

ATLANTA CITY COUNCIL

ACTION/MINUTES

MARCH 21, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, March 21, 2011. The Meeting convened at 1:05 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	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory Young, Jr. *1:24	The Honorable Keisha Bottoms
The Honorable Clela Winslow	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *1:12	The Honorable Michael J. Bond *1:10
The Honorable Alex Wan *1:08	The Honorable Aaron Watson *2:11
The Honorable Howard Shook	The Honorable H. Lamar Willis *1:16
The Honorable Yolanda Adrean	

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

INVOCATION: Reverend Aaron L. Parker of Zion Hill 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 **March 07, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: A Motion was made to **Amend the Agenda** by moving the Standing Committee of **Zoning** to report first to act on ordinance 11-O-0441 to accommodate the Mayor for immediate signature. Without Objection the Motion to **Adopt the Agenda as Amended CARRIED** by a roll call vote of **10 yeas; 0 nays**.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C- 0450 (1) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the March 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-0451 (2) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Municipal Court Operations.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 11-C-0452 (3) A Communication by **Mayor Kasim Reed** re-appointing Ms. Constance Barkley-Lewis to serve as a member of the Judicial Commission on behalf of the City of Atlanta. This re-appointment is for a term of four (4) years to expire on April 15, 2015.
FILED WITHOUT OBJECTION
- 11-C-0453 (4) A Communication by **Mayor Kasim Reed** appointing Ms. Sonya McLaughlin Halpern to serve as a member of the Judicial Commission on behalf of the City of Atlanta. This appointment is for a term of four (4) years.
FILED WITHOUT OBJECTION
- 11-C-0454 (5) A Communication by **Mayor Kasim Reed** re-appointing Mr. James B. Hughes, Jr., Esq. to serve as a member of the City of Atlanta and Fulton County Recreation Authority. This re-appointment is for a term of four (4) years retroactive to January 16, 2011 and expires on January 16, 2015.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0455 (6) A Communication by **Mayor Kasim Reed** appointing Ms. Nancy A. Boxill to serve as a member of the City of Atlanta and Fulton County Recreation Authority. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0456 (7) A Communication by **Mayor Kasim Reed** appointing Mr. Samuel Bacote to serve as a member of the Fulton County/City of Atlanta Land Bank Authority. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

11-C-0457 (8) A Communication by **Mayor Kasim Reed** appointing Mr. William K. Whitner, Esq. to serve as a member of the City of Atlanta and Fulton County Recreation Authority. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

11-C-0458 (9) A Communication by **Mayor Kasim Reed** appointing Mr. Paul E. Vranicar, Esq. to serve as a member of the Fulton County/City of Atlanta Land Bank Authority. This appointment is to fill the unexpired term of Chris Norman and will expire on 9/07/2012.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

The following items (10 through 18) were taken as a collective vote.

11-C-0516 (10) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of L. Danielle Carney to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

11-C-0517 (11) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Jennifer Freeman to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

11-C-0518 (12) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Robert A. Jones, III to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-0519 (13) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Moki Macias to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0520 (14) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Kelli J. Reid to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0521 (15) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mark J. Schultz to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0522 (16) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Albert Caproni to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee. This re-appointment is retroactive to January 1, 2011, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-0523 (17) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Ron Hewitt to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee. This re-appointment is retroactive to January 1, 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-0524 (18) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Jim Schneider to serve as a member of the Beltline Tax Allocation District (TAD) Advisory Committee. This re-appointment is retroactive to January 1, 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-0525 (19) A Communication by **Council President Ceasar C. Mitchell, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. Jack Guynn to serve as a member of the Midtown Community Improvement District. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 11-O-0323, 11-O-0324, 11-O-0325, 11-R-0435 and 11-R-0444 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: **14 Yeas**: Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis: **0 Nays**.

Consent Agenda Section I was originally Adopted by a roll call vote of 14 yeas; 0 nays. However, a Motion to Reconsider was made and properly Seconded. The Motion then CARRIED by a roll call vote of 14 yeas; 0 nays. Consent Agenda I was before Council. Councilmembers Young and Archibong then removed additional items from the Consent Agenda. After which, the Motion to Adopt CARRIED by a roll call vote of 14 yeas; 0 nays.

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

11-O-0106 (1) An Ordinance by **Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Carla Smith, Cleta Winslow, Alex Wan and Howard Shook as Substituted by Finance/Executive Committee** to transfer the amount of \$10,000.00 from District 2 Councilmember Unrestricted Reserve Account to pay for a Cultural Heritage Plan for downtown and surrounding neighborhoods; and for other purposes.

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

11-O-0221 (2) A **Substitute** 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 FC-6005007967, Privatized Probation Services, a Revenue Generating Contract, to include 30 day term with 11 options for renewal to be exercised at the discretion of the Chief Judge or their designee, such Contract to terminate upon the award of a new contract for Privatized Probation Services following the request for proposal process as set forth in the City of Atlanta's Procurement Code; all funds generated thereunder to be deposited into the applicable General Fund Revenue Accounts and Agency Fund Liability Accounts; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 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-0317 (3) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to amend a Lease Agreement with the Atlanta City Employees Credit Union for approximately 1,068 square feet of office space at 226 Peachtree Street, SE, in Land Lot 77 of the 14th District of Fulton County, Georgia; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-O-0369 (4) An Ordinance by **Committee on Council** to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia so as to provide for a certain position creation and abolishment in the Department of City Council, Office of the Municipal Clerk; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

11-O-0315 (5) An Ordinance by **City Utilities Committee** authorizing the sale of the City's interest in a narrow strip of land located at the southwest corner of Kendall Street and Alaska Avenue, in Land Lot 19 of the 14th District of Fulton County, Georgia; authorizing the Mayor to execute a Quitclaim Deed to the abutting property owner upon payment of the Fair Market Value; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

11-O-0323 (6) 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 \$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.

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

SEE CITY UTILITIES COMMITTEE REPORT

11-O-0324 (7) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor to enter into an appropriate contractual agreement with Republic Services of Georgia, LLP, 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 \$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.

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

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)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0325 (8) 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 \$3,446,716.00; 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.

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

SEE CITY UTILITIES COMMITTEE REPORT

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

ALEX WAN, VICE-CHAIR

- 11-O-0259 (9) An Ordinance by **Community Development/Human Resources Committee** amending the Fiscal Year 2011 (Intergovernmental Grant Fund) Budget, Office of the Mayor, by adding to anticipations and appropriations in the amount of \$725,487.91 from the State of Georgia's Bright from the Start: Department of Early Care and Learning (DECAL) for the 2011 Summer Food Service Program; and for other purposes.

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

- 11-O-0260 (10) An Ordinance by **Community Development/Human Resources Committee** to eliminate Recreational Competition Spectator Fees currently charged by the City, by deleting in its entirety Section 110-3 (d)(l)(c) of the Atlanta Code of Ordinances; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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)

ALEX WAN, VICE-CHAIR

11-O-0261 (11) An Ordinance by **Community Development/Human Resources Committee** to treat the Atlanta Pride Festival as having occurred in Piedmont Park during Columbus Day weekend for three consecutive years for purposes of approving Atlanta Pride Festival dates in the future, as dictated by Atlanta Code of Ordinances Section 142-12 (a)(2); and for other purposes.

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

11-O-0440 (12) An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$2,100,000.00 in grant funds awarded by the U. S. Department of Housing and Urban Development (HUD) and by transferring from and to appropriations in the amount of \$200,000.00 as part of the Lead-Based Paint Hazard Control Grant Program (LBPHC); and for other purposes.

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

11-O-0439 (13) An Ordinance by **Councilmember Joyce Sheperd** amending the 2010 (Community Development Block Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$4,906,758.00 under the United States Department of Housing and Urban Development's Neighborhood Stabilization 3 (NSP3) Program; to create three positions within the Office of Housing to administer the NSP3 Program; and for other purposes.

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

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

11-O-0316 (14) An Ordinance by **Public Safety and Legal Administration Committee** amending Chapter 98, Article IV, Division 2, Section 98-155; Chapter 114, Article IV, Division 7, Subdivision II, Sections 114-229, 114-230 and 114-236, so as to change the non-discretionary rank of Corrections Captain to a discretionary rank; to repeal conflicting ordinances; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

11-O-0328 (15) An Ordinance by **Councilmember Kwanza Hall** authorizing the Mayor or his designee to reduce the speed limit on Piedmont Avenue from 35 MPH to 30 MPH from Martin Luther King, Jr. Drive, SW to Ellis Street, NE; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-O-0442 (16) An Ordinance by **Councilmember Cleta Winslow** making the intersection of Mayland Avenue, SW at Elbert Street, SW an All Way Stop; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

RESOLUTIONS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

11-R-0354 (1) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the General Services Administration Contract Number GS-35F-4984H with International Business Machines for Cognos Maintenance and Support Services beginning April 1, 2011 through September 30, 2011 in an amount not to exceed \$30,000.00, to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-R-0355 (2) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the General Services Administration Contract Number GS-35F-4188D with Technology Integration Group for McAfee Total Protection for Endpoint Software Licenses and one year of Gold Software Support on behalf of the Department of Information Technology in an amount not to exceed \$52,250.00; 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 14 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-0356 (3) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the General Services Administration Contract Number GS-35F-0249R with Accela, Inc., for the purchase of Accela Application Hosting on behalf of the City of Atlanta Department of Information Technology in an amount not to exceed \$133,048.47, beginning April 1, 2011 through March 31, 2012; 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 14 YEAS;
0 NAYS**

11-R-0444 (4) A Resolution by **Councilmember Yolanda Adrean as Substituted by Finance/Executive Committee** authorizing the City's participation as a partner with the Georgia Department of Revenue in a voluntary effort to ensure businesses proper payment of state and local sales taxes; and for other purposes.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

11-R-0338 (5) A Resolution by **City Utilities Committee** authorizing the City of Atlanta, as a co-owner of certain property operated as the North Fulton Water Treatment Plant and a Joint Venture Member in the Atlanta-Fulton County Water Resource Commission, to enter into Renewal Agreement No. 1, for FC-6005007928, Operation and Maintenance Service of the Atlanta-Fulton County Water Treatment Facility, with Veolia Water North America-South/Khafra Engineering Consultants, a Joint Venture, in an amount not to exceed \$4,063,873 with a fifty percent share of the project cost to the City of Atlanta, in an amount not exceed \$2,031,936.69; all contracted work shall be charged to and paid from the Fund Department, Organization and Account Number listed; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-R-0339 (6) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Kemi Construction Company, Inc., JV, for FC-4748, Sewer Group Three Contract A on behalf of the Department of Watershed Management, in an amount not to exceed \$8,217,320.00; that all contracted work shall be charged to and paid from the Fund Department, Organization and Account and PTAE0 Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0340 (7) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement No. 1 with Kemi Construction Company, Inc., for FC-5003, Annual Contract for Repair and Replacement of Valves and Raising Manhole and Valve Covers, on behalf of the Department of Watershed Management, for Time-Only; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0341 (8) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement No. 1 with Player and Company, for FC-5011, Annual Contract for Major Electrical Service and Repair, on behalf of the Department of Watershed Management, in an amount not exceed \$90,000.00; all contracted work will be charged to and paid from the Fund Department, Organization and Account Number listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0342 (9) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to issue payment for the month to month lease for rental space located at 263 Decatur Street, SW, Atlanta, Georgia with Johnson Real Estate Investments, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$216,015.00; all contracted work shall be charged to paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

11-R-0364 (10) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2, for FC-4718A, Annual Contract for Small Water Meters, for the Bureau of Drinking Water with Metals and Materials, LLC, on behalf of the Department of Watershed Management/Bureau of Drinking Water, in an amount not to exceed \$3,000,000.00; all contracted work shall be charged to and paid from the Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-R-0367 (11) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement No. 1 with WWPS, LLC, for FC-5010, Annual Contract for Major Mechanical Services for the Bureau of Operations, Wastewater Treatment and Collections Division, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,250,000.00; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

ALEX WAN, VICE-CHAIR

11-R-0359 (12) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into a Memorandum of Understanding with the James Forrest Scholastic and Sports Academy regarding programming at the Grant Park Recreation Center; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
ALEX WAN, VICE-CHAIR

- 10-R-0751 (13) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City, to enter a Memorandum of Understanding with the Chastain Park Athletic Club for the purpose of operating the Chastain Park Swimming Pool; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0357 (14) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter a contractual agreement with the Atlanta Center for Self-Sufficiency (ACSS) for the implementation of CDR-08-05, Clean Street Team for an amount not to exceed \$124,288.00 to be charged to and paid from PTAE0: 04210581 (Clean Street Team)/3390/220131870 (CDBG-R)/5239004 (Service Grant)/COA; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0358 (15) An **Amended** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to apply for and accept a grant in an amount not to exceed \$1,000,000.00 from the Georgia Department of Community Affairs (DCA) under the Neighborhood Stabilization Program 3 (NSP3); and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0438 (16) Resolution by **Councilmember Joyce Sheperd** authorizing the Mayor to enter into a contract with Fulton County/City of Atlanta Land Bank Authority, Inc. in an amount not to exceed \$4,416,082.20 to redevelop abandoned and foreclosed properties under the United State Department of Housing and Urban Development's Neighborhood Stabilization 3 (NSP3) Program; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)

ALEX WAN, VICE-CHAIR

- 11-R-0361 (17) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into contractual agreements with the Center for Working Families, Inc. and to enter into a contractual agreement with Senior Connections, Inc. in an aggregate amount not to exceed \$2,047,934.00 as sub-recipients of grant funds awarded to the City of Atlanta by the U. S. Department of Housing and Urban Development's Office of Healthy Homes and Lead Hazard Control (OHHLHC) in order to implement the "Lead Safe Atlanta Program"; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-R-0433 (18) 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 Wellington Clarke v. City of Atlanta, Civil Action File No. 2008CV159292, Superior Court of Fulton County, Atlanta, Georgia, in the amount of \$90,000.00; authorizing payment of this amount to be charged to and paid from the Fund and Account Number listed to the National Association of Government Employees (NAGE) to be held in Escrow; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0434 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of John Gilliam v. City of Atlanta, Civil Action File Numbers 09-CV2230 and 10-CV-00518, United States District Court for the Northern District of Georgia, in the amount of \$75,000.00; authorizing payment of this amount to be charged to and paid from the Fund and Account Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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

- 11-R-0435 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the lawsuit styled John Russo Industrial Sheet Metal, Inc. v. City of Atlanta, Civil Action No. 2010CV180034 for \$237,500.00; Funds to be paid from the Fund and Account Number listed; and for other purposes.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-0346 (21) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-3007000037-C; Small Business Managing General Contractors, with Dobbs Raker, LLC, in a collective amount not to exceed \$2,200,000.00, to renovate the former Eastern Airlines Credit Union Building 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 14 YEAS; 0 NAYS

- 11-R-0347 (22) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-4556-A; Structural Tests and Special Inspections, with ATC Associates, Inc., in an amount not to exceed \$1,209,058.00 to provide Structural Tests and Special Inspections for the Maynard Holbrook Jackson, Jr. International Terminal. 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 14 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-0348 (23) A Resolution by **Transportation Committee** authorizing the Mayor to execute a First Amendment and Renewal for Contract No. FC-6006007907; Exterior Grounds Maintenance Services at Hartsfield-Jackson Atlanta International Airport with Grassco Landscape Management, LLC, at Hartsfield-Jackson Atlanta International Airport, on behalf of the Department of Aviation, in an annual amount not to exceed \$879,654.00; 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 14 YEAS;
0 NAYS**

11-R-0349 (24) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with Atlanta Airlines Terminal Corporation for Phase 2A, Vertical Transportation Upgrades for a cost to the city not to exceed \$13,807,500.00; 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 14 YEAS;
0 NAYS**

11-R-0437 (25) A Resolution by **Councilmember Michael Julian Bond** to support the administrative process created by the Department of Public Works for citizens to petition the City of Atlanta to create or change Parking Meter Zones previously established according to Chapter 150, Article IV of the Atlanta City Code; and for other purposes.

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

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

11-R-0377 (1) Claim of **Linda Horne, on behalf of her minor child, Alexius Douglas, through their attorney, Patty K. Kim, Esq., Foy and Associates (AFR/03)**, for bodily injuries alleged to have been sustained from an automobile accident on July 12, 2010 at 1000 Mayson Turner Road, NW and Westmoor Drive, NW. **\$9,500.00**

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0378 (2) Claim of **Linda Horne, on behalf of her minor child, Shaquavious Douglas, through their attorney, Patty K. Kim, Esq., Foy and Associates (AFR/03)**, for bodily injuries alleged to have been sustained from an automobile accident on July 12, 2010 at 1000 Mayson Turner Road, NW and Westmoor Drive, NW. **\$7,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0379 (3) Claim of **Progressive Classic Insurance Company, as subrogee of Shane L. Smith (APD/07)**, for vehicular damages alleged to have been sustained from an automobile accident on September 8, 2010 at Sidney Marcus Boulevard, NE and Buford Highway, NE. **\$6,911.79**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0380 (4) Claim of **GEICO, as subrogee of Cherwawnda Wise (APD/11)**, for damages alleged to have been sustained as a result of a vehicular accident on October 5, 2010 at 1985 Campbellton Road. **\$6,164.57**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0381 (5) Claim of **Carolyn Sparks, through her attorney, Lloyd H. Thomas, III, P.C. Attorney at Law (DPW/01)**, for bodily injuries alleged to have been sustained from an automobile accident on August 16, 2010 at 128 Claire Drive, SE. **\$6,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0382 (6) Claim of **Joymeshia Grier, through her attorney, Lloyd H. Thomas, III, P.C. Attorney at Law (DPW/01)**, for bodily injuries alleged to have been sustained from an automobile accident on August 16, 2010 at 128 Claire Drive, SE. **\$6,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0383 (7) Claim of **Anrong Lou (DWM/04)**, for damages alleged to have been sustained as a result of the erroneous water service connection on December 16, 2009 at 521 University Avenue, SW. **\$5,818.64**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0384 (8) Claim of **First Acceptance Services, Inc., as subrogee of Gregory Morgan (APD/03)**, for property damages alleged to have been sustained from an automobile accident on September 22, 2010 at Donald Lee Hollowell Parkway, NW and Chappell Road, NW. **\$5,757.66**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0385 (9) Claim of **Miesha Prince (DWM/10)**, for damages alleged to have been sustained as a result of an automobile accident on January 12, 2011 at 1760 Rogers Avenue. **\$3,895.57**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0386 (10) Claim of **Voncile Yvette Olds (DWM/02)**, for damages alleged to have been sustained as a result of walking on an uncovered water box on September 16, 2010 at 1156 Memorial Drive. **\$2,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0387 (11) Claim of **Keith Gridine (DWM/02)**, for bodily injuries 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 14 YEAS;
0 NAYS
- 11-R-0388 (12) Claim of **AJ Energy, Inc. (APD/01)**, for damages alleged to have been sustained as a result of an automobile accident on January 7, 2011 at 448 Boulevard, SE. **\$1,400.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0389 (13) Claim of **Demijan Kline (DPW/05)**, for damages alleged to have been sustained as a result of an automobile accident on January 25, 2011 at 418 5th Street, NE. **\$1,381.09**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0390 (14) Claim of **Dynite Darlene Billingslea (DWM/11)**, for damages alleged to have been sustained as a result of driving over a failed construction cut on March 11, 2010 at 1088 Veltre Circle. **\$1,192.47**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0391 (15) Claim of **Safeway Insurance Company of Georgia, as subrogee of Sheneka Pettigrew (APD/12)**, for damages alleged to have been sustained as a result of a vehicular accident on December 5, 2010 at 230 Cleveland Avenue. **\$973.64**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0392 (16) Claim of **Rezorri Bryant (AFR/NA)**, for damages alleged to have been sustained as a result of a vehicular accident on November 12, 2010 at 3534 Hogan Road. **\$566.36**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0393 (17) Claim of **Randall Penberg (DWM/07)**, for vehicular damages alleged to have been sustained from driving over a deteriorated water valve box in the road on November 28, 2010 at Huntington Road, NE and Peachtree Road, NE. **\$531.53**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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:

- 11-R-0394 (18) Claim of **Northbrook Indemnity Company, as subrogee of Jacobi Benjamin (NA/NA)**, for damages alleged to have been sustained as a result of an automobile accident on September 5, 2010 at I-75 and Cleveland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0395 (19) Claim of **Teresa Cunningham (NA/NA)**, for damages alleged to have been sustained as a result of striking a pothole on January 5, 2011 at 1277 Lenox Park Boulevard.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0396 (20) Claim of **Rahman Brown (NA/NA)**, for damages alleged to have been sustained as a result of striking a pothole on August 16, 2010 at 3851 McGinnis Ferry Road, Fulton County.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0397 (21) Claim of **Tremeka Williams, on behalf of Trequez Williams, a minor, through her attorney, James Kelleher (NA/01)**, for damages alleged to have been sustained as a result of verbal abuse on November 3, 2010 at 1670 Benjamin Weldon Bickers Drive, Price Middle School.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0398 (22) Claim of **Adriana Morales (NA/02)**, for vehicular damages alleged to have been sustained after her automobile was struck by a piece of a transformer during a thunderstorm on August 28, 2010 at 280 Elizabeth Street, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0399 (23) Claim of **Sonya Duffy (NA/02)**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe manner on January 16, 2011 at Hillard Street, NE and Edgewood Avenue, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0400 (24) Claim of **Alethia Payton, through her attorney, Lisa Siegel (NA/03)**, for damages alleged to have been sustained as a result of a slip and fall on August 12, 2010 at 901 Rice Street, Fulton County Jail.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0401 (25) Claim of **Clarence H. Yancey, IV (NA/07)**, for vehicular damages alleged to have been sustained after driving over a piece of broken concrete resulting for deteriorated area in the roadway on December 6, 2010 at Piedmont Road, NE between Lakeshore Drive, NE and Adina Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0402 (26) Claim of **Bianca Shelby (NA/11)**, for damages alleged to have been sustained as a result of a hazardous condition on the sidewalk on October 1, 2010 at 215 Peyton Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0403 (27) Claim of **Tannisha Walker (NA/12)**, for damages alleged to have been sustained as a result of driving over a pothole on October 13, 2010 at 1560 Metropolitan Parkway.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0404 (28) Claim of **Michael T. Banks, through his attorney, William G. Hammonds, P.C. (AFR/02)**, for damages alleged to have been sustained when the City failed to complete a disability claim process in October 2010 at 55 Trinity Avenue, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0405 (29) Claim of **Patricia Carter (AFR/02)**, for bodily injuries alleged to have been sustained due to an emergency response incident on November 5, 2010 at 265 Peachtree Street, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0406 (30) Claim of **Robert C. Lockhart (APD/01)**, for damages alleged to have been sustained as a result of an automobile accident on December 15, 2010 at Hill Street, SE and Glenwood Avenue, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0407 (31) Claim of **Latonya Barnett, through her attorney, Paul B. Mazur (APD/09)**, 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.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0408 (32) Claim of **William Judson Ready (APD/09)**, for damages alleged to have been sustained as a result of an automobile accident on October 6, 2010 on I-75 NB at Howell Mill Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0409 (33) Claim of **Kimberly Batton, through her attorney, Rebecca H. Cozart, Barnes & Cohen, P. A. (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on September 19, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-410 (34) Claim of **MARTA (DOP/02)**, for property damages alleged to have been sustained from an automobile accident on December 6, 2010 at 1285 Ralph D. Abernathy Boulevard, SW and Hopkins Street, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0411 (35) Claim of **Quincy Jordan and Tameka Jordan (DOF/10)**, for damages alleged to have been sustained from a property foreclosure in December 2007 at 2800 Tee Road, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0412 (36) Claim of **Roteich Robinson (DPW/01)**, for vehicular damages alleged to have been sustained after driving over a pothole on February 4, 2011 at 3546 Jonesboro Road, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0413 (37) Claim of **Blind Willies (DPW/02)**, for property damages alleged to have been sustained when a window was broken during a sidewalk installation on May 16, 2009 at 828 N. Highland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0414 (38) Claim of **Janet B. Meadows (DPW/02)**, for damages alleged to have been sustained when a vehicle struck a trash receptacle protruding into the roadway on November 4, 2010 at 684 Moreland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0415 (39) Claim of **Nationwide Insurance, as subrogee of Charlotte Nelson (DPW/02)**, for damages alleged to have been sustained from an automobile accident on May 19, 2010 at 10th Street, NW and Atlantic Avenue, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0416 (40) Claim of **Samuel Oliver (DPW/02)**, for damages alleged to have been sustained from termination of employment on April 19, 2010 at 55 Trinity Avenue, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0417 (41) Claim of **Vickie McCall (DPW/05)**, for damages alleged to have been sustained as a result of striking metal plates on November 29, 2010 at Coca Cola Place, SE and Pratt Street, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0418 (42) Claim of **Lawayne Bontrager (DPW/06)**, for damages alleged to have been sustained as a result of striking a herbie curbie in the roadway on December 16, 2010 at 1490 Monroe Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0419 (43) Claim of **Marcus Sanders (DPW/06)**, for damages alleged to have been sustained as a result of driving over a defect on July 9, 2010 on Peachtree Circle.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0420 (44) Claim of **Demetrice Green, through his attorney, Charles Hooker, II (DPW/11)**, for damages alleged to have been sustained as a result of a vehicular accident on December 31, 2009 at 3550 Campbellton Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0421 (45) Claim of **John W. Baker (DWM/NA)**, for damages alleged to have been sustained during the repair of a water meter on March 9, 2010 at 3859 Thaxton Road, Fulton County.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0422 (46) Claim of **Jeffrey DiCostanza (DWM/NA)**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on February 5, 2010 at 367 Johnson Ferry Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0423 (47) Claim of **Erika Cook-Aaron, through her attorney, Sam L. Starks (DWM/01)**, for damages alleged to have been sustained as a result of flooding during a heavy rain event on September 21, 2009 at 198 Atlanta Avenue, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0424 (48) Claim of **Exzadrie Taylor (DWM/01)**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer manhole that was under construction and left in an unsafe manner in the road on December 13, 2010 at 3650 Jonesboro Road, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0425 (49) Claim of **Fidelis Webster (DWM/01)**, for damages alleged to have been sustained as a result of a trip and fall during an ice storm on December 16, 2010 at a Wastewater Treatment and Collections facility at 360 Englewood Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0426 (50) Claim of **Grady Miller, through his attorney, James A. Eidson (DWM/03)**, for injuries alleged to have been sustained as a result of a trip and fall in an uncovered water meter on December 22, 2009 at 514 Sunset Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0427 (51) Claim of **Reynoldstown Common (DWM/05)**, for damages alleged to have been sustained as a result of a sewer backup on November 15, 2010 at 1124 Wylie Street, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0428 (52) Claim of **Gary Reissner (DWM/07)**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer manhole that was under construction and left in an unsafe manner in the road on December 12, 2010 at 3525 Piedmont Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0429 (53) Claim of **J. D. Humphries, III (DWM/08)**, for damages alleged to have been sustained as a result of a sink hole due to the installation of a sewer main in 2010 on Kinloch Circle, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0430 (54) Claim of **Bertha Pearson (DWM/11)**, for damages alleged to have been sustained as a result of storm water flooding from January 21-March 10, 2010 at 1804 Alvarado Terrace.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0431 (55) Claim of **Linda Weaver (DWM/11)**, for damages alleged to have been sustained as a result of storm water flooding from January 21-March 10, 2010 at 1798 Alvarado Terrace.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0432 (56) Claim of **Mattie Sands (DWM/11)**, for damages alleged to have been sustained as a result of storm water flooding from January 21-March 10, 2010 at 1794 Alvarado Terrace.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

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

11-O-0350 (1) An Ordinance by **Finance/Executive Committee** to amend Article VI, Division 2, Subdivision III, Sections 2-370, 2-372, 2-373, 2-375 and 2-376 of the Code of Ordinances of the City of Atlanta and to add new Sections 2-378 and 2-379 so as to effectuate Phase One of the Reorganization of the City of Atlanta Department of Finance; to repeal conflicting ordinances; and for other purposes.

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

11-O-0351 (2) An Ordinance by **Finance/Executive Committee** authorizing the mayor to Utilize State of Georgia Contract GS-23F-0258L, for Maintenance and Professional Services of the Verint's Work Force Optimization Software; waiving certain provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of services provided by AdTECH-GESI, LLC on behalf of the Department of Watershed Management, in an amount not to exceed \$25,878.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

11-O-0352 (3) 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 Printer Maintenance and Support Services by Xerox Corporation under an expired agreement for the period beginning August 1, 2010 through March 31, 2011 for an amount not to exceed \$99,295.36; to authorize the Mayor or his designee to enter into an appropriate Cooperative Purchasing Agreement with Xerox Corporation utilizing General Services Administration Contract Number GS-35F-0662M for Printer Maintenance and Support Services for one (1) month beginning April 1, 2011 in an amount not to exceed \$13,589.14, to be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 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

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0336 (4) An Ordinance by **City Utilities Committee** authorizing the Mayor or his designee to reclassify Jesse Hill, Jr. Drive, SE, between Armstrong Street, SE and Gilmer Street, SE from a Transportation and Entry Plaza for Grady Hospital to a local street; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0337 (5) 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 \$4,238,538.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations on behalf of the Department of Watershed Management for the DWM Hazard Mitigation Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0365 (6) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5051) Budget in the amount of \$478,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations on behalf of the Department of Watershed Management for the DWM Commissioner Office for Consulting Services; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 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

ALEX WAN, VICE-CHAIR

- 11-O-0362 (7) An Ordinance by **Community Development/Human Resources Committee** to create the “Oridan at Willis Mill Housing Urban Enterprise Zone” located at 64 Willis Mill Road, SW Atlanta, GA 30311; to provide exemption from City ad valorem real property taxes for a period of ten years at the rate prescribed by and in accordance with State Law; to provide notification to affected governmental entities; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-O-0343 (8) 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 \$159,684.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0345 (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’s ongoing efforts to protect itself from terrorist attacks, through the purchase of specialized equipment for the Department of Police (“Department”) Airport Explosive Ordinance Disposal Unit (“Airport EOD”), and to amend the 2011 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$319,500.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

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

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

Absent: None

ORDINANCE FOR SECOND READING

11-O-0371 (1) An Ordinance by **Councilmember Howard Shook as Substituted by Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Revenue Fund) (5051) and (Water and Wastewater Renewal & Extension) (5052) Budgets in the amount of \$969,457.00, to transfer funds from the Water and Wastewater Revenue Fund and the Water and Wastewater Renewal and Extension Fund Reserves for appropriations and add to appropriations for Atlanta Journal Constitution (“AJC”) Building for services; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 2 NAYS

ITEM REMOVED FROM CONSENT AGENDA

11-R-0444 (1) A Resolution by **Councilmember Yolanda Adrean as Substituted by Finance/Executive Committee** authorizing the City’s participation as a partner with the Georgia Department of Revenue in a voluntary effort to ensure businesses proper payment of state and local sales taxes; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Archibong. Chairperson Adrean sounded the caption to Resolution 11-R-0444 and stated the recommendation from committee was Favorable on Substitute. A discussion ensued, during which, Council deferred the item to later during the meeting. Returning back to the resolution, A brief discussion ensued. After which, the Motion to Adopt on Substitute CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
FELICIA A. MOORE, CHAIR

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

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

Absent: None

COMMUNICATIONS

The following communications (01 through 03) were taken as a collective vote.

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. **(Favorable by Community Development/Human Resources Committee 3/15/11.)**
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

11-C-0368 (2) A Communication by **Councilmember Natalyn M. Archibong, District 5; Alex Wan, District 6 and Aaron Watson, Post 2 At-Large** appoint Mr. Weslee Knapp to serve as a member of the Atlanta Urban Design Commission. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 3/15/11.)**
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

11-C-0370 (3) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8; and Aaron Watson, Post 2 At-Large** appointing Mr. Matthew Arden to serve as a member of the People TV Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 3/15/11.)**
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

ORDINANCE FOR SECOND READING

- 11-O-0445 (1) An Ordinance by **Councilmembers Natalyn M. Archibong, Joyce M. Sheperd and Michael Julian Bond** to amend Section 2-133(a) of the Code of Ordinances of the City of Atlanta entitled "Operations; Procedures" (of Council Committees) so as to require that all official reports received by a Council Committee shall be filed with the Minutes of that Committee; to waive conflicting ordinances and code sections; and for other purposes.
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS;
0 NAYS

RESOLUTIONS

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

- 11-R-0375 (1) A Resolution by **Councilmember Carla Smith** to confirm the appointment of Mr. Joshua Murtha to the Stadium Neighborhoods Tax Allocation District Advisory Committee; and for other purposes. (Favorable by Community Development/Human Resources Committee 3/15/11.)
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS;
0 NAYS
- 11-R-0436 (2) A Resolution by **Councilmember Carla Smith** to confirm the appointment of Mr. Bill Ericson to the Stadium Neighborhoods Tax Allocation District Advisory Committee; and for other purposes. (Favorable by Community Development/Human Resources Committee 3/15/11.)
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

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

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

Absent: Councilmembers Willis and Watson

COMMUNICATION

11-C-0366 (1) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Department of Watershed Management Claims Review.
FILED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

ORDINANCE FOR SECOND READING

11-O-0266 (1) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 Budget (2009A Water and Wastewater Fund (5066) Budget, in the amount of \$28,789,000.00 to transfer funds from completed, realigned, postponed or discontinued projects to the Capital Projects Reserve for Appropriations; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTION

10-R-2122 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an Amendment Agreement No. 1, for the constructed Wetlands Project Cost Share Agreement located in McDaniel Branch with the United States Army Corps of Engineers ("USACE") to include an additional property located on Land Lot F0073 of the 14th (FF) District, Fulton County Georgia Parcel Number 14F-0073-LL-074-9 of the 14th (FF) District, Fulton County Georgia, Parcel Number 14F-0073-LL-074-9 in an amount not to exceed \$100,000.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)

NATALYN M. ARCHIBONG, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA

11-O-0324 (1) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor to enter into an appropriate contractual agreement with Republic Services of Georgia, LLP, 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 \$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.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Chairperson Archibong sounded the caption to Ordinance 11-O-0324 and made a Motion to Adopt. A discussion ensued, during which, Council deferred the item. Returning back to the ordinance, A brief discussion ensued. Subsequently, the Motion to Adopt CARRIED by a roll call vote of 14 yeas; 1 nay.

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

The following ordinances (02 through 03) were taken as a collective vote.

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 \$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.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (3)

NATALYN M. ARCHIBONG, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

- 11-O-0325 (3) 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 \$3,446,716.00; 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.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
ALEX WAN, VICE-CHAIR

Attendance at the March 15, 2011 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Wan (Vice-Chair), Hall, Archibong, Young and Winslow

Absent: Councilmembers Sheperd and Bond

RESOLUTIONS

11-R-0265 (1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, to issue a Task Order to Arcadis/Brindley Pieters and Associates, a Joint Venture for FC-4906A, Citywide Annual Contract for Architectural and Engineering Services, Real Estate Professional Services for parks, greenspace, trails, greenways and conservation land acquisitions and donations, on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$120,088.14, with all contracted work being charged to and paid from the specific Account Segment Numbers as set forth in this resolution; and for other purposes.

Note: Councilmembers Adrean (family member with Arcadis) and Hall (employed by Mytec) stated for the record their abstention to Resolution 11-R-0265 was due to a potential conflict of interest.

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS; 2 ABSTENTIONS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)
ALEX WAN, VICE-CHAIR

RESOLUTIONS (CONT'D)

- 11-R-0360 (2) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, or his designee, to issue a Task Order to BGR, a Joint Venture, for FC-4906C, Citywide Annual Contract for Architectural and Engineering Services, optimization and modifications of the Hansen Asset Management System on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$85,044.00, with all contracted work being charged to and paid from Fund, Department, Organization and Account Number: 1001 (General Fund) 140201 (PRC Parks Administration) 5212001 (Consultant Professional Services) 6210000 (Parks Administration);and for other purposes.

Note: Councilmember Hall stated for the record his abstention to Resolution 11-R-0360 was due to a potential conflict of interest – employed by Mytec.

ADOPTED BY A ROLL CALL VOTE OF 14 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 March 15, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmembers Sheperd and Bond

ITEM REMOVED FROM CONSENT AGENDA

11-R-0435 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the lawsuit styled John Russo Industrial Sheet Metal, Inc. v. City of Atlanta, Civil Action No. 2010CV180034 for \$237,500.00; Funds to be paid from the Fund and Account Number listed; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Young. Chairperson Young sounded the caption to Resolution 11-R-0435 and offered a Substitute. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The Substitute was before Council. Mr. Young then made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

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

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

Absent: Councilmember Hall

ORDINANCE FOR SECOND READING

11-O-0441 (1) An Ordinance by **Councilmembers Joyce M. Sheperd and Cleta Winslow as Amended by Zoning Committee** to impose Interim Controls on an area of Council Districts 4 and 12 known as "**The Murphy Triangle**" concerning certain uses which will be incompatible with changes to the Zoning Map to be proposed within the next year; and for other purposes.

Note: The above ordinance was acted on in the beginning of the meeting to accommodate the Mayor for his immediate signature. After the vote, Councilmember Sheperd made a Motion to send 11-O-0441 to the Mayor's Office immediately. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

**ADOPTED AS AMENDED 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 FIRST READING

All Ordinances For First Reading (01 through 03 as follows) were Referred to the Zoning Review Board and Zoning Committee as a collective vote.

11-O-0447 (1)
Z-11-06

An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new Chapter to be entitled 20P, Sunset Avenue Historic District; to establish overlay regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the overlay zoning category of Historic District (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta rezoning from SPI-11, Subarea 7 and 9 (Special Public Interest, Subarea 7 and 9) to SPI-11 Subarea 7 and 9/HD (Special Public Interest, Subarea 7 and 9/Historic District), to repeal conflicting laws; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

11-O-0448 (2)
Z-11-08

An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to revise Section 16-25.002(3) for the purpose of clarifying the effect of site plans and conditions required by the City Council in conjunction with the issuance of Special Use Permits; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

AARON WATSON, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

11-O-0449 (3)
U-11-10

An Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-06.005 (l)(g) for a Personal Care Home, property located at **3451 Valley Ridge Terrace, SW**, fronting approximately 75 feet on the south side of Valley Ridge Terrace, approximately 280 feet to east of the intersection of Valley Ridge Drive and Valley Ridge Terrace.

Depth: Approximately 170 Feet
Area: Approximately 0.293 Acre
Land Lot: 250, 14th District, Fulton County, Georgia
Owner: Tariq Davis
Applicant: Tariq Davis
NPU-P Council District 11

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

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

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

Absent: Councilmember Bond

The Standing Committee of Transportation did not have a report.

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

11-R-0529 (1) A Resolution by **Councilmembers Joyce M. Sheperd, Felicia A. Moore, Cleeta Winslow, Natalyn Archibong, Michael Julian Bond, Kwanza Hall, Aaron Watson, H. Lamar Willis, Keisha Bottoms, C. T. Martin, Howard Shook, Ivory Lee Young, Jr. and Carla Smith** to support the Community Development Block Grant (CDBG) Program; and implore the U. S. Congress and the Administration to freeze and not to cut the CDBG Program; and for other purposes.

Councilmember Moore made a Motion to Adopt 11-R-0529. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

11-R-0530 (2) A Resolution by **Councilmember Felicia A. Moore** authorizing the City of Atlanta to accept donations valued at approximately \$600.00 from Sherwin Williams on behalf of City Council District 9 for its "Trash Can Art Project;" and for other purposes.

Councilmember Moore made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

11-R-0531 (3) A Resolution by **Councilmember Felicia A. Moore** a resolution to name 6 parcels located in the Collier Heights Neighborhood known as the 'Waterford Road Property' that were acquired with assistance from the Land Bank Authority with use of the 2007 General Government Capital Outlay Fund Budget (Facilities Other Than Buildings) City Wide Greenspace Program by the City of Atlanta for the purpose of creating a new park to be named "Jennie Drake Park."

Councilmember Moore made a Motion to Adopt 11-R-0531. It was properly Seconded and a brief discussion ensued, during which, Councilmember Bond offered a Friendly Amendment that the Adoption is pursuant to the correction of the name. Ms. Moore accepted the Friendly Amendment and the Motion to Adopt then CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 11-O-0532 (1) An Ordinance by **Councilmember Natalyn M. Archibong** authorizing and directing the Special Events Manager and the Chief of Staff to waive the ninety day deadline and accept the Outdoor Festival Permit application for the 2011 Kirkwood Spring Fling Festival and Tour of Homes; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 11-O-0533 (2) An Ordinance by **Councilmember Natalyn Mosby Archibong** to amend Chapter 32B NC-2 East Atlanta Village Neighborhood Commercial District of the 1982 Zoning Ordinance of the City of Atlanta Code of Ordinances for the purpose of adding specific regulations; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 11-O-0534 (3) An Ordinance by **Councilmember C. T. Martin** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation of Monday, May 30, 2011 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

- 11-R-0535 (1) A Resolution by **Councilmember C. T. Martin** authorizing the settlement and payment of all claims for compensation in an amount to be determined, to the following City of Atlanta Parking Enforcement Officers who allege that the City wrongfully terminated their employment by failing to follow its ordinances and procedures governing Reduction In Force (RIF); Lamar J. Singleton, Bobby Asbury, Tina Nealous, Kareema Aziz, Wayne Norris, Shoronda Williams and Dadriko Lindsey; to authorize the Chief Financial Officer to distribute the settlement amount; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 11-R-0536 (2) A Resolution by **Councilmembers Felicia A. Moore and Joyce M. Sheperd** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of Article X of the City of Atlanta Code of Ordinances, utilizing the North Central Texas Council of Governments Contract with United Service Utility Partners Private Label, Inc. doing business as Service Line Warranties of America to license the use of the City of Atlanta trademark in conjunction with advertisement to City of Atlanta residents of warranty plans for repair of water and sewer lines on residential property; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the March 21, 2011 meeting of the Atlanta City Council was adjourned at 4:00 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).