

ATLANTA CITY COUNCIL

ACTION/MINUTES

NOVEMBER 01, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, November 01, 2010. The Meeting convened at 1:11 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

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

Attendance:

The following (15) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory L. Young, Jr.	The Honorable Keisha Bottoms
The Honorable Cleta Winslow *1:41	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:14	The Honorable Michael J. Bond *1:17
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:04
The Honorable Yolanda Adrean	

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

INVOCATION: Pastor Bradley E. Schmeling of St. John's Lutheran 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 18, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

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

SUSPEND THE RULES OF COUNCIL: Without Objection, the **Rules of Council** were **Suspended** to consider the recommendations that were made by the James Orange Commission. After Councilmember Martin sounded the recommendations, a **Motion**

was made to **accept** the recommendations. The **Motion** then **CARRIED** by a unanimous roll call vote of **15 yeas; 0 nays**.

EXECUTIVE SESSION: At the end of the Meeting, a **Motion** was made to enter **Executive Session** regarding the evaluation for the possibility of acquisition of Real Estate. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **9 yeas; 1 nay**. Council then entered Executive Session. Returning from Executive Session, a **Motion** to **re-enter Regular Session** was moved. **Without Objection**, the Motion **CARRIED** by a roll call vote of **10 yeas; 0 nays**. Council re-entered Regular Session.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-1902 (1) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the October 2010 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.
FILED WITHOUT OBJECTION
- 10-C-1903 (2) A Communication from **Paul Melvin, Chair, NPU-C, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Michael T. Hosmer to serve as a member of the Perry Bolton Tax Allocation District (TAD)-Neighborhood Advisory Committee. This re-appointment is for a term of (1) one year, retroactive to June 02, 2010.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1904 (3) A Communication from **Pearl Johnson, Chair, NPU-J, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. Yahya Hassan to serve as a member of the Perry Bolton Tax Allocation District (TAD)-Neighborhood Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1905 (4) A Communication from **Diane O'Steen, Executive Director, Atlanta Bar Association, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Paul Earle Bartels to serve as a member of the Atlanta Citizen Review Board to serve the unexpired term of Deborah S. Butera. This appointment is to expire on July 19, 2013.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1906 (5) A Communication by **Councilmembers Natalyn M. Archibong, District 5 and Alex Wan, District 6** nominating Ms. Catheren M. Woolard to serve as a member of the Atlanta Beltline Incorporated Board of Directors, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 10-C-1907 (6) A Communication from **A. J. Robinson, President, Central Atlanta Progress, Downtown Improvement District, to Municipal Clerk Rhonda Dauphin Johnson**, appointing himself as representative to serve as a member of the John Portman and Herman Russell Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-1908 (7) A Communication from **John Lewis, Jr., Chair, Board of Ethics, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Shukura L. Ingram to serve as a member of the Atlanta's Board of Ethics. This appointment is to fill the unexpired term of John Lewis, Jr. to expire November 20, 2011.
FILED WITHOUT OBJECTION
- 10-C-1989 (8) A Communication from **Joe Hindsley, Chair, Xernona Clayton Commission, to Council President Ceasar C. Mitchell**, submitting the Commission's recommendations in honoring Mrs. Xernona Clayton.
FILED 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 with the exception of items 10-O-1872 and 10-R-1898 which were removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

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

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE

FELICIA MOORE, ACTING-CHAIR

10-O-1874 (1) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-O-1881 (2) 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.
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-1872 (3) An Ordinance by **Councilmember Cleta Winslow as Substituted by Community Development/ Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City, to request Park Pride to work with the West End Community Group to identify a specific park improvement project to be funded by the remaining \$32,000.00 of District 4 Quality of Life Bond Funds, and to work with the West End Community Group to implement said project; where the cost of the project shall not exceed \$32,000.00; and where all costs of the project shall be paid from the account identified herein; and for other purposes.

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

SEE COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE REPORT

10-O-1767 (4) A **Substitute Ordinance by Community Development/ Human Resources Committee** authorizing the Mayor, on behalf of the City, to accept a \$20,000.00 Grant from the Georgia Forestry Commission to be utilized for the Atlanta Tree Conservation Commission's Downtown Public Property 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 authorize the expenditure of grant matching funds in the amount of \$20,000.00 for the Inventory Project, to be paid from the Tree Trust Fund; to amend the FY (2011 Intergovernmental Grant 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

10-O-1479 (5) An Ordinance by **Community Development/ Human Resources**
CDP-10-06 **Committee** to amend the Land Use Element of the 2008 Atlanta
Comprehensive Development Plan (CDP) so as to re-designate
property that is located at **287/289 Little Street, SE and 288**
Grant Park Place, SE, from the “Low-Density Residential” Land
Use Designation to the “Low-Density Commercial” Land Use
Designation (Z-10-12); and for other purposes. (**Public Hearing held**
9/13/10)

NPU-W

Council District 1

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

FINANCE/ EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

10-O-1781 (6) A **Substitute** 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 unpaid invoices for maintenance services in an
amount not to exceed \$444,000.00; and for other purposes.

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

10-O-1875 (7) An Ordinance by **Councilmember Yolanda Adrean as**
Substituted by Finance/ Executive Committee 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 \$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 \$64,748.00 to expand the functionality of the
donated registration system in a manner that is compatible with
the donated application; 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-1876 (8) An Ordinance by **Councilmembers Carla Smith and Kwanza Hall** 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.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 10-O-1870 (9) An Ordinance by **Councilmembers Clela Winslow and Carla Smith as Amended by City Utilities Committee** authorizing the Commissioner of Public Works, on behalf of the Mayor to waive paragraph (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 the purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 13 YEAS; 0 NAYS**

RESOLUTIONS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 10-R-1836 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with Oracle America, Inc., pursuant to the State of Georgia Contract GS-35F-0009T, for Database and Maintenance Support, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed \$43,102.00; all costs to be charged to the Fund, Department Account and Function Activity listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

10-R-1897 (2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the State of Georgia to permit the Georgia Emergency Management Agency to expend Homeland Security Grant Program funding on behalf of the Police Department of Atlanta, Georgia for CBRN equipment pursuant to the Urban Areas Security Initiative; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1898 (3) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Maintenance Agreement with Police Central, Inc. (PCI), pursuant to FC-4782, Jail Management Systems, on behalf of the Atlanta Department of Corrections (ACDC) for a period of the one (1) year in FY11, in an amount not to exceed \$200,177.00 to be paid in four (4) quarterly increments of \$55,044.25; all costs to be charged to the Fund, Department, Account and Function Activity listed; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Ivory Lee Young, Jr..

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

TRANSPORTATION COMMITTEE
FELICIA MOORE, ACTING-CHAIR

10-R-1858 (4) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 12 to the Central Passenger Terminal Complex Lease Agreement with Atlantic Southeast Airlines, Inc. covering supplemental rental payments to the City of Atlanta related to its occupancy and use of certain facilities and premises leased from the City of Atlanta located at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

FELICIA MOORE, ACTING-CHAIR

10-R-1859 (5) A Resolution by **Transportation Committee** increasing the compensation payable under Contract No. FC-3007000038-E, Managing General Contractors, with C. W. Matthews, Inc./ Thrasher Contracting, LLC., a Joint Venture, by \$90,000.00, for the Airfield Pavement Repairs and Maintenance 2010 Project at Hartsfield-Jackson Atlanta International Airport. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

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

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

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

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

10-R-1830 (7) A Resolution by **Community Development/Human Resources Committee** to correct Resolution 10-R-0643, adopted by the Atlanta City Council June 7, 2010 and approved pursuant to Section 2-403 of the Charter of the City of Atlanta on June 16, 2010, to correct erroneous Oracle Project Numbers; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 10-R-1835 (8) A Resolution by **Finance/Executive Committee** authorizing Mayor to enter into a Cooperative Purchasing Agreement with CDW Government, pursuant to Sections 2-1602 and 2-1604 of the Procurement and Real Estate Code of the City of Atlanta, utilizing the GSA Contract # GS-35F-0195J, for the purchase of Computers and Scanners on behalf of the Municipal Court of Atlanta, in an amount not to exceed \$198,548.00; all costs to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1861 (9) A Resolution by **Finance/Executive Committee** to correct Resolution Number 09-R-0563 adopted by the Atlanta City Council on April 20, 2009, and approved by the Mayor on April 27, 2009 to correct an incorrect fund number; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1862 (10) A Resolution by **Finance/Executive Committee** authorizing the reemployment of Darryl A. Lockhart as a Records Manager in the Department of the Office of the City Solicitor at Salary Grade 21, \$44,318.00 pursuant to §3-505(c) of the Charter of the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1863 (11) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to Infibank Corporation, for an overpayment of Business License Fees in the amount of \$514,087.76; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1864 (12) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize GSA Contract #GS-07F-0468V, to purchase a Mobile Command and Surveillance Vehicle, on behalf of the Department of Police, in an amount not to exceed \$203,000.00; all costs shall be charged to and paid from a grant from the United States Department of Homeland Security in the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

10-R-1865 (13) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement with Konica Minolta Business Solutions, USA, Inc. utilizing the Federal GSA Contract Number GS-25F-0087M for Copier Lease and Maintenance for two (2) Bizhub C452 Copiers on behalf of the Department of Watershed Management, in an amount not to exceed \$28,762.88 annually; all contracted work will be charged to and paid from the listed FDOA Numbers; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-R-1882 (14) A Resolution by **Councilmember Michael Julian 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

10-R-1823 (15) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement No. 1 with Formmaker Software, Inc., for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$593,813.69; all contracted work will 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

10-R-1824 (16) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Amendment Agreement Number 3 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$205,190.99 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-1825 (17) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Amendment Agreement Number 3 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$187,460.44 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-1826 (18) A **Substitute** Resolution by **City Utilities Committee** Authorizing the Mayor to execute Amendment Agreement Number 4 With SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$639,246.42 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-1827 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Amendment Agreement Number 5 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$481,771.16 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-R-1828 (20) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Amendment Agreement Number 6 with Precision 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters, on behalf of the Department of Public Works, in an amount not to exceed \$579,453.27 with all contracted work being charged to and paid from Various Fund, Department, Organization, and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President **Cesar 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-1837 (1) Claim of **Atlanta Gas Light Company**, for damages alleged to have been sustained to its gas main during the repair of a water main on July 14, 2010 at 3206 Arden Road, NW. **\$3,204.06**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1838 (2) Claim of **Wendell Monroe**, for vehicular damages alleged to have been sustained after driving over a metal plate that was improperly secured to the roadway on June 17, 2010. **\$1,936.04**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1839 (3) Claim of **Ajani Nugent**, for personal injuries alleged to have been sustained as a result of striking metal plates on August 6, 2010 at 368 Edgewood Avenue, NE. **\$1,599.17**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1840 (4) Claim of **Leonard J. Rubin**, for vehicular damages alleged to have been sustained from driving over a pothole in the roadway on February 4, 2010 at 1250 W. Conway Drive, NW and Mt. Paran Road, NW. **\$1,415.04**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1841 (5) Claim of **Barbara and Thomas N. Southwell**, for personal injuries alleged to have been sustained as result of striking a failed construction cut on February 4, 2010 at 1589 Peachtree Street, NE. **\$886.98**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1842 (6) Claim of **Yvonne R. Scurlock**, for vehicular damages alleged to have been sustained from an automobile accident on August 24, 2010 at 150 Garnett Street, SW. **\$803.80**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

10-R-1843 (7) Claim of **Earnestine and Bobby C. Martin**, for damages alleged to have been sustained as a result of sewer backup on June 30, 2010 at 1279 Avonwood Circle, SW. **\$750.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Claims with unfavorable recommendations:

10-R-1844 (8) Claim of **Crystal Greene**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1845 (9) Claim of **Freddy Simon**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1846 (10) Claim of **Presley Daniel Yates, III**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1847 (11) Claim of **Jeffrey Moton**, for damages alleged to have been sustained as a result of driving over a pothole on April 27, 2010 at 102 Moreland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10-R-1848 (12) Claim of **Bryan Edwards**, for damages alleged to have been sustained as a result of a rake falling onto his vehicle on December 10, 2009 at Rumson Road and Pinetree Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-1849 (13) Claim of **Alex Jenkins**, through his attorney, **Sarah L. Addle, Esq., Gray King Chamberlin & Martineau, LLC**, for bodily injuries alleged to have been sustained due to a fall on a broken sidewalk on October 10, 2008 at 81 2nd Avenue, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1850 (14) Claim of **Laura Berman**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on October 14, 2009 at 3630 Peachtree Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1851 (15) Claim of **Michael Hinton**, for damages alleged to have been sustained to water service connection at 1235 Plaza Avenue from January 8 -10, 2010.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1852 (16) Claim of **Marcus Eugene Davis**, for damages alleged to have been sustained as a result of an arrest on July 22, 2010 at 150 Garnett Street, Municipal Court of Atlanta.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1853 (17) Claim of **Kizzi Laster**, through her attorney, **Xavier C. Dicks**, for damages alleged to have been sustained as a result of an arrest on December 4, 2008 at 2841 Greenbriar Parkway, SW, Greenbrier Mall.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 10-R-1854 (18) Claim of **Comcast c/ o Phoenix Loss Control**, for damages alleged to have been sustained as a result of a severed cable on March 19, 2010 at 16 Habersham Park.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

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

Claims with unfavorable recommendations: (Cont'd)

- 10-R-1855 (19) Claim of **Cedric Jackson, through his attorney, Angie M. Walton**, for damages alleged to have been sustained as a result of an injury during physical education class on May 7, 2010 at 1925 Niskey Lake Road – Ralph Bunch Middle School.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1856 (20) Claim of **Gerald Boveland**, for damages alleged to have been sustained as a result of an automobile accident on June 11, 2009 at 3201 Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 10-R-1857 (21) Claim of **David Bernard**, for damages alleged to have been sustained as a result of driving over a pothole on March 6, 2010 at 3390 Peachtree Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

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

All items on Consent Agenda Section II (01 through 14 as follows) were Referred to the appropriate committees as a collective vote.

- 10-O-1831 (1) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$172,400.00 on behalf of the Atlanta Fire Rescue Department for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire Rescue Department; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-O-1832 (2) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$94,600.00, for a grant award from the Governor's Office of Highway Safety and matching funds in the amount of \$142,000.00 from the (General Fund) Budget, to fund the Highway Enforcement of Aggressive Traffic; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 10-O-1833 (3) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipations and appropriations in the amount of \$1,098,159.00 for the FY 2010 Edward Byrne Memorial Justice Assistance Grant ("JAG") Award from the United States Department of Justice; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

10-O-1829 (4) An Ordinance by **Community Development/ Human Resources Committee** to correct Ordinance 10-O-0630, adopted by the City Council on June 7, 2010 and approved pursuant to Section 2-403 of the Charter of the City of Atlanta on June 16, 2010 to correct erroneous Oracle Project Numbers; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1890 (5)
CDP-10-08 An Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **2100 Forrest Park Road** from the Low Density Residential Land Use Designation to the Industrial Land Use Designation (Z-10-27); and for other purposes.

NPU-Z

Council District 1

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1891 (6)
CDP-10-10 An Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1011 and 1017 Fayetteville Road** from the Medium Density Residential Land Use Designation to the Low Density Commercial Land Use Designation (Z-10-24); and for other purposes.

NPU-W

Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

10-O-1860 (7) 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 Hardware Maintenance and Support Services by International Business Machines under an expired Agreement for the period beginning July 1, 2010 through November 15, 2010 for an amount not to exceed \$107,077.35; to authorize the Mayor or his designee to enter into an appropriate Cooperative Purchasing Agreement with International Business Machines utilizing General Services Administration Contract Number GS-35F-4984H for Hardware Maintenance and Support Services beginning November 16, 2010 through June 30, 2011 for seven (7) months an amount not to exceed \$149,908.34, with two (2) one-year renewal options beginning July 1, 2011, for an annual amount not to exceed \$256,985.69 to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

10-O-1892 (8) An Ordinance and Charter Amendment 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 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to remove superfluous language which conflicts with language contained in certain pension plans maintained by the City of Atlanta, and to remove the limitation of benefits applicable to certain pension plans maintained by the City of Atlanta; to repeal conflicting ordinances; and for other purposes.

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

10-O-1893 (9) An Ordinance by **Finance/Executive Committee** to amend the City of Atlanta General Employees' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

10-O-1894 (10) An Ordinance by **Finance/ Executive Committee** to amend the City of Atlanta Firefighters' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1895 (11) An Ordinance by **Finance/ Executive Committee** to amend the City of Atlanta Police Officers' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE
NATALYN M. ARCHIBONG, CHAIR

10-O-1820 (12) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$1,250,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for the Utilities-GDOT & Municipal Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1821 (13) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$17,134,968.00 to transfer funds from the Capital Project Reserve (5066) for Appropriations and to add to appropriation funds for the Supplement Program Management Service Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-O-1822 (14) An Ordinance by **City Utilities Committee** authorizing the Mayor to accept with the Georgia Environment Facilities Authority (“GEFA”) State Revolve Fund (“SRF”) Loan Program a Subsidized/ Reimbursable Loan for \$50,000.000.00; and authorize the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund)(5052) Budget in the amount of \$62,582,241.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and to add to appropriations for Various Capital Projects; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMITTEE REPORTS

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 26, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmembers Bottoms and Martin

ITEM REMOVED FROM CONSENT AGENDA

10-R-1898 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Maintenance Agreement with Police Central, Inc. (PCI), pursuant to FC-4782, Jail Management Systems, on behalf of the Atlanta Department of Corrections (ACDC) for a period of the one (1) year in FY11, in an amount not to exceed \$200,177.00 to be paid in four (4) quarterly increments of \$55,044.25; all costs to be charged to the Fund, Department, Account and Function Activity listed; and for other purposes. **(The above item was removed from the Consent Agenda by request of Councilmember Ivory Lee Young, Jr.)**

Chairperson Young sounded the caption to Resolution 10-R-1898 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. The Substitute was before the Council. Mr. Young then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)
FELICIA MOORE, ACTING-CHAIR

Attendance at the October 27, 2010 meeting of the Transportation Committee was as follows:

Present: Councilmembers Moore (Acting-Chair), Smith, Willis and Archibong

Absent: Councilmembers Bond, Bottoms and Martin

RESOLUTION

10-R-1871 (1) A Resolution by **Councilmember Cleta 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.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the October 26, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

10-O-0930 (1) An Ordinance by **Community Development/ Human Resources Committee** to adopt the City of Atlanta 2011-2015 Capital Improvements Program (CIP) and Short Term Work Program (STWP); to amend the City of Atlanta 2008-2023 Comprehensive Development Plan (CDP) so as to incorporate these programs into the CDP; and for other purposes. (Public Hearings held 6/14/10 and 9/13/10)

Chairperson Sheperd sounded the caption to Ordinance 10-O-0930 and stated the recommendation from committee was Favorable on Condition (copy of information in hard form). Mrs. Sheperd then made a Motion to Adopt and an extensive discussion ensued. During discussion, Councilmember Martin made a Motion to Refer 10-O-0930 back to the Community Development/ Human Resources Committee. It was Seconded by Councilmember Adrean and discussion continued. After which, the Motion to Refer CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

10-O-1768 (2) 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 10-O-1768 was due to a potential conflict of interest.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTIONS

10-R-1770 (1) A **Substitute #2** Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to submit to the U. S. Department of Housing and Urban Development the City of Atlanta's 2011 Annual Action Plan for the 2010-2014 Consolidated Plan to include applications for the 2011 Community Development Block Grant (CDBG) Program, 2011 Emergency Shelter Grant (ESG) Program, 2011 HOME Investment Partnership (HOME) Program, and the 2011 Housing Opportunities for Persons with AIDS (HOPWA) Program; and for other purposes. **Note: Councilmember Alex Wan stated for the record his abstention to the above resolution was due to a potential conflict of interest.**
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

10-R-1900 (2) A Resolution by **Community Development/ Human Resources Committee** approving policies relating to the Affordable Housing Trust Fund of the Beltline Tax Allocation District of the City of Atlanta; and other related matters.
Chairperson Sheperd sounded the caption to Resolution 10-R-1900 and stated the recommendation from committee was Favorable on Condition (receive responses from NPU-M and the Beltline representatives). Following, a discussion ensued. Subsequently, the Motion to Adopt CARRIED by a roll call vote of 11 yeas; 2 nays.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

10-R-1901 (3) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into a Contract Agreement with MACTEC Engineering and Consulting, Inc., in the amount of \$359,000.00, for FC-5140, Brownfield Assessment GEO-Technical Environmental Consulting Services; and for other purposes. **Note: Councilmember Kwanza Hall stated for the record his abstention to Resolution 10-R-1901 was due to a potential conflict of interest.**
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (3)
JOYCE SHEPERD, CHAIR

ITEM REMOVED FROM CONSENT AGENDA

10-O-1872 (1) An Ordinance by Councilmember Cleta as Substituted by Community Development/ Human Resources Committee Winslow authorizing the Mayor or his designee, on behalf of the City, to request Park Pride to work with the West End Community Group to identify a specific park improvement project to be funded by the remaining \$32,000.00 of District 4 Quality of Life Bond Funds, and to work with the West End Community Group to implement said project; where the cost of the project shall not exceed \$32,000.00; and where all costs of the project shall be paid from the account identified herein; and for other purposes. (The above item was removed from the Consent Agenda by request of Councilmember Cleta Winslow).

Chairperson Sheperd sounded the caption to the above ordinance and stated the two amendments offered by Councilmember Winslow. Winslow Amendment #1/#1 to read as follows: "West End Community Group has been changed to West End Neighborhood Development, Inc. throughout the legislation as the organization that will be working with Park Pride and the City. The Amendment was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. Following Winslow Amendment #2/#2 which read: "to include other parks in the West End Neighborhood in the scope of the project" CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Subsequently, Chairperson Sheperd made a Motion to Adopt as Amended. It was Seconded by Councilmember Winslow and CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Cesar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the October 27, 2010 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Bottoms and Smith

ZONING REVIEW BOARD SUMMARY REPORT ITEMS

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

10-O-1475 (1) An **Amended Ordinance by Zoning Committee** granting a Special
U-10-26 Use Permit under the provisions of Section 16-06.005 (1)(g) for a
Personal Care Home, property located at **1928 Velma Street,
S.E.**, fronting approximately 249 feet on the east side of Velma
Street and approximately 240 feet on the west side of Turner
Road. Depth: varies; Area: approximately 1.50 acres; Land Lot 7,
14th District, Fulton County, Georgia. Owner: Soul Harvest
Miracle Revival Ministry; Applicant: Ronnie Johnson; NPU-Z
Council District 1.
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-O-0958 (2) An **Amended Ordinance by Zoning Committee** to rezone from the
Z-10-12 R-5 (Two-Family Residential)/HD-20K (Grant Park Historic
District) to the NC-7 (Existing Traditional Neighborhood)/ HD-20K
(Grant Park Historic District), property located at **287 and 289
Little Street, S.E. and 288 Grant Park Place, S.E.**, fronting
approximately 120 feet on the east side of Hill Street,
approximately 53.50 feet on the north side of Grant Park Place
and approximately 53.5 feet on the south side of Little Street.
Depth: varies; Area: approximately 0.15 acres; Land Lot 43, 14th
District, Fulton County, Georgia. Owner: Thomas "T.L." Lee
Spangler; Applicant: Douglas A. Lueder; NPU-W Council District
1.
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

10-O-1474 (3) An Ordinance by **Zoning Committee** granting a Special Use
U-10-25 Permit under the provisions of Section 16-06A.005(1)(g) for a
Personal Care Home, property located at **505 James P. Brawley
Drive, S.W.**, fronting approximately 100 feet on the north side of
Kennedy Street and approximately 98 feet on the east side of
James P. Brawley Drive. Depth: varies; Area: approximately 0.224
acres; Land Lot 111, 14th District, Fulton County, Georgia. Owner:
Hakim Alladin; Applicant: Shirley A. Barker; NPU-L Council
District 3.

ADVERSED 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

ORDINANCE FOR SECOND READING

10-O-1815 (1) An Ordinance by **Zoning Committee** to amend Ordinance U-
U-1093 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.

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

Council President Pro Tempore Howard Shook Presided

ORDINANCES FOR FIRST READING

**All items for First Reading (01 through 04 as follows) were Referred to the
Zoning Review Board and Zoning Committee as a collective vote.**

10-O-1886 (1) An Ordinance by **Zoning Committee** to rezone property from the
Z-10-29 R-5 (Two Family Residential) district to the R-4B (Single-Family
Residential) District, for property located at **815 Kirkwood (a.k.a.
812 Harold Avenue), SE**, property fronting approximately 50 feet
on the north side of Harold Avenue beginning 400 feet from the
west side of Chester Avenue.

Depth: 100 Feet
Area: Approximately 0.114 Acre
Land Lot: 20, 14th District, Fulton County, Georgia
Owner: Drum Custom Renovations, LLC
Applicant: Nathan J. Boston
NPU-N Council District 5

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1887 (2) An Ordinance by **Zoning Committee** granting a Special Use
U-10-32 Permit under the provisions of Section 16-06A.005(l)(k) for a
Community Center property located at **627 English Avenue, SW,**
(a.k.a. 785 Pelham Road, SW), fronting approximately 234.98
feet on the north side of Pelham Road, approximately 465.35 feet
on the east side of English Avenue, approximately 536.95 feet on
the west side of James P. Brawley and approximately 158 feet on
the south side of Donald Lee Hollowell Parkway.

Depth: Varies
Area: Approximately 3.2 Acres
Land Lot: 112, 14th District, Fulton County, Georgia
Owner: Mable A. Thomas
Applicant: Mable A. Thomas
NPU-L Council District 3

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

10-O-1888 (3) An Ordinance by **Zoning Committee** granting a Special Use
U-10-33 Permit under the provisions of Section 16-11.005(l)(l) for Outdoor
Dining at Eating and Drinking Establishments when any part of
such use is located within 1,000 feet of property that is zoned as
an R or RG District, property located at **3700-3802 Roswell
Road, NW,** fronting 600 feet on the west side of Roswell Road,
beginning 137 feet from the northeast corner of Powers Ferry
Road.

Depth: Approximately 450 Feet
Area: Approximately 10.082 Acres
Land Lot: 112, 14th District, Fulton County, Georgia
Owner: Regency Centers, LP
Applicant: Regency Centers, LP by Sharon Gay
NPU-B Council District 8

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1889 (4) An Ordinance by **Zoning Committee** granting a Special Use
U-10-34 Permit under the provisions of Section 16-06.005(l)(b) for a
Daycare Center, property located at **51 Polar Rock Road, SE**,
fronting approximately 195 feet on the west side of Polar Rock
Road and Macon Drive.

Depth: Varies
Area: Approximately 2.51 Acres
Land Lot: 71, 14th District, Fulton County, Georgia
Owner: Deke Cooper
Applicant: Deke Cooper
NPU-Z Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the November 01, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Sheperd and Winslow

Absent: Councilmembers Wan, Bond and Hall

Due to the lack of a Quorum, the Committee on Council held their meeting during the Full Council Meeting by entering the Committee of the Whole. Chairperson Moore made the Motion to enter Committee of the Whole. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 1 nay. Council entered Committee of the Whole. After Committee on Council completed their agenda, Chairperson Moore made a Motion to re-enter Regular Session. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council then re-entered Regular Session.

COMMUNICATIONS

10-C-1818 (1) 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 Mr. John Portman and Mr. Herman Russell Commission.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-1818 and 10-C-1885. Ms. Moore then made a Motion to Hold. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

10-C-1819 (2) A Communication from C. D. Moody, Atlanta Business League Chairman, to Municipal Clerk Rhonda Dauphin Johnson, submitting himself as an appointee to serve as a member of the Mr. John Portman and Mr. Herman Russell Commission.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communication 10-C-1819 and made a Motion to Approve. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Confirm CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 10-C-1885 (3) A Communication from **W. Forrest Coley, Jr., Chair, NPU-M, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their nomination 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.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communications 10-C-1818 and 10-C-1885. Ms. Moore then made a Motion to Hold. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

- 10-C-1255 (4) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Mr. Jason Allen Mayberry to serve as a member of the Human Relations Commission in the Class C category. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. (Held 7/19/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to communication 10-C-1255 and made a Motion to Approve. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Confirm communication 10-C-1255 CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)

FELICIA A. MOORE, CHAIR

ORDINANCE FOR SECOND READING

10-O-1348 (1) A **Substitute #3** Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 02A, 02C, 03H, 05B, 06A, 07A, 07N, 08C, 08H, 08J, 09A, 10P, and 11J to make temporary or permanent relocations as a result of scheduled and/or completed renovations or conflicting scheduled events at the voting facility, existing facility no longer available and bank foreclosure of a voting facility; and for other purposes. (Held 8/16/10 at the request of the Municipal Clerk) (Substituted and held 9/7/10; Substituted and held 10/4/10; Substituted and held 10/18/10.)

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinance 10-O-1348 and made a Motion to Approve on Substitute. It was properly Seconded and the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 0 nays.

Later during the meeting, Councilmember Bond made a Motion to send ordinance 10-O-1348 to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Therefore, the legislation was sent to the Mayor's Office.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTION

- 10-R-1883 (1) 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.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to resolution 10-R-1883 and made a Motion to Approve. It was properly Seconded and CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Adopt CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (5)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR FIRST READING

10-O-1909 (1) An Ordinance by **Committee on Council** to activate Section 2-49 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule IV of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the assignment of Council Member Offices; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (6)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

- 10-O-1910 (2) An Ordinance by **Committee on Council** to activate Section 2-48 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule XIV of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the use and assignment of the City Council Chamber and the Council Committee Rooms; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (7)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

- 10-O-1911 (3) An Ordinance by **Committee on Council** to activate Section 2-70 (currently designated as “reserved”) of the Code of Ordinances of the City of Atlanta, Georgia so as to codify Rule XVII of the Rules for the Conduct of Business of the Atlanta City Council which pertains to the use of Cell Phones or Other Electronic Communication Devices at meetings; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (8)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

10-O-1912 (4) An Ordinance by **Committee on Council** to amend Section 2-1855 of the Code of Ordinances of the City of Atlanta, Georgia by adding a Subsection (c) so as to codify Rule XIX of the Rules for the Conduct of Business of the Atlanta City Council which pertains to additional procedures governing the process by which Department and Agency Heads are to be confirmed by the City Council; to waive conflicting ordinances; and for other purposes.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chairperson Moore sounded the caption to ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912). Ms. Moore made a Motion for all four (4) ordinances to be Referred to the Committee on Council. Without Objection, the Motion CARRIED by Voice Vote.

REGULAR SESSION

During Regular Session, the Motion to Refer ordinances (10-O-1909, 10-O-1910, 10-O-1911 and 09-O-1912) to Committee on Council CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the October 27, 2010 meeting of the Finance/Executive was as follows:

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

Absent: None

COMMUNICATION

10-C-1762 (1) 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. (Favorable by City Utilities Committee 10/26/10)
FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

10-O-1751 (1) An **Amended 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.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-1757 (2) A **Substitute** 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.

Chairperson Adrean sounded the caption to ordinance 10-O-1757 and stated the recommendation from committee was Favorable on Substitute on Condition. A discussion ensued, during which, Chairperson Adrean offered to bring forth a Substitute. Discussion continued, in which, Council deferred the item to later during the meeting. Returning back to ordinance 10-O-1757, Chairperson Adrean offered to bring forth a Substitute. It was Seconded by Councilmembers Martin and Moore. A discussion ensued, during which, Councilmember Willis Called the Question. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay. After which, the Motion to bring forth the Substitute CARRIED by a roll call vote of 14 yeas; 1 nay. The Substitute was before Council. Another discussion ensued, in which, Councilmember Willis Called the Question. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 2 nays. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 14 yeas; 1 nay.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (3)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-1877 (3) 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.

Chairperson Adrean sounded the caption to the above ordinance and stated 10-O-1877 was forwarded from committee Favorable on Condition (substitute for ordinance). Following, Mrs. Adrean offered to bring forth the Substitute. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 1 nay. The Substitute was before Council. After a brief discussion, Chairperson Adrean made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

RESOLUTIONS

10-R-1866 (1) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into a Contractual Agreement with A-Action Vending, Inc., for FC-5062, Citywide Vending Concession Services, on behalf of the Executive Offices-Office of Enterprise Assets Management; A-Action Vending, Inc., shall remit twenty percent of monthly gross receipts to the City of Atlanta, to be deposited to the FDOA Numbers listed; and for other purposes.

Chairperson Adrean sounded the caption to resolution 10-R-1866 and stated the recommendation from committee was Favorable on Condition (to show that the bid for the agreement was competitive). The condition being met, Mrs. Adrean made a Motion to Adopt. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Pro Tempore Howard Shook Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (4)
YOLANDA ADREAN, CHAIR

RESOLUTIONS (CONT'D)

10-R-1873 (2) A Resolution by **Councilmembers Felicia A. Moore, H. Lamar Willis, Yolanda Adrean, Michael Julian Bond, Kwanza Hall, Aaron Watson, Ivory Lee Young, Jr., Keisha Lance Bottoms and Alex Wan** 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.

Chairperson Adrean sounded the caption to the above resolution and made a Motion to Adopt. Following, Councilmember Martin was recognized and offered Amendment #1/#1 to have his name removed as a sponsor of the legislation. It was Seconded by Councilmember Shook and Martin Amendment #1/#1 CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Subsequently, Chairperson Adrean made a Motion to Adopt as Amended. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
1 NAY**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (5)
YOLANDA ADREAN, CHAIR

RESOLUTIONS (CONT'D)

10-R-1899 (3) A Resolution by **Finance/ Executive Committee** for the Series 2010A/ B Supplemental Bond supplementing that certain Fourteenth Supplemental Bond Ordinance of the City of Atlanta Adopted in July 6, 2009, as amended by a First Amendment to the Fourteenth Supplemental Bond Ordinance Adopted on September 8, 2009 and as further amended by an Amended and Restated Fourteenth Supplemental Bond Ordinance of the City of Atlanta Adopted on October 4, 2010, to, among other things, set forth the terms of (1) the Airport General Revenue Bonds, Series 2010A (the "Series 2010A Bonds") and (2) the 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") within certain parameters previously established by the City including the original aggregate principal amount, interest rates, maturity amounts, maturity dates, redemption provisions and debt service reserve requirement with respect thereto; ratify certain prior actions of the City Council and certain officers and agents of the City with respect to the issuance and sale of the Series 2010A/ B Bonds; authorize and approve the preparation, use and distribution of a Final Official Statement in connection with the offer and sale of said Series 2010A/ B Bonds; provide an effective date; and for other purposes.

Chairperson Adrean made a Motion to Table 10-R-1899 for a Special Called Meeting to be held 11/05/10. Following, the Motion to Table CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the October 26, 2010 meeting of the City Utilities was as follows:

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

Absent: Councilmembers Hall and Martin

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

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ ADOPTED

10-R-1975 (1) A Resolution by **Councilmembers Yolanda Adrean, Cleta Winslow, Joyce M. Sheperd, Natalyn Archibong, Michael Bond, Felicia A. Moore, Ivory Lee Young Jr., C. T. Martin, Howard Shook, H. Lamar Willis, Keisha Bottoms and Alex Wan** expressing the Atlanta City Council's desire that the Mayor present the 2011 Five-Year Financial Stabilization Plan to the City Council by January 14, 2011; and for other purposes.

Councilmember Adrean made a Motion to Adopt resolution 10-R-1975. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

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

10-R-1976 (2) A Resolution by **Councilmembers C. T. Martin, Cleta Winslow, Michael Bond, Joyce M. Sheperd, Carla Smith, Keisha Bottoms, Alex Wan, Ivory Lee Young, Jr., H. Lamar Willis and Felicia A. Moore** accepting the recommendations of the Reverend James Orange Commission; and for other purposes.

Councilmember Martin made a Motion to Adopt resolution 10-R-1976. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

10-R-1977 (3) A Resolution by **Councilmembers Felicia A. Moore, Joyce M. Sheperd, H. Lamar Willis, Keisha Bottoms, Cleta Winslow, C. T. Martin, Kwanza Hall Carla Smith, Aaron Watson, Michael Bond, Yolanda Adrean, Ivory Lee Young, Jr., Howard Shook, Natalyn Archibong and Alex Wan** a resolution on behalf of the Alzheimer's Association, Georgia Chapter, authorizing City Hall to "Go Purple" for the month of November; to support the National Alzheimer's Awareness Month in their efforts to advance research, enhance care and support, and raise public awareness about the issues of the Alzheimer's Disease; and for other purposes.

Councilmember Moore made a Motion to Adopt the above resolution. It was Seconded by Councilmember Archibong and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED

- 10-R-1978 (1) A Resolution by **Councilmembers Natalyn Archibong and Alex Wan** appointing Ms. Catheren M. Woolard as the Full Council appointee to the Board of Directors of Atlanta Beltline Incorporated for a term of four (4) years to begin on the date of the approval of this resolution; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

ORDINANCES/ REFERRED

- 10-O-1979 (1) An Ordinance by **Councilmembers C. T. Martin, Carla Smith, Cleta Winslow, Joyce M. Sheperd, Keisha Bottoms, Kwanza Hall, Ivory Lee Young, Jr., Natalyn Archibong and Michael Bond** an ordinance to rename Cone Street, NW, Xernona Clayton Way, NW; to waive Section 138-8(b)(5)(c) and 138-8(h) of the Code of Ordinances of the City of Atlanta, Georgia; to waive conflicting ordinances; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 10-O-1980 (2) An Ordinance by **Councilmembers Howard Shook, Cleta Winslow, Keshia Bottoms, Aaron Watson, Carla Smith and Ivory Lee Young, Jr.**, to amend Chapter 16, Zoning, Section 16-02.019(3) to add Adwood Road, NE to the list of exceptions from the Street Numbering System; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 10-O-1981 (3) An Ordinance by **Councilmembers Kwanza Hall, Yolanda Adrean, Ivory Lee Young, Jr., Michael Bond, H. Lamar Willis and Aaron Watson** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John C. Portman Way, NW; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-1982 (4) An Ordinance by **Councilmembers Michael Bond, Yolanda Adrean and C. T. Martin** an ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its not to exceed \$20,000,000 Airport Limited Obligation Bond Anticipation Notes, to provide funds to finance or refinance, in whole or in part on an interim basis, to provide funds to pay or reimburse the City for all or a portion of a termination payment in connection with the termination of those certain interest rate exchange agreements related to the City's outstanding Airport General Revenue Bonds Series 2003RF-B and the City's Outstanding Airport General Revenue Bonds Series 2003RF-C and pay certain expenses relating thereto; to provide for the form of said bond anticipation notes and for the execution of said bond anticipation notes; providing for the rights of the holders of said bond anticipation notes; to provide for the form of said bond anticipation notes; to provide for the place of payment of the principal of and interest on said bond anticipation notes; approving the forms and authorizing the execution of said bond anticipation notes, a note purchase agreement, and certain other agreements in connection with said bond anticipation notes and providing for incidental action; to provide for the repayment of said bond anticipation notes from the proceeds of the not to exceed \$590,000,000 Airport General Revenue Refunding Bonds authorized by the Thirteenth Supplemental Bond Ordinance in anticipation of which the bond anticipation notes are being issued and for other purposes; designating a paying agent and bond registrar; providing for severability; authorizing certain officials and employees of the City to take all actions required in connection with the issuance of said bond anticipation notes; providing certain other details with respect thereto; providing an effective date; and for other related purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-1983 (5) An Ordinance by **Councilmembers Cleta Winslow, Alex Wan, Felicia A. Moore, C. T. Martin, Keisha Bottoms, Natalyn Archibong, Joyce M. Sheperd, Michael Bond, Ivory Lee Young, Jr., Carla Smith and Kwanza Hall** authorizing the Mayor, on behalf of the City, to accept a \$39,545.00 grant from the Governor's Office for Children and Families, to be utilized for the purchase of recreational supplies and equipment, where such supplies and equipment will be used to benefit Youth Violence Prevention Programs; and amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, by adding to anticipations and appropriations in the amount of \$39,545.00; and authorizing the expenditure of City matching funds in the amount of \$4,388.00 for recreational supplies and equipment from the Account Number indicated below; and for other purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

10-O-1984 (6) An Ordinance by **Councilmember Cleta Winslow** an ordinance to make the intersection of Beecher Street, S.W. and Pinehurst Terrace, S.W. an all-way stop; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

10-O-1985 (7) An Ordinance by **Councilmembers H. Lamar Willis and Michael Julian Bond** authorizing the purchase of permanent and temporary construction easements and the necessary right-of-way from various property owners for the completion of the Fairburn Road Bridge and Danforth Road Sidewalk Projects, and to authorize the Mayor, or his designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings; to authorize the City Attorney, or designee, to institute condemnation proceedings pursuant to the declaration of taking method authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the services of outside counsel, where necessary to handle condemnation proceedings; and for other purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-1986 (8) An Ordinance by **Councilmembers H. Lamar Willis, C. T. Martin, Natalyn Archibong, Michael Bond, Kwanza Hall, Ivory Lee Young, Jr., Aaron Watson and Carla Smith** to amend Section 110-38, entitled "Functions and Duties of Bureau of Cultural Affairs" of the Code of Ordinances of the City of Atlanta, Georgia so as to add a new Subsection (7) which shall authorize the Bureau of Cultural Affairs to administer a Public Art Murals Program; to waive conflicting ordinances; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-O-1987 (9) An Ordinance by **Councilmembers H. Lamar Willis, C. T. Martin, Natalyn Archibong, Michael Bond, Ivory Lee Young, Jr., Aaron Watson, Carla Smith and Kwanza Hall** to amend Chapter 46, entitled "Civic and Cultural Affairs" of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Article IV to be entitled "Public Art Murals;" to provide for the structure and framework which shall govern the administration of the Public Art Murals Program; to waive conflicting ordinances; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-O-1988 (10) An Ordinance by **Councilmembers Kwanza Hall and Ivory Lee Young, Jr.** authorizing the installation of Public Art (Tech Parkway Mural) at 645 State Street, NW (Wells Fargo Bank Branch) as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the November 01, 2010 meeting of the Atlanta City Council was adjourned at 7:10 p.m.

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