

#70

10-R-1232

(Do Not Write Above This Line)

A RESOLUTION
BY COUNCILMEMBER
KWANZA HALL

Kr

AUTHORIZING THE MAYOR OR HIS
DESIGNEE TO ENTER INTO AN
ENCROACHMENT AGREEMENT
WITH THE NATIONAL PARK
SERVICE, TO ALLOW THE
INSTALLATION OF AN
ACCESSIBILITY RAMP WITHIN
THE PUBLIC RIGHT-OF-WAY AT
407 AUBURN AVENUE, NE
(HISTORIC EBENEZER BAPTIST
CHURCH) ; AND FOR OTHER
PURPOSES.

ADOPTED BY

JUL 06 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 6/21/10

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____

Date _____

Chair _____

Referred To _____

Committee Public Works

Date June 23, 2010

Chair Shelley

Action Fav, Adv, Hold (see rev. side) Other

Members

Shelley

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

JUL 06 2010

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

JUL 06 2010

Ronda Dugheim Johnson

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 15 2010

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

10-R-1232
Kait

BY COUNCILMEMBER KWANZA HALL

AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE NATIONAL PARK SERVICE, TO ALLOW THE INSTALLATION OF AN ACCESSIBILITY RAMP WITHIN THE PUBLIC RIGHT-OF-WAY AT 407 AUBURN AVENUE, NE (HISTORIC EBENEZER BAPTIST CHURCH) ; AND FOR OTHER PURPOSES.

WHEREAS, the National Park Service, (hereinafter referred to as "Park Service") is the custodian of the Martin Luther King, Jr. National Historic Site and the the Ebenezer Baptist Church is located within this historic district at 407 Auburn Avenue, NE; and

WHEREAS, Ebenezer Baptist Church is a contributing building in the National Preservation District and is listed on the National Register of Historic Places; and

WHEREAS, the "Park Service" would like to make Ebenezer Baptist Church accessible and compliant in accordance with the American with Disabilities Act (ADA), by installing two (2) vertical platform lifts in the building; and

WHEREAS, one of the lifts to be installed is an accessibility ramp on the sidewalk at the west entrance of historic Ebenezer Baptist Church, off of Jackson Street and the reason for this resolution; and

WHEREAS, the "Park Service" received approval from the Urban Design Commission of the City of Atlanta for a permit for the accessibility ramp on Jackson Street in February 2010; and

WHEREAS, the "Park Service" is seeking permission from the City of Atlanta to construct an accessibility ramp (see Attached Plans) on the sidewalk at the west entrance of historic Ebenezer Baptist Church within the public right-of-way at 407 Auburn Avenue, NE lying and being in Land Lot 46 of the 14th District of Fulton County, Georgia.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that:

SECTION 1: The Mayor or his designee is authorized to enter into an encroachment agreement on behalf of the City of Atlanta with the National Park Service, which permits the "Park Service" to construct an accessibility ramp (**see Attached Plans**) on the sidewalk at the west entrance of historic Ebenezer Baptist Church within the public right-of-way at 407 Auburn Avenue, NE.



SECTION 2: The encroaching party shall comply with all requirements contained in Article II of Chapter 138 in general and Section 138-26 in particular, of the Code of Ordinance of the City of Atlanta, with regards to application fees, plan submission, insurance, indemnification, and removal requirements imposed by the City.

SECTION 3: The Commissioner of the Public Works, acting as the Mayor's designee, is authorized to review and approve the terms and conditions for the construction of said accessibility ramp.

SECTION 4: The City Attorney is hereby directed to review an appropriate agreement for execution by the Mayor, to be approved by the City Attorney as to form.

SECTION 5: This agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to the National Park Service.

SECTION 6: That all reloutions and parts of resolutions in conflict herewith be and the same are hereby waived in this instance only.

A true copy.

A handwritten signature in black ink, appearing to be "B. A. ...", written over the text "A true copy." and "Deputy Clerk".

Deputy Clerk

ADOPTED by the Atlanta Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUL 06, 2010

JUL 15, 2010

RCS# 412
7/06/10
2:19 PM

Atlanta City Council

REGULAR SESSION

CONSENT I EXCEPT 10-O-1168,10-R-1228,10-R-1219

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	B Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	07-06-10
1. 10-O-0468 2. 10-O-1147 3. 10-O-1150 4. 10-O-1184 5. 10-O-1235 6. 10-O-1237 7. 10-O-1241 8. 10-O-1063 9. 10-O-0936 10. 10-R-1215 11. 10-R-1216 12. 10-R-1217 13. 10-R-1200 14. 10-R-1201 15. 10-R-1232 16. 10-R-1211 17. 10-R-1212 18. 10-R-1213 19. 10-R-1236 20. 10-R-1249 21. 10-R-1202 22. 10-R-1231 23. 10-R-1234 24. 10-R-1240 25. 10-R-1186 26. 10-R-1187 27. 10-R-1188 28. 10-R-1189 29. 10-R-1190 30. 10-R-1191 31. 10-R-1192 32. 10-R-1193 33. 10-R-1194 34. 10-R-1195 35. 10-R-1196 36. 10-R-1222 37. 10-R-1223 38. 10-R-1224	39. 10-R-1197 40. 10-R-1198 41. 10-R-1199	