

ATLANTA CITY COUNCIL

ACTION/MINUTES

OCTOBER 03, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 03, 2011. The Meeting convened at 1:14 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

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

Attendance:

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

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| The Honorable Carla Smith *1:31 | The Honorable Felicia A. Moore |
| The Honorable Kwanza Hall *1:31 | The Honorable C. T. Martin |
| The Honorable Ivory Young, Jr. | The Honorable Keisha Bottoms |
| The Honorable Clela Winslow *1:31 | The Honorable Joyce Sheperd *2:00 |
| The Honorable Natalyn Archibong *2:45 | The Honorable Michael Julian Bond |
| The Honorable Alex Wan | The Honorable Aaron Watson *2:52 |
| The Honorable Howard Shook | The Honorable H. Lamar Willis |
| The Honorable Yolanda Adrean *1:31 | |

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

INVOCATION: Reverend Dr. Timothy T. Boddie of Friendship 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 **September 19, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

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

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C-1424 (1) A Communication by **Councilmember Keisha Lance Bottoms** re-appointing Mr. Fred Williams to serve as a member of the Atlanta Audit Committee.
FILED WITHOUT OBJECTION
- 11-C-1425 (2) A Communication by **Council President Ceasar C. Mitchell** appointing Mr. Johnny Edwards to serve as a member of the Urban Design Commission to fill the unexpired term of Nathaniel Clark. This appointment will expire on June 07, 2013.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1426 (3) A Communication from **Fred Williams, Chair, Audit Committee to Council President Ceasar C. Mitchell and Members of the Atlanta City Council**, submitting the Audit Committee's appointment of Ms. Leslie Ward to serve as the City Internal Auditor for a third five-year term, scheduled to begin on the date of Council confirmation.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1427 (4) A Communication from **Fred Williams, Chair; Donald T. Penovi, Vice-Chair; Marion Cameron, CPA; C. O. Hollis, Jr., CPA (Audit Committee members) to the Mayor, City Council President and Members of Council** submitting a summary of the City Auditor's Office Annual Audit Schedule for Fiscal Year 2012 and the early months of Fiscal Year 2013.
FILED WITHOUT OBJECTION
- 11-C-1430 (5) A Communication from **City Attorney Cathy Hampton** appointing Mr. Saul Schultz as the Law's Department representative to serve on the Atlanta Tire Commission.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1474 (6) A Communication from **City Solicitor Raines F. Carter** appointing Erika D. Smith as the Solicitor's Office representative to serve on the Atlanta Tire Commission.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

11-C-1476 (7) A Communication by **Councilmembers Michael Julian Bond, Post 1 At-Large; Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3 and Clela Winslow, District 4** appointing Mr. Ronald Lall to serve as a member of the Alcohol Technical Advisory Group (ATAG) II.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

11-C-1477 (8) A Communication by **Councilmembers Alex Wan, District 6; Natalyn Archibong, District 5; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** appointing Ms. Dianne Olansky to serve as a member of the Alcohol Technical Advisory Group (ATAG) II.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION 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: **13 Yeas: Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, 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-1418 (1) An Ordinance by **Councilmember Ivory L. Young, Jr.** to waive the provisions of Chapter 162, Article II, Division 5, Section 162-116, of the City of Atlanta Code of Ordinances so as to permit each Taxicab Company to operate one taxicab which does not comply with the color scheme approved by the Bureau of Taxicabs and Vehicles for Hire as provided in 162-116 during the month of October, 2011 only; to maintain the requirement that said taxicab be marked with the logo or insignia associated with the Taxicab Company; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-O-1319 (2) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to waive the requirements of the City Code Section 2-1541(D) of the Procurement and Real Estate Code, to accept a donation from Princeton Lake Apartment, LLC of approximately 23.045 acres of greenspace located on Redwine Road for the purpose of creating a multi-use trail and expanding North Camp Creek Parkway Nature Preserve; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-1320 (3) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to waive Article X, Procurement and Real Estate Code, of the Code of Ordinances of the City of Atlanta; to authorize the Chief Financial Officer to remit payment of all outstanding invoices to Johnson Controls, Inc., in an amount not to exceed \$103,411.88 with all invoices being paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1321 (4) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Parks Facilities Revenue Fund) Budget by adding to anticipations and appropriations project fund proceeds in the total amount of \$500,000.00 from the City Recreation Project Account of the Atlanta Fulton County Recreation Authority Revenue Refunding and Improvement Bonds (Downtown Arena Private Improvements Project) Taxable Series 2010; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1322 (5) An Ordinance by **Finance/Executive Committee** to correct Ordinance Number 10-O-1860 adopted by Atlanta City Council on November 15, 2010, and approved as per City Charter Section 2-403 on November 24, 2010 correcting the term of the IBM Hardware Maintenance and Support Services Agreement; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

11-O-1324 (6) A **Substitute** 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 0.114 acre of property located at 94 Flat Shoals Avenue from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Lang Carson Park ("Park"), in an amount not to exceed \$230,000.00. The City's purchase price, closing costs, due diligence, demolition and development costs shall be paid from PTAE0 and FDOA Numbers listed; and for other purposes.

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

11-O-1346 (7) 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; authorizing A-Action, Inc. to provide and the City of Atlanta to accept City-wide Janitorial Services for Janitorial Service at various city facilities on a month-to-month basis for up to six (6) months beginning on September 8, 2011, under the terms of Contract FC-7664-04A, on behalf of the Executive Offices-Offices of Enterprise Assets Management, the Department of Police and the Department of Watershed Management-Construction Management/Engineering Services in an amount not to exceed \$522,947.57; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

11-O-1405 (8) An Ordinance by **Councilmember C. T. Martin as Substituted by Finance/Executive Committee** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Oracle Database Maintenance and Support under an expired agreement August 25, 2011 through October 31, 2011; authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement with Oracle America, Inc., utilizing General Services Administration Contract Number GS-35F-0009T for the Renewal of COA-5389-PL:Oracle Contract Number 4370085, Database Maintenance and Support for three (3) years with two (2) one-year Renewal Options beginning August 25, 2011 in an amount not to exceed \$351,418.36 per year to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

11-O-1408 (9) An Ordinance by **Councilmember C. T. Martin as Substituted by Finance/Executive Committee** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Numara Footprints Asset Management Bundle Software Support under an expired agreement from July 1, 2011 through October 31, 2011 and to authorize 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 or Ordinances, utilizing General Services Administration Contract Number GS-35F-0196M with Softchoice Corporation, an authorized reseller of Numara Footprints Asset Management Bundle Software for COA-5390-PL: Software Support and Maintenance for a term of two (2) years with two (2) one-year Renewal Options on behalf of the Department of Information Technology, in an amount not to exceed \$98,362.36 per year for a total Contract amount not to exceed \$196,724.71; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

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-1409 (10) An Ordinance by **Councilmember C. T. Martin as Substituted by Finance/Executive Committee** to correct certain omissions that were contained in the text of Atlanta City Council Ordinance Number 11-O-0861 adopted by the Atlanta City Council on June 20, 2011, that amended Ordinance Number 10-O-1556 to include the acquisition of additional equipment and vehicles for various departments within the City of Atlanta pursuant to the 1998A Master Lease and Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc.; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-O-1314 (11) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to remove Time Limit Parking from both sides of Hurt Street, Northeast between Euclid Avenue and DeKalb Avenue; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1315 (12) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to install Traffic Signals at the intersections of Simpson Street and Spring Street; Simpson Street and Williams Street; and Simpson Street and Centennial Olympic Park Drive; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1316 (13) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Bellemeade Avenue, NW and the Howell Mill Square Shopping Center Driveway an All-Way Stop Controlled Intersection; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-O-1311 (14) A **Substitute** Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$372,055.55 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for Global Positioning System Units (GPS); and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 11-O-1241 (15) A **Substitute** Ordinance by **Community Development/Human Resources Committee** to correct the Parcel Number for 1671 James Jackson Parkway which has been designated by Fulton County as Parcel Number 17-0251-LL-185-0 and change the effective date for the creation of the Manor at Scott's Crossing Housing Urban Enterprise Zone (Phase 1), created pursuant to Ordinance 10-O-0499, from January 1, 2011 to January 1, 2012; and for other purposes. (Public Hearing held 9/12/11)
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 11-O-1413 (16) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor or his designee, on behalf of the City of Atlanta to accept four grants for the total amount of \$280,913.00, from YouthBuild USA for the purpose of providing guidance and assistance for low-income young people ages 16-24 with leadership development and community service training while working toward getting their GED or high school diploma; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

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

- 11-R-1378 (1) A Resolution **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed to apply for and accept funding in the amount of \$39,494.00 from the State of Georgia Governor's Office, Children and Youth Juvenile Accountability Block Grant Fund to support the Intensive Surveillance Officer Program and to provide matching funds in the amount \$25,448.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1379 (2) A Resolution by the **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City Of Atlanta in the case of Omar Martinez V. City Of Atlanta, Civil Action File No. 10a28658-4, pending in DeKalb County State Court, in the amount of \$48,000.00; authorizing said payment to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the chief financial officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1386 (3) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of John Doe #1 et al. v. City of Atlanta, et al., Civil Action File No. 2011-CV-205517, Fulton County Superior Court, in the total gross amount of \$120,000.00, to be distributed to plaintiffs; authorizing payment of \$120,000.00 to be charged to and paid from the Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

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-1403 (4) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of City of Atlanta v. Clara Comeaux Funderburg, Fulton County Superior Court, Civil Action File No. 2009-CV-176250, related to the condemnation of certain sewer easement, and settlement of a certain claim for damages to certain property having the address or 2990 Stone Hogan Connector Road, Atlanta, Georgia, with a Fulton County Tax Identification No. of 0014-0228-LL-047-9, owned by Clara Comeaux Funderburg in an amount of \$175,000.00; that all monetary settlement amounts be charged to and paid from the Account Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-R-1384 (5) A Resolution by **Finance/Executive Committee** to correct Resolution Number 11-R-1061 adopted by the City Council on July 18, 2011 and Approved Without Signature by Operation of Law on July 27, 2011 by listing the correct FDOA Numbers and associated funding amounts; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1385 (6) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to BLT Steak, for an overpayment of Business License Fees in the amount of \$6,480.50; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-1381 (7) A Resolution by **Transportation Committee** authorizing the Mayor to enter into and execute a Memorandum of Agreement with the Atlanta Police Department covering the occupancy and use of space at 990 Toffie Terrace at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-1382 (8) A Resolution by **Transportation Committee** authorizing the Mayor or his designee to enter into an Encroachment Agreement between the City of Atlanta and Georgia State University for the installation of twenty-five (25) enhanced stamped pedestrian crosswalks at eight intersections and to install In-road Warning Light Systems at two intersections adjacent to the campus of Georgia State University, all within the public right-of-way; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-1416 (9) A Resolution by **Councilmembers Michael Julian Bond, Alex Wan, Kwanza Hall and Aaron Watson** to authorize the Department of Public Works, the Atlanta Police Department, the Department of Parks, Recreation and Cultural Affairs, the Mayor's Office of Special Events, Piedmont Park Conservancy, Atlanta Botanical Garden, Midtown Neighborhood Association, Ansley Park Civic Association, Morningside-Lenox Park Neighborhood Association, Virginia-Highland Civic Association, NPU-E and NPU-F conduct a Parking and Traffic Control Study for the neighborhoods and streets adjacent to Piedmont Park; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

11-R-1373 (10) A Resolution by **City Utilities Committee** authorizing the Mayor to issue payment for the third year of an agreement FC-4843, Annual Contract for Security Guard Services, with Thorpe Building Services, Inc. on behalf of the Department of Watershed Management, in an amount not to exceed \$1,833,776.45; all contracted services shall be charged to and paid from Fund Department Organization and Account Number listed; and for other purposes.

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

11-R-1423 (11) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee, to enter into Amendment Agreement Number 6 with SD&C, Inc., for FC-4943D, Annual Contract to construct sidewalks, driveways, curbs and gutters, on behalf of the Department of Public Works, in an amount not to exceed \$200,000.00 with all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.

Note: Councilmember Shook made a Motion to send 11-R-1423 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 ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

11-R-1387 (1) Claim of **Sandra McCune, through her attorney, James Howard (DWM/03)**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on August 30, 2009 at 262 James P. Brawley Drive. **\$14,000.00**

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 11-R-1388 (2) Claim of **Philadelphia Indemnity Insurance Company, as subrogee of Atlanta Community Food Bank, through their attorney, Rumsey & Ramsey (APD/02)**, for vehicular damages alleged to have been sustained due to an automobile accident on December 10, 2010 at Ralph D. Abernathy Boulevard, SW and West Whitehall Street, SW. **\$13,698.51**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1389 (3) Claim of **Progressive Insurance Company, as subrogee of Gary Cox (APD/01)**, for damages alleged to have been sustained as a result of a vehicular accident on March 4, 2011 at 71 University Avenue. **\$6,898.03**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1390 (4) Claim of **Kevin J. Glade (DWM/06)**, for bodily injuries alleged to have been sustained after stepping into an uncovered water meter on October 17, 2010 at 1117 West Peachtree Street, NW. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1391 (5) Claim of **Trent Green (DWM/11)**, for damages alleged to have been sustained as a result of an unsecured metal plate on April 7, 2011 at 3191 Stone Road. **\$1,801.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1392 (6) Claim of **William Plaskett (DWM/01)**, for damages alleged to have been sustained as a result of a vehicular accident on March 22, 2011 at 2590 Forrest Park Road. **\$1,478.09**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 11-R-1393 (7) Claim of **Brian Cooper (APD/03)**, for damages alleged to have been sustained as a result of a vehicular accident on May 4, 2011 at 910 Howell Mill Road. **\$826.89**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

11-R-1394 (8) Claim of **Molly and Kenneth J. Baer (APD/03)**, for vehicular damages alleged to have sustained from an automobile accident on April 2, 2011 at 1079 Marietta Boulevard, NW. **\$668.10**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Claims with unfavorable recommendations:

11-R-1395 (9) Claim of **Leonard J. Rubin (NA/07)**, for vehicular damages alleged to have been sustained from driving on an improperly designed street in February 2011 at 4279 Roswell Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-1396 (10) Claim of **Leonard J. Rubin (NA/07)**, for vehicular damages alleged to have been sustained from driving on an improperly designed street in April 6, 2011 at 4279 Roswell Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-1397 (11) Claim of **Shawn Venegas and Brian Kidd, through their attorney, Glaser Currie and Bullman, LLP (APD/05)**, for damages alleged to have been sustained as a result of a detention and arrest on June 30, 2010 at Fulton Street and Windsor Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

11-R-1398 (12) Claim of **Badriyyah Gilliam (DPRCA/08)**, for property damages alleged to have been sustained from a tree limb that fell on a parked automobile due to a rain event on April 21, 2011 at 1608 Olympian Circle.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-1399 (13) Claim of **Susan S. Stuart, Moore Ingram Johnson and Steele (DPRCA/08)**, for property damages alleged to have been sustained from a tree that fell due to a storm on April 4, 2011 at 4250 Northside Drive, NW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-1400 (14) Claim of **Deborah J. Hightower (DPW/10)**, for property damages alleged to have been sustained when City workers repairing a water main line caused an interior mirrored wall to crack on April 4, 2010 at 2693 Burton Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-1401 (15) Claim of **Richard Jobson (DWM/NA)**, for damages alleged to have been sustained from driving over a series of potholes on August 30, 2010 at 1428 Boat Rock Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 11-R-1402 (16) Claim of **Jamal and Ryan Rasoulpour (DWM/01)**, for damages alleged to have been sustained as a result of a sewer backup on September 8, 2009 at 1854 Shadydale Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

All items on Consent Agenda Section II (01 through 08 as follows) were Referred to the appropriate committees as a collective vote.

11-O-1375 (1) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, of the Department of Police by adding to anticipations and appropriations the amount of \$11,500.00 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.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1376 (2) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, of the Department of Fire Rescue, by adding to anticipations and appropriations, in the amount of \$376,760.00 for grant funds from the Federal Emergency Management Agency, Assistance to Firefighters Grant Program for the purpose of supporting the Atlanta Smoke Alarm Program (ASAP); the required 20% match (\$94,190.00) will be charged to and paid from the Fund, Account, and Center Numbers listed; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1377 (3) An Ordinance by **Public Safety and Legal Administration Committee** amending the FY12 (Intergovernmental Grant Fund) Budget, for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations in the amount of \$126,980.00, from the Georgia Department of Behavioral Health and Development Disabilities (“DBHDD”) for the purpose of continuing clinical assessment services for criminal defendants participating in Community Court; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-O-1383 (4) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the Fiscal Year 2012 (Airport Renewal and Extension Fund) Budget by adding to anticipations and appropriations grant funds in the amount of \$10,000,000.00 from the Federal Aviation Administration for Letter of Intent #ASO-02-2, Payment #9, Project #3-13-0008-0100-2011 (Extend Runway 10/28 and Construct Associated Taxiways) for the payment of debt service on the City of Atlanta Airport Passenger Facility Charge and Subordinate Lien Revenue Bonds, Series 2004E; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEARS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-O-1380 (5) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to remove the Left Turn Restriction facing North Morningside Drive northbound traffic at East Rock Springs Road and North Pelham Road; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEARS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-O-1371 (6) An Ordinance by **City Utilities Committee** authorizing the sale of the City's interest in a narrow strip of land located at the southwest corner of Centennial Olympic Drive and Parker Street, in Land Lot 79 of the 14th District of Fulton County, Georgia; authorizing the Mayor to execute a quitclaim deed to the abutting property owner upon payment of the Fair Market Value; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEARS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-O-1372 (7) An Ordinance by **City Utilities Committee** authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with the Metropolitan Condominium Associates, Inc., owner of real property located at 20 Marietta Street, NW, Atlanta, Georgia for the purpose of permitting an existing basement which presently extends into the public right-of-way; to waive the application fee and yearly inspection fee; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-1421 (8) An Ordinance by **City Utilities Committee** to correct the Account Number in the Fund Department Organization and Account (“FDOA”) Number in Ordinance 11-O-1097 adopted by the Atlanta City Council on September 6, 2011 and approved by Operation of Law on September 15, 2011; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

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

Attendance at the September 27, 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

RESOLUTION

11-R-0929 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to exercise renewal options with Wrecker Service Vendors listed on Contract FC-6008000003 ("Contract"), for Wrecker Services for vehicles under two (2) tons, on behalf of the Department of Police, all revenues generated under this contract shall be deposited as described in this resolution; and for other purposes.

Chairperson Young sounded the caption to Resolution 11-R-0929 and made a Substitute Motion to Refer the item back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the September 28, 2011 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

REPORT

11-TR-1428 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

ORDINANCES FOR SECOND READING

11-O-1415 (1) An Ordinance and Charter Amendment by **Councilmembers Felicia A. Moore and Yolanda Adrean** 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 VI (Revenue and Fund Administration), Chapter 3 (Fiscal Control), Section 6-312 (Financial Stabilization Plan), so as to change the dates by which the City's Financial Stabilization Plan must be presented to and Adopted by the City Council; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE FOR 3RD READING/FINAL ADOPTION BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

11-O-1410 (2) An Ordinance by **Councilmember Kwanza Hall** to ratify the continuing use of the Trust Fund established by Atlanta City Council Resolution 97-R-1686 and to expand the use of said Trust Fund to be used for the deposit of all funds donated to the City for the repair and construction of sidewalks, and, in addition, for the deposit of fees paid to and/or collected by the City for the repair and construction of sidewalks pursuant to Chapter 138, Division 1, Sections 138-14 (d) and 138-76, and Chapter 138, Division 3, Section 138-103 of the Atlanta City Code of Ordinances; and for other purposes.
ADOPTED 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 September 28, 2011 meeting of the Zoning Committee was as follows:

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

Absent: Bottoms

ZONING REVIEW BOARD SUMMARY REPORT

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

11-O-0778 (1) An Ordinance by **Councilmember Clea Winslow** as **Substituted**
Z-11-17 by Zoning Committee 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.

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

11-O-0691 (2) A **Substitute** Ordinance by **Zoning Committee as Amended** to
Z-11-14 rezone property from R-5 (Two Family Residential) District to the MR-3-C (Multi-Family Residential-Conditional) District, for the purpose of a change of conditions, property located at **169 Moreland Avenue, S.E.** 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, 14th District, Fulton County, Georgia. Owner: Charles Robinson, Jr. Applicant: James R Bailey. NPU-N Council District 5.

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

11-O-1282 (3) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-11-27 Use Permit pursuant to Section 16-17.005 (1) (w) for Processing Facility, property located at **111 Hollow Tree Lane, S.W.** fronting approximately 25 feet on the west side of Hollow Tree Lane beginning approximately 335 feet from the northwest corner of Empire Boulevard and Hollow Tree Lane. Depth: varies; Area: approximately 14.68 acres; Land Lot 66, 14th District, Fulton County, Georgia. Owner: Larise Hartsfield 75 Associates; Applicant: Plasmnet, LLP (a Georgia Limited Liability Partnership); NPU-Z Council District 2.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

AARON WATSON, CHAIR

ZONING REVIEW BOARD SUMMARY REPORT (CONT'D)

11-O-0999 (4)
U-11-24

An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit for a Daycare Center pursuant to Section 16-07.005 (1)(b) property located at **835 Mercer Street** fronting approximately 100 feet on the northeasterly side of Mercer Street at the A and WP Railroad. Depth: varies; Area: approximately 0.263 acres; Land Lot 22, 14th District Fulton County, Georgia. Owner Amir Carlock; Applicant: Mary J. Cordero; NPU-W Council District 1.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the September 28, 2011 meeting of the Transportation Committee was as follows:

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

Absent: None

The Standing Committee of Transportation did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the October 03, 2011 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Hall

COMMUNICATIONS

Communications (01 through 04 as follows) were taken as a collective vote.

11-C-1149 (1) A Communication from **Andy Schneggenburger, Executive Director, Atlanta Housing Association of Neighborhood-Based Developers (AHAND), to Municipal Clerk Rhonda Dauphin Johnson**, submitting the re-appointment of Mr. Pete Hayley to serve as their representative to serve on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, retroactive to May 01, 2011. **(Favorable by Community Development/Human Resources Committee 9/27/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

11-C-1151 (2) A Communication from **John O'Callaghan, President and CEO, Atlanta Neighborhood Development Partnership, Inc. (ANDP), to Municipal Clerk Rhonda Dauphin Johnson**, appointing Ms. Cheneé Joseph to serve as their representative on the BeltLine Tax Allocation District. **(Favorable by Community Development/Human Resources Committee 9/27/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

11-C-1165 (3) A Communication from **Mr. Wayne Grady, Chair, NPU-I, to Municipal Clerk Rhonda Dauphin Johnson**, re-appointing **himself** to serve as the representative on the Hollowell/Martin Luther King Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of one (1) year, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 8/30/11; Held 9/6/11 at the request of ADA.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

- 11-C-1369 (4) A Communication from **Flor Velarde, Atlanta Development Authority, to Municipal Clerk Rhonda Dauphin Johnson**, nominating Mr. Theodore A. Zitelli as their representative to serve on the Hollowell/M. L. King Tax Allocation District Advisory Committee in the Industrial Business Community category. **(Favorable by Community Development/Human Resources Committee 9/27/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

ORDINANCE FOR FIRST READING

- 11-O-1422 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 03C, 03S, 08B, 10E and 12L to make permanent relocations; to update precinct polling place name and address changes; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

ORDINANCE FOR SECOND READING

- 11-O-1366 (1) An Ordinance by **Committee on Council** to authorize the Mayor to enter into a contract with Fulton County for the purpose of submitting the question of Sunday Package Sales by retailers of malt beverages, wine, and distilled spirits to the electors of the City of Atlanta for approval or rejection for the 2011 Special Election authorized to be held on November 8, 2011 or such other authorized date; to authorize the payment of expenses incurred under the contract in an amount not to exceed \$17,050.00; to appoint the Fulton County Board of Registration and Elections, as Municipal Election Superintendent for the purpose of conducting said Special Election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

RESOLUTION

- 11-R-1429 (1) A Resolution by **Committee on Council** re-appointing Mr. Fred Williams, CPA, to the Audit Committee; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the September 27, 2011 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

RESOLUTIONS

11-R-1374 (1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, or his designee, to execute a License Agreement with the Housing Authority of the City of Atlanta, Georgia, to access, use and maintain property owned by the Housing Authority of the City of Atlanta, Georgia, abutting Selena S. Butler Park; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

11-R-1414 (2) A Resolution by **Councilmember Joyce Sheperd as Substituted by Community Development/Human Resources Committee** authorizing the Mayor to enter into an amendment to the Contractual Agreement of Project HPR-2008-18B, Project Connect at Gateway, funded under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) of the American Recovery and Reinvestment Act (ARRA) of 2009; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the September 27, 2011 meeting of the City Utilities Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

10-O-0939 (1) A **Substitute** Ordinance by **City Utilities Committee** to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.
FILED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

11-R-1475 (1) A Resolution by **Councilmember Felicia A. Moore** clarifying the intent of the City Council with respect to Mayor's authority to execute an Intergovernmental Agreement with the Atlanta Independent School System and the Atlanta Development Authority with respect to Tax Allocation District Number Three ("The Perry-Bolton TAD") consistent with the terms of Resolutions 02-R-2094, 06-R-2571, 09-R-2200 and Ordinance 11-O-1152; and for other purposes.

Councilmember Moore made a Motion to Adopt Resolution 11-R-1475. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

Note: After the vote, Councilmember Moore made a Motion to send the resolution to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

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

11-R-1478 (2) A Resolution by **Councilmember Michael Julian Bond** to amend Resolution 10-R-0926 authorizing the creation of a commission to determine an appropriate honor memorializing the Committee for the Appeal for Human Rights and the Atlanta Student Movement, so as to add Dr. Herschelle Sullivan Challenor as a citywide appointee; and for other purposes.

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

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

ORDINANCES/REFERRED

11-O-1479 (1) An Ordinance by **Councilmember Michael Julian Bond** to amend Chapter 10 (Alcoholic Beverages) of the City of Atlanta Code of Ordinances to provide for the regulation of package and convenience stores; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

11-O-1480 (2) An Ordinance by **Councilmembers Keisha Lance Bottoms, C. T. Martin, Michael Julian Bond, Aaron Watson and H. Lamar Willis** to re-name the Ben Hill Recreation Center to William Walker Recreation Center; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

11-O-1483 (3) An Ordinance by **Councilmember Alex Wan** authorizing the Chief Financial Officer to transfer funds from the District 6 Councilmember expense account and the Park Improvement Trust Fund to fund the purchase and installation of two fixed position cameras in Piedmont Park in an amount not to exceed Ten Thousand One Hundred Forty Six Dollars and No Cents (\$10,146.00) to be charged to and paid from the accounts set forth herein; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11-O-1484 (4) An Ordinance by **Councilmember Alex Wan** to amend Ordinance 11-O-1169, which called an election to be held on November 8, 2011 for the purpose of submitting the question of Sunday package alcohol sales by retailers of malt beverages, wine and distilled spirits between the hours of 12:30 p.m. and 11:30 p.m. to the electors for approval or rejection on November 8, 2011, in order to specify that if more than one-half of the votes cast by the electors on this question are for approval of Sunday package sales, that such sales shall become effective on January 1, 2012; to ratify any actions taken by the City of Atlanta pursuant to Ordinance 11-O-1169 and subsequent to the approval thereof; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

11-R-1481 (1) A Resolution by **Councilmember Natalyn Archibong** authorizing the Office of Planning to change the lot dimensions on the City of Atlanta Cadastral Map, for an improved legal, non-conforming lot of record at **978 Wylie Street**; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

11-R-1482 (2) A Resolution by **Councilmember Natalyn Archibong** to authorize the Office of Planning to recognize as a legal non-conforming lot of record property located at **2282 Oakview Rd., NE** (currently zoned R-4), that has been created as the result of previous modification of the original property lines, previously issued building permits and that presently has a lived-in house on it.
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 October 03, 2011 meeting of the Atlanta City Council was adjourned at 3:33 p.m.

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