

ATLANTA CITY COUNCIL

ACTION MINUTES

SEPTEMBER 17, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, September 17, 2012. The Meeting convened at 1:09 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

PRESIDER(S): The Honorable Council President Pro Tempore Kwanza Hall presided. The Honorable Acting Council President Pro Tempore Alex Wan 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 Bottoms
The Honorable Cleta Winslow *1:20	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:12	The Honorable Michael J. Bond *1:20
The Honorable Alex Wan	The Honorable Aaron Watson *1:10
The Honorable Howard Shook *1:27	The Honorable H. Lamar Willis *1:29
The Honorable Yolanda Adrean	

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

INVOCATION: Pastor Craig L. Oliver, Sr. of Elizabeth Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE: Lead by Councilmember Ivory Lee Young, Jr., 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 September 04, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember Adrean made a **Motion** to **Amend the Agenda** by moving the Standing Committee of **Zoning** to **report after the Community Development/Human Resources Committee**. It was Seconded by Councilmember Moore and **CARRIED** 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**. Subsequently, the Motion to **Adopt as Amended**

9/17/12 Action Minutes

was Moved, 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**.

COMMUNICATIONS

Council President Pro Tempore Kwanza Hall Presided

COMMUNICATIONS

12-C-1263 (1) A Communication by **Councilmembers Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** submitting the appointment of Mr. Freddie Styles to the People TV Board of Directors. 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-1325 (2) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Christy Garrison Harrison to the Commission to Honor Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Pro Tempore Kwanza Hall Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Pro Tempore Kwanza Hall Presided

UNFINISHED BUSINESS

12-O-0848 (1)
Z-12-24

An **Amended** Ordinance by **Zoning Committee** to rezone from the R-4A (Single Family Residential) District to the RLC-C (Residential Limited-Commercial-Conditional) District for property located at **472 Paines Avenue, N.W.**, fronting approximately 71 feet on the west side of Paines Avenue at the northwest intersection of Paines Avenue and Jett Street. Depth: approximately 125 feet; Acres: approximately 0.204; Land Lot 111, 14th District, Fulton County, Georgia. Owner: Residential Fund 46, LLC; Applicant: Jeffrey McDowell; NPU-L Council District 3.

At the last Regularly Scheduled meeting held September 04, 2012, the above ordinance was Tabled. During this meeting, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to ordinance 12-O-0848. Councilmember Wan was recognized and made a Motion to Remove the item off the Table and Refer it to the Zoning Committee Report. It was properly Seconded and CARRIED 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. The ordinance was then before Council and subsequently, reported out in the Zoning Committee.

SEE ZONING COMMITTEE REPORT

**CONSENT AGENDA
SECTION I**

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 12-O-0992 and 12-R-1247 which were 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: Initially the Consent Agenda 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; However, Councilmember Martin made a Motion to Reconsider Consent Agenda Section I to remove resolution 12-R-1247. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; (Councilmembers Smith, Young, Winslow, Wan, Shook, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 4 Nays; (Councilmembers Hall, Archibong Adrean and Moore). The Consent Agenda was then before Council. Subsequently, the Motion to Adopt 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.

SECTION I

ORDINANCES FOR SECOND READING

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

12-O-1068 (1) An Ordinance by **Community Development/Human Resources Committee** amending the City of Atlanta Code of Ordinances Section 110-3 to exempt Large Gathering permit holders from purchasing an additional permit to reserve exclusive rights to specific areas of Park Greenspace and eliminating the fee for Perkerson Park Pavilion #2; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1069 (2) An Ordinance by **Community Development/Human Resources Committee** amending the 2013 (Job Training Grant Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$159,279.00 in the Workforce Investment Act WIA Dislocated Worker Fund from the Georgia Governor's Office of Workforce Development, to provide job training and other skills to local dislocated workers; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1071 (3) An Ordinance by **Community Development/Human Resources Committee** amending the 2013 (Job Training Grant Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$136,409.00 in the Workforce Investment Act WIA Adult) Fund from the Georgia Governor's Office of Workforce Development, to provide job training and other skills to local adult workers; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1070 (4) An Ordinance by **Community Development/Human Resources Committee** to amend the FY2012 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$219,280.00 for the purpose of funding various projects assigned to the Department of the Mayor, Office of Human Services and the Department of Finance, Office Grant Services, that are included in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1151 (5) A **Substitute** 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 **472 Paines Avenue** from the "Single Family Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation (Z-12-24); and for other purposes.

NPU-L

Council District 3

ADOPTED SUBSTITUTE ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

- 12-O-1072 (6) An Ordinance by **Public Safety and Legal Administration Committee** to amend Chapter 10, Article II, Division 2, Subdivision 1, Section 10-66; Subdivision III, Section 10-109; and Chapter 30, Article II, Section 30-26 of the City of Atlanta Code of Ordinances, to expressly provide for Judicial Review of a final decision by the Mayor concerning licenses and permits issued pursuant to the police powers of the City of Atlanta via Certiorari to the Superior Court of Fulton County in accordance with established law; to amend language inconsistent with this express designation; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 11-O-0790 (7) An Ordinance by **Councilmembers Felicia A. Moore, C. T. Martin and Michael J. Bond as Substituted by Finance/Executive Committee** to transfer \$16,000.00 from the District 9 Councilmember Non-Departmental Expense Account and \$12,000.00 from the District 10 Councilmember Non-Departmental Expense Account and \$1,500.00 from the Post 1 At Large Expense Non-Departmental Account to the Department of Planning and Community Development to be used to fund the nomination and designation activities per the City of Atlanta's Historic Preservation Ordinance for the Collier Heights Neighborhood's consideration as a locally designated Historic District; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-0992 (8) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 (Princeton Lakes TAD Fund (2704)) Budget by transferring from Appropriations and the FY2013 (NDP Princeton Lakes TAD (2006)) Budget by transferring to Appropriations in the amount of \$4,065,275.00 for the purpose of reallocating remaining Capital Project Funds to ongoing Operational Expenses; and for other purposes.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

- 12-O-1089 (9) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend FY2013 (Airport Commercial Paper Notes, Series 2010 Fund (5523)) Budget by adding to Anticipations and Appropriations in the amount of \$350,000,000.00 for the reauthorization of the City's Airport Commercial Paper Program; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

- 12-O-1090 (10) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 Airport Renewal and Extension Fund Budget to Anticipate and Appropriate Transportation Security Administration ("TSA") Grant Funds in the amount of \$9,987,955.00 for the reimbursement of the allowable design, management and construction costs for the upgrade of the Checked Baggage Resolution Areas ("CBRA") at Hartsfield-Jackson Atlanta International Airport; to reimburse the Airport Renewal and Extension Fund for Capital Costs; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1091 (11) A **Substitute Ordinance as Amended by Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 [Airport Renewal and Extension Fund (5502), Airport Passenger Facility Charge Fund (5505) and 2004 Airport Revenue Bonds J-K (5509)] Capital Budgets by transferring to and from Appropriations the Aggregate amount of \$258,064,455.47 to provide funding for various Capital Projects and Improvements at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1092 (12) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and authorizing Cameron and Associates to provide services on a month-to-month basis for up to six (6) months effective July 24, 2012 under the terms of Contract FC-6008000002, Pre-employment Psychological Testing, on behalf of the Department of Human Resources, in an amount not to exceed \$51,000.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1093 (13) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and authorizing Caduceus Occupational Medicine to provide services on a month-to-month basis for up to six (6) months effective July 24, 2012 under the terms of Contract FC-6006007902, Pre-employment Physicals, Drug Testing, Haz-Mat Medical Examination and oversight of the Employee Health Center on behalf of the Department of Human Resources and the Atlanta Fire Department; in an amount not to exceed \$219,000.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1094 (14) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 (Airport Renewal and Extension Fund) Budget by adding to Anticipations and Appropriations Grant Funds in the total amount of \$8,773,875.00 from the Federal Aviation Administration for Grant Agreement 3-13-0008-104-2012, for the Projects "Taxiway SC and U Construction and Runway 27R Extension, 500 Construction" and for reimbursement of the Airport Passenger Facility Charge Fund; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1095 (15) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 (Capital Asset Finance Fund) Budget by adding to Anticipations and Appropriations in the amount of \$2,487,000.00, to be used for the acquisition of equipment for the Department of Parks, Recreation and Cultural Affairs and the Department of Public Works pursuant to the 2008 Master Lease and Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc. ("GMA"); and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

12-R-1162 (1) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute a Contract with Cotangent Technical Services, LLC, for FC-5555, Harris Homes Pedestrian Improvement Project, Project Number CSSTP-0007-00(123), P. I. No. 0007123, on behalf of the Department of Public Works, in an amount not to exceed \$471,179.40; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-1164 (2) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute Renewal Agreement Number 1 with Georgia Development Partners, LLC, for FC-5145, Cascade-Mays Streetscape Improvements Project, Phase II, for Project Number TEE-0006-00(570), P. I. No. 0006570, on behalf of the Department of Public Works, in an amount not to exceed \$184,284.87; all contracted work to be charged to and paid from Various Fund, Department Organization and Account Numbers listed: and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-R-1173 (3) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a renewal to the operating agreement between the City of Atlanta and Young Men's Christian Association of Metropolitan Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1174 (4) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a renewal to the operating and lease agreement between the City of Atlanta and East Atlanta Kids Club, Inc.; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1178 (5) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a renewal to the operating agreement between the City of Atlanta and Boys and Girls Club of Metro Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

- 12-R-1175 (6) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to participate with Park Pride Atlanta, Inc., in completing detailed design and construction document preparation for the proposed central playground and spray pad area of the Rev. James Orange Park, by providing an amount not to exceed \$35,000.00 toward the project; to be charged to and paid from accounts listed; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1177 (7) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an appropriate contractual agreement with Ed Castro Landscape, Inc., for FC-5897, Louise G. Howard Park Renovations, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$185,750.00; all contracted work shall be charged to and paid from accounts listed; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1166 (8) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into separate contract amendments with the Atlanta Development Authority doing business as Invest Atlanta (IA), Georgia Institute of Technology, and the Atlanta Beltline, Inc., (ABI) for the Brownfields small area-wide planning pilot grant program so as to extend the term of these contracts; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1176 (9) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a renewal to the Memorandum of Understanding between the City of Atlanta and Future Seekers, Inc.; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-R-1141 (10) A Resolution by **Councilmembers Kwanza Hall, Carla Smith, Cleta Winslow, C. T. Martin, Ivory L. Young, Jr. and Michael J. Bond as Amended by Transportation Committee** adopting a Parking Bill of Rights; and for other purposes. (Work Session held 9/6/12)
ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1187 (11) A Resolution by **Transportation Committee** authorizing the City to reimburse Porsche Cars North America, Inc. for constructing a Temporary Storm Water Solution at Hartsfield-Jackson Atlanta International Airport pursuant to an Amended and Restated Easement Agreement between the City of Atlanta and Airport Station, LLC dated May 11, 2012 for costs not to exceed \$275,000.00 to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1188 (12) A Resolution by **Transportation Committee** authorizing the Mayor to execute amendments to the leases with AirTran Airways, Inc.; Société Air France; British Airways, PLC; Jazz Aviation LP; Korean Air Lines Company and Deutsche Lufthansa AG (Collectively the "MHJIT Carriers") covering the return to the City of Atlanta of certain spaces in the Domestic Terminal and Concourses D and E, the leasing of certain premises at the Maynard H. Jackson, Jr. International Terminal, the reimbursement to the MHJIT Carriers of their cost of Tenant Improvements at MHJIT up to a maximum cost of \$1,016,505.00. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1189 (13) A Resolution by **Transportation Committee** authorizing the mayor to execute Amendment No. 3 to the Hartsfield-Jackson Atlanta International Airport Agreement and Lease with Delta Air Lines, Inc., covering the addition and deletion of various premises which are located in the Terminal building and on Concourses D and E at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

12-R-1193 (14) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement No. 1 for Contract No. FC-4862, Consolidated Rental Car Facility (CONRAC) Operations and Maintenance at Hartsfield-Jackson Atlanta International Airport with Meridian Management Corporation, in an amount not to exceed \$3,100,000.00; all services to be charged to and paid from the FDOA Numbers listed on behalf of the Department of Aviation; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1194 (15) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement for Contract FC-4811, Parking Operation Management Services with Standard Parking Corporation on behalf of the Department of Aviation in an amount not to exceed \$59,500,062.00 for two years; all services to be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-R-1182 (16) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an Agreement with Brock Solutions, Incorporated, pursuant to City Code Section 2-1191.1 (Special Procurement), for the Upgrade of Checked Baggage Resolution Area to Transportation Security Administration Planning Guidelines and Design Standards Version 4 in an amount not to exceed \$9,734,845.00 to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1183 (17) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to designate an alternative funding source for Cooperative Purchasing Agreement Number FC-5289 for the City of Atlanta with International Business Machines Corporation for the purchase of Cisco Network Admission Control Hardware and Software utilizing Georgia Department of Administrative Services Contract Number SWCGTA000546-43, and for the purchase of NAC System Installation and Implementation Services utilizing General Services Administration Contract Number GS-35F-4984H, on behalf of the Department of Information Technology in an amount not to exceed \$170,724.40; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1184 (18) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer, on behalf of the City of Atlanta, to add additional funding sources to Agreements with Ace Electric, Inc., for FC-5782(A); Action Electrical and Mechanical Contractors for FC-5782(B); Capital City Electrical Services for FC-5782(C); Donald Camp, Inc., for FC-5782(D); E. Ray Britton Electrical Services, Inc., for FC-5782(E); GC&E for FC-5782(F); M. C. Dean, Inc., for FC-5782(G); MWI Electrical Contractors, Inc., for FC-5782(H); and R. B. Communications, Inc., for FC-5782(I), on behalf of the Department of Parks, Recreation and Cultural Affairs; all contracted work being charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1185 (19) A Resolution by **Finance/Executive Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an appropriate Contractual Agreement with Benchmark Tuscany, Inc. for FC-5965, ADA Parking Lot Spatial Improvements at various locations, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$236,633.83; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1198 (20) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute Renewal Option Number One (1) with International Business Machines for COA-5391-PL Cognos Maintenance and Support Services for one (1) year beginning October 1, 2012 in an amount not to exceed \$132,218.20 per year to be charged to and paid from the FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1247 (21) A Resolution by **Councilmembers C. T. Martin, Michael Julian Bond, Aaron Watson and H. Lamar Willis as Substituted by Finance/Executive Committee** authorizing the Chief Procurement Officer with the Department of Public Works to explore the use of Eminent Domain, through use of Declarations of Taking, for the acquisition of rights of way and easements required for construction of Intersection Improvements and Passive Greenspace at southeast corner of Fairburn Road, SW and Benjamin E. Mays Drive, SW; and for other purposes.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

12-R-1248 (22) A Resolution by **Councilmembers Michael Julian Bond, Felicia A. Moore, H. Lamar Willis, Ivory Lee Young, Jr., Aaron Watson, Keisha Lance Bottoms, Kwanza Hall, Carla Smith, Howard Shook, Cleta Winslow, Natalyn Archibong and Joyce Sheperd** authorizing the Mayor to enter into a Cooperative Purchasing Agreement, pursuant to 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-07F-153T, to purchase Tactical Protective Gear, from Armor Express, to protect Atlanta Police Officers engaged in high risk police operations, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$22,533.90. All costs shall be charged to and paid from the Federal RICO Trust Fund and FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1249 (23) A Resolution by **Councilmembers Michael Julian Bond, Felicia A. Moore, H. Lamar Willis, Ivory Lee Young, Jr., Aaron Watson, Keisha Lance Bottoms, Kwanza Hall, Carla Smith, Howard Shook, Cleta Winslow, Natalyn Archibong and Joyce Sheperd** authorizing the Mayor to enter into a Cooperative Purchasing Agreement, pursuant to 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-07F-0416M, to purchase Tactical Protective Gear, from Diamondback Tactical, to protect Atlanta Police Officers engaged in high risk police operations, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$324,770.21. All costs shall be charged to and paid from the Federal RICO Trust Fund and FDOA Numbers listed; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1257 (24) A Resolution by **Councilmembers Felicia A. Moore, Howard Shook and Yolanda Adrean** requesting the City Audit Committee to develop a request for proposal (RFP) for a Dependent Eligibility Verification Audit of Health Care and other benefits provided to employees and retirees of the City of Atlanta; and for other purposes.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

12-R-1203 (1) Claim of **William D. Bell (DWM/09)**, for property damage alleged to have been sustained as a result of a sewer backup on May 1, 2012 at 715 Laverne Drive, NW. **\$25,735.07**

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-R-1204 (2) Claim of **1462 Multifamily Holdings, LLC (APD/05)**, for property damage sustained as a result of a vehicular accident on August 15, 2011 at 1462 Memorial Drive. **\$7,700.00**

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1205 (3) Claim of **Vassar Gilbert (DPW/09)**, for property damage alleged to have been sustained from an automobile accident on July 18, 2012 at 2422 Donald Lee Hollowell Parkway. **\$6,286.55**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1206 (4) Claim of **Shantesicia Porter, through her attorney, Law Office of Shane Smith (APD/05)**, for bodily injury alleged to have been sustained from an automobile accident on October 30, 2011 at McWilliams Road and Jonesboro Road. **\$6,037.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1207 (5) Claim of **Thomas George Associates, LTD, on behalf of Liberty Mutual Group as subrogee of Shantesicia Porter (APD/05)**, for property damage alleged to have been sustained from an automobile accident on October 30, 2011 at McWilliams Road and Jonesboro Road. **\$6,000.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1208 (6) Claim of **Brian McCaslin (DWM/05)**, for property damage alleged to have been sustained as a result of a disconnected sewer line on April 13, 2012 at 167 Powell Street. **\$5,704.01**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1209 (7) Claim of **Ryan Moore and Alexandra Kelly Gerrits, through their attorney, Beck, Owen and Murray (APD/02)**, for property damages alleged to have been sustained from an automobile accident on September 11, 2010 at Ormond Street and Crew Street. **\$5,267.50**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1210 (8) Claim of **Carolyn Kennedy (DWM/09)**, for bodily injury alleged to have been sustained after stepping on a water meter with an improperly fitted water meter lid on June 21, 2011 at 1344 Northwest Drive. **\$3,300.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1211 (9) Claim of **Darius McClure (AFR/04)**, for property damage alleged to have been sustained from an automobile accident on March 24, 2012 at W. Lake Avenue and Joseph E. Boone Boulevard. **\$2,984.31**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1212 (10) Claim of **Farmers Insurance as subrogee of Timothy Roach (APD/04)**, for property damage sustained as a result of a vehicular accident on November 9, 2011 at Martin Luther King, Jr. Drive at Laurel Avenue. **\$2,919.51**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1213 (11) Claim of **Ryan Moore, through his attorney, Beck, Owen and Murray (APD/02)**, for bodily injury alleged to have been sustained from an automobile accident on September 11, 2010 at Ormond Street and Crew Street. **\$2,500.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1214 (12) Claim of **Michael G. Roberts (APD/02)**, for property damage alleged to have been sustained from an automobile accident on June 4, 2012 at 17th and Mecaslin Streets. **\$2,099.12**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1215 (13) Claim of **Angela Farley (DWM/05)**, for bodily injuries alleged to have been sustained after stepping into an uncovered water meter box on December 15, 2011 at 2464 Memorial Drive. **\$1,800.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1216 (14) Claim of **Liberty Mutual as subrogee of Robert Lockhart (APD/01)**, for property damages alleged to have been sustained as the result of an automobile accident on December 15, 2010 at the intersection on Hill Street, SE and Glenwood Avenue, SE. **\$1,683.67**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1217 (15) Claim of **State Farm Insurance Companies as subrogee of Joseph D'Amelio (DWM/02)**, for damages alleged to have been sustained as a result of driving over a defective manhole on July 21, 2010 at 175 Memorial Drive. **\$1,668.91**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1218 (16) Claim of **Alexandria Haroutunian (DWM/02)**, for property damage alleged to have been sustained from driving over an unraised water valve on March 12, 2012 at West Peachtree Street and Ponce de Leon Avenue. **\$1,822.37**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1219 (17) Claim of **Christine and John Coleman (DPW/06)**, for property damage sustained as a result of a vehicular accident on September 26, 2011 at 1635 N. Pelham Road. **\$1,500.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1220 (18) Claim of **Lizzie H. Boachie (APD/09)**, for property damage alleged to have been sustained from an automobile accident on March 1, 2012 at 3260 Donald Lee Hollowell Parkway. **\$894.86**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1221 (19) Claim of **Lynn Thomason and John Davis (DWM/08)**, for property damage sustained due to a sewer backup on October 31, 2011 at 3199 Rockingham Drive. **\$649.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Claims with unfavorable recommendations:

- 12-R-1222 (20) Claim of **Anthony Fleming (NA/NA)**, for property damage alleged to have been sustained as a result of driving over a pothole on March 2, 2012 at 5871 Glenridge Connector.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1223 (21) Claim of **Doug Forness (NA/09)**, for property damage alleged to have been sustained as a result of driving over a curb on March 20, 2012 at 2000 Moores Mill Road.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1224 (22) Claim of **Nationwide Insurance as subrogee of John H. Gimbel (APD/02)**, for property damage alleged to have been sustained on July 28, 2011 at 94 Peachtree Street, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1225 (23) Claim of **USAA, as subrogee for Shannon E. Coulter (APD/02)**, for property damage alleged to have been sustained on April 2, 2011 at M. L. King, Jr. Drive and Centennial Olympic Park Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1226 (24) Claim of **Constance Grogan, through her attorney, Nicole Jones (APD/03)**, for personal injury alleged to have been sustained as a result of an arrest on June 30, 2011 at 303 Spellman Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1227 (25) Claim of **Recovery Services International, Inc. as subrogee of Andrew and Evia Golde (APD/08)**, for property damage alleged to have been sustained on August 22, 2011 at Northside and Blackland Drives.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1228 (26) Claim of **Steven D. Simon (APD/10)**, for damage alleged to have been sustained on October 13, 2011 at 577 Peyton Road, SW, Atlanta, Georgia.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1229 (27) Claim of **Eve Goldstein (DPRCA/07)**, for damages alleged to have been sustained when a tree fell on April 27, 2011 at 70 Palisades Road, NE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1230 (28) Claim of **Vineda Diamond (DPRCA/10)**, for bodily injury allegedly sustained as a result of a slip and fall on June 21, 2012 at the Adamsville Recreation Center, 3201 Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1231 (29) Claim of **Carla Williams (DPW/01)**, for property damage allegedly sustained as a result of driving over a pothole on October 3, 2010 at Frazier Street at Little Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1232 (30) Claim of **Darion Dunn (DPW/02)**, for property damage alleged to have been sustained from driving over a damaged traffic sign pole on March 30, 2012 at 3rd Street between Juniper Street and Piedmont Road.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1233 (31) Claim of **Delphia Jobe, through her attorney, Sheryl L. Burke (DPW/02)**, for bodily injury alleged to have been sustained from walking over a sidewalk defect on August 4, 2010 at 5 Forsyth Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1234 (32) Claim of **Zelda Ware (DPW/02)**, for property damage alleged to have been sustained on March 22, 2011 at Hollywood and Hightower Roads.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1235 (33) Claim of **Keri Harper (DPW/04)**, for damages alleged to have been sustained as a result of a vehicular accident on March 9, 2012 at Lee Street and Donnelly Avenue.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1236 (34) Claim of **Progressive Insurance Company as subrogee of Keri Harper (DPW/04)**, for damages alleged to have been sustained as a result of a vehicular accident on March 9, 2012 at Lee Street and Donnelly Avenue.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1237 (35) Claim of **Helen L. Bradfield (DPW/09)**, for property damage alleged to have been sustained as the result of vehicular traffic at 1288 Northwest Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1238 (36) Claim of **Staci Lynch (DWM/01)**, for property damage alleged to have been sustained as a result of flooding on July 20, 2011 at 178 Atlanta Avenue, SE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1239 (37) Claim of **Laquanda M. Gill-Jones, through her attorney, Law Offices of David B. Hodgins (DWM/NA)**, for bodily injury alleged to have been sustained from driving over a defective storm sewer grate on September 20, 2011 at 3620 Camp Creek Parkway, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-R-1240 (38) Claim of **Salrithia Johnson (DWM/04)**, for damages alleged to have been sustained from a water billing dispute on February 20, 2011 at 1354 Wichita Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1241 (39) Claim of **James Stremlau (DWM/11)**, for property damage sustained as a result of driving over a catch basin on November 16, 2011 at 4080 Tell Road.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

All items on Consent Agenda Section II; (1) through (12) as follows, were Referred to the appropriate Committees by a unanimous single 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-O-1179 (1) An Ordinance by **Community Development/Human Resources Committee** adopting the City of Atlanta 2013-2017 Capital Improvements Program (CIP)-Short Term Work Program (STWP) components of the Comprehensive Development Plan (CDP); and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1180 (2) An Ordinance by **Community Development/Human Resources Committee** amending the 2013 (Job Training Grant Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$130,000.00 in the YouthBuild Americorps Fund from YouthBuild USA, to provide guidance and assistance for Low-Income Young People ages 16-24 with Leadership Development and Community Service Training while working toward getting their GED or High School Diploma; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1181 (3) An Ordinance by **Community Development/Human Resources Committee** to authorize the Mayor or his designee to accept a grant in the amount of \$53,200.00 for the purpose of funding the newly developed Atlanta Teen Leaders Program, a program funded from the National Recreation and Parks Association by the Wal-Mart Foundation; and amending the FY2013 Budget (Intergovernmental Fund) by adding to anticipations and appropriation in the amount of \$53,200.00; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall 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-1167 (4) An Ordinance by **Public Safety and Legal Administration Committee** accepting grant modifications to Grant Award G11GA0003A from the White House Office of National Drug Control Policy (“ONDCP”) and amending the 2013 (Intergovernmental Grant Fund) Budget, by adding to anticipations and appropriations, \$5,170.00, with no matching funds, bringing Grant Award G11GA0003A to a new total of \$5,655,098.00, for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area Task Force (“Atlanta HIDTA”); to disrupt and dismantle drug trafficking organizations; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-O-1168 (5) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$629,277.00 for the FY2012 Edward Byrne Memorial Justice Assistance Grant (“JAG”) Award from United States Department of Justice; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-O-1169 (6) 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 equipment for the Department of Police (“Department”) Airport Explosive Ordinance Disposal Unit (“Airport EOD”), and to amend the 2013 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$25,000.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-O-1170 (7) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Cherokee Avenue, SE and Woodward Avenue, SE a Four-Way Stop controlled intersection; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-O-1171 (8) An Ordinance by **Transportation Committee** to convert 19th Street, NW from Spring Street, NW to approximately 140 feet east of Spring Street, NW, between Spring Street, NW and West Peachtree Street, NW from a One-Way Street to a Two-Way Street so as to provide better access to Mastermind Marketing, Inc.; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-O-1172 (9) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Berne Street, SE and Marion Place, SE a Four-Way Stop controlled intersection; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 12-O-1195 (10) An Ordinance by **Transportation Committee** authorizing the Mayor or his designee to execute documents that would grant a Permanent Sanitary Sewer Easement and Temporary Construction Easement to the City of Dallas, Georgia across a portion of property owned by the City of Atlanta located in Paulding County, Georgia, said property being located in Land Lot 386, 387, 388, 390, 451 and 453 of the 19th District, Paulding County; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-O-1199 (11) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code or Ordinances, and authorizing the Mayor, on behalf of the City of Atlanta, to negotiate for and accept approximately 0.105 acre of property located at 71 Weatherby Street from Environs Residential Design and Construction or the current land owner to be designated as park land for the purpose of expanding the existing Lang Carson Park; with all closing costs, due diligence expenses, development costs and purchase services for the City of Atlanta to be paid at closing by Atlanta Beltline, Inc., through a donation from the Atlanta Beltline Partnership in an amount not to exceed \$25,000.00; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1243 (12) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment No. 4 with Formmaker Software, Inc. for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management to extend the term of the agreement on a month-to-month basis for a period not to exceed six (6) months; to waive the Article X Procurement and Real Estate Code of the City of Atlanta Code or Ordinances; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS

COMMITTEE ON COUNCIL (1)
YOLANDA ADREAN, CHAIR

Attendance at the September 17, 2012 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Archibong

COMMUNICATIONS

Communications; (1) through (02) as follows, were Confirmed by a unanimous single 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-1052 (1) A Communication from **Mark Massey, Clerk to the Fulton County Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners appointment of Mr. Demarcus Peters to serve as the County's representative on the Beltline Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 9/11/12)**

CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1196 (2) A Communication from **Howard W. Grant, Ph. D., Executive Administrator, Atlanta Board of Education**, submitting the appointment of Mr. Michael Maze as the Board's representative to serve as a member of the Atlanta Beltline Tax Allocation District (TAD) Affordable Housing Board. **(Favorable by Community Development/Human Resources Committee 9/11/12)**

CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1242 (3) A Communication by **Mayor Kasim Reed** appointing Ms. Duriya Farooqui as Chief Operating Officer, for the City of Atlanta. **(Favorable by Finance/Executive Committee 9/12/12)**

CONFIRMED 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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the September 11, 2012 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Martin

COMMUNICATION

12-C-1160 (1) A Communication by **City Auditor Leslie Ward** submitting the Strategic Financial Planning Model Report for the Department of Watershed Management.

FILED 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**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)

JOYCE SHEPERD, CHAIR

Attendance at the September 11, 2012 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

11-O-1248 (1) A **Substitute(#2)** 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 properties that are located at 690 Lindberg Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road, from the "High Density Residential" Land Use Designation to the "High Density Mixed Use" and "Very High Density Residential" Land Use Designations (Z-11-19); and for other purposes. **(Public Hearings held 9/12/11 and 3/12/12)**

Chairperson Sheperd sounded the caption to ordinance 11-O-1248 and stated the committee forwarded with No Recommendation. Councilmember Shook was then recognized and made a Motion to Refer the ordinance back to the Community Development/Human Resources Committee. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 2 nays.

REFERRED SUBSTITUTE TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 2 NAYS (Councilmembers Wan and Moore)

12-O-1250 (2) An Ordinance by **Councilmember Howard Shook** authorizing the application of \$1,113,976.00 in Development Impact Fees already paid in connection with the redevelopment of property known as 3035 Peachtree Road, 3063 Peachtree Road and 262 Buckhead Avenue, against Development Impact Fees to be assessed on new development to be constructed at 3035 Peachtree Road, 3065 Peachtree Road, 3071 Peachtree Road, 3135 Peachtree Road, 262 Buckhead Avenue, 273 Buckhead Avenue, 288 East Paces Ferry Road, 310 East Paces Ferry Road, and 250 Pharr Road as multiple buildings of the same unified development project rather than on a parcel by parcel basis; and for other purposes.

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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

ALEX WAN, CHAIR

Attendance at the September 12, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Wan (Chair), Bottoms, Young, Shook, Watson and Willis

Absent: Councilmember Smith

UNFINISHED BUSINESS ITEM

12-O-0848 (1) An **Amended** Ordinance by **Zoning Committee** to rezone from the
Z-12-24 R-4A (Single Family Residential) District to the RLC-C (Residential Limited-Commercial-Conditional) District for property located at **472 Paines Avenue, N.W.**, fronting approximately 71 feet on the west side of Paines Avenue at the northwest intersection of Paines Avenue and Jett Street. Depth: approximately 125 feet; Acres: approximately 0.204; Land Lot 111, 14th District, Fulton County, Georgia. Owner: Residential Fund 46, LLC; Applicant: Jeffrey McDowell; NPU-L Council District 3.

Chairperson Wan sounded the caption to ordinance 12-O-0848 and made a Motion to Adopt as Amended. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED AS AMENDED 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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

ALEX WAN, CHAIR

ORDINANCES FOR SECOND READING

11-O-1067 (1)
Z-11-19

An **Amended** Ordinance by **Zoning Committee** to rezone properties known as **690 Lindbergh Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road**, from the SPI-15 Subarea 8 (Special Public Interest Lindbergh Transit Station Area, Subarea 8, Lindberg Residential) to the SPI-15 Subarea 3 (Special Public Interest Lindbergh Transit Station Area Subarea 3 Piedmont Commercial) Zoning District; fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 1,200 feet on the south side of Morosgo Drive, and approximately 800 feet on the west side of Adina Drive north, and 60 feet on the east side of Piedmont Road.

Area: Approximately 21.87 Acres
Land Lot: 48, 17th District, Fulton County, Georgia
Owner: Buckhead at Lindbergh, LLC, Buckhead South, LLC, and San Lucia Land, LLC
NPU-B Council District 7

Chairperson Wan sounded the caption to ordinance 11-O-1067 and made a Motion to Refer the item back to the Zoning Committee. The Motion then CARRIED by a roll call vote of 12 yeas; 2 nays.

REFERRED AS AMENDED TO ZONING COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Bottoms, Sheperd, Bond, Watson and Willis); 2 NAYS (Councilmembers Wan and Moore)

12-O-0386 (2)
Z-12-06

An **Amended** Ordinance by **Zoning Committee** to rezone from the R-3 (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

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson 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-1157 (3)
U-70-30/
TR-12-01

An Ordinance by **Zoning Committee** to amend Ordinance U-70-30, as adopted by the City Council on November 3, 1997 and returned without signature by the Mayor per Section 2-405 of the 1996 Charter for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at 175 Racine Street, SW; and for other purposes. **ADOPTED 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

ORDINANCE FOR FIRST READING

12-O-1262 (1)
Z-12-32

An Ordinance by **Zoning Committee** to rezone from the RG-3-C (Residential General-Sector 3-Conditional) to the RG-3 (Residential General-Sector 3) District, property located at **2760 Lenox Road, NE**, fronting approximately 165 feet on the southwest side of Lenox Road, beginning approximately 1,000 feet from the southwest corner of Canterbury Road. Depth: Approximately 188.47 Feet

Area: Approximately 0.710 Acre
Land Lot: 7, 17th District, Fulton County, Georgia
Owner: Marlene Blaise
Applicant: Winston R. Smith (Multifamily Services & Solutions, LLC)
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE 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

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 September 11, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

12-O-1004 (1) An Ordinance by **Councilmember Michael J. Bond as Substituted by Public Safety and Legal Administration Committee** an Ordinance amending Part II (“General Ordinances”), Chapter 43 (“Commercial Solicitation”) of the Code of Ordinances of the City of Atlanta by creating a new subsection (f) and deleting the existing subparagraph (d) such that individuals convicted of aggressive solicitation shall receive a sentence of 180 days to be served in the City of Atlanta Detention Center; and for other purposes. **(Work Sessions held 8/23/12 and 9/5/12)**

Chairperson Bond sounded the caption to ordinance 12-O-1004 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; (Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd and Bond); 2 nays (Councilmembers Watson and Willis). The Substitute was before Council. Mr. Bond then made a Motion to Adopt on Substitute. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Bottoms made a Substitute Motion to Refer 12-O-1004 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Winslow and discussion continued. After which, the Motion to Refer FAILED by a roll call vote of 5 yeas; (Councilmembers Archibong, Moore, Martin, Bottoms and Sheperd); 8 nays (Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean, Bond and Willis). Following, Councilmember Bond made a Motion to Adopt on Substitute. It was properly Seconded and another discussion ensued. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 9 yeas; 5 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 9 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Sheperd and Bond); 5 NAYS (Councilmembers Archibong, Moore, Martin, Bottoms and Willis)

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)
MICHAEL J. BOND, CHAIR

RESOLUTION

12-R-1259 (1)

A Resolution by **Councilmember H. Lamar Willis** authorizing the Mayor on behalf of the Department of Correction (“Department”), to execute an agreement for FC-5441, Food Services at the Atlanta Detention Center, in an amount not to exceed \$1,100,000.00, for the purpose of providing food, labor, supplies and materials necessary for the preparation of food for detainees in the Atlanta City Detention Center (ACDC). All contracted work shall be charged to and paid from the Account Numbers listed; 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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the September 12, 2012 meeting of the Transportation Committee was as follows:

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

Absent: Councilmemeber Smith

ORDINANCES FOR SECOND READING

Ordinances For Second Reading; (1) through (02) as follows, were Filed by a single roll call vote of 13 yeas *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Willis); 0 nays.*

12-O-1080 (1) An Ordinance by **Transportation Committee** authorizing the Mayor to enter into a bid in U. S. Bankruptcy Court to purchase a Leasehold Interest located on two parcels on the southside of Virginia Avenue east of Toffee Terrace in District 14, Land Lot 127, City of Hapeville, Fulton County near Hartsfield-Jackson Atlanta International Airport for an amount not to exceed the appraised Fair Market Value of the Leasehold Interest _____ including Closing Costs to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

12-O-1081 (2) An Ordinance by **Transportation Committee** amending the FY 2013 (Airport Revenue Fund) Budget by transferring to and from Appropriations in the amount of \$xxx,xxx.xx; to provide adequate funding for the purchase of a Leasehold Interest located on two parcels on the southside of Virginia Avenue east of Toffie Terrace in District 14, Land Lot 127, City of Hapeville, Fulton County near Hartsfield-Jackson Atlanta International Airport; and for other purposes.

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

RESOLUTIONS

12-R-1186 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 1 to the Lease Agreement with United Parcel Service, Inc. covering the occupancy and use of space at 1220 Toffie Terrace Hartsfield-Jackson Atlanta International Airport; 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, Watson and Willis); 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

C. T. MARTIN, CHAIR

RESOLUTIONS (CONT'D)

12-R-1190 (2) A 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-5383, On-Call Engineering Survey Services at Hartsfield-Jackson Atlanta International Airport, with Southeastern Engineering, Inc., in an amount not to exceed \$100,000.00 to provide Professional Surveying Services. All services will be charged to and paid from the FDOA Numbers listed; 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, Watson and Willis); **0 NAYS**

12-R-1192 (3) 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 \$280,000.00 to provide Structural Tests and Special Inspection 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 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)

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

Attendance at the September 12, 2012 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

12-O-1131 (1) An Ordinance by **Councilmember Howard Shook as Substituted (#2) by Finance/Executive Committee** authorizing the Chief Financial Officer to amend the Fiscal Year 2013 Budget by transferring appropriations from various Departments in a total amount of \$3,368,065.30 to the project and grants: Project Number 05111397 in order to fund all contracted work for the 311 Call Center Project; 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)

12-O-1256 (2) An Ordinance by **Councilmember Felicia A. Moore** to transfer \$42,000.00 from the Councilmember's Non-Departmental Expense Account to the Department of Public Works to be used to fund the resurfacing of Spad Avenue, NW from Parrott Avenue to Wales Avenue; and for other purposes.

Chairperson Moore made a Motion to bring forth a Substitute for ordinance 12-O-1256. 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 then before Council. Ms. Moore, subsequently, made a Motion to Adopt on Substitute. The Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED 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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

12-O-1260 (3) An Ordinance by **Councilmember H. Lamar Willis as Substituted by Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, 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.

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)

12-O-1261 (4) An Ordinance by **Councilmember H. Lamar Willis as Substituted and Amended by Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for position creations, reclassifications, class creations, above entry authorizations, position transfers; position funding allocation changes and other personnel actions for the Department of Human Resources in line with the 2013 Budget; and for other purposes.

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

RESOLUTIONS

Acting Council President Pro Tempore Alex Wan Presided

12-R-1201 (1) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into Renewal No. 1 for FC-5429, Service Lines Warranty Program with United Service Utility Partners Private Label, Inc. doing business as Service Line Warranties of America to license the use of the City of Atlanta Trademark in conjunction with advertisement to City of Atlanta residents of warranty plans for repair of water and sewer lines on residential property; to receive Trademark Licensing Fees; and for other purposes.

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

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTIONS (CONT'D)

Acting Council President Pro Tempore Alex Wan Presided

- 12-R-1255 (2) A Resolution by **Councilmember Felicia A. Moore as Substituted by Finance/Executive Committee** authorizing the Mayor to execute Amendment Number One to the Agreement with Hogan Construction Group, LLC., for FC-5064, Construction of Fire Station 28, on behalf of the Executive Offices-Office of Enterprise Assets Management to add additional funding for the construction of Fire Station 28; in an amount not to exceed \$181,525.00, to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE 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

ITEMS REMOVED FROM CONSENT AGENDA

- 12-O-0992 (1) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 (Princeton Lakes TAD Fund (2704)) Budget by transferring from Appropriations and the FY2013 (NDP Princeton Lakes TAD (2006)) Budget by transferring to Appropriations in the amount of \$4,065,275.00 for the purpose of reallocating remaining Capital Project Funds to ongoing Operational Expenses; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore made a Motion to bring forth a Substitute to ordinance 12-O-0992. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 nays. The Substitute was before the Council. Chairperson Moore then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 Nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Young, 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 (4)
FELICIA A. MOORE, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

12-R-1247 (2) A Resolution by **Councilmembers C. T. Martin, Michael Julian Bond, Aaron Watson and H. Lamar Willis as Substituted by Finance/Executive Committee** authorizing the Chief Procurement Officer with the Department of Public Works to explore the use of Eminent Domain, through use of Declarations of Taking, for the acquisition of rights of way and easements required for construction of Intersection Improvements and Passive Greenspace at southeast corner of Fairburn Road, SW and Benjamin E. Mays Drive, SW; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin. Chairperson Moore made a Motion to bring forth a Substitute for resolution 12-R-1247. It was Seconded by Councilmember Martin and CARRIED by a roll call vote of 12 yeas; (*Councilmembers Smith, Hall, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson*); 0 Nays. The Substitute was before Council. Following, Ms. Moore made a Motion to Adopt on Substitute. The Motion then CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS

PERSONAL PAPERS

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

12-R-1311 (1) A Resolution by **Councilmembers C. T. Martin, Michael Julian Bond, Felicia A. Moore, Alex Wan, Kwanza Hall and Cleta Winslow** to oppose House Resolution 1162, a resolution calling for a referendum on Tuesday, November 6, 2012 regarding charter schools; and for other purposes.

Councilmember Martin made a Motion to Adopt resolution 12-R-1311. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 1 nay.

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

12-R-1312 (2) A Resolution by **Councilmembers Felicia A. Moore, Michael Julian Bond, Cleta Winslow, Alex Wan, Carla Smith, Ivory Lee Young, Jr., H. Lamar Willis, Keisha Bottoms, Kwanza Hall, C. T. Martin, Joyce M. Sheperd, Yolanda Adrean, Howard Shook and Natalyn Archibong** supporting the Mattie's Call Team Atlanta during each Annual Alzheimer's Association Walk to end Alzheimer's; and for other purposes.

Councilmember Moore made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

12-R-1313 (3) A Resolution by **Councilmembers Michael Julia Bond, Clela Winslow, Alex Wan, Yolanda Adrean and Kwanza Hall** authorizing the creation of a Student Safety Council Advisory Group for the purpose of maintaining formal communications between the Atlanta City Council and Atlanta College and University Student Representatives, as a result of recommendations made by City Council President Ceasar Mitchell's Campus Safety Task Force; and for other purposes.

Councilmember Bond made a Motion to Adopt resolution 12-R-1313. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.

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

ORDINANCES/REFERRED

12-O-1314 (1) An Ordinance by **Councilmember Michael Julian Bond** authorizing the Chief Financial Officer to make the necessary adjustments to the Fiscal 2013 (General Fund) accounting records to correct erroneous charges posted by the Finance Department to various Council Members cost centers in the amount of \$1,772.02; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-1315 (2) An Ordinance by **Councilmember Michael Julian Bond** directing the Chief Financial Officer to review all charges made to all accounts in each Council Members Department Centers and make the necessary adjustments to reimburse or charge each account that contains erroneous charges dating back to the beginning of the current Council term; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1316 (3) An Ordinance by **Councilmember Keisha Bottoms** to amend various sections of Chapter 154, Section 2-222(13), and 2-280 of the City of Atlanta Code of Ordinances for the purpose of amending and restating the organizational structure of the Department of Watershed Management into various operating offices within the Department; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-O-1317 (4) An Ordinance by **Councilmember Keisha Bottoms** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Revenue Fund) (5051) and (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the estimated amount of Seven Million Dollars and No Cents (\$7,000,000.00) to transfer funds from the Water and Wastewater Revenue Fund, Non-Departmental Reserve for appropriations and add to appropriations from DWM various offices; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1318 (5) An Ordinance by **Councilmembers Keisha Lance Bottoms** 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 Department of Watershed Management Reorganization and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1319 (6)
Z-12-01/Z-08-14 An Ordinance by **Councilmember Felicia A. Moore** correcting Ordinance 12-O-0156, adopted by City Council May 21, 2012, approved per the City Charter Section 2-403 on May 30, 2012 rezoning property located at **1185 Collier Road, N.W.**, which rezoned said property from the MR-3-C (Multifamily Residential-Conditional) to the MR-3-C (Multifamily Residential-Conditional) so that the conditions are further clarified regarding the publicly accessible streets.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1321 (7) An Ordinance by **Councilmember Kwanza Hall** to provide for on street parking on one side of Cain Street between Boulevard and Jackson Street in the Old Fourth Ward; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-1322 (8) An Ordinance by **Councilmember Kwanza Hall** authorizing the installation of Public Art (“Elevate South Broad Mural”) at 64, 72, 79, 90, 92, 94, 98 and 100 on Broad Street, SW as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

12-O-1324 (9) An Ordinance by **Councilmember Keisha Lance Bottoms** to repeal Chapter 43, (Commercial Solicitation), in its entirety, and to amend Chapter 106 (Offenses and Miscellaneous Provisions), Article II, (Offenses Against Public Order), Section 106-85, to re-adopt the ordinance related to begging and soliciting ALMS successfully enforced between 1996 and 2005; to repeal conflicting ordinances; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

12-R-1320 (1) A Resolution by **Councilmember Howard Shook** appointing additional members to the SPI-9 Buckhead Village District Development Review Committee.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

12-R-1323 (2) A Resolution by **Councilmember Clea Winslow** requesting that the Mayor or his designee conduct a traffic study for the purpose of gathering data to support making the intersection of Venetian Drive, SW at Willowbrook Drive, SW and Westridge Road, SW an all-way stop; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Pro Tempore Kwanza Hall Presided

ADJOURNMENT

There being no further business to discuss, the September 17, 2012 meeting of the Atlanta City Council was adjourned at 4:29 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (E); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).