

ATLANTA CITY COUNCIL

ACTION/MINUTES

FEBRUARY 21, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, February 21, 2011. The Meeting convened at 1:09 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided.

Attendance:

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

The Honorable Carla Smith *1:20	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *1:18	The Honorable C. T. Martin
The Honorable Ivory Young, Jr.	The Honorable Keisha Bottoms
The Honorable Clela Winslow *1:29	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong*1:47	The Honorable Michael J. Bond *1:26
The Honorable Alex Wan	The Honorable Aaron Watson *2:19
The Honorable Howard Shook	The Honorable H. Lamar Willis
The Honorable Yolanda Adrean	

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

INVOCATION: Reverend Augusta Hall, Jr. of Flipper Temple AME 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 **February 07, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: A Motion was made to **Adopt the Agenda**. It was properly Seconded and **CARRIED** by a roll call vote of **13 yeas; 0 nays**.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C-0253 (1) A Communication from **Chair, Elizabeth B. Coyle, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. Barbara Gallo to the BeltLine Tax Allocation District (TAD) Advisory Committee in the area of Sustainable Development. This appointment is for a term of two (2) years retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0254 (2) A Communication from **Chair, Elizabeth B. Coyle, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. Harriet Macklin to the BeltLine Tax Allocation District (TAD) Advisory Committee in the area of Affordable Housing and Neighborhood Stabilization. This appointment is for a term of two (2) years retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0255 (3) A Communication from **Mark Massey, Clerk to the Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners' appointment of Ms. Danielle Jones (Position 6) to serve as the County's Representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0256 (4) A Communication from **Chris Breeden, Chairman, Buckhead Area Transportation Management Association (BATMA), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. Denise Starling to serve as a member of the SPI-9 Buckhead Village District Development Review Committee.
REFERRED TO ZONING COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0257 (5) A Communication from **Jim Durrett, Executive Director, Buckhead Community Improvement District, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. Bonnie Dean to serve as a member of the SPI-9 Buckhead Village District Development Review Committee.
REFERRED TO ZONING COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-0313 (6) A Communication by **Charletta Wilson Jacks, Director, Bureau of Planning, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mr. Karl Smith-Davids to serve as a member of the SPI-9 Buckhead Village District Development Review Committee.
REFERRED TO ZONING COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0314 (7) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the February 2011 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
- 11-C-0319 (8) A Communication by **Mayor Kasim Reed** appointing Michael B. Dogan as Interim Chief Information Officer for the City of Atlanta.
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 11-R-0240, 11-R-0258 and 11-R-0193 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 Smith, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis;* **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/ EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

11-O-0142 (1) A **Substitute** Ordinance by **Finance/ Executive Committee** to authorize the creation of the Airport Commercial Paper Notes Series 20110 Funds (5523) to internally record accounting transactions/ financial activities related to the Airport General Revenue Commercial Paper Notes, Series 2010; and for other purposes.

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

11-O-0143 (2) An Ordinance by **Finance/ Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations grant funds in the total amount of \$373,125.00 from the Federal Aviation Administration for Project Number 3-13-0008-098-2010 "Sustainability Management Plan"; and for other purposes.

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

11-O-0145 (3) A **Substitute** Ordinance by **Finance/ Executive Committee** authorizing Standard Parking Corporation/ Parking Solutions, LLC to provide and the City of Atlanta to accept Ground Transportation Taxi Starter Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on February 1, 2011 under the Terms of Agreement FC-6004007831 for a period not to extend beyond June 30, 2011; in an amount not to exceed \$38,976.30 per month, to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

11-O-0146 (4) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor to re-employ Dale S. Haygood in the Department of Planning and Community Development's Office of Code Compliance, In Rem Program, in an amount not to exceed \$20,000.00 with all services and charges to be paid from the FDOA Numbers listed; to ratify prior consulting services; and for other purposes.

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

11-O-0152 (5) A **Substitute** Ordinance by **Finance/Executive Committee** to provide for the issuance and sale of Tax Allocation Bonds (Perry Bolton Project), Series 2011, in the Aggregate Principal amount not to exceed \$35,000,000.00 (The "Series 2011 Bonds"), in one or more Subseries, to pay, or to be applied or contributed toward, the payment of Redevelopment Costs associated with the Projects identified on Schedule 1 hereto (The "2011 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of an Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2011 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the issuance and sale of the foregoing described Series 2011 Bonds.

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

11-O-0239 (6) An Ordinance by **Councilmember Felicia A. Moore as Substituted by Finance/Executive Committee** to amend the Procurement Code of the City of Atlanta, Georgia, by amending Section 2-1608, to add a new Subsection 2-1608 (B); 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

- 11-O-0246 (7) An Ordinance by **Councilmember H. Lamar Willis as Substituted by Finance/Executive Committee** authorizing the Mayor or his designee to accept In-Kind Donations on behalf of the City of Atlanta City Council Post 3 for the "Swing into Spring" Tennis Camp; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-O-0245 (9) An Ordinance by **Councilmember Howard Shook** to amend Chapter 10, Article II of the City of Atlanta Code of Ordinances, as amended, so as to create a new Section 10-93.1 providing an exemption for establishments licensed to sell alcoholic beverages by the package which are located in uniquely comprised retail commercial areas on Peachtree Road in excess of 80,000 square feet, are within the C-3 Zoning District, and which meet other requirements; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTIONS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-0218 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement for Contract No. FC-3007000002; Comprehensive Environmental Services, with Environmental Strategies for the Airport's Future, a Joint Venture, to provide continued professional Comprehensive Environmental Services for the Department of Aviation on a task order basis; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

11-R-0219 (2) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Landmark Aviation for FC-5153, Fixed Based Operator Services at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

11-R-0220 (3) A Resolution by **Transportation Committee** authorizing the Aviation General manager or his designee to issue task orders under Contract No. FC-3007000038-B; Managing General Contractors, with Bryson & Associates, JV, in a collective amount not to exceed \$2,000,000.00, to provide Emergency Electrical Power 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**

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

10-R-2133 (4) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an Agreement with GeorgiaLink Public Affairs Group for FC-5187, Consulting and Lobbying at the State Government Level, in an amount not to exceed \$144,000.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 13 YEAS; 0 NAYS**

11-R-0214 (5) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the reemployment of Phyllis D. Holloway as Investigator, Senior in the Department of the Office of the City Solicitor at Salary Grade 17, \$38,471.88 pursuant to §3-505(c) of the Charter of the City of Atlanta; and for other purposes.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-R-0215 (6) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the re-employment of Winston W. Greathouse as an Investigator, Senior in the Department of the Office of the City Solicitor at Salary Grade 17, \$38,471.88 pursuant to 3-§505(c) of the Charter of the City of Atlanta; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-R-0222 (7) A Resolution by **Finance/ Executive Committee** authorizing the Mayor or his designee to exercise Lease Renewal Option Number Three (3) with Dell Marketing, LP, for Server Consolidation Software on behalf of the Department of Information Technology, in an amount not to exceed \$90,335.99; all contracted supplies will 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
- 11-R-0223 (8) A Resolution by **Finance/ Executive Committee** authorizing the 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 on behalf of the Office of the City Solicitor, in an amount not to exceed \$39,648.00; all costs to be charged to the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-R-0224 (9) A Resolution by **Finance/ Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to the Section 2-1602 of Article X of the City of Atlanta Code of Ordinances, utilizing Atlanta Housing Authority Contract Number 209-0034001 with R. B. Communication, Inc., for Telecommunications Cabling Services for One (1) Year on behalf of the Department of Information Technology in an amount not to exceed \$100,000.00 under a Blanket Purchase Order; all contracted work shall be charged to and paid from the FDOA Numbers listed.
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 (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-R-0225 (10) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute an Agreement with Dell Marketing, L.P., utilizing the State of Georgia Contract #SWC90813-01 for Extended Services for WIS Servers on behalf of the Department of Watershed Management in an amount not to exceed \$48,295.14; 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 13 YEAS;
0 NAYS
- 11-R-0226 (11) A Resolution by **Finance/ Executive Committee** authorizing the Chief Procurement Officer to utilize GSA Contract #GS-07F0192N to purchase twenty-two (22) Laser Speed Detection Devices from Lakota Contracting on behalf of the Department of Police ("Department"), in an amount not to exceed \$74,360.00. All costs shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R0227 (12) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Oracle USA, Inc., utilizing Federal GSA Contract GS-35F-0009T Service Contract No. 1979798 for Technical Support Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$90,255.36; 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 13 YEAS;
0 NAYS
- 11-R-0240 (13) A Resolution by **Councilmembers Felicia A. Moore, Yolanda Adrean, Kwanza Hall, Natalyn M. Archibong, H. Lamar Willis, Alex Wan and Ivory Lee Young, Jr. as Amended by Finance/ Executive Committee** to establish a minimum Annual Funding and Staffing Level for the Office of City Internal Auditor; and that this information be provided to the City council no later than February 28, 2011; and for other purposes.

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

SEE FINANCE/ EXECUTIVE COMMITTEE REPORT

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

- 11-R-0258 (14) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute an Agreement with Patton Boggs, LLP for FC-5184, Consulting and Lobbying at the Federal Government Level, on behalf of the Department of Aviation and the Department of Watershed Management, in an amount not to exceed \$300,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

SEE FINANCE/ EXECUTIVE COMMITTEE REPORT

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-R-0252 (15) A Resolution by **City Utilities Committee** authorizing the creation of a Task Force to explore the City's Infrastructure Readiness for the eventual use of Electric Vehicles and the related charging stations needed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 11-R-0241 (16) A Resolution by **Councilmember Natalyn M. Archibong** authorizing the Commissioner of the Department of Planning and Community Development or his designee, on behalf of the Mayor, to apply for, accept and sign all necessary grant agreements with the Georgia Department of Natural Resources for funding in an amount not to exceed \$25,000.00 for a 2011 Historic Preservation Fund CLG Pre-development Grant; 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
IVORY L. YOUNG, JR., CHAIR

- 11-R-0213 (17) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Thomas Coffin v. City of Atlanta, Civil Action File Number 2009CV164580, Superior Court of Fulton County, Atlanta, Georgia, in the amount of \$172,740.38; of this amount, authorizing payment of \$7,740.38 to be charged to and paid from Fund, Account, Center Number, Functional Activity listed, to the General Employees Pension Fund on behalf of Thomas Coffin, and authorizing payment of \$165,000.00 to plaintiff and his attorney, Law Offices of G. Brian Spears, PC; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0228 (18) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with CourtSmart Digital Systems, pursuant to the State of Georgia Contract GS-03F-8028H, for Video Recording Software, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed \$22,980.00; all costs to be charged to Fund, Department, Account, and Functional Activity listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0251 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to execute agreements settling all claims made by the City of Atlanta in the case of In Re Northwest Airlines, Inc., et al., United States Bankruptcy Court, Southern District of New York, Bankruptcy Case Number 05-17930, for payment of claims related to rejection of a lease of an aircraft maintenance facility, environmental damages to and occupancy and use of certain terminal facilities, and property taxes related to leased space, owed to the City of Atlanta as owner and operator of Hartsfield-Jackson Atlanta International Airport, said proceeds to be deposited into Account Number listed below; 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
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

- 11-R-0162 (1) Claim of **Freeman Weaver, through his attorney, Steve Freedman (DWM/ 04)**, for damages alleged to have been sustained as a result of a vehicular accident on July 14, 2010 at University Avenue and Windsor Street. **\$9,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0163 (2) Claim of **GEICO Insurance Company, as subrogee of Jamila L. Hoyett (APD/ 02)**, for property damages alleged to have been sustained from an automobile accident on May 8, 2010 at Browntown Road, NW and Jackson Parkway, NW. **\$8,918.75**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0164 (3) Claim of **Darrell Dozier, through his attorney, William Hutchinson (DWM/ 03)**, for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on March 9, 2010 at 887 Drummond Street, SW. **\$6,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0165 (4) Claim of **Dezinae Ealey (DWM/ 04)**, for damages alleged to have been sustained as a result of an automobile accident on December 6, 2010 on I-20 at McDaniel Street. **\$5,317.72**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0166 (5) Claim of **June Tompkins (DPW/ 08)**, for damages alleged to have been sustained due to a vehicular accident on August 17, 2010 at 3417 Tuxedo Road, NW. **\$2,850.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-0167 (6) Claim of **Keith Gridine (DWM/ 02)**, for vehicular damages alleged to have been sustained from an automobile accident on October 9, 2010 at 1605 Peachtree Street. **\$2,065.71**
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)

11-R-0168 (7) Claim of **Keandra Huff (APD/05)**, for damages alleged to have been sustained as a result of an automobile accident on December 9, 2010 at Montgomery Street, NE and Hosea L. Williams Drive, NE. **\$1,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-0169 (8) Claim of **Gus Used Cars c/o Gus Starks, Jr. (APD/05)**, for vehicular damages alleged to have been sustained from an automobile accident on September 13, 2010 at 1926 Hosea L. Williams Drive, NE. **\$954.46**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-0170 (9) Claim of **Kenneth Williams (DWM/01)**, for vehicular damages alleged to have been sustained after driving over an elevated manhole on October 31, 2010 at 1959 Thomasville Estates Drive, SE. **\$900.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-0171 (10) Claim of **Myson L. Williams (DWM/03)**, for damages alleged to have been sustained as a result of flooding due to storm water overflow on May 3, 2010 at 522 Baker Circle. **\$637.90**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-0172 (11) Claim of **Rudene Rembert (DPW/08)**, for damages alleged to have been sustained as a result of a trip and fall on a damaged sidewalk on April 27, 2010 at 25 Pine Street, NE. **\$585.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Claims with unfavorable recommendations:

11-R-0173 (12) Claim of **Shirley Smith (JUD/01)**, for damages alleged to have been sustained as a result of failure to appear in court for a traffic citation on June 17, 2010 at 160 Garnett Street.
ADVERSE 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)

- 11-R-0174 (13) Claim of **Roy Johnston, through his attorney, Adam Jaffe (NA/ 08)**, for damages alleged to have been sustained as a result of tripping and falling on an unpaved section of the sidewalk on May 14, 2009 at 2965 Pharr Court.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0175 (14) Claim of **Eleanor Hunter, through her attorney, Waymon Sims (ADP/ 01)**, for damages alleged to have been sustained as a result of a vehicular accident on July 10, 2009 at 245 Memorial Way.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0176 (15) Claim of **Evangeline McDonald, through her attorney, Waymon Sims (ADP/ 01)**, for damages alleged to have been sustained as a result of a vehicular accident on July 10, 2009 at 245 Memorial Way.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0177 (16) Claim of **Jeff Sekel (ADP/ 02)**, for damages alleged to have been sustained as a result of an arrest on April 18, 2007 at 805 Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0178 (17) Claim of **Anthony Harvey, through his attorney, James Kelleher**, for damages alleged to have been sustained as a result of a vehicular accident on June 22, 2010 at Mays Drive and Veltre Circle.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0179 (18) Claim of **Sam Hague (APD/ 10)**, for damages alleged to have been sustained as a result of an arrest on October 6, 2010 at 3815 Martin Luther King, Jr. Drive.
**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)

- 11-R-0180 (19) Claim of **Finequa Mahone, through his attorney, Shana M. Rooks (APD/ 12)**, for damages alleged to have been sustained as a result of maltreatment by police on December 25, 2009 at 1959 Metropolitan Parkway.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0181 (20) Claim of **Charles Cook (DWM/ NA)**, for damages alleged to have been sustained as a result of an automobile accident on November 23, 2010 at 805 Selig Drive, Fulton County.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0182 (21) Claim of **Michael Satterlee, through his attorney, Laurie Robbins (DWM/ NA)**, for damages alleged to have been sustained as a result on stepping onto a plank covering a sewer on January 21, 2010 at Collins Ridge Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0183 (22) Claim of **Javits and Kim Britt, through their attorney, Clint Sitton (DWM/ 01)**, for damages alleged to have been sustained as a result of flooding due to storm water on January 24, 2010, March 23, 2010, and April 10, 2010 at 914 Teton Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0184 (23) Claim of **Michael Moebes, through his attorney, Gregory Parent (DWM/ 01)**, for damages alleged to have been sustained as a result of flooding due to storm water on May 3, 2010 and August 6, 2010 at 915 Teton Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0185 (24) Claim of **Pedro Hernandez and Eric Philman, through their attorney, Clint Sitton (DWM/ 01)**, for damages alleged to have been sustained as a result of flooding due to storm water on January 24, 2010, April 23, 2010, and May 5, 2010 at 909 Teton Avenue.
**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)

- 11-R-0186 (25) Claim of **Shanna Smith (DWM/ 01)**, for damages alleged to have been sustained as a result of a water bill dispute on July 30, 2010 at 66 Little Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0187 (26) Claim of **AT&T (DWM/ 02)**, for damages alleged to have been sustained as a result of a vehicular accident of February 8, 2010 at 409 John Wesley Dobbs Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0188 (27) Claim of **Walking through the Vine Community Center (DWM/ 03)**, for damages alleged to have been sustained as a result of a sewer backup on August 27, 2009 at 766 Joseph E. Boone Boulevard.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0189 (28) Claim of **Adam Blatt (DWM/ 07)**, for damages alleged to have been sustained as a result of storm water flooding on September 21, 2009 at 1039 Ferncliff Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0190 (29) Claim of **All About Real Property Solutions, LLC (DWM/ 09)**, for damages alleged to have been sustained as a result of a sewer backup on August 18, 2010 at 785 Gary Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0191 (30) Claim of **Danelle Drayton (DWM/ 09)**, for damages alleged to have been sustained as a result of driving over a raised manhole on February 27, 2010 at 1102 Drew Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0192 (31) Claim of **Gail Adams (DWM/ 10)**, for damages alleged to have been sustained as a result of a sewer backup on January 30, 2010 at 318 Cativo Drive.
**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)

11-R-0193 (32) Claim of **Rhonda Levitt (DWM/ 11)**, for damages alleged to have been sustained as a result of flooding on November 3, 2010 at 3000 Continental Colony Parkway, SW Apartment F-150.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

11-R-0194 (33) Claim of **Venus Prather (DWM/ 11)**, for damages alleged to have been sustained as a result of a water main break on July 22, 2010 at 2375 Butner Road.

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

11-R-0195 (34) Claim of **Joy Fryer-Scott (DPW/ 02)**, for damages alleged to have been sustained as a result of a trip and fall due to a hole in the crosswalk on October 7, 2010 at Fairlie Street and Marietta Street.

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

11-R-0196 (35) Claim of **Wanda Shivers, through her attorney, Mark Link (DPW/ 02)**, for damages alleged to have been sustained as a result of a tripping on a metal bolt in the sidewalk on September 17, 2008 at 312 Auburn Avenue.

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

11-R-0197 (36) Claim of **Charlotte and Aurielle Perdue, through their attorney, Catherine Gibson McCauley (DPW/ 05)**, for damages alleged to have been sustained as a result of a vehicular accident on November 11, 2008 at Memorial Drive at East Lake Drive.

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

11-R-0198 (37) Claim of **Diane Atland, through her attorney, Richard Kopelman (DPW/ 06)**, for damages alleged to have been sustained as a result of a motorcycle accident due to striking a pothole on December 26, 2009 on McLendon Avenue, NE.

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)

- 11-R-0199 (38) Claim of **James P. Weeks (DPW/06)**, for damages alleged to have been sustained as a result of a trip and fall on the sidewalk during the installation of a traffic signal on December 4, 2010 at Juniper Street, NE and 6th Street, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0200 (39) Claim of **Christopher Lott (DPW/07)**, for vehicular damages alleged to have been sustained after driving over a pothole on September 20, 2010 at Lenox Road, NE and Georgia State Route 400 and Piedmont Road, NE and Lenox Road, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0201 (40) Claim of **GEICO, as subrogee of Glenn Wright (DPW/11)**, for damages alleged to have been sustained as a result of an automobile accident on October 26, 2010 at Niskey Lake Road, SW and Campbellton Road, SW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0202 (41) Claim of **Todd McGuire (DPRCA/02)**, for damages alleged to have been sustained as a result of removing a tree on June 4, 2010 at 1203 Cleburne Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0203 (42) Claim of **GEICO, as subrogee of Jillian Martin (DPRCA/06)**, for damages alleged to have been sustained as a result of a fallen tree limb on July 21, 2010 at 1652 North Pelham Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0204 (43) Claim of **Frank Cairns (DPRCA/08)**, for damages alleged to have been sustained as a result of a tree limb falling on July 27, 2010 at Bitsy Grant Tennis Center, 2125 Northside Drive.
**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)

- 11-R-0205 (44) Claim of **Michael Huff (NA/ NA)**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on July 5 thru July 9, 2010 at 4805 Jones Road, Fairburn, GA
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0206 (45) Claim of **Jacqueline Johnson (NA/ NA)**, for damages alleged to have been sustained as a result of driving over a pothole on September 4, 2010 at 5350 Hunter Road, College Park.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0207 (46) Claim of **Bensie Watkins, through her attorney, Heather A. Thorpe (NA/ NA)**, for injuries alleged to have been sustained on March 13, 2010 at an unspecified location.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0208 (47) Claim of **Velma White (NA/ 01)**, for damages alleged to have been sustained as a result of striking a construction cut on November 30, 2010 at 476 Boulevard, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0209 (48) Claim of **USAA, as subrogee of Courtney Wilkins (NA/ NA)**, for damages alleged to have been sustained as a result of driving over a pothole on December 15, 2010 at 6055 Old National Highway, College Park.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0210 (49) Claim of **Michael Fykes (NA/ 10)**, for damages alleged to have been sustained as a result of striking a fallen tree limb on December 1, 2010 at I-20 and I-285.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-0211 (50) Claim of **John Smith, through his attorney, L. Chris Stewart (NA/ 07)**, for injuries alleged to have been sustained on February 5, 2010 at Piedmont Road, and E. Paces Ferry 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)

- 11-R-0212 (51) Claim of **Christiana Johnson, through her attorney, Jonathan Schopp (NA/ 10)**, for damages alleged to have been sustained as a result of a personal injury on November 16, 2010 at Young Middle School, 3316 Benjamin E. Mays Drive.
**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

All items on Consent Agenda Section II (01 through 09 as follows) were Referred to the appropriate committees as a collective vote.

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

11-O-0217 (1) An Ordinance by **Transportation Committee** authorizing the Mayor to purchase a Leasehold Interest located on Toffie Terrace at Hartsfield-Jackson Atlanta International Airport for \$2,500,000.00 plus closing costs not to exceed \$20,000.00 to be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

FINANCE/ EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

11-O-0221 (2) An Ordinance by **Finance/ Executive Committee** to waive Article X, Division 4, Section 2-1188 of the City of Atlanta's Procurement Code to extend the term of the contract to include a Third One (1) Year Renewal Option for FC-6005007967, Privatized Probation Services, a Revenue Generating Contract; authorizing the Mayor to enter into the Third One (1) Year Renewal Agreement in said amended Contract; all funds generated thereunder to be deposited into the applicable General Fund Revenue Accounts and Agency Fund Liability Accounts; 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

11-O-0156 (3) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2001 Water and Wastewater Bond Fund – 5057) Budget in the amount of \$70,000.00 to transfer funds from the Capital Projects Reserve (5057) for Appropriations and to add to appropriation funds for Greensferry and Custer Avenue Sewer Separation Projects; 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

- 11-O-0157 (4) 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 \$795,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for Various Capital Projects; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 11-O-0159 (5) An Ordinance by **Community Development/ Human Resources Committee** authorizing the Mayor's Office of Human Services to apply for a reimbursement grant award from the State of Georgia's Bright from the Start: Department of Early Care and Learning (DECAL) for the 2011 Summer Food Service Program; to proceed with the necessary steps to commence the 2011 Summer Food Service Program; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 11-O-0248 (6)
CDP-11-01 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 **2121 Hollywood Road** from the "Single-Family Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation (Z-10-34); and for other purposes.

NPU-D

Council District 9

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)

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

11-O-0249 (7) An Ordinance by **Community Development/ Human Resources**
CDP-11-02 **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 **a Part of 668 Atlanta Student**
Movement Blvd. (formerly Fair Street) from the “Medium
Density Residential” Land Use Designation to the “High Density
Residential” Land Use Designation (Z-11-01); and for other
purposes.

NPU-T

Council District 4

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

11-O-0250 (8) An Ordinance by **Community Development/ Human Resources**
CDP-11-03 **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 **3201 Atlanta Industrial Parkway** from
the “Industrial” Land Use Designation to the “Office-Institutional”
Land Use Designation (Z-11-04); and for other purposes.

NPU-G

Council District 9

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)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-O-0216 (9) An Ordinance by **Public Safety and Legal Administration Committee** to accept a sub-grant from the United States Department of Homeland Security (“DHS”), to aid the City of Atlanta in its ongoing effort to protect itself from terrorist bomb attacks, through the purchase of specialized equipment for the Department of Police’s Special Weapons and Tactics Unit (“SWAT”), and to amend the 2011 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$481,965.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the February 16, 2011 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Bottoms

ZONING REVIEW BOARD SUMMARY ITEMS

10-O-1238 (1) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to amend
Z-10-15 Sections 16-29.001 (71) (A) (1) and 16-29.001 (73) (A) (2) of the
Zoning Code of the City of Atlanta, for the purpose of clarifying
that the distance requirement between shelter facilities or
supportive housing facilities applies equally to city-owned or
operated shelter or supportive housing facilities as it does to
privately owned or operated shelter or supportive housing
facilities; and for other purposes.

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

10-O-2093 (2) An Ordinance by Councilmember **Natalyn Mosby Archibong as**
U-10-38 **Amended by Zoning Committee** 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) (l),
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, 15th
District Fulton County, Georgia. Owner: East Lake Community
Foundation, Inc.; Applicant: YMCA of Metropolitan Atlanta; NPU-O
Council District 5.

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

10-O-1471 (3) A **Substitute** Ordinance by **Zoning Committee** to rezone property
Z-10-16 from the R-4 (Single Family Residential) District/ Beltline Overlay
District to the RG-3-C (Residential General-Sector 3-Conditional)
District/ Beltline Overlay District, for property located at **403
Montgomery Ferry Drive, N.E.** Property fronting approximately
65.13 feet on the southeastern side of Montgomery Ferry Drive
beginning 451.24 feet from the southwestern corner of Monroe
Drive. Depth: approximately 150 feet; Area: approximately 0.22
acres; Land Lot 56, 17th District, Fulton County, Georgia. Owner:
Sarah E. Ashton; Applicant: Sarah E. Ashton; NPU-F Council
District 6.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

AARON WATSON, CHAIR

ORDINANCES FOR SECOND READING

11-O-0095 (1)
Z-10-38 A **Substitute** Ordinance by **Zoning Committee** to amend the 1982 City of Atlanta Zoning Ordinance, as amended, so as to allow Assisted Living Facilities, as defined in Section 16-29.001(16)(b) as a use within the Planned Development-Housing (PD-H) and Planned Development-Mixed Use (PD-MU) Zoning Districts, subject to approval of a Special Use Permit; and for other purposes.

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

11-O-0096 (2)
U-66-68B An Ordinance by **Zoning Committee** granting a Transfer of a Special Use Permit for a Radio Transmitting Facility adopted by the Board of Alderman on December 19, 1966, property (a.k.a. 2340 Lenox Road) located at the rear of property fronting 182 feet on the south side of Cheshire Bridge Road beginning 650 feet east of the southeast corner of Cheshire Bridge Road and the Seaboard Airline Railroad.

Depth: 650 Feet
Land Lot: 4, 17th District, Fulton County, Georgia

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING

All items for First Reading (01 through 08 as follows) were Referred to the Zoning Review Board and Zoning Committee as a collective vote.

11-O-0229 (1) An Ordinance by **Zoning Committee** to rezone property from the
Z-11-01 RG-3 (Residential General-Sector 3) District to the RG-4 (Residential General-Sector 4) District, property addressed as a portion of 668 **Fair Street, SW**, fronting approximately 212 feet on the south side of Parsons Street beginning at the eastern corner of Lawshe Street.

Depth: Approximately 341 Feet
Area: Approximately 1.73 Acres
Land Lot: 109, 14th District, Fulton County, Georgia
Owner: The Housing Authority of the City of Atlanta
Applicant: Integral Development, LLC/ Eric Pinckney-Vice President
NPU-T Council District 4

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

11-O-0230 (2) An Ordinance by **Zoning Committee** to rezone property from the
Z-11-03 R-2 (Single Family Residential) to the PD-H (Planned Development-Housing) District, property located at **4317 East Conway Drive, NE**, fronting approximately 208 feet on the south side of East Conway Drive beginning approximately 757 feet south of the intersection of East Conway Drive and Jett Road.

Depth: Varies
Area: Approximately 2.67 Acres
Land Lot: 138, 17th District, Fulton County, Georgia
Owner: William L. Pulgram
Applicant: William L. Pulgram c/ o Hakim Hilliard, ESQ
NPU-A Council District 8

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

11-O-0231 (3) An Ordinance by **Zoning Committee** to rezone property from the
Z-11-04 I-1 (Light Industrial) District to the O-I (Office Institutional)
District, property located at **3201 Atlanta Industrial Parkway,
NW**, fronting approximately 1,269 feet on the southeasterly side of
Atlanta Industrial Parkway and approximately 995 feet on the
northeasterly side of Fulton Industrial Boulevard and 223 feet on
the east side of Donald Lee Hollowell Parkway.

Depth: Varies
Area: Approximately 9.45 Acres
Land Lot: 261, 17th District, Fulton County, Georgia
Owner: Atlanta West Business Center, LLC
Applicant: Jon W. Jordan
NPU-G Council District 9

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

11-O-0232 (4) An Ordinance by **Zoning Committee** granting a Special Use
U-10-40 Permit under the provisions of Section 16-06.005(1)(g) for a
Personal Care Home, property located at **1545 Brewer Boulevard,
SW**, fronting approximately 70 feet on the west side of Brewer
Boulevard and approximately 70 feet southwest of the intersection
of Burchill Road and Brewer Boulevard.

Depth: Approximately 150 Feet
Area: Approximately 0.513 Acre
Land Lot: 30, 14th District, Fulton County, Georgia
Owner: Chaim Oami
Applicant: Susan E. Samuels
NPU-X Council District 12

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

11-O-0233 (5) An Ordinance by **Zoning Committee** granting a Special Use
U-11-01/ Permit pursuant to Section 16-28.023 of the City of Atlanta
U-08-06 Zoning Ordinance for a Transfer of Excess Development Rights.
Said use is granted to NP 10th Street, LLC for 1007 Williams
Street/97 Tenth Street, NW (Recipient Parcel) its successors,
assigns and all subsequent owners and are to be transferred from
the Academy of Medicine located at **875 West Peachtree Street,
NE** (Donor Parcel). Donor Parcel is located in Land Lot 49, District
14. Recipient Parcel is located in Land Lot 107, District 17.

Owners: NP 10th Street, LLC (Recipient Parcel) Atlanta
Medical Heritage, Inc. (Donor Parcel)
Applicant: NP 10th Street, LLC
NPU-E Council District 2

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

11-O-0234 (6) An Ordinance by **Zoning Committee** granting a Special Use
U-11-02 Permit pursuant to Section 16-08.006(1)(b) of the City of Atlanta
Zoning Ordinance for a Day Care Center property located at **2461
Peachtree Road, NE**, fronting approximately 197 feet on the east
side of Peachtree Road at the intersection of Peachtree Road and
Terrace Drive.

Depth: Varies
Area: Approximately 1.69 Acres
Land Lot: 101, 17th District, Fulton County, Georgia
Owner: Covenant Presbyterian Church
Applicant: Deserie M. Sanchez
NPU-B Council District 7

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

11-O-0235 (7) An Ordinance by **Zoning Committee** granting an amendment to a
U-11-03/ Special Use Permit pursuant to Section 16-06.005(1)(b) of the City
U-01-48 of Atlanta Zoning Ordinance for a Day Care Center property
located at **1629 Beecher Street, SW/1631 Alvarado Terrace,
SW**, fronting approximately 96.02 feet on the north side of Beecher
Street beginning at the northeast corner of Alvarado Terrace.

Depth: 104.92 Feet
Area: Approximately 0.23 Acre
Land Lot: 150, 14th District, Fulton County, Georgia
Owner: Valerie Belt-Jones
Applicant: Valerie Belt-Jones
NPU-T Council District 4

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

11-O-0236 (8) An Ordinance by **Zoning Committee** granting a Special Use
U-11-04 Permit pursuant to Section 16.17.005(l)(c) of the City of Atlanta
Zoning Ordinance for an Automobile Salvage Yard property located
at 610 Trusco Way, SW, fronting approximately 99.3 feet on the
south side of Trusco Way beginning approximately 180 feet from
the southeast intersection of Trusco Way and Metropolitan
Parkway.

Depth: Varies
Area: 1.765 Acres
Land Lot: 86, 14th District, Fulton County, Georgia
Owner: Gregory M. Swartzberg
Applicant: Gregory M. Swartzberg
NPU-T Council District 4

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the February 16, 2011 meeting of the Transportation Committee was as follows:

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

Absent: Councilmembers Bottoms and Adrean

The Standing Committee of Transportation did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the February 16, 2011 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Willis

ORDINANCES FOR SECOND READING

The following ordinances (01 through 04) were Filed as a collective vote.

10-O-0906 (1) An Ordinance by **Finance/Executive Committee** to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting Ordinances; and for other purposes.

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

10-O-0908 (2) An Ordinance by **Finance/Executive Committee** to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting Ordinances; and for other purposes. (Held 6/02/10 by the Committee for further discussion and review.)

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

10-O-0910 (3) An Ordinance by **Finance/Executive Committee** to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting Ordinances; and for other purposes. (Held 6/02/10 by the Committee for further discussion and review.)

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (2)

YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

11-O-0144 (4) An Ordinance by **Finance/Executive Committee** authorizing Standard Parking Corporation/Parking Solutions, LLC to provide and the City of Atlanta to accept Ground Transportation Taxi Starter Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on January 4, 2011 under the Terms of Agreement FC-6004007831 for a period not to extend beyond April 30, 2011; in an amount not to exceed \$38,976.30 per month, to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

11-O-0242 (5) An Ordinance by **Councilmember C. T. Martin as Substituted by Finance/Executive Committee** authorizing the Mayor to execute Amendment Agreement No. 9 with Republic Services of Georgia, LP, for FC-7650-04B, Annual Contract for Disposal of Municipal Solid Waste Services, on behalf of the Department of Public Works, to extend the Agreement on a month to month basis not to exceed May 30, 2011; and authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Sections 2-1187 through 2-1189, and 2-1206 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 11-O-0242 and offered Amendment #1/#1 to add the Department of Watershed Management. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended 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

11-O-0243 (6) An Ordinance by **Councilmember C. T. Martin as Substituted by Finance/Executive Committee** authorizing the Mayor to execute Amendment Agreement No. 4 with Advance Disposal Services, Inc., for FC-7650-04A, Annual Contract for Disposal of Municipal Solid Waste Services, on behalf of the Department of Public Works, to extend the Agreement on a month to month basis not to exceed May 30, 2011; and authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Sections 2-1187 through 2-1189, and 2-1206 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (3)

YOLANDA ADREAN, CHAIR

RESOLUTIONS

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

11-R-0034 (1) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into a Contract with Dale S. Haygood, a retired employee of the City of Atlanta, Department of Planning and Neighborhood Development, for Training and Consultant Services for the re-organization of the In Rem Program of the Office of Code Compliance for up to 12 months and in an amount not to exceed \$20,000.00 with all services and charges to be paid from the FDOA Numbers listed; and for other purposes.

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

11-R-0147 (2) A Resolution by **Finance/ Executive Committee** authorizing the re-employment of City Retiree Tracy Curry in the Atlanta Police Department for the City of Atlanta pursuant to §3-505, as amended, of the Charter of the City of Atlanta, to be paid an amount not to exceed \$80,231.00 annually from the FDOA Numbers listed; and for other purposes.

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

ITEMS REMOVED FROM CONSENT AGENDA

11-R-0240 (1) A Resolution by **Councilmembers Felicia A. Moore, Yolanda Adrean, Kwanza Hall, Natalyn M. Archibong, H. Lamar Willis, Alex Wan and Ivory Lee Young, Jr. as Amended by Finance/ Executive Committee** to establish a minimum Annual Funding and Staffing Level for the Office of City Internal Auditor; and that this information be provided to the City council no later than February 28, 2011; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Adrean. Chairperson Adrean sounded the caption to Resolution 11-R-0240 and made a Motion to Adopt as Amended. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (4)

YOLANDA ADREAN, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

11-R-0258 (2) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute an Agreement with Patton Boggs, LLP for FC-5184, Consulting and Lobbying at the Federal Government Level, on behalf of the Department of Aviation and the Department of Watershed Management, in an amount not to exceed \$300,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Adrean. Chairperson Adrean sounded the caption to Resolution 11-R-0258 and made a Substitute Motion to Refer the item back to the Finance/ Executive Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

2/21/11 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the February 21, 2011 meeting of the Committee on Council was as follows:

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

Absent: None

COMMUNICATIONS

The following communications (01 through 05) were Confirmed as a collective vote.

- 10-C-2141 (1) A Communication from **Jim Martin, Chair NPU-D, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mr. Lee Coker as their representative 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 2/15/11.)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-C-0002 (2) A Communication from **Byron Thomas, Senior Pastor, Central United Methodist Church, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mrs. Joyce Brayboy Jones as their representative to serve on the Ella Mae Brayboy Commission. (Held 1/18/11 by the Committee to allow the appointee an opportunity to appear before the Committee.)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-C-0004 (3) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance-Bottoms, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large**, appointing Reverend Larry Hill to serve on the Ella Mae Brayboy Commission. (Held 1/18/11 by the Committee to allow the appointee an opportunity to appear before the Committee.)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-C-0154 (4) A Communication from **Leona Barr-Davenport, President & CEO, Atlanta Business League, to Council President Ceasar C. Mitchell and Members of Council**, submitting their nomination of Ms. Pamela Aliniece to serve as a member of the Atlanta Citizen Review Board. Ms. Aliniece is to serve the unexpired term of Mr. Owen Montague. This appointment will expire on 6/04/2012. (Favorable by Public Safety & Legal Administration 2/15/11.)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 11-C-0155 (5) A Communication from **Ryland N. McClendon, Assistant General Manager, MARTA, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mr. Lyndon Wade as MARTA's Board of Directors representative to serve on the Ella Mae Brayboy Commission.
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTION

- 11-R-0100 (1) A **Substitute** Resolution by **Committee on Council** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement between the City of Atlanta (City) and IQM2, pursuant to Section 2-1608 et. seq. of the City of Atlanta Code of Ordinances and utilizing the Joint Marketing Service Agreement between the Georgia Municipal Association (GMA) and IQM2 in an amount not to exceed \$170,000.00 for the provision of workflow, document management and meeting management software support and training, also referred to as Electronic Legislative management System (ELMS) for a period of five (5) years, on behalf of the City Council Office of the Municipal Clerk and the Mayor's Office of Communications. All contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes. (Held 1/18/11 by the Committee for further review.)
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the February 15, 2011 meeting of the City Utilities Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-0940 (1) A **Substitute** Ordinance by **City Utilities Committee** to amend Article V of Chapter 154 of the Atlanta City Code Entitled "Sewage Disposal" (§154-196 et seq.); to create a fee for the issuance of an Industrial Wastewater Discharge Permit; to create a fee for Annual Inspections; and for other purposes. (Public Hearing held 9/21/10)
FILED SUBSTITUTE BY A ROLL CALL VOTE OF 13 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 February 15, 2011 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

10-O-1890 (1) An Ordinance by **Community Development/ Human Resources**
CDP-10-08 **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. (4TH Quarter CDP Public Hearing on 11/29/10)

NPU-Z

Council District 1

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

11-O-0135 (2) An Ordinance by **Community Development/ Human Resources**
Committee to amend Article I, Section 29, of the Atlanta Housing Code of 1987, Appendix "E" of the City of Atlanta Land Development Code, entitled "Minimum Specifications to Abate Interior Requirements in Vacant Dwelling Units", so as to require that all exterior doors on vacant dwellings be secured from the exterior by use of ½" exterior grade plywood cut to fit the door inset molding and by use of 3" exterior grade decking screws and washers placed every 8" around the door; and for other purposes.

Chairperson Sheperd sounded the caption to Ordinance 11-O-0135 and stated the recommendation from committee was Favorable on Condition (receive a substitute). Following, Ms. Sheperd made a Motion to bring forth the Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before Council. A discussion ensued, during which, Councilmember Bond offered Amendment #1/#1 to add a Section (d) to read: "compliance with these minimum specifications shall not include issuance of citations in the event that subsequent thereto the structure becomes open or otherwise falls below these minimum specifications. These specifications shall in no way abate, assume, substitute or replace the responsibility of any dweller and/ or owner to secure and maintain such

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

11-O-0135 (2)
(Cont'd)

An Ordinance by **Community Development/ Human Resources Committee** to amend Article I, Section 29, of the Atlanta Housing Code of 1987, Appendix "E" of the City of Atlanta Land Development Code, entitled "Minimum Specifications to Abate Interior Requirements in Vacant Dwelling Units", so as to require that all exterior doors on vacant dwellings be secured from the exterior by use of ½" exterior grade plywood cut to fit the door inset molding and by use of 3" exterior grade decking screws and washers placed every 8" around the door; and for other purposes.

premises. These standards shall be reviewed on an annual basis." Without Objection, Bond Amendment #1/#1 CARRIED by a roll call vote of 13 yeas; 1 nay. Thereafter, Chairperson Sheperd made a Motion to Adopt on Substitute as Amended. Without Objection, the Motion 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 Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
IVORY L. YOUNG, JR., CHAIR

Attendance at the February 15, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

ITEM REMOVED FROM CONSENT AGENDA

11-R-0193 (1) Claim of **Rhonda Levitt (DWM/ 11)**, for damages alleged to have been sustained as a result of flooding on November 3, 2010 at 3000 Continental Colony Parkway, SW Apartment F-150.

The above item was removed from the Consent Agenda by request of Councilmember Bottoms. Chairperson Young sounded the caption to Resolution 11-R-0193 and made a Motion to Adverse. The Motion then CARRIED by a roll call vote of 10 yeas; 0 nays; 1 abstention.

Note: Councilmember Bottoms stated for the record her abstention to resolution 11-R-0193 was due to a potential conflict of interest – separate litigation action pending.

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

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ ADOPTED

11-R-0320 (1) A Resolution by **Councilmembers Michael Julian Bond, Joyce M. Sheperd, Ivory Lee Young, Jr., Clea Winslow, H. Lamar Willis, Felicia A. Moore, Kwanza Hall, C. T. Martin and Aaron Watson** supporting the United Auto Workers (UAW) principals for fair union elections; and for other purposes.

Councilmember Bond made a Motion to Adopt Resolution 11-R-0320. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

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

11-R-0321 (2) A Resolution by **Councilmembers Keisha Lance Bottoms, C. T. Martin and Aaron Watson** authorizing [i] the settlement of two lawsuits: (a) Leo A. Daly Company, Khafra Engineering Consultants, Inc., Anthony C. Baker Architects & Planners, P.C. And Browder + Leguizamon and Associates d/b/a Leo A. Daly, Khafra, Baker & Browder, a joint venture vs. The City of Atlanta; in the superior court of Fulton County, State of Georgia; civil action File No. 2005cv104881; and (b) Leo A. Daly Company, khafra Engineering Consultants, Inc., Anthony C. Baker Architects & Planners, P.C. and Browder + Leguizamon and Associates d/b/a Leo A. Daly, khafra, Baker & Browder, a joint venture vs. Lexington Insurance Company, International Aviation Consultants, L.L.C. And the City of Atlanta; in the superior court of Fulton County, State of Georgia; civil action File No. 2009cv170636, Relating to the Maynard Holbrook Jackson, Jr. International Terminal; [ii] the receipt by the City of Atlanta of \$10 Million from Lexington Insurance Company in settlement of the City's claims and the payment by the City of Atlanta to Leo A. Daly, Khafra, Baker & Browder, a joint venture, of \$1.25 Million in settlement of the joint venture's claims; [iii] the City Attorney and/or her designated legal representatives to execute any settlement agreements and/or other appropriate documents/pleadings necessary to effectuate the settlement; and [iv] for other purposes.

Councilmember Bottoms made a Motion to Adopt Resolution 11-R-0321. It was properly Seconded and a brief discussion ensued. After which, the Motion to Adopt CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED

- 11-O-0322 (1) An Ordinance by **Councilmembers Yolanda Adrean, Howard Shook, Carla Smith and Felicia A. Moore** transferring funds from the District 8 Councilmember expense account to assist with the 2011 Buckhead ECO Collection Event; and for other purposes. **REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-O-0323 (2) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor to enter into an appropriate contractual agreement with Advanced Disposal Services of Atlanta, LLC. for FC-5035C, annual contract for the disposal of municipal solid waste, on behalf of the Department of Public Works, and the Department of Watershed Management based on unit prices in an amount not to exceed Six Hundred Seventy-Four Thousand One Hundred Eight Dollars and No Cents (\$674,108.00); authorizing the City of Atlanta to waive the competitive source selection requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from various Fund Department Organization and Account Numbers; and for other purposes. **REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**
- 11-O-0324 (3) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor to enter into an appropriate contractual agreement with Republic Services of Georgia, LLC. for FC-5035B, annual contract for the disposal of municipal solid waste, on behalf of the Department of Public Works, and the Department of Watershed Management based on unit prices in an amount not to exceed Five Million Five Hundred Four Thousand Dollars and No Cents (\$5,504,000.00); authorizing the City of Atlanta to waive the competitive source selection requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from various Fund Department Organization and Account Numbers; 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)

11-O-0325 (4) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor to enter into an appropriate contractual agreement with Waste Management of Atlanta, Inc. for FC-5035A, annual contract for the disposal of municipal solid waste, on behalf of the Department of Public Works, and the Department of Watershed Management based on unit prices in an amount not to exceed Three Million Four Hundred Forty-Six Thousand Seven Hundred Sixteen Dollars and No Cents (\$3,446,716.00); and authorizing the City of Atlanta to waive the competitive source selection requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from various Fund Department Organization and Account Numbers; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

11-O-0326 (5) An Ordinance by **Councilmembers Howard Shook, H. Lamar Willis, Yolanda Adrean, Carla Smith, Felicia A. Moore, Michael Julian Bond and Aaron Watson** transferring funds from the District 7 Councilmember expense account to assist with the 2011 Buckhead ECO Collection Event; 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)

11-O-0327 (6) An Ordinance by **Councilmembers Aaron Watson, Michael Julian Bond, Kwanza Hall, Ivory Lee Young, Jr., H. Lamar Willis and Keisha Bottoms** concerning the Atlanta Streetcar Project that will authorize: (1) the execution by the Mayor of such documents as may be required by the Secretary of Transportation in order to obligate the funding preliminarily approved with respect to that discretionary grant awarded to the City under funding included in the transportation, housing and urban development, and related agencies appropriations act for 2010 for national infrastructure improvements; (2) the execution by the Mayor of an Intergovernmental Agreement (“IGA”) with the Metropolitan Atlanta Rapid Transit Authority (“MARTA”) and the Downtown Atlanta Community Improvement District (DACID”) setting forth the terms under which the parties will allocate local share funding obligations, procure, design, construct, and initially operate the project; (3) the execution by the Mayor of agreements for the procurement of rolling stock that may be used as the local share obligation for future federally funded transit projects using Nine Million, Forty-Nine Thousand, Eighty-Nine Dollars (\$9,049,089) in surplus funds held in the project coverage fund established under a tax custody agreement dated December 1, 2005 among the City of Atlanta, Fulton County Recreation Authority, the Atlanta Development Authority and Regions Bank and appropriate those funds to such procurement; (4) the Chief Financial Officer to create the accounts necessary to receive any grant funds, local share obligation funds to be provided by DACID or additional appropriations necessary to carry out the intent of this ordinance and expend the funds kept in such accounts; and for other purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

11-O-0328 (7) An Ordinance by **Councilmember Kwanza Hall** authorizing the Mayor or his designee to reduce the speed limit on Piedmont Ave. from 35 mph to 30 mph from Martin Luther King, Jr. Drive, SW to Ellis Street, NE; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED

- 11-R-0329 (1) A Resolution by **Councilmembers Felicia A. Moore, Howard Shook, Michael Julian Bond, H. Lamar Willis, Aaron Watson, Keisha Bottoms, Joyce M. Sheperd, Natalyn Archibong, Yolanda Adrean** a resolution of the Atlanta City Council expressing its intention to enlist the services of professionals in the review and evaluation of data used in the report and presentation of the 2011 pension panel; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-R-0330 (2) A Resolution by **Councilmembers Felicia A. Moore and Yolanda Adrean** requesting that the Department of Public Works not use the 2009 Retail Planning Corporation Traffic Study as a basis for recommending a traffic signal at Howell Mill Road and White Street; calling for a new study to be conducted and paid for by the City; requiring that implementation of the study be conducted after traffic mitigation measures are in place; 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 February 21, 2011 meeting of the Atlanta City Council was adjourned at 4:03 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (14); Councilmember Wan was excused (1).