

ATLANTA CITY COUNCIL

ACTION MINUTES

APRIL 16, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, April 16, 2012. The Meeting convened at 1:20 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

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

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

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *1:51	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Bottoms
The Honorable Cleta Winslow	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:37	The Honorable Michael J. Bond
The Honorable Alex Wan	The Honorable Aaron Watson *1:51
The Honorable Howard Shook	The Honorable H. Lamar Willis
The Honorable Yolanda Adrean	

* Indicates arrivals (with time noted) occurring after convening roll call.

INVOCATION: Imam Mansoor Sabree of Atlanta Masjid of Al-Islam 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 that the **Actions/Minutes** of the **Atlanta City Council's March 19, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: A Motion to Adopt the Agenda was made and **properly Seconded**. The Motion then **CARRIED** by a roll call vote of **11 yeas**; (*Councilmembers Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Bottoms, Sheperd, Bond and Watson*); **0 nays**.

COMMUNICATIONS

4/16/12 Action Minutes

Council President Cesar C. Mitchell Presided

COMMUNICATIONS

- 12-C-0472 (1) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board, to Municipal Clerk Rhonda Dauphin Johnson** submitting their appointment of Dr. F. Karcheik Sims Alvarado as the Board's Representative to serve as a member of the Beltline Tax Allocation District Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-0473 (2) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board, to Municipal Clerk Rhonda Dauphin Johnson** submitting their appointment of Mr. Maceo C. Williams, Sr. as the board's representative to serve as a member of the Atlanta Citizen Review Board, scheduled to begin on the date of Council confirmation.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-0474 (3) A Communication from Chair **Caroline Johnson Tanner, Board of Ethics, to Municipal Clerk Rhonda Dauphin Johnson** submitting their appointment of Ms. Nina Hickson as the City of Atlanta's Ethics Officer, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-0475 (4) A Communication from **the Audit Committee (Fred Williams, Donald T. Penovi, Marion Cameron and C. O. Hollis, Jr.)** announcing the City Auditor's Office as recipient of the Knighton Award for best performance audits of 2011 from the Association of Local Government Auditors (A.L.G.A.).
FILED WITHOUT OBJECTION
- 12-C-0478 (5) 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 Dr. Pearlie Craft Dove to serve as a member of the Ella Mae Brayboy Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-0479 (6) A Communication from **Christie Jackson, Chair, NPU-K, to Council President Cesar C. Mitchell** submitting Christy Garrison Harrison as NPU-K's representative to serve as a member of the Ella Mae Brayboy Commission.
REFERRED TO 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**

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of item 12-R-0451 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

CONSENT AGENDA SECTION I, as follows, received Favorable Recommendations in each Committee and all items were collectively Adopted by a single roll call vote in accordance with Section 11.2 of the Rules of Council as follows: **12 Yeas** (*Councilmembers Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson*); **0 Nays**.

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE

YOLANDA ADREAN, ACTING CHAIR

12-O-0298 (1) An Ordinance by **Transportation Committee** to amend the FY 2012 [Airport Renewal and Extension Fund (5502), The Airport Passenger Facility Charge Fund (5505), the Airport Revenue Bond Fund (5506), and the Airport Passenger Facility Charge Bond Fund (5521)] Budgets by transferring to and from appropriations a total amount of \$38,427,982.00 for reimbursement of the Renewal and Extension Fund and \$160,000.00 for reimbursement of the Revenue Bond Fund; and for other purposes.

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

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-O-0306 (2) An Ordinance by **Finance/Executive Committee** amending the 2012 (Intergovernmental Grant Fund) Budget, in the Department of Public Works by adding to anticipation and appropriations the amount of \$1,000,000.00; and authorizing the Mayor, or his designee, to enter into an Intergovernmental Agreement between the City of Atlanta and the Georgia Department of Transportation for the Midtown Regional Traffic Operations Program; and for other purposes.

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

4/16/12 Action Minutes

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)

FELICIA A. MOORE, CHAIR

- 12-O-0307 (3) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into an Amendment Agreement for FC-4408, Annual Contract for Asbestos Abatement Services with DPC General Contractors, Inc. for the purpose of extending the term on a month to month basis on behalf of the Department of Watershed Management; to ratify Renewal No. 1 and Renewal No. 2; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-0447 (4) An Ordinance by **Councilmember H. Lamar Willis as Amended by Finance/Executive Committee** to repeal Ordinance 04-O-0772, adopted by the Atlanta City Council on May 3, 2004 and approved on May 11, 2004, pertaining to the recognition of the Matricula Consular as a proper form of identification; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-0459 (5) An Ordinance by **Councilmembers Ivory Young, Jr. and Carla Smith as Amended by Finance/Executive Committee** to waive and release certain Water/Sewer Charges and Liens on certain properties located in the Vine City Community for the purpose of furthering redevelopment within the Vine City Area, as such properties, charges and liens are more particularly described herein; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

4/16/12 Action Minutes

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

12-O-0292 (6) An **Amended** Ordinance by **City Utilities Committee** authorizing the acquisition of certain property having an address of 0 Bowen Circle, Atlanta, GA and a Fulton County Tax Identification Number of 14-0073-LL-074-9 through the exercise of condemnation, pursuant to the Declaration of Takings Method, O.C.G.A. §22-3-140 or other condemnation method, as may be applicable pursuant to O.C.G.A. §22-2-1 et seq. to complete the McDaniel Branch Watershed Improvement Project, pursuant to the requirements of the City's cost sharing agreement with U. S. Corps of Engineers for the McDaniel Branch Wetland Improvement Project and to meet the City's Wastewater permitting requirements; to authorize the City Attorney, or her designee, to institute condemnation proceedings to acquire the property, including use of outside counsel where necessary for an amount not to exceed \$210,000.00; that all amounts associated with these actions shall be charged to and paid from the listed Fund Department, Organization and Account Numbers and PTAE0 Numbers; and for other purposes.

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

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

12-O-0206 (7) An Ordinance by **Councilmember Yolanda Adrean as Substituted by Community Development/Human Resources Committee** to adopt the Loring Heights Neighborhood Master Plan; to amend the City of Atlanta 2011 Comprehensive Development Plan (CDP) so as to incorporate the Plan into the CDP; and for other purposes. **(CDP Public Hearings held on 3/12/12 and 3/27/12)**

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

12-O-0291 (8) An Ordinance by **Community Development/Human Resources Committee** amending the Fiscal Year 2012 (Intergovernmental Grant Fund) Budget, Office of the Mayor, by adding to anticipations and appropriations in the amount of \$725,487.91 from the State of Georgia's Bright from the Start; Department of Early Care and Learning (DECAL) for the 2012 Summer Food Service Program; and for other purposes.

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

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

12-O-0235 (9) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor's Office of Human Services to apply for a Reimbursement Grant Award from the State of Georgia's Bright from the Start: Department of Early Care and Learning (DECAL) for the 2012 Summer Food Service Program; to proceed with the necessary steps to commence the 2012 Summer Food Service Program; and for other purposes.

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

12-O-0373 (10)
CDP-12-04 An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **3535 Peachtree Road, 3460 Kingsboro Road, 3488, 3492, 3504, 3512,3520, and 3540 Roxboro Road**, from the "Medium Density Residential" Land Use Designation to the "Low Density Mixed Use" Land Use Designation; and for other purposes. **(Public Hearing held 3/27/12)**

NPU-B

Council District 7

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

RESOLUTIONS

TRANSPORTATION COMMITTEE
YOLANDA ADREAN, ACTING CHAIR

12-R-0196 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Precision 2000/Catamount, a Joint Venture for Project Number FC-5508, Resurfacing of Park Ride Lots A & B, at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$5,521,242.70. 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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

YOLANDA ADREAN, ACTING CHAIR

12-R-0393 (2) A **Substitute** Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-E, Architectural and Engineering Design Services, with Ascend, LLC in an amount not to exceed \$160,000.00; to provide services for 2012 Aerial Imagery Acquisition, the Geographic Information Systems (GIS) Utilities Phase III, and GIS Implementation Support at Hartsfield-Jackson Atlanta International Airport. All services 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

12-R-0394 (3) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Memorandum of Agreement with the Atlanta Police Department covering the use of a paved parking area located at the former Georgia International Convention Center at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-R-0395 (4) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute an amendment to a Lease agreement with the United States of America for the Transportation Security Administration covering the permanent surrender of approximately 1,065 square feet of space and the leasing of approximately 10,661 additional square feet of office space at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-R-0396 (5) A Resolution by **Transportation Committee** authorizing the Mayor, or his designee, to enter into an Agreement with the Midtown Business Association, Inc., d/b/a Midtown Alliance, on behalf of the City of Atlanta Department of Public Works, appointing Midtown Alliance to act as the City's Implementation Manager for the Regional Traffic Operations Program; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-R-0403 (6) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1601 et seq. of the City of Atlanta Code of Ordinances, with Fishnet Security, Inc., utilizing COA-5775-PL, General Services Administration Contract # GS-35F-0232U, for the purchase of an External IT Security Scan of the Parking Revenue Control System and Network Infrastructure, in an amount not to exceed \$29,550.00; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

12-R-0404 (7) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement to be designated as Contract Number COA-5808-PL pursuant to Division 15, Section 2-1604 of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract Number SWC90814-03 with CDW Government, LLC for the purchase of 602 computers for the purpose of replacing obsolete computers with the most current and reliable hardware technology in the facilities of Public Works, Corrections, Fire and Police on behalf of the Department of Information Technology, in an amount not to exceed \$802,499.60; all cost to be charged to the FDOA Numbers listed; and for other purposes.

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

12-R-0405 (8) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to waive the application of the Sole Source Selection methods prescribed in the Atlanta City Code, Article X, the Procurement and Real Estate Code, and authorizing the Mayor or his designee to continue its Maintenance Agreement with Ricoh Americas Corporation and Milner, Inc., pursuant to the State of Georgia Contract GS-35F-0085U, for Copier Maintenance and Support System, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY12 and remit payment thereto in an amount not to exceed \$27,000.00; all costs to be charged to the FDOA Numbers listed; and for other purposes.

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

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 12-R-0406 (9) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement designated by the Department of Procurement as COA-5752-PL, pursuant to 2-1602 of the City of Atlanta Code of Ordinances, utilizing the Georgia State Contract 46600-362-00000004, to purchase sixteen (16) cameras from Watch Guard Video, to record the interior of police vehicles (“In-Car-Cameras”), on behalf of the Department of Police (“Department”), in an amount not to exceed \$80,592.00. All costs 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
- 12-R-0460 (10) A Resolution by **Councilmembers Felicia A. Moore, Alex Wan, Joyce M. Sheperd, Michael Julian Bond, Keisha Lance Bottoms, H. Lamar Willis, Carla Smith and Kwanza Hall as Substituted by Finance/Executive Committee** expressing intent by the Atlanta City Council to work to influence the Congress of the United States and the Executive Branch to continue the funding of Community Development Block Grants (CDBG) at current or increased levels; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0461 (11) A Resolution by **Councilmembers Felicia A. Moore, Alex Wan, Joyce M. Sheperd, Michael Julian Bond, Keisha Lance Bottoms and H. Lamar Willis as Substituted by Finance/Executive Committee** urging the United States Congress and Executive Branch to create and implement Federal Education and Job Training Programs which are designed to develop a workforce with the skills to be competitive and productive in today’s workplace; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-0462 (12) A Resolution by **Councilmembers Felicia A. Moore, Alex Wan, Joyce M. Sheperd, Michael Julian Bond, Keisha Lance Bottoms, H. Lamar Willis and Kwanza Hall as Amended by Finance/Executive Committee** expressing the intent of the Council of the City of Atlanta, Georgia to endorse and support National League of Cities Resolution #2012-4 for Federal Legislation on Streamlined Sales and Use Tax and opposition to additional requirements mandating state collection of Telecommunication Taxes; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-R-0463 (13) A Resolution by **Councilmembers Felicia A. Moore, Joyce M. Sheperd, Michael Julian Bond, Keisha Lance Bottoms, H. Lamar Willis, Carla Smith and Kwanza Hall** expressing the intent of the Atlanta City Council to endorse and support National League of Cities Resolution #2011-35, urging the Federal Government to create an adequately funded Comprehensive National Surface Transportation Plan; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

12-R-0390 (14) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute an Intergovernmental Agreement between the City of Atlanta and Fulton County for the design, right-of-way, relocation and construction of public facilities within both the City of Atlanta and Unincorporated Fulton County within the Danforth Road Sidewalk Improvements Project Limits; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-R-0441 (15) A Resolution by **Councilmember Kwanza Hall** authorizing the Mayor or his designee to accept fourteen (14) thirty-six (36) gallon solid steel trash receptacles valued in an amount not to exceed \$14,000.00 from the Wingate Management, Inc. for use in the Boulevard Corridor between Ponce de Leon Avenue and Edgewood Avenue; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

12-R-0407 (16) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to participate with the Inman Park Neighborhood Association in making certain improvements to Springvale Park by providing an amount not to exceed \$20,000.00 toward construction of a playground, where all funds shall be charged to and paid from Fund, Department, Organization and Account Numbers listed; and for other purposes.

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

12-R-0451 (17) A Resolution by **Councilmembers C. T. Martin and Michael J. Bond** to honor, recognize, support, acknowledge and congratulate the Atlanta Pro-Am Summer Basketball League (APA) as it launches its debut, Summer 2012 Program in the City of Atlanta; and for other purposes.

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

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

12-R-0456 (18) A Resolution by **Councilmember Kwanza Hall** supporting the grant application by the Department of Planning and Community Development and authorizing the Mayor to accept award of grant from the Atlanta Regional Commission under the Quality Growth Implementation Assistance Program for technical assistance in the preparation of a Complete Street Design Manual; and for other purposes.

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

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

12-R-0435 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Terry Styles v. City of Atlanta, et al., Civil Action File No. 2010A28654, pending in DeKalb County State Court, in the amount of \$51,500.00; authorizing said payment to be charged to and paid from Fund, Center Number, Account and Functional Activity Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

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

12-R-0436 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Carl Gentry v. City of Atlanta, et al., Civil Action File No. 2011CV200116, pending in Fulton County Superior 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 Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

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

Claims with favorable recommendations:

12-R-0413 (1) Claim of **Travelers Home and Marine Insurance Company, as subrogee of Eric Bache (DPW/05)**, for property damages alleged to have been sustained from an automobile accident on June 1, 2011 at Fulton Industrial Boulevard and Marvin Miller Drive.

\$6,498.73

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

12-R-0414 (2) Claim of **Howard Miller, through his attorney, W. Bryant Green, III (APD/03)**, for damages alleged to have been sustained as a result of a vehicular accident on June 6, 2011 at Forsyth Street at Nelson Street.

\$6,000.00

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

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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)

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

12-R-0415 (3) Claim of **USAA, as subrogee of Leslie Dent (DPW/06)**, for damages alleged to have been sustained as a result of a vehicular accident on June 15, 2011 at 950 Greenwood Avenue. **\$1,771.21**

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

12-R-0467 (4) Claim of **Francess Elizabeth Treadway (DWM/05)**, for property damages alleged to have been sustained from flooding from September 2001 to present at 36 Warren Street, NE. **\$10,000.00**

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

12-R-0468 (5) Claim of **Erin Green (DPRCA/05)**, for vehicular damages alleged to have been sustained from driving over a tree root that was located in the City's right-of-way on June 1, 2011 at 104 Warren Street, NE. **\$900.77**

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

12-R-0469 (6) Claim of **Willie Winfrey (DOF/03)**, for vehicular damages alleged to have been sustained from driving over a water service line on January 24, 2012 at 2065 Joseph E. Boone Boulevard. **\$850.00**

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

12-R-0470 (7) Claim of **Lemoyne Smith (APD/02)**, for property damages alleged to have been sustained from an automobile accident on December 14, 2011 at 174 Peachtree Street, NW. **\$893.41**

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

Claims with unfavorable recommendations:

12-R-0416 (8) Claim of **Larry Brown (NA/04)**, for damages alleged to have been sustained as a result of striking a storm water drain on December 17, 2011 at 888 Ralph David Abernathy Boulevard.

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

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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)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-0417 (9) Claim of **Nicole Gilkey (NA/05)**, for damages alleged to have been sustained as a result of striking construction material on February 9, 2012 at 1805 Memorial Drive.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0418 (10) Claim of **Kimberly Brown (NA/08)**, for damages alleged to have been sustained as a result of a gas line being severed on January 24, 2011 at 1290 West Wesley Road.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0419 (11) Claim of **Vondarrious Andrews, through his attorney, Duncan Harle (NA/12)**, for damages alleged to have been sustained as a result of being bitten by a dog on April 15, 2011 at 1355 Sylvan Road.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0420 (12) Claim of **Mary Neal (APD/02)**, for damages alleged to have been sustained as the result of a protest and arrest incident in June, 2010 at 127 Peachtree Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0421 (13) Claim of **GEICO, as subrogee of Sherry Rivers (APD/03)**, for damages alleged to have been sustained as a result of a vehicular accident on April 10, 2011 at West Lake Avenue at Donald Lee Hollowell Parkway.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0422 (14) Claim of **Geraldine Dodson (APD/04)**, for damages alleged to have been sustained as a result of a trip and fall on August 24, 2010 at 1125 Cascade Circle.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

4/16/12 Action Minutes

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)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-0423 (15) Claim of **State Farm Insurance Company, as subrogee of Chaz Lewis (APD/05)**, for damages alleged to have been sustained as a result of a vehicular accident on June 13 2011 at Memorial Drive at Maynard Terrace.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0424 (16) Claim of **Thomas W. Cummings, Jr. (DOA/NA)**, for property damages alleged to have been sustained when a tree fell on a parked vehicle on October 9, 2011 at Hartsfield-Jackson International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0425 (17) Claim of **Geraldine M. Colvard (DPRCA/02)**, for damages alleged to have been sustained as the result of a fallen tree limb on August 15, 2011 at 101 Bisbee Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0426 (18) Claim of **The Estate of Geraldine Grady, through her attorney, Shane Smith (DPRCA/08)**, for damages alleged to have been sustained as a result of a tree falling on May 26, 2011 at 3852 Paces Ferry Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0427 (19) Claim of **Hannah and Justin Amick (DPRCA/08)**, for damages alleged to have been sustained as a result of a tree falling on January 10, 2012 at 23 Alden Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0428 (20) Claim of **Winnifred Fullwood (DPRCA/09)**, for damages alleged to have been sustained as the result of a tree limb on January 12, 2012 at 2700 Paul Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

4/16/12 Action Minutes

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)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-0429 (21) Claim of **Mid-Century Insurance Company, as subrogee of Ben Horn (DPW/NA)**, for damages alleged to have been sustained as a result of driving over a pothole on August 13, 2010 on Spring Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0430 (22) Claim of **La'keyta Phelps-Brown, through her attorney, Scott Hart (DPW/01)**, for damages alleged to have been sustained as a result of a vehicular accident on May 2, 2011 at Murry Street at Brown Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0431 (23) Claim of **Ralph Smith (DWM/NA)**, for damages alleged to have been sustained as a result of a water main break on April 8, 2011 at 5025 Greentree Trail.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0432 (24) Claim of **Alicia Gresham, through her attorney, Jim R. Green (DWM/02)**, for damages alleged to have been sustained as a result of walking into an uncovered water meter on June 3, 2010 at 683 Boulevard.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0433 (25) Claim of **Mignon Hardge (DWM/06)**, for damages alleged to have been sustained as a result of driving over an unsecured manhole on December 20, 2010 at 1354 DeKalb Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-0434 (26) Claim of **Roger T. Mapp, through his attorney, William C. Lanham (DWM/02)**, for damages alleged to have been sustained as a result of walking into an uncovered manhole on October 26, 2010 at 44 Broad Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

All items on Consent Agenda Section II; (1) through (14) as follows, were Referred to the appropriate Committees by a single roll call vote of 13 yeas (Councilmembers Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 nays.

- 12-O-0392 (1) An Ordinance by **Finance/Executive Committee** authorizing Travelex Currency Services, Inc., to provide, and the City to accept, Foreign Currency Exchange & Business Services under the terms set forth in Agreement FC-7314-01, as amended, beginning April 14, 2012 and continuing month-to-month, but not to extend beyond October 31, 2012; authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Section 2-1187 of the Code of Ordinances of the City of Atlanta, GA as well as any other conflicting code provisions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0397 (2) An Ordinance by **Finance/Executive Committee** to amend Chapter 78, Article III, Section 78-57(a)(1)(B), of the Code of Ordinances of the City of Atlanta, to correct the fee for Operational Permits for Storage of Liquid Propane Gas/Liquid Natural Gas and for the storage of other flammable and combustible liquids to establish a minimum permit fee of \$75.00 and a maximum permit fee of \$750.00; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0398 (3) An Ordinance by **Finance/Executive Committee** amending Section 62-44 of the Code of the City of Atlanta relating to the "Execution to Collect Fine" by the Municipal Court and for the purpose of issuing executions to collect unpaid fines imposed by Municipal Court Judges; clarifying which City Officials shall sign the executions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0399 (4) An Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2013 Proposed Budget, to include all funds; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 12-O-0400 (5) An Ordinance by **Finance/Executive Committee** to authorize the Chief Financial Officer to establish a new fund (Fund 2508), under the Finance Department's Office of Grants Services by amending the FY 2012 (Intergovernmental Grant Fund) Budget for the purpose of funding the Grants Compliance Division; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0401 (6) 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 13 YEAS; 0 NAYS
- 12-O-0402 (7) An Ordinance by **Finance/Executive Committee** to amend Ordinance 11-O-1290 to empower the Commissioner of Planning and Community Development to authorize overtime and incentive pay to Departmental Personnel for hours assigned to be worked in excess of the regular work week to provide additional plan review services as set forth in Section 104 (1) of Appendix "A" to Volume III of the Code of Ordinances of the City of Atlanta which contains the Building Code Amendments.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-O-0391 (8) An Ordinance by **City Utilities Committee** to fix a schedule for monthly water and sewer rates and charges for the City of Atlanta, Georgia, as authorized by Chapter 154, Article III, Division 3, Sections 154-111 and 154-112 (Water Rates and Charges) and Chapter 154, Article V, Division 3, Sections 154-276 and 154-227 (Sewer Rates and Charges) for the time period beginning July 1, 2012 and terminating June 30, 2016; to establish a formula for fixing rates after June 30, 2016, when not otherwise established by Atlanta City Council; and pursuant to Atlanta City Code Chapter 154, Article III, Division 3 (Rates, Charges and Related Matters), Sections 111 (Authority to Fix Water Rates) and 112 (Established) to set a separate rate for customers with meters or devices that have been granted exemptions from the sewer services charge pursuant to Atlanta City Code Chapter 154, Article V, Division 3 (Rates and Charges), Section 277, (Sewer Service Charge), Subsection (E), to encourage conservation of water resources; and for other purposes. **(Advertised for a Public Hearing 5/1/12 at 9:30 a.m.)**
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-O-0408 (9) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to accept and sign a Grant Agreement with the Atlanta Regional Commission in the amount of \$80,000.00 for the Cycle Atlanta Phase I Project; amending the 2012 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$80,000.00; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

- 12-O-0409 (10) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to accept and sign a Grant Agreement with the Atlanta Regional Commission in the amount of \$120,000.00 for the Lakewood Activity Center Livable Centers Initiative; amending the 2012 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$120,000.00; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0410 (11) An Ordinance by **Community Development/Human Resources Committee** amending Chapter 110, Parks and Recreation, Article III, Park Rules, Division I, generally, of the City of Atlanta Code of Ordinances, so as to delete Section 110-70.3 entitled "Dogs Permitted in Certain Areas of East Lake Park: in its entirety; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0411 (12) An Ordinance by **Community Development/Human Resources Committee** amending the City of Atlanta Code of Ordinances Section 110-70 Pets by including ball fields to the areas of public parks where pets are prohibited; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-0412 (13) An Ordinance by **Community Development/Human Resources Committee** amending the FY 2012 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$80,496.00 for the purpose of funding the City's Municipal Market Improvements and the Municipal Market Arts Projects; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

- 12-O-0375 (14) An Ordinance by **Public Safety and Legal Administration Committee** to amend Chapter 70, Article II of the Code of Ordinances of the City of Atlanta, Georgia, entitled "Burglar or Robbery Alarm Systems," for the purpose of regulating Burglary and Robbery Alarm Systems within the City of Atlanta in order to reduce the number of false alarms within the City of Atlanta through more efficient regulation of such alarm systems; to waive conflicting ordinances; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMITTEE REPORTS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

TRANSPORTATION COMMITTEE (1) **YOLANDA ADREAN, ACTING CHAIR**

Attendance at the March 28, 2012 meeting of the Transportation Committee was as follows:

Present: Councilmembers Adrean (Acting Vice-Chair), Moore, Archibong, Smith and Bond

Absent: Councilmembers Martin and Bottoms

The Council's standing Transportation Committee did not deliver a report at this meeting.

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1) **FELICIA A. MOORE, CHAIR**

Attendance at the March 28, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Moore (Chair), Adrean, Shook and Bond

Absent: Councilmembers Watson, Martin and Hall

ORDINANCE FOR SECOND READING

12-O-0058 (1) An Ordinance by **Finance/Executive Committee** to amend Section 2-1547 of the Real Estate Code (Leases of city-owned property, multi-term leases) so as to add a new Subsection (j) allowing automatic renewal of leases of city-owned property used for telecommunication towers and related equipment; and for other purposes.

Chairperson Moore sounded the caption of ordinance 12-O-0058 and explained her nay vote in committee and full council. Following, Ms. Moore made a Motion to Adopt. An extensive discussion ensued, in which, Councilmember Bottoms made a Motion to Refer the ordinance back to the Finance/Executive Committee for a two-week time certain. It was Seconded by Councilmember Martin and discussion continued. Councilmember Bottoms shortly, thereafter, withdrew her Motion and Second withdrawn by Councilmember Martin. Discussion continuing, Councilmember Martin was recognized and made a Motion to Table 12-O-0058 for a Special Call Meeting to be held 4-18-12. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 2 nays.

TABLED BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Watson and Willis); 2 NAYS; (Councilmembers Hall and Moore)

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)

FELICIA A. MOORE, CHAIR

RESOLUTION

11-R-0688 (1)

A Resolution by **Public Safety & Legal Administration Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement with Ricoh Americas Corporation, pursuant to Sections 2-1602 and 2-1604 of the Procurement and Real Estate Code of the City of Atlanta, utilizing the GSA Contract # GS-03F-0085U, for the purchase of Eight Multi-Functional Copiers on behalf of the Municipal Court of Atlanta, in an amount not to exceed \$20,000.00; all costs to be charged to the FDOA Numbers listed; and for other purposes.

FILED BY A ROLL CALL VOTE OF 13 YEAS; *(Councilmembers Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis);* **0 NAYS**

4/16/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

YOLANDA ADREAN, CHAIR

Attendance at the April 16, 2012 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Archibong

COMMUNICATIONS

- 12-C-0377 (1) A Communication by **Mayor Kasim Reed** appointing Mr. Han Utz to serve on the Other Post Employment Benefits (OPEB) Health Care Task Force on behalf of the City of Atlanta. This appointment is for a term of sixty (60) days. **(Recommendation to file by Finance/Executive Committee 3/28/12)**
FILED BY A ROLL CALL VOTE OF 14 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson);* **0 NAYS**
- 12-C-0378 (2) A Communication by **Mayor Kasim Reed** appointing Ms Nicole G. Iannarone to serve as a member of the Keep Atlanta Beautiful Commission. This appointment is for a term of two (2) years, to begin on the date of Council confirmation. **(Forwarded with no recommendation by City Utilities Committee 3/22/12)**
CONFIRMED BY A ROLL CALL VOTE OF 15 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **0 NAYS**
- 12-C-0379 (3) A Communication by **Mayor Kasim Reed** appointing Mr. John Harrison Rains, IV to serve as a member of the Tree Conservation Commission on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 3/27/12)**
CONFIRMED BY A ROLL CALL VOTE OF 15 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **0 NAYS**

4/16/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2) YOLANDA ADREAN, CHAIR

COMMUNICATIONS (CONT'D)

- 12-C-0380 (4) A Communication from **Mark Massey, Clerk to the Fulton County Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners' re-appointment of Ms. Gertrude Gilyard (Position 7) to serve as the County's Representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Recommendation to file by Community Development/Human Resources Committee 3/27/12)**
FILED BY A ROLL CALL VOTE OF 14 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **0 NAYS**

RESOLUTION

- 12-R-0347 (1) A Resolution by **Committee on Council** authorizing Fulton County Board of Registration and Elections to use the Adamsville Recreation Center as an early/advance voting location for the General and Special Election to be held on November 6, 2012 and if necessary and practicable, for any Run-off Elections associated therewith; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis);* **0 NAYS**

ORDINANCE FOR FIRST READING

- 12-O-0471 (1) An Ordinance by **Committee on Council** to codify, Section 150-244 of the Code of Ordinances of the City of Atlanta, Ordinance Number 98-O-0204, adopted, February 16, 1998 and approved, March 2, 1998, pertaining to the prohibition of Commercial "Cut-Through" Truck Traffic on Moores Mill Road, west of I-75; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 14 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis);* **0 NAYS**

4/16/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the March 27, 2012 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Martin

The Council's standing City Utilities Committee did not deliver a report at this meeting.

4/16/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the March 27, 2012 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Hall

RESOLUTION

12-R-0368 (1) A Resolution by **Councilmembers Kwanza Hall and Natalyn Archibong** authorizing the Mayor or his designee, on behalf of the City, to enter into a Memorandum of Understanding with the Children's Defense Fund for the purpose of operating the Children's Defense Fund Freedom Schools at various City of Atlanta Recreation Centers; and for other purposes.
FILED BY A ROLL CALL VOTE OF 14 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Bottoms, Sheperd, Bond, Watson and Willis); 0 NAYS

ITEM REMOVED FROM CONSENT AGENDA

12-R-0451 (1) A Resolution by **Councilmembers C. T. Martin and Michael J. Bond** to honor, recognize, support, acknowledge and congratulate the Atlanta Pro-Am Summer Basketball League (APA) as it launches its debut, Summer 2012 Program in the City of Atlanta; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin. Chairperson Sheperd sounded the caption to resolution 12-R-0451 and made a Motion to Refer the item back to the Community Development/Human Resources Committee. The Motion then CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 NAYS

4/16/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

MICHAEL J. BOND, CHAIR

Attendance at the March 27, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmembers Willis and Martin

The Council's standing Public Safety and Legal Administration Committee did not deliver a report at this meeting.

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

ALEX WAN, CHAIR

Attendance at the March 28, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Wan (Chair), Shook, Smith and Young

Absent: Councilmembers Bottoms, Willis and Watson

ZONING REVIEW BOARD SUMMARY REPORT ITEMS

11-O-1781 (1)
Z-11-31 An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) District to the LW (Live Work) District, property located at **1970 Hills Avenue (AKA Collier Road), N.W.**, fronting approximately 419.25 feet on the north side of Collier Road, beginning 243.5 feet from the northeasterly corner of Chattahoochee Avenue. Dept: varies; Area: 7.031 acres; Land Lots 193 and 222, 17th District, Fulton County, Georgia. Owner: Jar Enterprises, Inc.; Applicant: Enfold Properties, LLC; NPU-D Council District 9.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); **0 NAYS**

11-O-1066 (2)
Z-11-18 An Ordinance by **Zoning Committee** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the SPI-15 Lindbergh Transit Station Area Special Public Interest District, Subarea 3 Piedmont Commercial Corridor Regulations, Section 16-180.028, so s to remove the requirement that a minimum of 20% of the floor area of proposed commercial uses be developed as residential dwelling uses on certain parcels of land; and for other purposes.

FILED BY A ROLL CALL VOTE OF 14 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis);* **0 NAYS**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

ALEX WAN, CHAIR

ORDINANCES FOR SECOND READING

10-O-0041 (1)
Z-09-42

An Ordinance by **Councilmember Aaron Watson as Substituted by Zoning Committee** to rezone certain properties within the Campbellton Road Corridor in NPU-R from the R-LC (Residential-Limited Commercial), RG-2 (Residential General), RG-2-C (Residential General-Conditional), RG-3 (Residential General), C-1 (Community Business), C-1-C (Community Business-Conditional), C-2-C (Commercial Service-Conditional), Districts to the MR-2-C (Multi-Family Residential-Conditional), MR-3-C (Multi-Family Residential-Conditional), MR-4A-C (Multi-Family Residential-Conditional), MRC-1-C (Mixed Residential Commercial-Conditional), MRC-2-C (Mixed Residential Commercial-Conditional), and MRC-3-C (Mixed Residential Commercial-Conditional) Districts; and for other purposes.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEARS;
(Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, and Willis); **0 NAYS**

11-O-1783 (2)
Z-11-33

An **Amended** Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) District to the MR-5A (Multi-Family Residential) District, properties located at **568, 580 and 600 Somerset Terrace, NE**, fronting approximately 364.5 feet on the south side of North Avenue and at the northeast intersection of Somerset Terrace and North Avenue. Property also fronts approximately 98 feet on the north side of Angier Springs Road and is bordered on its western boundary by the Norfolk Southern Railway.

Depth: Varies
Area: 2.71 Acres
Land Lot: 18, 14th District, Fulton County, Georgia
Owner: Robert S. Bridges, TSO Eastbelt, LLC and DHC Investments, LLC
Applicant: Perennial Properties by Aaron Goldman
NPU-N Council District 2

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEARS;
(Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, and Willis); **0 NAYS**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

ALEX WAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

12-O-0464 (1) An Ordinance by **Councilmember Natalyn Archibong** authorizing the installation of public art (a sculpture entitled "The Laborer") at the northeast corner of Decatur and Bell Street, adjacent to 322 Decatur Street, Atlanta, Ga. 30312, as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Martin, Bottoms, Sheperd and Willis); 0 NAYS

ORDINANCES FOR FIRST READING

All items For First Reading; (1) through (7) as follows, were Referred to the appropriate Committees by a single roll call vote of 13 yeas (Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis); 0 nays.

12-O-0384 (1) An Ordinance by **Zoning Committee** to rezone from the R-5/HD20K (Two-Family Residential/Grant Park Historic) Districts to the SPI-22/HD20K (Special Public Interest/Grant Park Historic) Districts, property located at **313 and 317 Cherokee Avenue, SE**, fronting approximately 83 feet on the west side of Cherokee Avenue beginning 112.50 feet from the northwest corner of Woodward Avenue.

Depth: Varies
Area: Approximately 0.153 Acre
Land Lot: 44, 14th District, Fulton County, Georgia
Owner: James R. Claxton
Applicant: Allen Hoss
NPU-W Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-0385 (2) An Ordinance by **Zoning Committee** to rezone from the R-3
Z-12-05 (Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **3820 Ivy
Road, NE**, fronting approximately 209.73 feet on the west side of
Ivy Road beginning 640.59 feet from the northwest corner of Old
Ivy Road.

Depth: Varies
Area: Approximately 3.89 Acres
Land Lot: 63, 17th District, Fulton County, Georgia
Owner: 3820 Ivy, LLC
Applicant: 3820 Ivy, LLC
NPU-B Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

12-O-0386 (3) An Ordinance by **Zoning Committee** to rezone from the R-3
Z-12-06 (Single-Family Residential) District to the MR-3 (Multi-Family
Residential) District, property located at **3492 Roxboro Road, NE**,
fronting approximately 303 feet on the north side of Roxboro Road
beginning 145 feet from the southwest corner of Kingsboro Road.

Depth: Approximately 313 Feet
Area: 1.13 Acres
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: John Agan
Applicant: Rex K. Bray
NPU-B Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-0387 (4) An Ordinance by **Zoning Committee** granting a Special Use
U-12-03 Permit pursuant to Section 16-11.005(l)(b) for a mortuary located
 at **2891 Lakewood Avenue, SE**, on property known as the
 Lakewood Shopping Center and is more specifically located near
 the intersection of Fleet Street and Lakewood Avenue. The overall
 property (Lakewood Shopping Center) is approximately 998 feet on
 the north side of Lakewood Avenue, approximately 450 feet on the
 east side of Fleet Street and approximately 1,189 feet on the west
 side of Metropolitan Parkway.

 Depth: Varies
 Area: 26.52 Acres (Shopping Center)
 Land Lot: 103, 14th District, Fulton County, Georgia
 Owner: Metropolitan Parkway, LLC, CXR, LLC and
 Footprint Group V, LLC
 Applicant: Bianca Smith
 NPU-Z Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

12-O-0388 (5) An Ordinance by **Zoning Committee** granting a Special Use
U-12-04 Permit pursuant to Section 16-17.005(l)(c) for a recycling facility,
 property located at **1551 Perry Boulevard, NW**, fronting
 approximately 975.69 feet on the north side of Perry Boulevard
 beginning 88.29 feet from the northwestern corner of Perry
 Boulevard and Marietta Road.

 Depth: Varies
 Area: Approximately 5.07 Acres
 Land Lot: 224, 17th District, Fulton County, Georgia
 Owner: Hudgens and Company, Inc.
 Applicant: Rand Recycling, Inc. c/o Battle Law P.C.
 NPU-G Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-0389 (6) An Ordinance by **Zoning Committee** to amend Special Use
U-12-06/U-07-21Permits U-07-21 (Ordinance 07-O-1540), U-97-22 (Ordinance 98-O-
/U-93-22 0081) and U-93-22 (Ordinance 93-O-0934) which granted
permission for a Private School pursuant to Sections 16-04.005
(1)(l) and 16-05.005(1)(l) for the purposes of a Site Plan
Amendment for property located at **966 West Paces Ferry Road,
NW**. Property fronts approximately 1,403 feet on the south side of
West Paces Ferry Road at the southeast intersection of West Paces
Ferry Road and Rilman Road.

Depth: Varies
Area: Approximately 30.7 Acres
Land Lots: 158,181 and 182, 17th District, Fulton
County, Georgia
Owner: Pace Academy
Applicant: Chuck Palmer
NPU-A Council District 8

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

12-O-0466 (7) An Ordinance by **Zoning Committee** to rezone from the RG-3
Z-12-10/Z-09-27 Residential General-Sector 3) District to the MR-5A (Multifamily
Residential) District and RG-3 (Residential General-Sector 3-
Conditional) District, property located at **240 Colonial Homes
Drive, NW**, fronting approximately 875 feet on the north and
south side of Colonial Homes Drive beginning approximately 680
feet from the west corner of Peachtree Road. **(Remanded by Superior
Court of Fulton County, GA)**

Depth: Varies
Area: Approximately 20.76 Acres
Land Lots: 110 and 111, 17th District, Fulton County,
Georgia
Owner: Pope and Land Enterprises, Inc.
Applicant: Pope and Land Enterprises, Inc.
NPU-C Council District 8

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

At the end of reports of the Standing Committees, Councilmember Moore made a Motion to enter Executive Session to hear from attorneys regarding personnel matters and pending litigation. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas (*Councilmembers Hall Young, Archibong, Shook, Adrean, Moore, Bottoms, Sheperd, Bond and Willis*); **0 Nays; thus Council retreated into Executive Session. Returning from Executive Session, a Motion to re-enter Regular Session was made by Councilmember Willis and Seconded by Councilmember Martin. The Motion CARRIED by a roll call vote of 11 yeas** (*Councilmembers Smith, Hall, Young, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Willis*); **0 Nays.**

PERSONAL PAPERS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

12-R-0477 (1) A Resolution by **Councilmembers Joyce Sheperd, C. T. Martin, Felicia A. Moore, Michael Julian Bond, Ivory Lee Young, Jr. and Keisha Bottoms** authorizing the Mayor or his designee to accept material and labor in an amount not to exceed Eighteen Thousand Seven Hundred Fifty Dollars (\$18,750.00) from Liberty Tire Recycling, LLC to be used at the Tire Roundup/Amnesty Day on Saturday, April 28, 2012; and for other purposes.

Councilmember Sheperd sounded the caption to Resolution 12-R-0477 and made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 NAYS

12-R-0480 (2) A Resolution by **Councilmember H. Lamar Willis as Substituted by Full Council** supplementing that certain Sixteenth Supplemental Bond Ordinance of the City of Atlanta adopted on February 6, 2012, to, among other things, set forth the terms of the City of Atlanta's (1) Airport General Revenue Bonds, Series 2012A (Non-Amt) (The "Series 2012A Bonds"), (2) Airport General Revenue Bonds, Series 2012B (Non-Amt) (The "Series 2012B Bonds"), and (3) Airport General Revenue Bonds, Series 2012C (Amt) (The "Series 2012C Bonds") and, together with the Series 2012A Bonds and Series 2012B Bonds, The "Series 2012 Bonds", within certain parameters previously established by the City including the original aggregate principal amount, interest rates, maturity amounts, maturity dates, redemption provisions, and debt service reserve requirement with respect thereto; ratify certain prior actions of the City Council and certain officers and agents of the City with respect to the issuance and sale of the Series 2012 Bonds; authorize and approve the preparation, use and distribution of a final official statement in connection with the offer and sale of said series 2012 Bonds; provide an effective date; and for other related purposes.

Councilmember Willis sounded the caption to Resolution 12-R-0480 and made a Motion to Table for a Special Call Meeting to be held 4-18-12. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

TABLED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Shook, Adrean, Moore, Sheperd, Bond, Watson and Willis); 0 NAYS

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

12-R-0503 (3) A Resolution by **Councilmembers Yolanda Adrean, Aaron Watson, Carla Smith and Michael Julian Bond** authorizing the Mayor or his designee to enter into a cooperative purchasing agreement to be designated as Contract Number COA-5924-PL pursuant to Division 15 Section 2-1604 of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract Number SWC90814-03 with CDW Government LLC for the purchase of 31 computers for the purpose of supporting the new Electronic Legislative Management System for the City Council staff on behalf of the Department of Information Technology, in an amount not to exceed Forty-Five Thousand, Two Hundred Seventy-Six Dollars and Eighty-Three Cents (\$45,276.83); all costs to be charged to 1001 (General Fund) 1001 (General Fund) 050213 (DIT IT User Support) 5316005 (Computers (\$1,000-4,999) 1535000 (Data Processing/Management Information System); and for other purposes.

Councilmember Adrean sounded the caption to Resolution 12-R-0503 and made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 1 nay.

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; (Councilmembers Smith, Young, Winslow, Shook, Adrean, Sheperd, Bond, Watson and Willis); 1 NAY; (Councilmember Moore)

ORDINANCES/REFERRED

12-O-0482 (1) An Ordinance by **Councilmember C. T. Martin** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on Monday, May 28, 2012 (Memorial Day), only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

12-O-0484 (2) An Ordinance by **Councilmembers Alex Wan and Michael Julian Bond** to amend Chapter 10, Article II, Division 2, Subdivision II, Section 10-88 of the City of Atlanta Code of Ordinances, (entitled "Distances of Establishments From Residences, Schools, Churches, Library, Hospitals And Other Public Places"), to prohibit certain establishments licensed for the sale of alcohol for consumption on the premises from being located within 300 feet of tattoo establishments; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-0485 (3) An Ordinance by **Councilmember Kwanza Hall** to amend Section 150-296 of the Code of Ordinances of the City of Atlanta (Entitled "Cruising On Public Streets") so as to expand the "No Cruising Zone" time prohibition from the currently designated period of 7:00 p.m. – 4:00 a.m., to 7:00 p.m. – 7:00 a.m.; to waive conflicting ordinances; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-O-0486 (4) An Ordinance by **Councilmember Kwanza Hall** rezoning certain parts of that parcel of real property located at **771 Spring Street N.W.** Land Lot 80 of the 14th District of Fulton County, Georgia to remove the designation of landmark building or site from that portion of the site not containing the Crum & Forster Building, its Spring Street and Armstead Place frontage; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-0487 (5) An Ordinance by **Councilmember Yolanda Adrean** amending Ordinance 11-O-1685, adopted by Atlanta City Council on November 21, 2011, and approved pursuant to City Charter Section 2-2403 on November 30, 2011 waiving any conflicting provisions of Article X, Division 14, Subsection III of the Atlanta City Code and authorizing the Mayor to execute appropriate documents conveying temporary construction easements and fee simple ownership to the Georgia Department of Transportation ("GDOT") to allow for GDOT's construction of a concrete path located on the Northside Drive widening and sidewalk construction project including improvements at Bobby Jones Golf Course and Springlake Park; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-O-0488 (6) An Ordinance by **Councilmember Michael Julian Bond** to repurpose General Fund Revenue from City cell tower leases for public safety purposes – Special Public Safety Revenue Fund for the Atlanta Police Department Shot Spotter Program; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

4/16/12 Action Minutes

Council President **Cesar C. Mitchell** Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-0489 (7)
Z-12-15
- An Ordinance by **Councilmember Cleta Winslow** to rezone certain properties along Cascade Avenue in NPU-S from the R-4 (Single-Family Residential) and RG-2 (Residential General) Districts to the MR-2-C (Multi-Family Residential-Conditional) and MRC-1-C (Mixed Residential Commercial-Conditional) Districts; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-0490 (8)
- An Ordinance by **Councilmember Cleta Winslow** authorizing the Chief Procurement Officer, or his designee, on behalf of the Department of Parks, Recreation & Cultural Affairs (DPRCA), to negotiate, in accordance with Sec. 2-1541 of the City Code, for the acquisition of fee simple title to seven parcels having no street address but having a Fulton County Tax Identification Number of 14-0140-0002-027-3; 14-0140-0002-075-2; 14-0140-0002-086-9; 14-0140-0002-010-9; 14-0140-0002-009-1; 14-0140-0002-070-3; and 14-0140-0002-072-9 in order to expand the boundaries of Enota Place Park; all amounts associated with these authorizations shall be charged to and paid from Park Opportunity Bond Fund 2005a: Fund: 3129 (Park Improvement Bond), Dept.: 140106 (Parks Design), Account: 5411001 (Land), Function Activity: 6220000 (Park Areas), Project: 100247 (Ground & Site Improvements), Funding Source: 21230 (2005a Park Improvement Bond 9999), PTAE0, Project: 14100247, Task: 101, Award: 312921230, Expense Type: 5411001, Organization: City of Atlanta; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-O-0491 (9)
- An Ordinance by **Councilmember Cleta Winslow** to rescind Ordinance 07-O-1906 that placed interim development controls in 2007 on the issuance of building permits for new construction on vacant lots, in the Pittsburgh District for a period of six (6) months while work is being done to create a historical district designation; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-0493 (10)
Z-12-17
- An Ordinance by **Councilmembers Cleta Winslow and C. T. Martin** to rezone certain properties within the Cascade Avenue Corridor in NPU-T from the R-4 (Single-Family Residential), C-1 (Community Business), and the C-1-C (Community Business-Conditional) Districts to the MRC-1-C (Mixed Residential Commercial- Conditional) and MRC-2-C (Mixed Residential Commercial-Conditional) Districts; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

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Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-0494 (11)
Z-12-16 An Ordinance by **Councilmembers Cleta Winslow and C. T. Martin** to rezone certain properties within the Cascade Avenue Corridor in NPU-S and NPU-T from the C-1 (Community Business) and C-1-C (Community Business-Conditional) Districts to the NC-14 Cascade Avenue-Beecher Street Neighborhood Commercial District; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-0495 (12) An Ordinance by **Councilmember Ivory Lee Young, Jr.** to waive and release certain solid waste service charges and liens on certain properties located in the Vine City Community for the purpose of furthering redevelopment within the Vine City area, as such properties, charges and liens are more particularly described herein; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-0496 (13) An Ordinance by **Councilmembers H. Lamar Willis and C. T. Martin** 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, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers; position funding allocation changes and other personnel actions in line with the 2013 Budget; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-0497 (14) An Ordinance by **Councilmember H. Lamar Willis** to amend Chapter 150, Article IV, Division 3, Section 150-133 of the City of Atlanta Code of Ordinances to specify the amount of the fines for overtime parking at metered spaces throughout the City of Atlanta; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 12-O-0498 (15) An Ordinance by **Councilmember H. Lamar Willis** to amend Chapter 150, Article IV, Division 3, Section 150-132 of the City of Atlanta Code of Ordinances to alter metered space parking zone time limits and fee requirements throughout the City of Atlanta; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-0499 (16) An Ordinance by **Councilmembers Keisha Lance Bottoms and H. Lamar Willis** authorizing the Chief Procurement Officer, or his designee, on behalf of the Department of Parks, Recreation & Cultural Affairs (DPRCA), to negotiate, in accordance with Sec. 2-1545 of the City Code, for the acquisition of permanent trail easements and temporary construction easements through six parcels having a Fulton County Tax Identification Number of 14-0171-0008-007-1 (0 Handley Avenue, SW (Paper Street); 14-0171-0011-048-0; 14-0171-0013-012-4 (2063 Rector Drive); 14-0171-0013-013-2 (2055 Rector Drive); 14-0171-0013-014-0 (2049 Rector Drive); and 14-0171-0013-016-5 (2025 Rector Drive) in order to complete the Southwest BeltLine Connector Trail; all amounts associated with these authorizations shall be charged to and paid from Park Opportunity Bond Fund 2005a: Fund: 3129 (Park Improvement Bond), Dept.: 140106 (Parks Design), Account: 5411001 (Land), Function Activity: 6220000 (Park Areas), Project: 100247 (Ground & Site Improvements), Funding Source: 21230 (2005a Park Improvement Bond 9999), PTAE0, Project: 14100247, Task: 101, Award: 312921230, Expense Type: 5411001, Organization: City of Atlanta; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-O-0500 (17) An Ordinance by **Councilmember H. Lamar Willis** authorizing the Mayor or his designee, on behalf of the City, to waive the provisions contained in Chapter 138, Article II, Division 6, Section 138-60 entitled "Flags, Banners, Signs, Displays" of the City of Atlanta Code of Ordinances, to allow the Commissioner of the Department of Public Works to waive the banner deposit fee of One Thousand Dollars (\$1,000.00) pursuant to City Code Section 138-60 (a)(7), to waive the banner permit fee of One Hundred Dollars (\$100.00) pursuant to City Code Section 138-60(a)(8), to waive all per banner and per day fees pursuant to City Code Sections 138-60(a)(8)b.1 and 138-60(a)(8)b.2 and to grant to the Department of Parks, Recreation and Cultural Affairs a permit to display banners for the Atlanta Jazz Festival in the public right-of-way; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-0501 (18) An Ordinance and Charter Amendment by **Councilmembers H. Lamar Willis and Keisha Lance Bottoms** 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), to amend Sections 6-301 and 6-302 and to create a new Section 6-315 so as to adopt a fund balance police in order to comply with Governmental Accounting Standards Board Statement Number 54; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-0502 (19) An Ordinance by **Councilmembers Carla Smith, Alex Wan, Aaron Watson, C. T. Martin, Michael Julian Bond, H. Lamar Willis, Howard Shook and Ivory Lee Young, Jr.** to amend Section 74-137(A) of the Code of Ordinances of the City of Atlanta, "The Atlanta Noise Ordinance," so as to prohibit car drifting on private property within one thousand (1000) feet of a residentially zoned district.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

12-R-0483 (1) A Resolution by **Councilmember C. T. Martin** authorizing the Mayor on behalf of the City of Atlanta to execute FC-5684 Clean and Close Contractors, with CTC Construction, LLC FC-5684 (A), Resurgence Demolition & Environmental, Inc. FC-5684 (B), and Hobgood Construction Company, Inc. FC-5684 (C) to provide Citywide clean and close services in connection with demolition of abandoned structures on behalf of the Department of Police, Office of Code Compliance in an amount not to exceed Two Million Dollars and No Cents (\$2,000,000.00) per year total for all contractors, with an initial term of three (3) years with one (1) two (2) year renewal option: all contracted work to be charged to and paid from Project Fund for the Atlanta Urban Redevelopment Agency Taxable Recovery Zone Economic Development Bonds, Series 2010; and Westside TAD Project Fund; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

12-R-0492 (2) A Resolution by **Councilmember Clea Winslow** to endorse an application by the Adair Court, LP to the Georgia Department of Community Affairs for the 2012 Low Income Housing Tax Credits Program for construction of the Adair Court Multi-Family Senior Complex to be located at **806 Murphy Avenue, SE, Atlanta, Georgia**; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-R-0504 (3) A Resolution by **Councilmember C. T. Martin** authorizing the Mayor on behalf of the City of Atlanta to execute FC-5683 Citywide demolition contract for demolition services, with Kissberg Construction, Inc. FC-5683 (A), Complete Demolition Services, Inc. FC-5683 (B), Hobgood Construction Company, Inc., FC-5683 (C), Resurgence Demolition & Environmental, Inc. FC-5683 (D) and Southern Demolition & Environmental, Inc. FC-5683 (E), to provide City-Wide demolition services on behalf of the Department of Police, Office of Code Compliance in an amount not to exceed Two Million Dollars and No Cents (\$2,000,000.00) per year total for all contractors, with an initial term of three (3) years with one (1) two (2) year renewal option; all contracted work to be charged to and paid from project fund for the Atlanta Urban Redevelopment Agency Taxable Recovery Zone Economic Development Bonds, Series 2010; and Westside TAD Project Fund; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

4/16/12 Action Minutes

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the April 16, 2012 meeting of the Atlanta City Council was adjourned at 6:47 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Young, Winslow, Shook, Adrean, Moore, Sheperd, Bond, Watson and Willis (10); the attendance of Councilmembers Hall, Archibong, Wan, Martin and Bottoms were not signified upon the adjourning roll call (5).