

ATLANTA CITY COUNCIL

ACTION MINUTES

OCTOBER 15, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 15, 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.

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 *1:12
The Honorable Cleta Winslow *2:17	The Honorable Joyce M. Sheperd *1:10
The Honorable Natalyn Archibong *1:46	The Honorable Michael J. Bond *1:57
The Honorable Alex Wan	The Honorable Aaron Watson *3:08
The Honorable Howard Shook	The Honorable H. Lamar Willis *1:10
The Honorable Yolanda Adrean	

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

INVOCATION: Chaplain Reginald Wilborn of the Atlanta Police Department gave the invocation.

PLEDGE OF ALLEGIANCE: In Unisom the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Foris Webb III, Deputy Municipal Clerk, certified to the Council that the **Action/Minutes** of the **Atlanta City Council's October 01, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Council Moved to Adopt the Agenda. The Motion then **CARRIED** by a roll call vote of **13 yeas; (Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis); 0 nays.**

COMMUNICATIONS

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMUNICATIONS

12-C-1409 (1) A Communication by **Mayor Kasim Reed** appointing Ms. Loretta Young Walker to serve as an At-Large member of the Atlanta Housing Authority (AHA) Board of Commissioners on behalf of the City of Atlanta. This appointment is for a term of five (5) 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-1410 (2) A Communication by **Mayor Kasim Reed** appointing Mr. Patrick L. Labat to the position of Corrections Chief.

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

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately - excerpt from 11.2, Consent Agenda; Rules for the Conduct of Business for the Council of the City of Atlanta.

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, Bond and Willis); 0 Nays.

SECTION I

ORDINANCES FOR SECOND READING

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE JOYCE SHEPERD, CHAIR

- 12-O-1267 (1) An Ordinance by **Community Development/Human Resources Committee** to correct Ordinance 12-O-0812 adopted by City Council July 2, 2012 and approved per City Charter Section 2-403 July 11, 2012, correcting the Oracle Fund Number GL Project Number and GL Funding Source Number transferring \$40,000.00 of anticipations and appropriations to POHL Real Estate, LLC; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-O-1400 (2) An Ordinance by **Councilmembers Yolanda Adrean and Felicia A. Moore** to provide for the remittance of Monthly Reports of Building Permit Applications received and Building Permits issued by Council District for Non-Residential Development by the Office of Buildings to members of the Atlanta City Council to allow members to share pertinent information of development with their constituents; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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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-1281 (3) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** amending the FY13 (Intergovernmental Grant Fund) Budget for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations in the amount of \$126,980.00, from the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD") for the purpose of continuing Clinical Assessment Services for Criminal Defendants participating in Community Court; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-O-1276 (4) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and accept approximately 1.01 acres of property located on 0 Loridans Drive, Atlanta, Georgia, Parcel Identification Number 17-0042-0003-030-8, ("The Property"), from the Fulton County/City of Atlanta Land Bank Authority, Inc. ("LBA"), in exchange for the City reimbursing the LBA to perform Quiet Title for The Property, and for the City to perform due diligence and to close the transaction in an amount not to exceed \$25,000.00, for the purpose of creating a new park in City Council District 7. Costs shall be paid from the account numbers below; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-O-1277 (5) An Ordinance by **Finance/Executive Committee** to amend the FY2013 (General Fund) Budget by transferring from appropriations in the amount of \$52,039.00 from the Department of Public Works to the Department of Human Resources in order to provide funding for a partially unfunded personnel position; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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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-1399 (6) An Ordinance by **Councilmembers Yolanda Adrean, Felicia A. Moore and Alex Wan** authorizing the Chief Financial Officer to establish a separate cost center under the Atlanta City Council Director to properly account for the Office of Communications; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-R-0965 (1) A Resolution by **Councilmember Natalyn M. Archibong as Substituted by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$25,500.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the Clear Creek CSO on July 12, 2012 and October 1, 2012 and at the Tanyard Creek CSO on October 1, 2012 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-R-1357 (2) A Resolution by **City Utilities Committee** authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with 180 Peachtree Retail, LLC., owner of real property located at 200 Peachtree Street, NW, Atlanta, Georgia for the purpose of permitting two overhead marquis canopies with electronic changing signs to be installed on each canopy along the west side of Peachtree Street between Andrew Young International Boulevard, NW and Ellis Street, NW; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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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-1358 (3) A Resolution by **City Utilities Committee** authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with ACP/Peachtree Center, LLC, owner of real property located at 225 Peachtree Street, NE, Atlanta, Georgia for the purpose of permitting an overhead canopy with an electronic sign along the east side of Peachtree Street between John Portman Boulevard and Andrew Young International Boulevard, NE; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-R-1359 (4) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor, or his designee, to execute a Utility Relocation Agreement between the City of Atlanta and the Georgia Power Company for additional right-of-way acquisitions and for the removal, relocation, or adjustment of electrical and communication facilities owned by the Georgia Power Company for construction of Bolton Road from Paul Avenue to Marietta Boulevard Project in an amount not to exceed \$38,522.00; with all contracted work charged to and paid from the Account Segment/PTAEO Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-R-1360 (5) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-R-1361 (6) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-1362 (7) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement Number 2 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1363 (8) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Precision, 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1364 (9) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1365 (10) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment No. 2 with Player and Company, Inc., for FC-5011, Annual Contract for Major Electrical Service and Repair on behalf of the Department of Watershed Management, to provide Maintenance and Mechanical Repairs at the Department of Watershed Management Facilities in an amount not to exceed \$182,780.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-1366 (11) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal No. 2 with Decanter Machine, Inc., for FC-4939, Annual Centrifuge Maintenance and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,188,600.00; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1367 (12) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment No. 1 with WWPS, LLC, for FC-5010, Annual Contract for Major Mechanical Service and Repairs, on behalf of the Department of Watershed Management, to provide Maintenance and Mechanical Repairs at the Department of Watershed Management Facilities in an amount not to exceed \$1,235,500.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1368 (13) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment No. 1 with Electrical Testing, Inc., for FC-5031, Annual Contract for Electrical Testing and Inspection Services, on behalf of the Department of Watershed Management, for additional Electrical Testing and Inspection Services in an amount not to exceed \$809,822.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

12-R-1254 (14) A Resolution by **Councilmembers Joyce M. Sheperd and Alex Wan as Amended by Community Development/Human Resources Committee** to request and authorize the City Auditor through the Audit Committee to assist the Community Development/Human Resources Committee in conducting an Independent Audit of the Office of Grants Management in its administration of the CDBG Program; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

12-R-1403 (15) A Resolution by **Councilmembers Michael Julian Bond, Alex Wan, Carla Smith, Felicia A. Moore, Joyce Sheperd, Howard Shook, Aaron Watson, C. T. Martin, Ivory Lee Young, Jr., H. Lamar Willis, Yolanda Adrean, Cleta Winslow and Kwanza Hall** accepting the recommendations of the Committee on the Appeal for Human Rights-Atlanta Student Movement Commission; 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-1338 (16) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into an appropriate Contractual Renewal Agreement with Keefe Commissary Network for FC-6008000000, for Inmate Commissary Services, in an amount not to exceed \$444,000.00 for one year, for the purpose of providing Labor, Supplies, and Materials necessary for the Management of Trust Fund and the Management and Distribution of Commissary Goods for the detainees in the Atlanta City Detention Center (ACDC); all contracted work shall be charged to and paid from Fund, Account and Center Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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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-1371 (17) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Richard Roe v. City of Atlanta, et al., Civil Action File Number 1:08-CV-2799-MHS, United States District Court, Northern District of Georgia, in the amount of \$250,000.00 ("The Settlement Amount"); authorizing payment of the Settlement Amount to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the Settlement Amount; and for other purposes.

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

12-R-1406 (18) A Resolution by the Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Diane Altland v. City of Atlanta, Civil Action File No. 2011CV208724, pending in Fulton County Superior Court, in the amount of \$220,000.00 (The "Settlement Amount"); authorizing the Settlement Amount to be charged to and paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the Settlement Amount; and for other purposes.

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

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

12-R-1330 (19) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Swissport Cargo Services, L.P. covering the occupancy and use of space in the North Cargo Building at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

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

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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-1332 (20) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Cleveland Electric Company, Inc., for Project No. FC-5813, On-Call Electrical Survey Services at Hartsfield-Jackson Atlanta International Airport, in an amount of \$50,000.00 to provide Professional Electrical Survey Services. All services will 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-1333 (21) A Resolution by **Transportation Committee** modifying the funding sources for the Vertical Transportation Phase 3 Project on behalf of the Department of Aviation at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1334 (22) A Resolution by **Transportation Committee** authorizing the Mayor to execute a reimbursable Agreement with Atlanta Airlines Terminal Corporation which shall provide for the mechanism by which the Atlanta Non-Hub Signatory Airlines are reimbursed for Third Party Project Management Services at Hartsfield-Jackson Atlanta International Airport, for a total cost to the City not to exceed \$100,000.00 in the first year, and a total cost to the City not to exceed \$315,000.00, year one expenditures 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**

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-R-1340 (23) A Resolution by **Finance/Executive Committee** authorizing the Mayor, or his designee, to enter into Agreement FC-5374, a Cooperative Purchasing Agreement with Peach State Umpires Association, LLC utilizing the State of Georgia, County of Clayton Annual Contract RFP #10-28 pursuant to Article X, Division 15 of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, for the purpose of officiating services for the Office of Recreation on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$150,000.00 per year; with all contracted work being charged to and paid from the FDOA Numbers listed; and for other purposes.

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

12-R-1341 (24) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to enter into a Cooperative Purchasing Renewal Agreement pursuant to §2-1601 et seq. of the City of Atlanta Code of Ordinances, with Dell Marketing, LP, COA-6116-PL, State of Georgia Contract #SWC-070764, for New Software Releases, Deployment Planning, Phone and Web Support, Training and Unique Technologies, in an amount not to exceed \$102,054.75; 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-1342 (25) A Resolution by **Finance/Executive Committee** authorizing the Mayor, or his designee, to execute Renewal Option Number One (1) for Citywide Cooperative Purchasing Agreement Number COA-0002 pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing National IPA Contract Number 083052-01 with CDW Government, LLC for Software, Software Licensing, Maintenance, Hardware, Peripherals, and Services for one (1) year with three (3) remaining one-Year renewal options on behalf of the City of Atlanta in an amount not to exceed \$1,500,000.00 to be charged to and paid from City of Atlanta Departments, as defined by the City of Atlanta Charter, with Adopted Fiscal Year Appropriations in FDOA locations.

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

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1343 (26) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Contractual Agreement for FC-5899, Revenue Audit Services, on behalf of the Department of Finance-Office of Revenue with PRA Government Services, LLC, d/b/a RDS, to provide full audit services which shall consist of all or any combination of the examination and audit of financial records and related documents for various revenue generating activities; and for other purposes.

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

12-R-1344 (27) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement with Carl Warren & Company for FC-6012 Workers' Compensation Administration, Healthcare, and Litigation Management for a term of three (3) years with two (2) one (1) year renewal options at the sole discretion of the City in amounts not to exceed \$815,500.00 in the first year; \$839,965.00 in the second year; and \$865,163.00 in the third year; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

12-R-1345 (28) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor on behalf of the City of Atlanta to issue Task Order to Arcadis/BPA, a Joint Venture for FC-4906A Architectural, Engineering and Design Service to provide construction documents, and design development standards for ADA Compliance at multiple facilities on behalf of the Executive Offices-Office of Enterprise Assets Management in an amount not to exceed \$343,926.00; all work 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

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1348 (29) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement designated by the Department of Procurement as COA-6217-PL, pursuant to §2-1602 of the City of Atlanta Code of Ordinances, utilizing the GSA Contract #GS-07F-0207M, to purchase Specialize Protective Gear from Allen Vanguard, to protect critical infrastructure in the City of Atlanta, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$29,655.00. All costs shall be charged to and paid from the Georgia Emergency Management Agency ("GEMA") Sub-Grant and the FDOA Numbers listed; and for other purposes.

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

12-R-1349 (30) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Agreement pursuant to City of Atlanta Code of Ordinances, Article X, Section 2-1191.1, Special Procurement with Fieldturf USA, Inc., utilizing the Cooperative Purchasing Network ("TCPN") Contract Number #R5176, for the purpose of installation and maintenance of the artificial turf at the Ben Hill Park Field, in an amount not to exceed \$1,189,653.82; with all contracted work being 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-1351 (31) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor on behalf of the Executive Offices/Office of Enterprise Assets Management to enter into Amendment Number 1 to Contract FC-4906-A Architectural Engineering Services to include the site and funding for the Atlanta Fire Department to a Task Order to Arcadis/BPA, a Joint Venture for FC-4906-A Architectural Engineering Services for the Assessment, Programming, Schematic Design, Construction Documents, and Design Development Standards for the Construction of Fire Station 22, in an amount not to exceed \$306,917.00; all work to be charged to and paid from FDOA and PTAE0 Numbers listed.

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

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

- 12-R-1372 (1) Claim of **GEICO, as subrogee of Felicia Wilson (APD/02)**, for property damage alleged to have been sustained as a result of a motor vehicle accident on July 28, 2011 at Peachtree Street and M. L. King Drive. **\$15,164.82**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1373 (2) Claim of **Aquilla McCornell, through her attorney, Shawn T. Richardson, Esq., Griffin Law Firm, P.C. (DPW/09)**, for bodily injury alleged to have been sustained from an automobile accident on December 6, 2011 at 1944 Donald Lee Hollowell Parkway. **\$6,360.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1374 (3) Claim of **Monica Redondo (DWM/05)**, for property damage alleged to have been sustained from a storm water backup on July 20, 2011 at 240 Boulevard, SE. **\$5,283.46**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1375 (4) Claim of **San Lucia Apartments (DWM/07)**, for property damage alleged to have been sustained from a sanitary sewer backup on December 19, 2011 at 728 Lindberg Drive. **\$5,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1376 (5) Claim of **Demarcus Smith, through his attorney, Fred Lerner (APD/05)**, for bodily injury allegedly sustained as a result of a vehicular accident on November 14, 2011 at Memorial Drive at Warren Street. **\$3,450.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

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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-1377 (6) Claim of **USAA, as subrogee of Tyrone C. Williams, through Weltman, Weinberg & Reis Co., L.P.A. (APD/NA)**, for property damages alleged to have been sustained from an automobile accident on November 28, 2011 at intersection of South Central Avenue and I-75 NB Ramp. **\$2,373.22**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1378 (7) Claim of **Aundia Vafadari (APD/02)**, for bodily injury alleged to have been sustained from an automobile accident on January 24, 2012 at Courtland Street and Edgewood Avenue. **\$2,200.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1379 (8) Claim of **Brandon Gates (DPW/09)**, for property damage alleged to have been sustained from an automobile accident on July 10, 2012 at Bolton Road and Marietta Road. **\$2,175.20**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1380 (9) Claim of **Binyam Gsilassie (AFR/02)**, for property damage alleged to have been sustained from an automobile accident on June 22, 2012 at 1-75/85 southbound and 10th Street. **\$1,065.17**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1381 (10) Claim of **Xiaojun Yan (DPW/05)**, for damages alleged to have been sustained from an automobile accident on June 5, 2011 at 632 McDonald Street, SE. **\$900.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 12-R-1382 (11) Claim of **Lynda Davis, through her attorney, Waymon Sims & Associates (DPW/03)**, for property damage alleged to have been sustained from an automobile accident on February 27, 2012 at 909 Mayson Turner Road. **\$775.56**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

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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:

- 12-R-1383 (12) Claim of **Yatta Alla Kamenin (APD/05)**, for property damage allegedly sustained as a result of a vehicular accident on April 18, 2012 at DeKalb and Whitefoord Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1384 (13) Claim of **Charles Pittman (DPW/11)**, for property damage alleged to have been sustained during bulk trash collection on April 17, 2012 at 1963 Beecher Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1385 (14) Claim of **Jeffery Keen (DPW/01)**, for property damage alleged to have been sustained as a result of driving over a storm drain on January 20, 2012 at 2680 Forrest Park Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1386 (15) Claim of **Moesha Brown, through her attorney, Waymon Sims (DPW/03)**, for bodily injury alleged to have been sustained as a result of an automobile accident on February 27, 2012 at 909 Mayson Turner Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1387 (16) Claim of **London Davis, through her attorney, Waymon Sims (DPW/03)**, for bodily injury alleged to have been sustained as a result of a automobile accident on February 27, 2012 at 909 Mayson Turner Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1388 (17) Claim of **Raeshawn Davis, through her attorney, Waymon Sims (DPW/03)**, for bodily injury alleged to have been sustained as a result of a automobile accident on February 27, 2012 at 909 Mayson Turner Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

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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-1389 (18) Claim of **Sharday Ricks, through her attorney, Waymon Sims (DPW/03)**, for bodily injury alleged to have been sustained as a result of a automobile accident on February 27, 2012 at 909 Mayson Turner Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 12-R-1390 (19) Claim of **Lynn Davis, through her attorney, Waymon Sims (DPW/03)**, for bodily injury alleged to have been sustained as a result of a automobile accident on February 27, 2012 at 909 Mayson Turner Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

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Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

All items on Consent Agenda Section II; (1) through (06) 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, Bond and Willis); 0 nays.

- 12-O-1339 (1) 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 or specialized equipment for the Department of Police (“Department”) Special Weapons and Tactics Explosive Ordinance Disposal Unit (“SWAT 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 ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-O-1335 (2) An Ordinance by **Transportation Committee** to amend the FY 2013 [Airport Renewal and Extension Fund (5502) and the Airport Passenger Facility Charge Fund (5505)] Budgets by transferring to and from Appropriations a total amount of \$4,681,575.00 for reimbursement of the Renewal and Extension Fund; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 12-O-1336 (3) An Ordinance by **Transportation Committee** amending the Fiscal Year 2013 (Airport Revenue Fund) Budget by transferring to and from Appropriations in the amount of \$4,510,000.00 to provide adequate funding for the Fuel Storage Facility and Fueling Facility Operation and Management at Hartsfield-Jackson Atlanta International Airport in Fiscal Year 2013; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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Council President Pro Tempore Kwanza Hall Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

12-O-1369 (4) An Ordinance by **Transportation Committee** to restrict through vehicular traffic on White Street, NW between Howell Mill Road, NW and Springer Street, NW by the installation of a permanent barrier across the width of White Street, NW approximately 185 feet west of the intersection of White Street, NW and Howell Mill Road, NW, while continuing to allow bicycle and pedestrian access to the full length of White Street, NW without obstruction; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

12-O-1370 (5) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to remove parking restrictions on the south side of Cumberland Road, NE between Monroe Drive and the western intersection of Cumberland Road, NE and Cumberland Circle, NE; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-O-1356 (6) 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 the Department of Parks, Recreation and Cultural Affairs to utilize funds remaining in the Chastain Park Amphitheater Trust Fund Account for the purpose of paying for Survey and Engineering Costs to develop a sidewalk expansion along Powers Ferry Road from the south end of the Chastain Park to West Wieuca Road; in an amount of \$20,000.00 and authorizing up to an additional \$10,000.00 for additional expenditures if necessary with the approval of the Commissioner of the Department of Parks, Recreation and Cultural Affairs; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

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

COMMITTEE REPORTS

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS

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

Attendance at the October 09 2012 meeting of the City Utilities Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

12-O-1264 (1) A **Substitute** Ordinance by **City Utilities Committee** authorizing the renaming of Henry Ford, II Avenue/South Central Avenue to Porsche Avenue by and through action of the Commissioner of the Department of Public Works or designee; and for other purposes. **(Public Hearing held 10/9/12)**
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis); 1 NAY
(Councilmember Wan)

12-O-1316 (2) An Ordinance by **Councilmember Keisha Lance 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 operation offices within the Department; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd and Bond); 1 NAY
(Councilmember Moore)

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the October 09 2012 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Shook

ORDINANCE FOR SECOND READING

12-O-1401 (1) An Ordinance by **Councilmember Yolanda Adrean** authorizing the Mayor or his designee to correct the City of Atlanta Official Neighborhood Boundary Map in accordance with Ordinance 01-O-1336 for Memorial Park and to confirm the boundaries between Brandon, Memorial Park and Woodfield neighborhoods in accordance with Exhibit "A".

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

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

MICHAEL J. BOND, CHAIR

Attendance at the October 09 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

RESOLUTIONS

12-R-0932 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Contract Agreement with Qumpus, Incorporation, d/b/a Better World Books (BWB) on behalf of the Department of Fire Rescue for the purpose of installing used books donation bins (Drop Boxes) on the properties of selected Atlanta Fire Stations; and for other purposes.

FILED BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Martin, Bottoms, Sheperd and Bond); 0 NAYS

12-R-1337 (2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into an appropriate Contractual Renewal Agreement with Correct Rx Pharmacy Service, for FC-4888, Pharmacy Services, on behalf of the Department of Corrections in an amount not to exceed \$250,000.00. All funds shall be charged to and paid from Fund, Account and Center Numbers listed; and for other purposes.

Chairperson Bond sounded the caption to resolution 12-R-1337 and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Bottoms, Sheperd, Bond and Willis); 0 nays. The Substitute was before Council. Mr. Bond then made a Motion to Adopt on Substitute. Properly Seconded, the Motion 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, Winslow, Archibong, Wan, Shook, Moore, Bottoms, Sheperd, Bond and Willis); 0 NAYS

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the October 10 2012 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Smith, Young and Willis

ORDINANCE FOR FIRST READING

12-O-1405 (1) An Ordinance by **Zoning Committee** to rezone from the MRC-3-C (Mixed Residential Commercial) District to the I-2 (Heavy Industrial) District, property located at **1033 Jefferson Street, NW**; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Willis); **0 NAYS**

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the October 10 2012 meeting of the Transportation Committee was as follows:

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

Absent: Councilmembers Archibong and Bond

RESOLUTION

12-R-1331 (1)

A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Southwest Airlines, Inc. ("Southwest") covering the lease of approximately 7.5 acres of City of Atlanta owned land located in College Park, Georgia for the Construction and Operation of a Vehicle Parking Lot to support Southwest's Airport Corporate Center located on adjacent land; 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

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the October 10 2012 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Hall

REPORT

12-TR-1408 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

FILED BY A ROLL CALL VOTE OF 12 YEARS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Martin, Sheperd, Bond and Willis);* **0 NAYS**

ORDINANCES FOR SECOND READING

12-O-1317 (1) An Ordinance by **Councilmember Keisha Lance Bottoms as Substituted by Finance/Executive Committee** 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 amount of \$475,000.00 to transfer funds from the Water and Wastewater Revenue Fund, Non-Departmental Reserve for Appropriations and add to Appropriations for DWM various offices; and for other purposes.

Chairperson Moore sounded the caption to ordinance 12-O-1317 and stated the recommendation from committee was Favorable on Substitute. Ms. Moore stated her reasons for her Nay vote and a discussion ensued. During discussion, Councilmember Martin made a Motion to enter Committee of the Whole; however, during further discussion, withdrew his Motion. The Motion to Adopt on Substitute then CARRIED by a roll call vote of 13 yeas; 2 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Martin, Bottoms, Sheperd, Watson and Willis);* **2 NAYS;** *(Councilmembers Moore and Bond)*

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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-1318 (2) An Ordinance by **Councilmember Keisha Lance Bottoms 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 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.
ADOPTED SUBSTITUTE AS AMENDED 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)*

RESOLUTION

- 12-R-1407 (1) A **Substitute** Resolution by **Finance/Executive Committee as Amended** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into Agreement Number FC-6148 for the Operation Shield Precinct Infrastructure Development Initiative with AVRIO RMS Group, a Carrick Bend Company, for the purchase of a Wireless Mesh Network, Cameras, Consulting, Training, and Installation Services for Phase Implementation Segments of said initiative, with ninety-two (92) cameras designated for installation in Zone Five, and the remaining twenty (20) cameras evenly distributed among Zones One, Two, Three, Four and Six, on behalf of the Atlanta Police Department in an amount not to exceed \$2,250,000.00; all contracted work shall be charged to and paid from FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE 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**

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

YOLANDA ADREAN, CHAIR

Attendance at the October 15 2012 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Hall

COMMUNICATIONS

Communications; (1) through (05) as follows, were Confirmed by a 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-1391 (1) A Communication by **Councilmembers Aaron Watson, Post 2 At-Large; Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7 and Yolanda Adrean, District 8** appointing Mr. Winston L. Minor to the Commission honoring Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. (**Favorable by Public Safety & Legal Administration Committee 10/9/12.**)
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1393 (2) A Communication from **Fire Chief Kelvin L. Cochran to Council President Ceasar C. Mitchell** submitting Chief William Hamer as the Fire Rescue Department's representative to serve on the Commission honoring Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. (**Favorable by Public Safety & Legal Administration Committee 10/9/12.**)
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1394 (3) A Communication from **Dr. R.L. White, President, National Association for the Advancement of Colored People (NAACP), Atlanta Branch, Unit 5163, to Council President Ceasar C. Mitchell** submitting Mr. Reginald Eaves as the NAACP's representative to serve on the Commission honoring Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. (**Favorable by Public Safety & Legal Administration Committee 10/9/12.**)
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
YOLANDA ADREAN, CHAIR

COMMUNICATIONS (CONT'D)

12-C-1395 (4) A Communication from **Ms. Christi Jackson, Chair, NPU-K, to Councilmember Michael J. Bond** appointing herself as the representative to serve on the Commission honoring Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. **(Forwarded with no recommendation by Public Safety & Legal Administration Committee 10/9/12.)**
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1396 (5) A Communication by **Councilmembers Michael J. Bond, Post 1 At-Large; Carla Smith, District 1; Kwanza Hall, District 2; Ivory L. Young, Jr., District 3 and Cleta Winslow, District 4** appointing Mr. N. Josiah Pamoja to the Commission honoring Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. **(Favorable by Public Safety & Legal Administration Committee 10/9/12.)**
CONFIRMED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-C-1397 (6) A Communication by **Councilmembers Cleta Winslow, District 4, Ivory L. Young, Jr., District 3, and Michael J. Bond, Post 1-At-Large** appointing Mr. Booker Randall to serve as member of the Water and Sewer Appeals Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 10/9/12.)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson); 0 NAYS

RESOLUTION

12-R-1402 (1) A Resolution by **Councilmembers Cleta Winslow and Carla Smith** to confirm the appointment of Mr. Micah Rowland to the Stadium Neighborhoods Tax Allocation District Advisory Committee; and for other purposes. **(Favorable by Community Development/Human Resources Committee 10/9/12.)**
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

PERSONAL PAPERS

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS

RESOLUTIONS/REFERRED

- 12-R-1411 (1) A Resolution by **Councilmembers Felicia A. Moore, Michael Julian Bond and Yolanda Adrean** to terminate contract FC-5249, Airport Curbside Management Services; to request the Chief Procurement Officer to immediately begin the request for proposal process in order to procure a new service provider; to rescind conflicting resolutions; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 12-R-1412 (2) A Resolution by **Councilmembers H. Lamar Willis and C. T. Martin** authorizing the Mayor to issue a task order to JP2, a joint venture, for FC-4906E, Architectural, Engineering and Design Services, on behalf of the Department of Watershed Management for consultant services for the Small Business Development Program in an amount not to exceed Seven Hundred Ninety-Seven Thousand, One Hundred Dollars and No Cents (\$797,100.00); all contracted work shall be charged to and paid from Fund Department Organization and Account Number 5066 (2009A Water & Wastewater Revenue Bond Fund) 170101 (DWM Commissioner of Watershed Management) 5212001 (Consulting/Professional Services) 1320000 (Chief Executive) and Project Task Award Expenditure and Organization Number 17102335 506621876 (2009A Water & Wastewater Revenue Bond Fund) 104 (Task) 5212001 (Consulting/Professional Services) COA; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-R-1417 (3) A Resolution by **Councilmember Joyce Sheperd** authorizing the Mayor to enter into a contractual agreement with the Fulton County/City of Atlanta Land Bank Authority, Inc., in an amount not to exceed One Hundred and Fifty Thousand Dollars and No Cents (\$150,000.00) with a term expiring on May 15, 2013, for the purpose of implementing the City of Atlanta's Sustainable Housing Initiative in the New Economy (SHINE) Multifamily Rebate Program in conjunction with the Neighborhood Stabilization Program; all payments to be charged to and paid from accounts listed below; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

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Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 12-R-1420 (4) A Resolution by **Councilmembers Yolanda Adrean, Joyce M. Sheperd and Ivory Lee Young, Jr.** to express the intent of the City Council to proceed with a plan for the reconfiguration, renovation and construction of City Council space; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-R-1422 (5) A Resolution by **Councilmember Natalyn Mosby Archibong** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$ _____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-R-1423 (6) A Resolution by **Councilmembers Felicia A. Moore, Joyce M. Sheperd, Michael Julian Bond, Yolanda Adrean, H. Lamar Willis and Kwanza Hall** requesting the Municipal Court of Atlanta to provide a quarterly report to the City Council detailing the citations issued for, and subsequent final dispositions of, violations of Chapter 106 (Offenses and Miscellaneous Provisions), Article II (Offenses Against Public Order), Section 106-85 (Monetary Solicitation), of the City of Atlanta Code of Ordinances; requesting that the quarterly report be presented to the City Council during the first meeting of each fiscal quarter; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-R-1424 (7) A Resolution by **Councilmembers Keisha Lance Bottoms, H. Lamar Willis and C. T. Martin** authorizing the Mayor, on behalf of the City of Atlanta to enter into an agreement with Jericho Alternative Community Development Corporation, Inc., for the purpose of providing pre-development and construction costs for ten Single-Family Rental Affordable Housing Units for low income veterans, in an amount not to exceed Two Hundred and Fifty Thousand Dollars and No Cents (\$250,000.00); all work to be charged to and paid from accounts listed below; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

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Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 12-O-1413 (1) An Ordinance by **Councilmember Kwanza Hall** to transfer funds in the amount of \$10,000.00 from District 2 Council Member expense account to create a “Main Street Program” in the Auburn-Edgewood Corridor in the Old Fourth Ward; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1414 (2) An Ordinance by **Councilmember Howard Shook** to amend Section 6-5004 of the Code of Ordinances to allow the Office of Buildings Technical Advisory Committee to meet more frequently than once each month; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-O-1415 (3) An Ordinance by **Councilmember Howard Shook** authorizing the Mayor or his designee to enter into an Encroachment Agreement for non-conforming uses with OMB Buckhead Lender, LLC. owner of real property located at **3035 Peachtree Road, 3065 Peachtree Road, 262 Buckhead Avenue, 273 Buckhead Avenue, 300 East Paces Ferry Road and 305 Buckhead Avenue known as Buckhead Atlanta**, authorizing encroachment rights for outdoor seating areas and appropriate enclosures to be located in the public right of way adjacent to Buckhead Atlanta; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-O-1416 (4) An Ordinance by **Councilmember Joyce M. Sheperd** to amend Subsection (b)(6) – Notice of Non-Compliance, of Sec. 10 entitled “Notice of Inspection” under Part III – Code of Ordinances – Land Development Code » Appendix E – Atlanta Housing Code of 1987 » Article I. – Policy and Administration, so as to eliminate the requirement of notices for repeat violations of Housing Code; and for other purpose.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

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Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1418 (5) An Ordinance by **Councilmember Aaron Watson** to transfer One Thousand Five Hundred Dollars from the Post 2 At Large Councilmember Non-Departmental Expense Account to the Department of Planning and Community Development to be used to fund the nomination and designation activities per the City of Atlanta's Historic Preservation Ordinance for the Collier Heights Neighborhood's consideration as a locally designated Historic District; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1419 (6) An Ordinance by **Councilmember Michael Julian Bond** to amend Sections 30-1464 (b), 30-1469 (b), 30-1484 and 30-1491 of the Code of Ordinances of the City of Atlanta (Vending on Private Property) so as to provide that persons vending on Private Property shall not be required to apply for or obtain a Special Use Permit or a Special Administrative Permit as prescribed by Sections 16-25.001 through 16-25.004 of the Zoning Ordinance; to waive conflicting ordinances and code sections; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-O-1421 (7) An Ordinance by **Councilmember Alex Wan** to transfer funds in the amount of \$5,000.00 from the District 6 Council Member Expense Account to contribute to the Piedmont Park Expansion Project; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

10/15/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

ADJOURNMENT

There being no further business to discuss, the October 15, 2012 meeting of the Atlanta City Council was adjourned at 3:32 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).*