

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### MAY 02, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, May 02, 2011. The Meeting convened at 1:12 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 (15) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory Young, Jr.</b>	<b>The Honorable Keisha Bottoms *2:04</b>
<b>The Honorable Cleta Winslow *2:03</b>	<b>The Honorable Joyce M. Sheperd</b>
<b>The Honorable Natalyn Archibong</b>	<b>The Honorable Michael J. Bond *1:17</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Aaron Watson *1:14</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable H. Lamar Willis *1:16</b>
<b>The Honorable Yolanda Adrean</b>	

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

**INVOCATION:** Dr David Sapp, Senior Pastor of Second Ponce De Leon 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 **April 18, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

## 5/2/11 Action Minutes

**SUSPEND THE RULES OF COUNCIL:** Councilmember Young made a Motion to **Suspend the Rules of Council** for the members of the **Reverend James Orange Commission and family members** to address the Council. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**. The Rules of Council were suspended. After the commission members and family members addressed the Council, A Motion to **re-enter Regular Session** was made. Properly Seconded, the Motion **CARRIED** by a roll call vote of **12 yeas; 0 nays**. Therefore, Council re-entered Regular Session.

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

**EXECUTIVE SESSION:** After all Standing Committees reported, **Councilmember Sheperd** made a Motion to enter **Executive Session** to discuss a settlement of pending litigation. Without Objection, the Motion **CARRIED** by a roll call vote of **13 yeas; 0 nays**. Council entered Executive Session. Discussion ending, A Motion to **re-enter Regular Session** was made. Without Objection, the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 11-C-0697 ( 1) A Communication from **Nia Knowles, Chair, NPU-T, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Mr. Larry Bernard Carter, II 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-0698 ( 2) A Communication from **Nia Knowles, Chair, NPU-T, to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. Wanda Whiteside to serve as a member on the Ella Mae Brayboy Commission.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0699 ( 3) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the April 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-0700 ( 4) A Communication from **Caroline Johnson Tanner, Chair, Board of Ethics, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the Metro Atlanta Chamber's appointment of Mr. Larry Brent Adams, II as their representative to serve as a member of the City of Atlanta's Board of Ethics. This appointment is for a term of three (3) years and does not require Council confirmation.  
**FILED WITHOUT OBJECTION**

**Communications (5 through 11 as follows) were taken as a collective voice vote.**

- 11-C-0701 ( 5) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their re-appointment of Ms. Priscilla Smith to the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

- 11-C-0702 ( 6) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their re-appointment of Mr. Gerald Scott to the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0703 ( 7) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their re-appointment of Ms. Michelle Marcus to the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0704 ( 8) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. Jennette Gayer to the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0705 ( 9) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Mr. Richard Laub to the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

- 11-C-0706 (10) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. Deanna Murphy to the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0707 (11) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Mr. Allean Brown to the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0708 (12) A Communication by **Councilmember Joyce M. Sheperd** appointing Ms. Thelma S. Graves to serve as a member of the Atlanta Commission on Aging. This appointment is to fill the unexpired term of Ms. Betty Holmes, ending November 19, 2011.  
**REFERRED TO COMMUNITY DEVELOPMENT /HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0709 (13) A Communication by **Mayor Kasim Reed** appointing Ms. Yvonne Cowser Yancy as Commissioner of the Department of Human Resources.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 11-C-0710 (14) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Bruce Morton to serve as a member of the Tree Conservation Commission. This appointment is for a term of two (2) years, 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-0783 (15) A Communication by **Councilmembers Clea Winslow, District 4; Ivory Lee Young, Jr., District 3 and Michael Julian Bond, Post 1 At-Large** appointing Mr. Wilbert Smith to serve as a member of the Atlanta Urban Design Commission in the Neighborhood Representative Category. This appointment is for a term of three (3) 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. 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: **14 Yeas: Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis: 0 Nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

11-O-0132 ( 1) An **Amended 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 the \$110,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for McDaniel Branch Wetlands Project; and for other purposes.

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

11-O-0494 ( 2) 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.

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

11-O-0528 ( 3) A **Substitute Ordinance** by **City Utilities Committee** amending Ordinance No.10-O1653 for the purpose of authorizing the acquisition of thirteen additional properties, pursuant to the City’s participation in the Federal Emergency Management Agency (“FEMA”) Hazard Mitigation Assistance Program (“FEMA Grant”); to increase the total not to exceed amount for such acquisitions; 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)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 11-O-0683 ( 4) An Ordinance by **Councilmembers C. T. Martin and Clela 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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 11-O-0268 ( 5) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor to purchase property located on Land Lot F0073 of the 14<sup>th</sup> (FF) District, Fulton County Georgia Parcel Number 14F-0073-LL-074-9 from the Conservation Fund, Inc. for implementation of the Constructed Wetlands Project pursuant to the Costs Share Agreement with the United States Army Corps of Engineers ("USACE"); 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 property; to charge and pay for acquisition costs from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 14 YEAS; 0 NAYS**
- 11-O-0513 ( 6) 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.  
**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)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**YOLANDA ADREAN, CHAIR**

- 11-O-0514 ( 7)      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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-O-0515 ( 8)      A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to waive the payment provisions contained in Article X ("the Procurement and Real Estate Code") of the Atlanta City Code in order to execute the Renewal FC-6006007878, Inmate Food Services, with Trinity Services Group, Inc., and to ratify the provision of Inmate Food Services under an expired Agreement since December 29, 2010 on behalf of the Department of Corrections, in an amount not to exceed \$928,000.00 for the purpose of providing food, labor, supplies and materials 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.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-O-0679 ( 9)      An Ordinance by **Councilmembers Ivory Lee Young, Jr. and Michael Julian Bond as Substituted by Finance/Executive Committee** to amend 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.  
**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**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-R-0443 ( 1) A Resolution by **Councilmembers Natalyn M. Archibong and Howard Shook as Substituted by City Utilities Committee** authorizing the Mayor to enter into a Consent Order and to authorize payment of penalties imposed by the Environmental Protection Division of the Department of Natural Resources of the State of Georgia in the amount of \$2,500.00 to the State of Georgia to resolve alleged violations of the Georgia Rules for Air Quality Control and Part 70 Operating Permit No. 4952-121-0036-V-02-0; to identify the source of funding; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-R-0618 ( 2) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 for FC-4411, Annual Contract for Sludge Hauling and Disposal with Synagro South, LLC on behalf of the Department of Watershed Management/Bureau of Wastewater Treatment and Collections, for 7; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-R-0619 ( 3) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement No. 1 with Electrical Testing, Inc., for FC-5031, Annual Contract for Electrical Testing and Inspection Services and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$343,980.00 Fund, Department Organization and Account Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-R-0620 ( 4) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement for River/Lake Information Management Services with the Atlanta Regional Commission in an amount not to exceed \$250,723.50; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed;; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 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-0621 ( 5) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Amendment Agreement No. 3 with Formmaker Software, Inc., for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management to add additional funding in an amount not to exceed \$406,186.40; to correct Resolution No. 10-R-1823 to reflect the correct renewal term; and for other purposes.

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

11-R-0622 ( 6) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Atlanta Service Group, a Joint Venture, for FC-4906B, Construction Management Support Services for the South River Pump Station, in an amount not to exceed \$1,981,752.00; all work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes.

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

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

11-R-0627 ( 7) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to enter into an appropriate contractual agreement with Midtown Lanier Parking, Inc., d/b/a Lanier Parking Solutions, for FC-5175, Parking Lot Management and Fee Collection at the Boisfeuillet Jones Atlanta Civic Center; all revenues generated under this contractual agreement shall be deposited into Account, Segment Numbers 5581 Civic Center Revenue Fund 000002 General. Default/Balance Sheet. Default 3810013 Parking Revenues; 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)**  
**JOYCE SHEPERD, CHAIR**

11-R-0628 ( 8) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the city, to participate with Park Pride Atlanta, Inc., in performing certain maintenance and repair work at Adams Park, by providing an amount not to exceed \$200,000.00 toward the project which shall be charged to and paid from the Ground and Site Improvements Trust Account; and for other purposes.

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

11-R-0629 ( 9) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to execute Renewal Number 2 with G.A. Food Service, Inc., for FC-4539, Summer Food Program, on behalf of the Mayor's Office of Human Services in an amount not to exceed \$519,257.43; all contracted work to be charged to and paid from Fund, Department Organization and Account Number 2501 (Intergovernmental Grant Fund) 040208 (Human Services) 5239004 (Service Grants) 101 (Food Program) 04210954 (Summer Food Program) 250141777 (2011 Summer Food Service Program) COA (City of Atlanta); and for other purposes.

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

11-R-0686 (10) A Resolution by **Councilmember Ivory L. Young, Jr. as Substituted by Community Development/Human Resources Committee** 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 Façade Fund; and for other purposes.

**After the Adoption of Consent Agenda I, Councilmember Young made a Motion to send Resolution 11-R-0686 to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays**

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE  
OF 14 YEARS; 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-0613 (11) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to enter into a settlement with a condemnee in the matter of the City of Atlanta v. Ronald Franklin Williams, Civil Action File No. 2009CV169087 pending in the Superior Court of Fulton County; to authorize the payment in an amount not to exceed \$25,000.00 to be paid from the Fund, Department, Organization and Account listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0614 (12) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Department of Police, to apply for and accept a grant from the White House Office of National Drug Control Policy ("ONDPCP"), in the amount of \$5,066,481.00, for the purpose of disrupting and dismantling illegal drug trafficking organizations; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0687 (13) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement with Bosch Security, pursuant to Sections 2-1602 and 2-1604 of the Procurement and Real Estate Code of the City of Atlanta, utilizing the GSA Contract# GS-07F-7820C, for the purpose of upgrading the existing analog security system to an Internet Protocol System on behalf of the Municipal Court of Atlanta, in an amount not to exceed \$72,304.00; all costs to be charged to and paid from the Fund, Department, Account, and Function Activity 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)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR., CHAIR**

- 11-R-0689 (14) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Anna Hicks, et al. v. City of Atlanta, Georgia, Civil Action File No. 2008-EV-004376, Fulton County State Court, in the total amount of \$91,000.00; authorizing \$45,500.00 to be paid from the Fund, Department, Organization and Account listed; and \$45,500.00 to be paid from the Fund, Department, Organization and Account 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**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 11-R-0630 (15) A Resolution by **Transportation Committee** authorizing the Mayor to approve and consent to an assignment by ICS Contract Services, LLC of its Rights, Title, and Interest to Air Serv Corporation, for Contract FC-4540, Quality Customer Care at Hartsfield-Jackson Atlanta International Airport; and to accept the name change of ICS Contract Services, LLC to Air Serv Facility Services, Inc.; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0631 (16) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Consent Order and Pay a negotiated settlement to the Environmental Protection Division, Department of Natural Resources, State of Georgia, to resolve alleged violations of the Georgia Rules for Air Quality Control and Conditions of Part 70 Operating Permit Number 4581-063-0030-V-02-0, in the amount of \$28,000.00, to be charged to and paid from the FDOA 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)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 11-R-0632 (17) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement and lease with American Airlines, Inc., covering approximately 2,863 square feet of space at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0633 (18) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement No. 1 for FC-4987, Airport-Wide Employees Customer Service Training Program, with Freeman Group Service Solutions, on behalf of the Department of Aviation, in an amount not to exceed \$253,000.00. All contracted services 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-0634 (19) A Resolution by **Transportation Committee** establishing a Joint Task Order Fund in the amount of \$15,000,000.00 for use under five managing general contractors and authorizing the Aviation General Manager, or his designee, to issue Task Orders under Contract Nos.: [i] FC-3007000038-B, Managing General Contractors, with Bryson and Associates, JV; [ii] FC-3007000038-C, Managing General Contractors, with New South Construction Company, Inc./Circle D Enterprises, LLC, JV; [iii] FC-3007000038-D, Managing General Contractors, with Turner-Davis Atlanta Airport, JV; [iv] FC-3007000037-A, Small Business Managing General Contractors, with Guthrie Ravin, Construction, LLC; and [v] FC-3007000037-C, Small Business Managing General Contractors, with Dobbs Raker, LLC, to perform noise abatement work on Aircraft Noise-Sensitive Structures in proximity to Hartsfield-Jackson Atlanta International Airport. All services will be charged to and paid from the Account Numbers listed.  
**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-0635 (20) A Resolution by **Transportation Committee** increasing the Compensation Limit under Contract No. FC-6006007929-B; Architectural and Engineering Design Services, with Hartsfield-Jackson Aviation Design Collaborative, a Joint Venture, in an additional amount of \$436,570.00 to provide professional Architectural and Engineering Design Services and Construction Management Services for the Department of Aviation on a Task Order basis. 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-0636 (21) A Resolution by **Transportation Committee** increasing the Compensation Limit under Contract No. FC-6006007929-A; Architectural and Engineering Design Services, with Hartsfield Support Services Team, a Joint Venture, in an additional amount of \$2,298,347.00 to provide professional Architectural and Engineering Design Services and Construction Management Services for the Department of Aviation on a Task Order basis. 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**

**FINANCE/EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

11-R-0646 (22) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute Renewal Number One (1) of the Accela Application Maintenance and Support Agreement on behalf of the City of Atlanta Department of Information Technology, in an amount not to exceed \$180,647.28 beginning May 1, 2011 through April 30, 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**

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-0649 (23) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the State of California's Fast Open Contracts Utilization Services Contract Number 2009177 for the purchase of AT&T Managed Services for one (1) year beginning June 1, 2011 from AT&T Communication Systems Southeast for the City's Cisco Hardware in an amount not to exceed \$105,478.30 and for the purchase of Cisco Intrusion Protection Services for one (1) year beginning June 1, 2011 from AT&T in an amount not to exceed \$26,617.16 for a combined total of \$132,095.46 on behalf of the Department of Information Technology; 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-0650 (24) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement utilizing Georgia Technology Authority Contract Number 9800-SS001 with Garner, Inc. for Research and Consultant Services for one (1) year beginning May 1, 2011 and ending on April 30, 2012 on behalf of the Department of Information Technology in an amount not to exceed \$80,300.00; 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**
- 11-R-0652 (25) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the City of Atlanta Department of Watershed Management to apply for and receive grant funds in the amount of \$964,300.00 for the Environmental Protection Agency ("EPA") Assistance Program (CFDA-Catalog of Federal Domestic Assistance); 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)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations:**

- 11-R-0554 ( 1) Claim of **Melishia Carter, through her attorney, Peter J. Ross (DPW/11)**, for damages alleged to have been sustained as a result of a vehicular accident on June 9, 2009 at 1777 Delowe Drive. **\$14,300.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0555 ( 2) Claim of **USAA, as subrogee of Katherine C. Bird (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. **\$10,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0556 ( 3) Claim of **The Hertz Corporation (DWM/02)**, for vehicular damages alleged to have been sustained from an automobile accident on October 9, 2010 at 1605 Peachtree Street. **\$7,473.93**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0557 ( 4) Claim of **Jarvis Harris, through his 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-0558 ( 5) Claim of **Warren Poindexter, through his attorney, Bruce A. Hagen (DWM/02)**, for damages alleged to have been sustained as a result of an accident on September 22, 2010 at 944 Marietta Street, NW. **\$6,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0559 ( 6) Claim of **AmericasMart (DPW/02)**, for property damages alleged to have been sustained from a sidewalk project on September 9, 2009 at 240 Peachtree Street, NE. **\$5,775.00**  
**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-0560 (7) Claim of **James Reynolds, through his 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. **\$5,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0561 (8) Claim of **Craig Moore and Capital Wit, LLC (DWM/02)**, for damages alleged to have been sustained as a result of a sewer backup on March 10, 2010 at 488 Edgewood Avenue. **\$4,800.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0562 (9) Claim of **GEICO Insurance Company, as subrogee of John Davis (DPW/12)**, for property damages alleged to have been sustained from an automobile accident on August 2, 2010 at 285 Hipp Street, SW. **\$4,368.94**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0563 (10) Claim of **Travelers, as subrogee of Charles A. Cook (DPW/NA)**, for damages alleged to have been sustained as a result of an automobile accident on November 23, 2010 at 805 Selig Drive. **\$3,705.50**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0564 (11) Claim of **Nationwide Insurance Company, as subrogee of Wieuca North Condominium Association (DWM/07)**, for damages alleged to have been sustained as a result of a sewer backup on September 9, 2009 at 4545 Wieuca Road, #19. **\$3,330.65**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0565 (12) Claim of **State Farm Insurance Company, as subrogee of Ardy G. McIntosh (DWM/08)**, for vehicular damages alleged to have been sustained from an automobile accident on July 20, 2010 at 1923 Howell Mill Road, NW and Beck Street, NW. **\$2,770.73**  
**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-0566 (13) Claim of **Sheryl Ann Glass (DPRCA/10)**, for property damages alleged to have been sustained as a result of an automobile accident on March 10, 2010 at Cascade Avenue, SW and Allegheny Street, SW. **\$2,510.29**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0567 (14) 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 8<sup>th</sup> Street. **\$2,465.63**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0568 (15) Claim of **AT&T (DWM/07)**, for damages alleged to have been sustained as a result of the driver of a City vehicle while checking for a water meter leak pulling the cable damaging it on July 16, 2010 at 4231 Wieuca Road, NE. **\$2,293.88**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0569 (16) Claim of **Timothy English (DPW/11)**, for damages alleged to have been sustained from an automobile accident on January 12, 2011 on Alison Court, SW. **\$1,829.66**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0570 (17) Claim of **Justin Barnes (DPW/09)**, for damages alleged to have been sustained as a result of driving over a pothole on August 11, 2010 at 2000 Bolton Road. **\$1,800.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0571 (18) Claim of **Carmeka Rush, on behalf of her minor child, Cameron Rush, through their attorney, C. F. Spence, Esq., Foy & Associates (APD/09)**, for bodily injuries alleged to have been sustained from an automobile accident on May 8, 2010 at Browntown Road, NW and James Jackson Parkway, NW. **\$1,736.10**  
**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-0572 (19) Claim of **Yolanda Tyson (DWM/04)**, for damages alleged to have been sustained as a result of flooding due to a water meter tailpiece leak on March 19, 2010 at 973 Oakland Drive. **\$1,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0573 (20) Claim of **U. S Department of Treasury Internal Revenue Service (DPW/09)**, for damages alleged to have been sustained as a result of an automobile accident on January 24, 2011 at 1510 Huber Street, NW. **\$1,476.41**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0574 (21) Claim of **Earnest M. Tate (DPRCA/02)**, for damages alleged to have been sustained as a result of an automobile accident on February 9, 2011 at 174 Boulevard, SE. **\$1,006.23**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0575 (22) Claim of **Carolyn and Willie Gray (DWM/01)**, for damages alleged to have been sustained as a result of a sewer backup on November 25, 2010 at 1622 Wellswood Drive. **\$1,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0576 (23) Claim of **Yusuf Akhmedov (APD/07)**, for damages alleged to have been sustained as a result of a vehicular accident on September 25, 2010 at 3200 Lenox Road. **\$937.23**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0577 (24) Claim of **Joseph White (APD/NA)**, for damages alleged to have been sustained as a result of a vehicular accident on January 17, 2011 at Airport Road at Riverdale Road. **\$866.80**  
**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-0578 (25) Claim of **Liberty Mutual Insurance Company, as subrogee of Yvette Harrison (AFR/05)**, for damages alleged to have been sustained as a result of a vehicular accident on August 24, 2010 at 203 Moreland Avenue. **\$735.98**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0579 (26) Claim of **David Fleming (DWM/03)**, for vehicular damages alleged to have been sustained as a result of a gate malfunction at a city facility on November 2, 2010 at 651 14<sup>th</sup> Street. **\$676.07**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0580 (27) Claim of **Sandra Han (DWM/12)**, for vehicular damages alleged to have been sustained from an automobile accident on December 1, 2010 at 1519 Pryor Road, SW. **\$675.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0581 (28) Claim of **Karl Xjimenez and Kerry L. Riddle (DPW/05)**, for damages alleged to have been sustained as a result of an automobile accident on January 26, 2011 at 1122 Kirkwood Avenue. **\$613.44**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0669 (29) Claim of **National Union Fire Insurance Company (DOF/02)**, for damages alleged to have been sustained as a result of reimbursement for restitution funds paid to the City of Atlanta in the case of Jonathan Dodd, former City employee. **\$3,132.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

- 11-R-0582 (30) Claim of **Everton Beadle, through his attorney, Sampson Oliver, Attorney at Law (NA/NA)**, for bodily injuries alleged to have been sustained from a fall from a MARTA bus on January 20, 2011 at an unspecified location.  
**ADVERSE 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-0583 (31) Claim of **Cameron Branch (NA/NA)**, for damages alleged to have been sustained as a result of a vehicular accident on November 12, 2010 at 4577 Roswell Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0584 (32) Claim of **Christy Rosser (NA/02)**, for damages alleged to have been sustained as a result of a robbery investigation beginning in 2009 at 805 Piedmont Avenue, #9.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0585 (33) Claim of **Kent P. Smith (NA/06)**, 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 31, 2011 at 2165 Cheshire Bridge Road, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0586 (34) Claim of **Betty Meekins (NA/08)**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on November 1, 2010 at 24 West Wieuca Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0587 (35) Claim of **Major Fields, through his attorney, James Kelleher (NA/09)**, for damages alleged to have been sustained as a result of a vehicular accident on May 4, 2010 at Scott Elementary School, 1752 Hollywood Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0588 (36) Claim of **Emory-Adventist Hospital, on behalf of Stacia Parker (APD/01)**, for damages alleged to have been sustained as a result of an automobile accident on February 24, 2011 at Lucile Avenue.  
**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-0589 (37) Claim of **James Saul (APD/06)**, for damages alleged to have been sustained as a result of a trip and fall on August 23, 2010 on Ponce de Leon Avenue, NE at City Hall East.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0590 (38) Claim of **Tony Smith, through his attorney, Gerald Weber, Attorney at Law (APD/06)**, for damages alleged to have been sustained from a detention incident on October 7, 2009 at 929 Charles Allen Drive, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 1-R-0591 (39) Claim of **Hugwitt L. Davis (APD/06)**, for damages alleged to have been sustained from an arrest on August 14, 2010 at 2261 Cheshire Bridge Road, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0592 (40) Claim of **Abshir Jama, through his attorney, Thomas M. West, Attorney at Law (APD/07)**, for damages alleged to have been sustained from an arrest on July 30, 2010 at 1050 Lenox Park Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0593 (41) Claim of **Stanley Andrews, a minor and Tosha Andrews, through their attorney, R. Andres Marierose (APD/10)**, for damages alleged to have been sustained as a result of an arrest on December 10, 2009 at 225 Hamilton E. Holmes Drive, Douglass High School.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0594 (42) Claim of **Claude Harvey (APD/11)**, for damages alleged to have been sustained as a result of a vehicular accident on June 22, 2010 at Mays Drive and Veltre Circle.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 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-0595 (43) Claim of **Brice A. Lyons, through his attorney, Duncan M. Harle (APD/11)**, for damages alleged to have been sustained as a result of an automobile accident November 3, 2010 on Campbellton Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0596 (44) Claim of **Lanier Watkins, through his attorney, David Krugler (APD/11)**, for damages alleged to have been sustained as a result of an arrest on March 10, 2010 at 2899 Tejas Trail.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0597 (45) Claim of **James O. Dixon, through his attorneys, Montlick & Associates (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on February 3, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0598 (46) Claim of **Evon Terrell, through her attorneys, Fears Nachawati PLLC (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on July 18, 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-0599 (47) Claim of **Edsel Freeman (DPRCA/10)**, for damages alleged to have been sustained as a result of a fallen tree limb on February 14, 2011 on Harlan Road, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 11-R-0600 (48) Claim of **Ameriprise Auto & Home Insurance, as subrogee of Edward Davis (DPRCA/12)**, for damages alleged to have been sustained from an automobile accident on November 15, 2009 at Metropolitan Parkway and Avery 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-0601 (49) Claim of **Johnny Brown (DPW/02)**, for vehicular damages alleged to have been sustained when a windshield was cracked by the salt and gravel mixture on the road on January 31, 2011 at 55 Trinity Avenue, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0602 (50) Claim of **Bobbie Huff (DPW 12)**, for damages alleged to have been sustained as a result of the erroneous discard of a trash receptacle in January 2011 at 1726 Fairbanks Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0603 (51) Claim of **Kwang Lee (DWM/NA)**, for damages alleged to have been sustained as a result of a water meter leak on August 31, 2010 at 6125 Roswell Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0604 (52) Claim of **David Perlow (DWM/NA)**, for damages alleged to have been sustained as a result of a severed water line on March 9, 2010 at 7490 Wildercliff Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0605 (53) Claim of **Marcus Dominic (DWM/02)**, for vehicular damages alleged to have been sustained after driving over a hazardous water valve box on September 9, 2010 at 1330 West Peachtree Street and 17<sup>th</sup> Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0606 (54) Claim of **Susan Fowler (DWM/05)**, for vehicular damages alleged to have been sustained after driving over a pothole in the road due to a sanitary sewer construction project on January 23, 2011 at 1110 Wylie 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-0607 (55) Claim of **AT&T (DWM/06)**, for damages alleged to have been sustained as a result of a severed phone line during the repair of a water main on March 16, 2009 at 2115 Piedmont Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0608 (56) Claim of **ACE Private Risk Services, as subrogee of Sara Davis (DWM/07)**, for damages alleged to have been sustained as a result of flooding from a water meter leak on July 6, 2010 at 2925 North Hills Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0609 (57) Claim of **Assurance Company of America, as subrogee of The Hunter Group Architects, Inc. (DWM/07)**, for property damages alleged to have been sustained from a water main break on July 6, 2010 at 2878 Piedmont Road, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0610 (58) Claim of **Atlanta Gas Light Company (DWM/08)**, for damages alleged to have been sustained as a result of a severed gas line during the repair of a water main on July 9, 2010 at 281 West Paces Ferry Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 11-R-0611 (59) Claim of **Farmers Insurance Company, as subrogee of Pharr Court Condominium (DWM/08)**, for damages alleged to have been sustained as a result of a sewer backup on September 18, 2010 at 3057 Pharr Court North.  
**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**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

**All items on Consent Agenda Section II (01 through 04 as follows) were Referred to the appropriate committees as a collective vote.**

- 11-O-0616 ( 1)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 Budget (DWM 1999 Water & Wastewater Bond Fund (5056) Budget, in the amount of \$2,207,560.77 to transfer funds from realigned, postponed or discontinued projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 11-O-0623 ( 2)      An Ordinance by **Community Development/Human Resources Committee** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$156,835.00 to increase the budget amount authorized by the U. S. Department of Housing and Urban Development (“HUD”) for the City of Atlanta’s Section 8 Moderate Rehabilitation Program for Washington Properties; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**
- 11-O-0624 ( 3)      An Ordinance by **Community Development/Human Resources Committee** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$323,941.00 to increase the budget amount authorized by the U. S. Department of Housing and Urban Development (“HUD”) for the City of Atlanta’s Section 8 Moderate Rehabilitation Program for Edgewood Center Housing Complex; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

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

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

- 11-O-0615 (4) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations the amount of \$125,000.00 due to modifications in grant funds from the White House Office of National Drug Control Policy ("White House") for the continuation of the High Intensity Drug Trafficking Area ("HIDTA") Task Force and continued disruption of drug trafficking organizations; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

# **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the April 26, 2011 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Watson

**RESOLUTION**

11-R-0536 ( 1) A Resolution by **Councilmembers Felicia A. Moore and Joyce M. Sheperd as Substituted by City Utilities Committee** 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 Services 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; to receive Trademark Licensing Fees; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

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

Attendance at the April 26, 2011 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONTD')**

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

Attendance at the April 26, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

**RESOLUTIONS**

11-R-0612 ( 1) Claim of **Rhonda Levitt (DWM/11)**, for damages alleged to have been sustained as a result of flooding on March 20, 2011 at 3000 Continental Colony Parkway, SW, Apartment F-150.

**Note: Councilmember Bottoms stated for the record her abstention to Resolution 11-R-0612 was due to a potential conflict of interest (litigation involving claimant).**

**ADVERSED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION**

11-R-0688 ( 2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement with Ricoh Americas Corporation, pursuant to Sections 2-1602 and 2-1604 of the Procurement and Real Estate Code of the City of Atlanta, utilizing the GSA Contract# GS-03F-0085U, for the purchase of eight multi-functional copiers on behalf of the Municipal Court of Atlanta, in an amount not to exceed \$20,000.00; all costs to be charged to and paid from the Fund, Department, Account, and Function Activity listed; and for other purposes.

**The above item was forwarded from committee with a Favorable on Condition (clarity of the standard policy in purchasing equipment and if the procedures were followed) recommendation. Chairperson Young stating the procedures were not followed, made a Substitute Motion to Refer 11-R-0688 to the Finance/Executive Committee. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.**

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE 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 April 27, 2011 meeting of the Zoning Committee was as follows:

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

Absent: None

**ORDINANCES FOR SECOND READING**

11-O-0333 ( 1) An **Amended** Ordinance by **Zoning Committee** granting a  
U-11-06 Special Use Permit pursuant to Section 16-07.005 (l)(k) and 16-10.005 (l)(g) of the City of Atlanta Zoning Ordinance for a Community Center, property located at **790 Berne Street, SE**, fronting approximately 485 feet on the east side of Berne Street and approximately 291 feet on the north side of Marion Street and approximately 378 feet on the north side of Eloise Street. **(Referred from ZRB 4/14/11)**

Depth: Varies  
Area: Approximately 4.30 Acres  
Land Lot: 22, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Boys and Girls Club of Metro Atlanta  
Applicant: Drew Kinney and Cooper Pierce  
NPU-W Council District 1

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

11-O-0372 ( 2) An Ordinance by **Councilmember Yolanda Adrean, Kwanza**  
Z-11-10 **Hall, and Ivory Lee Young, Jr. as Substituted by Zoning Committee** to rezone property located at **1300 Mecaslin Street, NW**, from the C-4-C (Central Area Commercial Residential-Conditional) to the C-4-C (Central Area Commercial Residential-Conditional) District for the purpose of a change of conditions; to modify the Official Zoning Maps; and for other purposes.

**REFERRED SUBSTITUTE 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 (2)**

**AARON WATSON, CHAIR**

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

11-O-0538 ( 3) 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.

**Chairperson Watson sounded the caption to Ordinance 11-O-0538 and made a Motion to bring forth a Substitute. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The Substitute was before Council. Mr. Watson then made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

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

**ORDINANCES FOR FIRST READING**

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

11-O-0690 ( 1) An Ordinance by **Zoning Committee** to rezone property from the  
Z-11-13 RG-3-C (Residential General Sector-3-Conditional) District to the RG-3-C (Residential General Sector 3-Conditional) District for the purpose of a change of conditions, property located at **34 and 38 Peachtree Avenue, NE**, fronting approximately 180 feet on the north side of Peachtree Avenue.

Depth: Varies  
Area: Approximately 0.95 Acre  
Land Lot: 100, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Peachtree Avenue Development, LLC and Larry L. and Judith T. Benton  
Applicant: Atlanta International School  
NPU-B Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 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-0691 ( 2)      An Ordinance by **Zoning Committee** to rezone property from the  
Z-11-14              R-5 (Two Family Residential) District to the RG-4-C (Residential  
General Sector 3-Conditional) District for the purpose of a change  
of conditions, property located at **169 Moreland Avenue, SE**,  
fronting approximately 50 feet on the west side of Moreland  
Avenue, beginning approximately 450 feet from the south west  
corner of Kirkwood Avenue.

Depth:            145 Feet  
Area:             0.17 Acre  
Land Lot:        13, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Charles Robinson, Jr.  
Applicant:       James R. Bailey  
NPU-N            Council District 5

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

11-O-0692 ( 3)      An Ordinance by **Zoning Committee** granting a Special Use  
U-11-16              Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-  
28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer  
of Excess Development Rights. Said use is granted to Atlanta  
BeltLine, Inc. (Recipient Parcel) its successors, assigns and all  
subsequent owners and are to be transferred from the **544 North  
Angier Avenue, NE** (Donor Parcel).

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

11-O-0693 ( 4)      An Ordinance by **Zoning Committee** granting a Special Use  
U-11-17              Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-  
28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer  
of Excess Development Rights. Said use is granted to Atlanta  
BeltLine, Inc. (Recipient Parcel) its successors, assigns and all  
subsequent owners and are to be transferred from **641 (aka 665)  
North Avenue, NE** (Perlman Tract) (Donor Parcel).

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 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-0694 ( 5)      An Ordinance by **Zoning Committee** granting a Special Use  
U-11-19              Permit pursuant to Section 16-06.005 (l)(g) for a Personal Care  
Home, property located at **470 Macedonia Road, SE**, fronting  
approximately 102 feet on the north side of Macedonia Road and  
approximately 180 feet west of the intersection of Macedonia and  
Jonesboro Road.

Depth:              Varies  
Area:                Approximately 0.468 Acre  
Land Lot:          34, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:              Tuan Le  
Applicant:        Thomas Kirven  
NPU-Z                Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

11-O-0695 ( 6)      An Ordinance by **Zoning Committee** granting a Special Use  
U-11-20              Permit pursuant to Section 16-08.005(l)(b) of the City of Atlanta  
Zoning Ordinance for a Pre-Kindergarten, property located at **34  
and 38 Peachtree Avenue, NE**, fronting approximately 179 feet  
on the north side of Peachtree Avenue approximately 50 feet east  
of the intersection of Peachtree Avenue and North Fulton Avenue.

Depth:              Varies  
Area:                Approximately 0.959 Acre  
Land Lot:          100, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:              Peachtree Avenue Development, LLC and  
Larry L. and Judith T. Benton  
Applicant:        Atlanta International School  
NPU-B                Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (5)**  
**AARON WATSON, CHAIR**

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

11-O-0696 ( 7)      An Ordinance by **Zoning Committee** granting a Special Use  
U-11-21              Permit pursuant to Section 16-19A.003 (Text Amendment  
Pending) for an Assisted Living Facility, property located at **650  
Phipps Boulevard, NE**, fronting approximately 950 feet along  
Phipps Boulevard (f.k.a. Wieuca Connector) and approximately  
1,300 feet along Alexander Road (a private road).

Depth:              Varies  
Area:                Approximately 1.2 Acres  
Land Lot:          44, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:              Parc at Buckhead Development, LLC  
Applicant:        Parc at Buckhead Development, LLC  
NPU-B              Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the April 27, 2011 meeting of the Transportation Committee was as follows:

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

Absent: None

**RESOLUTION**

11-R-0330 ( 1)

A Resolution by **Councilmembers Felicia A. Moore and Yolanda Adrean** requesting that the Department of Public Works not use the 2009 Retail Planning Corporation Traffic Study as a basis for recommending a traffic signal at Howell Mill Road and White Street; calling for a new study to be conducted and paid for by the City; requiring that implementation of the study be conducted after traffic mitigation measures are in place; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

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

Attendance at the April 27, 2011 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

**ORDINANCES FOR SECOND READING**

11-O-0547 ( 1) 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.

**The original vote of ordinance 11-O-0547 was Adopted by a roll call vote of 14 yeas; 1 nay. However, Councilmember Archibong made a Motion to Reconsider the item to record her Nay vote. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The ordinance was then before Council. Following, Chairperson Adrean made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 2 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 2 NAYS**

11-O-0673 ( 2) An Ordinance and Charter Amendment by **Councilmembers Howard Shook, Ivory Lee Young, Jr. and H. Lamar Willis as Substituted by Finance/Executive Committee**, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws, P. 4469, et seq., Adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A (Charter), Article III (Executive), Chapter 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to modify language that improperly delegates legislative authority; and for other purposes. (2<sup>ND</sup> Reading , 1<sup>st</sup> Adoption)

**REFERRED SUBSTITUTE TO FINANCE/EXECUTIVE COMMITTEE FOR 3<sup>RD</sup> READING/FINAL ADOPTION BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**YOLANDA ADREAN, CHAIR**

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

- 11-O-0674 ( 3)      An Ordinance by **Councilmembers Howard Shook and H. Lamar Willis** to amend the Amortization Schedules of the General employees, Police Officers, and Firefighters Pension Plans from a Thirty (30) Year Open Amortization Period to a Thirty (30) Year Closed Amortization Period; and for other purposes.  
**ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS**
- 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 documents to the Council no later than the first meeting in June; and for other purposes.  
**FILED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS**

**RESOLUTIONS**

- 11-R-0507 ( 1)      A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment Agreement No. 7 with A-Action Janitorial Services, Inc., for FC-7665-04A, Citywide Janitorial Services, on behalf of the Executive Offices, Office of Enterprise Assets Management to add the facility located at 72 Marietta Street ("Atlanta Journal Constitution Building") in an amount not to exceed \$120,000.00, all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
- The original vote for resolution 11-R-0507 was Adopted on Substitute by a roll call vote of 14 yeas; 1 nay. However, Councilmember Archibong made a Motion to Reconsider the resolution. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The item was then before Council. Following, Chairperson Adrean made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 2 nays.**
- ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEARS; 2 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (3)**  
**YOLANDA ADREAN, CHAIR**

**RESOLUTIONS (CONT'D)**

- 11-R-0508 ( 2)     A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment Agreement No. 7 with Thyssen Krupp Elevator Corporation for FC-6005007878, Citywide Elevator Service, on behalf of the Executive Offices-Office of Enterprise Assets Management, to add the facility located at 72 Marietta Street (“Atlanta Journal Constitution Building”) in an amount not to exceed \$54,000.00, 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 13 YEAS; 1 NAY**
- 11-R-0510 ( 3)     A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, with Prime Contractors utilizing Fulton County Contract Number 08ITB64114K-JD, on behalf of the Executive Offices-Office of Enterprise Assets Management for Fast Track Repairs and Construction for 72 Marietta Street (“Atlanta Journal Constitution Building”), in an amount not to exceed \$200,000.00, all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 2 NAY**
- 11-R-0511 ( 4)     A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, with Graebel Atlanta Movers, Inc. utilizing Independent School System Contract Number 120108-01, for relocation services to the facility located at 72 Marietta Street (“Atlanta Journal Constitution Building”), on behalf of the Executive Offices-Office of Enterprise Assets Management and the Department of Watershed Management in an amount not to exceed \$750,000.00, to be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 3 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (4)**  
**YOLANDA ADREAN, CHAIR**

**RESOLUTIONS (CONT'D)**

11-R-0512 ( 5)      A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract SWC050755 to purchase Purchasing Card Program Services from Bank of America to allow the Atlanta High Intensity Drug Trafficking Area Task-Force (“HIDTA”) to make necessary purchases in support of their investigation of illegal drug activities, on behalf of the Department of Police (“Department”), in an amount not to exceed \$900,000.00 per year. All costs shall be charged to and paid from accounts associated with HIDTA Grant Awards approved by the City Council of Atlanta; and for other purposes.

**Chairperson Adrean sounded the caption to resolution 11-R-0512 and stated the recommendation from committee was Favorable on Condition. An extensive discussion ensued, during which, Council deferred the item to the end of the Finance/Executive report to allow Ms. Joya De Foor, Chief Financial Officer, acquire information asked by Councilmember Shook. Returning back to the resolution, Ms. Joya De Foor responded and the Motion to Adopt then CARRIED by a roll call vote of 14 yeas; 0 nays.**

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (5)**  
**YOLANDA ADREAN, CHAIR**

**RESOLUTIONS (CONT'D)**

11-R-0677 ( 6)      A Resolution by **Councilmembers C. T. Martin, Felicia A. Moore, Michael Julian Bond, Ivory Lee Young, Jr. and Joyce M. Sheperd as Substituted by Finance/Executive Committee**, expressing the Council's Non-support of Adopted Senate Bill 79 and requesting that Governor Deal not enact the subsequent law giving the Governor the authority to remove and appoint members of the Atlanta Public School Nine Member Board; and for other purposes.

**Chairperson Adrean sounded the caption to the above item and stated 11-R-0677 was forwarded with a Favorable on Substitute recommendation from committee. An extensive discussion ensued, in which, Councilmember Moore offered a Friendly Amendment to replace "enact" wherever it appears in the legislation to "implement." Accepted by Councilmember Martin, the author of legislation, the Moore Amendment CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Further discussion continued, during which, Councilmember Bottoms made a Motion to hold the resolution for further review. Returning back to the item, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 13 yeas; 2 nays.**

**Note: Councilmember Martin made a Motion to deliver resolutions 11-R-0677 and 11-R-0685 to the Mayor's Office immediately for his signature. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 2 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (6)**  
**YOLANDA ADREAN, CHAIR**

**RESOLUTIONS (CONT'D)**

11-R-0685 (7) 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.

**Chairperson Adrean sounded the caption to resolution 11-R-0685 and stated the recommendation from committee was Favorable. A brief discussion ensued. After which, the Motion to Adopt CARRIED by a roll call vote of 14 yeas; 1 nay.**

**Note: Councilmember Martin made a Motion to deliver resolutions 11-R-0677 and 11-R-0685 to the Mayor's Office immediately for his signature. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

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

**ORDINANCES FOR FIRST READING**

**All Ordinances for First Reading (01 through 07 as follows) were Referred to the Finance/Executive Committee as a collective vote.**

11-O-0637 (1) An Ordinance by **Finance/Executive Committee** to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) Budget by adding to Anticipations and Appropriations grant proceeds from the United States Environmental Protection Agency in the amount of \$964,300.00 for Grant Number XP-96475707-0; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

11-O-0638 (2) An Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2012 Proposed Budget, to include all funds; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (7)**  
**YOLANDA ADREAN, CHAIR**

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

11-O-0639 ( 3) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 1.65 acres of property located at 1933 Wellbourne Drive from the Conservation Fund or current landowner ("The Property"), for the purpose of expanding the existing Morningside Nature Preserve Park ("Park"), in a amount not to exceed \$400,000.00. The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee North as shown below and amending the 2011 (General Government Capital Outlay Fund) Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of \$400,000.00; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

11-O-0640 ( 4) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances and; authorizing Allied Aviation Fueling of Atlanta, Inc. to provide and the City of Atlanta to accept fuel storage facility and fueling facility management and operation services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on May 29, 2011 under the terms of Agreement FC-7468-02 for a period not to extend beyond June 30, 2012; in an amount not to exceed \$3,162,044.00 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 13 YEAS; 1 NAY**

Council President Cesar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (8)**  
**YOLANDA ADREAN, CHAIR**

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

11-O-0641 ( 5) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase one approximately 2.4 Acres Parcel of property located at 0 Fairburn Road from the conservation Fund or current landowner ("The Property"), for the purpose of expanding the existing Ben Hill Park ("Park"), in an amount not to exceed \$200,000.00. The development costs shall be paid from Park Impact Fee West listed, Organization City of Atlanta, and amending the 2011 (General Government Capital Outlay Fund) Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of \$200,000.00; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

11-O-0642 ( 6) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 16.5 Acres of property located at 0 Harper Road from the Conservation Fund or current landowner ("The Property"), for the purpose of expanding the existing Swann Preserve Park ("Park"), in an amount not to exceed \$560,000.00. The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee South as show below and amending the 2011 (General Government Capital Outlay Fund) Budget for the Department of Parks Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of \$560,000.00; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

Council President Caesar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (9)**  
**YOLANDA ADREAN, CHAIR**

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

- 11-O-0643 (7) An Ordinance by **Finance/Executive Committee** for the Fifteenth Supplemental Bond Ordinance supplementing the Restated and Amended Master Bond Ordinance of the City of Atlanta Adopted on March 20, 2000 (99-O-1896), as previously amended and Supplemented, to provide for the issuance of not to exceed \$275,000,000.00 in Aggregate Principal Amount City of Atlanta Airport General Revenue Refunding Bonds, Series 2011A (Non-AMT) (the "Series 2011A Bonds") and not to exceed \$250,000,000.00 in Aggregate Principal Amount City of Atlanta Airport General Revenue Refunding Bonds Series 2011B (AMT) (the Series 2011B Bonds, together with the Series 2011A Bonds, the "Series 2011A/B Refunding Bonds"), to provide funds for the purpose of, among other things, refunding and redeeming all or a portion of the outstanding Airport General Revenue and Refunding Bonds, Series 2000A (Non-AMT) (the "Series 2000A Bonds"), Airport General Revenue Refunding Bonds, Series 2000B (AMT) (the "Series 2000B Bonds"), and Airport General Revenue Refunding Bonds, Series 2000C (forward AMT) (the "Series 2000C Bonds"); to provide for a reasonably required Debt Service Reserve, to reimburse the City for all or a portion of a Termination Payment made in respect of certain Forward Interest Rate Exchange Agreements entered into in connection with the Series 2000A Bonds and Series 2000B Bonds; to provide for the form of said Series 2011A/B Refunding Bonds; and for the Execution of said Series 2011A/B Refunding Bonds; providing for the Rights of the Holders of said Series 2011A/B Refunding Bonds; to authorize and approve the preparation, use and distribution of a Preliminary Official Statement and Final Official Statement in connection with the Offer and sale of said Series 2011A/B Refunding Bonds; granting the Mayor the authority to deem final the Preliminary Official Statement for purposes of Securities and Exchange Commission Rule 15c2-12; granting the Mayor the authority to approve and execute a Final Official Statement; approving the forms and authorizing the execution of said Series 2011A/B Refunding Bonds, a Continuing Disclosure Agreement, a Bond Purchase Agreement, and certain other Agreements in connection with said Series 2011A/B Refunding Bonds and providing for Incidental Action; authorizing the Negotiation and Purchase of Municipal Bond Insurance and the selection of a Bond insurer with respect to all or a portion of said Series 2011A/B Refunding Bonds, if determined to be in the best interest of the city; designating a Paying Agent and Bond Registrar; providing for Severability; authorizing certain Officials and employees of the city to take all actions required in connection with the issuance of said

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (10)**  
**YOLANDA ADREAN, CHAIR**

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

11-O-0643 ( 7)  
(Cont'd)

Series 2011A/B Refunding Bonds; providing certain other details with respect thereto; providing an Effective date; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**

**FELICIA A. MOORE, CHAIR**

Attendance at the May 02, 2011 meeting of the Committee on Council was as follows:

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

Absent: None

**COMMUNICATIONS**

**Communications (01 through 05 as follows) were taken as a collective vote.**

11-C-0517 ( 1) A Communication by **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. 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. **(Favorable by Community/Development Committee 4/26/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

11-C-0519 ( 2) A Communication by **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. 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. **(Favorable by Community/Development Committee 4/26/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

11-C-0520 ( 3) A Communication by **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their appointment of Ms. 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. **(Favorable by Community/Development Committee 4/26/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

11-C-0523 ( 4) A Communication by **Cathy Richards, President, Atlanta Planning Advisory Board (APAB), to Municipal Clerk Rhonda Dauphin Johnson**, submitting their re-appointment of Mr. 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. **(Favorable by Community/Development Committee 4/26/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 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- 0549 ( 5)      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.  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**ORDINANCE FOR SECOND READING**

- 10-O-0785 ( 1)      An Ordinance by **Councilmember Ivory Lee Young, Jr.** authorizing the reimbursement of Parking Expenses incurred by members of Boards and Commissions of the City of Atlanta in connection with attending official meetings of such Boards and Commissions; and for other purposes. **(Held 5/3/10 by the Committee for further review.)**  
**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

# **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

11-R-0767 ( 1) A Resolution by **Councilmembers C. T. Martin, Ivory Lee Young, Jr. and Kwanza Hall** authorizing the City Attorney or her designated legal representative to execute a settlement agreement and/or other appropriate documents/pleadings necessary to effectuate settlement in the case of Corey Airport Services, Inc. vs. The City of Atlanta et. al.; in the United States District Court for the Northern District of Georgia, Atlanta Division (Civil Action No. 1:04-CV-3243 Cap) in an amount not to exceed Three Million, Nine Hundred Thousand Dollars and Zero Cents (\$3,900,000.00); authorizing said payment to be paid from Account 5501 (Airport Revenue Fund), 180312 (Airport Operations), 5212005 (Litigation Expense), 7563000 (Airport); authorizing the Chief Financial Officer to pay the settlement amount; and for other purposes.

**Note: Following the vote of resolutions 11-R-0767 and 11-R-0768, Councilmember Martin made a Motion to send both items to the Mayor's Office immediately for signature. The Motion then CARRIED by a roll call vote of 12 yeas; 0 nays.**

**Councilmember Martin made a Motion to Adopt Resolution 11-R-0767. 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**

11-R-0768 ( 2) A Resolution by **Councilmembers C. T. Martin, Cleta Winslow, Michael Julian Bond, Keisha Bottoms, Ivory Lee Young, Jr., Howard Shook, Joyce M. Sheperd, Alex Wan, H. Lamar Willis, Carla Smith, Kwanza Hall, Aaron Watson and Yolanda Adrean** expressing the Council's support of the Georgia Port Authority's efforts to deepen the Savannah River so to allow for future economic growth opportunities in the State of Georgia with the expansion of the Panama Canal (Panamax); and for other purposes.

**Note: Following the vote of resolutions 11-R-0767 and 11-R-0768, Councilmember Martin made a Motion to send both items to the Mayor's Office immediately for signature. The Motion then CARRIED by a roll call vote of 12 yeas; 0 nays.**

**Councilmember Martin 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**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/ADOPTED (CONT'D)**

11-R-0769 ( 3) A Resolution by **Councilmembers C. T. Martin, Aaron Watson, Joyce Sheperd and Michael Bond** proposing that the Atlanta City Council Finance/Executive Committee establish a schedule by which deliberation on changes to the City's three defined benefit pension plans are to be complete, including the identification of and input from outside experts; and for other purposes.

**Councilmember Sheperd sounded the caption to Resolution 11-R-0769 and made a Motion to Adopt. It was properly Seconded and a discussion ensued. After which, the Motion to Adopt CARRIED by a roll call vote of 8 yeas; 3 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 8 YEAS; 3 NAYS**

11-R-0782 ( 4) A Resolution by **Councilmembers Michael Julian Bond, Kwanza Hall, Carla Smith, Howard Shook, Alex Wan, Joyce M. Sheperd Clea Winslow, Keisha Bottoms, Aaron Watson, H. Lamar Willis, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr.** supporting the proposed launch of the Historically Black Colleges and Universities (HBCU) Network; and for other purposes.

**Councilmember Bond made a Motion to Adopt 11-R-0782. 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**

**RESOLUTIONS/REFERRED**

11-R-0770 ( 1) A Resolution by **Councilmembers Joyce M. Sheperd, C. T. Martin, Michael J. Bond, Yolanda Adrean, Clea Winslow, Aaron Watson, Keisha Bottoms, H. Lamar Willis, Carla Smith, Felicia A. Moore, Kwanza Hall, Ivory Lee Young, Jr., Natalyn Archibong and Alex Wan** to establish a Tire Commission to study the problem of illegal tire dumping; 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-0771 ( 2)      A Resolution by **Councilmembers H. Lamar Willis, Keisha Lance Bottoms and Aaron Watson** proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the district boundaries; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-R-0772 ( 3)      A Resolution by **Councilmembers Michael J. Bond and Ivory Lee Young, Jr.** to amend the contract with U.K. Lasalle LLC, (an entity affiliated with General Growth Properties, Inc.) for the administration and management of the Public Vending Program, so as to grant a first right of refusal to vendors who currently hold vending permits or who formerly held vending permits as of November 21, 2001, for vending locations around Turner Field; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**
- 11-R-0774 ( 4)      A Resolution by **Councilmembers Natalyn Mosby Archibong and Howard Shook** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$ \_\_\_\_\_ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards \_\_\_\_\_ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**
- 11-R-0776 ( 5)      A Resolution by **Councilmembers Alex Wan and Kwanza Hall** recognizing and commending Susan McNeill Mendheim for her commitment and dedicated public service to the enhancement of the quality of life in Midtown Atlanta for the past 30 years; authorizing the installation of a plaque in recognition of her at the 15<sup>th</sup> Street Plaza; 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-0777 ( 6) A Resolution by **Councilmember Alex Wan** to endorse the application of the Seven Fifty Limited Partnership (c/o Evergreen Partners Housing) to the Georgia Department of Community Affairs for 2011 low-income housing tax credits for the acquisition and renovation of Briarcliff Summit Apartments, located at 1050 Ponce De Leon Avenue NE, Atlanta, Georgia; and for other purposes.

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

11-R-0781 ( 7) A Resolution by **Councilmembers Cleta Winslow, Natalyn Archibong, Kwanza Hall, Keisha Bottoms, H. Lamar Willis, Ivory Lee Young, Jr., Yolanda Adrean, Alex Wax, Michael Julian Bond, Howard Shook, Joyce M. Sheperd, Aaron Watson, Carla Smith and C. T. Martin** authorizing the Mayor or his designee to apply for a grant award of up to Fifty Thousand Dollars and No Cents (\$50,000.00) from the Georgia Department of Natural Resources, Historic Preservation Division for the restoration and renovation of Fire Station Number 7, located at **535 West Whitehall Street**; and for other purposes.

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

**ORDINANCES/REFERRED**

11-O-0773 ( 1) An Ordinance by **Councilmembers Michael Julian Bond, Howard Shook, Alex Wan and Kwanza Hall** to amend Chapter 150 ("Traffic and Vehicles"), Article IV ("Stopping, Standing and Parking"), Division 4 ("Residential Permit Parking"), Sections 150-147 ("Program Established"), 150-154 ("Uniformity of Parking Regulations") and 150-157 ("Limitation on Permit Use") of the City of Atlanta Code of Ordinances so as to exempt all residential permit parking areas created before April 2011 from the two-hour exemption for non-permitted vehicles; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

11-O-0775 ( 2) An Ordinance by **Councilmembers Joyce Sheperd and Felicia A. Moore** to amend Section 2-1855 (c) (3) (entitled Confirmation by Council) of the Code of Ordinances of the City of Atlanta so as to add an additional procedure to the confirmation process related to department and agency heads; to waive conflicting ordinances and code sections; and for other purposes.

**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

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

- 11-O-0778 ( 3)      An Ordinance by **Councilmember Cleta Winslow** to amend the 1982 Atlanta Zoning Ordinance, as amended, so as to revise the West End Historic District Regulations (Chapter 20G of the Zoning Ordinance) adopted on December 7, 1991; so as to revise the general regulations; so as to revise the specific regulations; and for other purposes.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 11-O-0779 ( 4)      An Ordinance by **Councilmembers Cleta Winslow and Michael Julian Bond** authorizing the installation of public art (entitled "Comm-Unity Ties")at the Georgia Power Company's substation located at **627 Whitehall Street, SW, Atlanta, GA 30310** as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.  
**REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION**
- 11-O-0780 ( 5)      An Ordinance by **Councilmember Cleta Winslow** amending the Land Use Element of the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located at 1172 and 1174 West Avenue, SW and 220 Boykin Street, SW from the "Single Family Residential" Land Use Designation to the "Light Industrial" Land Use Designation; and for other purposes.  
**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 May 02, 2011 meeting of the Atlanta City Council was adjourned at 7:18 p.m.

***ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Young, Winslow, Wan, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis (10); Councilmember Archibong was excused (1); ): the attendance of Councilmembers Smith, Hall, Shook and Bottoms were not signified upon the adjourning roll call (4).***