

# ATLANTA CITY COUNCIL

## ACTION MINUTES

### JULY 16, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, July 16, 2012. The Meeting convened at 1:22 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 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	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Lance Bottoms
The Honorable Cleta Winslow *1:50	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:20	The Honorable Michael J. Bond *1:28
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis *1:50
The Honorable Yolanda Adrean	

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

**INVOCATION:** Dr. Gerald L. Durley, Pastor, Providence Missionary 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 that the **Action/Minutes** of the **Atlanta City Council's July 02, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** Councilmember Young made a Motion to Amend the Agenda by moving the **Standing Committee of Finance/Executive to report first**. It was properly Seconded and **CARRIED** 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**. Following, Councilmember **Martin** made a Motion to **Adopt the Agenda as Amended**. It was properly **Seconded** and the **Motion CARRIED** by a roll call vote of **12 yeas**; (*Councilmembers Hall, Young,*

**7/16/12 Action Minutes**

*Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis);* **0 nays.**

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

12-C-0973 ( 1) A Communication by **Mayor Kasim Reed** appointing Ms. Labriah D. Lee to serve as a member of the Atlanta Citizen Review Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, 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-0974 ( 2) A Communication by **Mayor Kasim Reed** appointing Ms. Malukah Berry to serve as a member of the Atlanta Commission on Women on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

12-C-0975 ( 3) A Communication by **Mayor Kasim Reed** appointing Ms. Shelley Senterfitt to serve as a member of the Atlanta Commission on Women on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**

12-C-0976 ( 4) A Communication by **Mayor Kasim Reed** appointing Mr. Paul E. Vranicar to serve as a member of the Atlanta Fulton County Recreation Authority Board on behalf of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

12-C-0977 ( 5) A Communication by **Mayor Kasim Reed** appointing Mr. Ian Labitue to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

12-C-0978 ( 6) A Communication by **Mayor Kasim Reed** appointing Mrs. Asha Palmer to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Caesar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

- 12-C-0979 ( 7) A Communication by **Mayor Kasim Reed** appointing Mr. Kevin Perry to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 12-C-0980 ( 8) A Communication by **Mayor Kasim Reed** appointing Mr. James Middlebrooks to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 12-C-0981 ( 9) A Communication by **Mayor Kasim Reed** appointing Mr. Maynard Eaton to serve as a member of the People TV Board of Directors on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 12-C-0982 (10) A Communication by **Mayor Kasim Reed** appointing Mr. Johnny L. Wilson to serve as a member of the People TV Board of Directors on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 12-C-0983 (11) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of July 02, 2012 and July 16, 2012 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. **(12-O-0581)**  
**FILED WITHOUT OBJECTION**
- 12-C-0984 (12) A Communication by **Councilmembers Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** re-appointing Mr. David Coleman to serve as a member of the Zoning Review Board. This re-appointment is for a term of two (2) years, retroactive to November 19, 2011 and ending November 19, 2013, scheduled to begin on the date of Council confirmation.  
**REFERRED TO ZONING COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

12-C-1000 (13) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6 and Aaron Watson, Post 2 At-Large** appointing Mr. Joseph Alcock to serve as a member of the Zoning Review Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO ZONING 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 with the exception of item 12-O-0879 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: 14 Yeas** (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis*); **0 Nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 12-O-0962 ( 1)      An Ordinance by **Councilmember Carla Smith** to remove parking restrictions on the south side of Georgia Avenue, SE between the intersections of Grant Terrace, SE and Grant Street, SE except for corner clearance requirements; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

- 12-O-0879 ( 2)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into Lease Agreements for the rentals of office space at the John C. Birdine, Dunbar and Georgia Hill Neighborhood Centers with various public and private agencies that provide valuable services to the surrounding communities at an annual rate of \$10.00 per square foot for a period of up to three (3) years with tenants to be determined at the sole discretion of the Office of Enterprise Assets Management; to waive provisions of Section 2-1547 of the City of Atlanta code of Ordinances that require solicitation for lease of City-owned property through a request for lease proposals process and annual revision of rental fees; to have fifty percent (50%) of all rental revenue deposited into the FDOA Numbers listed and fifty percent (50%) of all rental revenue deposited into the established Trust Fund Account for each neighborhood center; and for other purposes.

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

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

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-0890 ( 3)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2004 Water and Wastewater Bond Fund-5058) Budget, in the amount of \$20,618,174.03; to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 12-O-0893 ( 4)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2001 Water and Wastewater Bond Fund-5057) Budget, in the amount of \$2,461,158.26; to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 12-O-0964 ( 5)      An Ordinance by **Councilmember Natalyn M. Archibong** authorizing the Mayor or his designee, to accept infrastructure in the amount of \$2,148,000.00 from the Atlanta Gas Light Company for the purpose of building compressed Natural Gas Vehicle Fueling Stations for the City of Atlanta; to execute a Service Agreement and an Easement Agreement with Atlanta Gas Light for each compressed Natural Gas Station located on City property; to authorize automatic renewal of the initial term of the Service Agreement; to authorize the funding of related project costs for Fiscal Year 2013, on behalf of the Department of Public Works in an amount not to exceed \$750,000.00; to be charged to and paid from FDOA listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

- 12-O-0889 ( 6)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to accept and sign a supplemental grant agreement with the United States Environmental Protection Agency in the amount of \$350,000.00 for the Brownfield Revolving Loan Fund Program; amending the 2012 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$350,000.00; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**MICHAEL J. BOND, CHAIR**

- 12-O-0885 ( 7)      An Ordinance by **Public Safety and Legal Administration Committee** to accept a Sub-Grant from the Georgia Emergency Management Agency ("GEMA"), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist attacks, through the purchase of specialized supplies and equipment for the Department of Police ("Department"), and to amend the 2012 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$1,250,000.00; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**RESOLUTIONS**

**TRANSPORTATION COMMITTEE**  
**C. T. MARTIN, CHAIR**

- 12-R-0921 ( 1)      A Resolution by **Transportation Committee** authorizing the Mayor to execute a Contractual Agreement with Cleveland Electric Company for Project Number FC-5722, ISD Server Room & Emergency Power/ISD Telecom Room HVAC Upgrade, at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$1,191,424.00. All Services will be charged to and paid from the PTAEO and FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 12-R-0922 ( 2)      A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with New South Construction/Circle D Enterprises, a Joint Venture, for Project Number FC-5723, Design and Construction of the Atlanta Plant Inspection Facility Project at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$4,400,000.00. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 12-R-0923 ( 3)      A Resolution by **Transportation Committee** increasing the Compensation Limit to SP Group, for FC-7370-01C, Architectural and Engineering Design Support Services under Work Authorization No. 5 in an amount not to exceed \$600,000.00; for Concourse D Midpoint Expansion Project at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 12-R-0924 ( 4)      A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute Change Order No. 2 with APAC-Tennessee, Inc., for Project Number FC-5584, Airfield Repairs 2012 at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$1,500,000.00. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 12-R-0925 ( 5)      A Resolution by **Transportation Committee** authorizing the Aviation General Manager, or his designee, to issue Task Orders under Contract No. FC-4556-B, Structural Tests and Special Inspections with Terracon Consultants, Inc., in a collective amount not to exceed \$370,000.00; to provide structural tests and special inspections services at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

12-R-0926 ( 6) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute a reimbursable Agreement with the Atlanta Airlines Terminal Corporation, for the Terminal Heating, Ventilation, Air Conditioning ("HVAC") Project for a cost to the City not to exceed \$77,075,797.00 to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

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

12-R-0927 ( 7) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with Atlanta Airlines Terminal Corporation for the Deicing System Upgrades at Hartsfield-Jackson Atlanta International Airport, for a cost to the City not to exceed \$1,600,000.00 to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

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

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

12-R-0579 ( 8) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund customers for overpayments of Water and Sewer Accounts in the amount of \$405,235.93; all funds 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 14 YEAS; 0 NAYS**

12-R 0914 ( 9) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to BioScrip Pharmacy, Inc. for an overpayment of Business License Fees in the amount of \$35,964.01; 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 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

**FELICIA A. MOORE, CHAIR**

- 12-R-0915 (10) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to AECOM Technical Services, Inc. for an overpayment of Business License Fees in the amount of \$65,900.97; 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 14 YEAS; 0 NAYS**
- 12-R-0916 (11) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to EXW, LLC for an overpayment of Business License Fees in the amount of \$10,730.05; 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 14 YEAS; 0 NAYS**
- 12-R-0917 (12) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into Amendment Agreement No. 1 with Resurgens Risk Management/Willis, for FC-4971, Insurance Agent Broker, on behalf of the Department of Finance, in an amount not to exceed \$360,000.00 over the length of the initial contract (General Fund Allocation) and minimum of \$150,000.00 and adjusted at a fixed rate of 0.0025 x total construction costs per year charged to the Department of Aviation, not to exceed \$800,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 12-R-0918 (13) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into a Cooperative Purchase Agreement with The Public Group utilizing the State of Georgia's Contract Number 40300-222-0000000031D, for FC-5566, Online Auctioneer Services for the City of Atlanta, pursuant to Section 2-1602 of the Procurement and Real Estate Code of the City of Atlanta, for the purpose of purchasing online auctioneer services, for a term of three (3) base years with an option to renew for an additional two (2) year term at the sole discretion of the City; all revenues generated under this contractual agreement shall be deposited into the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

**FELICIA A. MOORE, CHAIR**

12-R-0919 (14) A Resolution by **Finance/Executive Committee** authorizing the Mayor, or his designee, to execute a Sole Source Agreement Number FC-6051 with Public Facilities & Services, Inc., for the Continued Maintenance and Repair Support of the Automatic Public Toilets installed in six (6) locations throughout the City for Fiscal Year 2013, on behalf of the Department of Public Works in an amount not to exceed \$204,937.50; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

12-R-0920 (15) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement with Winning Strategies ITS, for FC-6050 pursuant to Section 2-1601 of the Procurement and Real Estate Code of the City of Atlanta, utilizing General Services Administration Contract No. GS-35F-032X, to provide Active Directory Migration and Domain Consolidation Services on behalf of the Department of Watershed Management in an amount not to exceed \$148,500.00; all work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

12-R-0907 (16) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor or his designee to enter into Contractual Agreement FC-5586, Solid Waste Management – Recyclables Processing Services, on behalf of the Department of Public Works, at no cost to the City of Atlanta; all revenue generated under the contract shall be deposited into the appropriate Fund, Department, Account and Function Activities listed; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

12-R-0908 (17) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to enter into Consent Order with the Environmental Protection Division, Department of Natural Resources of the State of Georgia and to authorize payment pursuant to the Consent Order in the amount of \$8,000.00 to resolve alleged violations of the Georgia Air Quality Act, the Georgia Rules for Air Quality Control and Part 70 Operating Permit No. 4952-121-0268-V-01-0; and for other purposes.

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

12-R-0909 (18) A Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to amend Task Order 4906-004, Peachtree Creek South Fork Relief Storage and Pumping Station, for FC-4906B, Architectural, Engineering and Design Services, in an amount not to exceed \$3,926,509.00 to incorporate the scope of work for design and construction administrative services for the Liddell Drive Equalization Storage Tank and Pump Station Project; all contracted work to be charged to and paid from Funds, Department Organization and Account Number listed; and for other purposes.

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

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**MICHAEL J. BOND, CHAIR**

12-R-0929 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, Utilizing U. S. General Services Administration Contract #GS-07F-9323S COA#6023PL with Ice Automation Group, Inc., for the purchase of a CCTV Network Surveillance Integration System, on behalf of the Department of Corrections, in an amount not to exceed \$119,152.15; all contracted work to be charged to and paid from Funds, Department Organization and Account Number listed; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

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

**MICHAEL J. BOND, CHAIR**

12-R-0930 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta Police Department ("APD") to accept ten (10) Mobile All-in-One Rapid ID devices valued at \$31,990.00, from the State of Georgia, at no cost to the City, for the purpose of enhancing the State of Georgia's Rapid ID Network, and to support the Law Enforcement and Homeland Security efforts of the Atlanta Police Department; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**Claims with favorable recommendations:**

12-R-0933 ( 1) Claim of **Tenisha Moore-Williams, through her attorney, Sheryl L. Burke ( DWM/04)**, for bodily injury alleged to have been sustained after stepping into an uncovered water meter box on July 30, 2010 at 678 McDaniel Street. **\$6,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0934 ( 2) Claim of **Grass Root Sewing Academy, Jim McFarland (DWM/05)**, for property damage alleged to have been sustained from a sanitary sewer backup on June 14 and 27, 2011 at 1599-A Memorial Drive. **\$6,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0935 ( 3) Claim of **Philip C. Henry (DWM/05)**, for property damage alleged to have been sustained from a sewer backup on October 5, 2011 at 2485 Montview Drive. **\$6,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0936 ( 4) Claim of **James Yates (APD/04)**, for property damage alleged to have been sustained from an automobile accident on December 10, 2011 at 836 Cascade Avenue. **\$600.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

**MICHAEL J. BOND, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

12-R-0937 ( 5) Claim of **Townley Kenton, Inc., as subrogee of Woodrow Miller (APD/06)**, for property damage alleged to have been sustained from an automobile accident on January 20, 2012 at 2239 Cheshire Bridge Road. **\$1,588.30**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0938 ( 6) Claim of **Andrew J. Millisor (DWM/08)**, for property damage alleged to have been sustained from driving over a metal plate on November 27, 2011 at 3182 Habersham Road. **\$986.03**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0939 ( 7) Claim of **Vivian Knight (DWM/04)**, for vehicular damages alleged to have been sustained from a water valve on July 15, 2011 at 1325 Campbellton Road. **\$950.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0940 ( 8) Claim of **Matthew Simmons (DWM/09)**, for property damage alleged to have been sustained from a water valve on January 12, 2012 at 1706 Moores Mill Road. **\$768.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**Claims with unfavorable recommendations:**

12-R-0941 ( 9) Claim of **Miya Wiggins (NA/NA)**, for property damage allegedly sustained as a result of driving over an unsecured metal plate on August 29, 2011 at 2000 Bouldercrest Road. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

12-R-0942 (10) Claim of **Terrence Boyd, through his Attorney Foy & Associates, Jonathan Schopp (NA/NA)**, for damages alleged to have been sustained as a result of a vehicular accident on July 27, 2011 at Pharr Road at Peachtree Road. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

**MICHAEL J. BOND, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 12-R-0943 (11) Claim of **Mindy Snider (NA/02)**, for property damage sustained as a result of construction debris on March 10, 2011 at Walton Street at Spring Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0944 (12) Claim of **Reginald Brown (NA/02)**, for property damage sustained as a result of driving over a pothole on November 23, 2011 at North Avenue at State Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0945 (13) Claim of **Michelle Mays (NA/03)**, for damage alleged to have been sustained as the result of signage at 120 Anderson Avenue.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0946 (14) Claim of **Michelle Mays (NA/03)**, for damage alleged to have been sustained as the result of a burglary at 1876 Joseph E. Boone Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0947 (15) Claim of **Michelle Mays (NA/03)**, for damage alleged to have been sustained as the result of unsafe living conditions at 1876 Joseph E. Boone Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0948 (16) Claim of **Marchelle Dominick (DPRCA/03)**, for bodily injury alleged to have been sustained when the claimant walked into a hole on July 23, 2011 at Maddox Park, 1142 Donald Lee Hollowell Parkway.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

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

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

**MICHAEL J. BOND, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 12-R-0949 (17) Claim of **Anthony Smith (DPW/02)**, for property damage alleged to have been sustained as the result of a pothole on July 1, 2011 at 234 Memorial Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0950 (18) Claim of **Darren Rumble (DPW/02)**, for property damage alleged to have been sustained as a result of driving over a traffic calming device on November 22, 2011 at 205 Jesse Hill, Jr. Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0951 (19) Claim of **Jean Thompson (DWM/02)**, for bodily injury sustained as a result of walking into an uncovered water meter on April 23, 2010 at 557 Peachtree Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0952 (20) Claim of **Noelle and Murali Kumbale (DWM/03)**, for property damage sustained as a result of a sewer backup on February 25, 2012 at 2050 Joseph E. Boone Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0953 (21) Claim of **Jamaar DeShazor/Aneetra Sherrell (DWM/04)**, for property damage sustained as a result of a water service connection on September 2, 2011 at 6989 Talkeetna Court.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0954 (22) Claim of **Joette Licata (DWM/07)**, for property damage sustained as a result of driving over a curb, striking a catch basin on March 6, 2012 at Piedmont Road at Paces Ferry Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**
- 12-R-0955 (23) Claim of **Terrence Smith (JUD/10)**, for damage sustained as a result of a fine by the courts for Animal Control citation on February 10, 2011 at 426 Charter Oak Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;  
0 NAYS**

**CONSENT AGENDA  
SECTION II**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**All items on Consent Agenda Section II; (1) through (04) as follows, were Referred to the appropriate Committees by a single roll call vote of 14 yeas (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 nays.**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

12-O-0910 ( 1)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to execute an Amendment to a Lease Agreement with T-Mobile South, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road, Atlanta, Georgia and located in Land Lot 231 of the 17<sup>th</sup> District of Fulton County, Georgia, said lease amendment being for the purpose of correcting the legal description of the leased area of the property for certain existing telecommunications equipment; and for other purposes.

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

12-O-0911 ( 2)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to execute an amendment to a Lease Agreement with New Cingular Wireless PCS, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road and located in Land Lot 231 of the 17<sup>th</sup> District of Fulton County, Georgia, said lease amendment being for the purpose of correcting the legal description of the leased area of the property for an existing cell tower and related telecommunications equipment; and for other purposes.

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

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

12-O-0905 ( 3)      An Ordinance by **City Utilities Committee** authorizing the acceptance of a permanent easement for slope purposes in exchange for the abandonment of the City's interest in a certain permanent easement that no longer serves a public purpose ("easement exchange"); authorizing the Mayor or his designee to execute all appropriate legal documents and instruments for said easement exchange; and for other purposes.

**REFERRED TO CITY UTILITIES 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)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 12-O-0906 ( 4)      An Ordinance by **City Utilities Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta to accept donations of real property located in Land Lot 230 of the 17<sup>th</sup> District Fulton County, Georgia, pursuant to the City Code Section 2-1544 (a) of the Procurement and Real Estate Code of the City of Atlanta, to allow for certain improvements in connection with the Bolton LCI Project to be completed in partnership with the Georgia Department of Transportation; 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**

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

Attendance at the July 11, 2012 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

**ORDINANCES FOR SECOND READING**

12-O-0400 ( 1) 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.

**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

12-O-0878 ( 2) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2013 (Intergovernmental Grant Fund) Budget by adding to Anticipations and Appropriations funds in the amount of \$1,132,000.00, for funding of the Atlanta Streetcar Transit Enhancements Project through a Livable Centers Initiative Grant; and for other purposes.

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS;** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **1 NAY** *(Councilmember Moore)*

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**FELICIA A. MOORE, CHAIR**

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

12-O-0960 ( 3) An Ordinance by **Councilmembers Ivory Young, Jr., Alex Wan, Michael J. Bond, Kwanza Hall, C. T. Martin, Clea Winslow, H. Lamar Willis, Yolanda Adrean, Felicia A. Moore, Natalyn Archibong and Carla Smith as Substituted by Finance/Executive Committee** authorizing the Mayor, pursuant to Atlanta Code of Ordinances, Chapter 2, Article X, Division 14, Subdivision II, Section 2-1544, to execute appropriate documents accepting a donation from the Atlanta Development Authority d/b/a Invest Atlanta of approximately 4.7 acres of land as more particularly described in Exhibit "A" attached hereto for the purpose of developing the approximately sixteen (16) acre Historic Mims Park; and authorizing the payment of outstanding encumbrances, fees and other costs in connection with due diligence, acceptance and development of the property in an amount not to exceed \$488,386.10; and directing that all fees and costs be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

**Chairperson Moore made a Motion to bring forth a Substitute to ordinance 12-O-0960. It was properly Seconded and CARRIED by a unanimous 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. The Substitute was before Council. Councilmember Young was then recognized and made a Motion to Adopt on Substitute. It was properly Seconded and a brief discussion ensued. Following, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

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

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (3)**  
**FELICIA A. MOORE, CHAIR**

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

12-O-0961 ( 4) An Ordinance by **Councilmembers Ivory Young, Jr., Alex Wan, Michael J. Bond, Kwanza Hall, C. T. Martin, Clea Winslow, H. Lamar Willis, Yolanda Adrean, Felicia A. Moore, Natalyn Archibong and Carla Smith as Substituted and Amended by Finance/Executive Committee** authorizing the Mayor, on behalf of the City, to enter into and execute a Fifty Year Lease with the National Monuments Foundation, Inc., for approximately sixteen (16) acres of City owned property, whereby the terms of the lease will include the foundation's development of Historic Mims Park at no cost to the City, and the foundation's maintenance of the same; and authorizing the waiver of City Code Section 2-1547 regarding the procedures for leasing City-owned real property, for purposes of entering this lease, where said waiver is based upon the unique circumstances of the proposed park; and requiring certain prerequisite transactions to occur prior to executing the lease; and for other purposes.

**Note: Councilmember Bond stated for the record his abstention to ordinance 12-O-0961 was due to a potential conflict of interest (family owns property near site).**

**Chairperson Moore made a Motion to bring forth a Substitute to ordinance 12-O-0961. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Bond, Watson and Willis); 0 nays. The Substitute was before Council. Councilmember Young was then recognized and made a Motion to Adopt on Substitute as Amended. It was Seconded by Councilmember Winslow and an extensive discussion ensued, during which, Councilmember Young made a Motion to enter Committee of the Whole. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 1 nay; (Councilmember Bottoms). Council entered Committee of the Whole. Within Committee of the Whole, Council entertained questions to Deputy Commissioner Margaret Tanner, Watershed Management and Robin Shahar from the Law Department. After discussion, Councilmember Adrean made a Motion to exit Committee of the Whole. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd and Bond); 0 nays. Council then re-entered Regular Session.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (4)**  
**FELICIA A. MOORE, CHAIR**

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

12-O-0961 ( 4)  
(Cont'd)

**During Regular Session, as discussion continued, Councilmember Young offered an Amendment to add a new Section 20 to state: “every six months, beginning on the first Community Development/Human Resources Committee meeting of 2013, a presentation will be made by National Monument Foundation, Inc. and the Department of Parks, Recreation and Cultural Affairs to the Community Development/Human Resources Committee regarding the status of the construction of historic Mims Park, and such presentations shall continue until completion of the construction and final acceptance of the work by Department of Parks, Recreation and Cultural Affairs.” It was properly Seconded and CARRIED by a unanimous 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. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED 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; 1 abstention; (Councilmember Bond). Upon further discussion, and City Attorney Cathy Hampton’s legal opinion, a Motion to Reconsider 12-O-0961 was made. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Sheperd, Bond, Watson and Willis); 1 nay; (Councilmember Moore). The ordinance was before Council. Following Councilmember Bond made a Motion to Amend the legislation by removing his name as a sponsor. It was Seconded by Councilmember Hall and CARRIED 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. Councilmember Hall was then recognized and made a Motion to Reconsider the Young Amendment to add a new Section #20. It was Seconded by Councilmember Young and CARRIED 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; 1 abstention (Councilmember Bond). The Young Amendment was therefore, before Council. A Motion was then made to Reconsider the Substitute that was introduced by Councilmember Moore. It was Seconded by Councilmember Young and CARRIED by a roll call vote of 14 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (5)**  
**FELICIA A. MOORE, CHAIR**

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

12-O-0961 ( 4)  
(Cont'd)

*Willis*); **0 nays; 1 abstention** (*Councilmember Bond*).

**Councilmember Moore, thereafter, made a Motion to bring forth the Substitute to ordinance 12-O-0961 with Councilmember Bond excluded as a sponsor. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Watson*); **0 nays; 1 abstention** (*Councilmember Bond*). The Substitute was before Council. Following, Councilmember Moore made a Motion to Amend the legislation as previously offered by Councilmember Young to add a new Section #20. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Watson*); **0 nays; 1 abstention** (*Councilmember Bond*). Finally, Councilmember Young made a Motion to Adopt on Substitute as Amended. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 13 yeas; (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Watson*); **0 nays; 1 abstention** (*Councilmember Bond*).**

**ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Watson*); 0 NAYS; 1 ABSTENTION** (*Councilmember Bond*).

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (6)**  
**FELICIA A. MOORE, CHAIR**

**RESOLUTION**

12-R-0912 ( 1)

A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor, or his designee to appropriate additional funds for Agreement Number FC-5136 with Public Safety Systems, Inc. for CAD Support Services to reflect pricing modifications and additional equipment support for a term of two (2) years beginning July 1, 2012 through June 30, 2014, with two (2) one-year renewal options on behalf of the Atlanta Police Department, in an amount not to exceed \$59,905.00 for the first year, and an amount not to exceed \$88,088.00 for the second year, for a total amount not to exceed \$147,993.00, to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**Chairperson Moore made a Motion to bring forth a Substitute to resolution 12-R-0912. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays. The Substitute was before Council. Ms. Moore then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays.**

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

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (7)**

**FELICIA A. MOORE, CHAIR**

**ITEM REMOVED FROM CONSENT AGENDA**

12-O-0879 ( 1) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into Lease Agreements for the rentals of office space at the John C. Birdine, Dunbar and Georgia Hill Neighborhood Centers with various public and private agencies that provide valuable services to the surrounding communities at an annual rate of \$10.00 per square foot for a period of up to three (3) years with tenants to be determined at the sole discretion of the Office of Enterprise Assets Management; to waive provisions of Section 2-1547 of the City of Atlanta code of Ordinances that require solicitation for lease of City-owned property through a request for lease proposals process and annual revision of rental fees; to have fifty percent (50%) of all rental revenue deposited into the FDOA Numbers listed and fifty percent (50%) of all rental revenue deposited into the established Trust Fund Account for each neighborhood center; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore. Chairperson Moore made a Motion to bring forth a Substitute for ordinance 12-O-0879. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays. The Substitute was before Council. Ms. Moore, subsequently, made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays.**

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

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**  
**ALEX WAN, CHAIR**

Attendance at the July 11, 2012 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Willis, Young and Watson

**ORDINANCE FOR SECOND READING**

12-O-0963 ( 1) An Ordinance by **Councilmember Kwanza Hall** authorizing the installation of Public Art (John Lewis Mural Project) on the east wall of the 171 Auburn Avenue, Renaissance Walk Building, 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 13 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS.**

**ORDINANCES FOR FIRST READING**

**All items for First Reading; (1) through (05) as follows, were Referred to the appropriate Committees by a single roll call vote of 12 yeas (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays.**

12-O-0968 ( 1) An Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-11.005(l)(c) for outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas or outdoor areas for religious ceremonies of ninety (90) days or more duration located at **2428 Lakewood Avenue, SE**, located approximately 297 feet on the south side of Lakewood Avenue and approximately 405 feet on the southeasterly side of Polar Rock Road at the intersection of Polar Rock Road and Lakewood Avenue.

Depth: Varies  
Area: Approximately 0.027 Acre  
Land Lot: 70, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Northside United Methodist Church  
Applicant: Kenneth Lewis  
NPU-Z Council District 12

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

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**  
**ALEX WAN, CHAIR**

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

12-O-0969 ( 2)      An Ordinance by **Zoning Committee** granting a Special Use  
U-12-13              Permit pursuant to Section 16-08.005(l)(f) for an assisted living  
                         facility located at **3755 Peachtree Road, NE**, fronting  
                         approximately 108 feet on the north side of Peachtree Road, NE  
                         and approximately 753 feet west of the intersection of East Club  
                         Drive and Peachtree Road.

Depth:              Varies  
Area:                Approximately 0.466 Acre  
Land Lot:          10, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:              CRP FDG Buckhead, LLC  
Applicant:        CRP FDG Buckhead, LLC  
NPU-B              Council District 7

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

12-O-0970 ( 3)      An Ordinance by **Zoning Committee** granting a Special Use  
U-12-14              Permit pursuant to Section 16-18A.006(l)(4)(a) for a Church  
                         located at **256 Memorial Drive, SW**, fronting approximately 165  
                         feet on the south side of Memorial Drive, and approximately 290  
                         feet on the west side of Formwalt Street at the intersection of  
                         Memorial Drive and Formwalt Street.

Depth:              Varies  
Area:                Approximately 1.0 Acre  
Land Lot:          76, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:              Reggie Osborne  
Applicant:        Lidia Y. Quinones  
NPU-M              Council District 2

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

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**  
**ALEX WAN, CHAIR**

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

12-O-0971 ( 4)      An Ordinance by **Zoning Committee** granting a Special Use  
U-12-15              Permit pursuant to Section 16-05.005(l)(b),(c) and (k) for a Church  
located at **2799 Northside Drive, NW**, fronting approximately 318  
feet on the east side of Northside Drive and approximately 170 feet  
on the south side of Kingswood Lane at the southeasterly  
intersection of Kingswood Lane.

Depth:              Varies  
Area:                Approximately 5.2 Acres  
Land Lot:          143, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:              Northside United Methodist Church  
Applicant:        Michelle Ritsch  
NPU-C              Council District 8

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

12-O-0972 ( 5)      An Ordinance by **Zoning Committee** granting a Special Use  
U-12-16              Permit pursuant to Section 16-11.005(l)(1) for outdoor dining at  
eating and drinking establishments when any part of such use is  
located within 1,000 feet of property that is zoned R-1 – R-5 or  
that is used as a residential property, located at **1544 Piedmont  
Avenue, NE**, located within Ansley Mall located at the  
southwesterly intersection of Piedmont Avenue and Monroe Drive.  
Depth(mall): Varies

Area (mall):        Approximately 4.03 Acres  
Land Lot:            56, 17<sup>th</sup> District, Fulton County,  
Georgia  
Owner:              Bonnie Dean  
Applicant:        Bonnie Dean  
NPU-F              Council District 6

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

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the July 11, 2012 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Adrean, Smith, Archibong and Bottoms

Absent: Councilmember Bond

**RESOLUTION**

12-R-0928 ( 1) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute an amended and restated Agreement with Waldeck Hartsfield Corporation for the purpose of Designing, Fabricating, Transporting, and Installing Artwork for the Transportation Mall at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$3,710,440.00; shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Shook, Moore,**  
**Martin, Sheperd, Bond and Watson); 2 NAYS; (Councilmembers**  
**Wan and Adrean).**

Council President Pro Tempore Kwanza Hall Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**  
**YOLANDA ADREAN, CHAIR**

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

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

Absent: None

**COMMUNICATION**

12-C-0959 ( 1) A Communication by **Councilmembers Ivory Lee Young, Jr., Clea Winslow and Michael Julian Bond** appointing Mr. Calvin Lockwood to serve s a member of the Zoning Review Board. This two (2) year appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 7/11/12.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS.**

**ORDINANCE FOR SECOND READING**

12-O-0903 ( 1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in precincts 03B, 03C, 03H, 07B, 07C, 07J and 07N as a result of permanent relocations due to closing of facilities; inadequate parking; polling place no longer available and conflicts with existing polling place; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

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

Attendance at the July 10, 2012 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

**ORDINANCES FOR SECOND READING**

12-O-0966 ( 1) An Ordinance by **Councilmembers Alex Wan and Joyce Sheperd** amending Chapter 110, Article III, Division 1, Section 110-55 of the City of Atlanta Code of Ordinances to add a definition of the term "Smoking" and Chapter 110, Article III, Division 1, Section 110-59 to add a new Subsection (h) that shall set forth the prohibition of smoking in all City of Atlanta parks; and for other purposes.

**Chairperson Sheperd made a Motion to bring forth a Substitute for ordinance 12-O-0966. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 1 nay; (Councilmember Shook). The Substitute was before Council. A discussion ensued, after which, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 1 nay.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Sheperd, Bond and Watson); 1 NAY (Councilmember Shook).**

12-O-0713 ( 2) A **Substitute (#2)** Ordinance by **Community Development/Human Resources Committee** amending Atlanta Code of Ordinances Section 110-3 to increase certain fees related to amenities and programs offered by the Department of Parks, Recreation and Cultural Affairs; and to direct that the revenue from the fees be deposited into the accounts set forth herein; and for other purposes. **(Public Hearing held 7/10/12)**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Sheperd and Willis); 1 NAY (Councilmember Moore).**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)**  
**JOYCE SHEPERD, CHAIR**

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

- 12-O-0904 ( 3)      A **Substitute** Ordinance by **Community Development/Human Resources Committee** to facilitate the Department of Watershed Management's completion of the Peachtree Creek Project on the schedule required under the First Amended Consent Decree, Civil Action File No. 1:98-CV-1956-TWT, by waiving Section 158-104(a)(3) of the City of Atlanta Code of Ordinances; and for other purposes.
- ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Watson and Willis); 0**  
**NAYS.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**  
**MICHAEL J. BOND, CHAIR**

Attendance at the July 10, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

**RESOLUTION**

12-R-0931 ( 1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Lease Agreement with the Atlanta Independent School System and the City of Atlanta for the lease of property at 407 Ashwood Avenue, Atlanta, Georgia for the purpose of housing the Atlanta Fire Department Training Section; for a monthly rate of \$10,696.46 per month for the first year with an increase of five percent (5%), each year thereafter until the end of the five year lease term or terminated in writing by either party within a ninety (90) day period; and for other purposes.  
**ADOPTED 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.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the July 10, 2012 meeting of the City Utilities Committee was as follows:

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

Absent: None

**ORDINANCES FOR SECOND READING**

12-O-0684 ( 1) An Ordinance by **Councilmembers Keisha Lance Bottoms, C. T. Martin and H. Lamar Willis** authorizing the Mayor or his designee to rename Herring Road, SW in its entirety to Gerald L. Durley Drive, SW and to waive Sections 138-8(b)(4)(a) (Deposit) except the cost of advertisement and 138-8(c)(1)(Age Requirement); and for other purposes. **(Public Hearing held 7/10/12)**  
**FILED BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 NAYS.**

**Ordinances; (2) through (03) as follows, were Adopted on Substitute by a single roll call vote of 14 yeas (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 nays.**

12-O-0891 ( 2) A **Substitute** by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal & Extension Fund-5052) Budget, in the amount of \$9,905,729.41; to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

12-O-0892 ( 3) A **Substitute** Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2009A Water and Wastewater Bond-5066) Budget, in the amount of \$3,552,539.13; to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

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

**RESOLUTION**

12-R-0809 ( 1) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal No. 1 with Thorpe Building Services, Inc., for FC-4843, Annual Contract for Security Guard Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$2,544,988.16; to amend the Scope of Services to Supplement Security Patrols; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS;**  
*(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Sheperd, Bond, Watson and Willis); 1 NAY*  
*(Councilmember Moore).*

# **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

12-R-0998 ( 1) A Resolution by **Councilmembers Yolanda Adrean, Howard Shook, Kwanza Hall, H. Lamar Willis, Keisha Bottoms, Aaron Watson, Ivory Lee Young, Jr., C. T. Martin, Carla Smith and Clea Winslow** authorizing the Mayor to enter into an Intergovernmental Agreement with Fulton County for the provision of Animal Control Services within the City of Atlanta for a period of two years, in an amount not to exceed Two Million Seven Hundred Forty Eight Thousand Two Hundred Twenty Three Dollars and Eighty Eight Cents (\$2,748,223.88) to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200502 (NDP Fulton County) 5710001 (Payments to Other Govts) 1514000 (Tax Administration); and for other purposes.

**Councilmember Adrean made a Motion to Adopt resolution 12-R-0998. It was Seconded by Councilmember Watson and discussion ensued, during which, Councilmember Moore offered Amendment #1: “to attach as a new Article 5 in the Intergovernmental Agreement for the provision of Animal Control Services between Fulton County, Ga. And Atlanta, Ga. (Exhibit A); and renumber all other articles following this amendment.” The Amendment was Seconded by Councilmember Archibong and FAILED by a roll call vote of 4 yeas; (Councilmembers Hall, Archibong, Moore and Sheperd); 9 nays; (Councilmembers Smith, Young, Winslow, Wan, Shook, Adrean, Martin, Watson and Willis). Another discussion ensued, in which, Councilmember Moore offered Amendment #2: that the “last two (2) whereas clauses become the first two (2) therefore be it resolves clauses.” It was Seconded by Councilmember Archibong, and after a brief discussion, Moore Amendment #2 CARRIED by a roll call vote of 11 yeas; (Councilmembers Hall, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 3 nays; (Councilmembers Smith, Young and Winslow). Following, Councilmember Adrean made a Motion to Adopt as Amended. Subsequently, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**ADOPTED AS AMENDED 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**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

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

12-R-0998 ( 1)  
(Cont'd)

A Resolution by **Councilmembers Yolanda Adrean, Howard Shook, Kwanza Hall, H. Lamar Willis, Keisha Bottoms, Aaron Watson, Ivory Lee Young, Jr., C. T. Martin, Carla Smith and Clea Winslow** authorizing the Mayor to enter into an Intergovernmental Agreement with Fulton County for the provision of Animal Control Services within the City of Atlanta for a period of two years, in an amount not to exceed Two Million Seven Hundred Forty Eight Thousand Two Hundred Twenty Three Dollars and Eighty Eight Cents (\$2,748,223.88) to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200502 (NDP Fulton County) 5710001 (Payments to Other Govts) 1514000 (Tax Administration); and for other purposes.

**Note: Following the vote, Councilmember Adrean made a Motion to send resolution 12-R-0998 to the Mayor's Office Post Haste with the implied request that the Mayor take immediate action regarding this item. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; (Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Watson and Willis); 0 nays.**

12-R-1009 ( 2)

**A Resolution by Councilmembers H. Lamar Willis, Ivory Lee Young, Jr., Aaron Watson, Alex Wan, Kwanza Hall, Joyce M. Sheperd, Carla Smith, C. T. Martin** authorizing the Mayor, or his designee, to execute a State Highway Maintenance Agreement between the City of Atlanta and the Georgia Department of Transportation for the City to maintain state highways and interstates together with bridges and approaches within the City of Atlanta limits; and for other purposes.

**Councilmember Willis made a Motion to Adopt resolution 12-R-1009. It was Seconded by Councilmember Martin and a discussion ensued, in which, Councilmember Martin Called the Question. The Motion then CARRIED by a roll call vote of 13 yeas; (Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 1 nay; Councilmember Archibong. Subsequently, the Motion to Adopt CARRIED by a roll call vote of 13 yeas; 1 nay.**

**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; (Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Sheperd, Bond, Watson and Willis); 1 NAY; (Councilmember Moore).**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

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

12-R-1010 ( 3) A Resolution by **Councilmembers Michael Bond, Ivory Lee Young, Jr., Kwanza Hall, Yolanda Adrean, Joyce M. Sheperd, Aaron Watson, Alex Wan, Natalyn Archibong, C. T. Martin and Clea Winslow** authorizing the creation of a task force for the purpose of identifying recommendations to improve student safety on college and university campuses in the City of Atlanta; and for other purposes.

**Councilmember Bond made a Motion to Adopt the above resolution. It was Seconded by Councilmember Wan and a discussion ensued, in which, Council Archibong offered an Amendment to add Savannah College of Arts and Design (SCAD), Chief of Police and a student representative. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; *(Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis; 0 nays.* Following, Councilmember Bond made a Motion to Adopt as Amended. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;**  
*(Smith, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis; 0 NAYS.*

**RESOLUTIONS/REFERRED**

12-R-1008 ( 1) A Resolution by Councilmembers **Keisha Lance Bottoms, Joyce M. Sheperd, Natalyn Archibong, C. T. Martin, Felicia A. Moore, Yolanda Adrean, H. Lamar Willis, Ivory Lee Young, Jr., Michael Julian Bond, Alex Wan and Howard Shook** authorizing the creation of a commission to study and propose an appropriate honor befitting Dr. Gerald L. Durley in the City of Atlanta; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

**ORDINANCES/REFERRED**

12-O-0999 ( 1) An Ordinance by **Councilmember C. T. Martin** to amend Section 110-3 of the City of Atlanta Code of Ordinances, so as to reduce or eliminate certain fees charged by the Department of Parks, Recreation and Cultural Affairs; 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)**

12-O-1001 ( 2) An Ordinance by **Councilmember Kwanza Hall** to amend Article V- Vehicle Immobilization Services of the City of Atlanta Code of Ordinances; and for other purposes.

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

12-O-1002 ( 3) An Ordinance by **Councilmember Joyce Sheperd** authorizing the Mayor, on behalf of the City, to deposit revenue generated by the Department of Parks, Recreation and Cultural Affairs from certain use, rental, and activity fees into various trust accounts indicated herein; and for other purposes.

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

12-O-1003 ( 4) An Ordinance by **Councilmember Alex Wan** to amend Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufactures), Division 5 (Operational Rules), Section 10-209 (a) and (b) (Hours of Operation), of the Code of Ordinances of the City of Atlanta, Georgia, so as to reflect the allowance of packaged alcohol sales on Sunday as the result of a referendum held and approved on November 8, 2011; to waive conflicting ordinances and code sections; and for other purposes.

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

12-O-1004 ( 5) An Ordinance by **Councilmembers Michael Julian Bond and Alex Wan** amending Part II ("General Ordinances"), Chapter 43 ("Commercial Solicitation"), Section 43-1 Subparagraph (f) ("Penalties"), Subsection (3) ("Third Violation, and Subsequent Violations") of the Code of Ordinances of the City of Atlanta, such that individuals convicted of a third violation for aggressive solicitation shall receive a sentence of 180 days to be served in the City of Atlanta Detention Center; and for other purposes.

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

12-O-1005 ( 6) An Ordinance by **Councilmember Yolanda Adrean** transferring funds from the District 8 Councilmember expense account in an amount of \$5,000.00 to Park Pride on behalf of the Loring Heights Neighborhood Association to assist in the construction of a safety fence/bridge for the Loring Heights Park playground; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

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

12-O-1006 ( 7)      An Ordinance by **Councilmember Howard Shook** to rezone 3820 Ivy Road, N.E. from the PD-H-C (Planned Development-Housing Conditional) Zoning District to the PD-H-C (Planned Development-Housing Conditional) Zoning District for the purpose of changing condition #2 regarding the construction of sidewalks; and for other purposes.

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

12-O-1007 ( 8)      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, September 3, 2012 (Labor 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**

# **ADJOURNMENT**

**Council President Ceasar C. Mitchell Presided**

**ADJOURNMENT**

There being no further business to discuss, the July 16, 2012 meeting of the Atlanta City Council was adjourned at 7:25 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis (14); Early Departure with Council President's Acknowledgement – Councilmember Bottoms (1).**