

ATLANTA CITY COUNCIL

ACTION/MINUTES

OCTOBER 04, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 04, 2010. The Meeting convened at 1:13 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 (15) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *1:50	The Honorable C. T. Martin
The Honorable Ivory L. Young, Jr.	The Honorable Keisha Lance Bottoms
The Honorable Clela Winslow	The Honorable Joyce Sheperd
The Honorable Natalyn Archibong *2:33	The Honorable Michael J. Bond *1:51
The Honorable Alex Wan	The Honorable Aaron Watson *1:50
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:33
The Honorable Yolanda Adrean	

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

INVOCATION: Sr. Pastor Paul M. Turner of the Gentle Spirit Christian 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 **September 20, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

SUSPEND THE RULES OF COUNCIL: During the Council Meeting, **Councilmember Martin** made a Motion to **Suspend the Rules of Council** to allow for Mayor Kasim Reed to speak regarding HB 277. It was properly Seconded and **CARRIED** by a roll call vote of **14 yeas; 0 nays**. Therefore, the Rules of Council were suspended. After the Mayor made his statements, and responded to questions by Council, **Councilmember Martin** made a Motion to **re-enter Regular Session**. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **13 yeas; 0 nays**. (Mayor Comments p. 44)

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-1758 (1) A Communication by **Mayor Kasim Reed** re-appointing Ms. Ola W. Reynolds as a member of the Perry/Bolton Tax Allocation District (TAD) Neighborhood Advisory Committee in the NPU-G Category on behalf of the City of Atlanta. This re-appointment is for a term of one (1) year to begin retroactively on March 07, 2010 and expire on March 07, 2011.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1759 (2) A Communication from **Stanley Pritchett, Ed.D., President, Morris Brown College, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. Richard Johnson to serve as a member of the study of Traffic Calming, Mitigation of Traffic Congestion and Pedestrian Safety in the areas bounded by Martin Luther King Jr., Drive, Northside Drive, West End Ave. and Joseph E. Lowery Boulevard. **(does not require Council confirmation)**
FILED WITHOUT OBJECTION
- 10-C-1760 (3) A Communication from **John E. Maupin, Jr., DDS, President, Morehouse School of Medicine, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. Kimberly H. Jackson to serve as a member of the study of Traffic Calming, Mitigation of Traffic Congestion and Pedestrian Safety in the areas bounded by Martin Luther King Jr., Drive, Northside Drive, West End Ave. and Joseph E. Lowery Boulevard. **(does not require Council confirmation)**
FILED WITHOUT OBJECTION
- 10-C-1761 (4) A Communication from **Robert M. Franklin, President, Morehouse College, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. Andre Bertrand to serve as a member of the study of Traffic Calming, Mitigation of Traffic Congestion and Pedestrian Safety in the areas bounded by Martin Luther King Jr., Drive, Northside Drive, West End Ave. and Joseph E. Lowery Boulevard. **(does not require Council confirmation)**
FILED WITHOUT OBJECTION
- 10-C-1762 (5) A Communication by **Interim Chief Financial Officer Roosevelt Council** submitting the Department of Watershed Management Administrative Write-Offs totaling \$8,068,067.39 in compliance with Ordinance 90-O-1324.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND CITY UTILITIES COMMITTEE WITHOUT OBJECTION

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

10-C-1763 (6) A Communication by **Mayor Kasim Reed** appointing Mrs. Mona J. Kelly to serve as a member of the Atlanta Workforce Development Agency (AWDA) Board on behalf of the City of Atlanta. This appointment is for a term of two (2) years. **(does not require Council confirmation)**

FILED WITHOUT OBJECTION

10-C-1805 (7) A Communication by **Mayor Kasim Reed** appointing Ms. Cathy Hampton to serve as City Attorney for the City of Atlanta, 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-1806 (8) A Communication by **Mayor Kasim Reed** appointing Mr. Louis Miller to serve as Aviation General Manager for the City of Atlanta, scheduled to begin on the date of Council confirmation.

REFERRED TO TRANSPORTATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-C-1807 (9) A Communication by **Councilmembers Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael Julian Bond, Post 1 At-Large** appointing Reverend Bernice King 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

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **13 Yeas: Councilmembers Smith, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis: 0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

10-O-1169 (1) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1653 (2) A **Substitute** Ordinance by **Finance/Executive Committee** to authorize the acquisition of eleven (11) properties, pursuant to the City's participation in the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Program ("FEMA Grant"); authorizing the Mayor to enter into an Agreement with property owners and other appropriate documents for the acquisition of the properties included in the FEMA Grant Program: to authorize receipt of funds from FEMA to offset any acquisition costs in accordance with the FEMA Grant; to authorize the Mayor to enter into and execute a Sub-Grantee Agreement with the Georgia Emergency Management Agency ("GEMA"); to waive portions of Article X of the Procurement and Real Estate Code; to authorize the City Attorney to use the assistance of outside counsel to effectuate the acquisition; to authorize the Chief Procurement Officer to obtain title work, surveys, environmental tests, appraisals and other appropriate due diligence items to effectuate the acquisition of the properties; to charge and pay for acquisition costs from the listed Fund Department Organization and Account Numbers 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)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

10-O-1658 (3) An Ordinance by **Finance/Executive Committee** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Cognos Maintenance and Support Services by International Business Machines under an Expired Agreement for the period beginning April 1, 2010 through September 30, 2010 for an amount not to exceed \$30,000.00; to authorize the Mayor or his designee to enter into an appropriate Renewal Agreement with International Business Machines for Cognos Maintenance and Support Services beginning October 1, 2010 through March 31, 2011 in an amount not to exceed \$30,000.00, for a total amount not to exceed \$60,000.00 to be charged to and paid from Fund, Department, Organization, and Account Numbers 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/ Professional Services – Technical) 1535000 (Data Processing/ Management Information Systems); and for other purposes.

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

10-O-1659 (4) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing and directing the Department of Finance to create a Trust Account for the deposit of all donations and grant monies received for the Centers of Hope; and to amend Section 2-910 of the Atlanta Code of Ordinances to allow Centers of Hope Grant Funds to be received without Council authorization in certain circumstances; and for other purposes.

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

10-O-1695 (5) An Ordinance by **Finance/Executive Committee** to amend Section 146-26(f), of the Code of Ordinances of the City of Atlanta, so as to change the Special Tax District (Library) Levy; to provide that the Tax Rate established herein shall remain fixed each year until amended or repealed; 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)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

10-O-1664 (6) An Ordinance by **Public Safety and Legal Administration Committee** to accept a grant from the United States Department of Homeland Security (DHS), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist attacks through the purchase of specialized equipment, and to amend the 2011 (Intergovernmental Grant Fund) Budget Department of Police, by adding to anticipations and appropriations in the amount of \$42,300.00; and for other purposes.

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

10-O-1665 (7) A **Substitute Ordinance by Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations the amount of \$756,814.00 due to modifications 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; and for other purposes.

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

10-O-1737 (8) An Ordinance by **Councilmember Ivory L. Young, Jr.** to waive the provisions of Chapter 162, Article II, Division, 5, Section 162-116, of the City of Atlanta Code of Ordinances so as to permit each Taxicab Company to operate one (1) taxicab which does not comply with the color scheme approved by the Bureau of Taxicabs and Vehicles for Hire as provided in 162-116 during the month of October, 2010 only, to maintain the requirement that said taxicab be marked with the logo or insignia associated with the Taxicab Company; 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)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

10-O-1168 (9) 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. (Public Hearing held 6/29/10)
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1461 (10) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to amend the future Land Use Map of the 2008 City of Atlanta Comprehensive Development Plan (CDP) so as to re-designate property located at **31 Anderson Avenue, NW, A.K.A. 1821 Anderson Avenue, NW**, A.K.A. Tax Parcel Identification Number 14 0174LL020, from Low Density Residential (LDR) to the Medium Density Residential Designation; and for other purposes. (CDP Public Hearing held on 9/13/10)

NPU-J

Council District 3

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

10-O-1735 (11) An Ordinance by **Councilmember Joyce Sheperd as Substituted by Community Development/ Human Resources Committee** to authorize Amendment 1 to the Lakewood Fairgrounds Lease between the City of Atlanta and Georgia Film and Television Center to expand and modify the composition of the Task Force created thereby; 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

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-R-1723 (1) A Resolution by **Finance/ Executive Committee** authorizing the Mayor or his designee to make an additional purchase under the previously-authorized cooperative purchasing agreement with Softchoice Corporation, an authorized reseller of Numara Footprints Asset Management Bundle software for additional software licenses to track and manage the City's technology hardware inventory on behalf of the Department of Information Technology and the Department of Watershed Management, in an amount not to exceed \$94,292.25; all contracted work shall 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 13 YEARS; 0 NAYS
- 10-R-1727 (2) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the Mayor's Office to apply for the U.S. Department of Housing and Urban Development 2010 Lead-Based Paint Hazard Control and the Lead Hazard Reduction Demonstration Grant programs, in an amount not to exceed \$2,000,000.00, to control lead-based paint hazards in housing units within the City of Atlanta; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEARS; 0 NAYS
- 10-R-0881 (3) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute Renewal Agreement Number 2, FC-7665-04A Citywide Janitorial Services, between the City of Atlanta and A-Action Janitorial, Inc., on behalf of the Executive Offices-Office of Enterprise Assets Management to include the sites and funding for the Office of Enterprise Assets Management, Department of Police and the Department of Watershed Management. The total contract not to exceed amount is \$1,063,483.08. Funds to be encumbered in Fiscal Year 2011 pending Budget approval. All contracted work shall be charged to and paid from the below referenced accounts.
ADOPTED SUBSTITUTE 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 (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 10-R-1696 (4) A Resolution by **Councilmembers C. T. Martin, Michael J. Bond, H. Lamar Willis, Keisha Lance Bottoms and Joyce Sheperd** authorizing the Mayor or his designee to conduct a study on the installation of a traffic signal system at the intersection of Tell Road/ Butner Road/ County Line Road, SW; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1749 (5) A Resolution by **Transportation Committee** to correct Resolution Number 09-R-1896 which authorized the entry into an agreement with Wright-Brown Electric Company, Inc., for FC-3006008004, for Installation, Relocation, Removal, and/or Revisions of Pedestrian Signal and/or Street Lights and Associated Hardware to relocate all traffic signal equipment along State Route 139 between Gordon Place, SW, and Florida Avenue, SW, for Project Number CSSFT-008-00(277), P.I. No. 0008277; Safety Action Plan Utility Relocations; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1752 (6) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract FC-6006007929-E with Ascend, LLC (Ascend), a Limited Liability Company comprised of Post, Buckley, Schuh, & Jernigan, Inc., Prime Engineering, Inc., Delon Hampton and Associates, Inc., and Street Smarts, Inc., to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1753 (7) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract FC-6006007929-C with Aviation Infrastructure Solutions (AIS), a Joint Venture comprised of Pond and Company, Inc., LPA Group Incorporated, and Long Engineering Inc., to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 10-R-1754 (8) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract FC-6006007929-B with Hartsfield-Jackson Aviation Design Collaborative (H-JADC), a Joint Venture comprised of Robert L. Brown & Associates, Inc., Pierce, Goodwin, Alexander & Linville, Inc., and Scott Associates Architects, Inc., to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1755 (9) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract FC-6006007929-D With Hartsfield-Jackson Transportation Group (H-JTG), a Joint Venture comprised of Jacobs JJ&G Inc., Edwards and Kelcey, Inc., and Benchmark Management LLC, to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1756 (10) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract FC-6006007929-A with Hartsfield Support Services Team (HSST), a Joint Venture comprised of Heery International Inc., SDG Associates, PLLC, Matrix 3D, LLC., and Richard+Wittschiebe, Inc., to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; 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
JOYCE SHEPERD, CHAIR

10-R-1725 (11) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into an Intergovernmental Agreement with the Atlanta Development Authority in an amount not to exceed \$300,000.00 from the "Neighborhood Allocations" created in connection with the implementation of the Westside Tax Allocation Bond District, Number 1, as amended-Atlanta/ Westside (The "Westside TAD") Funds for the purpose of funding the demolition of structures unfit for human habitation, the clean and close of abandoned structures and/or the abatement of excessive overgrowth and junk, trash, or debris on properties within the English Avenue and Vine City Neighborhoods; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1734 (12) A Resolution by **Councilmembers Joyce Sheperd, Aaron Watson, Michael J. Bond, Cleta Winslow, Carla Smith, Alex Wan, Keisha Lance Bottoms, Yolanda Adrean, H. Lamar Willis, Ivory Lee Young, Jr. and Kwanza Hall** supporting the adoption of the Beltline Community Benefit Guiding Principles; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

CITY UTILITIES COMMITTEE
NATALYN M. ARCHIBONG, CHAIR

10-R-1740 (13) A Resolution by **City Utilities Committee** correcting Resolution Number 09-R-2183 an agreement with Wright-Brown Electric Company, Inc., for FC-3006008004, for Installation, Relocation, Removal, and/or Revisions of Pedestrian Signal, Reversible Lane Signals and/or Street Lights and Associated Hardware for the Barge Road Pedestrian Signal Project; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1746 (14) A Resolution by **City Utilities Committee** authorizing the Mayor to issue payment for the second year funding of the Agreement FC-4896, Parking Services, with LAZ Parking Limited, LLC, on behalf of the Department of Watershed Management, for the lease of real property at 135 Forsyth Street, SW in an amount not to exceed \$78,000.00; all contracted services shall 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 13 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

- 10-R-1703 (1) Claim of **JNR Adjustment and Phoenix Loss Control, Inc., as subrogee of Comcast**, for damages alleged to have been sustained to its cable during the repair of a water main on July 15, 2009 at 2604 Bluestone Drive, Sandy Springs. **\$9,447.32**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1704 (2) Claim of **Joshua and Charlotte E. Goldfarb**, for property damages alleged to have been sustained from flooding due to an improperly installed storm sewer catch basin on May 3, 2010 at 2817 Dover Road, NE. **\$9,130.73**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1705 (3) Claim of **USAA, as subrogee of Deric D. McNealy**, for damages alleged to have been sustained as a result of an automobile accident on December 16, 2009 at 2396 Hill Street, NW. **\$4,626.41**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1706 (4) Claim of **Harry D. Bassett**, for property damages alleged to have been sustained from an automobile accident on May 27, 2010 at 538 Griffin Street, NW. **\$3,356.87**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10/4/10 Action Minutes

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-1707 (5) Claim of **Karen and Charles Kaplan**, for damages alleged to have been sustained as a result of the repair of a water line on June 11, 2009 at 225 Cross Roads Lane. **\$1,435.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1708 (6) Claim of **Judy Vines**, for damages alleged to have been sustained to a retaining wall as a result of a vehicular accident on May 21, 2010 at 1886 Mallard Street. **\$1,350.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1709 (7) Claim of **Juleen Jackson**, for property damages alleged to have been sustained from an automobile accident on June 8, 2010 at 3655 Cascade Road, SW. **\$1,102.19**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1710 (8) Claim of **Demario Thomas**, for property damages alleged to have been sustained when a rock flew from a city truck and chipped the paint from the hood of a vehicle on July 2, 2010. **\$750.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1711 (9) Claim of **Briana Gibbs and Nathaniel Jackson**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on May 3, 2010 at 525 Baker Circle. **\$532.50**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1712 (10) Claim of **Jesse Wang**, for property damages alleged to have been sustained as a result of flooding from a water main leak on November 8, 2008 at 1431 Moores Mill Road. **\$545.00**
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 unfavorable recommendations:

- 10-R-1713 (11) Claim of **Sederia R. Scott**, for damages alleged to have been sustained during a sewer rehabilitation project on July 17, 2010 at 1391 Graham Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1714 (12) Claim of **Omalisa D. Draper, through her attorney, Torris Butterfield**, for damages alleged to have been sustained as a result of a trip and fall in a sinkhole on July 20, 2009 at 963 Edgewood Avenue, Inman Park.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1715 (13) Claim of **Matthew Jarvis**, for damages alleged to have been sustained as a result of a vehicular accident on March 14, 2006 at 309 Thornton Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1716 (14) Claim of **Shequita Walker, through her attorney, Robert Douglas Ortman, Attorney at Law**, for damages alleged to have been sustained from an arrest incident by police on February 11, 2010 at 465 Boulevard, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/ EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

All items on Consent Agenda Section II (01 through 08 as follows) were Referred to the appropriate committees as a collective vote.

10-O-1722 (1) An Ordinance by **Finance/ Executive Committee** to amend the Fiscal Year 2011 (Airport Revenue Fund and Renewal & Extension Fund) Budgets by transferring appropriations in the amounts of \$3,666,660.00 and \$472,008.00 respectively to the funds: Reserve Account for the purposes of enhancing the City of Atlanta Department of Aviation's financial position; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1751 (2) An Ordinance by **Finance/ Executive Committee** to allow excess annual leave and compensatory time carried forward through the Year 2010 pursuant to Ordinance 09-O-1214, to be carried over through the Year 2013; to provide that such excess leave time be used by the end of the last pay period of each year through 2013; to repeal conflicting ordinances; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1757 (3) An Ordinance by **Finance/ Executive Committee** to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 114 (Personnel), Article II Compensation, Payroll Deductions and Charitable Contributions), Division 1 (Generally), Section 114-28 (Deduction of Labor Organization Dues from Salaries); to eliminate the quadrennial re-certification requirement and change the jurisdiction of employee organizations; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

10-O-1717 (4) An Ordinance by **Public Safety and Legal Administration Committee** to accept a grant from the United States Department of Homeland Security ("DHS"), to aid the City of Atlanta in its ongoing effort to protect itself from terrorist bomb attacks, through the purchase of specialized equipment for the Department of Police's Special Weapons And Tactics Unit ("SWAT"), and to amend the 2011 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$35,552.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1718 (5) An Ordinance by **Public Safety and Legal Administration Committee** amending Chapter 114, Personnel, Article "V", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia ("City"), so as to create an Accountant Assistant position for the Atlanta Police Department ("Department") to process purchasing for the High Intensity Drug Trafficking Area ("HIDTA") Task Force; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
C. T. MARTIN, CHAIR

10-O-1719 (6) An Ordinance by **Transportation Committee** to amend Chapter 22, Article III, Division 3, Section 22-110 of the Code of Ordinances of the City of Atlanta, Georgia, so as to conform with the requirements of Georgia Law Regarding Firearms; to repeal conflicting ordinances; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1720 (7) An Ordinance by **Transportation Committee** to amend the FY 2011 (Airport Renewal and Extension Fund (5502) and the Airport Passenger Facility Charge Fund (5505)) Budgets by transferring to and from appropriations a total amount of \$11,745,346.00 for reimbursement of the Renewal and Extension Fund; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 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
JOYCE SHEPERD, CHAIR

- 10-O-1702 (8) An Ordinance by **Community Development/ Human Resources Committee** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$40,000.00 for one Grant Award from the National Endowment for the Arts for the purpose of funding the Office of Cultural Affairs Cultural Experience Project; to authorize the Mayor or his designee to accept a \$40,000.00 Grant Award from the National Endowment for the Arts so as to fund the Cultural Experience Project in consortium with the Atlanta Public Schools; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

FINANCE/ EXECUTIVE COMMITTEE (1)

YOLANDA ADREAN, CHAIR

Attendance at the September 29, 2010 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Willis

ORDINANCES FOR SECOND READING

10-O-0599 (1) A **Substitute** Ordinance by **Finance/Executive Committee** amending and restating the Fourteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009 (09-O-1099) as amended by a First Amendment to Fourteenth Supplemental Bond Ordinance (09-O-1407) all of which amends and supplements the Restated and Amendment Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented; to provide for the issuance of Airport General Revenue Bonds, Series 2010A (The "Series 2010A Bonds"), and to provide for the issuance of Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2010B (The "Series 2010B Bonds", together with the Series 2010A Bonds, the "Series 2010A/B Bonds"), in the combined Aggregate Principal Amount of not to exceed \$800,000,000.00; to provide funds to finance or refinance, in whole or in part, the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport, including certain Capitalized Interest during construction, to provide for a reasonably required Debt Service Reserve, and to pay expenses relating thereto; to authorize and approve the preparation, use and distribution of an Official Statement in connection with the Offer and Sale of the Series 2010 A/ B Bonds; to grant the Mayor the authority to deem final the Preliminary Official Statement for purposes of Securities and Exchange Commission Rule 15c2-12; granting the Mayor the authority to approve and execute a Final Official Statement; to approve the forms of a Continuing Disclosure Agreement, a Bond Purchase Agreement, and certain other Agreements in connection with said Series 2010 A/ B Bonds; to authorize the conduct of a public hearing as required by Internal Revenue Code Section 147(F), the Negotiation and Purchase of Municipal Bond Insurance and the Selection of said Series 2010 A/ B Bond Insurer with respect to all or a portion of said Bonds, if determined to be in the best interest of the City; to designate a Paying Agent and Bond Registrar; to provide for the form of the Series 2010 A/ B Bonds and for the execution of the Series 2010 A/ B Bonds; to provide for the place of payment of the

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-0599 (1) principal of and interest on the Series 2010 A/ B Bonds; to amend
(Cont'd) the Debt Service Reserve requirement for Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds; and for other purposes.

Note: Councilmember Young stated for the record his abstention to Ordinance 10-O-0599 was due to a potential conflict of interest.

After the vote was CARRIED, there was a Motion to send the ordinance to the Mayor's office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays; 1 abstention. Therefore, 10-O-0599 was sent to the Mayor's office expeditiously.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

10-O-1739 (2) An Ordinance and Charter Amendment by **Councilmember Natalyn Mosby Archibong as Substituted by Finance/ Executive Committee** to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws P. 4469 et seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new subparagraph (d); to repeal conflicting Ordinances and Charter Amendments; and for other purposes. (2nd Reading, 1st Adoption)
REFERRED SUBSTITUTE TO FINANCE/ EXECUTIVE COMMITTEE FOR 3RD READING/ FINAL ADOPTION BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10/4/10 Action Minutes

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 September 28, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmembers Archibong and Bottoms

RESOLUTION

10-R-1750 (1) An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing Police Chief George Turner of the Atlanta Police Department (APD) for the City of Atlanta to be reemployed pursuant to §3-505(b), as amended, of the Charter of the City of Atlanta; salary shall be paid in an amount not to exceed \$200,211.00 annually from FDOA Number 1001 (General Fund) 240101 (APD Chief Administration) 5111001 (Salaries) 1320000 (Activity); and for other purposes.

The Motion from committee was Favorable as Amended on Condition; however, Chairperson Young sounded the caption to Resolution 10-R-1750 and made a Substitute Motion to File. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

FILED AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the September 29, 2010 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Willis

RESOLUTION

10-R-1726 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement for contract with Architectural and Engineering Design Firms, to provide continued Professional, Architectural and Engineering Design Services for the Department of Aviation on a Task Order Basis; and for other purposes.

FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the September 28, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

The Standing Committee of Community Development/ Human Resources did not have a report.

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the September 29, 2010 meeting of the Zoning Committee was as follows:

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

Absent: None

ZONING REVIEW BOARD ITEMS

The following items (01 through 02) were taken as a collective vote.

10-O-1170 (1) An Ordinance by Councilmembers Natalyn Archibong and
Z-10-14 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.
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1460 (2) An Ordinance by Councilmember Ivory Lee Young, Jr. to rezone
Z-10-22 **31 Anderson Avenue N. W. A.K.A. 1821 Anderson Avenue N. W. A.K.A.** Tax Parcel Identification Number 140174LL020 from R-4 (Single-Family Residential) and O-I (Office-Institutional) Zoning Districts to the RG-3 (Residential General-Sector 3) Zoning District.
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

The following items (03 through 07) were taken as a collective vote.

10-O-0961 (3) An Amended Ordinance by Zoning Committee granting a Special
U-10-19 Use Permit for a Daycare Center pursuant to Section 16-35.007 (1)(c) property located at **2392 Donald Lee Hollowell Parkway, N. W.** 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; Land Lot 177, 14th District, Fulton County, Georgia. Owner: William H. Palmer, Sr.; Applicant: William H. Palmer, Sr.; NPU-J Council District 9.
ADOPTED AS AMENDED 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

ZONING REVIEW BOARD ITEMS (CONT'D)

10-O-1476 (4)
U-10-27 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-04.005 (1)(b) for a Prekindergarten/ Kindergarten, property located at **4300 Northside Drive, N. W.**, fronting approximately 524 feet on the north side of Conway Drive and approximately 750 feet on the west side of Northside Drive at the intersection of Conway Drive and Northside Drive. Depth: varies; Area: approximately 11.8 acres; Land Lot 161, 17th District, Fulton County, Georgia. Owner: Northwest Presbyterian Church; Applicant: Tammy S. Wingate; NPU-A Council District 8.

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

10-O-1477 (5)
U-10-28 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-06.005 (1)(c) for a Church, property located at **2961-2965 Jonesboro Road, S. E.** fronting approximately 188 feet on the west side of Jonesboro Road and approximately 677 feet south west of the intersection of School Drive and Jonesboro Road. Depth: varies; Area: approximately 1.716 acres; Land Lot 36, 14th District, Fulton County, Georgia. Owner: Josiah Osasona; Applicant: Josiah Osasona; NPU-Z Council District 12.

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

10-O-1459 (6)
U-10-30 An Ordinance by **Councilmember Ivory Lee Young, Jr. as Amended by Zoning Committee** to grant a Special Use Permit for a Nursing Home to Atlanta Association for Convalescent Aged Persons, Inc., operated as the Sadie G. Mays Health & Rehabilitation Center, for property located at **31 Anderson Avenue N. W. A.K.A. 1821 Anderson Avenue N. W. A.K.A.** Tax Parcel Identification Number 140174LL020.

**ADOPTED AS AMENDED 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

ZONING REVIEW BOARD ITEMS (CONT'D)

10-O-0957 (7)
Z-10-11 An **Amended Ordinance by Zoning Committee** to rezone from the C-2 (Commercial Service) District to the MRC-2 (Mixed Residential Commercial) District, property located at **300 and 306 Ponce de Leon Avenue, N. E. and 679 Argonne Avenue, N. E.**, fronting approximately 100.35 feet on the north side of Ponce de Leon Avenue at the south east intersection of Argonne Avenue and Ponce de Leon Avenue. Depth: varies; Area: approximately 0.427 acres; Land Lot 48, 14th District, Fulton County, Georgia. Owner: The Bootery Inc., Profit Sharing, Et. Al.; Applicant: Robert M. Cain; NPU-E Council District 6.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

The following items (08 through 10) were taken as a collective vote.

10-O-1339 (8)
Z-10-17 An Ordinance by **Councilmember Howard Shook as Substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by replacing Chapter 18I. SPI-9 Buckhead Village Overlay District Regulations with a Chapter entitled 18I. SPI-9 Buckhead Village Special Public Interest District Regulations; and to amend the official zoning map by supplanting existing zoning districts with said SPI-9 Buckhead Village District maps; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1340 (9)
Z-10-18 An Ordinance by **Councilmember Howard Shook as Substituted by Zoning Committee** to amend the City of Atlanta Sign Ordinance by adding a new Section 16-28A.010(19) regulating the signage allowed in the Buckhead Village Special Public Interest Zoning District (SPI-9); and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1341 (10)
Z-10-19 An Ordinance by **Councilmembers Cleta Winslow and Michael Julian Bond as Substituted by Zoning Committee** amending the 1982 Atlanta Zoning Ordinance, as amended, by amending the Use Chart for SPI-21 Historic West End/ Adair Park Special Public Interest District Regulations so as to provide that Pawn Shops are not permitted uses within sub-areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

AARON WATSON, CHAIR

ZONING REVIEW BOARD ITEMS (CONT'D)

10-O-0895 (11) An Ordinance by **Zoning Committee** granting a Special Use
U-10-15 Permit for a Daycare Center pursuant to Section 16-16-06.005
(1)(b) property located at **1617 Athens Avenue, S. E.** fronting
approximately 71 feet on the west side of Athens Avenue and
approximately 80 feet northwest of the intersection of Athens
Avenue and Claire Drive. Depth: approximately 130 feet; Area:
approximately 0.212acre; Land Lot 104, 14th District, Fulton
County, Georgia. Owner: Lavonne T. Turner; Applicant: Eugenia
Johnson; NPU-X Council District 12.

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

ORDINANCE FOR SECOND READING

10-O-1736 (1) An Ordinance by **Councilmember Alex Wan** authorizing the
installation of Public Art at 1019 Virginia Avenue, NE, as
pursuant to Code Section 16-28.025 of the 1982 Zoning
Ordinance of the City of Atlanta; and for other purposes.

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

ORDINANCES FOR FIRST READING

All items for First Reading (01 through 05 as follows) were Referred to the Zoning Review Board and Zoning Committee as a collective vote.

10-O-1741 (1) An Ordinance by **Zoning Committee** to rezone property from the
Z-10-24 RG-3 (Residential General-Sector 3) District to the C-1
(Community Business) District, for property located at **2045
Graham Circle, S. E.** Property fronting 150 feet on the
southwesterly side of Graham Circle and 199.3 feet on the
northwest right-of-way of Fayetteville Road.

Depth: 184 Feet
Area: Approximately 0.587 Acre
Land Lot: 147, 15th District, DeKalb County, Georgia
Owner: CHRIS Properties Graham Circle, Inc.
Applicant: Jonathan R. Toppen
NPU-W Council District 5

**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 (5)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1742 (2) An Ordinance by **Zoning Committee** to rezone property from the
Z-10-25 R-4 (Single-Family Residential) District and C-1 (Community
Business) to the C-1 (Community Business) District, for property
located at **3041 Piedmont Road, N. E.** Property fronting 75 feet
on the west side of Piedmont Road.

Depth: Varies
Area: Approximately 0.55 Acre
Land Lots: 46 and 61, 17th District, Fulton County,
Georgia
Owner: Stephen and Carol Adams
Applicant: Lawrence E. Roberts
NPU-B Council District 7

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

10-O-1743 (3) An Ordinance by **Zoning Committee** to rezone property from the
Z-10-26 R-3 (Single-Family Residential) District to the RG-3 (Residential
General-Sector 3) District, for property located at **3459 Roxboro
Road, N. E.** Property fronting approximately 75 feet on the north
side of Roxboro Road.

Depth: Varies
Area: Approximately 0.43 Acre
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: Avi Manoah
Applicant: Yasha Heidari
NPU-B Council District 7

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

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1744 (4) An Ordinance by **Zoning Committee** to rezone property from the
Z-10-27 I-1 (Light Industrial), R-5 (Two-Family Residential) and I-2 (Heavy Industrial) Districts to the I-2 (Heavy Industrial) District, for property located at **2100 Forest Park Road, S. E.** Property fronting approximately 395 feet on the east side of Forest Park Road and southern boundary of approximately 1,020 feet adjacent to the Southern Railroad.

Depth: Varies
Area: Approximately 6.0 Acres
Land Lot: 6, 14th District, Fulton County, Georgia
Owner: David F. Cooper
Applicant: David F. Cooper
NPU-Z Council District 1

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

10-O-1745 (5) An Ordinance by **Zoning Committee** granting a Special Use
U-10-31 Permit under the provisions of Section 16-18A.006 for a Church, property located at **335 Peachtree Center Avenue (353 Peachtree Street) and 303 Peachtree, N. E.**, fronting approximately 122 feet on the east side of Peachtree Center Avenue and at the intersection of Peachtree Street and Ralph McGill Boulevard.

Depth: 176.40 Feet
Area: Approximately 0.461 Acre
Land Lot: 50, 14th District Fulton County, Georgia
Owner: Most Revered Wilton D. Gregory, S.L.D. as Archbishop of the Roman Catholic Archdiocese
Applicant: Dennis W. Kelly
NPU-M Council District 2

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 October 04, 2010 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Bond

COMMUNICATIONS

The following communications (01, 02, 06, 07 as follows) were taken as a collective vote.

10-C-1439 (1) 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 Ms. Karen A. Bass to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of 2 years, retroactive to January 01, 2010. (Favorable by CD/HR Committee 9/28/10)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-C-1586 (2) A Communication from Ms. Drewnell Thomas, President, Atlanta Planning Advisory Board, to Council President Ceasar C. Mitchell and all Members of Council submitting their appointment of Mr. Ryan Johnson to serve as a member of the Atlanta Citizen Review Board in the Neighborhood Planning Unit (NPU), Group M-R category. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

The following communications (03 through 05 as follows) were taken as a collective vote.

10-C-1698 (3) A Communication by Mayor Kasim Reed appointing Mr. James Allen, Jr. to serve as a member of the Atlanta Housing Authority (AHA) Board on behalf of the City of Atlanta. This appointment is for a term of one (1) year, replacing Elder James Brown. (Favorable by CD/HR Committee 9/28/10)
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 10-C-1699 (4) A Communication From **Sam A. Williams, President, Metro Atlanta Chamber, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mr. Bill Clement as well as himself to serve as members of the John Portman and Herman Russell Commission.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-C-1700 (5) A Communication by **Council President Ceasar C. Mitchell** appointing Mr. Clarence O. Hollis, Jr., ("C.O.") to serve as a member of the City of Atlanta Audit Committee.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-C-1728 (6) A Communication from **Reverend A. H. Hall, Jr., Senior Pastor, Flipper Temple African Methodist Episcopal Church (A.M.E.), to the Atlanta City Council and Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Dr. Samuel D. Jolley, Jr., to serve as a member of the Appeal for Human Rights and the Atlanta Student Movement.
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-C-1747 (7) A Communication From **Sam A. Williams, President, Metro Atlanta Chamber, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Himself to serve as a member of the John Portman and Herman Russell Commission.
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTIONS

The following resolutions (01 through 02 as follows) were taken as a collective vote.

- 10-R-1428 (1) A Resolution by **Councilmember Joyce M. Sheperd** re-appointing Mr. Kashka Scott as the Full Council appointee to the Tree Conservation Commission in the Residential Builder Category for a term of two (2) years, said term to begin retroactively on December 3, 2009; and for other purposes. (Held 8/31/10 to allow appointee the opportunity to come before the committee) (Favorable by CD/HR Committee 9/28/10)
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)

FELICIA A. MOORE, CHAIR

RESOLUTIONS (CONT'D)

- 10-R-1731 (2) A Resolution by Councilmembers Michael Julian Bond, Aaron Watson, Joyce M. Sheperd, Ivory Lee Young, Jr., Keisha Lance Bottoms, H. Lamar Willis, C. T. Martin, Cleta Winslow, Kwanza Hall and Carla Smith as Amended by Committee on Council authorizing the creation of a commission to determine an appropriate honor for Mrs. Ella Mae Brayboy; and for other purposes.
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the September 28, 2010 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmembers Hall and Watson

RESOLUTION

10-R-1724 (1) An **Amended** Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to Arcadis BPA, Joint Venture for FC-4906A, Annual Contract for Architectural and Engineering Services, FEMA Property Acquisition, on behalf of the Department of Watershed Management in an amount not to exceed \$191,200.00; all contracted work to be charged to and paid from Fund, Department, Organization and Account Number listed; and for other purposes.

Note: Councilmember Adrean stated for the record her abstention to Resolution 10-R-1724 was due to a potential conflict of interest.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS; 1 ABSTENTION**

PERSONAL PAPERS

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTION/ ADOPTED

10-R-1814 (1) A Resolution by **Councilmembers Michael Julian Bond, Cleta Winslow, Aaron Watson, C. T. Martin, Joyce M. Sheperd, H. Lamar Willis, Keisha Bottoms, Howard Shook, Yolanda Adrean, Felicia A. Moore, Ivory Lee Young, Jr., Alex Wan, Kwanza Hall, Carla Smith and Natalyn Archibong** authorizing the creation of a commission to determine an appropriate honor for Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes.

Councilmember Bond made a Motion to Adopt Resolution 10-R-1814. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

ORDINANCES/ REFERRED

10-O-1808 (1) An Ordinance by **Councilmember Kwanza Hall** to amend the future land use map of the 2008 City of Atlanta Comprehensive Development Plan (CDP) so as to re-designate property located at **465, 467, 469, 471, 479 and 479 (rear) North Highland Avenue** from the Low Density Residential (LDR) Land Use Designation to the Low Density Commercial (LDC) Land Use Designation; and for other purposes. (CDP-10-09) NPU-N Council District 2

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

10-O-1809 (2) An Ordinance by **Councilmembers Kwanza Hall and Natalyn Archibong** to create a new Division 3 to be (entitled "Street Food Vending Program") of Article XXIII ("Vending on Public Property") of the Code of Ordinances of the City of Atlanta, Georgia which division shall provide the regulatory framework by which street food vending in the City of Atlanta shall be governed, including, but not limited to, the creation of street food vending sites, rules and regulations and the criteria for the issuance of permits and the cost thereof; to waive conflicting ordinances and code provisions; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

10-O-1810 (3) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to amend Chapter 150, Article II, Section 150-26, of the City of Atlanta Code of Ordinances so as to expand the area of the Vine City Neighborhood which is not excluded from the issuance of temporary off-street parking permits; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

10/4/10 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-1811 (4) An Ordinance by **Councilmember Ivory L. Young, Jr.** to correct Ordinance Number 09-O-0218 adopted by the City Council on March 2, 2009 and approved by the Mayor on March 9, 2009 by deleting the 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.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/ REFERRED

- 10-R-1812 (1) A Resolution by **Councilmember Joyce Sheperd** authorizing the Mayor to execute the second amendment to the Intergovernmental Agreement between the City of Atlanta and the McPherson Planning Local Redevelopment Authority, Inc., to allow the City to accept additional services of consultants to augment the efforts of City staff in the re-zoning of Ft. McPherson; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 10-R-1813 (2) A Resolution by **Councilmember Michael Julian Bond** requesting the Atlanta Police Department (APD) study the feasibility of increasing the collaboration with the Atlanta Public Schools (APS) Security Operations; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

MAYOR COMMENTS REGARDING HB 277

During this meeting, Mayor Kasim Reed discussed with Council HB 277 responding to any questions and concerns they had. The Mayor stated that Atlanta is the center of commerce in the Southeast and trying to receive grant money that will improve the traffic and transportation issues in Metro Atlanta. There will be 5½ billion to deploy in transportation that will leverage 8-9 billion dollars in grant money; 2.0 billion in water & sewer and 40 billion for Hartsfield/Jackson International Airport with a list of other initiatives.

Mayor Kasim Reed responded to Council regarding the percentage of the 1% sales tax. He stated it was 60/40; 60% being funded by people living in the City and 40% funded by people not living in the City.

Mayor Kasim Reed explained for Council the waited formula. It consists of the amount of cash plus the population in the City which in turn will give you your votes. Mayor Kasim Reed stated if you do not contribute, than you do not have a voice as a contributing member of transportation.

Mayor Kasim Read concluded by giving several results that are undeniable in supporting HB 277:

- (1) HB 277 will extend sales tax on water and sewer until the year 2012 with a revenue stream of a 1% sales tax. This will be funded by 40% of the visitors of the City of Atlanta and will help keep water bill rates low.
- (2) Governor Purdue put forth legislation through CERTA & GRETA for infrastructure improvements in the amount of 40-60 million dollars. This will not cost the citizens of Atlanta an additional tax revenue.
- (3) HB 277 will achieve a 50/50 percentage for MARTA rather than 60/40. This will give MARTA more relief of their needs.
- (4) HB 277 will mean more than 500 million dollars in infrastructure investment into the Metro region over a 10 year period.

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the October 04, 2010 meeting of the Atlanta City Council was adjourned at 5:09 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).