

ATLANTA CITY COUNCIL

ACTION/MINUTES

APRIL 18, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, April 18, 2011. The Meeting convened at 1:08 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Joyce M. Sheperd presided a portion of the meeting.

Attendance:

The following (13) voting members were present at the Meeting:

The Honorable Carla Smith *1:12	The Honorable Felicia A. Moore
The Honorable Ivory Young, Jr.	The Honorable C. T. Martin
The Honorable Cleta Winslow *1:11	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:36	The Honorable Michael J. Bond *1:22
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:03
The Honorable Yolanda Adrean	

Councilmembers Kwanza Hall (Absent with Notice) and Keisha Lance Bottoms were absent.

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

INVOCATION: Reverend Jeffery Ott of Our Lady of Lourdes Catholic 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 21, 2011** Regular Meeting and the **March 30, 2011** Special Called Meeting are true and correct. The Minutes were **FILED** without objection.

4/18/11 Action Minutes

SUSPEND THE RULES OF COUNCIL: Councilmember Bond made a Motion to **Suspend the Rules of Council** for **Dr. Jean Ping, Chairman, Commission of the African Union**, from the Republic of Gabon, to speak. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **10 yeas; 0 nays**. The Rules of Council were suspended. After Dr. Jean Ping spoke, as well as former Councilmember Jim Maddox, A Motion to **re-enter Regular Session** was made. Properly Seconded, the Motion **CARRIED** by a roll call vote of **10 yeas; 0 nays**. Therefore, Council re-entered Regular Session.

ADOPTION OF AGENDA: A Motion was made to **Adopt the Agenda**. It was Seconded by Councilmember Moore and the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C- 0549 (1) A Communication from **Ms. Dorothy Benson, Chair, Council on Aging, Inc., to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Ms. Diane Williamson to serve as a member of the Ella Mae Brayboy Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-0550 (2) A Communication from **Carlton E. Brown, President, Clark Atlanta University to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. Thomas Trawick, Jr., CAU Chief of Police, to serve as a member of the study of Traffic Calming, Mitigation of Traffic Congestion and Pedestrian Safety in the areas bounded by Martin Luther King, Jr. Drive, Northside Drive, West End Ave. and Joseph E. Lowery Boulevard. **(does not require Council confirmation).**
FILED WITHOUT OBJECTION
- 11-C-0551 (3) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of March 21, 2011 and April 18, 2011 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. (10-R-1731)
FILED WITHOUT OBJECTION
- 11-C-0552 (4) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Department of Public Works Regulation of Utility Street Cuts.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 11-C-0553 (5) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Assessment of Federal Recovery Act Grants Controls.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-C-0548 (6) A Communication from **Rebecca Serna, Executive Director, Atlanta Bicycle Coalition, to Municipal Clerk Rhonda Dauphin Johnson**, submitting herself as representative of the Atlanta Bicycle Coalition to serve as a member in the study of Traffic Calming, Mitigation of Traffic Congestion and Pedestrian Safety in the areas bounded by Martin Luther King Jr., Drive, Northside Drive, West End Ave. and Joseph E. Lowery Boulevard. **(does not require Council confirmation).**
FILED WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

11-C-0668 (7) a Communication by **Mayor Kasim Reed** appointing Jo Ann J. Macrina, PE to serve as Commissioner of the Department of Watershed Management for the City of Atlanta. This appointment is effective upon council confirmation.

**REFERRED TO CITY UTILITIES 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. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be 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: **11 Yeas:** Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd and Bond: **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0336 (1) A **Substitute** 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-O-0337 (2) A **Substitute** 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 \$4,571,941.00 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.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-O-0365 (3) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

11-O-0343 (4) 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.

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

11-O-0345 (5) 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.

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

11-O-0534 (6) 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 on Monday, May 30, 2011 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0011 (7) A **Substitute** Ordinance by **Transportation Committee** authorizing the Mayor or his designee to make Jesse Hill, Jr. Drive, SE, a One Way Street between Armstrong Street, SE and Gilmer Street, SE with traffic being directed Southbound; to restrict parking on both sides of Jesse Hill, Jr. Drive, SE between Armstrong Street, SE and Gilmer Street, SE; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-O-0350 (8) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-O-0351 (9) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0352 (10) 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.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-R-0363 (1) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Florida Testing Services, LLC d/b/a Xenco Laboratories, for FC-4990, Annual Trace Organics Laboratory Services, on behalf of the Department of Watershed Management, for Time-Only; and for other purposes.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 11 YEAS; 0 NAYS**
- 11-R-0495 (2) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to apply for and accept a grant from the Coca-Cola Company for the purpose of purchasing additional recycling equipment and to produce educational material, on behalf of the Department of Public Works; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0496 (3) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an appropriate contractual agreement for FC-5205, Yard Trimmings Diversion Program, with TAG Grinding Services, Inc., on behalf of the Department of Public Works, in an amount not to exceed \$1,875,000.00; all contracted work to be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.

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

11-R-0497 (4) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Screening Systems International, Inc., for FC-4802, Traveling Screens Services and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$217,000.00; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.

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

11-R-0498 (5) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 3 with Thomas Cleaning Services d/b/a Turf Care Services, for FC-6007000069, Annual Contract for Grounds Maintenance Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$446,500.00; that all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 11 YEAS; 0 NAYS**

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

11-R-0344 (6) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City, to participate with the Chastain Park Conservancy in Phase 2 of the Hilltop Project at Chastain Memorial Park, by providing an amount not to exceed \$100,000.00, which shall be charged to and paid from the Specific Account Segment Numbers as set forth in this Resolution; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 11 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-0487 (7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Department of Fire Rescue, to accept a grant from the U. S. Department of Homeland Security under the FY2010 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$9,793,068.00 for the purpose of hiring 75 new firefighter positions; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0488 (8) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to execute temporary service contracts with two (2) retired City of Atlanta Fire Officers, on behalf of the Department of Fire Rescue, for the purpose of providing firefighting, emergency medical, and special operations training at the Atlanta Fire Training Academy for a period of twelve (12) months, for a total amount not to exceed \$106,000.00; all costs to be charged and paid from the Fund, Department, Account and Function Activity Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0489 (9) A Resolution by **Public Safety and Legal Administration Committee** to rescind Resolution Number 10-R-2129 and authorizing payment in the amount of \$10,875.37 in settlement of the property damage claim of Kerstin Pfister through her attorney, Howard Stopek, against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0544 (10) A Resolution **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Shaun Milligan, et al. v. City of Atlanta, et al., Civil Action File Number 1:08-CV-1236-GET, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$75,000.00; authorizing payment of \$75,000.00 to be charged to and paid from the listed Fund, Account and Center Number; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-0490 (11) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Ryan International Airlines for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 11-R-0491 (12) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Integrated Airlines Services, Inc., for the occupancy and use of space in North Cargo Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 11-R-0492 (13) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with DHL Express USA, Inc., for the occupancy and use of space in 1220 Toffie Terrace at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 11-R-0493 (14) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Huntleigh Security Services, Inc., for the occupancy and use of space in North Cargo Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**
- 11-R-0526 (15) A Resolution by **Transportation Committee** authorizing the Mayor to execute Contract No. FC-5202, Consolidated Rental Car Facility Final Closeout Audit, with NTRC, P.C., Inc., in an amount not to exceed \$107,590.00, to be charged to and paid from the FDOA Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-R-0258 (16) A **Substitute** 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; FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0353 (17) A **Substitute** Resolution **as Amended** by **Finance/Executive Committee** for the City Council of the City of Atlanta, Georgia adopting the 2011 Update to the City of Atlanta Five Year Financial Stabilization Plan; and for other purposes.
ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0499 (18) A Resolution by **Finance/Executive Committee** authorizing the Municipal Clerk to place a public advertisement in a newspaper of general circulation, depicting the Tax Digest Millage Rate, Tax Levy and other information required pursuant to Sections 48-5-32 and 48-5-32.1 of the Official code of Georgia Annotated; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0500 (19) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to renew a Memorandum of Understanding with the International Council for Local Environmental Initiatives, Inc. ("ICLEI") for the purpose of hosting the ICLEI Southeastern Regional Office; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0501 (20) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute Renewal Number One with Pullen Energy Consulting for FC-4992, on behalf of the Division of Sustainability, for a period of two years, in an amount not to exceed \$95,000.00 per annum; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-R-0502 (21) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement with Softchoice Optimus Solutions utilizing State of Georgia Contract SWC90813-02 for IBM InfoSphere Guardium Software and Services, on behalf of the City of Atlanta Department of Watershed Management, in an amount not to exceed \$50,151.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0504 (22) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with AT&T for State of Georgia Contract GTA000187-002 AT&T Modems and Cellular Services, on behalf of the Department of Watershed Management in an amount not to exceed \$85,000.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0505 (23) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Renewal Agreement Number 1 and Amendment Number 1 for FC-6007000051, Parking Operation 7 Fee Collection Services for the purpose of managing and operating parking lots located at 143 Alabama Street and 818 Pollard Avenue. Amendment Number 1 is adding the site of the Atlanta Journal Constitution (AJC) Parking Lot on behalf of the Executive Offices-Office of Enterprise Assets Management. All fees collected shall be deposited into the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 0 NAYS
- 11-R-0506 (24) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Contract with Southern Telecom for FC-5168, Fiber Integration Solution on behalf of the Department of Information Technology, in an amount not to exceed \$425,000.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS; 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-0527 (25) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with CDW Government, LLC utilizing General Services Administration Contract Numbers GS-35F-0131R Software and GS-35F-0195J Hardware, for a VMware Software/Hardware Support and Maintenance Agreement in an amount not to exceed \$49,155.56 for one (1) year beginning March 31, 2011; 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 11 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

- 11-R-0459 (1) Claim of **Katherine C. and George A. Bird, Jr. (DWM/08)**, for damages alleged to have been sustained as a result of a sewer backup on December 22, 2010 at 1302 Wesley Place, NW. **\$21,658.44**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-R-0460 (2) Claim of **Jason Williams (AFR/02)**, for vehicular damages alleged to have been sustained from an automobile accident on January 7, 2011 at Techwood Drive, NW and 16th Street, NW. **\$6,081.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-R-0461 (3) Claim of **Tiffany S. Hammond, through her attorney, Jonathan P. Schopp (DWM/04)**, for personal injuries alleged to have been sustained as a result of an automobile accident on July 14, 2010 at University Avenue, SW and Windsor Street, SW. **\$6,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-R-0462 (4) Claim of **Jason C. Berry (AFR/04)**, for vehicular damages alleged to have been sustained from an automobile accident on December 22, 2010 at 290 Glen Street, NW. **\$2,851.24**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0463 (5) Claim of **Tiffany S. Hammond, (DWM/04)**, for property damages alleged to have been sustained as a result of an automobile accident on July 14, 2010 at University Avenue, SW and Windsor Street, SW. **\$2,657.88**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0464 (6) Claim of **State Farm Insurance Company, as subrogee of Scott Robinson, (APD/02)**, for property damages alleged to have been sustained from an automobile accident on August 27, 2010 at Peachtree Street and 8th Street. **\$2,465.63**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0465 (7) Claim of **State Farm Insurance Companies, as subrogee of Andrew Molinaro, (DWM/05)**, for property damages alleged to have been sustained as a result of an automobile accident on December 23, 2010 at Boulevard, SE and Carroll Street, SE. **\$1,425.17**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0466 (8) Claim of **Mary Southerland (DWM/08)**, for damages alleged to have been sustained as a result of driving over a raised manhole on October 24, 2010 at 2909 Castlewood Drive. **\$1,070.92**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0467 (9) Claim of **Tasha Johnson (DWM/11)**, for vehicle damages alleged to have been sustained as a result of a raised manhole on March 23, 2010 at 3298 Landings North Drive. **\$1,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0468 (10) Claim of **Lisa M. Szafranic and Matthew Brown (DPW/NA)**, for damages alleged to have been sustained as a result of vehicular damages due to a hydraulic oil hose bursting on a city vehicle on December 7, 2010 at 4320 Powers Ferry Road, NW. **\$909.12**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0469 (11) Claim of **Marie Reed (DPW/02)**, for damages alleged to have been sustained as a result of tripping and falling due to a raised paver in the sidewalk on September 3, 2010 at 115 Broad Street. **\$750.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0470 (12) Claim of **Kevin Kelly (DWM/09)**, for vehicle damages alleged to have been sustained as a result of driving over an unsecured metal plate on April 1, 2010 at 1032 Huff Road. **\$712.69**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0471 (13) Claim of **Gail Darden-Spencer (APD/02)**, for property damages alleged to have been sustained from an automobile accident on July 1, 2010 at I-75 and University Avenue, SW. **\$613.05**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0472 (14) Claim of **Cheryl McClendon (DWM/02)**, for damages alleged to have been sustained as a result of driving over a raised manhole on December 6, 2010 at 46 Boulevard. **\$516.57**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Claims with unfavorable recommendations:

- 11-R-0473 (15) Claim of **Leslie Regina Tamez (NA/07)**, for vehicular damages alleged to have been sustained after driving over a pothole on January 30, 2011 on the Spring Buford Connector.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0474 (16) Claim of **Jay McCracken (NA/07)**, for vehicular damages alleged to have been sustained after driving over a pothole on January 18, 2011 on the Spring Buford Connector.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 11 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-0475 (17) Claim of **Nina Ladd (NA/07)**, for vehicular damages alleged to have been sustained after driving over a pothole on January 19, 2011 on the Spring Buford Connector.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0476 (18) Claim of **Josephine Singleton, individually, and on behalf of the Estate of Easter Baker, deceased, through her attorneys, The Burkey Law Firm (AFR/11)**, for damages alleged to have been sustained from an emergency response incident on June 12, 2010 at 2640 Campbellton Road, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0477 (19) Claim of **John Castillo, through his attorney, Heather A. Thorpe, Esq., Foy & Associates (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on an escalator on December 1, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0478 (20) Claim of **Margarette Chapman, through her attorney, William R. Oliver, Esq., Oliver & Weidner (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on September 15, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0479 (21) Claim of **Seth D. Miller (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on August 26 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS
- 11-R-0480 (22) Claim of **Brittany Leary, through her attorney, Dillard and Associates (DPW/09)**, for damages alleged to have been sustained as a result of a fall on a severed parking meter post on September 16, 2010 at 84 Walton Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 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-0481 (23) Claim of **Fleet Response, as subrogee of Kraft Foods (DPW/09)**, for property damages alleged to have been sustained when a vehicle struck a bridge due to incorrect signage on August 30, 2010 at Bolton Road, NW and Marietta Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS
- 11-R-0482 (24) Claim of **Scott Acker (DWM/NA)**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was partially covering a construction site on August 24, 2010 on 73 Mt. Paran Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS
- 11-R-0483 (25) Claim of **Catherine Reed (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 February 5, 2011 at 3650 Jonesboro Road, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS
- 11-R-0484 (26) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for damages alleged to have been sustained from storm sewer overflows on November 10, 2009 at 2203 Tiger Flowers Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS
- 11-R-0485 (27) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for damages alleged to have been sustained from storm sewer overflows on February 3 & 4, 2011 at 2203 Tiger Flowers Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS
- 11-R-0486 (28) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for damages alleged to have been sustained from storm sewer overflows on March 26 and 29, 2009 at 2203 Tiger Flowers Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 11 YEARS;
0 NAYS

.

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

All items on Consent Agenda Section II (01 through 06 as follows) were Referred to the appropriate committees as a collective vote.

11-O-0494 (1) An Ordinance by **City Utilities Committee** to amend Chapter 154 of the Code of Ordinances (“Utilities”), Article IV Sewer Construction and Assessments to add a new Section 154-155, entitled “Private Decentralized Wastewater Systems Prohibited” for the purpose of prohibiting certain private wastewater systems within the City of Atlanta in accordance with the Metropolitan North Georgia Water Planning District Requirements; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

11-O-0528 (2) An Ordinance by **City Utilities Committee** to authorize the acquisition of thirteen (13) properties, pursuant to the City’s participation in the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Program (“FEMA Grant”); authorizing the Mayor to enter into an agreement with property owners and other appropriate documents for the acquisition of the properties included in the FEMA Grant Program; to authorize receipt of funds from FEMA to offset any acquisition costs in accordance with the FEMA Grant; to authorize the Mayor to enter into and execute a Sub-grantee Agreement with the Georgia Emergency Management Agency (“GEMA”); to waive portions of Article X of the Procurement and Real Estate Code; to authorize the City Attorney to use the assistance of outside counsel to effectuate the acquisition; to authorize the Chief Procurement Officer to obtain title work, surveys, environmental tests, appraisals and other appropriate Due Diligence Items to effectuate the acquisition of the properties; to charged and pay for acquisition costs from the listed Fund, Department Organization and Account Numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-O-0513 (3) An Ordinance by **Finance/Executive Committee** to amend Chapter 146, Article III, Section 146-76, of the City of Atlanta Code of Ordinances, to increase from ten (10) to thirty (30) the number of days required to establish permanent residency for the purpose of providing exemptions from the City's Hotel or Motel Occupancy Tax, so as to align with Section 48-13-51 of the Official Code of Georgia Annotated; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-O-0514 (4) An Ordinance by **Finance/Executive Committee** waiving application of the City's Procurement and Real Estate Code and allowing the City to remit to Humble Equipment, Inc. payment in the amount of \$108,000.00 for services rendered for Runway Surface and Texturing at Hartsfield-Jackson Atlanta International Airport; all contracted work will 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 11 YEAS; 0 NAYS
- 11-O-0515 (5) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to waive Article X ("the Procurement and Real Estate Code") of the Atlanta City Code in order to exercise Agreement Renewal Option Number 1 with Trinity Services Group, Inc., for FC-6006007878, Inmate Food Services, and to ratify prior retention of Inmate Food Services subject to the agreement since December 29, 2006 on behalf of the Department of Corrections, in an amount not to exceed \$1,100,000.00 for the purpose of providing food, labor, supplies and material necessary for the preparation of food for detainees in the Atlanta City Detention Center (ACDC). 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 11 YEAS; 0 NAYS
- 11-O-0547 (6) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Revenue Fund) (50510 Budget in the amount of \$1,708,522.20 to transfer funds from the Water and Wastewater Revenue Fund Reserves for Appropriations and add to Appropriations for Atlanta Journal Constitution ("AJC") Building located at 72 Marietta Street for services; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Pro Tempore Joyce M. Sheperd Presided

COMMITTEE REPORTS

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the April 18, 2011 meeting of the Committee on Council was as follows:

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

Absent: Councilmembers Archibong and Hall

COMMUNICATIONS

Communications (01 through 11 as follows) were taken as a collective vote.

- 11-C-0454 (1) 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0455 (2) 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0456 (3) 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. **(Favorable by Finance/Executive Committee 3/30/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0457 (4) 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0458 (5) 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. **(Favorable by Finance/Executive Committee 3/30/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Pro Tempore Joyce M. Sheperd Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 11-C-0516 (6) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0518 (7) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0521 (8) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0522 (9) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Mr. 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-C-0524 (10) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Mr. 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. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Pro Tempore Joyce M. Sheperd Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)
FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 11-C-0525 (11) 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. **(Recommendation to file by Community Development/Human Resources Committee 3/29/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

RESOLUTIONS

Resolutions (01 through 02 as follows) were taken as a collective vote.

- 11-R-0373 (1) A Resolution by **Councilmember Carla Smith** to confirm the appointment of Ms. Travie Leslie to the Stadium Neighborhoods Tax Allocation District Advisory Committee; and for other purposes. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-R-0374 (2) A Resolution by **Councilmember Carla Smith** to confirm the appointment of Mr. Philippe Pellerin to the Stadium Neighborhoods Tax Allocation District Advisory Committee; and for other purposes. **(Favorable by Community Development/Human Resources Committee 3/29/11.)**
ADOPTED BY A ROLL CALL VOTE OF 12 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 29, 2011 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Willis

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the March 29, 2011 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

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.
FILED BY A ROLL CALL VOTE OF 12 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 March 29, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the March 30, 2011 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Hall, Shook and Young

ORDINANCES FOR FIRST READING

All Ordinances for First Reading (01 through 07 as follows) were Referred to the Zoning Review Board and/or Zoning Committee as a collective vote.

11-O-0537 (1) An Ordinance by **Zoning Committee** to rezone property from
Z-11-09/ the C-1-C (Community Business-Conditional) to the MRC-3
Z-05-04/ (Mixed Residential Commercial), property located at **1119**
Z-02-20 **Memorial Drive, SE**, fronting approximately 136 feet on the south
side of Memorial Drive and the southwest corner of Howell.

Depth: Approximately 500 Feet
Area: 2.23 Acres
Land Lots: 12 and 13, 14th District, Fulton County,
Georgia
Owner: Rathunas on Memorial, LLC
Applicant: Timothy J. Hartigan
NPU-N Council District 5

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

11-O-0538 (2) An Ordinance by **Zoning Committee** authorizing the Mayor or
Z-11-11 his designee to amend Ordinance Number 09-O-0841/Z-09-13 by
inserting the attached Legal Descriptions in lieu of that originally
adopted by the Council on July 6, 2009 and approved by the
Mayor on July 13, 2009; and for other purposes.

REFERRED TO ZONING COMMITTEE 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 (CONT'D)

11-O-0539 (3)
U-11-11 An Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-17.005(l)(x) of the City of Atlanta Zoning Ordinance for a Solid Waste Transfer Station, property located at **2100 Forrest Park Road, SE**, property fronting approximately 380 feet on the east side of Forrest Park Road beginning approximately 148 feet from the southeast corner of Norwood Road.

Depth: Varies
Area: Approximately 6.0 Acres
Land Lots: 6 and 7, 14th District, Fulton County, Georgia
Owner: Herman Lischkott
Applicant: Mark Slade
NPU-Z Council District 1

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

11-O-0540 (4)
U-11-12 An Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-35.007(l)(c) of the City of Atlanta Zoning Ordinance for a Daycare Center property located at **1240 Euclid Avenue, NE**, property fronting approximately 429.42 feet on the north side of Euclid Avenue beginning 272 feet from the northeast corner of Moreland Avenue and Euclid Avenue.

Depth: Varies
Area: Approximately 1.6 Acres
Land Lot: 240, 15th District, DeKalb County, Georgia
Owner: Jericho Partners, LLC (Dana Armour)
Applicant: Eric J. Kronberg
NPU-N Council District 6

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 12 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-0541 (5) An Ordinance by **Zoning Committee** granting a Special Use
U-11-13 Permit pursuant to Section 16-05.005(l)(b) of the City of Atlanta
Zoning Ordinance for a Daycare Center property located at **3723
Narmore Drive, NE**, fronting approximately 104 feet on the east
side of Narmore Drive, approximately 400 feet south of the
intersection of Narmore Drive and Peachtree Road.

Depth: Varies
Area: Approximately 0.429 Acre
Land Lot: 10, 17th District, Fulton County, Georgia
Owner: Peachtree Road Evangelical Lutheran Church
of Atlanta
Applicant: Kirk P. Bridgers
NPU-B Council District 7

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

11-O-0542 (6) An Ordinance by **Zoning Committee** granting a Special Use
U-11-14 Permit pursuant to Section 16-06.005(l)(g) of the City of Atlanta
Zoning Ordinance for a Personal Care Home property located at
4246 Campbellton Road, SW, fronting approximately 200 feet on
the south side of Campbellton Road, beginning 200 feet from the
corner of Campbellton Road at Niskey Lake Road.

Depth: Varies
Area: Approximately 0.0918 Acre
Land Lot: 43, 14^{ffth} District, Fulton County, Georgia
Owner: Horation F. Leftwich
Applicant: Vance B. Jones
NPU-P Council District 11

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 12 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-0543 (7)
U-11-15

An Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-18K.004(3)(a) of the City of Atlanta Zoning Ordinance for a Personal Care Home property located at **969 Palmetto Avenue, NW**, fronting approximately 50 feet on the north side of Palmetto Avenue at Abbott Street.

Depth: 100 Feet
Area: Approximately 0.114 Acre
Land Lot: 116, 14th District, Fulton County, Georgia
Owner: Leon Goodrom
Applicant: Elbert T. Brown
NPU-T Council District 4

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the March 30, 2011 meeting of the Transportation Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-2102 (1) An Ordinance by **Councilmember Michael Julian Bond** to amend Chapter 150, Article IV, Division 3, Section 150-132 of the City of Atlanta Code of Ordinances to provide that residents of Primary Parking Meter Zones created pursuant to the provisions of Subsections 150-132(a) through 150-132(d) may petition the Commissioner of the Department of Public Works to provide for a petitioning process for the creation of Sub-zones within previously established Primary Parking Meter Zones; and for other purposes.
FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the March 30, 2011 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Willis

RESOLUTIONS

11-R-0376 (1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the City of Atlanta Internal Auditor to enter into a Contractual Agreement with KPMG LLP, for FC-5065, City of Atlanta Financial Statement Audit, in an amount not to exceed \$1,260,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

Chairperson Adrean sounded the caption to resolution 11-R-0376 and stated the recommendation from committee was Favorable on Substitute. However, Councilmember Martin was recognized and made a Substitute Motion to Refer the resolution back to the Finance/Executive Committee. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 1 nay.

REFERRED SUBSTITUTE TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

11-R-0503 (2) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement with CDW-G Utilizing General Services Administration Contract Number GS-35F-0195J in an amount not to exceed \$395,357.20; to enter into an Agreement with RB Communications, Inc. utilizing AHA Cooperative Agreement 2009-0034001 in an amount not to exceed \$373,371.95; and to enter into an Agreement with AT&T utilizing the State of California's Fast Open Contracts Utilization Services Contract Number 2005081 in an amount not to exceed \$162,000.00; for the purpose of providing various voice and data services to prepare 72 Marietta Street for occupancy by the City in an collective amount not to exceed \$930,729.15; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 1 NAY

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

11-R-0671 (1) A Resolution by **Councilmembers C. T. Martin, Cleeta Winslow, Joyce M. Sheperd, Carla Smith, Aaron Watson, H. Lamar Willis, Felicia A. Moore, Natalyn Archibong, Yolanda Adrean and Alex Wan** authorizing the City to accept a grant from CBS Outdoor for the purpose of advertising the "Hire One Atlanta" Program so that additional job growth may be encouraged and employment increased through enhanced public awareness of the program by job seekers and employers; and for other purposes.

Councilmember Martin made a Motion to Adopt resolution 11-R-0671. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Following, Mr. Martin made a Motion to send the resolution to the Mayor's Office immediately for his signature. The Motion was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

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

11-R-0676 (2) A Resolution by **Councilmember Howard Shook** authorizing the Office of Planning to change the lot dimensions on the City of Atlanta Cadastral Map, for an improved legal, non-conforming lot of record at 233 East Wesley Road; and for other purposes.

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

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

ORDINANCES/REFERRED

11-O-0672 (1) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis and Keisha Bottoms** to amend the retirement benefits offered by the City of Atlanta to its eligible active employees by: creating a new Section 6-2 to the City of Atlanta Charter, so as to provide a uniform retirement program for all eligible City employees for work performed on and after November 1, 2011; and placing a hard freeze on the General Employees' Pension Fund, Firefighters' Pension Fund and Police Pension Fund, so that pension benefits of retirees remain unchanged and benefits accumulated by active employees as of October 31, 2011 remain unchanged; 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-0673 (2) An Ordinance and Charter Amendment by **Councilmembers Howard Shook and Ivory Lee Young, Jr.** to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, Et. Seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 Et. Seq., as amended, by amending Part I (Charter and Related Laws), Subpart A (Charter), Article III (Executive), Chapter 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to modify language that improperly delegates legislative authority; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-O-0674 (3) An Ordinance by **Councilmember Howard Shook** to amend the amortization schedules of the General Employees, Police Officers, and Firefighters Pension Plans from a thirty year open amortization period to a thirty year closed amortization period; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-O-0675 (4) An Ordinance by **Councilmembers Howard Shook and Yolanda Adrean** to waive the requirements of Section 114-101(b) and 114-101(c) to allow for submission of the personnel paper and supporting documentation to the Council no later than the first meeting in June; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-O-0679 (5) An Ordinance by **Councilmembers Ivory Lee Young, Jr. and Michael Julian Bond** amending the 2011 General Fund Budget by transferring funds from Council District 3 and Post 1 At-Large accounts to the Department of Planning and Community Development Account for the purpose of funding the costs associated with the nomination, designation, and post-designation process for the proposed Sunset Avenue Historic District; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-O-0681 (6) An Ordinance by **Councilmembers Yolanda Adrean and Howard Shook** to waive the term restriction contained in Section 154-26 of the Code of Ordinances stating that members of the Water and Sewer Appeals Board shall not serve more than eight consecutive years, so as to allow the reappointment of present board member Seymour Liebmann; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 11-O-0682 (7) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis and Michael Julian Bond** abandoning a portion of Foundry Street, N.W.; and authorizing the City to waive the requirement that the appraised Fair Market Value of the abandoned property be paid to the City; and authorizes the Mayor to execute a quitclaim deed to the Georgia State Properties Commission conveying the abandoned properties; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 11-O-0683 (8) An Ordinance by **Councilmembers C. T. Martin and Cleta Winslow** to effectuate one of the recommendations made by the Reverend James Orange Commission, said recommendation being to change the name of "Oakland City Park" to "Rev. James Orange Park at Oakland City;" to waive conflicting ordinances; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 11-O-0684 (9) An Ordinance by **Councilmember C. T. Martin** to designate the intersections between Piedmont Avenue, NW and Centennial Olympic Park Drive, NW as the "Honorary Xernona Clayton Way and identify space in Hardy Ivy Park for the "Xernona Clayton Plaza;" and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

- 11-R-0677 (1) A Resolution by **Councilmembers C. T. Martin, Felicia A. Moore, Michael Julian Bond, Joyce M. Sheperd and Ivory Lee Young, Jr.** expressing the Council's non-support of Senate Bill 79 which would give the Governor the authority to remove and appoint members of the Atlanta Public School Nine Member Board; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-R-0678 (2) A Resolution by **Councilmembers Joyce M. Sheperd, Aaron Watson, C. T. Martin, H. Lamar Willis, Yolanda Adrean, Alex Wan, Michael Julian Bond, Cleta Winslow, Howard Shook, Carla Smith, Felicia A. Moore and Natalyn Archibong** to request the Office of the Mayor to provide the City Council an update on the City of Atlanta latest census; to express the City Council's desire to challenge the census count; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

11-R-0680 (3) A Resolution by **Councilmembers Joyce M. Sheperd and Cleta Winslow** adopting the “Fort McPherson Research Park Master Plan and District Conceptual Plan” (an update to the approved reuse plan) into the City of Atlanta’s current Comprehensive Development Plan.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

11-R-0685 (4) A Resolution by **Councilmember C. T. Martin** expressing the Council’s non-support of HB 87 due to the potential loss in jobs and revenues to the State of Georgia; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11-R-0686 (5) A Resolution by **Councilmember Ivory Lee Young, Jr.** authorizing the Mayor to execute an Intergovernmental Agreement by and between the City of Atlanta, Georgia and the Atlanta Development Authority for the administration of the Empowerment Zone Revolving Loan Fund and the Empowerment Zone Facade Fund.

Councilmember Young sounded resolution 11-R-0686 and made a Motion to Adopt. An extensive discussion ensued, during which, Mr. Young made a Motion to enter Committee of the Whole. It was properly Seconded and the Motion FAILED by a roll call vote of 4 yeas; 7 nays. Council therefore, continued discussion, in which, Councilmember Young withdrew his Motion to Adopt and the Second likewise was withdrawn, Without Objection. Subsequently, the resolution was Referred to the Community Development/Human Resources Committee Without Objection.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the April 18, 2011 meeting of the Atlanta City Council was adjourned at 4:02 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis (13).