Michael Julian Bond, C. T. Martin, Carla Smith, Kwanza Hall, Alex Wan, Felicia Moore, Keisha Bottoms, Ivory Lee Young, Jr. and H. Lamar Willis** a resolution by the Transportation Committee accepting certain recommendations from the Commissioner of the Department of Public Works to implement both short-term and long-term changes to the operation of the current Parking Enforcement Program operated by ParkAtlanta; to recommend implementation of short term changes prior to the end of the thirty day moratorium on parking management currently in place; and for other purposes.

**Councilmember Bond made a Motion to Adopt the above resolution. A discussion ensued, after which, the Motion to Adopt CARRIED by a roll call vote of 12 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**ORDINANCES/REFERRED**

10-O-1057 ( 1) An Ordinance by **Councilmembers Joyce Sheperd and Ivory Lee Young, Jr.** to authorize the Atlanta Workforce Development Agency to appropriate and disburse funds in the amount of Three Million Three Hundred Forty Six Thousand Forty Two Dollars (\$3,346,042) from the Georgia Department of Labor for the 2010 TANF/ARRA Summer Youth Program Budget to provide summer work experience for youth; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

10-O-1163 (2) An Ordinance by **Councilmember Kwanza Hall** to amend Chapter 150, Article IV, Division 3, Sections 150-132 and 150-133 so as to provide for maximum hours of enforcement of parking meters; to provide for notice prior to the installation and operation of new parking meters; to clarify overtime parking meter enforcement; to require identification of additional locations for placement of meters; to repeal conflicting ordinances; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

10-O-1165 (3) An Ordinance by **Councilmember Howard Shook** authorizing the Mayor or his designee to waive the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances, to provide that a certain subdivision SD-10-07 (678 & 680 Darlington Circle, N.E.) applicant deposit a dollar amount (\$3,860.00) equal to the value of the required sidewalk construction into a designated trust fund account for District 7; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

10-O-1166 (4) An Ordinance by **Councilmember Howard Shook** to waive the application of the local Bidder Preference Program, Section 2-1188.1 of the City Code of Ordinances, for the project designated as FC-5076, Atlanta-Fulton County Water Treatment Plant Bulk Hypochlorite System and Filter/Plate Settler Improvements, for the Atlanta-Fulton County Water Resources Commission, a joint venture of the City of Atlanta and Fulton County; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

10-O-1167 (5) An Ordinance by **Councilmember Yolanda Adrean** to authorize the Mayor or his designee to authorize the Department of Public Works to waive the vehicular speed requirement for speed humps in order to install speed humps on Verner Street, NW; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

10-O-1168 (6) An Ordinance by **Councilmembers Natalyn Archibong and Aaron Watson** to amend the Land Use Element of the City of Atlanta Comprehensive Development Plan (CDP) so as to designate property at **418 Morgan Place, SE**, Atlanta, Georgia to the Single-Family Residential Land Use Designation; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 10-O-1169 (7) An Ordinance by **Councilmembers Natalyn Archibong and Aaron Watson** to provide for the annexation of property located at **418 Morgan Place, SE**, Atlanta, Georgia 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 WITHOUT OBJECTION**
- 10-O-1170 (8) An Ordinance by **Councilmembers Natalyn Archibong and Aaron Watson** to zone property located at **418 Morgan Place, SE**, Atlanta, Georgia to the R-4 (Single Family Residential) Zoning District; and for other purposes.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 10-O-1171 (9) An Ordinance by **Councilmembers Kwanza Hall, Michael Bond, Aaron Watson and H. Lamar Willis** authorizing the Mayor to execute an Intergovernmental Agreement (“IGA”) with the Metropolitan Atlanta Rapid Transit Authority (“MARTA”) specifying the terms under which MARTA will partner with the City to apply to the Office of the Secretary of Transportation for a discretionary grant for national infrastructure improvements which have been made available pursuant to the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for 2010 for the purpose of constructing a Streetcar System; authorizing the Mayor to expend \$35,000 to pay certain expenses to be incurred in preparing the application; authorizing the Chief Financial Officer to pay over such funds to MARTA under the terms and conditions set forth in the IGA; authorizing the Mayor to execute an IGA specifying the terms under which the City can commit \$1,000,000 in annual hotel/motel and rental car taxes for the operations and maintenance of such Streetcar System; authorizing the Chief Financial Officer to create the accounts necessary to place such tax funds in a reserve for such operation and maintenance expense; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 10-O-1173 (10) An Ordinance by **Councilmembers Ivory Lee Young, Jr. and C. T. Martin** imposing a ninety (90) day moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**
- 10-O-1174 (11) An Ordinance by **Councilmembers Ivory Lee Young, Jr. and Kwanza Hall** to restore essential personnel needs to the City of Atlanta Office of the Solicitors and Office of the Public Defender and essential expenditures to address various needs of the Municipal Court Operations for fiscal year 2011 funded by the City of Atlanta "City Jail Fund" from account number 7701.190101.3511712.2650000.20 which will be available for use when the Atlanta Detention Center transaction is completed with Fulton County; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-O-1176 (12) An Ordinance by **Councilmember Michael Julian Bond** authorizing the City of Atlanta to waive the competitive procurement provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment from UASI Grant Funds for outstanding invoices related to preventive maintenance on an emergency communication system through June 30, 2010, to Motorola, Incorporated, in an amount not to exceed One Hundred Ninety-Eight Thousand Seven Hundred and Fifty Eight Dollars and Twenty-Eight Cents (\$198,758.28), to ratify the service agreements related thereto and to authorize the Mayor to execute appropriate contractual agreements with Motorola for preventive maintenance on an emergency communication system, on behalf of the Atlanta Police Department; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 10-O-1178 (13) An Ordinance by **Councilmembers Keisha Lance Bottoms, Aaron Watson, Michael Bond, Joyce M. Sheperd, Howard Shook, C. T. Martin, Carla Smith, Kwanza Hall, Ivory Lee Young, Jr., Felicia A. Moore, H. Lamar Willis, Yolanda Adrean and Alex Wan** to amend Chapter 150 (Traffic and Vehicles), Article IV (Stopping, Standing and Parking), Division 3 (Parking Meters), Sections 150-131, 150-132 and 150-133 of the City of Atlanta Code of Ordinances for the purpose of clarifying that the penalty imposed by the Municipal Court for violations of City of Atlanta Code Section 150-132, which provides for parking time limits at metered parking spaces, and City of Atlanta Code Section 150-133, which prohibits overtime parking at metered parking spaces, is a non-criminal civil monetary penalty; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**RESOLUTIONS/REFERRED**

- 10-R-1164 ( 1) A Resolution by **Councilmember Carla Smith** authorizing the Mayor to enter into an Intergovernmental Agreement with Fulton County for the provision of animal control services within the City of Atlanta for a period of one year, in an amount not to exceed One Million Four Hundred One Thousand Nine Hundred Eighty Seven Dollars and No Cents (\$1,401,987.00) to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200502 (NDP Fulton County) 5710001 (Payments to Other Govts) 1514000 (Tax Administration); and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/REFERRED (CONT'D)**

10-R-1172 ( 2) A Resolution by **Councilmembers Kwanza Hall, Carla Smith, Felicia A. Moore, Ivory Lee Young, Jr., Natalyn Archibong, Alex Wan and Keisha Bottoms** authorizing the Mayor to execute Intergovernmental Construction Services Agreements with the Georgia Department of Transportation for the Simpson Street & West Peachtree Street Streetscape, West Peachtree Street North, Midtown Intersection Improvement, Fairlie-Poplar Streetscape Improvement PH III, Folk Art Park Pedestrian Improvement, Ansley Park Pedestrian & Streetscape/Bike Pedestrian, Tenth Street Corridor Improvement, Simpson Road Corridor Streetscape TE, Bolton/Moores Mill Streetscape TE, Bolton LCI, Danforth Road Sidewalks, Lowery Boulevard, Glenwood East Atlanta Village Phase 2, Greenbriar Parkway, Lakewood Heights TE, Memorial Drive, PH I, Memorial Drive PH II, Memorial Drive PH III, Ralph David Abernathy Boulevard, Headland Drive Pedestrian Improvement, Southwest Atlanta Sidewalk, Barge Road at Campbellton Road, Marietta Boulevard Projects and Lowery Boulevard Pedestrian Improvements Projects; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

10-R-1175 ( 3) A Resolution by **Councilmember Ivory Lee Young, Jr.** to endorse the application of LowCom Development, Inc. and Paces Foundation, to the Georgia Department of Community Affairs for 2010 low-income housing tax credits for the construction of Dixie Hills Manor, located at **251 Anderson Avenue, SW, Atlanta, Georgia**; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

10-R-1177 ( 4) A Resolution by **Councilmember Michael Bond** to approve the framework for an accelerated and modified competitive procurement process for emergency repairs needed for the R. M. Clayton Water Reclamation Center ("WRC"), as required by Ordinance No. 10-O-0518; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

10-R-1179 ( 5) A Resolution by **Councilmember C. T. Martin** authorizing the Bureau of Planning to change the lot dimensions on the City of Atlanta Cadastral Maps for an improved legal, non-conforming lot of record at **2134 Larchwood Road**; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

Council President Ceasar C. Mitchell Presided

**ADJOURNMENT**

There being no further business to discuss, the June 07, 2010 meeting of the Atlanta City Council was adjourned at 5:58 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Watson (11); the attendance of Councilmember Bond was not signified upon the adjourning roll call (1); Councilmembers Winslow, Archibong and Willis were excused (3).**