

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### MAY 16, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, May 16, 2011. The Meeting convened at 1:15 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER (S):** The Honorable Council President Pro Tempore Joyce M. Sheperd presided. The Honorable Acting Council President Pro Tempore Felicia A. Moore presided a portion of the meeting.

**Attendance:**

The following (14) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Ivory Young, Jr.</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Cleta Winslow *1:21</b>	<b>The Honorable Keisha Bottoms</b>
<b>The Honorable Natalyn Archibong *1:48</b>	<b>The Honorable Joyce M. Sheperd</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Michael J. Bond *1:29</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable Aaron Watson</b>
<b>The Honorable Yolanda Adrean</b>	<b>The Honorable H. Lamar Willis</b>

*Councilmember Kwanza Hall was (Absent with Notice) absent.*

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

**INVOCATION:** Dr. Scott Weimer, Senior Pastor of North Avenue Presbyterian Church gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, lead by Councilmember H. Lamar Willis, 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 **May 02, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

## 5/16/11 Action Minutes

**SUSPEND THE RULES OF COUNCIL:** After the Confirmation of Ms. Yvonne Cowser Yancy by Council, **Councilmember Willis** made a Motion to **Suspend the Rules of Council** for Ms. Yancy to address the body. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **14 yeas; 0 nays**. The Rules of Council were suspended. After Ms. Yancy addressed the Council, Councilmember Willis made a Motion to **re-enter Regular Session**. Properly Seconded, the Motion **CARRIED** by a roll call vote of **14 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 **12 yeas; 0 nays**.

**EXECUTIVE SESSION:** After all Standing Committees reported, **Councilmember Archibong** made a Motion to enter **Executive Session** to discuss a personnel issue. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **13 yeas; 0 nays**. Council entered Executive Session. Returning from Executive Session, **Councilmember Moore** made a Motion to **re-enter Regular Session**. Seconded by Councilmember Bond, the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**. **Council then re-entered Regular Session.**

# COMMUNICATIONS

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMUNICATIONS**

**NONE**

# **VETOED LEGISLATION**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**VETOED LEGISLATION**

**NONE**

**UNFINISHED BUSINESS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**UNFINISHED BUSINESS**

**NONE**

**CONSENT AGENDA  
SECTION I**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd 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: **12 Yeas**: Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Willis: **0 Nays**.

### SECTION I

#### ORDINANCES FOR SECOND READING

##### PUBLIC SAFETY AND LEGAL

##### ADMINISTRATION COMMITTEE - IVORY L. YOUNG, JR., CHAIR

11-O-0615 ( 1) A **Substitute Ordinance as Amended by Public Safety and Legal Administration Committee**, amending the 2011 (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 (“ONDCP”) for the continuation of the High Intensity Drug Trafficking Area (“HIDTA”) Task Force and continued disruption of drug trafficking organizations; and for other purposes.

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

##### FINANCE/EXECUTIVE COMMITTEE

##### YOLANDA ADREAN, CHAIR

11-O-0637 ( 2) A **Substitute 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.

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

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd 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-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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

11-O-0642 ( 4) 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 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 \$560,000.00; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### CONSENT AGENDA (CONT'D)

#### SECTION I (CONT'D)

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

#### CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

11-O-0616 ( 5) A **Substitute** 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 \$2,194,388.80 to transfer funds from realigned, postponed or discontinued projects to the Capital Projects Reserve for Appropriations; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS**

11-O-0682 ( 6) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis and Michael J. Bond as Substituted by City Utilities Committee**, abandoning a portion of Park Avenue West, also known as Foundry Street, NW, between Marietta Street and the CSX Railroad, consisting of approximately 7,987 square feet and being more specifically described in the attached Exhibit "A", lying and being in Land Lot 78 of the 14<sup>th</sup> District of Fulton County Georgia; waiving certain provisions of the Code of Ordinances; and; and for other purposes. **(Public Hearing held 5/10/11)**

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS**

11-O-0684 ( 7) An Ordinance by **Councilmember C. T. Martin as Amended #2 by City Utilities Committee** to designate the intersections of Baker Street, NW between Piedmont Avenue, NW and Centennial Olympic Park Drive, NW as the "Honorary Xernona Clayton Way" and indentifying space in Hardy Ivy Park for the "Xernona Clayton Plaza" and for other purposes. **(Public Hearing held 5/10/11)**

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS**

### RESOLUTIONS

#### COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

11-R-0744 ( 1) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to enter into a Renewal Agreement with Buckhead Baseball, Inc.; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

- 11-R-0776 ( 2)      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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0770 ( 3)      A Resolution by **Councilmembers Joyce M. Sheperd, C. T. Martin, Michael J. Bond, Keisha Lance Bottoms, Ivory Lee Young, Jr., Kwanza Hall, Natalyn Archibong, Alex Wan, Carla Smith, H. Lamar Willis, Aaron Watson, Cleta Winslow, Yolanda Adrean and Felicia A. Moore** to establish a Tire Commission to study the problem of illegal tire dumping; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0781 ( 4)      A Resolution by **Councilmembers Cleta Winslow, Natalyn Archibong, Ivory Lee Young, Jr., Yolanda Adrean, Alex Wan, Keisha Lance Bottoms, Michael J. Bond, H. Lamar Willis, Aaron Watson, Howard Shook, Joyce M. Sheperd, Carla Smith and Kwanza Hall** authorizing the Mayor or his designee to apply for a grant award of up to \$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.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0678 ( 5)      A Resolution by **Councilmembers Joyce M. Sheperd, C. T. Martin, Aaron Watson, Michael J. Bond, Cleta Winslow, Howard Shook, Carla Smith, Felicia A. Moore, Natalyn M. Archibong, H. Lamar Willis, Yolanda Adrean and Alex Wan as Substituted by Community Development/Human Resources Committee** to request the Office of the Mayor to provide the City Council an update on the City of Atlanta latest census; to express the City Council's desire to challenge the Census Count; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd 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-0738 ( 6) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed, in collaboration with the Atlanta Police Department, to apply for and accept funding in the amount of up to \$2,000,200.00 from the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency for Project Atlas (Atlanta's Anti-Violence Strategy) Project; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

#### TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-0757 ( 7) A Resolution by **Transportation Committee** authorizing the Mayor or his designee, to issue a Task Order to Atkins, Prad, a Joint Venture, for FC-4906E, Architectural, Engineering & Design Services, on behalf of the Department of Public Works, in an amount not to exceed \$139,105.00; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0758 ( 8) A Resolution by **Transportation Committee** authorizing the Mayor to issue a Task Order to Arcadis/Brindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services, for the Howell Mill Road Signal Synchronization, on behalf of the Department of Public Works, in an amount not to exceed \$15,000.00; 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 12 YEAS;**  
**0 NAYS**
- 11-R-0759 ( 9) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement and Lease covering approximately 495 square feet of space at Hartsfield-Jackson Atlanta International Airport with Skytanking USA, Inc.; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

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Council President Pro Tempore Joyce M. Sheperd Presided

### CONSENT AGENDA (CONT'D)

#### SECTION I (CONT'D)

#### RESOLUTIONS (CONT'D)

#### TRANSPORTATION COMMITTEE (CONT'D)

##### C. T. MARTIN, CHAIR

- 11-R-0760 (10) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with China Cargo Airlines LTD., for Operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 11-R-0761 (11) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Brooks, Berry, Haynie & Associates, Inc., for Project Number FC-5204; Center Airfield Electrical Duct Bank Relocation, at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$4,651,037.50. 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 12 YEAS;  
0 NAYS**
- 11-R-0762 (12) A Resolution by **Transportation Committee** authorizing the Mayor of the City of Atlanta to execute a Lease Agreement with Southwest Airlines Co. covering the Occupancy and Use of space in North Cargo Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 11-R-0763 (13) A Resolution by **Transportation Committee** authorizing the Mayor or his designee, to enter into Amendment Agreement Number 8 with Wright-Brown Electric Company, Inc., for FC-3006008004, Installation, Relocation, Removal, and/or Revision of Pedestrian Signal and/or Street Lights and Associated Hardware to synchronize traffic signals on Howell Mill Road, NW, from Chattahoochee Avenue to Interstate 75, in an amount not to exceed \$19,617.00 with all contracted work being charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### CONSENT AGENDA (CONT'D)

#### SECTION I (CONT'D)

#### RESOLUTIONS (CONT'D)

#### TRANSPORTATION COMMITTEE (CONT'D)

##### C. T. MARTIN, CHAIR

- 11-R-0764 (14) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 23 to the Central Passenger Terminal Complex and Agreement Lease with Delta Airlines, Inc., ("Delta") to allow Delta to complete a Delta Sky Club in the Maynard Holbrook Jackson International Terminal ("MHJIT") for a cost of \$6,261,000.00; to allow Delta to make additional tenant improvements for Delta, Korean Airlines Company and KLM/Air France in MHJIT for a cost of \$10,600,000.00; to allow for completion of a Bag Belt for Delta to the Parking Deck at MHJIT for a cost not to exceed \$2,000,000.00, which sums (\$18,861,000.00) would be repaid to the City via increased rentals. All services will be charged to and paid from the PTAEO and FDOA Numbers listed; and for other purposes.

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

#### FINANCE/EXECUTIVE COMMITTEE

##### YOLANDA ADREAN, CHAIR

- 11-R-0644 (15) A Resolution by **Finance/Executive Committee** authorizing the Division of Sustainability and the Department of Aviation to enter into a Memorandum of Understanding for the purpose of Memorializing an Agreement for the Division of Sustainability to loan funds to the Department of Aviation to finance the acquisition and installation of the Energy Efficient Lighting Project with a project administration rate of one percent (1%), in an amount not to exceed \$1,800,000.00; to be charged to and paid from FDOA Numbers listed; and for other purposes.

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

- 11-R-0648 (16) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Amendment Agreement Number 1 with Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture for FC-4906D-Architectural Engineering and Design Services on behalf of the Atlanta Police Department, to add the Atlanta Police Department as an additional user and to issue a Task Order for the Construction and Renovation of the Atlanta Police Department Crime Lab, in an amount not to exceed \$220,768.00; all 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 12 YEAS; 0 NAYS**

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**Council President Pro Tempore Joyce M. Sheperd Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

**YOLANDA ADREAN, CHAIR**

11-R-0749 (17) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Article X, Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing Fulton County Contract Number 07ITB55001YB-BR for Long Distance Telephone Service with BellSouth Telecommunications Inc., d/b/a AT&T Georgia for a term of three (3) years with two (2) one-year renewal options on behalf of the Department of Information Technology under a Blanket Purchase Order in an amount not to exceed \$300,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

11-R-0750 (18) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Article X, Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the General Services Administration Contract Number GS-35F-0823M for the purchase of CA Software, Licenses and Support for the City's Hosted Mainframe Applications for a term of three (3) years beginning June 1, 2011 from CA, Inc., in an amount not to exceed \$128,713.50 per year for a contract total of \$386,140.50 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 12 YEAS;  
0 NAYS**

11-R-0753 (19) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute Renewal Number one (1) with Motorola, Inc., for Citywide Digital Radio Maintenance, on behalf of the Department of Information Technology, in an amount not to exceed \$2,087,455.48, beginning July 1, 2011 through June 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 12 YEAS;  
0 NAYS**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### CONSENT AGENDA (CONT'D)

#### SECTION I (CONT'D)

#### RESOLUTIONS (CONT'D)

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

##### YOLANDA ADREAN, CHAIR

- 11-R-0754 (20) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute Renewal Number one (1) with Northrop Gruman Systems Corporation for FC-5137, Critical Safety Systems Support, for one (1) year beginning July 1, 2011 on behalf of the Department of Information Technology, in an amount not to exceed \$1,993,428.00. All contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0755 (21) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Sole Source Agreement with Burnett Lime Company, Incorporated for CAL-FLO Lime Slurry at the Chattahoochee and Hemphill Treatment Facilities, on behalf of the Department of Watershed Management, in an amount not to exceed \$252,009.58; 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 12 YEAS;**  
**0 NAYS**
- 11-R-0756 (22) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Article X, Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the Georgia Environmental Finance Authority Contract Number ECM-226 for the Design and Construction of Interior and Exterior Lighting Retrofits for City of Atlanta Water Treatment Plants with E. Sam Jones Distributor, Inc., on behalf of the Department of the Executive Offices, Division of Sustainability, in an amount not to exceed \$1,700,000.00; 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 12 YEAS;**  
**0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

**Claims with favorable recommendations:**

11-R-0712 ( 1) Claim of **Toya Patterson Individually, and on behalf of her minor children, Barbara, D'Tavius and Devontavius Patterson, through their attorney, Daniel J. Grossman, Attorney at Law (APD/01)**, for damages alleged to have been sustained due to the violation of claimants' civil rights on August 29, 2010 at 700 Thomasville Boulevard, SE.

**\$12,000.00**

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

11-R-0713 ( 2) Claim of **Alden House Condominium Association (DWM/08)**, for damages alleged to have been sustained as a result of a damaged storm line beginning in November 2009, at 100 Alden Avenue.

**\$7,250.00**

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

11-R-0714 ( 3) Claim of **Keshua Zeigler, through her attorney, James J. Kelleher (DWM/01)**, for damages alleged to have been sustained as a result of a trip and fall incident on an uncovered water meter on June 23, 2010 at 1767 Richmond Avenue, SE.

**\$7,000.00**

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

11-R-0715 ( 4) Claim of **Karimah Rasheed, through her attorney, Michael E. Norman (DWM/03)**, for damages alleged to have been sustained as a result of a trip and fall incident on an uncovered water valve on July 1, 2010 at 117 Martin Luther King, Jr. Drive.

**\$6,000.00**

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

11-R-0716 ( 5) Claim of **Fulton County Government (APD/04)**, for vehicular damages alleged to have been sustained from an automobile accident on November 3, 2009 at Lee Street, SW and Donnelly Avenue, SW.

**\$5,675.00**

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



**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd 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-0722 (11) Claim of **Norris Duffey (DWM/01)**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on December 24, 2009 at 993 Hank Aaron Drive. **\$1,700.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0723 (12) Claim of **Mary J. Liggins (APD/10)**, for damages alleged to have been sustained as a result of an automobile accident on December 10, 2010 at Ralph D. Abernathy Boulevard and W. Whitehall Street. **\$1,610.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0724 (13) Claim of **April L. Luna (DPRCA/02)**, for damages alleged to have been sustained when a rock was thrown from a riding lawn mower on November 22, 2010 at Freedom Parkway, NE and Seminole Avenue, NE. **\$1,395.90**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0725 (14) Claim of **Tameka Pound (DPW/NA)**, for damages alleged to have been sustained as a result of a vehicular accident on January 24, 2011 at 4690 Hammermill Road, Tucker. **\$1,194.71**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0726 (15) **Claim of Carlos Casarrubias Solano and Jenn Casarrubias Solano (DPW/03)**, for damages alleged to have been sustained as a result of a vehicle being struck by a Herbie – Curbie during the weekly Garbage Collection on December 13, 2010 at 284 16<sup>th</sup> Street. **\$776.15**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd 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-0727 (16) Claim of **Kerry Lino (DPW/02)**, for damages alleged to have been sustained as a result of driving over a pothole on February 9, 2011 at 1080 Spring Street. **\$717.94**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

11-R-0728 (17) Claim of **Likeena Pye, on behalf of her minor child, Tobias Moses, 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. **\$617.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

11-R-0729 (18) Claim of **Debra Blanding (NA/02)**, for damages alleged to have been sustained as a result of a slip and fall due to an ice patch on December 15, 2010 at 646 West Peachtree Street, North Avenue MARTA Station.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

11-R-0730 (19) Claim of **Patrick Sutton (NA/03)**, for damages alleged to have been sustained as a result of an automobile theft at 1139 North Avenue on October 13, 2010.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

11-R-0731 (20) Claim of **Yolanda Sherrell (NA/04)**, for damages alleged to have been sustained as a result of driving over a pothole on an unspecified date at 990 Metropolitan Parkway.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd 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-0732 (21) Claim of **Loretta Hamler (NA/09)**, for damages alleged to have been sustained as a result of striking a pothole on February 28, 2011 at I-285 entrance ramp at Bolton Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0733 (22) Claim of **Holy Temple Baptist Church (AFR/05)**, for damages alleged to have been sustained as a result of the construction of a Fire Rescue Station in March 2009 at 1206 Metropolitan Avenue.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0734 (23) Claim of **Teeordieia Medea, through her attorney, Timothy I. McEwing (DPW/03)**, for damages alleged to have been sustained as a result of an automobile accident on October 14, 2009 at Northside Drive, NW and Longwood, NW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0735 (24) Claim of **Jennifer Barber (DWM/NA)**, for damages alleged to have been sustained as a result of driving over a damaged water valve on August 27, 2010 at Highway 29 at Bishop Road, Fairburn.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0736 (25) Claim of **Craig Commodore (DWM/NA)**, for damages alleged to have been sustained as a result of an automobile accident on August 17, 2010 at Georgia Highway 70 and Mendel Drive, Fulton County.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 11-R-0737 (26) Claim of **English Colony, LLC, through its attorney, Mary Prebula (DWM/11)**, for damages alleged to have been sustained as a result of excessive water account charges beginning in August 2007 at 3350 Mt. Gilead Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**CONSENT AGENDA  
SECTION II**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

**All items on Consent Agenda Section II (01 through 05 as follows) were Referred to the appropriate committees as a collective vote.**

11-O-0766 ( 1)      An Ordinance by **Community Development/Human Resources**  
CDP-11-04      **Committee** to amend the Land Use Element of the 2008 Atlanta  
Comprehensive Development Plan (CDP) so as to re-designate  
property that is located at **1119 Memorial Drive** from the “Low  
Density Commercial” Land Use Designation to the “Mixed Use  
Land Use” Designation (Z-11-09); and for other purposes.

NPU-N

Council District 5

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN**  
**RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 11**  
**YEAS; 0 NAYS**

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

11-O-0739 ( 2)      An Ordinance by **Public Safety and Legal Administration**  
**Committee** authorizing the Mayor or his designee to accept a  
sub-grant from the Department of Homeland Security (DHS) for  
the purpose of providing maintenance of specialized technical  
rescue equipment on behalf of the Department of Fire Rescue, and  
to amend the 2011 (Intergovernmental Grant Fund) Department of  
Fire Budget, by adding to anticipations and appropriations in the  
amount of \$20,000.00; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL**  
**ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11**  
**YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

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

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 11-O-0740 ( 3)      An Ordinance by **City Utilities Committee** to amend Chapter I entitled "Administration" of Appendix C entitle "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Residential Potable Use; to regulate potable rainwater catchment for residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to amend Chapter 154 "Utilities", Article V. " Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes. **(To be advertised for Public Hearing.)**  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 11-O-0741 ( 4)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$17,600,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for Various DWM Annual Water Projects; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**
- 11-O-0742 ( 5)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$9,402,772.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and add to appropriations for funds for Water & Hydrant Assessment Projects; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

# **COMMITTEE REPORTS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS**

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

Attendance at the May 10, 2011 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Archibong

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

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

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

Attendance at the May 10, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

**COMMUNICATION**

11-C-0451 ( 1) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Municipal Court Operations. **(Public Safety and Legal Administration and Finance/Executive Committees held a Joint Work Session 4/22/11)**  
**FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**RESOLUTION**

**Claim with favorable recommendation:**

11-R-0711 ( 1) Claim of **Julie Norris, through her attorney, Marko L. Bugar (APD/02)**, for personal injuries alleged to have been sustained as a result of being struck by a city vehicle in a pedestrian crosswalk on March 28, 2010 at Elizabeth Street, NE and N. Highland Avenue, NE. **\$25,000.00**  
**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the May 11, 2011 meeting of the Zoning Committee was as follows:

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

Absent: None

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS**

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

11-O-0094 ( 1) An Ordinance by **Zoning Committee** to rezone property from the  
Z-10-36 R-4 (Single-Family Residential)/Beltline Overlay District to the R-4A (Single-Family Residential)/Beltline Overlay District, property located at **631 Glenwood Place, S.E.**, fronting approximately 100 feet on the west side of Glenwood Place, approximately 100 feet north of the intersection of Glenwood Place and Berne Street. Depth: approximately 150 feet; Area: approximately 0.1722 acres, Land Lot 11, 14<sup>th</sup> District, Fulton County, Georgia. Owner: K. Assets; Applicant: John E. Swiney; NPU-W Council District 1.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

10-O-1418 ( 2) An Ordinance by **Councilmembers Michael Julian Bond, Aaron**  
Z-10-20 **Watson, Joyce M. Sheperd, Cleta Winslow, H. Lamar Willis and Ivory Lee Young, Jr.** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the Use Chart for SPI-11 Vine City & Ashby Station Special Public Interest District Regulations so as to provide that Two-Family Dwellings are not permitted principle uses within Sub-areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12; so as to provide that rooming houses are not permitted principal uses within Sub-areas 1, 2, 3, 4, 5, 6, , 8, 9, 10 11 & 12; so as to provide that additionally shelters are not permitted principal uses within Sub-area 3; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**

**AARON WATSON, CHAIR**

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)**

**Ordinances (03 through 04 as follows) were taken as a collective vote.**

11-O-0332 ( 3)  
U-11-05      A **Substitute** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-06.005 of the City of Atlanta Zoning Ordinance for a Community Center, property located at **1765 Memorial Drive, S.E .**, property fronting approximately 417 feet on the south side of Memorial Drive and southwest corner of Memorial Drive and Wilkinson Drive. Property has approximately 500 feet of frontage on the east side of Wilkinson Drive. Depth: approximately 500 feet; Area: approximately 4.63 acres, Land Lot 179, 15<sup>th</sup> District, DeKalb County, Georgia. Owner: YMCA of Metropolitan Atlanta, Inc.; Applicant: YMCA of Metropolitan Atlanta, Inc.; NPU-O; Council District 5.

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

10-O-2096 ( 4)  
Z-10-33      An Ordinance by **Councilmember Cleta Winslow as Substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by amending the City of Atlanta Sign Ordinance Section 16-28A.010(48): SPI 21 Historic West End/Adair Park District to modify certain types of signage in the SPI 21 Historic West End/Adair Park District; and for other purposes.

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

**Ordinances (05 through 12 as follows) were taken as a collective vote.**

11-O-0233 ( 5)  
U-11-01/U-08-06      An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-28.023 of the City of Atlanta Zoning Ordinance for a transfer of Excess Development Rights. Said use is granted to NP 10<sup>th</sup> Street LLC for **1007 Williams Street/97 Tenth Street, N.W.** (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the Academy of Medicine located at **875 West Peachtree Street, N.E.** (Donor Parcel). Donor Parcel is located in Land Lot 49, District 14. Recipient Parcel is located in Land Lot 107, District 17. Owners: NP 10<sup>th</sup> Street, LLC (Recipient Parcel); Atlanta Medical Heritage, Inc. (Donor Parcel); Applicant: NP 10<sup>th</sup> Street, LLC; NPU-E Council District 2.

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

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**

**AARON WATSON, CHAIR**

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)**

11-O-0234 ( 6)  
U-11-02 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16.08.006 (1) (b) of the City of Atlanta Zoning Ordinance for a Day Care Center, property located at **2461 Peachtree Road, N.E.** fronting approximately 197 feet on the east side of Peachtree Road at the intersection of Peachtree Road and Terrace Drive. Depth: varies; Area: approximately 1.69 acres; Land Lot 101, 17<sup>th</sup> District, Fulton County, Georgia. Owner: Covenant Presbyterian Church; Applicant: Deserie M. Sanchez; NPU-B Council District 7.

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

11-O-0235 ( 7)  
U-11-03/U-01-48 An **Amended** Ordinance by **Zoning Committee** granting an amendment to a Special Use Permit pursuant to Section 16-06.005 (1) (b) of the City of Atlanta Zoning Ordinance for a Day Care Center, property located at **1629 Beecher Street, S.W./1631 Alvarado Terrace, S.W.**, fronting approximately 96.02 feet on the north side of Beecher Street beginning at the northeast corner of Alvarado Terrace. Depth: 104.92; Area: approximately 0.23 acres; Land Lot 150, 14<sup>th</sup> District, Fulton County, Georgia. Owner: Valerie Belt-Jones; Applicant: Valerie Belt-Jones; NPU-T Council District 4.

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

11-O-0334 ( 8)  
U-11-07 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16.07.005 (1) (k) & (1) City of Atlanta Zoning Ordinance for a Private School and Community Center, property located at **442 14<sup>th</sup> Street, N.W.** fronting approximately 243 feet on the south side of 14<sup>th</sup> Street beginning 30 feet from the southeast corner of Snyder and 14<sup>th</sup> Street. Depth: approximately 471.88 feet. Area: approximately 3.42 acres; Land Lot 149, 17<sup>th</sup> District, Fulton County, Georgia. Owner: M. O. Tomeh; Applicant: Johnny Edwards; NPU-E Council District 3.

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

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORTS (CONT'D)

#### ZONING COMMITTEE (4)

AARON WATSON, CHAIR

#### ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)

- 11-O-0229 (9)  
Z-11-01
- An **Amended** Ordinance by **Zoning Committee** to rezone property from the RG3 (Residential General-Sector 3) to the RG-4-C (Residential General-Sector 4-Conditional), property addressed as a **portion of 668 Fair Street, S.W.**, fronting approximately 212 feet on the south side of Parsons Street beginning at the eastern corner of Lawshe Street. Depth: approximately 341 feet. Area: approximately 1.73 acres; Land Lot 109, 14<sup>th</sup> District, Fulton County, Georgia. Owner: The Housing Authority of the City of Atlanta; Applicant: Integral Development LLC/Eric Pinckney-Vice-President; NPU-T Council District 4.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;  
0 NAYS**
- 11-O-0230 (10)  
Z-11-03
- An **Amended** Ordinance by **Zoning Committee** to rezone property from the R-2 (Single Family Residential) to the PD-H (Planned Development-Housing) District, property located at **4317 East Conway Drive, N.E.** fronting approximately 208 feet on the south side of East Conway Drive beginning approximately 757 feet south of the intersection of East Conway Drive and Jett Road. Depth: varies; Area: approximately 2.67 acres; Land Lot 138, 17<sup>th</sup> District, Fulton County, Georgia. Owner: William L. Pulgram; Applicant: William L. Pulgram c/o Hakim Hilliard, Esq.; NPU-A Council District 8.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;  
0 NAYS**
- 10-O-1889 (11)  
U-10-34
- An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-06.005 (1) (b) for a Daycare Center property located at **51 Polar Rock Road, S.E.**, fronting approximately 195 feet on the west side of Polar Rock Road at the intersection of Polar Rock Road and Macon Drive. Depth: varies; Area: approximately 2.51 acres; Land Lot 71, 14<sup>th</sup> District, Fulton County, Georgia. Owner: Deke Cooper; Applicant: Deke Cooper; NPU-Z Council District 12.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;  
0 NAYS**

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (5)**

**AARON WATSON, CHAIR**

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)**

10-O-2158 (12)  
Z-10-31 An **Amended Ordinance** by **Zoning Committee** to rezone property from the C-1-C (Community Business-Conditional) District to the C-1-C (Community Business District-Conditional) District for the purpose of a change of conditions, property located at **1450 Donnelly Avenue, S.W.** Property fronts approximately 180 feet on the south side of Donnelly Avenue at the intersection of Donnelly Avenue and Cascade Avenue. Depth: approximately 187 feet. Area: approximately 0.85 acres; Land Lot 139, 14<sup>th</sup> District, Fulton County, Georgia. Owner: Clipper Petroleum; Applicant: Louis J. Passarella; NPU-T Council District 4.  
**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

11-O-0093 (13)  
Z-10-34 An Ordinance by **Zoning Committee** to rezone property from the RG-2 (Residential General-Sector 2) District to the C-1 (Community Business) District, property located at **2121 Hollywood Road, N.W.**, fronting approximately 100 feet on the southeasterly side of Hollywood Road, at the intersection (fork) of the Bolton Road and Hollywood Road. Depth: varies; Area: approximately 0.970 acres; Land Lots 252 and 253, 14<sup>th</sup> District, Fulton County, Georgia. Owner: Peter W. Von Wismar; Applicant: Peter W. Von Wismar; NPU-D Council District 9.  
**ADVERSED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**ORDINANCES FOR SECOND READING**

11-O-0779 ( 1) An Ordinance by **Councilmember Cleta Winslow** 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.

**Chairperson Watson sounded the caption to Ordinance 11-O-0779 and stated the ordinance was forwarded from committee with No Recommendation. Following, Councilmember Winslow was recognized and made a Motion to Table. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.**

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

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORTS (CONT'D)

#### ZONING COMMITTEE (6)

AARON WATSON, CHAIR

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

11-O-0074 ( 2)  
Z-02-18

An Ordinance by **Councilmember Cleta Winslow as Substituted by Zoning Committee** amending Ordinance 02-O-0253 adopted by the City Council March 17, 2003 and approved by the Mayor March 25, 2003 to rezone certain properties within the Pittsburgh Community Redevelopment Plan Area; and for other purposes. **(Substituted and referred to ZRB and Zoning Committee 5/11/11)**

**REFERRED SUBSTITUTE TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

11-O-0447 ( 3)  
Z-11-06

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

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

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (7)**

**AARON WATSON, CHAIR**

**ORDINANCE FOR FIRST READING**

11-O-0784 ( 1)      An Ordinance by **Zoning Committee** to rezone property from R-4A (Single-Family Residential) District to the C-1 (Community Business) District, property located at **607 and 611 Joseph E. Boone Boulevard, NW**, fronting approximately 90 feet on the north side of Joseph E. Boone Boulevard, beginning 45 feet from the northeasterly corner of Vine Street and Joseph E. Boone Boulevard.

Depth:	120 Feet
Area:	0.247 Acre
Land Lot:	82, 14 <sup>th</sup> District, Fulton County, Georgia
Owner:	Asghar Memarzadeh
Applicant:	Kaveh Kamooneh (Lili Properties, Inc.)
NPU-L	Council District 3

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

**5/16/11 Action Minutes**

**Council President Pro Tempore Joyce M. Sheperd Presided**

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the May 11, 2011 meeting of the Transportation Committee was as follows:

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

Absent: None

**The Standing Committee of Transportation did not have a report.**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORT (CONT'D)

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

Attendance at the May 11, 2011 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

### COMMUNICATION

11-C-0553 ( 1) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Assessment of Federal Recovery Act Grants Control.  
**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

### ORDINANCES FOR SECOND READING

Acting Council President Pro Tempore Felicia A. Moore Presided

11-O-0640 ( 1) 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.

**Chairperson Adrean sounded the caption to Ordinance 11-O-0640 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before Council. Chairperson Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.**

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

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORT (CONT'D)**

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

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

- 11-O-0641 ( 2)      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.  
**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**RESOLUTIONS**

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

**Chairperson Adrean sounded the caption to the above resolution and noted it was forwarded from committee with a Favorable on Substitute recommendation. Following, Councilmember Watson was recognized and made a Substitute Motion to Refer 11-R-0376 back to the Finance/Executive Committee. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.**

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

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORT (CONT'D)

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

### RESOLUTIONS (CONT'D)

11-R-0509 ( 2) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment Agreement No. 8 with Dothan Security, Inc., (DSI) for FC-6005007888B, Citywide Security Guard Services to add the facility located at 72 Marietta Street ("Atlanta Journal Constitution Building") on behalf of the Executive Offices-Office of Enterprise Assets Management in an amount not to exceed \$150,000.00. All contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

**FILED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

11-R-0752 ( 3) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment Number 4 for FC-4714, Citywide HVAC Services with Honeywell, Inc. on behalf of the Executive Offices-Office of Enterprise Assets Management for HVAC Services for 72 Marietta Street, (Formerly the Atlanta Journal Constitution Building (AJC)), in an amount not to exceed \$600,000.00 with \$145,137.00 to be charged from the FDOA Numbers listed and \$454,863.00 to be charged from the FDOA Numbers listed; and for other purposes.

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

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORT (CONT'D)**

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

**RESOLUTIONS (CONT'D)**

11-R-0785 ( 4)      A 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, for FC-5274, Cooperative Purchasing Agreement for Citywide Armed and Unarmed Security Guard Services, utilizing Contract Number 11ITB75041YB-BR between Fulton County and Norred & Associates at various designated city properties on behalf of Executive Offices-Office of Enterprise Assets Management in an amount not to exceed \$3,262,990.00. All contracted work shall be charged to and paid from the below referenced accounts listed herein, for the remainder of Fiscal Year 2011 and in Fiscal Year 2012, subject to the appropriations of funds therefor; and for other purposes.

**Chairperson Adrean sounded the caption to 11-R-0785 and stated the recommendation from committee was Favorable on Condition. Mrs. Adrean stated the condition has been satisfied and the Motion to Adopt was made. An extensive discussion ensued, during which, Council deferred the item to later during the meeting. Returning back the above resolution, Councilmember Martin was recognized and stated his concerns were satisfied. The Motion to Adopt was then CARRIED by a roll call vote of 13 yeas; 0 nays.**

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

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORT (CONT'D)**

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

**RESOLUTIONS (CONT'D)**

11-R-0786 ( 5)      A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement to be designated as formal Contract Number 5231, Co-Operative Purchase for City of Atlanta Website Redesign, Development & Implementation Plan, pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing Contract Number 2010-5203 between City of Greensboro, North Carolina and Vision Internet Providers, Inc. for three (3) years beginning June 1, 2011 on behalf of the Department of Information Technology in an amount not to exceed \$76,801.00 per year for a total contract amount of \$230,403.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

**Chairperson Adrean sounded the caption to Resolution 11-R-0786 and stated the recommendation from committee was Favorable on Condition (receipt of substitute). Mrs. Adrean then made a Motion to bring forth the Substitute. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. The Substitute was before the Council. After a brief discussion, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 0 nays.**

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

**ORDINANCES FOR FIRST READING**

**All Ordinances for First Reading (01 through 04 as follows) were Referred to the Finance/Executive Committee as a collective vote.**

11-O-0745 ( 1)      An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, allowing the City to Contractually exercise its Renewal Options on an expired contract as Renewal Agreement No. 1 for the Agreement with Rehrig Pacific, Inc., for FC-6006007924, Annual Contract for the Incentivized Recycling Pilot Program on behalf of the Department of Public Works, with all contracted work being charged to and paid from the FDOA Numbers listed; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORT (CONT'D)**

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

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

- 11-O-0746 ( 2)      An Ordinance by **Finance/Executive Committee** to correct Ordinance Number 09-O-1897, Adopted by the Atlanta City Council on November 16, 2009, and Approved by the Mayor on November 24, 2009; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 11-O-0747 ( 3)      An Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta, so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the Tax Rates established herein shall remain fixed each year until amended or repealed; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 11-O-0748 ( 4)      An Ordinance by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORTS (CONT'D)

#### COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the May 16, 2011 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Hall

### COMMUNICATIONS

**All Communications (01 through 05 & 07 as follows) were Confirmed as a collective vote.**

11-C-0698 ( 1) 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.

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

11-C-0703 ( 2) 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. (Favorable by Community Development/Human Resources Committee 5/10/11.)

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

11-C-0706 ( 3) 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. (Favorable by Community Development/Human Resources Committee 5/10/11.)

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

11-C-0707 ( 4) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. 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. (Favorable by Community Development/Human Resources Committee 5/10/11.)

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

## 5/16/11 Action Minutes

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-0708 ( 5) 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. **(Favorable by Community Development/Human Resources Committee 5/10/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-C-0709 ( 6) A Communication by **Mayor Kasim Reed** appointing Ms. Yvonne Cowser Yancy as Commissioner of the Department of Human Resources. **(Favorable by Finance/Executive Committee 5/11/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 11-C-0783 ( 7) A Communication by **Councilmembers Cleta Winslow, Ivory Lee Young, Jr. and Michael Julian Bond**, appointing Mr. Wilbert Smith to the Atlanta Urban Design Commission, in the Neighborhood Representative Category, for a term of three (3) years. Council confirmation is required. **(Favorable by Community Development/Human Resources Committee 5/10/11.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

### ORDINANCE FOR SECOND READING

- 11-O-0775 ( 1) 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.  
**ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (3)**

**FELICIA A. MOORE, CHAIR**

**RESOLUTION**

11-R-0787 ( 1)

A Resolution by **Committee on Council** appointing Councilmembers Alex Wan and Felicia A. Moore to the two positions on the Budget Commission to be filled by two members of the governing body nominated and confirmed by the governing body at large for one year terms for the purpose of performing the duties and responsibilities of the Commission in connection with the FY 2012 Budget for the City of Atlanta; and for other purposes.

**Municipal Clerk sounded the results of the ballot to nominate the Councilmembers to represent the governing members on the Budget Commission. The votes were as follows: Councilmember Alex Wan: 9 votes; Councilmember Felicia A. Moore: 8 votes; Councilmember Keisha Bottoms: 6 votes; and Councilmember Michael Julian Bond: 5 votes.**

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

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### COMMITTEE REPORTS (CONT'D)

#### CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the May 10, 2011 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Watson

### COMMUNICATION

11-C-0552 ( 1) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit Report regarding the Department of Public Works Regulation of Utility Street Cuts.

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

### ORDINANCE FOR SECOND READING

10-O-1981 ( 1) An Ordinance by **Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean as Amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing held and amended 11/30/10)**

**Chairperson Archibong sounded the caption to Ordinance 10-O-1981 and stated the committee forwarded with No Recommendation on Condition. A discussion ensued, during which, Archibong offered Amendment #1/#1 to add additional language to the 7<sup>th</sup> Whereas Clause to read as follows: "Whereas, the joint commission also felt it would be appropriate to somehow maintain the history of the original street name by installing a marker/plaque prominently along the street showing the history of John L. Harris and John C. Portman;" and further Amends the legislation by inserting additional language to Section 1 to read as follows: "That Harris Street, NW located between Piedmont Avenue, NW and Park Drive, NW in its entirety be renamed to John C. Portman Boulevard, NW and the Department of Public Works will approve the installation of "Historic Harris Street" street toppers at each corner of the intersections." Following, Councilmember Martin made a Motion to approve the Amendment. It was properly Seconded and an extensive discussion ensued. After which, Archibong Amendment #1/#1 CARRIED by a roll call vote of 10 yeas; 4 nays. Discussion**

Council President Pro Tempore Joyce M. Sheperd Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (2)**  
**NATALYN M. ARCHIBONG, CHAIR**

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

10-O-1981 ( 1)  
(Cont'd)

An Ordinance by **Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean as Amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing held and amended 11/30/10)**

**continued, in which, Councilmember Martin made a Motion to Adopt as Amended. It was properly Seconded and another discussion ensued, during which, Councilmember Shook Called the Question. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 3 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 9 yeas; 5 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 9 YEAS; 5 NAYS**

# PERSONAL PAPERS

Council President Pro Tempore Joyce M. Sheperd Presided

**PERSONAL PAPERS**

**RESOLUTION/ADOPTED**

11-R-0796 ( 1) A Resolution by **Councilmember Michael Julian Bond as Amended by Full Council** to create a comprehensive one-stop online resource addressing the needs of Atlanta's At-Risk Youth; to provide that the online Youth Resource Page is incorporated into the City of Atlanta's Official Website; to accept the offer of the President's White House Council for Community Solutions to provide a link from its website to the City's Youth Resource Page; and for other purposes.

**Councilmember Bond made a Motion to Adopt 11-R-0796. It was Seconded by Councilmember Winslow and a discussion ensued. During discussion, Councilmember Winslow offered a Friendly Amendment to add the language in Section 1 after the word "is" to read: linked up with conjunction with the Fulton County Family and Children Services and with United Way through its help book." Councilmember Bond accepted the Friendly Amendment and the Motion to approve Winslow Amendment CARRIED by a roll call vote of 11 yeas; 1 nay. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 10 yeas; 2 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS; 2 NAYS**

**ORDINANCES/REFERRED**

11-O-0788 ( 1) An Ordinance by **Councilmembers Felicia A. Moore, H. Lamar Willis, Clea Winslow, C. T. Martin, Natalyn Archibong and Joyce M. Sheperd** to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so as to decrease the number of Municipal Court Judges from ten (10) to eight (8); to waive conflicting ordinances and code sections; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

11-O-0790 ( 2) An Ordinance by **Councilmembers Felicia A. Moore and C. T. Martin** to transfer Sixteen Thousand Dollars (\$16,000.00) from the District 9 Councilmember Non-Departmental Expense Account and Twelve Thousand Dollars (\$12,000.00) from the District 10 Councilmember Non-Departmental Expense Account to the Department of Planning and Community Development to be used to fund the nomination and designation activities per the City of Atlanta's Historic Preservation Ordinance for the Collier Heights Neighborhood's consideration as a locally designated Historic District; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### PERSONAL PAPERS (CONT'D)

### ORDINANCES/REFERRED (CONT'D)

- 11-O-0791 ( 3)      An Ordinance by **Councilmember Felicia A. Moore** to transfer One Hundred Thousand Dollars (\$100,000.00) from the District 9 Councilmember Non-Departmental Expense Account to the Department of Public Works to fund the construction of the Adams Drive alternate route roadway; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-O-0792 ( 4)      An Ordinance by **Councilmember Felicia A. Moore** to transfer Twenty Thousand Dollars (\$20,000.00) from the District 9 Councilmember Non-Departmental Expense Account to the Department of Public Works to be used to fund a traffic study that will include the neighborhoods surrounding the intersection of Howell Mill Road and White Street; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-O-0793 ( 5)      An Ordinance by **Councilmembers C. T. Martin and Joyce M. Sheperd** amending Atlanta Code of Ordinances Sections 110-3 (d)(2) and (d)(3) to decrease the fees for City residents participating in the Camp Best Friends and After-School Tutorial programs; to make the children and grandchildren of city employees residing with the city employee eligible for the resident after-school tutorial fee; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 11-O-0795 ( 6)      An Ordinance by **Councilmember Howard Shook** to amend Code of Ordinances Section 10-93.1 adopted 21 February 2011 and approved on 2 March 2011, which ordinance authorized certain retail establishments within the C-3 Zoning District to sell alcoholic beverages by the package when located in commercial shopping centers on Peachtree Road in excess of 80,000 square feet, so as to correct the exemption references in said ordinance; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### PERSONAL PAPERS (CONT'D)

### RESOLUTIONS/REFERRED

- 11-R-0789 ( 1)      A Resolution by **Councilmembers Felicia A. Moore and C. T. Martin** rescinding Resolution Number 10-R-2135 adopted by the Council on December 6, 2010 and approved by the Mayor on December 14, 2010 authorizing the Chief Financial Officer to utilize funds in the amount not to exceed \$8,500,495.72 received by the City of Atlanta as settlement of all claims in the case of City of College Park V. City of Atlanta and City of Atlanta and Fulton County Recreation Authority to help fund the Atlanta Streetcar Project and other projects and purposes authorized by applicable law; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 11-R-0794 ( 2)      A Resolution by **Councilmembers C. T. Martin, Joyce M. Sheperd and Yolanda Adrean** authorizing the creation of a City Wide Commission to study current methods, alternatives, locations and best practices for honoring citizens in the City of Atlanta; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

## 5/16/11 Action Minutes

Council President Pro Tempore Joyce M. Sheperd Presided

### **ADJOURNMENT**

There being no further business to discuss, the May 16, 2011 meeting of the Atlanta City Council was adjourned at 6:27 p.m.

***ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (\*B); Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd and Bond (11); Councilmember Willis was excused (1); the attendance of Councilmembers Bottoms and Watson were not signified upon the adjourning roll call (2).***

**\*B = Absent**