

ATLANTA CITY COUNCIL

ACTION/MINUTES

JULY 19, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, July 19, 2010. The Meeting convened at 1:23 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided.

Attendance:

The following (11) voting members were present at the Meeting:

The Honorable Kwanza Hall	The Honorable Yolanda Adrean
The Honorable Ivory L. Young, Jr.	The Honorable Felicia A. Moore
The Honorable Cleta Winslow *1:51	The Honorable Joyce Sheperd
The Honorable Natalyn Archibong	The Honorable Michael J. Bond *2:37
The Honorable Alex Wan	The Honorable Aaron Watson
	The Honorable H. Lamar Willis *1:29

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

Councilmembers Carla Smith, Howard Shook (excused), C. T. Martin (excused) and Keisha Bottoms (excused) were absent.

INVOCATION: Reverend Jason H. Thomas of Word of Faith Family Worship Cathedral 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 **July 06, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember Moore made a **Motion** to **Amend the Agenda** by adding a section **Executive Session** after item #15 Personal Papers and General Remarks and by moving the **Community Development/Human Resources Committee** as the First Standing Committee followed by **Committee on Council** and continue the Standing Committees as listed. It was properly Seconded and **CARRIED** by a roll call vote of **11 yeas; 0 nays**.

PUBLIC HEARING: Councilmember Moore made a **Motion** to open a **Public Hearing** that was advertised for today's meeting in reference to Resolution 10-R-1333. It was properly Seconded and **CARRIED** by a roll call vote of **9 yeas; 0 nays**. **The Public Hearing was open.** A discussion ensued, during which, **Councilmember**

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Moore made a **Motion to close the Public Hearing** to later during the meeting in order for information to be distributed and read by the public. It was properly Seconded and **CARRIED** by a roll call vote of **9 yeas; 1 nay**. Later during the meeting, **Councilmember Moore** made a Motion to **enter the Public Hearing**. It was properly Seconded and **CARRIED** by a roll call vote of **11 yeas; 0 nays**. The Public Hearing was open. After all members of the public spoke, **Councilmember Moore** made a Motion to **close the Public Hearing**. It was properly Seconded and **CARRIED** by a roll call vote of **11 yeas; 0 nays**. The Public Hearing portion was now closed.

EXECUTIVE SESSION: Before the end of the meeting, there was a Motion to **enter Executive Session**. It was properly Seconded and, after President Ceasar C. Mitchell stated the reason for entering Executive Session (due to litigation at Hartsfield-Jackson International Airport regarding a lawsuit filed by Corey Airport Services), the Motion **CARRIED** by a roll call vote of **8 yeas; 1 nay**. Council then entered Executive Session. Returning from Executive Session, **Councilmember Moore** made a Motion to **re-enter Regular Session**. It was properly Seconded and **CARRIED** by a roll call vote of **10 yeas; 0 nays**. Therefore, Council re-entered Regular Session.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-1334 (1) A Communication by **Mayor Kasim Reed** appointing Mr. Wayne Jones to serve as a member of the Atlanta Housing Authority Board of Commissioners. This appointment is for a term of one (1) year and does not require Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1335 (2) A Communication by **Mayor Kasim Reed** appointing Ms. Yvonne Cowser Yancey to serve as a member of the Atlanta Housing Authority Board of Commissioners. This appointment is for a term of five (5) years and does not require Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1349 (3) A Communication by **City Auditor Leslie Ward** submitting the Fiscal Year 2011 Audit Schedule for the City Auditor's Office.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1350 (4) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit: Office of Code Compliance.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1351 (5) A Communication by **Council President Ceasar C. Mitchell** appointing Councilmember C. T. Martin of District 10 to serve on the 2010 City Utilities Committee.
FILED WITHOUT OBJECTION
- 10-C-1352 (6) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit: Aviation Grants Management Federal Recovery Act.
REFERRED TO TRANSPORTATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1353 (7) A Communication by **Mayor Kasim Reed** appointing Ms. Jamila Jones 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

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (Cont'd)

- 10-C-1354 (8) A Communication by **Mayor Kasim Reed** appointing Mr. Les Stumpff 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-1355 (9) A Communication by **Councilmembers Keisha Lance Bottoms, District 11; Felicia A. Moore, District 9; C. T. Martin, District 10; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3-At-Large** re-appointing Dr. Marie R. Metze to serve as a member of the BeltLine Tax Allocation District (TAD) Advisory Committee, retroactive to January 01, 2010.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1356 (10) A Communication by **Councilmembers Keisha Lance Bottoms, District 11; Felicia A. Moore, District 9; C. T. Martin, District 10; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3-At-Large** appointing Ms. Edith A. Love to serve as a member of the People TV Board of Directors. This appointment is for a term of (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1357 (11) A Communication by **Council President Ceasar C. Mitchell** appointing Mr. Albert D. Maslia to serve as a member of John Portman and Herman Russell Commission, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1359 (12) A Communication by **Mayor Kasim Reed** appointing Mr. Daniel Halpern to serve as a member of the Atlanta Housing Authority Board of Commissioners. This appointment is to fill the vacancy created by Aaron Watson elected as Post 2 At-Large Councilmember. The unexpired term will end on 02/16/14 and does not require Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1360 (13) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the July 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

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (Cont'd)

10-C-1361 (14) A Communication by **Mayor Kasim Reed** appointing Mr. Kelvin Cochran to serve as Chief of Atlanta Fire and Rescue for the City of Atlanta, scheduled to begin on the date of Council confirmation

Councilmember Moore made a request to hold the above communication until pertinent information was obtained. The information was provided by the adjourning roll call.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-C-1362 (15) A Communication by **Mayor Kasim Reed** appointing Mr. George N. Turner to serve as Chief of Police for the City of Atlanta, scheduled to begin on the date of Council confirmation

Councilmember Moore made a request to hold communication 10-C-1362 until pertinent information was obtained. The information was provided by the adjourning roll call.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-C-1363 (16) A Communication by **Mayor Kasim Reed** appointing Mr. Richard Mendoza to serve as Commissioner of Public Works for the City of Atlanta, scheduled to begin on the date of Council confirmation

Councilmember Moore made a request to hold 10-C-1363 until pertinent information was obtained. The information was provided by the adjourning roll call.

REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-C-1364 (17) A Communication by **Mayor Kasim Reed** appointing Ms. Joya C. De Foor to serve as the Chief Financial Officer for the City of Atlanta, scheduled to begin on the date of Council confirmation

Councilmember Moore made a request to hold the above item until pertinent information was obtained. The information was provided by the adjourning roll call.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (Cont'd)

10-C-1365 (18) A Communication by **Mayor Kasim Reed** appointing Mrs. Elaine B. Alexander to serve as a member of the Atlanta Foundation Board on behalf of the City of Atlanta. This appointment is to fill the vacancy of Ms. Juanita Eber. Mrs. Alexander will be appointed for the new term which ends on February 01, 2015. Does not require Council confirmation.

FILED WITHOUT OBJECTION

10-C-1367 (19) A Communication by **Council President Ceasar C. Mitchell** addressing the various committee chairs recommendations regarding committee schedule times.

FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

10-O-1173 (1) An Ordinance by **Councilmembers Ivory L. 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.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption to ordinance 10-O-1173. Following, Councilmember Young made a Motion to remove the item from the Table. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. The ordinance was before Council. Councilmember Young then made a Motion to Refer 10-O-1173 to Public Safety and Legal Administration Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 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 item 10-O-1227 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **11 Yeas:** Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Sheperd, Bond, Watson and Willis; **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 10-O-0808 (1) A **Substitute** Ordinance by **City Utilities Committee** to amend Article II of Chapter 74 entitled "Soil Erosion and Sedimentation Control" (§74-36 et seq.) to comply with the requirements of the Georgia Erosion and Sedimentation Act of 1975 (O.C.G.A. §12-7-1 et seq.); to incorporate the requirements of the National Pollutant Discharged Elimination System; to clarify the regulation of ephemeral streams; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-O-1206 (2) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute Amendment Agreement No. 3 with Advance Disposal Services, Inc. for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste Services, on behalf of the Department of Public Works, to extend the Agreement on a month-to-month basis not to exceed February 28, 2011, in an amount not to exceed \$490,000.00; and authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Sections 2-1187 through 2-1189, and 2-1206 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all work to be paid from FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 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-1207 (3) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute Amendment Agreement No. 8 with Republic Services of Georgia, Inc. for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste Services, on behalf of the Department of Public Works and the Department of Watershed Management, to extend the Agreement on a month-to-month basis not to exceed February 28, 2011, in an amount not to exceed \$2,700,000.00; and authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Sections 2-1187 through 2-1189, and 2-1206 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work to be paid from various FDOA Numbers listed; and for other purposes.

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

10-O-1248 (4) A **Substitute** Ordinance by **Finance/Executive Committee** 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, to authorize the Mayor to execute Amendment No. 3 to Contract No. FC-6005007976 between the City of Atlanta and Banks, Finley, White & Company, on behalf of the Department of Finance, to extend the contract terms for an additional 7 months and add funding in an amount not to exceed \$1,100,000.00; all expenses to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

10-O-1250 (5) A **Substitute** Ordinance by **Finance/Executive Committee** to correct Ordinance Number 09-O-0780 adopted by the City Council on May 18, 2009 and approved by the Mayor on May 26, 2009 by deleting incorrect Department Organization and Expenditure Number and Description and inserting in lieu thereof the correct Department Organization and Expenditure Number and Description; and for other purposes

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 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-1346 (6) An Ordinance by **Councilmembers Keisha Lance Bottoms and C. T. Martin** authorizing the Mayor or his designee (Chief Financial Officer) to create a Trust Fund Account for City of Atlanta Council District 11 to accept donations for the “Still Standing, Still Strong: Strengthening Our Communities & Families for Success” Back to School Event; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 10-O-0305 (7)
CDP-09-40 A **Substitute** Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **884, 892, 898 and 0 McDonough Blvd and 0 Hanes Circle, SE**, from the “Single Family Residential” Land Use Designation to the “Medium Density Residential” Land Use Designation (Z-09-46); and for other purposes. (**Public Hearings held 3/8/10, 6/14/10 and 6/29/10**)

NPU-W

Council District 1

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

- 10-O-1204 (8) An Ordinance by **Community Development/Human Resources Committee** amending the 2010 (WIA Youth Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$2,288,934.00 in the Workforce Investment Act Youth Fund from the Georgia Department of Labor, to provide job training and other skills to local area youth; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1220 (9) An Ordinance by **Community Development/Human Resources Committee** amending the Atlanta Code of Ordinances, Chapter 142 entitled the Outdoor Events Chapter, by adding a new Section 142-64, to create a unique festival permitting procedure for outdoor events conducted or sponsored by Georgia State University in Hurt Park; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

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

- 10-O-1214 (10) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police by anticipating and appropriating the amount of \$4,868,954.00 in grant funds from the White House Office of National Drug Control Policy ("White House") for the continuation of the High Intensity Drug Trafficking Area ("HIDTA") Task Force and continued disruption of Drug Trafficking Organizations; to repeal Ordinance #10-O-0733, adopted May 17, 2010 and approved May 25, 2010; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-O-1337 (11) An Ordinance by **Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Clea Winslow, Keisha Lance Bottoms, Ivory L. Young, Jr., Yolanda Adrean and Joyce Sheperd as Substituted by Public Safety and Legal Administration Committee** authorizing the payment of Public Safety Expenditures through UASI Federal Grant Funds; authorizing the Chief Financial Officer to amend the 2007 UASI Grant Fund Expenditures for Radio Preventative Maintenance ("Maintenance") in the amount of \$203,000.00 and placing said expenditure in the 2006 UASI Grant Fund; amending the 2006 UASI Grant Fund Expenditures for assembly and completion of a Mobile Command and Surveillance Vehicle (The "Vehicle") in the amount of \$203,000.00 and placing said Expenditure in the 2007 UASI Grant Fund; allowing the switch in grant year expenditures in order to allow the vendor to complete the vehicle and paying for said vehicle with UASI Federal Funds; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

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-1227 (12) An Ordinance by **Councilmembers Michael Julian Bond, Kwanza Hall, Natalyn Archibong, Ivory Lee Young, Jr., Cleta Winslow, Alex Wan, Keisha Lance Bottoms, Joyce M. Sheperd, C. T. Martin, H. Lamar Willis and Yolanda Adrean as Substituted by Transportation Committee** to amend Chapter 150, Article IV, Division 3, Section 150-132 of the City of Atlanta Code of Ordinances to establish Metered Space Parking Zones throughout the City of Atlanta; to amend Chapter 150, Article IV, Division 1, by deleting Section 150-94 so as to eliminate the prohibition on Overnight Parking contained therein; to amend Chapter 150, Article IV, Division 1, Section 150-95 (a) so as to eliminate the prohibition of metered parking in excess of two hours in any Business District including the Central Business District; and for other purposes.

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

SEE TRANSPORTATION COMMITTEE REPORT

10-O-1251 (13) An Ordinance by **Transportation Committee** to amend the FY 2011 [Airport Renewal and Extension Fund (5502) and Airport Passenger Facility Charge Fund (5505)] Budgets by transferring to and from appropriations a total amount of \$15,869,071.00 for reimbursements of the Renewal and Extension Fund; and for other purposes.

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

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

10-R-1259 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to apply for and accept a National Center for Civic Innovation Government Trailblazer Grant on behalf of the Department of Watershed Management for Performance Reporting; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1260 (2) A Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to Atlanta Services Group, Inc., Joint Venture, for FC-4906B, Annual Contract for Architectural and Engineering Services, Stormwater Infrastructure Mapping, on behalf of the Department of Watershed Management in an amount not to exceed \$396,647.00 to fund work on Future-Condition Floodplain Delineation, as required by the Metropolitan North Georgia Water Planning District (Metro District); all contracted work to be charged to and paid from Fund, Department, Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-R-1261 (3) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture, for FC-4906D, Architectural, Engineering & Design Services-Design and Build Services for the R. M. Clayton WRC Compliance Upgrade Project on behalf of the Department of Watershed Management, in an amount not to exceed \$2,062,919.00; all work will be charged to and paid from the listed Fund, Department Organization and Account (“FDOA”) and Project Award Task Expenditure (“PATEO”) and Organization Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-R-1263 (4) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with Ed Castro Landscape, Inc., for FC-5068, Annual Contract for Landscaping Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$337,572.75; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1264 (5) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Project O'Hern House, LLC, owner of real property located at 16 William Holmes Borders Drive, SE, for the purpose of permitting an existing underground storage vault which presently extends into the public right-of-way; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1265 (6) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with United States General Services Administration, owner of real property located on the northwest corner of Cone Street, NW and Poplar Street, NW, for the purpose of installing a vehicle entry station with bollards in the public right-of-way; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 11 YEAS; 0 NAYS**
- 10-R-1266 (7) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Beulah Heights University, owner of real property located on the west side of Vernon Avenue, SE between Mercer Street, SE and Berne Street, SE, Atlanta, Georgia, for the purpose of permitting a portion of two presently existing retaining walls which partially extend into the public right-of-way along the west side of Vernon Avenue for an approximate total of thirty-eight (38) feet; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1267 (8) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$401,173.85 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1268 (9) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$409,439.82 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-R-1269 (10) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 2 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$761,329.06 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-R-1270 (11) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 4 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$265,899.45 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-R-1271 (12) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Amendment Agreement Number 5 with Precision 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$2,212,602.94 with all contracted work being charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-R-1280 (13) A Resolution by **Finance/Executive Committee** authorizing the Mayor's Office to apply for the U. S. Environmental Protection Agency Climate Showcase Communities Grant, in an amount not to exceed \$500,000.00 per grant, to Establish and Implement Climate Change Initiatives within the City of Atlanta; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1281 (14) A **Substitute** Resolution **as Amended** by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize the State of Georgia Technology Authority Contract 980-28008 with Motorola, Inc. for the purchase of Radio Communication Equipment on behalf of the Department of Aviation, in an amount not to exceed \$59,550.17; all contracted work will be charged to and paid from the PTAE0 and FDOA Numbers listed.
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A
ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-R-1282 (15) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract #SWC-30747, to purchase Respirators and Other Safety Equipment and Supplies, on behalf of the Department of Police ("Department"), in an amount not to exceed \$927,260.00. All costs shall be charged to and paid from a Grant from the United States Department of Homeland Security, from the FDOA Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1283 (16) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Sole Source Agreement with Premier Chemicals for Thioguard Magnesium Hydroxide Slurry at the RM Clayton WRC and Utoy Creek WRC, on behalf of the Department of Watershed Management, in an amount not to exceed \$900,000.00; all contracted work shall be charged to and paid from the FDOA numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1331 (17) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Option Year 3 of an Intergovernmental Agreement with the Housing Authority of the City of Atlanta, Georgia, ("AHA") to perform environmental reviews for AHA Projects and Activities which receive Federal Financial Assistance; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 10-R-1273 (18) A Resolution by **Community Development/Human Resources Committee** to adopt Local Revolving Loan Fund Policies and Procedures for the generated revenue or "Program Income" from the Community Development Block Grant Disaster Recovery (CDBG-R) Award, as required by the Georgia Department of Community Affairs (DCA).
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1344 (19) A Resolution by **Community Development/Human Resources Committee** to endorse the application of Wheat Street Charitable Foundation, Inc. and MV Residential Development, LLC, to the Georgia Department of Community Affairs for 2010 Low-Income Housing Tax Credits for the development and construction of John Robinson Senior Residences at Wheat Street Gardens, located at 315 Irwin Street, NE, Atlanta, Georgia; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

- 10-R-1274 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Gwendolyn McDonald v. City of Atlanta, Civil Action File No. 2008-EV-006152, Fulton County State Court, in the amount of \$17,500.00; authorizing said payment to be paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1275 (21) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Donna Holt v. City of Atlanta, Georgia, Civil Action File No. 2008-EV-04057, Fulton State Court, in the total amount of \$120,000.00; authorizing said payment to be paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1336 (22) A Resolution by **Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Clea Winslow, Keisha Lance Bottoms, Ivory L. Young, Jr., Howard Shook and Joyce Sheperd** authorizing the Mayor on behalf of the Department of Police, to accept a grant from the Georgia Criminal Justice Coordinating Council ("CJCC"), in the amount of \$4,500.00 for the purpose of anti-terrorism training; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

10-R-1277 (23) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 2 to the Master Wireless Agreement for Hartsfield-Jackson Atlanta International Airport's Distributed Antenna System ("DAS") with Sprintcom, Inc. and Nextel South Corp. ("Sprint-Nextel") to allow for expansion of the DAS to the Outdoor Ramp Areas on Concourse T between Gates T9 and T12. The expansion will provide Cellular Coverage for American Airlines Ramp Operations and other purposes. The amendment will result in Sprint-Nextel making all necessary additions to the existing system at no cost to the City of Atlanta.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

10-R-1278 (24) A Resolution by **Transportation Committee** authorizing the Aviation General Manager, or his designee, to issue Task Orders under Contract No. FC-4556-B, Structural Tests and Special Inspections with Terracon Consultants, Inc., in a collective amount not to exceed \$155,000.00 to provide Structural Tests and Special Inspection Services in support of Airside and Landside Projects at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

10-R-1284 (25) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-A; Architectural and Engineering Design Services, with Hartsfield Support Services Team in an amount not to exceed \$220,000.00 to provide services to Modernize the Vertical Transportation System, inclusive of escalators, elevators and moving walkways in the Central Passenger Terminal Complex, at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 10-R-1285 (26) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-A; Architectural and Engineering Design Services, with Hartsfield Support Services Team in an amount not to exceed \$2,531,380.00 to provide services for the terminal Heating Ventilation Air Conditioning Upgrades at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1286 (27) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-B, with Hartsfield-Jackson Aviation Design Collaborative, in an amount not to exceed \$100,000.00 to provide Architectural and Engineering Design Services, for the Concourse C Elevator Addition Project at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1287 (28) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-E; Architectural and Engineering Design Services, with Ascend, LLC, in an amount not to exceed \$150,000.00 to provide services for the Sanitary Sewer Assessment at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

10-R-1325 (29) A Resolution by **Transportation Committee** authorizing the Mayor or his designee to execute an Agreement to Amend and Extend the CPTC Lease, Use Agreement and Certain other Space Agreements with United Airlines, Inc., American Airlines, Inc., Continental Airlines, Inc., and U. S. Airways, Inc., ("Spoke Airlines") covering the extension of the terms of the agreements by seven years on the terms and conditions specified therein; and for other purposes.

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

10-R-1326 (30) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement to Amend and Extend the Central Passenger Terminal Complex Lease Agreement, Airport Use Agreement and Hartsfield-Jackson Atlanta International Airport Lease with AirTran Airways, Inc.; and for other purposes.

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

10-R-1332 (31) A Resolution by **Transportation Committee** authorizing the Mayor or his designee to execute a Contract with Kemi Construction, Inc., for FC-4897, Bridge Refurbishing and Stabilization Project on behalf of the Department of Public Works, in an amount not to exceed \$782,955.00 with all contracted work to be charged to and paid from various FDOA Numbers listed; and for other purposes.

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

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

10-R-1288 (1) Claim of **Gradine Faison, through her attorney, Daniel Jason**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on January 20, 2009 at 16 Jesse Hill, Jr. Drive. **\$50,000.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1289 (2) Claim of **Sabrina Williams, through her attorney, James Kelleher**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on October 15, 2009 at 200 Memorial Drive. **\$8,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1290 (3) Claim of **Deborah Ivery, through her attorney, Darius Bennett**, for damages alleged to have been sustained as a result of an automobile accident on February 17, 2010 at 2025 Hosea L. Williams Drive, SE. **\$5,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1291 (4) Claim of **Jeffery Ivery, through his attorney, Darius Bennett**, for damages alleged to have been sustained as a result of an automobile accident on February 17, 2010 at 2025 Hosea L. Williams Drive, SE. **\$5,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1292 (5) Claim of **Nurajannah Abdullah**, for property damages alleged to have been sustained from an automobile accident on June 7, 2010 at 389 Holderness Street. **\$3,240.84**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1293 (6) Claim of **Linfeng Liu**, for damages alleged to have been sustained as a result of a vehicular accident on March 6, 2010 at 10th Street at Northside Drive. **\$2,328.39**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1294 (7) Claim of **Tawania McCray**, for damages alleged to have been sustained as a result of striking a pothole on April 16, 2010 at 1150 Murphy Avenue, SW. **\$1,641.69**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1295 (8) Claim of **Joseph Schulman**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on February 22, 2010 at 4528 Wieuca Road. **\$1,593.32**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1296 (9) Claim of **Cedric Dozier**, for damages alleged to have been sustained as a result of a vehicular accident on October 26, 2009 at Central Avenue and Atlanta Avenue. **\$1,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1297 (10) Claim of **Max Friedman and Status Diamonds**, for damages alleged to have been sustained as a result of driving over a pothole on March 23, 2010 at 4528 Wieuca Road. **\$1,135.14**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1298 (11) Claim of **Rebecca Penar and Michelle Lee**, for vehicle damages alleged to have been sustained as a result of an automobile accident on April 19, 2010 at Northside Drive at 10th Street. **\$820.92**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1299 (12) Claim of **Jeffrey S. Adair**, for damages alleged to have been sustained as a result of striking a pothole on April 22, 2010 at 2356 Marietta Boulevard, NW and Bolton Road, NW. **\$703.07**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1300 (13) Claim of **Lonnie Nelson**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on November 11, 2009 at 287 10th Street. **\$695.40**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1301 (14) Claim of **Adam Terry**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on February 23, 2010 at 4500 Wieuca Road. **\$647.95**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Claims with unfavorable recommendations:

10-R-1302 (15) Claim of **Brenda Pass**, for damages alleged to have been sustained as a result of driving over a raised manhole on April 13, 2010 at 630 Joseph E. Lowery Boulevard.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

10-R-1303 (16) Claim of **National Subrogation Services, LLC, as subrogee of Christine Kalski**, for damages alleged to have been sustained as a result of a sewer backup on April 2, 2009 at 3310 West Roxboro Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

10-R-1304 (17) Claim of **Christine Kalski**, for damages alleged to have been sustained as a result of a sewer backup on April 2, 2009 at 3310 West Roxboro Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

10-R-1305 (18) Claim of **James M. Noe and Pamela Noe Godwin, through their attorney, Alan L. Newman**, for damages alleged to have been sustained as a result of a sewer backup on August 28, 2009 at 308 2nd Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

10-R-1306 (19) Claim of **Valory Crudup, through her attorney, Kenneth S. Nugent**, for damages alleged to have been sustained as a result of stepping on a water meter cover on November 4, 2009 at Kirkwood Road and Hallman Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1307 (20) Claim of **Travelers Insurance Company, as subrogee of Timothy Arrington**, for damages alleged to have been sustained as a result of driving over a recessed storm grate on August 13, 2009 at an undisclosed location.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1308 (21) Claim of **Wendy Haynes**, for damages alleged to have been sustained as a result of the execution of a search warrant on December 15, 2009 at 2608 Barge Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1309 (22) Claim of **Brandon Simmons**, for damages alleged to have been sustained as a result of driving into a sinkhole on January 13, 2010 at 3191 Kingsdale Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1310 (23) Claim of **Specialty Risk Services, as subrogee of Shawna Harvey**, for damages alleged to have been sustained as a result of a fall on an uneven area in a crosswalk on May 13, 2009 at 200 Marietta Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1311 (24) Claim of **Shawna Harvey**, for damages alleged to have been sustained as a result of a fall on an uneven area in a crosswalk on May 13, 2009 at 200 Marietta Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 10-R-1312 (25) Claim of **Aron Glinsky**, for damages alleged to have been sustained as a result of driving over a traffic control device on May 25, 2010 at Freedom Parkway and Boulevard.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1313 (26) Claim of **Archie Stroud**, for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on October 3, 2009 at Peachtree and Wall Streets.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1314 (27) Claim of **Paris Craig, through her attorney, Vernon Cloud**, for damages alleged to have been sustained as a result of walking into a broken water meter on February 22, 2009 at 241 Forsyth Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1315 (28) Claim of **Jeriel Scrubb, through his attorney, Marvin S. Arrington, Jr. Esq.**, for damages alleged to have been sustained during an arrest on December 9, 2009 at 1210 Caroline Street, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1316 (29) Claim of **Willie Ruiz, III**, for damages alleged to have been sustained as a result of striking a pothole on April 18, 2010 at 4492 Roswell Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1317 (30) Claim of **JoAnna Powell**, for damages alleged to have been sustained as a result of the erroneous discard of a trash receptacle on January 7, 2008 at 1661 Maldo Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1318 (31) Claim of **Ethele Edwards, through her attorney, Leslie Scott Jean-Bart**, for damages alleged to have been sustained as a result of tripping on a carpet roll on February 22, 2010 in the Georgia World Congress Center, 285 International Boulevard.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1319 (32) Claim of **Debra J. Jankowski**, for property damages alleged to have been sustained from a sewer backup on September 21, 2009 through February 4, 2010 at 597 Martina Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1320 (33) Claim of **Sylvia Lukowiak, through her attorney, Lisa Siegel, Esq., Katz, Stepp & Wright, LLC**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on April 1, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1321 (34) Claim of **Patricia Salgado**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on March 9, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1322 (35) Claim of **Jeanne Williams, through her attorney, Jonathan A. Pope, Hasty Pope, LLP**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on April 24, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 10-R-1323 (36) Claim of **Ceteria Ward, through her attorney, Schaefer Law Group, LLC**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on an escalator on December 25, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 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-1324 (37) Claim of **Adela Reteguín, through her attorney, Warren E. Danz, P.C.**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on an escalator on May 14, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

All items on Consent Agenda Section II (01 through 06 as follows) were Referred to the appropriate committees as a collective vote.

- 10-O-1256 (1) An Ordinance by **City Utilities Committee** authorizing the Mayor or his designee to abandon a portion of South Colonial Homes Circle, NW, located between Colonial Homes Drive, NW and South Colonial Homes Circle, NW consisting of approximately 0.614 acre and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 11 of the 17th District, Fulton County, Georgia; and to accept the donation from Pope & Land Enterprises, LLC of approximately 0.415 acre located on South Colonial Homes Circle, NW, ("The South Colonial Property") including the City of Atlanta's cost of due diligence and purchase services; and for other purposes. **(Advertised for a Public Hearing 7/27/10 at 10:00 a.m.)**
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-O-1257 (2) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$1,798,760.29 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for the Indian Creek Sewer Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 10-O-1258 (3) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Fund-5066) Budget in the amount of \$28,688,616.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriations funds for Various Capital Improvement Projects; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 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
YOLANDA ADREAN, CHAIR

- 10-O-1279 (4) An Ordinance by **Finance/Executive Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$45,000.00 for a donation from Clean Energy, to pay the incremental cost of purchasing eighteen (18) E450 Parking Shuttles for Conversion to Compressed Natural Gas; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

- 10-O-1272 (5) An Ordinance by **Community Development/Human Resources Committee** amending the Atlanta Code of Ordinances Section 110-59 by creating a new Section (F) to include Prohibited Activities in Skate Parks; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
C. T. MARTIN, CHAIR

- 10-O-1276 (6) An Ordinance by **Transportation Committee** to amend Chapter 22, Article III, Division 7, Subdivision VII, Sections 22-301 and 22-302 of the Code of Ordinances of the City of Atlanta on behalf of the Department of Aviation Ground Transportation Division, for the purpose of complying with Federal Law revisions affecting those sections; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 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 July 13, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-1203 (1) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to accept and sign a grant agreement for the 2010 Brownfield Revolving Loan Fund Grant Program in the amount of \$400,000.00; amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$400,000.00; and for other purposes.

Note: Councilmember Hall stated for the record his abstention to ordinance 10-O-1203 was due to a potential conflict of interest.

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS; 1 ABSTENTION

RESOLUTION

10-R-1333 (1) A Resolution by **Community Development/Human Resources Committee** to approve the City of Atlanta Urban Redevelopment Plan for Atlanta Urban Redevelopment Area No. 1; and for other purposes.

Chairperson Sheperd sounded the caption to 10-R-1333 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 1 nay. The Substitute was before the Council. Chairperson Sheperd then offered Amendment #1/#1. An extensive discussion ensued, during which, Sheperd offered Amendment #1/#1 to add the following language as clarification beneath "Distressed Properties Clean and Close or Demolition \$2,000,000." "The \$2 million for distressed properties shall be used for demolition, and if no properties are available, the funds can be used for additional intersection improvements and signal upgrades, ADA ramp upgrades/installation, street name sign upgrades, cross-walk upgrades/installation."

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)
JOYCE SHEPERD, CHAIR

RESOLUTION (CONT'D)

10-R-1333 (1)
(Cont'd)

A Resolution by **Community Development/Human Resources Committee** to approve the City of Atlanta Urban Redevelopment Plan for Atlanta Urban Redevelopment Area No. 1; and for other purposes.

Following, Ms Sheperd made a Motion to Adopt. It was properly Seconded and another discussion ensued. After discussion, Sheperd Amendment #1/#1 CARRIED by a roll call vote of 11 yeas; 0 nays. Chairperson Sheperd offered Amendment #2/#2 to delete Streetcar Maintenance Facility Project from Phase 2.” It was properly Seconded and an extensive discussion ensued. During discussion, Councilmember Winslow made a Motion to enter Committee of the Whole. It was properly Seconded and FAILED by a roll call vote of 4 yeas; 5 nays. Sheperd Amendment #2/#2 then CARRIED and FAILED by a roll call vote of 3 yeas; 7 Nays. Chairperson Sheperd offered Amendment #3/#3 to insert a new 11th Whereas Paragraph and re-number the old 11th Whereas Paragraph to 12th. The new 11th Whereas Paragraph to read as follows: “Whereas, the City Council has determined that the \$10 million earmarked for the local match for the Streetcar will be re-programmed in the FY 2012 Budget for additional infrastructure repairs and improvements as listed in Phase 2 in the Urban Redevelopment Plan, if: (1) the application for the federal funds in the amount of \$52 million for the Streetcar is not approved, and (2) the City cannot secure comparable funding from other sources by June 15, 2011.” It was properly Seconded and an extensive discussion ensued, in which, Councilmember Adrean offered a Friendly Amendment to add “comparable funding as stated in the Number (2) requirement.” The Friendly Amendment was accepted by Councilmember Sheperd and another discussion ensued, during which, Councilmember Willis Called the Question. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Subsequently, Sheperd Amendment #3/#3 CARRIED and FAILED by a roll call vote of 5 yeas; 6 nays. Ms. Sheperd then made a Motion to Adopt on Substitute as Amended. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 2 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 9 YEAS; 2 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the July 19, 2010 meeting of the Committee on Council was as follows:

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

Absent: Councilmembers Bond and Winslow

COMMUNICATIONS

10-C-1226 (1) A Communication by **Mayor Kasim Reed** appointing Mr. George Dusenbury as Commissioner of the Department of Parks, Recreation, and Cultural Affairs. **(Favorable by Community Development/Human Resources Committee 7/13/10.)**
CONFIRMED BY A ROLL CALL VOTE OF 9 YEAS; 1 NAY

The following Communications (02 – 04 as follows) were taken as a collective vote.

10-C-1242 (2) A Communication by **Councilmembers Carla Smith, District 1, Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael Bond, Post 1-At-Large** appointing Ms. Wendy Battaglia to serve as a member of the Tree Conservation Commission. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 7/13/10.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-C-1253 (3) A Communication from **Diane O' Steen, Executive Director, Atlanta Bar Association** submitting their appointment of Ms. Deborah S. Butera to serve as a member of the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety & Legal Administration Committee 7/13/10.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-C-1327 (4) A Communication by **Councilmember Felicia A. Moore** appointing Mr. M. Talmadge Simpson to serve as a member of the Keep Atlanta Beautiful Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 7/13/10.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

RESOLUTION

10-R-1366 (1) A Resolution by **Committee on Council** to Ratify the actions taken by the Fulton County Board of Registration and Elections that temporarily move Precincts/Polling Places in Precincts 07A, 08C, 08H, 08J and 11J during the July 20, 2010 General Primary Election and during the August 10, 2010 Run-off Election if necessary; and for other purposes.

Note: After the vote was CARRIED, Councilmember Wan made a Motion to send 10-R-1366 to the Mayor's Office for immediate signature. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Therefore, the resolution was sent to the Mayor's Office.

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

ORDINANCE FOR FIRST READING

10-O-1348 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 07A, 08C, 08H, 08J and 11J to make temporary relocations as a result of scheduled renovations or events at the voting facilities; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the July 14, 2010 meeting of the Zoning Committee was as follows:

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

Absent: None

ZONING REVIEW BOARD SUMMARY REPORT

The following Ordinances (01 – 03 as follows) were taken as a collective vote.

10-O-0522 (1) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-10-12 Use Permit for Outdoor Dining pursuant to Section 16-09.005 (1) (f), property located at **753 Edgewood Avenue N.E.**, fronting approximately 130 feet on the south side of Edgewood Avenue and approximately 190 feet on the east side of Waddell Avenue. Land Lot 19, 14th District Fulton County, Georgia. Owner: Douglas N. Eifrid; Applicant: Aurianna A. Pell; NPU-N Council District 2.

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

10-O-0524 (2) An **Amended** Ordinance by **Zoning Committee** to amend
Z-10-06 Ordinance 74-11 which rezoned property located at **3603 Piedmont Road, N.E.**, from the O-I (Office-Institutional) and R-3 (Single Family Residential) District to the A-2C (Apartment Conditional) District, for the purpose of a site plan amendment. Owner: Atlanta Housing Authority; Applicant: David Blumenthal; NPU-B Council District 7.

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

10-O-0046 (3) An **Amended** Ordinance by **Zoning Committee** to rezone property
Z-09-46 from R-4 (Single Family Residential) to MR-2-C (Multi-Family Residential-Conditional) District, property located at **884, 892, 898 and properties with the following parcel identification numbers (14-0008-0010-005-0, 14-0008-0010-006-08 and 14-0008-0010-026-6 McDonough Boulevard, S.E. and property identified as 14-0008-0010-015-9 and 0 Hanes Circle, S.E.** fronting approximately 418.45 feet on the north side of McDonough Boulevard. Depth: approximately 612.51 feet. Area: approximately 5.27 acres; Land Lot 8, 14th District, Fulton County, Georgia. Owner: Roger P. Glass, Sr.; Applicant: Roger P. Glass, Sr.; NPU-W Council District 1.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

AARON WATSON, CHAIR

ZONING REVIEW BOARD SUMMARY REPORT (CONT'D)

10-O-0647 (4)
Z-10-08

An Ordinance by **Zoning Committee** to rezone property from the C-1 (Community Business) District to the C-2 (Commercial Service) District property located at **2443 Memorial Drive, S.E.**, approximately 225 feet on the east side of Memorial Drive, beginning 225 feet from the southeast corner of Third Street. Depth: approximately 200 feet. Area: approximately 0.98 acres; Land Lot 181, 15th District, DeKalb County, Georgia. Owner: Marion L. Cooper; Applicant: Michael A. Edy; NPU-O Council District 5.

ADVERSED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

The following Ordinances (05 – 06 as follows) were taken as a collective vote.

10-O-0523 (5)
U-10-11

An Ordinance by **Zoning Committee** granting a Special Use Permit for Outdoor Dining pursuant to Section 16-18P.007, property located at **905 Juniper Street, N.E.** fronting approximately 219 feet on the east side of Juniper Street and approximately 196 feet on the south side of 8th street. Depth: varies; Area: approximately 1.02 acres; Land Lot 49, 14th District, Fulton County, Georgia. Owner: 905 Juniper Street Homeowners Association; Applicant: Ricardo Ullio; NPU-E Council District 2.

FILED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

10-O-0649 (6)
U-10-14

An Ordinance by **Zoning Committee** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g), property located at **3056 Embry Way, S.E.** fronting approximately 97 feet on the west side of Embry Way and approximately 55 feet on the south side of Alyson Court. Depth: varies; Area: approximately 0.213 acres; Land Lot 62, 14th District, Fulton County, Georgia. Owner: Amrose Filicia Tandongor; Applicant: Amrose Filicia Tandongor; NPU-Z Council District 12.

FILED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the July 13, 2010 meeting of the City Utilities Committee was as follows:

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

Absent: None

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

Council President Cesar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)

YOLANDA ADREAN, CHAIR

Attendance at the July 14, 2010 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Wan

ORDINANCES FOR SECOND READING

10-O-1208 (1) A **Substitute** Ordinance by **Finance/Executive Committee as Substituted by Full Council** authorizing the Chief Financial Officer to amend the FY 2010 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations grant funds in the total amount of \$4,819,273 from the Federal Aviation Administration for Project Number 3-13-0008-094-2010 "Rehabilitate Taxiway L & M (Westside)-Construction"; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 10-O-1208 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. The Substitute was before the Council. Ms. Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

10-O-1209 (2) An Ordinance by **Finance/Executive Committee as Substituted by Full Council** authorizing the Chief Financial Officer to amend the 2010 Airport Renewal and Extension Fund Budget, Department of Aviation, by adding to anticipations and appropriations grant funds in the total amount of \$10,000,000 from the Federal Aviation Administration for Letter of Intent # ASO-02-2, Payment #8-Extend Runway 10/28, Project Number 3-13-0008-93-2010, for the payment of debt service on the City of Atlanta Airport Passenger Facility Charge and Subordinate Lien Revenue Bonds, Series 2004E; and for other purposes.

Chairperson Adrean sounded the caption to 10-O-1209 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. The Substitute was before the Council. Ms. Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-1210 (3) An Ordinance by **Finance/Executive Committee as Substituted by Full Council** authorizing the Chief Financial Officer to amend the FY 2010 Budget by adding to anticipations and appropriations grant funds in the total amount of \$2,500,000 from the Federal Aviation Administration for Letter of Intent # ASO-06-01, Payment #5-Construct Taxiway V (8R End Around); and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 10-O-1210 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays. The Substitute was before the Council. Ms. Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

10-O-1252 (4) An Ordinance by **Finance/Executive Committee as Substituted by Full Council** to amend the 2011 Intergovernmental Grant Fund Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$200,000.00 from the fund for Cities of Service, Inc. for the Cities of Service Leadership Grant; to authorize the Mayor to execute all necessary grant agreements; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 10-O-1252 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. The Substitute was before the Council. Ms. Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 9 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 July 13, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the July 14, 2010 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Willis

ITEM REMOVED FROM CONSENT AGENDA

10-O-1227 (1) An Ordinance by **Councilmembers Michael Julian Bond, Kwanza Hall, Natalyn Archibong, Ivory Lee Young, Jr., Cleta Winslow, Alex Wan, Keisha Lance Bottoms, Joyce M. Sheperd, C. T. Martin, H. Lamar Willis and Yolanda Adrean as Substituted by Transportation Committee** to amend Chapter 150, Article IV, Division 3, Section 150-132 of the City of Atlanta Code of Ordinances to establish Metered Space Parking Zones throughout the City of Atlanta; to amend Chapter 150, Article IV, Division 1, by deleting Section 150-94 so as to eliminate the prohibition on Overnight Parking contained therein; to amend Chapter 150, Article IV, Division 1, Section 150-95 (a) so as to eliminate the prohibition of metered parking in excess of two hours in any Business District including the Central Business District; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Wan. Following, Councilmember Bond was recognized and offered Amendment #1/#1 to amend on Page #4, Section 3 to add the phrase "but do not historically have on-site parking" and on Page #5, Section 4 to read as follows: "This ordinance shall be and become effective immediately upon its adoption by Council and approval by the Mayor, with the exception of subparagraph (h) of Section 150-132 which will go into effect ninety (90) days after approval of this ordinance." It was Properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays. Mr. Bond then made a Motion to Adopt on Substitute as Amended. An extensive discussion ensued, after which, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 10 yeas; 0 nays.

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

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/REFERRED

10-R-1358 (1) A Resolution by **Councilmember Alex Wan** appointing Mr. Julian Bene as the Full Council appointee to the Atlanta Development Authority Board of Directors in the Business Category for a term of four (4) years; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-R-1416 (2) A Resolution by **Councilmembers Michael Julian Bond, Ivory Lee Young, Jr. and Cleta Winslow** to create a committee to study and make recommendations pertaining to traffic calming, mitigation of traffic congestion and pedestrian safety in the areas bounded by Martin Luther King Jr. Drive, Northside Drive, West End and Joseph E. Lowery Boulevard; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ORDINANCES/REFERRED

10-O-1417 (1) An Ordinance by **Councilmember Michael Julian Bond, Aaron Watson, Joyce M. Sheperd, H. Lamar Willis, Kwanza Hall and Ivory Lee Young Jr.** to amend Chapter 150, Article IV, Division 3 of the City of Atlanta Code of Ordinances Entitled "Parking Meters" so as to provide for a new Section 150-138 Entitled "Installation of New Parking Meters;" and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

10-O-1418 (2) An Ordinance by **Councilmembers Michael Julian Bond, Aaron Watson, Joyce M. Sheperd, Cleta Winslow, H. Lamar Willis and Ivory Lee Young, Jr.** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the Use Chart for SPI-11 Vine City & Ashby Station Special Public Interest District Regulations so as to provide that Two-Family Dwellings are not permitted principal uses within Sub-Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12; so as to provide that Rooming Houses are not permitted principal uses within Sub-Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12; so as to provide that additionally shelters are not permitted principal uses within Sub-Area 3; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 10-O-1419 (3) An Ordinance by Councilmembers **H. Lamar Willis, Alex Wan, Joyce M. Sheperd, Aaron Watson, Michael Julian Bond, Kwanza Hall, Ivory Lee Young, Jr. and Yolanda Adrean** to amend Chapter 10, Article II of the City of Atlanta Code of Ordinances so as to create a category for permitted liquor licensure for nonprofit Park Conservancy, Park Friends or Park Alliance Partners of the City of Atlanta; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 10-O-1420 (4) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to rename Kennedy Street NW from Gray Street to Oliver Street renamed to Alexander Street; to waive Section 138-8 (c) of the Code of Ordinances of the City of Atlanta; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 10-O-1421 (5) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to repeal Chapter 2, Administration, Article XVI, Boards, Councils, Commissions and Authorities, Division 6, Criminal Justice Coordinating Council, in its entirety, so as to eliminate the conflict between the provisions concerning the Criminal Justice Coordinating Council therein and those in Chapter 98, Law Enforcement, Article I, In General, Section 98-2, Criminal Justice Coordinating Council; to repeal conflicting ordinances; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 10-O-1422 (6) An Ordinance by **Councilmember Natalyn Mosby Archibong** 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-10-002 (2134/2138 Wisteria Way, SE) applicant deposit a dollar amount (\$1,300.00) equal to the value of the required sidewalk construction into a designated trust fund account for District 5; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the July 19, 2010 meeting of the Atlanta City Council was adjourned at 6:58 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Sheperd, Bond and Watson (10); the attendance of Councilmember Willis was not signified upon the adjourning roll call (1).