

ATLANTA CITY COUNCIL

ACTION/MINUTES

OCTOBER 18, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 18, 2010. The Meeting convened at 1:14 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 (14) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Yolanda Adrean
The Honorable Kwanza Hall	The Honorable Felicia A. Moore
The Honorable Ivory L. Young, Jr.	The Honorable C. T. Martin
The Honorable Cleta Winslow *2:40	The Honorable Keisha Bottoms *1:29
The Honorable Natalyn Archibong	The Honorable Michael J. Bond
The Honorable Alex Wan *1:26	The Honorable Aaron Watson *2:54
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:41

Councilmember Joyce M. Sheperd was absent.

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

INVOCATION: Reverend Bernice Kirkland of Cascade United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **October 04, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember C. T. Martin made a Motion to Amend the Agenda by moving the Standing Committee of City Utilities to report first. It was properly Seconded. Following, Councilmember Ivory Lee Young, Jr. offered a **Friendly Amendment** to move the Standing Committee of Transportation to report

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last. Mr. Martin accepted the Friendly Amendment and the Motion to **Adopt as Amended** was **CARRIED** by a roll call vote of **12 yeas; 0 nays**.

EXECUTIVE SESSION: Councilmember Felicia A. Moore made a Motion to consider entering **Executive Session**. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **8 yeas; 6 nays**. At the end of the meeting, **Councilmember Ivory Lee Young, Jr.** made a **Motion** to enter **Executive Session** to discuss possible litigation regarding the mortgage foreclosure crisis. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **9 yeas; 4 nays**. Council then entered Executive Session for thirty minutes. Returning from Executive Session, A **Motion** to **re-enter Regular Session** was moved. Properly Seconded, the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**. Council re-entered Regular Session.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-1817 (1) A Communication from **James E. Shelby, Commissioner, Department of Planning and Community Development, to Municipal Clerk Rhonda Dauphin Johnson and Deputy Municipal Clerk Foris Webb III**, submitting the appointment of Ms. Shelly Peart 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-1818 (2) A Communication by **Council President Ceasar C. Mitchell, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. Eugene J. Duffy to serve as a member of the John Portman and Herman Russell Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1819 (3) A Communication from **C. David Moody, Jr., Chairman, Atlanta Business League, to Municipal Clerk Rhonda Dauphin Johnson**, appointing himself to serve as a member of the John Portman and Herman Russell Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1885 (4) A Communication from **W. Forrest Coley, Jr., Chair, NPU-M, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Lydia M. Meredith to serve as a member of the Xernona Clayton Commission in the NPU-M category, 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: **12 Yeas:** *Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Bond and Watson*: **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

10-O-1419 (1) An Ordinance by **Councilmembers H. Lamar Willis, Alex Wan, Kwanza Hall, Aaron Watson, Michael J. Bond, Ivory L. Young, Jr., Yolanda Adrean and Joyce Sheperd as Substituted by Public Safety and Legal Administration Committee** to amend Chapter 10, Article I, Section 10-1 so as to define "City Park Organization"; to amend Chapter 10, Article I, Section 10-1 so as to define "Park Facility"; to amend Chapter 10, Article II, Section 10-58 so as to include all premises located in a city-owned park that are leased, managed, and/or operated by a "City Park Organization", as eligible to be collectively licensed for the sale of alcoholic beverages for consumption on the premises, in the same manner as Nonprofit Performing Arts Theaters, Museums, Zoological Parks, and Botanical Gardens; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

10-O-1717 (2) A **Substitute 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 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 (CONT'D)

IVORY L. YOUNG, JR., CHAIR

- 10-O-1718 (3) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 10-O-1719 (4) A **Substitute** 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-O-1720 (5) A **Substitute** 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 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-1702 (6) 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.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

10-O-1811 (7) 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.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

10-O-1420 (8) An Ordinance by **Councilmember Ivory L. Young, Jr. as Substituted by City Utilities Committee** to rename Kennedy Street, NW from Gray Street to Oliver Street renamed to Cameron M. Alexander Boulevard, NW and to waive Section 138-8(b)(5)(c) of the Code of Ordinances of the City of Atlanta; and for other purposes. (Public Hearing held 10/12/10)
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-O-1692 (9) An Ordinance by **Councilmember Howard Shook as Substituted by City Utilities Committee** allocating funding for a project to be included in the Capital Improvement Program ("CIP")/ Short Term Work Program (STWP) for the purpose of constructing and reconstructing system improvements along Peachtree Street; approving the amendment to the Annual Sidewalk Contract which will authorize the expenditures necessary for the construction; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-O-1722 (10) A **Substitute** 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

RESOLUTIONS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 10-R-1721 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement No. 2 with Johnson Controls Inc., for FC-6006007928, Maintenance and Service Support for Public Safety Systems, on behalf of the Department of Aviation, in an amount not to exceed \$1,392,000.00; all contracted work will be charged to and paid from FDOA as listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1816 (2) A Resolution by **Transportation Committee** authorizing the Mayor, or his designee, to apply for a Gateway Grant in an amount not to exceed \$50,000.00 from the Georgia Department of Transportation and to enter into a right of way maintenance agreement with the Georgia Department of Transportation for maintenance services along portions of State Highway 139 and Interstate Highway 285 under the control of the Georgia Department of Transportation; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 10-R-1771 (3) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor, on behalf of the City, to enter into a Memorandum of Understanding with Morehouse College regarding baseball programming at Perkerson Park; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1772 (4) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into a contractual agreement with Weitzman Studios, Inc., to develop Public Art for the West End LCI Streetscape Project on behalf of the City of Atlanta, in an amount not to exceed \$250,000.00; all funds will be charged to and paid from the Account Segment PTAE0 Numbers identified in this resolution for the Department of Parks, Recreation and Cultural Affairs and the Department of Public Works; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1654 (5) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute a Right-of-Way Certification with the Georgia Department of Transportation for participation and funding assistance to resurface certain city streets in connection with the Local Maintenance and Improvement Grant Agreement; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-R-1764 (6) A Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to BGR, JV, for FC-4906C, Annual Contract for Architectural and Engineering Services, R. M. Clayton WRC Commission Support Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$224,944.00; all contracted work to be charged to and paid from Fund, Department, Organization and Account Number listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-R-1765 (7) An **Amended** Resolution by **City Utilities Committee** authorizing the City Of Atlanta as a co-owner of certain property operated as the North Fulton Water Treatment Plant and A Joint Venture Member in the Atlanta-Fulton County Water Resources Commission to enter into FC-5076, Bulk Hypochlorite System and Filter/ Plate Settler Improvements to North Fulton Plant, with Archer Western Contractors, LTD., in an amount not to exceed (\$7,771,965.00); that the city's share of the contract is in an amount not to exceed (\$3,885,982.50); all work shall be charged to and paid from Fund, Department, Organization and Account Number listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1766 (8) 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 One Ninety One Peachtree Associates, LLC., owner of real property located at 191 Peachtree Street, NE, Atlanta, Georgia, for the purpose of permitting the installation of two lighted bollards that are approximately two (2) feet wide and two (2) feet deep and a planting strip approximately three (3) feet in depth and sixty-five (65) feet in length that will partially extend into the public right-of-way along the west side of Peachtree Center Avenue, NE between Andrew Young International Boulevard, NE and Ellis Street, NE; and for other purposes.

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

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-R-0944 (9) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1604 et seq. of the City of Atlanta Code of Ordinances, utilizing the United States of America GSA Schedule #GS-35F-0111K, Software House International (Principal Decision System International [PDSI] Tele Staff Workforce Management) in an amount not to exceed \$69,107.95. All contracted work to be charged to and paid from the PATEO Numbers listed.

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

- 10-R-1774 (10) A Resolution by **Finance/ Executive Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract 46600-362-00000004 to purchase ninety (90) cameras from Watch Guard Video, to record the interior of Police Vehicles ("In-Car-Cameras"), on behalf of the Department of Police ("Department"), in an amount not to exceed \$421,380.00. All costs shall be charged to and paid from the Federal RICO Trust Fund and FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1775 (11) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute a Sole Source Purchase with Northrop Grumman and Public Safety Systems Incorporated ("PSSI"), on behalf of the Department of Police ("Department"), for Automatic Vehicle Location for one hundred thirty (130) vehicles, in an amount not to exceed \$220,710.00. All costs shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-R-1777 (12) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute a Sole Source Agreement with IBM Corporation for Technical Support Services of the IBM Tivoli Maximo Asset Management System on behalf of the Department of Watershed Management, in an amount not to exceed \$90,007.83; all contracted work shall be charged to and paid from the FDOA Numbers listed.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 10-R-1778 (13) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the Mayor's Office to submit up to two proposals for funding to the U. S. Environmental Protection Agency, in an amount not to exceed \$1,200,000.00 per proposal, for the 'Non-Construction Market-Based Approaches to Reducing Greenhouse Gas Emissions through Energy Efficiency in Homes and Buildings' Program; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 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-1779 (14) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the Master Prepaid Stored Value Card Rebate Service Agreement between the Georgia Environmental Finance Authority (“GEFA”) and Helgeson Enterprises, Inc., on behalf of the Mayor’s Office, for a period of three (3) years, in an amount not to exceed \$5,000,000.00, for the processing of rebates issued under the Sustainable Home Initiative in the New Economy Program; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

10-R-1780 (15) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the Mayor or his designee to enter into an Appropriate Renewal No. 1 Contractual Agreement with Wayne Evans Auction Company, Inc., for FC-6007007930, Auctioneer Services, on behalf of the Department of Procurement; all revenue generated under the contract shall be deposited into the appropriate FDOA; and for other purposes.

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

10-R-1812 (16) A Resolution by **Councilmember Joyce M. 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.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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

Claims with favorable recommendations:

- 10-R-1782 (1) Claim of **Elizabeth A. Heard, through her attorney, James Neuberger, Esq., Neuberger Law, LLC**, for bodily injuries alleged to have been sustained due to an automobile accident on April 30, 2009 at Peachtree Street, NE and Peachtree Place, NE. **\$12,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1783 (2) Claim of **Gladys Mayes, through her attorney, Lisa Siegel Katz, Stepp & Wright, LLC**, for damages alleged to have been sustained as a result of a vehicular accident on December 20, 2008 at 170 Boulevard. **\$10,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1784 (3) Claim of **LaToya A. Tavernier, through her attorney, Princewill O. Aneke**, for property damages alleged to have been sustained as a result of an automobile accident on May 10, 2010 at 3490 Piedmont Road, NE. **\$7,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1785 (4) Claim of **Francine Stephens, through her attorney, Nkosi J. Bey, Esq., Bey & Associates, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on March 19, 2010 at Joseph Lowery Boulevard and Parson Street. **\$7,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1786 (5) Claim of **Justin Elie, through his attorney, Augustus Curry**, for damages alleged to have been sustained as a result of a vehicular accident on November 28, 2009 at Piedmont Road at Piedmont Circle. **\$6,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1787 (6) Claim of **Deborah J. Pennino, through her attorney, Kimelyn A. Minnifield, Fincher, Denmark & Williams, LLC**, for bodily injuries alleged to have been sustained from stepping into a hole in the crosswalk on September 23, 2009 at Peachtree Street and Edgewood Avenue. **\$5,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1788 (7) Claim of **Travelers, as subrogee of Deborah Oakley**, for damages alleged to have been sustained as a result of an automobile accident on June 8, 2010 at West Peachtree Street, NW and 18th Street, NW. **\$4,767.31**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1789 (8) Claim of **Progressive Premier Insurance Company of Illinois, as subrogee of Charles Solley**, for property damages alleged to have been sustained from an automobile accident on June 4, 2010 at Ivan Allen, Jr. Boulevard and Spring Street. **\$4,267.97**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1790 (9) Claim of **Samuel A. Tutuwan, through his attorneys, Montlick & Associates, P.C.**, for bodily injuries alleged to have been sustained from an automobile accident on September 23, 2009 at Moreland Avenue, SE and Custer Avenue, SE. **\$3,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1791 (10) Claim of **Barbara McDonald**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on November 21, 2009 at 1781 Peachtree Road. **\$3,494.05**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1792 (11) Claim of **Atlanta Gas Light Company**, through their attorney, **John C. Williams**, for damages alleged to have been sustained as a result of the removal of a water line on April 15, 2010 at 185 Worth Drive. **\$2,677.17**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1793 (12) Claim of **AT&T**, for damages alleged to have been sustained as a result of a severed phone line during the repair of a storm water line on October 5, 2009 at 688 South Grand Avenue, NW. **\$2,068.63**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1794 (13) Claim of **Marshea Milner**, for damages alleged to have been sustained as a result of a sewer backup on September 21, 2009 at 196 Wadley Street. **\$1,750.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1795 (14) Claim of **Lenardo Owens**, for damages alleged to have been sustained as a result of striking a pothole on March 13, 2010 at 10th Street and Hemphill Avenue. **\$1,467.25**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1796 (15) Claim of **Subrogation Division, Inc.**, as subrogee of **Tamiko Holloway**, for damages alleged to have been sustained as a result of a vehicular accident on May 7, 2010 at Grant Street at McDonough Boulevard. **\$959.62**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 10-R-1797 (16) Claim of **Edward Hanly, III**, for damages alleged to have been sustained as a result of a sewer backup on January 21, 2009 and June 24, 2009 at 1082 Fountain Drive. **\$886.00**

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1798 (17) Claim of **Gina Cambardella**, for damages alleged to have been sustained as a result of an automobile accident on May 4, 2010 at 2068 Bolton Road, NW. **\$835.71**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

10-R-1799 (18) Claim of **Eugene Davis**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on March 3, 2010 at 336 McDaniel Street. **\$600.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

10-R-1800 (19) Claim of **Post Renaissance Properties, Attn: Kenneth Tucker**, for damages alleged to have been sustained as a result of a vehicular accident on November 15, 2009 at 395 Piedmont Road, Civic Center. **\$575.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

10-R-1804 (20) Claim of **Freeman Weaver**, for damages alleged to have been sustained as a result of a vehicular accident on July 14, 2010 at University Avenue and Windsor Street. **\$3,307.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Claims with unfavorable recommendations:

10-R-1801 (21) Claim of **Reine Liedtke**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on April 25, 2010 at 515 Londonberry Road. **ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**
0 NAYS

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10-R-1802 (22) Claim of **Tiffany Allen**, for vehicular damages alleged to have been sustained after driving over a pothole on April 12, 2010 at 215 North Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 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-1803 (23) Claim of **Joseph Taplin, through his attorney, Jeremy E. Citron, Esq., Stein-Citron Law Group, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on September 3, 2008 at Williams Street and Harris Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

All items on Consent Agenda Section II (01 through 03 as follows) were Referred to the appropriate committees as a collective vote.

10-O-1767 (1) An Ordinance by **Community Development/ Human Resources Committee** authorizing the Mayor, on behalf of the City, to accept a grant from the Georgia Forestry Commission to be utilized for the Atlanta Tree Conservation Commission's Downtown Tree Inventory Project; to waive Section 2-910 of the Atlanta Code of Ordinances to allow acceptance of the grant without legislative approval preauthorizing the grant application; to amend the FY 2011 (Tree Trust Fund) Budget by adding to anticipations and appropriations, grant funds in the amount of \$20,000.00 from the Georgia Forestry Commission for the Urban and Community Forestry Grant Program; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

10-O-1769 (2) 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 \$50,500.00 from the National Recreation & Park Association for the purpose of funding the After School Play Program (\$50,000.00) and the After School Archery Program (\$500.00) for the Office of Recreation in the Department of Parks, Recreation and Cultural Affairs; to authorize the Mayor or his designee to accept said grants; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 10-O-1781 (3) An Ordinance by **Finance/ Executive Committee** authorizing the Mayor or his designee to waive the Source Selection Provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provisions of services with Scott & Sons Holdings, LLC., for FC-4690, Zaban Recreation Center Improvements; to allow for full payment of said services in an amount not to exceed \$444,000.00; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

CITY UTILITIES COMMITTEE (1)
NATALYN M. ARCHIBONG, CHAIR

Attendance at the October 12, 2010 meeting of the City Utilities Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-1693 (1) An Ordinance by Councilmembers Michael J. Bond, Ivory L. Young, Jr., Aaron Watson, C. T. Martin, H. Lamar Willis, Kwanza Hall, Alex Wan, Keisha Lance Bottoms, Cleta Winslow, Joyce Sheperd and Carla Smith as Substituted by City Utilities Committee to rename the portion of Fair Street, SW from Northside Drive, SW to Joseph Lowery Boulevard, SW to Atlanta Student Movement Boulevard, SW; to waive Sections 138-8(b)(5)(c) and 138-8(h) of the Code of Ordinances; and for other purposes. (Public Hearing held 10/12/10)

Chairperson Archibong sounded the caption to Ordinance 10-O-1693 and stated the committee recommendation was Favorable on Substitute on Condition (documentation requested by Council). Ms. Archibong stated the condition has been met and a discussion ensued. After which, the Motion to Adopt on Substitute was CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 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 October 12, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmember Archibong

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the October 12, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCE FOR FIRST READING

10-O-1768 (1) An Ordinance by **Community Development/ Human Resources Committee** amending the 2010 (Community Development Fund) Budget by adding to anticipations and transferring to and from appropriations in the amount of \$127,888.46; amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and transferring to and from appropriations in the amount of \$2,690,777.71 for the purpose of reprogramming CDBG and HOPWA for inclusion in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

Note: Councilmember Alex Wan stated for the record his abstention to Ordinance 10-O-1768 was due to a potential conflict of interest.

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the October 13, 2010 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Winslow

ORDINANCES FOR FIRST READING

10-O-1773 (1) An Ordinance by **Zoning Committee** to amend various sections of the Atlanta Zoning Ordinance for the purpose of defining Farmers' Markets as a permitted use; to provide where and under what conditions such uses shall be permitted; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-O-1815 (2) An Ordinance by **Zoning Committee** to amend Ordinance U-1093/06-O-2046, as adopted by the City Council on October 2, 2006 and approved by the Mayor on October 11, 2006, for the purposes of approving a Transfer of Ownership for a Special Use Permit for a day care center for property located at **2315 Perkerson Road, SW**; and for other purposes.
REFERRED TO ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 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 18, 2010 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Sheperd

COMMUNICATIONS

The following communications (01 through 04) were taken as a collective vote.

10-C-1051 (1) A Communication from **Dexter Wimbish, Esq., General Counsel, Southern Christian Leadership Conference (SCLC)** submitting their appointment of Mr. Jeremy Ponds to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation.

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

10-C-1052 (2) A Communication from **Dexter Wimbish, Esq., General Counsel, Southern Christian Leadership Conference (SCLC)** submitting their appointment of Mr. Jeremy Ponds to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation.

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

10-C-1431 (3) A Communication from the **National Black MBA Association (NMBBAA) Atlanta Chapter, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. Charmaine Ward to serve as a member of the Joint Commission for Mr. John Portman and Mr. Herman Russell.

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

10-C-1758 (4) 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. (Favorable by Community Development/Human Resources Committee 10/12/10.)

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

COMMUNICATIONS (CONT'D)

10-C-1805 (5) A Communication by **Mayor Kasim Reed** appointing Ms. Cathy Hampton as City Attorney for the City of Atlanta, scheduled to begin on the date of Council confirmation. (Favorable by Public Safety & Legal Administration Committee 10/12/10.)

The Original confirmation of 10-C-1805 was by a roll call vote of 12 yeas; 0 nays; however, Councilmember Martin made a Motion to Reconsider the communication. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. The item was before Council. Chairperson Moore then made a Motion to Confirm. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

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

10-C-1806 (6) 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. (Favorable by Transportation Committee 10/13/10, Moore and Bond Abstained.)

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the October 13, 2010 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-0502 (1) An Ordinance by **Councilmembers Kwanza Hall and Howard Shook as Substituted by Finance/Executive Committee** authorizing the transfer of the property located at 695 Ponce de Leon Ave., NE also know as City Hall East to the Atlanta Development Authority; authorizing the assignment of the contracts and agreements associated with the property; authorizing the Mayor to execute a Quitclaim Deed transferring the property to the Atlanta Development Authority; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 10-O-0502 and offered Amendment #1/#1 by attaching a new "Assignment and Assumption of Purchase and Sale Agreement." Without Objection, Adrean Amendment #1/#1 CARRIED by a roll call vote of 13 yeas; 0 nays. Following, a discussion ensued. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 11 yeas; 2 nays

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

RESOLUTIONS

10-R-1046 (1) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into a Memorandum of Understanding with the Southeast Energy Efficiency Alliance for the installation of Donated Wind Turbine, utilizing funds from the U. S. Department of Energy's Energy Efficiency and Conservation Block Grant in the amount of \$15,000.00; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

RESOLUTIONS (CONT'D)

10-R-1776 (2) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute a Sole Source Purchase with Ahura Scientific (“Ahura”), on behalf of the Department of Police (“Department”), for Hazardous Chemicals Detection Equipment, in an amount not to exceed \$159,600.00. All costs shall be charged to and paid from two grants from the Department of Homeland Security Buffer Zone Protection Program (“BZPP”). \$64,600.00 of the total costs shall be charged to and paid from the Fiscal Year (“FY”) 2008 Buffer Zone Protection Program Grant FDOA Numbers listed and the APD Chief of Police FDOA Numbers listed; and \$95,000.00 of the total costs shall be charged to and paid from the fiscal year (“FY”) 2009 Buffer Zone Protection Program Grant and FDOA Numbers listed; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)
C. T. MARTIN, CHAIR

Attendance at the October 13, 2010 meeting of the Transportation Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-1810 (1) An Ordinance by **Councilmember Ivory Lee Young, Jr. as Amended by Transportation Committee** 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.

Chairperson Martin sounded the caption to Ordinance 10-O-1810 and made a Motion to Adopt. It was properly Seconded and a discussion ensued, during which, Councilmember Young offered Amendment #1/#1 to amend Section One (1) by deleting the sentence "Thence traveling along the Northern boundary of the Carter... all the way to the sentence ending... thence traveling along the Northern boundary eastside to Northside Drive right-of-way" and inserting the following parcel numbers: 1400830008115, 1400830008116, 1400830008044, 1400830007113 and 1400830007114." It was properly Seconded and Young Amendment #1/#1 CARRIED by a roll call vote of 11 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 11 yeas; 1 nay.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
1 NAY**

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTION/ ADOPTED

10-R-1868 (1) A Resolution by **Councilmember Natalyn Mosby Archibong** authorizing the Mayor or his designee to accept vests, gloves and labor in an amount not to exceed Two Thousand Dollars (\$2,000.00) from the Republic Services Company for use by the Edgewood and Reynoldstown Neighborhoods on Saturday, October 30, 2010; and for other purposes.

Councilmember Archibong made a Motion o Adopt Resolution 10-R-1868. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

RESOLUTIONS/ REFERRED

10-R-1869 (1) A Resolution by **Councilmembers C. T. Martin, Felicia A. Moore, Natalyn Archibong, Carla Smith, H. Lamar Willis and Michael Bond** a resolution of the City Council of the City of Atlanta, Georgia concerning the future of regional transit under the 2010 Transportation Investment Act.

Councilmember Martin made a Motion to enter Committee of the Whole to discuss the above resolution concerning HB277 and hear from the different entities of the City of Atlanta. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Council then entered Committee of the Whole.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Council entertained questions and responses from Commissioner John H. Eaves, Fulton County, District #1 At-Large; Commissioner Lee May, District #5, DeKalb County; Commissioner Ted Ryanhart; Renay Blumenthal, Metro Atlanta Chamber; Commissioner Eldrin Bell, Clayton County; Michael Tyler, Chairman, MARTA Board; Beverly A. Scott, General Manager, MARTA; Roger Bruce, Georgia House of Representative; Howard Mosby, Georgia House of Representative; Mayor Kasim Reed; Jannine Miller, Executive Director, Georgia Regional Transportation Authority; Dana Lemon, State Department of Transportation; Charles "Chick" Krautler, Director, Atlanta Regional Commission; Tracey Nelson, Executive Director, Women of

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED (CONT'D)

10-R-1869 (1)
(Cont'd) **League Voters; Collen Keirnan, Executive Director, Sierra Club; Lee Biola, President, Citizens for Progressive Transit; Luz Burrero, Deputy Chief Operating Officer; and Amelia Clark, Community Improvement District, Gwinnett County. After all inquires and responses were entertained, Councilmember Martin made a Motion to exit Committee of the Whole. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. Council re-entered Regular Session.**

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

10-R-1871 (2) A Resolution by **Councilmember Clea Winslow** requesting that the Mayor or his designee conduct a traffic study for the purpose of gathering data to support making the intersection of Beecher Street, SW at Pinehurst Street, SW an all-way stop; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

10-R-1873 (3) A Resolution by **Councilmembers Felicia A. Moore, H. Lamar Willis, Yolanda Adrean, Michael Bond, Keisha Bottoms, C. T. Martin, Kwanza Hall, Alex Wan, Aaron Watson and Ivory Lee Young, Jr.** authorizing the City Council of the City of Atlanta to submit recommendations to the Atlanta Development Authority (“ADA”) for the use of certain backend proceeds received by ADA in connection with the sale of the property located at 695 Ponce De Leon Avenue, N.E., also known as City Hall East; and for other purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

10-R-1882 (4) A Resolution by **Councilmember Michael Bond** requesting that the Departments of Human Resources, Finance and Corrections study the feasibility of returning Department of Corrections employees to eight hour shifts; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED (CONT'D)

10-R-1883 (5) A Resolution by **Councilmember Michael Julian Bond** to amend resolution 10-R-0926 authorizing the creation of a commission to determine an appropriate honor for the committee for the Appeal for Human Rights and the Atlanta Student Movement so as to authorize the commission to appoint Associate Members of the commission representing entities and organizations which can either benefit from or contribute to the mission, goals and works of the commission; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-R-1884 (6) A Resolution by **Councilmember Michael Julian Bond** affirming the legal right of airline and airport employees to receive, without interference, information regarding unionization efforts during non-work hours and in non-work areas; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ORDINANCES/ REFERRED

10-O-1870 (1) An Ordinance by **Councilmembers Clea Winslow and Carla Smith** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive Paragraphs (a)(4) and (a)(7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a banner permit to the Mechanicsville Civic Association; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

10-O-1872 (2) An Ordinance by **Councilmember Clea Winslow** authorizing the Mayor or his designee, on behalf of the City, to request Park Pride to work with the West End Neighborhood Development Corporation to identify a specific park improvement project to be funded by the remaining \$32,800 of District 4 Quality of Life Bond Funds, and to work with the West End Neighborhood Development Corporation to implement said project; where the cost of the project shall not exceed \$32,800; and where all costs of the project shall be paid from the account identified herein; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-1874 (3) An Ordinance by **Councilmember Yolanda Adrean** to provide an exemption from the requirements of Section 150-148(b) of Division 4, "Residential Permit Parking," under Article IV, Chapter 150 of the Code of Ordinances, in order to allow for the creation of a Wycliff Residential Permit Parking Program; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 10-O-1875 (4) An Ordinance by **Councilmember Yolanda Adrean** authorizing the Mayor, on behalf of the City, to accept a donation from the Atlanta Hawks of a computer application by Novologic, Inc., valued at approximately One Hundred Thousand Dollars and No Cents (\$100,000.00), to be used by the Department of Parks, Recreation and Cultural Affairs for on-line registration for programs offered to the public and for Camp Best Friends; and to utilize the special procurement provisions contained in the City of Atlanta Code of Ordinances Article X, Procurement and Real Estate Code so as to procure additional Novologic modules valued at approximately Seventy-Five Thousand Dollars and No Cents (\$75,000.00) to expand the functionality of the donated registration system in a manner that is compatible with the donated application; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 10-O-1876 (5) An Ordinance by **Councilmember Carla Smith** authorizing the Office of Enterprise Assets Management to approve tenant improvements at the Georgia Hill Neighborhood Center and to grant rent abatement therefore in an amount no greater than \$2.00 per square foot annually; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

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Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-1877 (6) An Ordinance by **Councilmember Keisha Lance Bottoms** expressing the Atlanta City Council's support of the Economic and Financial Literacy Program; to authorize the City of Atlanta to accept monetary and in-kind contributions for the Economic and Financial Literacy Program; to authorize the Chief Financial Officer to create a trust fund account on behalf of Council District 11 for the deposit of monetary contributions received by the City of Atlanta in connection with the Economic and Financial Literacy Program; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 10-O-1878 (7)
CDP-10-14 An Ordinance by **Councilmember Alex Wan** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **987 Myrtle Street** from the Medium Density Residential Land Use Designation to the Low Density Residential Land Use Designation; and for other purposes. NPU-E Council District 6
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-O-1879 (8)
CDP-10-15 An Ordinance by **Councilmember Alex Wan** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **403, 407, 413, 419, 425, 429, 435, 441 and 443 Montgomery Ferry** from the Low Density Commercial Land Use Designation to the Low Density Residential Land Use Designation; and for other purposes. NPU-F Council District 6
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-O-1880 (9) An Ordinance by **Councilmembers Kwanza Hall, Aaron Watson, Keisha Bottoms, Carla Smith, Alex Wan, H. Lamar Willis, Natalyn Archibong and Michael Bond** authorizing the operation of human-drawn vehicles (Pedicabs) within the City of Atlanta; to establish requirements and regulations for such program; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-1881 (10) 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 English Avenue Neighborhood which is not excluded from the issuance of temporary off-street parking permits; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

10/18/10 Action Minutes

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the October 18, 2010 meeting of the Atlanta City Council was adjourned at 8:58 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis (12); the attendance of Councilmembers Bottoms and Watson were not signified upon the adjourning roll call (2).