

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### NOVEMBER 15, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, November 15, 2010. The Meeting convened at 1:15 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 (12) voting members were present at the Meeting:

<b>The Honorable Kwanza Hall</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Clela Winslow *1:42</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Natalyn Archibong *2:21</b>	<b>The Honorable Joyce M. Sheperd</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Michael J. Bond *2:37</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable Aaron Watson</b>
<b>The Honorable Yolanda Adrean</b>	<b>The Honorable H. Lamar Willis</b>

*Councilmembers Ivory Lee Young, Jr. (excused), Carla Smith (excused) and Keisha Lance Bottoms (excused) were absent.*

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

**INVOCATION:** Reverend Gerald L. Durley of Providence Missionary Baptist 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 **November 01, 2010** Regular Meeting and the **November 05, 2010** Special Called 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 **10 yeas; 0 nays**.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 10-C-1998 ( 1)      A Communication by **City Auditor Leslie Ward** submitting the Performance Audit report regarding the implementation of audit recommendations for the Departments of Finance and Watershed Management.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-C-1999 ( 2)      A Communication by **City Auditor Leslie Ward** submitting the Performance Audit report regarding the Information Technology General Control.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE 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 item 10-O-1822 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **10 Yeas:** Councilmembers Hall, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Watson and Willis: **0 Nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 10-O-1984 ( 1) An Ordinance by **Councilmember Cleta Winslow** to make the intersection of Beecher Street, SW and Pinehurst Terrace, SW an All-Way Stop; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 10-O-0930 ( 2) An **Amended** 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.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE  
OF 10 YEAS; 0 NAYS**
- 10-O-1769 ( 3) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City, to accept three grants that will provide funding for City of Atlanta Recreation Centers; authorizing the Mayor or his designee to execute on behalf of the City all documents required to accept the three grants; authorizing the expenditure of grant matching funds in the amount of \$29,235.11 for the first grant; authorizing the expenditure of grant matching funds in the amount of \$67,500.00 for the second grant; authorizing the anticipations and appropriations associated with the three grants in the amounts and with the Accounts described herein; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 10 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-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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**  
**YOLANDA ADREAN, CHAIR**

- 10-O-1860 ( 5)      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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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-1983 ( 6) An Ordinance by **Councilmembers Clela Winslow, Joyce Sheperd, Michael Julian Bond, Ivory Lee Young, Jr., Carla Smith, Alex Wan, Felicia A. Moore, C. T. Martin, Keisha Lance Bottoms, Natalyn Archibong and Kwanza Hall as Substituted by Finance/Executive Committee** 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 for a grant award from the Governor's Office for Children and Families to Fund the Atlanta Gun Violence Prevention Program; and for other purposes.

**Note: Councilmember Winslow made a Motion to send Ordinance 10-O-1983 to the Mayor's office immediately. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Therefore, the ordinance was sent to the Mayor's Office.**

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

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 rights-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 32-2-4; to authorize the City Attorney to use the services of outside counsel, where necessary to handle condemnation proceedings; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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**

**NATALYN M. ARCHIBONG, CHAIR**

10-O-1820 ( 8) 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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

10-O-1821 ( 9) An **Amended** Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in an amount not to exceed \$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.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE  
OF 10 YEAS; 0 NAYS**

10-O-1822 (10) 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.

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

**SEE CITY UTILITIES COMMITTEE REPORT**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

10-O-1831 (11) A **Substitute** 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.

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

10-O-1832 (12) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations 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.

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

10-O-1833 (13) A **Substitute** 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.

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

**RESOLUTIONS**

**TRANSPORTATION COMMITTEE**  
**C. T. MARTIN, CHAIR**

10-R-1959 ( 1) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Asiana Airlines, Inc., for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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-1960 ( 2)      A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Compagnie Nationale Air France, for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1961 ( 3)      A Resolution by **Transportation Committee** authorizing the Mayor to enter into and execute a Memorandum of Understanding with the City of College Park for the use of the Georgia International Convention Center as a temporarily emergency shelter for the passengers, employees, and visitors of Hartsfield-Jackson Atlanta International Airport in the event of the need for emergency evacuation of the Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1962 ( 4)      A Resolution by **Transportation Committee** authorizing the Mayor to award and execute an Agreement with HSS, Inc., for FC-5051, Gate Guard Services at Hartsfield-Jackson Atlanta International Airport, on behalf of the Department of Aviation, in an amount not to exceed \$3,018,386.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1963 ( 5)      A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with Atlanta Airlines Terminal Corporation to conduct a Comprehensive Facility Audit of the Central Passenger Terminal Complex at Hartsfield-Jackson Atlanta International Airport, for a cost to the City not to exceed \$300,000.00, to 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 10 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-1964 ( 6)      A Resolution by **Transportation Committee** authorizing the Mayor or Chief Procurement Officer to execute a Reimbursable Agreement with the Federal Aviation Administration (“FAA”) to reimburse the FAA of the costs incurred by it to relocate the Midfield Runway Visual Range and FAA Power and Control Cables required by the extension of Taxiway SC and Construction of a new Taxiway across Taxiway 9/27 at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$88,299.53; all contracted work will be paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 10-R-1923 ( 7)      An **Amended** Resolution by **Community Development/Human Resources Committee** designating the Commissioner of the Department of Planning and Community Development as the certifying local official for purposes of signing and submitting quarterly reports for the CDBG-R Grant Number 09DR1-X-060-2-5189 to the Georgia Department of Community Affairs (DCA) which are required by DCA of all recipients of funds under the Community Development Block Grant Supplemental Disaster Recovery Funds awarded to the City; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 10-R-1867 ( 8)      A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter Renewal Number 1 with Jake’s Newsstand, LLC, for FC-6007000027, Operation & Management for Newsstand & Concession Services, on behalf of the Executive Offices-Office of Enterprise Assets Management. Jake’s Newsstand, LLC, will pay the City a monthly fee of \$1,300.00 per month for the rental of the newsstand space in Atlanta City Hall, to be deposited to the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 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-1968 (9) A Resolution by **Finance/Executive Committee** authorizing Mayor to enter into an Amendment Agreement No. 1 with Modular Space Corporation, utilizing the State of Georgia Contract GS-07F-0262M, for the lease of four (4) Modular Trailers on behalf of the Department of Watershed Management in an amount not to exceed \$23,562.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

10-R-1969 (10) A Resolution by **Finance/Executive Committee** authorizing Mayor to enter into a Sole Source Agreement with Open Text Corporation for the purpose of providing Software and Maintenance Agreement for the Enterprise Content Management System ("ECMS") in an amount not to exceed \$220,106.53; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

10-R-1917 (11) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-6007000029, Annual Contract for Major Mechanical Services for the Bureau of Wastewater Treatment and Collections, with Alberici Constructors, Inc./Willis Professional Services, for repairs to the R. M. Clayton Plant in an amount not to exceed \$782,589.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

- 10-R-1896 (12) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Claire Peck v. City of Atlanta, Civil Action File No. 2010MS116039, pending in Fulton County Magistrate Court, in the amount of \$750.00; authorizing said payment to be charged to and paid from the Fund, Departmental, Account and Functional Activity listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1927 (13) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to accept a donation for Licensing and Training for the First Responders of the Department of Fire Rescue from the American Ambulance Association and the Invisible Bracelet Network for the purpose of accessing patient health information and coordinating emergency care within the medical network on behalf of the Department of Fire Rescue; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1929 (14) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Renewal Lease Agreement with Gingko Management, LLC, for the rental of approximately 300 square feet of office space located at 852 Ralph David Abernathy Blvd., SW, Atlanta, Georgia, for the Department of Police Zone Four (4) Mini Precinct, beginning January 1, 2011, until December 31, 2014, at a rental rate of \$1 for the year , to be charged to and paid from the Fund Account listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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-1971 (15) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Gerald Boveland v. City of Atlanta, Civil Action File No. 2010MS110923, in the amount of \$1,100.00; authorizing said payment to be charged to and paid from the Fund, Departmental, Account and Functional Activity listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

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

10-R-1997 (16) A Resolution by **Public Safety and Legal Administration Committee** authorizing the continued use of all state approved Speed Detection Devices on State Routes and Off-System Routes within the City of Atlanta as approved by the Georgia Department of Transportation; to continue the established use of Speed Detection Devices and to specify speed limits on State Routes and Off-System Routes within the City of Atlanta, on behalf of the Department of Public Works; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

**Claims with favorable recommendations:**

10-R-1930 ( 1) Claim of **Latanya Barnett and Auto Finance (APD-9)**, for damages alleged to have been sustained as a result of a vehicular accident on June 29, 2010 at Donald L. Hollowell Parkway at Interstate 285 Overpass. **\$11,023.19**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

10-R-1931 ( 2) Claim of **Tamiko Holloway, through her attorney, Sheryl L. Burke, Attorney at Law (DWM-1)**, for bodily injuries alleged to have been sustained from an automobile accident on May 7, 2010 at Grant Street and McDonough Boulevard. **\$4,900.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

10-R-1932 ( 3) Claim of **Noelle and Murali Kumbale (DWM-3)**, for personal injuries alleged to have been sustained as a result of a curb cock leak in December 2009 at 2050 Joseph E. Boone Boulevard, NW. **\$3,500.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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-1955 (11) Claim of **USAA, as subrogee of Clinton D. Ward (DWM-9)**, for vehicle damages alleged to have been sustained as a result of driving over an unsecured metal plate on February 9, 2010 at 1689 Howell Mill Road. **\$3,086.09**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1956 (12) Claim of **State Farm Insurance Companies, as subrogee of Leonard B. Gailes (APD-2)**, for damages alleged to have been sustained as a result of an automobile accident on March 21, 2010 at 41 10<sup>th</sup> Street, NE. **\$4,059.87**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**
- 10-R-1957 (13) Claim of **Progressive Premier Insurance Company of Illinois, as subrogee of Charles Solley (APD-2)**, 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 10 YEAS;**  
**0 NAYS**
- 10-R-1958 (14) Claim of **Progressive, as subrogee of Elroy Reese (DPW-3)**, for damages alleged to have been sustained as a result of an automobile accident on July 6, 2010 at 921 Ralph David Abernathy Boulevard. **\$3,470.66**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

- 10-R-1940 (15) Claim of **Brooks White, through his attorney, Gregory J. Parent (DWM-3)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on September 21, 2009 at 1719 Detroit Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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-1941 (16) Claim of **Maudie O. Petty (DWM-10)**, for damages alleged to have been sustained during a sewer rehabilitation project on September 7, 2010 at 1781 South Gordon Street, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
0 NAYS**
- 10-R-1942 (17) Claim of **Rita James, through her attorney, Gregory J. Parent (DWM-3)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on September 21, 2009 at 539 Baker Circle, NW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
0 NAYS**
- 10-R-1943 (18) Claim of **Mary Alice Smith, through her attorney, Gregory J. Parent (DWM-3)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on September 21, 2009 at 1681 Detroit Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
0 NAYS**
- 10-R-1944 (19) Claim of **Allstate Insurance Company, as subrogee of Alvin Phillips (DWM-12)**, for damages alleged to have been sustained as a result of a sewer rehabilitation project on May 26, 2010 at 2901 River Ridge Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
0 NAYS**
- 10-R-1945 (20) Claim of **Shelton Stargell, through his attorney, Amjad M. Ibrahim (NA-3)**, for damages alleged to have been sustained as a result of an automobile accident on September 7, 2010 at Sunset Avenue and Martin Luther King, Jr. Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
0 NAYS**
- 10-R-1946 (21) Claim of **Rafael Smith, through his attorney, Amjad M. Ibrahim (NA-3)**, for damages alleged to have been sustained as a result of an automobile accident on September 7, 2010 at Sunset Avenue and Martin Luther King, Jr. Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS;  
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-1947 (22) Claim of **Marie Murph (DPRCA-11)**, for damages alleged to have been sustained as a result of a tree falling on February 15, 2010 at 782 Niskey Lake Circle.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 0 NAYS**
- 10-R-1948 (23) Claim of **Christine Morgenstern (DPCD-2)**, for damages alleged to have been sustained as a result of a vehicular accident on November 19, 2009 at 595 Piedmont Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 0 NAYS**
- 10-R-1949 (24) Claim of **Travelers Property Casualty Company of America, as subrogee of the Simpson Organization, through its attorney, Samuel S. Woodhouse (DWM-?)**, for damages alleged to have been sustained as a result of a water main break on October 29, 2009 at 1401 Peachtree Street, Suite 400.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 0 NAYS**
- 10-R-1950 (25) Claim of **Joyce Landau, through her attorney, P. Kent Eichelzer, III, Hait & Eichelzer (DOA-NA)**, for bodily injuries alleged to have been sustained March 30, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 0 NAYS**
- 10-R-1951 (26) Claim of **Anna Hicks and Marilyn Simmons, through their attorney, Gregory J. Parent (DWM-1)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on September 21, 2009 at 188 Atlanta Avenue, SE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 0 NAYS**
- 10-R-1952 (27) Claim of **Felicia Daniel, through her attorney, James A. Rice, Jr., P.C. (DOA-NA)**, for bodily injuries alleged to have been sustained after being struck by an elevator door on July 16, 2010 at Hartsfield-Jackson Atlanta International Airport, 6000 N. Terminal Parkway.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEARS; 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-1953 (28) Claim of **Mary Dooley, through her attorney, Gregory J. Parent (DWM-10)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow between September 18-20, 2009 at 749 Bolton Road, NW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS**
- 10-R-1954 (29) Claim of **Mary Ellen James, through her attorney, Gregory J. Parent (DWM-3)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on September 20, 2009 at 1749 Detroit Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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 16 as follows) were Referred to the appropriate committees as a collective vote.

- 10-O-1919 ( 1)      An Ordinance by **Community Development/Human Resources Committee** to amend the 2008 City of Atlanta Comprehensive Development Plan by adopting the “Atlanta BeltLine Master Plan Subarea 4: Memorial Drive/Glenwood Ave”; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1920 ( 2)      An Ordinance by **Community Development/Human Resources Committee** to amend the 2008 City of Atlanta Comprehensive Development Plan by adopting the “Atlanta BeltLine Master Plan Subarea 10: Boone/Hollowell”; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1921 ( 3)      An Ordinance by **Community Development/Human Resources Committee** to amend the 2008 City of Atlanta Comprehensive Development Plan by adopting the “Atlanta BeltLine Master Plan Subarea 1: Abernathy/Cascade”; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1990 ( 4)  
CDP-10-11      An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the City of Atlanta’s 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Subarea 1 Abernathy – Cascade** from Various Land Use Designations to Various Land Use Designations; and for other purposes.

NPUs S and T

Council District 4

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

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

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

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

10-O-1991 ( 5)      An Ordinance by **Community Development/Human Resources**  
CDP-10-12      **Committee** to amend the Land Use Element of the City of  
Atlanta's 2008 Comprehensive Development Plan (CDP) so as to  
re-designate properties located in the **Atlanta BeltLine Subarea 4**  
**Memorial-Glenwood** from Various Land Use Designations to  
Various Land Use Designations; and for other purposes.

NPUs N and W                      Council Districts 1, 2 and 5

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

10-O-1992 ( 6)      An Ordinance by **Community Development/Human Resources**  
CDP-10-13      **Committee** to amend the Land Use Element of the City of  
Atlanta's 2008 Comprehensive Development Plan (CDP) so as to  
re-designate properties located in the **Atlanta BeltLine Subarea**  
**10 Boone-Hollowell** from Various Land Use Designations to  
Various Land Use Designations; and for other purposes.

NPU K                                  Council District 3

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

**FINANCE/EXECUTIVE COMMITTEE**  
**YOLANDA ADREAN, CHAIR**

10-O-1965 ( 7)      An Ordinance by **Finance/Executive Committee** to correct  
Ordinance Number 10-O-0743 Adopted by the Atlanta City  
Council on May 17, 2010, and Approved by the Mayor on May 25,  
2010; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A**  
**ROLL CALL VOTE OF 9 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-1966 (8) An Ordinance by **Finance/Executive Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$4,000.00 for a donation from Southface Energy Institute, to support the operations of the Department of Executive Offices, Division of Sustainability; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1967 (9) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta to waive the requirements of the City Code Section 2-1541(d) of the Procurement and Real Estate Code, to accept the donation from Atlanta BeltLine, Inc., of approximately 0.84 acre located around D. H. Stanton Park on Grant Way being Tax Parcel Identification Numbers 14-0055-0009-055-0, 14-0055-0009-056-8, 14-0055-0009-057-6, being more particularly described in Exhibit "A" attached hereto ("the Grant Way Properties"); the value of said donations which is \$145,000.00 will be credited toward the Atlanta BeltLine, Inc.'s ("ABI's) obligations under City Ordinance 09-O-2055; said ordinance authorized the Mayor on behalf of the City of Atlanta to accept reimbursement for the cost of property located at 1090 North West Lois Street which was previously transferred to Atlanta BeltLine, Inc.; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1993 (10) An Ordinance by **Finance/Executive Committee** to create the 2010A Airport Revenue Bond Fund and the 2010B Passenger Facility Charge and Subordinate Lien General Revenue Bond Fund; to add to anticipations and appropriations Bond Proceeds in the amount of \$190,140,000.00 for the Airport General Revenue Bonds, Series 2010A and \$449,440,000.00 for the Airport Passenger Facility Charge and Subordinate Lien General Revenue Bond, Series 2010B; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 9 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-1995 (11) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute Amendment Number 1 to the Memorandums of Understanding between the City of Atlanta and Georgia Solar Energy Association and Georgia Tech Research Institute to increase the dollar amount of the Sub-grants to each organization; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 9 YEARS; 0 NAYS**

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

- 10-O-1914 (12) An Ordinance by **City Utilities Committee** to amend Chapter 154, Article III Section 73, et seq. (The City of Atlanta Water Use Restrictions Ordinance, 07-O-0956) to harmonize the Ordinance with State Law; to establish comprehensive Water Use Restrictions; to authorize the Commissioner of the Department of Watershed Management to set Outdoor Water Use Restrictions during emergency conditions; to establish provisions for adequate enforcement of Outdoor Water Use Restrictions; to amend Chapter 154, Article II, Water and Sewer Appeals Board; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEARS; 0 NAYS**
- 10-O-1915 (13) An Ordinance By **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water And Wastewater Renewal And Extension Fund) (5052) Budget in the amount of \$1,000,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for appropriations and add to Appropriations for Public Health Security-Wastewater Project for the purposes of implementing safety and security, Audit Recommendations at Department of Watershed Management Facilities; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEARS; 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-1972 (14) An Ordinance by **City Utilities Committee** to amend Part III Code of Ordinances (“Land Development Code”), Appendix C (“Plumbing Code Amendments”), Chapter 1 (“Administration”) to require new conveyor car washes to recycle water; to comply with the requirements of the Metropolitan North Georgia Water Planning District’s 2009 Water Supply and Water Conservation Management Plan; to Conserve Water Resources; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1973 (15) An Ordinance authorizing the **Chief Financial Officer** to amend the FY 2011 (2009A Water and Wastewater Bond Fund - 5066) Budget in the amount of \$19,500,000.00 to transfer funds from the Capital Projects Reserve (5066) for appropriations and to add to Appropriation funds for the purpose of completing the final phase of the South River Tunnel & Pump Station Project; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**
- 10-O-1974 (16) An Ordinance by **City Utilities Committee** to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) Budget by adding to anticipations and appropriations surety proceeds in the amount of \$1,588,848.00 per the Settlement Agreement approved by the Full Council of the City of Atlanta, Georgia August 16, 2010 to complete additional corrective work for the Indian Creek Drainage Basin Project; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS**

## **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the November 10, 2010 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Archibong

**The Standing Committee of Transportation 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 November 09, 2010 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the November 10, 2010 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Young

**ORDINANCE FOR SECOND READING**

10-O-1988 ( 1) An Ordinance by **Councilmembers Kwanza Hall and Ivory L. 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.

**Note: Chairperson Watson made a Motion to send 10-O-1988 to the Mayor's Office immediately. It was Seconded by Councilmember Hall. The Motion then CARRIED by a roll call vote of 11 yeas; 0 nays. Therefore, Ordinance 10-O-1988 was sent to the Mayor's Office.**

**ADOPTED 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 November 15, 2010 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Bond

**COMMUNICATIONS**

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

10-C-1904 ( 1) 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. **(Favorable by Community Development/Human Resources Committee 11/9/10.)**

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

10-C-1905 ( 2) A Communication from **Diane O'Steen, Executive Director, Atlanta Bar Association, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. 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. **(Favorable by Public Safety & Legal Administration Committee 11/9/10.)**

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

10-C-1906 ( 3) A Communication by **Councilmembers Natalyn M. Archibong, District 5 and Alex Wan, District 6** appointing 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. **(Recommendation to file by Community Development/Human Resources Committee 11/9/10.) (duplicate legislation -a resolution was submitted.)**

**FILED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (2)**

**FELICIA A. MOORE, CHAIR**

**ORDINANCES FOR SECOND 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.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 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.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 10-O-1911 ( 3)      An **Amended** 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.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 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.  
**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (1)**  
**YOLANDA ADREAN, CHAIR**

Attendance at the November 10, 2010 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

**ORDINANCE FOR SECOND READING**

10-O-1892 ( 1) 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. **(FAVORABLE - 2<sup>ND</sup> READING, 1<sup>ST</sup> ADOPTION)**  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE FOR 3<sup>RD</sup> READING/FINAL ADOPTION BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the November 09, 2010 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Hall

**ITEM REMOVED FROM CONSENT AGENDA**

10-O-1822 ( 1) An Ordinance by **City Utilities Committee as Substituted by Full Council** authorizing the Mayor to accept with the Georgia Environmental Facilities Authority (“GEFA”) State Revolving Fund (“SRF”) Loan Program a subsidized/reimbursable loan for Fifty Million Dollars and No Cents (\$50,000,000.00) and to authorize the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund)(5052) Budget in the amount of Sixty Two Million Five Hundred Eighty Two Thousand Two Hundred Forty One Dollars and No Cents (\$62,582,241.00); to enter into an agreement with the Georgia Environmental Facilities Authority (“GEFA”) for the purpose of funding certain wastewater and drinking water capital improvements; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for appropriations and add to appropriations for various capital projects; and for other purposes. **(Note: The above item was removed from the Consent Agenda by request of Councilmember Hall.)**

**Chairperson Archibong made a Motion to bring forth a Substitute for Ordinance 10-O-1822. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. The Substitute was before the Council. Following, Chairperson Archibong sounded the caption to the Substitute and noted the changes. After which, Ms. Archibong made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.**

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (2)**

**NATALYN M. ARCHIBONG, CHAIR**

**RESOLUTIONS**

10-R-1916 ( 1) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 for FC-6004007858, Water Quality and Water Quantity Long Term Monitoring Network with United States Geological Survey, United States Department of Interior in an amount not to exceed \$496,631.00 on behalf of the Department of Watershed Management; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 1 NAY**

10-R-1918 ( 2) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Arcadis/Bindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services – Hemphill Water Treatment Plant Electrical & Control System Projects Integration, on behalf of the Department of Watershed Management, in an amount not to exceed \$99,693.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes. (Note: Councilmember Adrean stated for the record her abstention to Resolution 10-R-1918 was due to a potential conflict of interest- family member employed by Arcadis)

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

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 November 09, 2010 meeting of the City Utilities Committee was as follows:

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

Absent: None

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

# **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTION/ADOPTED**

10-R-2091 ( 1) A Resolution by **Councilmember Felicia A. Moore** a resolution by the Council of the City of Atlanta hereby accepting a donation of tire recycling services from Liberty Tire Recycling Company for tires collected during the November 19 – November 21, 2010 District 9 Scrap Tire Clean Up Project; and for other purposes.

**Councilmember Moore made a Motion to Adopt Resolution 10-R-2091. It was Seconded by Councilmember Watson 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**

**ORDINANCES/REFERRED**

10-O-2092 ( 1) An Ordinance by **Councilmember C. T. Martin** supplementing and amending that certain Thirteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009, to, among other things, re-designate the name and set forth the terms of the Airport General Revenue Refunding Bonds, Series 2010C, including the 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 2010C Bonds; approve the form and authorizing the execution of a bond purchase agreement and certain other agreements in connection with said Series 2010C Bonds; authorize and approve the preparation, use and distribution of a final official statement in connection with the offer and sale of said Series 2010C Bonds; designate the initial bond registrar and paying agent; ratify and approve the appointment of bond counsel; [set forth the terms and covenants associated with a Municipal Bond Insurance Policy related to said Series 2010C Bonds]; provide 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-2093 ( 2) An Ordinance by **Councilmember Natalyn M. Archibong** to amend Special Use Permit 99-O-1739 (U-99-28) granting a special use permit for a Community Service Facility pursuant to Section 16-08.005 (1)(j), property located at **409 East Lake Boulevard, S.E.** fronting approximately 426.75 feet on the south side of Memorial Drive beginning at the southwest corner of East Lake Boulevard. Depth: varies; Area: approximately 13.363 acres; Land Lot 180, 15<sup>th</sup> District Fulton County, Georgia. Owner: East Lake Community Foundation, Inc.; Applicant: YMCA of Metropolitan Atlanta; NPU- O Council District 5.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

10-O-2094 ( 3) An Ordinance by **Councilmembers Yolanda Adrean, Joyce M. Sheperd, Cleta Winslow, Felicia A. Moore, Kwanza Hall, Howard Shook, Alex Wan, C. T. Martin, Aaron Watson and H. Lamar Willis** transferring funds from the District 8 Councilmember expense account to Park Pride on behalf of the Wildwood Civic Association to assist in the installation of rubberized playground surface for Beaverbrook Park; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

10-O-2095 ( 4) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor, on behalf of the City of Atlanta, to accept a \$30,000.00 grant from the Coca-Cola Foundation for the purpose of funding the after-school music program provided at the Gilbert House by the Atlanta Music Project Inc.; and authorizing the Mayor, on behalf of the City, to enter an agreement with the Coca-Cola Foundation regarding the acceptance of said funds; and authorizing the Mayor, on behalf of the City, to transfer said \$30,000 grant funds to the Atlanta Music Project, Inc. for the sole purpose of operating the music program; and authorizing the Mayor or his designee to enter an agreement with the Atlanta Music Project, Inc. regarding expenditure of the grant money; and authorizing the anticipations and appropriations associated with the grant in the accounts described 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-2096 ( 5)      An Ordinance by **Councilmember Clela Winslow** amending Section 16-18U.037 (Subarea 10-Candler District) of the 1982 Zoning Ordinance of the City of Atlanta by inserting language allowing certain types of signage in the SPI-21 Historic West End/Adair Park Special Public Interest District; and for other purposes.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 10-O-2097 ( 6)      An Ordinance by **Councilmember H. Lamar Willis** to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations, reclassifications, above entry authorizations, and employee salary adjustment authorizations, in the Departments of Corrections; Executive Offices; Fire; Information Technology; Parks, Recreation and Cultural Affairs; and Police and other personnel actions in line with the 2011 Budget; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-O-2099 ( 7)      An Ordinance by **Councilmembers H. Lamar Willis, Aaron Watson and Michael Bond** to impose interim controls on applications for building permits for projecting signs for one hundred eighty days (180) or until such time as the Atlanta City Council has taken final action to amend the Code of Ordinances to define the maximum length which a sign may project from a wall and to specify the manner in which such signs must be supported in order to differentiate a projecting sign from a freestanding sign, whichever is the first to occur; and for other purposes.  
**REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION**
- 10-O-2100 ( 8)      An Ordinance by **Councilmember Michael Julian Bond** to create certain parking benefit districts within the City of Atlanta; to set aside 15% of all parking management revenues received from Contract No. FC-4877, Parking Management Services, for the purpose of implementing streetscape improvements and traffic mitigation measures within current and future parking enforcement zones; and for other purposes  
**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**
- 10-O-2101 ( 9)      An Ordinance by **Councilmember Michael J. Bond** to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to create a Director of Research and Policy in the Department of City Council, Office of Council Staff; and for other purposes.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

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

- 10-O-2102 (10) An Ordinance by **Councilmember Michael Julian Bond** to amend Chapter 150, Article IV, Division 3, Section 150-132 of the City of Atlanta Code of Ordinances to provide that residents of primary parking meter zones created pursuant to the provisions of Subsections 150-132(a) through 150-132(d) may petition the Commissioner of the Department of Public Works to provide for a petitioning process for the creation of sub-zones within previously established primary parking meter zones; and for other purposes.  
**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**
- 10-O-2103 (11) An Ordinance by **Councilmember Michael Julian Bond** to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations and reclassifications in the Department of City Council, Office of Council Staff; and for other purposes.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-O-2104 (12) An Ordinance by **Councilmembers Michael Julian Bond, Joyce M. Sheperd, Cleeta Winslow, Yolanda Adrean, Howard Shook, Aaron Watson, H. Lamar Willis, C. T. Martin, Alex Wan and Kwanza Hall** authorizing the Mayor, acting on behalf of the City, to execute all documents necessary to accept the donation of 5.807 acres located at the corner of Marietta St., NW and Farlie St. NW, commonly known as 72 Marietta St. NW, Atlanta, Georgia, the former facility of the Atlanta Journal-Constitution; to authorize the Chief Financial Officer or her designee to sign the appropriate IRS Forms acknowledging that the City of Atlanta is a qualified organization under IRS regulations to accept this non-cash charitable contribution; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-O-2105 (13) An Ordinance by **Councilmembers Kwanza Hall, Yolanda Adrean, Joyce M. Sheperd, Natalyn Archibong, Aaron Watson, Howard Shook, Cleeta Winslow, H. Lamar Willis, Alex Wan and Michael Bond** authorizing the Chief Procurement Officer to advertise for sealed bids for the purchase of the City of Atlanta's interests in two ground leases for properties in Land Lot 50 of the 14<sup>th</sup> District of Fulton County, in the City of Atlanta; to waive the provision of Section 2-1572 which requires the Chief Procurement Officer to obtain a land survey; 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-2106 (14) An Ordinance by **Councilmember Yolanda Adrean** transferring funds from the District 8 Councilmember expense account to be paid out by the appropriate designated party on behalf of the Memorial Park Civic Association to assist in the removal of fallen trees within Memorial Park; and for other purposes.

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

10-O-2107 (15) An Ordinance by **Councilmember C. T. Martin** amending the 2011 (WIA Adult Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of One Million Six Hundred Seventy Nine Thousand Six Hundred Two Dollars (\$1,679,602.00) in the Workforce Investment Act Adult Fund from the Georgia Department of Labor, to provide job training and other skills to local adult workers; and for other purposes.

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

**RESOLUTION/REFERRED**

10-R-2098 ( 1) A Resolution by **Councilmembers Kwanza Hall, Michael Julian Bond, Aaron Watson and H. Lamar Willis** authorizing the Mayor to execute the required "Conditional and Preliminary Term Sheet with the United States Department of Transportation [Modal Administration]" concerning the Atlanta Streetcar Project in anticipation of executing the documents for final obligation of the grant awarded to the City of Atlanta, pursuant to the National Infrastructure Investments Discretionary Grant Program (Tiger II); and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

Council President Ceasar C. Mitchell Presided

**ADJOURNMENT**

There being no further business to discuss, the November 15, 2010 meeting of the Atlanta City Council was adjourned at 3:08 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Hall, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis (12).**